

Waste Reduction and Recycling Act 2011

**DECLARATION OF EXEMPT WASTE IN EXCEPTIONAL CIRCUMSTANCES –STATE OF EMERGENCY
EXEMPT WASTE FOR THE STATE OF NEW SOUTH WALES**

I, Mr Jamie Merrick, Director-General, Department of Environment and Science (DES), pursuant to section 35 of the *Waste Reduction and Recycling Act 2011* (the Act) and being satisfied that exceptional circumstances exist in relation to the disposal of waste generated by the significant and widespread bushfires across New South Wales (NSW), which resulted in the Honourable Gladys Berejiklian MP, Premier of NSW, declaring a state of emergency by *Order declaring state of emergency in relation to bushfires* on 2 January 2020 pursuant to section 33 of the *State Emergency and Rescue Management Act 1989* (the NSW Act), declare that the disposal of waste generated by, or because of the bushfires, is exempt waste subject to the following conditions and limitations.

The following conditions and limitations apply to this declaration–

- a) For the purpose of this declaration, exempt waste means only that waste generated by or because of the NSW bushfires which resulted in the declaration of the state of emergency under the NSW Act.
- b) Waste generated by the NSW bushfires is exempt waste only for the period from 22/1/2020 up to and including 21/1/2020 (declaration period).
- c) Waste generated by the NSW bushfires is exempt waste only if it disposed of at the following waste disposal sites (approved waste disposal sites):
 - i. Veolia Environmental Services (Australia) Pty Ltd and JJ Richards Ti Tree Pty Ltd
Champions Way, WILLOWBANK QLD 4306; and/or
 - ii. Stapylton Green Energy (BMI)
215 Burnside Road, STAPYLTON QLD 4207
- d) Waste generated by the NSW bushfires is exempt waste only if it is transported by contractors and/or transporters authorised by the New South Wales Environment Protection Authority (NSW EPA) (authorised contractors and transporters).
- e) This declaration allows for an exemption from payment of the ‘waste levy’ as defined in section 36 of the Act, on the conditions and limitations stated in this declaration. An approved waste disposal site may continue to charge fees (i.e. service fees or gate entry fees etc.) for the delivery and disposal of waste to its facility and authorised contractors and transporters are responsible for the payment of these fees.
- f) At the end of the third month from the commencement date of this declaration, NSW EPA must provide an interim report detailing each transaction of exempt waste delivered to an approved waste disposal site.
- g) Within 28 days of the expiration of this declaration, NSW EPA must provide DES with a report detailing each transaction of exempt waste delivered to an approved waste disposal site for the duration of this declaration.
- h) NSW EPA must ensure its authorised contractors and transporters comply with their obligations under the Act, the *Environmental Protection Act 1994 (Qld)* and all other relevant State and Commonwealth legislation while undertaking activities associated with the delivery and disposal of the exempt waste for the duration of this declaration.

- i) If NSW EPA becomes aware of an issue with the disposal or delivery, they must immediately notify the Office of Resource Recovery, DES by email at wastelevy@des.qld.gov.au or on telephone (07) 3330 6021.
- j) This declaration ceases at the expiration of the declaration period, unless revoked sooner by the chief executive, DES.

This declaration of exempt waste in exceptional circumstances is made on the date of publication on DES' website.

Signed:



Position: Director-General, Department of Environment and Science

Date:

22 / 1 / 20