

FACTSHEET

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Litter and Building Waste

ALL WASTE SHOULD BE STORED ON SITE IN A WAY THAT PREVENTS MATERIAL LOSS CAUSED BY WIND OR WATER.

Disposal fees can be reduced by separating building waste products into separate waste containers, so this material can be recycled.

DISPOSAL AND REUSE OF FILL/SOIL MATERIAL

Fill material may be reused off site by meeting one of the NSW EPA's resource recovery exemptions and orders if you can demonstrate that the material (waste) can be safely and effectively used for another purpose. The use for the material must be genuine, fit-for-purpose, and cause no harm to the environment or human health.

Once the material leaves the site from which it was generated it is then considered a waste and must be classified prior to removing fill material from the site.

Although there are a number of resource recovery exemptions and orders the most commonly used one is excavated natural material. All conditions of an order and exemption must be met for the reuse of the waste material to be lawful. You must also have, if necessary, development consent and permission from the owner and occupier of the place where the waste will be reused.

Alternatively the waste could be classified as virgin excavated natural material (VENM) as defined under the Protection of the Environment Operations Act 1997.

When taking waste offsite to a private or publically-owned site, the owner of the waste and the transporter are each guilty of an offence when waste is transported to a place that cannot lawfully accept this waste. To avoid potential litigation, it is essential that a Section 143 notice (POEO Act) be filled in to demonstrate that this material can be transported to a place that can lawfully accept it. Once completed and signed, the s.143 notice is a declaration from the "landholder" that waste of a certain type and quantity may

be legally accepted for a certain use on their land. Forms can be found on the NSW EPA website: www.epa.nsw.gov.au/resources/wasteregulation/160095-notices143-form.docx

WHAT IF NO SUITABLE EXEMPTION OR ORDER IS AVAILABLE NOW?

If a resource recovery order or exemption is not currently available for your intended use of a waste material, you can apply to the EPA for an order and exemption specific to your operations. Your application must address all the necessary criteria using the format provided in the guidelines.

➤ For more information, including guidelines on how to apply visit www.epa.nsw.gov.au/wasteregulation/apply-exemption.htm

TAKING SOIL TO THE BALLINA WASTE MANAGEMENT CENTRE (A LICENSED LANDFILL FACILITY)

The Ballina Waste Management Centre is licensed to accept general solid waste. Under the waste reporting definitions, there are three waste type categories for soil:

- ✓ Virgin excavated natural material (VENM)
- ✓ Contaminated soil (CONT SOIL)
- ✓ Soil (SOIL)

Significant project savings can be made by classifying material prior to site disturbance (such as in the case of VENM which is currently accepted for free if it meets the requirements).

➤ Please refer to our Soil Fact Sheets for specific information on the testing requirements and application process at www.ballina.nsw.gov.au/cp_themes/default/page.asp?p=DOC-PRU-34-28-80

Please manage asbestos to prevent unnecessary contamination. Asbestos including soil containing asbestos material cannot be accepted at the Ballina Waste Management Centre.