



Amendments to the WARR Regulations 2008

Waste Avoidance and Resource Recovery Regulations 2008

The Department of Environment Regulation (DER) administers the *Waste Avoidance and Resource Recovery Regulations 2008* (WARR Regulations).

Amendments to the WARR Regulations take effect from 1 July 2016 and are consequential to amendments to the *Waste Avoidance and Resource Recovery Levy Regulations 2008* (WARR Levy Regulations).

The WARR Regulation amendments update existing requirements to keep records in an 'approved form' for licensed category 63, 64 and 65 landfill premises receiving waste to reflect amendments in relation to estimation and measurement of waste under the WARR Levy Regulations.

Amendments

For category 63 licensed landfill premises, the amendments require record keeping consistent with waste calculation and estimation methods in the amended WARR Levy Regulations. Under the amended WARR Levy Regulations, use of the Chief Executive Officer (CEO) approved manner¹ is required to make estimations of waste, including exempt waste under regulation 5(1) of the WARR Levy Regulations, received and disposed of to landfill.

For category 64 or 65 licensed landfill premises, the amendments require record keeping consistent with waste measurement and estimation requirements in the amended WARR Levy Regulations. These requirements include the measurement and estimation of

the weight of the portion of waste for which an exemption granted under regulation 5(1) of the WARR Levy Regulations is in effect.

Further Information

For a full copy of the amended regulations please go to the [State Law Publisher website](#).

Record keeping requirements under regulation 17(2) of the WARR Regulations are required to be made in the approved form. The approved form is available at www.der.wa.gov.au/your-environment/waste/landfill.

This fact sheet should be read in conjunction with the fact sheet on the amendments to the WARR Levy Regulations, available on DER's website at www.der.wa.gov.au/your-environment/waste/landfill.

¹ An Environmental Standard setting out the approved manner for estimation of the weight and volume of waste is available on DER's website: www.der.wa.gov.au/your-environment/waste/landfill.

Previous	Amended
Category 63 premises	
Regulation 17(2)(c) – Records	
<p>Upon receiving waste at a category 63 licensed landfill, the licensee must, in making records in the approved form, include details of the volume of waste disposed of to landfill on the premises calculated in accordance with:</p> <ul style="list-style-type: none"> • regulation 10 ('volume of waste – category 63 landfills'); or • regulation 11 ('CEO may make estimates if survey not conducted or category 63 premises not licensed') <p>of the WARR Levy Regulations.</p>	<p>The amendment replaces the current 17(2)(c) and inserts new reporting requirements for category 63 licensed landfills.</p> <p>The new regulation 17(2)(c) provides that in the case of a category 63 licensed landfill the volume of waste:</p> <ul style="list-style-type: none"> • disposed of to landfill calculated under regulation 10(7) of the WARR Levy Regulations; • that is exempt under regulation 5(1) of the WARR Levy Regulations and estimated by the licensee under regulation 10(8) of the WARR Levy Regulations; • disposed of to landfill estimated under regulation 12A(2)(a) of the WARR Levy Regulations; and • that is exempt under regulation 5(1) of the WARR Levy Regulations and estimated by the licensee under regulation 12A(2)(b) of the WARR Levy Regulations <p>must be included in the details entered in the record required to be made, in an approved form, in accordance with regulation 17(1) and (2) of the WARR Regulations.</p> <p>This consequential amendment reflects the amendments made to regulation 10 and 12A of the WARR Levy Regulations requiring the licensee to estimate in the approved manner the volume of waste (regulation 12A) and portion of exempt waste under regulation 5(1) (regulations 10 and 12A) received and disposed of to landfill at category 63 licensed metropolitan and non-metropolitan landfills respectively.</p>
Regulation 17(2)(d) – Records	
<p>Upon receiving waste at a category 64 or 65 licensed landfill, the licensee must, in making records in the approved form, include details of the weight of the waste disposed of to landfill on the premises calculated in accordance with:</p> <ul style="list-style-type: none"> • regulation 8 ('Amount of levy – when waste received at licensed landfill with weighbridge'); or • regulation 9 ('Amount of levy when waste not weighed on weighbridge or not received at licensed landfill') 	<p>The amendment replaces the current 17(2)(d) and inserts new reporting requirements for category 64 or 65 licensed landfills.</p> <p>The new regulation 17(2)(d) provides that in the case of a category 64 or 65 licensed landfill the weight of waste:</p> <ul style="list-style-type: none"> • weighed under regulation 8(2) of the of the WARR Levy Regulations; • that is exempt under regulation 5(1) of the WARR Levy Regulations and weighed under regulation 8(2) of the WARR Levy Regulations;

Previous	Amended
<p>of the WARR Levy Regulations.</p>	<ul style="list-style-type: none"> • disposed of to landfill estimated by the licensee under regulation 9(1) of the WARR Levy Regulations; and • estimated by the licensee under regulation 9(2A) of the WARR Levy Regulations <p>must be included in the details entered in the record required to be made, in an approved form, in accordance with regulation 17(1) and (2) of the WARR Regulations.</p> <p>This consequential amendment reflects amendments to regulation 8 of the WARR Levy Regulations requiring the licensee of a category 64 or 65 licensed landfill with a weighbridge to weigh waste received for disposal to landfill (regulation 8(2)) to subtract from this weight the portion of waste for which an exemption is granted on application under regulation 5(1) is in effect.</p> <p>The amendment is also consequential to the amendment of regulation 9 of the WARR Levy Regulations.</p>

More information

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For advice on compliance with the Regulations or any other matter related to the landfill levy, please contact the Department on +61 6467 5000 or email info@der.wa.gov.au.

Additional publications about the landfill levy and related landfill levy fact sheets are available online from <https://www.der.wa.gov.au/your-environment/waste/landfill>

This document is available in alternative formats and other languages on request.

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 State Law Publisher (SLP) for copies of the relevant legislation, available electronically from the SLP website at www.slp.wa.gov.au.

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Legal advice

The information provided to you by DER in relation to this matter does not constitute legal advice. Due to the range of legal issues potentially involved in this matter, DER recommends that you obtain independent legal advice.