



Waste Avoidance and Resource Recovery Regulations 2008 – Review of r.18D CEO notices for liable persons

Consultation draft information paper

November 2024



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1. Introduction

'Liable persons' are required to 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 under Part 3A of the Waste Avoidance and Resource Recovery Regulations 2008 (WARR Regulations).

Mandatory waste data reporting under these regulations has allowed for better capture and improved consistency of waste and recycling data in Western Australia. The reported waste data are collated and published annually on the Waste Authority website. It is used by government to track progress against the targets in the *Waste Avoidance and Resource Recovery Strategy 2030* (waste strategy) and to inform policies and strategies related to resource recovery.

Regulation 18D under Part 3A of the WARR Regulations requires the department's CEO to publish a description of the information required to be reported by liable persons and the procedures to be followed by these persons when making the records and calculating or estimating the information.

In accordance with r.18D, a CEO notice for each liable person type defined in the regulations has been gazetted. Liable persons are liable recyclers, liable non-metropolitan landfills and liable local governments.

2. Background

The current CEO notices were developed in consultation with industry stakeholders before they were finalised and gazetted in June 2019. Since publication, the policy and strategic framework under which the data is collected and used has changed.

These changes include:

- the review of the waste strategy
- the introduction of [national standards](#) for waste data reporting
- the introduction of specific reporting requirements for e-waste in the Waste Avoidance and Resource Recovery (e-waste) Regulations 2024
- progress towards a recovered materials framework
- the whole of government initiative, Streamline WA
- the commencement of WA's first waste-to-energy facility.

Additionally, the department has received feedback from liable persons that some of the approved procedures in the CEO notice are not fit for purpose and some of the data required to be reported is difficult to obtain.

3. The consultation draft CEO notices

The information required to be reported under r.18D of the WARR Regulations and the procedures to be followed in reporting that information have been revised in the draft CEO notices with the following objectives:

- improve compliance with reporting requirements by simplifying the CEO notices and approved procedures
- remove unnecessary reporting requirements
- align with national standards to enhance data sharing and benchmarking across jurisdictions
- ensure waste-to-energy data is efficiently and effectively collected
- improve measurement of progress towards targets in the Waste Strategy
- update approved material types and associated densities.

The department is seeking feedback on the proposed amendments to the CEO notices and approved procedures, including density factors and approved material types. The proposed amendments are outlined below. Analysis of reporting changes are provided in the Appendices

4. Amendments to CEO notice for liable recyclers

4.1. New data field – total processing capacity

It is proposed that total processing capacity in tonnes or cubic metres is required to be reported as a mandatory data field. This would be defined as the maximum quantity of material that can be processed at a premises per year without substantial upgrade or amended approvals. Total processing capacity would be required to be reported against the waste categories processed at a premises.

This data field would be considered commercial in confidence and would be used to inform policy and program development.

The inclusion of this data field brings WA in alignment with the *Australian standard for waste and resource recovery data and reporting*.

4.2. New data fields – total quantity of residual waste and non-residual waste recovered as energy

With the commencement of large-scale waste to energy, a new data field is proposed to capture the quantity of residual and non-residual waste recovered as energy. This data field is required to measure the progress against the recover target in the waste strategy: Recover energy only from residual waste.

The calculation of residual waste will be consistent with the definition of residual waste in the waste strategy.

4.3. New data field – productive use of final products

It is proposed that the productive use of final products recovered from waste is captured. For each approved waste material category, liable recyclers would be required to report the quantity of final productive use under the following classifications:

- reuse
- uncontaminated fill
- civil construction
- soil improvement, land rehabilitation and mulch
- manufacture of new products similar to those from which the recovered material was derived
- manufacture of other products.

The inclusion of this data field brings WA in alignment with the *Australian standard for waste and resource recovery data and reporting*.

5. Amendments to CEO notice for liable local governments

5.1. New waste fate – waste recovered as energy

Currently, local governments report the fate of waste as ‘disposed’ or ‘recovered’. It is proposed to introduce a new fate ‘waste recovered as energy’ to fully capture the fate of waste collected by local governments. With large-scale waste to energy in the Perth metropolitan region, this will be an increasingly common fate of waste collected by local governments.

5.2. New mandatory field – number of single-unit dwellings provided with a service

This will replace the current mandatory field ‘percentage of households provided with a service’. It will improve data quality by removing reliance on third-party dwelling data that is only periodically updated and recognises that some services may only be provided comprehensively to this style of housing.

5.3. New mandatory field – number of multi-unit dwellings provided with a service

Some waste and recycling services may not be provided by a local government to some multi-unit dwellings. The capture of this data recognises that apartment style housing is becoming increasingly common in some local governments.

5.4. New mandatory field – primary destination facility

The primary destination facility is the facility where most of the waste collected from a kerbside or vergeside waste service is ultimately processed or disposed of. This field is already reported voluntarily by most local governments through Waste Data Online. It is proposed to make this field mandatory to enable simplification of other reporting requirements (see 5.7).

5.5. New mandatory field – primary service provider

The primary service provider is the provider (in-house or contractor) collecting most of the waste from a kerbside or vergeside waste service. This field is already reported voluntarily by most local governments through Waste Data Online. It is

proposed to make this field mandatory to ensure that the department maintains a comprehensive understanding of how waste services are delivered in WA.

5.6. New mandatory field – proportion of waste collected from commercial premises

It is proposed that this field is introduced to simplify reporting requirements about waste services provided to commercial premises.

The introduction of this field will allow the removal of the requirement for local governments to separately report waste services provided to commercial premises. Instead, where a service is provided to both residential and commercial premises, such as a kerbside mixed waste service, local governments will report the total weight collected from all sources and the proportion of waste collected from commercial premises.

5.7. New field – waste from local government activities

It is proposed that this field is introduced to provide a more complete understanding of waste collected by local governments, it will be inclusive of current public place and special event collection reporting requirements.

The inclusion of this data field brings WA in alignment with the *Australian standard for waste and resource recovery data and reporting*.

5.8. Remove reporting requirements – recovered materials

It is proposed to remove the requirement to report the weight of waste recovered by material category for each waste service. The department will estimate this data as required based on information directly reported by resource recovery facilities.

6. CEO notice for non-metropolitan landfills that receive more than 20,000 tonnes of waste

There are no substantive proposed amendments to this CEO notice beyond the approved procedures as outlined under Section 7.

7. Amendments to the approved procedures

It is proposed to update the approved procedures for each CEO notice issued under regulation 18D of the WARR Regulations to:

- provide guidance for new fields
- simplify existing procedures to enhance opportunities for reporters to comply with the requirements of the CEO notice
- ensure that approved material types and density factors remain consistent with the materials recycled and disposed in WA.

8. Consultation purpose

The department is seeking feedback on the drafts of the CEO notices. The department will analyse submissions and make recommendations to the CEO on the final CEO notices.

You can provide feedback by completing the template at Appendix 1 and submitting it to the department.

By making a written submission, you are consenting to the submission being treated as a public document. Your name may be published; however, your contact address will be withheld for privacy. If you do not consent to your submission being treated as a public document, you should either mark it as confidential, or specifically identify the parts that you consider confidential, and include an explanation.

The department may request that a non-confidential summary of the material is also given. It is important to note that, even if your submission is treated as confidential by the department, it may still be disclosed in accordance with the requirements of the *Freedom of Information Act 1992*, or any other applicable written law.

8.1. How to make a submission

Written submissions must be received by 5pm (WST) on 31 January 2025. No late submissions will be considered. Written submissions can be lodged by email (preferred) to waste.data@dwer.wa.gov.au or hard copies can be mailed to:

Manager, Waste Data
Department of Water and Environmental Regulation
Locked Bag 10 Joondalup DC
JOONDALUP WA 6919

For more information, email waste.data@dwer.wa.gov.au.

Appendix 1 CEO notice for liable recyclers – feedback template

Amendments	Feedback questions	Comment
4.1 New data field – total processing capacity	Are there any barriers to you reporting total reprocessing capacity by waste category? If so, what are these barriers?	
	Other comments	
4.2 New data field – total quantity of residual waste and non-residual waste recovered as energy	If you are a waste to energy operator, are there any barriers to reporting waste received as residual or non-residual waste? If so, what are these barriers?	
	Other comments	
4.3 New data field – productive use of final products	Do you support the proposed categories of productive use?	
	Are there any additional categories of productive use that should be included?	
	Are there any barriers to reporting the intended productive use of recovered products?	
	Other comments	
CEO notice review		

Other comments		
<p>7 Approved procedures</p> <p><i>Point of measurement</i> The preferred point of measurement of recovery for most recyclers is now products ‘out the gate’.</p> <p>This does not apply to organics processors.</p>	<p>Are there any barriers to measuring tonnes or volume of recovery based on product ‘out the gate’?</p>	
<p>Organics processors must report the tonnes or volume of recovery as the total wet weight of waste received and sent for processing</p>	<p>Are there any barriers to measuring tonnes or volume of organic wastes received and sent for processing (added to windrows/mulched/screened etc.)?</p>	
<p>10 Additional guidance for organics recyclers</p> <p><i>Under the proposed changes, all organic wastes are in scope</i></p>	<p>Are there any barriers to reporting against all organic wastes received, including sawdust, manures and primary production wastes?</p>	
<p>12 Additional guidance for waste recovered as energy</p>	<p>Has sufficient guidance been provided to facilitate the reporting of waste recovered as energy?</p>	

Appendix A <i>Material categories and types</i>	Are there any other waste material categories or types that should be included?	
	Are there any barriers to reporting against the proposed material categories and types?	
Appendix B <i>Default vehicle volumes</i>	Please list any other vehicle types that should be included, with representative volumes.	
	Are the assumed vehicle volumes accurate? If not, please provide alternative volumes.	
<i>Default bulk densities</i>	Are the listed bulk densities representative? If not, please provide the average bulk densities of materials received at your waste facility.	
	Do you have bulk densities that we could use for other material types that are not listed?	
<i>Weight per item of product wastes</i>	Do you have data that suggests alternative average weights for the listed products?	
	Do you have weights that we could use for other waste items not listed?	
Approved procedures		

Other comments		
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Appendix 2 CEO notice for liable local governments – feedback template

Amendments	Feedback questions	Comment
5.1 New waste fate – waste recovered as energy	Are there any barriers to you reporting waste recovered as energy? If so, what are these barriers?	
5.2 New mandatory field – number of single unit dwellings provided with a service	Are there any barriers to reporting the number of single-unit dwellings provided with a particular waste service? If so, what are these barriers?	
5.3 New mandatory field – number of multi-unit dwellings provided with a service	Are there any barriers to reporting the number of multi-unit dwellings provided with a particular waste service? If so, what are these barriers?	
5.4 New mandatory field – primary destination facility	Are there any barriers to reporting waste received as residual or non-residual waste? If so, what are these barriers?	
	Other comments	
5.5 New data field – primary service provider	Are there any barriers to reporting your primary waste service providers? If so, what are these barriers?	
	Other comments	

5.6 New data field – proportion of waste collected from commercial premises	Are there any barriers to your local government estimating the quantity of waste collected from commercial premises for each waste service provided?	
5.7 New field – waste from local government activities	Are there any barriers to reporting waste collected from these local government activities: Street sweepings Illegal dumping clean-ups Park and recreation facility management	
	Other comment	
5.8 Remove reporting requirements – recovered materials	Do you have any concerns about removing this reporting requirement for local governments?	
7 Approved procedures		
Section 4.6 Estimating costs	Is this sufficient guidance to allow you to report the total cost of providing waste and recycling services? If not, what other guidance is required?	
Section 5 MUDs	For multi-unit dwellings, with commercial units, local	

	<p>governments can assume 75 per cent of the waste is collected from domestic sources and 25 per cent is collected from commercial sources.</p> <p>Does this 75/25 split seem appropriate?</p> <p>Can you suggest a more representative split of waste sources for MUDs?</p>	
<p>Section 10 <i>Default vehicle volumes</i> <i>Table 1</i></p>	<p>Please list any other vehicle types that should be included, with representative volumes.</p>	
	<p>Are the assumed vehicle volumes accurate? If not, please provide alternative volumes.</p>	
<p><i>Default bulk densities</i> <i>Table 2</i></p>	<p>Are the listed bulk densities representative? If not, please provide the average bulk densities of materials received at your waste facility.</p>	
	<p>Do you have bulk densities that we could use for other material types that are not listed?</p>	
<p><i>Default weight of bin contents</i></p>	<p>Are the weights representative of waste collected in your local government? If not, please provide alternative weights.</p>	

<i>Weight per item of product wastes</i>	Do you have data that suggests alternative average weights for the listed products?	
	Do you have weights that we could use for other waste items not listed?	
Other comments		

Appendix 3 Approved procedures for liable non-metropolitan landfills – feedback template

7 Approved procedures Appendix A <i>Material categories and types</i>	Are there any other waste material categories or types that should be included?	
	Are there any barriers to reporting against the proposed material categories and types?	
Appendix B <i>Default vehicle volumes</i>	Please list any other vehicle types that should be included, with representative volumes.	
	Are the assumed vehicle volumes accurate? If not, please provide alternative volumes.	
<i>Default bulk densities</i>	Are the listed bulk densities representative? If not, please provide the average bulk densities of materials received at your waste facility.	
	Do you have bulk densities that we could use for other material types that are not listed?	
<i>Weight per item of product wastes</i>	Do you have data that suggests alternative average weights for the listed products?	

	Do you have weights that we could use for other waste items not listed?	
Approved procedures Other comments		

Appendix 4 Proposed changes to the recycler form

Additional mandatory field in form

Removal of reporting requirement from form
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Form section	Question	Current: Yes/ No	Proposed: Yes/ No	
Material recovery	Material category	Yes	Yes	
	Material subcategory	Yes	Yes	
	Total processing capacity	No	Yes	
	Total received	Yes	Yes	
	Reprocessing losses	Yes	Yes	
	How much was recovered	Yes	Yes	
	% recovered as energy	Yes	No	
	Total quantity of residual waste recovered as energy	No	Yes	
	Total quantity of non-residual waste recovered as energy	No	Yes	Only applicable to waste-to-energy facilities
	Source waste stream	Yes	Yes	
	Source region	Yes	Yes	
	Intended destination of recovered waste or products	Yes	Yes	
	Productive use	No	Yes	
Stockpiles	Material category	Yes	Yes	
	Material subcategory	Yes	Yes	
	Quantity stockpiled	Yes	Yes	
Additional information	Accuracy	Voluntary	Voluntary	
	Barriers	Voluntary	Voluntary	
	Availability of source materials	Voluntary	Voluntary	
	Market strength	Voluntary	Voluntary	
	Time to complete	Voluntary	Voluntary	
	Further comments	Voluntary	Voluntary	

Appendix 5 Proposed changes to the local government form

Additional mandatory field in form

Removal of reporting requirement from form
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Form section	Question	Current: Mandatory/ Voluntary/ No	Proposed: Mandatory/ Voluntary/ No	Pre-fill option available in form?	Comment
Domestic services					
Kerbside					
	Service type	Mandatory	Mandatory	Yes	
	Service provider	Voluntary	Mandatory	Yes	
	Destination facility	Voluntary	Mandatory	Yes	
	Frequency of service	Mandatory	Mandatory	Yes	
	% of households with service	Mandatory	No	Yes	
	Number of single-unit dwellings with a service	No	Mandatory	Likely	Replaces % of household question
	Number of multi-unit dwellings with a service	No	Mandatory	Likely	Replaces % of household question
	% participation rate	Mandatory	Mandatory	Yes	
	Container description	Mandatory	Mandatory	Yes	
	Proportion of waste from commercial premises	No	Mandatory	Likely	Will replace 'Commercial premises' section of current form
	Number of commercial premises serviced	Mandatory	Mandatory		Currently required in 'Commercial premises' section of current form
	Tonnes collected	Mandatory	Mandatory		
	Tonnes disposed	Mandatory	Mandatory		
	Tonnes to energy	No	Mandatory		
	Tonnes recycled (calculated)	Mandatory	Mandatory		
Vergeside					
	Service type	Mandatory	Mandatory	Yes	
	% of households with service	Mandatory	No	Yes	
	Number of single-unit dwellings with a service	No	Mandatory	Likely	Replaces % of household question
	Number of multi-unit dwellings with a service	No	Mandatory	Likely	Replaces % of household question
	Service provider	Voluntary	Mandatory	Yes	
	Destination facility	Voluntary	Mandatory	Yes	
	Frequency of service	Mandatory	Mandatory	Yes	
	Total number of on-demand service	Voluntary	Mandatory	Yes	Only relevant to on-demand type services

Form section	Question	Current: Mandatory/ Voluntary/ No	Proposed: Mandatory/ Voluntary/ No	Pre-fill option available in form?	Comment
	Tonnes collected	Mandatory	Mandatory		
	Tonnes disposed	Mandatory	Mandatory		
	Tonnes to energy	No	Mandatory		
	Tonnes recycled (calculated)	Mandatory	Mandatory		
Drop-off					
	Service type	Mandatory	Mandatory	Yes	
	Tonnes collected	Mandatory	Mandatory		
	Tonnes disposed	Mandatory	Mandatory		
	Tonnes to energy	No	Mandatory		
	Tonnes recycled (calculated)	Mandatory	Mandatory		
Public place & special events					
	Service type	Mandatory	No		Requirement moved to new section 'Local government activities'
	Tonnes collected	Mandatory	No		
	Tonnes disposed	Mandatory	No		
	Tonnes recycled (calculated)	Mandatory	No		
Local government activities					
	Service type	No	Mandatory	Likely*	Includes public place & special events, street sweepings, illegal dumping, parks and recreation management
	Tonnes collected	No	Mandatory		
	Tonnes disposed	No	Mandatory		
	Tonnes to energy	No	Mandatory		
	Tonnes recycled (calculated)	No	Mandatory		
Recycled materials					
	Service type	Mandatory	No		Section removed
	Material type	Mandatory	No		
	Tonnes	Mandatory	No		
Commercial services					
	Service type	Mandatory	No		Removed and incorporated into kerbside collection section
	Service provider	Voluntary	No		
	Frequency of service	Mandatory	No		
	Number of premises with service	Mandatory	No		
	Container description	Mandatory	No		
	Tonnes collected	Mandatory	No		
	Tonnes disposed	Mandatory	No		
	Tonnes recycled (calculated)	Mandatory	No		
Domestic costs & charges					
Cost					Report total costs under proposed changes, i.e.
	Cost – total	Mandatory	Mandatory		

Form section	Question	Current: Mandatory/ Voluntary/ No	Proposed: Mandatory/ Voluntary/ No	Pre-fill option available in form?	Comment
	Cost by waste service	Voluntary	Voluntary		combined cost of delivering services to domestic and commercial premises
	Cost by detailed waste service type	Voluntary	Voluntary		
Domestic charges					
	Charge type	Mandatory	Mandatory		
	Charge	Mandatory	Mandatory		
Commercial costs & charges					
	Service type	Mandatory	No		Removed requirement
	Total cost	Mandatory	No		
	Charge units	Mandatory	No		
	Charge	Mandatory	No		
Littering and illegal dumping					
	Number of littering infringement notices issued	Voluntary	No		
	Number of complaints about littering	Voluntary	No		
	Number of sites regularly receiving illegally dumped waste	Voluntary	No		
	CCTV used to monitor illegal dumping/littering?	Voluntary	No		
	Costs of cleaning up illegal dumping/littering	Voluntary	No		
	Programs in place to prevent littering	Voluntary	No		
	Programs or strategies in place to prevent illegal dumping	Voluntary	No		