Queensland

Waste Reduction and Recycling Act 2011

Waste Reduction and Recycling Regulation 2011

Reprinted as in force on 1 December 2011

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Reprint No. 0B

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Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprint.**

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Queensland

Waste Reduction and Recycling Regulation 2011

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Waste Reduction and Recycling Regulation 2011

[reprinted as in force on 1 December 2011]

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Waste Reduction and Recycling Regulation 2011*.

2 Commencement

(1) The following provisions commence on 1 December 2011—

(a) part 3, divisions 3, 4, 5, 6 and 7;

(b) parts 4, 5 and 8;

(c) schedules 4, 5, 6, and 9, parts 2 and 3.

(2) Schedule 9, part 1, commences on 2 December 2011.

3 Definitions

The dictionary in schedule 10 defines particular words used in this regulation.

Part 2 Types of waste

4 What is *commercial and industrial waste*

(1) For the Act, schedule, definition *commercial and industrial waste*, waste is commercial and industrial waste if it is

generated as a result of carrying out any of the following activities—

(a) manufacturing and industrial processes;

(b) mining;

(c) wholesale or retail trading;

(d) sorting, resource recovery, reprocessing and recycling operations;

(e) activities carried out at a domestic premises under a commercial arrangement;

(f) accommodation services;

(g) hospitality services, including catering;

(h) primary industries, including agricultural, forestry and fishing;

(i) veterinary science under the *Veterinary Surgeons Act 1936*, section 2A;

(j) health services, including operating a nursing home;

(k) educational services;

(l) activities carried out by charities;

(m) activities carried out at churches;

(n) organising concerts and other entertainment events;

(o) other business activities, including administrative services.

(2) However, waste is not commercial and industrial waste if it is construction and demolition waste.

5 What is *construction and demolition waste*

(1) ***Construction and demolition waste*** is waste generated as a result of carrying out building work within the meaning of the *Building Act 1975*, section 5.

(2) To remove any doubt, it is declared that for the purpose of this regulation construction and demolition waste includes waste

generated by building, repairing, altering, or demolishing infrastructure for roads, bridges, tunnels, sewage, water, electricity, telecommunications, airports, docks or rail.

6 Regulated waste

(1) The section prescribes waste that is regulated waste for the Act, schedule, definition *regulated waste*.

(2) Waste is regulated waste if it—

(a) is commercial and industrial waste or construction and demolition waste, whether or not it has been immobilised or treated; and

(b) is or contains—

(i) a substance of a type mentioned in schedule 1; or

(ii) a chemical compound containing an element that is a substance of a type mentioned in schedule 1; or

(iii) anything that contains residues of a substance of a type mentioned in schedule 1.

(3) However, regulated waste does not include acid sulfate soil or contaminated soil.

(4) If waste is mixed with regulated waste before being delivered to a levyable waste disposal site, the waste, on and from its delivery, is also taken to be regulated waste.

7 What is *regulated waste—high hazard*

(1) ***Regulated waste—high hazard*** is regulated waste that is, or contains, a substance of a type classified as regulated waste—high hazard under schedule 2.

(2) If subsection (1) does not apply, ***regulated waste—high hazard*** is regulated waste that is, or contains, a substance of a type mentioned in schedule 3, column 1 that—

(a) has a concentration level above the concentration range, if any, mentioned in schedule 3, column 2 opposite the type of substance; or

(b) has a leachate concentration above the leaching concentration range, if any, mentioned in schedule 3, column 3 opposite the type of substance.

8 What is *regulated waste—low hazard*

(1) ***Regulated waste—low hazard*** is regulated waste that is, or contains, a substance of a type classified as regulated waste—low hazard under schedule 2.

(2) If subsection (1) does not apply, ***regulated waste—low hazard*** is regulated waste that is, or contains, a substance of a type mentioned in schedule 3, column 1 that—

(a) has a concentration level within the concentration range, if any, mentioned in schedule 3, column 2 opposite the type of substance; or

(b) has a leachate concentration within the leaching concentration range, if any, mentioned in schedule 3, column 3 opposite the type of substance.

(3) However, subsection (2) does not apply if—

(a) the regulated waste is, or contains, a substance of a type mentioned in schedule 3, column 1 that has a concentration level above the concentration range, if any, mentioned in schedule 3, column 2 opposite the type of substance; or

(b) the regulated waste is, or contains, a substance of a type mentioned in schedule 3, column 1 that has a leachate concentration above the leaching concentration range, if any, mentioned in schedule 3, column 3 opposite the type of substance.

9 What is *regulated waste—other*

(1) ***Regulated waste—other*** is regulated waste that is, or contains, a substance of a type classified as regulated waste—other under schedule 2.

(2) If subsection (1) does not apply, ***regulated waste—other*** is regulated waste that is, or contains, a substance of a type mentioned in schedule 3, column 1 that—

(a) has a concentration level below the concentration range, if any, mentioned in schedule 3, column 2 opposite the type of substance; and

(b) has a leachate concentration below the leaching concentration range, if any, mentioned in schedule 3, column 3 opposite the type of substance.

10 Measuring leachate concentration

(1) For sections 7, 8 and 9, the leachate concentration of a type of regulated waste, or a substance, must be measured using the toxicity characteristic leaching procedure.

(2) Subsection (3) applies if—

(a) regulated waste is, or contains, more than 1 substance of a type mentioned in schedule 3, column 1; and

(b) a total for the substances is mentioned in schedule 3, column 1.

Example of a total for substances—

total organochlorine pesticides

(3) The concentration range or leaching concentration range of the total for the substances is the concentration range or leaching concentration range to be used for the purpose of sections 7(2), 8(2) or (3) and 9(2).

(4) In this section—

toxicity characteristic leaching procedure (TCLP) means the test described in the document SW-846 Test Methods for Evaluation of Solid Waste, Physical/Chemical Methods, published by the United States Environmental Protection Agency.

Editor's note—

The guideline may be accessed on the internet at <http://www.epa.gov/epawaste/hazard/testmethods/index.htm>.

Part 3 Waste levy

Division 1 Prescribed exempt waste

11 Prescribed exempt waste—Act, s 26, definition *exempt waste*, paragraph (g)(i)

The following is prescribed as waste that is exempt waste for the Act, section 26, definition *exempt waste*, paragraph (g)(i)—

(a) clean earthen material if—

(i) it is separate from other waste when delivered to a levyable waste disposal site; and

(ii) it is not also regulated waste in nature; and

(iii) it is not acid sulfate soil; and

(iv) it is not contaminated soil;

(b) until 30 June 2014, 63% of each load of residue waste delivered to a levyable waste disposal site from SITA's Bedminster facility in Cairns.

Division 2 Identifying exempt waste

12 Purpose of div 2

This division prescribes criteria for section 31(3)(c) of the Act.

13 Contaminated soils

(1) An exempt waste application relating to contaminated soil must not be approved unless the chief executive is satisfied the contaminated soil—

(a) was contaminated before 1 January 1992; or

(b) contains waste removed from a landfill cell that is to be delivered to a levyable waste disposal site as part of a significant community project.

(2) Also, an exempt waste application relating to contaminated soil must not be approved if the chief executive is satisfied the contaminated soil—

(a) is, if analysed in accordance with guidelines in the document 'National Environment Protection (Assessment of Site Contamination) Measure 1999', schedule B(3), contaminated solely with petroleum hydrocarbons; or

(b) contains only contaminants that are reasonably able to be treated by bioremediation and made suitable for any use.

(3) In this section—

significant community project means a project the chief executive considers has an aesthetic, conservation, cultural or economic benefit to a local or regional community or the State, including for example, either of the following—

(a) a project that serves an essential need of the community;

Examples—

essential infrastructure, school

(b) a project that significantly improves the community's access to services.

Examples—

hospital, State or local government library or museum

14 Waste to be used at a levyable waste disposal site

The following criteria apply when deciding whether to approve, as exempt waste, waste that is to be used at a levyable waste disposal site for progressive capping, batter construction, final capping, profiling or site rehabilitation (each a ***site activity***)—

(a) if a relevant environmental approval for the facility to which the application relates includes requirements about material for a site activity—whether the material is needed to carry out the site activity as required by the relevant environmental approval for the facility;

(b) otherwise—whether the material is required to carry out the activity in compliance with the requirements of the guideline 'ERA 60—Waste disposal: Landfill siting, design, operation and rehabilitation'.

Editor's note—

The guideline may be accessed on the internet at <http://www.derm.qld.gov.au/register/p01312aa.pdf>.

Division 3 Rate of waste levy

15 Rate of waste levy for types of waste—Act, s 38

(1) The rate of waste levy for each tonne of a type of waste is—

(a) for levyable waste that is delivered to a levyable waste disposal site—the amount stated in schedule 4, part 1 or 2, column 2 opposite the type of waste; and

(b) for waste stockpiled at a levyable waste disposal site that is disposed of to landfill at the site—the amount stated in schedule 4, part 3, column 2 opposite the type of waste.

(2) If a quantity of waste could be either green waste or municipal solid waste because both definitions could apply to the quantity of waste, the waste levy for the quantity of waste is the waste levy for municipal solid waste.

(3) If a quantity of waste could be either green waste or commercial and industrial waste because both definitions could apply to the quantity of waste, the waste levy for the quantity of waste is—

(a) if the quantity of waste is not mixed with other waste—the waste levy for green waste; or

(b) otherwise—the waste levy for commercial and industrial waste.

(4) To remove any doubt, it is declared that the waste levy that applies to regulated waste is the waste levy for regulated waste regardless of its status as commercial and industrial waste or construction and demolition waste.

Division 4 Waste levy zone

16 Local government areas comprising the waste levy zone—Act, s 40

The local government area of each local government mentioned in schedule 5 comprises the waste levy zone.

Division 5 Calculating waste levy

Subdivision 1 Requirements for calculating the waste levy imposed

17 Purpose of sdiv 1

This subdivision prescribes the requirements for calculating the amount of waste levy imposed on waste under section 38(3) of the Act.

18 How to calculate the amount of waste levy payable to the State

The amount of waste levy payable to the State by the operator is calculated monthly using the following formula—

WLP = WLd + WLs + WLg - T$d - RRD$ - OUD$

where—

WLP is the total amount payable to the State by the operator of a levyable waste disposal site for a month.

WLd is the total amount of waste levy on all levyable waste delivered to the levyable waste disposal site during the month, other than green waste stockpiled separately at the site.

WLs is the amount of waste levy payable on all stockpiled waste that is disposed of as landfill during the month, other than separately stockpiled green waste.

WLg is the amount of waste levy payable on all separately stockpiled green waste that is disposed of as landfill during the month.

T$d is the total amount of the average waste levy on stockpiled waste disposed of as landfill during the month.

RRD$ is the amount of the resource recovery deduction for the levyable waste disposal site for the month.

OUD$ is the amount of the operational use discount for the levyable waste disposal site for the month.

19 How to calculate the amount of waste levy on levyable waste delivered to a levyable waste disposal site [WLd]

(1) The total amount of waste levy on all levyable waste delivered to a levyable waste disposal site during a month is the sum of the individual amounts of waste levy on each type of levyable waste delivered to the site.

(2) The individual amount of the waste levy on each type of levyable waste is calculated using the following formula—

I$ = Qt x WLR

where—

I$ is the individual amount of waste levy on a type of levyable waste delivered to a levyable waste disposal site during a month.

Qt is the total quantity, in tonnes, of the type of levyable waste delivered to the levyable waste disposal site during the month.

WLR is the applicable rate of waste levy on the type of levyable waste.

(3) Green waste delivered to a levyable waste disposal site is not to be included in a calculation under subsection (1) or (2) if the green waste is separately stockpiled at the site.

Note—

Green waste may be disposed of directly after delivery or may be disposed of after having been stockpiled at a levyable waste disposal site. The waste levy is not imposed on green waste until it is disposed of as landfill as calculated under WLs.

20 How to calculate the amount of waste levy on stockpiled waste that is disposed of as landfill [WLs]

(1) The total amount of waste levy on stockpiled waste that is disposed of as landfill in a month is the sum of the individual amounts of waste levy on each type of stockpiled waste disposed of as landfill at the site during the month.

(2) The individual amount of waste levy on a type of stockpiled waste that is disposed of as landfill in a month is calculated using the following formula—

I$ = Qt x WLR

where—

I$ is the individual amount of waste levy on a type of stockpiled waste disposed of as landfill during a month.

Qt is the quantity, in tonnes, of the type of stockpiled waste disposed of as landfill during the month.

WLR is the applicable rate of waste levy on the type of stockpiled waste when disposed of as landfill.

(3) Separately stockpiled green waste, disaster management waste or clean earthen material is not to be included in a calculation under subsection (1) unless it has been mixed with other stockpiled waste.

21 How to calculate the waste levy on separately stockpiled green waste that is disposed of as landfill [WLg]

The total amount of waste levy on separately stockpiled green waste that is disposed of as landfill in a month is calculated using the following formula—

WLg = Qt x WL

where—

WLg is the total amount of waste levy on separately stockpiled green waste disposed of as landfill during a month.

Qt is the quantity, in tonnes, of separately stockpiled green waste disposed of as landfill during the month.

WL is the applicable rate of waste levy on separately stockpiled green waste disposed of as landfill.

Subdivision 2 Resource recovery deduction

22 Purpose of sdiv 2

This subdivision prescribes the requirements for calculating the resource recovery deduction under section 39(2) of the Act.

23 How to calculate the resource recovery deduction [RRD$]

(1) The amount of the resource recovery deduction for a levyable waste disposal site for a month is calculated using the following formula—

RRD$ = Qts x A$

where—

RRD$ is the amount of the resource recovery deduction for a levyable waste disposal site for a month.

Qts is the quantity, in tonnes, of stockpiled waste that is exported from the levyable waste disposal site during the month and is eligible for a resource recovery deduction.

A$ is the average value, per tonne, of stockpiled waste for the month.

(2) Separately stockpiled green waste, disaster management waste or clean earthen material is not to be included in a calculation under subsection (1) unless it has been mixed with other stockpiled waste.

Note—

For the exports of stockpiled waste that are eligible for a resource recovery deduction, see section 39(1) of the Act.

24 Capping the resource recovery deduction

(1) This section applies if, in any month, the amount of the resource recovery deduction calculated under section 23 is more than the overall average value of the general stockpile of waste at the levyable waste disposal site.

(2) The resource recovery deduction is taken to equal the overall average value of the general stockpile of waste.

Subdivision 3 Operational use discount

25 Purpose of sdiv 3

This subdivision prescribes the requirements for calculating the operational use discount.

26 How to calculate the operational use discount [OUD$]

(1) The amount of the operational use discount for a levyable waste disposal site for a month is calculated using the following formula—

OUD$ = Qt x A$

where—

OUD$ is the amount of the operational use discount for a levyable waste disposal site for a month.

Qt is the quantity, in tonnes, of stockpiled waste that is moved from a stockpile for an authorised on-site use at the levyable waste disposal site during the month.

A$ is the average value, per tonne, of stockpiled waste for the month.

(2) Separately stockpiled green waste, disaster management waste or clean earthen material is not to be included in a calculation under subsection (1) unless it has been mixed with other stockpiled waste.

27 Capping the operational use discount

(1) This section applies if, in any month, the amount of the operational use discount calculated under section 26 is more than the capped limit for the levyable waste disposal site.

(2) The operational use discount is taken to equal the capped limit.

(3) In this section—

capped limit, for a levyable waste disposal site in a month, is calculated using the following formula—

CL = OA$ - RRD$

where—

CL is the capped limit for a levyable waste disposal site for a month.

OA$ is the overall average value of the general stockpile of waste at a levyable waste disposal site for a month.

RRD$ is the amount of the resource recovery deduction for the levyable waste disposal site for the month.

Subdivision 4 Other calculations

28 How to calculate the overall average value of the general stockpile of waste [OA$]

(1) The overall average value of the general stockpile of waste at a levyable waste disposal site, is calculated using the following formula—

OA$ = T$1 + T$s - T$d

where—

OA$ is the overall average value of the general stockpile of waste at a levyable waste disposal site for a month.

T$1 is the total amount of waste levy on all stockpiled waste remaining at the levyable waste disposal site at the end of the previous month.

T$s is the total amount of waste levy on all levyable waste that is stockpiled at the levyable waste disposal site during the current month.

T$d is the total amount of the average waste levy on stockpiled waste disposed of as landfill during the current month.

(2) In this section—

general stockpile of waste means a stockpile of waste at a levyable waste disposal site other than any of the following that is stockpiled separately to other types of waste—

(a) green waste;

(b) disaster management waste;

(c) clean earthen material.

29 How to calculate the average value, per tonne, of stockpiled waste [A$]

(1) The average value, per tonne, of stockpiled waste for a levyable waste disposal site for a month is calculated using the following formula—

A$ = (T$1 + T$s) ÷ (TQt1 + Qts)

where—

A$ is the average value, per tonne, of stockpiled waste for the month.

T$1 is the total amount of waste levy on all stockpiled waste remaining at the levyable waste disposal site at the end of the previous month.

T$s is the total amount of waste levy on all levyable waste that is stockpiled at the levyable waste disposal site during the current month.

TQt1 is the quantity, in tonnes, of stockpiled waste remaining at the levyable waste disposal site at the end of the previous month.

Qts is the quantity, in tonnes, of all waste that is stockpiled at the levyable waste disposal site during the current month.

(2) Separately stockpiled green waste, disaster management waste or clean earthen material is not to be included in a calculation under subsection (1) unless it has been mixed with other stockpiled waste.

30 How to calculate the quantity of stockpiled waste remaining at the end of a month [TQt]

(1) The quantity, in tonnes, of stockpiled waste remaining at a levyable waste disposal site at the end of a month (the ***current month***) is calculated using the following formula—

TQt = TQt1 + Qts - Qtd - Qte - OUD

where—

TQt is the quantity, in tonnes, of stockpiled waste remaining at a levyable waste disposal site at the end of the current month.

TQt1 is the quantity, in tonnes, of stockpiled waste remaining at the levyable waste disposal site at the end of the previous month.

Qts is the quantity, in tonnes, of all waste that is stockpiled at the levyable waste disposal site during the current month.

Qtd is the quantity, in tonnes, of all stockpiled waste that is disposed of as landfill during the current month.

Qte is the quantity, in tonnes, of stockpiled waste that is exported from the levyable waste disposal site during the current month.

OUD is the quantity, in tonnes, of stockpiled waste for the levyable waste disposal site to which the operational use discount applies during the current month.

(2) If a quantity calculated under subsection (1) is less than 0, the quantity is taken to equal 0.

(3) Separately stockpiled green waste, disaster management waste or clean earthen material is not to be included in a calculation under subsection (1) unless mixed with other stockpiled waste.

31 How to calculate the total value of stockpiled waste remaining at the end of a month [T$]

(1) The total value of all stockpiled waste remaining at the levyable waste disposal site at the end of a month (the ***current month***) is calculated using the following formula—

T$ = T$1 + T$s - T$d - RRD$ - NoRRD$ - OUD$

where—

T$ is the total value of all stockpiled waste remaining at the levyable waste disposal site at the end of the current month.

T$1 is the total value of all stockpiled waste remaining at the levyable waste disposal site at the end of the previous month.

T$s is total amount of waste levy on all levyable waste that is stockpiled at the levyable waste disposal site during the current month.

T$d is the total amount of the average waste levy on stockpiled waste disposed of as landfill during the current month.

RRD$ is the amount of the resource recovery deduction for a levyable waste disposal site for the current month.

NoRRD$ is the amount non-deductible resource recovery for a levyable waste disposal site for the current month.

OUD$ is the amount of the operational use discount for a levyable waste disposal site for the current month.

(2) If a value calculated under subsection (1) is less than 0, the value is taken to equal 0.

(3) Separately stockpiled green waste, disaster management waste or clean earthen material is not to be included in a calculation under subsection (1) unless it has been mixed with other stockpiled waste.

32 How to calculate the total amount of waste levy on stockpiled waste [T$s]

(1) The total amount of waste levy on all levyable waste that is stockpiled at the levyable waste disposal site during a month is the sum of the individual amount of waste levy on each type of levyable waste that is stockpiled at the site during the month.

(2) The waste levy on a type of waste that is stockpiled at a levyable waste disposal site is the waste levy that would have applied to the type of waste if the waste had been disposed of as landfill on delivery.

(3) If, under subsection (2), a waste levy would not apply to the type of waste, the waste levy is taken to equal $0.

(4) The individual amount of waste levy on each type of levyable waste that is stockpiled during a month is calculated using the following formula—

IA = Qt x WLR

where—

IA is the individual amount of waste levy on a type of levyable waste that is stockpiled at a levyable waste disposal site during a month.

Qt is the total quantity, in tonnes, of the type of levyable waste that is stockpiled at the levyable waste disposal site during the month.

WLR is the applicable rate of waste levy on the type of levyable waste.

(5) Separately stockpiled green waste, disaster management waste or clean earthen material is not to be included in a calculation under subsection (1) or (4) unless it has been mixed with other stockpiled waste.

33 How to calculate the total amount of the average waste levy on stockpiled waste that was disposed of as landfill [T$d]

(1) The total amount of the average waste levy on stockpiled waste disposed of as landfill for a month is calculated using the following formula—

T$d = Qtd x A$

where—

T$d is the total amount of the average waste levy on stockpiled waste disposed of as landfill for a month.

Qtd is the quantity, in tonnes, of stockpiled waste disposed of as landfill during the month.

A$ is the average value, per tonne, of stockpiled waste for the month.

(2) If a value calculated under subsection (1) is greater than T$1 + T$s, then the value is taken to equal T$1 + T$s.

(3) Separately stockpiled green waste, disaster management waste or clean earthen material is not to be included in a calculation under subsection (1) unless it has been mixed with other stockpiled waste.

34 How to calculate the non-deductible resource recovery [NoRRD$]

(1) The amount of the non-deductible resource recovery for a levyable waste disposal site for a month is calculated using the following formula—

NoRRD$ = Qt x A$

where—

NoRRD$ is the amount of the non-deductible resource recovery for a levyable waste disposal site for a month.

Qt is the quantity, in tonnes, of stockpiled waste exported from the levyable waste disposal site during the month that is not eligible for a resource recovery deduction.

A$ is the average value, per tonne, of stockpiled waste for the month.

(2) Separately stockpiled green waste, disaster management waste or clean earthen material is not to be included in a calculation under subsection (1) unless it has been mixed with other stockpiled waste.

Division 6 Movement of waste

35 Prescribed movements of waste—Act, s 44

(1) For the Act, section 44(2)(d), the movement, within a levyable waste disposal site, of waste from a general stockpile of waste for an authorised on-site use is prescribed.

(2) Also, for the Act, section 44(2)(d), the movement, within a levyable waste disposal site, of waste from landfill at the site to the general stockpile of waste is prescribed.

(3) In this section—

general stockpile of waste means a stockpile of waste at a levyable waste disposal site other than any of the following that is stockpiled separately to other types of waste—

(a) green waste;

(b) disaster management waste;

(c) clean earthen material.

Division 7 Measurement of waste other than by weighbridge

36 Weight measurement criteria—Act, s 45

(1) For the Act, section 45(2), the weight measurement criteria prescribed are the criteria in schedule 6.

(2) Under the weight measurement criteria, the weight of waste is, depending on the GVM or GCM of the delivery vehicle, stated in schedule 6, columns 3 to 11, opposite the type of delivery vehicle and the waste.

Division 8 Resource recovery areas

37 Prescribed activities for resource recovery areas—Act, s 61

(1) The following activities are prescribed for the Act, section 61(a)(iv)—

(a) operating a tip shop;

(b) a recycling activity;

(c) treating contaminated soil to render the soil non-hazardous or less hazardous.

(2) In this section—

tip shop means a store for the sale of used, recycled or second-hand goods which have been diverted from disposal in a landfill.

38 Requirement for resource recovery areas—Act, s 61

The requirement prescribed for the Act, section 61(d) is that the total area of all resource recovery areas at the waste facility must not be more than the smaller of the following—

(a) 50000 square metres;

(b) 25% of the total area of the waste facility.

Part 4 Strategic planning for waste reduction and recycling

39 Prescribed planning entity—Act, s 139

(1) The following sectors of entities are prescribed for the Act, section 139(2)—

(a) blood banks;

(b) hospitals;

(c) laboratories that generate clinical waste;

(d) multi-service medical clinics;

(e) veterinary hospitals.

(2) In this section—

blood bank means premises or a vehicle for receiving blood donations.

hospital has the meaning given by the *Health Services Act 1991*, section 2 and includes a dental hospital or hospice.

multi-service medical clinic means a medical centre that provides specialist procedures including radiology, pathology or surgical procedures.

veterinary hospital means premises at which veterinary science, within the meaning of the *Veterinary Surgeons Act 1936*, is practised.

Part 5 Reporting about waste management

40 Prescribed sector of reporting entities—Act, s 150

For the Act, section 150(2), the following sectors of entities are prescribed for a financial year—

(a) entities carrying out a recycling activity during the financial year;

(b) entities required, during the financial year, to hold a registration certificate under the *Environmental Protection Act 1994* for any of the following activities—

(i) crushing, milling, grinding or screening;

(ii) regulated waste recycling or reprocessing;

(iii) regulated waste treatment;

(iv) waste incineration and thermal treatment;

(v) waste transfer station operation;

(c) waste facilities required, during the financial year, to hold a registration certificate under the *Environmental Protection Act 1994* for the disposal of waste at the facility.

41 Prescribed threshold for reporting entities—Act, s 150

(1) For the Act, section 150(4)(a), the threshold prescribed is that an entity received, sorted, recycled, treated or disposed of at least 1000 tonnes of waste in the financial year immediately preceding the reporting year.

(2) In this section—

reporting year means a financial year for which a reporting entity has an obligation to give the chief executive a report in compliance with the requirements under chapter 7, part 2, division 2 of the Act.

Part 6 Miscellaneous

42 Prescribed persons—Act, s 183

For the Act, section 183(1)(c), the following persons are prescribed—

(a) a council employee under the *City of Brisbane Act 2010*;

(b) a local government employee under the *Local Government Act 2009*.

43 Prescribed commercial activity—Act, schedule, definition *municipal solid waste*

The following commercial activities are prescribed for the Act, schedule, definition *municipal solid waste*, item 2, paragraph (c)—

(a) sorting of waste;

(b) resource recovery from waste;

(c) reprocessing and recycling operations.

44 Prescribed recycling activity—Act, schedule, definition *recycling activity*

(1) The following activities are prescribed for the Act, schedule, definition *recycling activity*, paragraph (j)—

(a) mulching green waste;

(b) recycling construction and demolition waste;

(c) recycling mattresses;

(d) composting and soil conditioner manufacturing.

(2) In this section—

composting and soil conditioner manufacturing means manufacturing, from organic material or organic waste, compost or soil conditioners other than—

(a) manufacturing mushroom growing substrate; or

(b) composting material from agriculture or livestock on the site where the material is produced.

organic waste—

(a) includes the following—

(i) a substance used for manufacturing fertiliser for agricultural, horticultural or garden use;

(ii) animal manure;

(iii) biosolids;

(iv) cardboard and paper waste;

(v) fish processing waste;

(vi) food and food processing waste;

(vii) plant material;

(viii poultry processing waste;

(ix) waste generated from an abattoir; but

(b) does not include—

(i) clinical waste; or

(ii) related waste; or

(iii) contaminated soil; or

(iv) organic chemicals, other than a substance mentioned in paragraph (a)(i); or

Examples of organic chemicals for subparagraph (iv)—

chlorinated hydrocarbons, lubricating greases, pesticides, tars

(v) plastics that are not compostable.

45 Fees

The fees payable under the Act are in schedule 7.

Part 7 Transitional matters

46 Residue waste discounted levy rate criteria—Act, s 280

(1) This section prescribes the residue waste discounted levy rate criteria for section 280(3)(c) of the Act.

(2) The criteria are—

(a) an applicant's performance history for carrying out a recycling activity compared to industry benchmarks or best practice guidelines for the recycling activity; and

(b) an applicant's performance history for carrying out a recycling activity compared to the residue waste efficiency threshold for the recycling activity stated in section 47; and

(c) any strategies or practices to improve the efficiency of the applicant's recycling activities proposed by the applicant in the applicant's application.

(3) An application must not be granted if the applicant's performance history for carrying out a recycling activity does

not match or better the residue waste efficiency threshold for the recycling activity stated in section 47.

(4) Subsection (3) does not apply if, after consideration of any strategies or practices mentioned in subsection (2)(c), the chief executive is satisfied the applicant is capable of matching the residue waste efficiency threshold for the recycling activity stated in section 47 for the year to which the discount would apply.

47 Residue waste efficiency threshold—Act, s 280

(1) For section 280(4) of the Act, the residue waste efficiency threshold prescribed for a recycling activity is that the residue waste from the recycling activity be no more than the percentage of starting waste, for the activity, stated in schedule 8, column 2 opposite the activity.

(2) In this section—

starting waste, for a recycling activity, means the amount of waste that enters the recycling activity as feedstock.

48 Discounted rate of waste levy for residue waste—Act, s 281

For section 281(1)(b) of the Act, the discounted rate of waste levy that is to apply to residue waste is $17.50 per tonne.

Part 8 Consequential amendments

49 Regulations amended

Schedule 9 amends the regulations mentioned in it.

Schedule 1 Regulated waste

section 6

1 acidic solutions and acids in solid form

2 animal effluent and residues, including abattoir effluent and poultry and fish processing wastes

3 antimony and antimony compounds

4 arsenic and arsenic compounds

5 asbestos

6 barium compounds, other than barium sulfate

7 basic (alkaline) solutions and bases (alkalis) in solid form

8 beryllium and beryllium compounds

9 boron compounds

10 cadmium and cadmium compounds

11 chemical waste arising from a research and development or teaching activity, including new or unidentified material and material whose effects on human health or the environment are not known

12 chlorates

13 chromium compounds (hexavalent and trivalent)

14 clinical and related waste

15 containers contaminated with a regulated waste

16 copper compounds

17 cyanides (inorganic)

18 cyanides (organic)

19 encapsulated, chemically-fixed, solidified or polymerised wastes

20 ethers

21 filter cake, other than filter cake waste generated from the treatment of raw water for the supply of drinking water

22 fly ash

23 food processing waste

24 grease trap waste

25 halogenated organic solvents

26 highly odorous organic chemicals, including mercaptans and acrylates

27 inorganic fluorine compounds, other than calcium fluoride

28 inorganic sulfides

29 isocyanate compounds

30 lead and lead compounds including lead-acid batteries

31 material containing polychlorinated biphenyls (PCBs), polychlorinated napthalenes (PCNs), polychlorinated terphenyls (PCTs) or polybrominated biphenyls (PBBs)

32 mercury and mercury compounds

33 metal carbonyls

34 mineral oils

35 nickel compounds

36 non-toxic salts including, for example, saline effluent

37 hydrocarbons and water mixtures or emulsions, including oil and water mixtures or emulsions

38 organic phosphorous compounds

39 organic solvents, other than halogenated solvents, including, for example, ethanol

40 organohalogen compounds, other than another substance stated in this schedule

41 oxidising agents

42 perchlorates

43 pesticides, including organochlorine

44 pharmaceuticals, drugs and medicines

45 phenols and phenol compounds, including chlorophenols

46 phosphorus compounds, other than mineral phosphates

47 polychlorinated dibenzo-furan (any congener)

48 polychlorinated dibenzo-p-dioxin (any congener)

49 reactive chemicals

50 reducing agents

51 residues from industrial waste treatment or disposal operations

52 selenium and selenium compounds

53 sewage sludge and residues, including nightsoil and septic tank sludge

54 surface active agents (surfactants) containing principally organic constituents, whether or not also containing metals and other inorganic materials

55 tallow

56 tannery wastes, including leather dust, ash, sludges and flours

57 tarry residues arising from refining, distillation or any pyrolytic treatment

58 tellurium and tellurium compounds

59 thallium and thallium compounds

60 triethylamine catalysts for setting foundry sands

61 tyres

62 vanadium compounds

63 vegetable oils

64 waste containing peroxides other than hydrogen peroxide

65 waste from a heat treatment or tempering operation that uses cyanides

66 waste from surface treatment of metals or plastics

67 waste from the manufacture, formulation or use of the following—

- biocides or phytopharmaceuticals
- inks, dyes, pigments, paints, lacquers or varnish
- organic solvents
- photographic chemicals or processing materials
- resins, latex, plasticisers, glues or other adhesives
- wood-preserving chemicals

68 waste from the manufacture or preparation of pharmaceutical products

69 waste of an explosive nature, other than an explosive within the meaning of the *Explosives Act 1999*

70 wool scouring wastes

71 zinc compounds

Schedule 2 Pre-classified categories of regulated waste

sections 7, 8 and 9

Substance	Classification
acidic solutions, and acids in solid form, if the pH is less than 2	regulated waste—high hazard
animal effluent and residues, including abattoir effluent, poultry and fish processing waste	regulated waste—low hazard
asbestos (if not exempt)	regulated waste—high hazard
basic (alkaline) solutions, and bases (alkalis) in solid form, if the pH is more than 12.5	regulated waste—high hazard
clinical waste	regulated waste—other
food processing waste	regulated waste—low hazard
grease trap waste	regulated waste—low hazard
highly odorous organic chemicals, including mercaptans and acrylates	regulated waste—high hazard
material containing polychlorinated biphenyls (PCBs), polychlorinated napthalenes (PCNs), polychlorinated terphenyls (PCTs) or polybrominated biphenyls (PBBs)	regulated waste—high hazard
mineral oils	regulated waste—high hazard
non-toxic salts including, for example, saline effluent	regulated waste—high hazard
organic solvents, other than halogenated solvents, including, for example, ethanol	regulated waste—high hazard
organohalogen compounds, other than another substance stated in this schedule	regulated waste—high hazard
oxidising agents	regulated waste—high hazard

Substance	Classification
perchlorates	regulated waste—high hazard
phosphorous compounds, other than mineral phosphates	regulated waste—high hazard
polychlorinated dibenzo-furan (any congener)	regulated waste—high hazard
polychlorinated dibenzo-p-dioxin (any congener)	regulated waste—high hazard
reactive chemicals	regulated waste—high hazard
reducing agents	regulated waste—high hazard
related waste	regulated waste—other
sewage sludge and residues, including nightsoil and septic tank sludge	regulated waste—low hazard
shredder floc	regulated waste—other
surface active agents (surfactants) containing principally organic constituents, whether or not also containing metals and other inorganic materials	regulated waste—high hazard
tallow	regulated waste—high hazard
tellurium and tellurium compounds	regulated waste—low hazard
treated (incinerated) waste from the manufacture or preparation of pharmaceutical products	regulated waste—low hazard
treated pharmaceuticals, drugs and medicines	regulated waste—low hazard
treated timber	regulated waste—other
triethylamine catalysts for setting foundry sands	regulated waste—high hazard
tyres	regulated waste—low hazard
vegetable oils	regulated waste—high hazard

Substance	Classification
waste containing peroxides other than hydrogen peroxide	regulated waste—high hazard
waste of an explosive nature, other than an explosive within the meaning of the *Explosives Act 1999*	regulated waste—high hazard

Schedule 3 Concentration ranges

sections 7, 8 and 9

Substance	Concentration range (mg/kg)	Leaching concentration range (TCLP) (mg/l)
Metals/non-metals		
antimony	—	>0.5 – 1
arsenic	—	>0.5 – 1
barium	—	>10 – 20
cadmium	—	>0.05 – 0.1
chromium	—	>0.5 – 1
cobalt	—	>0.5 – 1
copper	—	>10 – 20
lead	—	>0.5 – 1
mercury	—	>0.01 – 0.02
molybdenum	—	>0.1 – 0.2
nickel	—	>0.5 – 1
selenium	—	>0.1 – 0.2
silver	—	>0.5 – 1
thallium	—	>0.1 – 0.2
tin	—	>0.3 – 0.6
vanadium	—	>0.5 – 1
zinc	—	>50 – 100
Inorganic anions		
bromide	—	>5 – 10
cyanide (total)	—	>1 – 2
fluoride	—	>15 – 30

Substance	Concentration range (mg/kg)	Leaching concentration range (TCLP) (mg/l)
nitrate	—	>100 – 200
sulfate	—	>2 500 – 3 250
Monocyclic aromatic hydrocarbon (MAH)		
benzene	>10 – 15	>0.1 – 0.2
ethyl benzene	>500 – 750	>5 – 10
toluene	>300 – 450	>3 – 6
xylene	>250 – 325	>2 – 4
total monocyclic aromatic hydrocarbon	>500 – 750	>5 – 10
Polycyclic aromatic hydrocarbons (PAH)		
anthracene	—	>0.07 – 0.14
benz (a) anthracene	—	>0.005 – 0.01
benz (c) phenanthrene	—	>0.005 – 0.01
benzo (a) pyrene	—	>0.002 – 0.004
benzo (b) fluoranthene	—	>0.005 – 0.01
benzo (k) fluoranthene	—	>0.005 – 0.01
chrysene	—	>0.10 – 0.2
dibenz (a,h) anthracene	—	>0.002 – 0.004
dibenz (a,h) pyrene	—	>0.01 – 0.02
dimethylbenz (a) anthracene	—	>0.005 – 0.01
fluoranthene	—	>0.2 – 0.4
indeno (1,2,3 cd) pyrene	—	>0.01 – 0.02
naphthalene	—	>0.07 – 0.14
phenanthrene	—	>0.01 – 0.02
pyrene	—	>0.07 – 0.14

Substance	Concentration range (mg/kg)	Leaching concentration range (TCLP) (mg/l)
total polycyclic aromatic hydrocarbons	>500 – 750	>0.1 – 0.2
Phenolic contaminants		
Non halogenated compounds		
phenol	>100 – 175	>1 – 2
m-cresol	>250 – 325	>2 – 4
o-cresol	>250 – 325	>2 – 4
p-cresol	>250 – 325	>2 – 4
total non halogenated phenol	>250 – 325	—
Halogenated phenols		
chlorophenol	>1 – 2	>0.01 – 0.02
pentachlorophenol	>5 – 10	>0.1 – 0.2
trichlorophenol	>5 –10	>0.1 – 0.2
total halogenated phenol	>5 – 10	—
Chlorinated hydrocarbons		
Chlorinated aliphatic compounds		
carbon tetrachloride	>5 – 7.5	>0.03 – 0.06
1,2 dichloroethane	>10 – 15	>0.1 – 0.2
1,1 dichloroethene	>0.25 – 0.75	>0.003 – 0.006
tetrachloroethene	>10 – 15	>0.1 – 0.2
trichloroethene	25	>0.3 – 0.6
total chlorinated aliphatic compounds	<50	—
Chlorinated aromatic compounds		
chlorobenzene (total)	>100 – 150	>1 – 2
hexachlorobenzene	>0.25 – 0.75	>0.002 – 0.004

Substance	Concentration range (mg/kg)	Leaching concentration range (TCLP) (mg/l)
total chlorinated aromatic compounds	>100 – 150	—
non scheduled solid polychlorinated biphenyls (PCBs)	>2 – 4	—
Pesticides		
Organochlorine		
aldrin	—	>0.001 – 0.002
chlordane	—	>0.006 – 0.012
chlorpyrifos	—	>0.01 – 0.02
DDT	—	>0.003 – 0.006
dieldrin	—	>0.001 – 0.002
endrin	—	>0.001 – 0.002
heptachlor	—	>0.003 – 0.006
lindane	—	>0.1 – 0.2
methoxychlor	—	>0.1 – 0.2
toxaphene	—	>0.005 – 0.01
total organochlorine pesticides	>5 – 10	—
Herbicides		
2,4-D	—	>0.1 – 0.2
2,4-DB	—	>0.2 – 0.4
2,4,5-T	—	>0.002 – 0.004
MCPA	—	>0.2 – 0.4
total herbicides	>25 – 37.5	—
Carbamates		
carbaryl	—	>0.06 – 0.12

Substance	Concentration range (mg/kg)	Leaching concentration range (TCLP) (mg/l)
carbofuran	—	>0.03 – 0.06
total carbamates	>25 – 37.5	—
Organophosphorus		
diazinon	—	>0.01 – 0.02
methyl parathion	—	>0.006 – 0.012
parathion	—	>0.03 – 0.06
Triazines		
atrazine	—	>0.01 – 0.02
simazine	—	>0.01 – 0.02
total organophosphorus pesticides	>10 – 20	—
Petroleum hydrocarbons		
total petroleum hydrocarbons (C_6-C_9)	>500 – 750	—
total petroleum hydrocarbons (C_{10}-C_{14})	>5 000 – 7 500	—
total petroleum hydrocarbons (C_{15}-C_{28})	>10 000 – 30 000	—
total petroleum hydrocarbons (C_{29}-C_{36})	>10 000 – 30 000	—
petroleum hydrocarbons	—	>25 – 37.5

Schedule 4 Waste levy rates

section 15

Part 1 Levyable waste delivered from any place other than a resource recovery area

Type of levyable waste	$/tonne
acid sulfate soil or contaminated soil	35
commercial and industrial waste	35
construction and demolition waste	35
green waste directly disposed of as landfill or mixed with other types of stockpiled waste	35
green waste to be stockpiled separately from other types of waste	nil
municipal solid waste	nil
regulated waste—high hazard	150
regulated waste—low hazard	50
regulated waste—other	35

Part 2 Levyable waste delivered from resource recovery area

Type of waste	$/tonne
regulated waste—high hazard	150
regulated waste—low hazard	50
any other type of levyable waste	35

Part 3 Stockpiled waste disposed of as landfill

Stockpiled waste disposed of as landfill	$/tonne
regulated waste—high hazard	150
regulated waste—low hazard	50
separately stockpiled green waste	35
any other stockpiled waste (including green waste that has been mixed with other waste in a stockpile) but not including separately stockpiled disaster management waste or clean earthen material	35

Schedule 5 Levy zones

section 16

1 Banana Shire Council
2 Brisbane City Council
3 Bundaberg Regional Council
4 Burdekin Shire Council
5 Cairns Regional Council
6 Cassowary Coast Regional Council
7 Central Highlands Regional Council
8 Charters Towers Regional Council
9 Fraser Coast Regional Council
10 Gladstone Regional Council
11 Gold Coast City Council
12 Goondiwindi Regional Council
13 Gympie Regional Council
14 Hinchinbrook Shire Council
15 Ipswich City Council
16 Isaac Regional Council
17 Lockyer Valley Regional Council
18 Logan City Council
19 Mackay Regional Council
20 Moreton Bay Regional Council
21 Mount Isa City Council
22 North Burnett Regional Council
23 Redland City Council
24 Rockhampton Regional Council

25 Scenic Rim Regional Council

26 Somerset Regional Council

27 South Burnett Regional Council

28 Southern Downs Regional Council

29 Sunshine Coast Regional Council

30 Tablelands Regional Council

31 Toowoomba Regional Council

32 Townsville City Council

33 Western Downs Regional Council

34 Whitsunday Regional Council

Schedule 6 Weight measurement criteria

section 36

Vehicle type	Waste type	GVM or GCM (t)								
		≤4.5	>4.5 ≤10.0	>10.0 ≤16.0	>16.0 ≤23.5	>23.5 ≤28.0	>28.0 ≤40.0	>40.0 ≤43.5	>43.5 ≤51.0	>51.0
articulated motor vehicle	any type or mixture of waste	—	1t	3t	8t	12t	21t	24.75t	30.5t	41t
car	any type or mixture of waste	0.05t	—	—	—	—	—	—	—	—
car towing a trailer	any type or mixture of waste	0.25t	—	—	—	—	—	—	—	—
compactor truck	any type or mixture of waste	—	1t	2.25t	5.25t	9.5t	13.25t	—	—	—
light commercial vehicle	MSW or C&I or any mixture of only MSW and C&I	0.75t	—	—	—	—	—	—	—	—
light commercial vehicle	C&D or any mixture of waste that includes C&D	1.25t	—	—	—	—	—	—	—	—
rigid truck	MSW or C&I or any mixture of only MSW and C&I	—	1.75t	3.25t	5t	8.75t	12.5t	—	—	—
rigid truck	C&D or any mixture of waste that includes C&D	—	3.75t	7t	11t	13.75t	19.75t	—	—	—
rigid truck towing a trailer	any type or mixture of waste	—	1t	3t	8t	12t	21t	24.75t	30.5t	41t
skip-bin trucks	any type or mixture of waste	—	1.75t	3t	4.5t	5.5t	7.75t	—	—	—

Vehicle type	Waste type	GVM or GCM (t)								
		≤4.5	>4.5 ≤10.0	>10.0 ≤16.0	>16.0 ≤23.5	>23.5 ≤28.0	>28.0 ≤40.0	>40.0 ≤43.5	>43.5 ≤51.0	>51.0
van or ute	any type or mixture of waste	0.2t	—	—	—	—	—	—	—	—
van or ute towing a trailer	any type or mixture of waste	0.4t	—	—	—	—	—	—	—	—

Schedule 7 Fees

section 45

		$
1	Exempt waste application (Act, s 29(3)(c))—	
	(a) for an application relating to contaminated soil. . .	154.20
	(b) for an application relating to waste to be used at a levyable waste disposal site for progressive capping, batter construction, final capping, profiling and site rehabilitation that is made at the same time as an application to amend a disposal facility development approval under the *Sustainable Planning Act* 2009, section 369	nil
	(c) for any other application relating to waste to be used at a levyable waste disposal site for progressive capping, batter construction, final capping, profiling and site rehabilitation	266.70
2	Request to amend an approval (Act, s 32(5))—	
	(a) for amendment of an approval relating to contaminated soil	40.40
	(b) for amendment of an approval relating to waste to be used at a levyable waste disposal site for progressive capping, batter construction, final capping, profiling and site rehabilitation	40.40
3	Application for accreditation (Act, s 89(2)(c))	311.00
4	Application for a specific approval of a resource (Act, s 157(2)(d))—	
	(a) for irrigation of a liquid resource to land as a soil conditioner or fertiliser—	
	(i) if the resource is a result of coal seam gas extraction.	14200.00
	(ii) otherwise	5684.60
	(b) for application of sludge or soil resource to land as a soil conditioner or fertiliser—	

		$
	(i) if the resource is biosolids	2 136.50
	(ii) otherwise	5684.60
	(c) for using a resource for an industrial activity—	
	(i) if associated with the carrying out of an ERA	2846.10
	(ii) otherwise	4265.40
	(d) for using a resource for augmenting water supply	49681.00
	(e) otherwise	2136.50
5	Application to transfer the benefit of an approval (Act, s 168(2)(d))	103.00
6	Application to amend an approval (Act, s 168(2)(d))—	
	(a) for an amendment of a condition to add a new site	50% of the application fee mentioned in item 4
	(b) for any other amendment	25% of the application fee mentioned in item 4
7	Residue waste discounting application (Act, s 278(2)(c))—	
	(a) for the first application	192.10
	(b) for each subsequent application	96.00

Schedule 8 Residue waste efficiency threshold

section 47

Activity	%
an activity carried on at a material recovery facility	15
an activity carried on at a plant specialising in the mechanical or biological treatment of waste	35
battery recycling	20
composting and soil conditioner manufacturing	5
concrete recycling in which the concrete is processed to produce a product of a particular specification	15
e-waste recycling	5
glass beneficiation	35
metal recovery using a shredding or fragmenting process	25
mulching of green waste	5
plastics recycling using an extrusion process	15
recycling construction and demolition waste	20
timber recovery if all or part of the material is painted or treated with any chemical preservatives other than CCA	40
timber recovery if all or part of the material is treated with the chemical preservative CCA	65
tyre recycling	20

Schedule 9 Consequential amendments

section 49

Editor's note—

This part had not commenced on or before the reprint date.

Part 1 Amendment of this regulation

1 Section 3, 'schedule 10'—

omit, insert—

'schedule 9'.

2 Part 8—

omit.

3 Schedule 9—

omit.

4 Schedule 10—

renumber as schedule 9.

Schedule 10 Dictionary

section 3

acid sulfate soil means soil or sediment containing iron sulfides that produces sulphuric acid when exposed to air.

animal waste means any discarded materials, including carcasses, body parts, blood or bedding, originating from animals contaminated with an agent infectious to humans or from animals inoculated during research, production of biologicals or pharmaceutical testing with infectious agents.

articulated motor vehicle see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

authorised on-site use, in relation to waste, means the use of the waste at a levyable waste disposal site for—

(a) daily cover, progressive capping, batter construction, final capping, profiling or site rehabilitation (each a ***site activity***) but only if—

(i) if a relevant environmental approval for the facility includes requirements about material for a site activity—the material is needed to carry out the site activity as required by the relevant environmental approval for the facility; or

(ii) otherwise—the material is required to carry out the site activity in compliance with the requirements of the guideline 'ERA 60—Waste disposal: Landfill siting, design, operation and rehabilitation'; or

(b) building work, under the *Building Act 1975*, that is ancillary to the operation of the site.

biosolids—

(a) means stabilised organic solids produced by wastewater treatment processes; but

(b) does not include untreated wastewater sludge, industrial sludge or by-products from high temperature incineration of sewerage sludge.

car means a motor vehicle (other than a motorbike, light commercial vehicle or van or ute) that—

(a) is not more than 4.5t GVM; and

(b) is built or fitted to carry no more than 12 adults, including the driver.

C&D means construction and demolition waste.

C&I means commercial and industrial waste.

CCA means copper chromium arsenic.

chemical see the *Environmental Protection Regulation 2008*, schedule 12.

chemical waste means waste generated from the use of chemicals in medical, dental, veterinary and laboratory procedures, including, for example, mercury, formalin and gluteraldehyde.

clinical waste means waste that has the potential to cause disease, including, for example, the following—

(a) animal waste;

(b) discarded sharps;

(c) human tissue waste;

(d) laboratory waste.

compactor truck means a truck constructed, fitted or equipped with a mechanism for compacting the waste carried on the truck.

construction and demolition waste see section 5.

delivery vehicle means a type of vehicle—

(a) mentioned in schedule 6, column 1; and

(b) in which waste is delivered to a levyable waste disposal site, or moved under a movement of a type mentioned in section 44(2)(a), (b), (c) or (d) of the Act.

development approval means a development approval under the *Sustainable Planning Act 2009*.

e-waste means electrical and electronic equipment that is waste, including all components, batteries and power supplies.

GCM see the *Transport Operations (Road Use Management—Vehicle Registration) Regulation 2010*, schedule 8.

glass beneficiation means the activity mentioned in the Act, schedule, definition *recycling activity*, paragraph (b).

GVM see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

human tissue waste means the following—

(a) tissue, blood, blood products and other body fluids that are removed from a person during surgery, an autopsy or another medical procedure;

(b) tissue, blood, blood products and other body fluids that are removed from a person during post-operative care or treatment;

(c) specimens of tissue, blood, blood products and other body fluids and containers in which the specimens are kept;

(d) discarded material saturated with, or containing free-flowing blood and other body fluids.

laboratory waste means a specimen or culture discarded in the course of dental, medical or veterinary practice or research, including material that is, or has been contaminated by, genetically manipulated material or imported biological material.

light commercial vehicle means a motor vehicle (other than a car or motorbike) that—

(a) is more than 4t but not more than 4.5t GVM; and

(b) is constructed, fitted or equipped for the carriage of goods.

material recovery facility means a plant specialising in sorting and preparing recyclable waste for marketing to users.

motorbike see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

motor vehicle see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

MSW means municipal solid waste.

non-deductible resource recovery means the amount calculated under section 34 for stockpiled waste that is exported from a levyable waste disposal site but is not eligible for a resource recovery discount.

operational use discount, for a levyable waste disposal site, means the discount for the site calculated under part 3, division 5, subdivision 3.

pharmaceutical product means a restricted drug under the *Health (Drugs and Poisons) Regulation 1996*.

regulated waste—high hazard see section 7.

regulated waste—low hazard see section 8.

regulated waste—other see section 9.

related waste means waste that constitutes, or is contaminated with, chemicals, cytotoxic drugs, human body parts, pharmaceutical products or radioactive substances.

relevant environmental approval, for a facility, means an approval granted under the *Environmental Protection Act 1994* for waste disposal at the facility.

rigid truck means any truck, other than an articulated truck, compactor truck or skip-bin truck.

skip-bin means an open bin designed to be temporarily left at a site for the collection of waste and transported by a truck that is specifically constructed, equipped or fitted to transport the bin.

skip-bin truck means a truck (other than a compactor truck) constructed, fitted or equipped to carry a skip-bin.

trailer means a vehicle that is built to be towed, or is towed, by a motor vehicle, but does not include a motor vehicle being towed.

truck means a motor vehicle with a GVM over 4.5t.

treated clinical waste means clinical waste that has been treated to render it non-infectious.

van or ute means a motor vehicle (other than a car or motorbike) that—

(a) is, or is not more than, 4t GVM; and

(b) is constructed, fitted or equipped for the carriage of goods.

vehicle see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

Endnotes

1 Index to endnotes

2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Waste Reduction and Recycling Regulation 2011 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key		Explanation	Key		Explanation
AIA	=	Acts Interpretation Act 1954	(prev)	=	previously
amd	=	amended	proc	=	proclamation
amdt	=	amendment	prov	=	provision
ch	=	chapter	pt	=	part
def	=	definition	pubd	=	published
div	=	division	R[X]	=	Reprint No. [X]
exp	=	expires/expired	RA	=	Reprints Act 1992
gaz	=	gazette	reloc	=	relocated
hdg	=	heading	renum	=	renumbered
ins	=	inserted	rep	=	repealed
lap	=	lapsed	(retro)	=	retrospectively
notfd	=	notified	rv	=	revised edition
num	=	numbered	s	=	section
o in c	=	order in council	sch	=	schedule
om	=	omitted	sdiv	=	subdivision
orig	=	original	SIA	=	Statutory Instruments Act 1992
p	=	page	SIR	=	Statutory Instruments Regulation 2002
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered
prev	=	previous			

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
0A	none	18 November 2011	majority of provs commenced
0B	none	1 December 2011	certain provs commenced

5 List of legislation

Waste Reduction and Recycling Regulation 2011 SL No. 231

made by the Governor in Council on 17 November 2011
notfd gaz 18 November 2011 pp 547–8
ss 1–2 commenced on date of notification
pt 3 divs 3–7, pts 4–5, 8, sch 4–6, 9 pts 2–3 commenced 1 December 2011 (see s 2(1))
sch 9 pt 1 commences 2 December 2011 (see s 2(2))
remaining provisions commenced on date of notification
exp 1 September 2022 (see SIA s 54)
Notes—(1) The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.
(2) An explanatory note was prepared.

amending legislation—

Waste Reduction and Recycling Regulation 2011 SL No. 231 ss 1, 2(2), 49 sch 9 pt 1

notfd gaz 18 November 2011 pp 547–8
ss 1–2 commenced on date of notification
remaining provisions commence 2 December 2011 (see s 2(2))
Note—An explanatory note was prepared.

6 List of annotations

SCHEDULE 9—CONSEQUENTIAL AMENDMENTS

sch 9 amd R0B (see RA ss 40 and 7(1)(k))