

EV302*

Waste Avoidance and Resource Recovery Act 2007

Waste Avoidance and Resource Recovery Amendment Regulations 2011

Made by the Lieutenant-Governor and Administrator in Executive Council.

1. Citation

These regulations are the *Waste Avoidance and Resource Recovery Amendment Regulations 2011*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Waste Avoidance and Resource Recovery Regulations 2008*.

4. Regulation 6 amended

Delete regulation 6(1) and insert:

- (1) An application for a waste collection permit must —
 - (a) be made in the approved manner and form; and
 - (b) be accompanied by an application fee of \$275; and

- (c) include an undertaking to provide the required waste service if the permit is issued to the applicant; and
- (d) include details of the following —
 - (i) how the waste will be collected;
 - (ii) how the waste collected will be dealt with;
 - (iii) the proposed mechanisms and amounts of charges for the waste service;
 - (iv) the impact of the proposed waste service on existing waste services to other premises in the local government district;
 - (v) the extent to which, and the means by which, the applicant proposes to use resources such as plant, equipment and staff that were used by the local government to provide waste services in the local government district;
 - (vi) how the applicant proposes to meet the standards set by the CEO in respect of the waste service and the frequency of the waste service;
 - (vii) any other information relevant to the application that the CEO reasonably requires.

5. Regulation 7 amended

(1) Before regulation 7(1) insert:

- (1A) In this regulation —
specified means specified in the waste collection permit.

(2) After regulation 7(1) insert:

- (2A) Without limiting subregulation (1), the conditions to which a waste collection permit may be subject include the following —
- (a) that the permit operates in respect of a specified area;
 - (b) that the permit holder must collect waste at a specified frequency or at specified dates and times;
 - (c) that the permit holder must collect all, or specified categories of, waste in a specified manner or in containers of a specified type;

- (d) that the permit holder must keep specified records as to the quantity and type of waste collected;
- (e) that the permit holder must provide reports to the CEO as to the manner in which waste is collected and the quantity and type of waste collected as requested by the CEO;
- (f) that the permit holder must comply with a specified code of practice made by the Waste Authority under section 52 of the Act.

6. Regulation 10 replaced

Delete regulation 10 and insert:

10. Surrender of waste collection permit

- (1) The holder of a waste collection permit may apply to the CEO to surrender the permit.
- (2) The CEO may, on an application under subregulation (1), accept the surrender of the permit if the CEO is satisfied that there are alternative arrangements reasonably available to ensure that waste collection in the area in which the permit operates is adequate and consistent with modern practice.
- (3) A waste collection permit ceases to have effect from the day on which the CEO accepts the surrender of the permit.

7. Regulation 11 amended

- (1) In regulation 11(2) delete “revoking or suspending” and insert:

or refusing to accept the surrender of,

- (2) Delete regulation 11(7) and insert:

- (7) The CEO must give the holder of the waste collection permit written notice —
 - (a) of any amendment of the permit; or
 - (b) if the CEO refuses to accept the surrender of the permit.

Note: The heading to amended regulation 11 is to read:

Manner of amendment

8. Regulation 12 amended

In regulation 12 delete “revokes or suspends” and insert:

or accepts the surrender of,

9. Regulation 17 amended

(1) Delete regulation 17(2)(g) and insert:

- (g) any other particulars relevant to the calculation or verification of the amount of the levy payable by the licensee that the CEO, by written notice to the licensee, requires the licensee to include.

(2) Delete regulation 11(4) and insert:

- (4) A licensee must, on the written request of an authorised person, make the records available to the authorised person in the manner, and within the time, specified in the request.

10. Regulation 19 deleted

Delete regulation 19.

By Command of the Lieutenant-Governor and Administrator,

PETER CONRAN, Clerk of the Executive Council.