



Fact sheet: Waste data reporting – liable non-metropolitan landfills

Annual reporting of waste and recycling data

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

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

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

Liable persons: non-metropolitan landfills

Liable persons for the purposes of Part 3A of the WARR Regulations are defined under regulation 18B. In the case of liable non-metropolitan landfills, a licensee¹ – or a person who is the occupier of a premises that would be a licensed landfill if the person held a licence in respect of the relevant premises – is liable under regulation 18B(4) if the following two conditions are met:

- the premises received at least 20,000 tonnes of solid waste in the financial year
- the premises is located outside the metropolitan region, as defined by section 4(1) of the *Planning and Development Act 2005*.

The steps in determining if a licensed landfill or a relevant premises is a liable non-metropolitan landfill under Part 3A of the WARR Regulations are shown in the figure below.

¹ A 'licensee' under Part 3A of the WARR Regulations means the holder of a licence in respect of a licensed landfill in regulation 18A of the WARR Regulations. Regulation 18A also defines a 'licensed landfill' to mean premises specified in category 63, 64 or 65 of the Environmental Protection Regulations 1987 Schedule 1, in respect of which a licence is held.

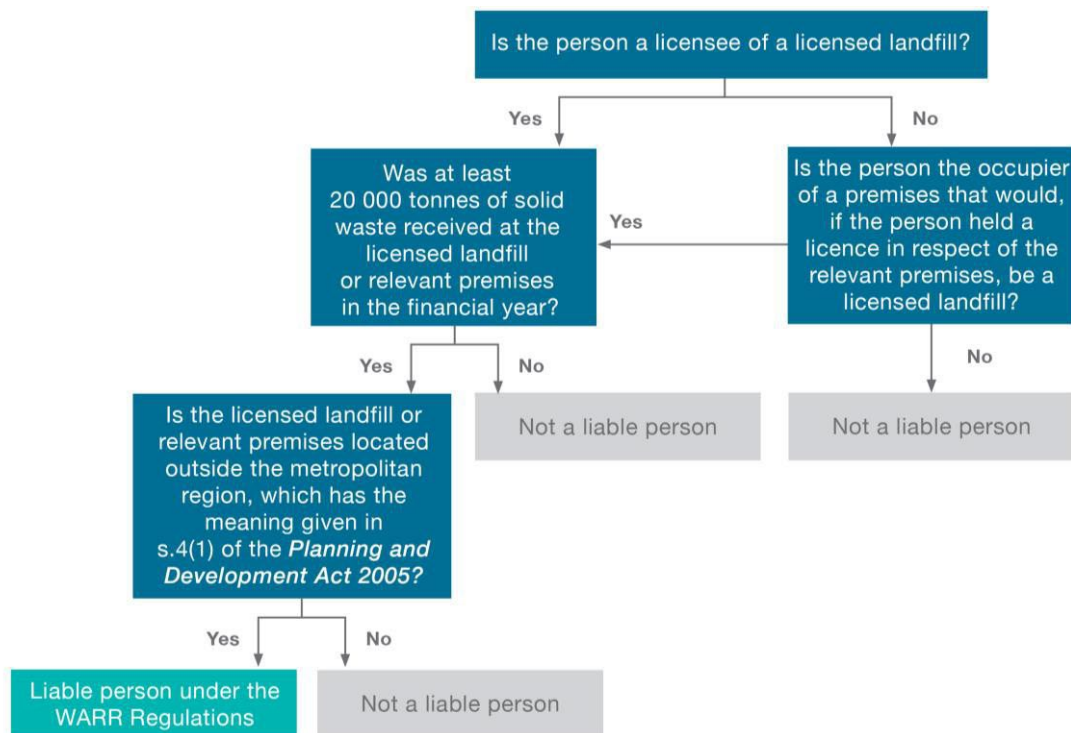


Figure 1 Steps to determine whether a licensed landfill or a relevant premises is a liable non-metropolitan landfill.

Determining liability for non-metropolitan landfills

Threshold determined by waste received

The amount of solid waste ('reportable waste') received at the licensed landfill or relevant premises should be used to determine if the threshold of 20,000 tonnes has been met. Waste generated at the premises and subsequently disposed of does not need to be considered.

An example of a premises that is not liable is a facility which is both:

- located outside the metropolitan region and licensed to process material for the purpose of cement manufacturing (categories 12 and 43)
- licensed as a category 63 landfill which disposes of more than 20,000 tonnes of waste generated from its on-site processes in a financial year.

The licensee of the premises for the purposes of operating the landfill is not a liable person because the waste was not received at the premises.

Multiple categories of liable persons

Dependent on the activities of particular local governments and/or premises, liable persons may be subject to waste data recording and reporting requirements under Part 3A of the WARR Regulations in more than one

category (local government, recycler, non-metropolitan landfill) of liable person.

Licensees and occupiers of non-metropolitan landfills who are liable persons should determine if they are also liable as a local government or a recycler under regulations 18B(2) or 18B(3) of the WARR Regulations respectively.

Requirements of liable non-metropolitan landfills

Information required to be reported

Liable non-metropolitan landfills should familiarise themselves with the information required to be reported in the annual return under regulations 18C and 18D of the WARR Regulations.

The information required to be reported by liable non-metropolitan landfills has been gazetted by the CEO under regulation 18D(1) of the WARR Regulations (CEO notice). The [CEO notice for liable non-metropolitan landfills](#) describes the information required to be reported, and the procedures to be followed in reporting that information. This includes the information listed in regulation 18D(4).

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

Materials received, removed and disposed

The total weight of reportable waste received, removed from the site and disposed of to landfill must be reported by material category.

Reportable waste is defined as a 'solid waste'.

Waste exempted from payment of the waste levy should be reported as disposed of to landfill.

Source

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

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

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

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

Destination

The fate of the reportable waste received by the landfill and not disposed of on-site must be reported. The destination options are:

- used on-site: waste that is recovered for use on the landfill (should not include waste exempted from payment of the waste levy)
- recycling: waste that is sent to recycling, including offsite recycling and composting
- waste-to-energy: waste that is sent offsite for the purposes of energy recovery
- disposed of at another site: waste that is disposed of at another landfill.

Stockpiles

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

Waste from primary industries

Solid waste generated from primary production and received for disposal at liable non-metropolitan landfills is required to be recorded and reported. For further guidance about reporting these waste types, see our [frequently asked questions](#).

Default values in the approved procedures

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

Reportable waste measurement

The method used to estimate the tonnages of waste reported, including stockpiles, must be provided. If an alternative method is used (that is, a method not contained in the approved procedure attached to the CEO notice for liable non-metropolitan landfills), this must be indicated, and the method used must be submitted to the department.

Record keeping

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

Liable non-metropolitan landfills must keep any record used for reporting the required information in the annual return for a period of at least five years under regulation 18D(5) of the WARR Regulations. The records must be kept in a legible written form, or be readily convertible into such a form. The CEO

notice gives a detailed description of the procedures to be followed in making those records.

Annual return

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

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

Inform the CEO

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

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

Offences

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

Liable non-metropolitan landfills receiving waste subject to the waste levy

Liable non-metropolitan landfills receiving reportable waste subject to the waste levy must calculate their levy liability and keep records in a manner consistent with the requirements under the Waste Avoidance and Resource Recovery Levy Regulations 2008 and Part 3A of the WARR Regulations.

More information

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

Related documents

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

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

Visit our online [consultation](#) page.

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

View our [frequently asked questions](#).

See our [fact sheets](#):

- Waste data reporting – liable recyclers
- Waste data reporting – local governments
- Waste data reporting – assessing the source of waste at the gatehouse

Legislation

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