



# **R I D** REPORT **L L E G A L** **U M P I N G**

# RENOVATION & CONSTRUCTION WASTE

*Important information for demolition and excavation companies, builders, contractors, project managers and property developers.*

## What is development waste?

Waste is not just rubbish and unwanted material, but also includes:

- excavated material such as dirt, sandstone and soil
- construction, building and demolition waste such as asphalt, bricks, concrete, plasterboard, timber and vegetation
- asbestos and contaminated soil.

## Transport waste to a lawful place

Section 143 of the *Protection of the Environment Operations Act 1997* requires waste to be transported to a place that can lawfully accept it.

The owner of the waste and the transporter may both be guilty

### **Did you know?**

**The owner of the waste and the waste transporter may both be guilty of an offence when waste is transported to a place that cannot lawfully be used as a waste facility.**

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The owner of the waste and the transporter can be ordered to clean up and pay for such waste to be taken to a lawful place.

If a quote for managing waste is low, find out why. The company may be avoiding costs by transporting the waste to a place that cannot lawfully be used as a waste facility.

## **Avoid fines and penalties...**

- Know what types of waste will be generated during excavation, demolition and construction.
- Check the council development consent and environment protection licence for the waste facility to make sure they can lawfully accept the waste. Provide the waste facility with details of the waste (classification, origin and quantity).
- Prepare and implement a waste management plan that includes:
  - details of, and the waste management action proposed for, each type of waste
  - procedures that ensure the waste is transported to a lawful place
  - a description of the roles and responsibilities of everyone who manages the waste, including the

### **Did you know?**

**All Demolition material has been pre-classified as “waste” under Schedule 1 of the Protection of the Environment Operations Act, 1997. Items worthy of recycling, such as metals, hardwood house frames, doors or windows, can be transported to a recycling facility authorised to receive that type of material by holding an approved Development Application or an EPA licence.**

site supervisor and sub-contractors.

- The level of detail in the waste management plan should reflect the size and complexity of the project's waste issues.
- Regularly update the waste management plan to record how waste is managed and audit where waste is taken.

- Provide adequate supervision to ensure waste management plans are implemented and complied with, and regularly audit everyone who manages waste on your behalf.
- Provide training about the waste management plan and protecting the environment.
- Keep accurate written records such as:
  - who transported the waste (company name, ABN, vehicle registration and driver details, date and time of transport, description of waste)
  - copies of waste dockets/ receipts for the waste facility (date and time of delivery, name and address of the facility, its ABN, contact person).



## Supplying information about waste

At any time, you can be asked to supply information about waste, such as:

- its type, classification, sampling, characteristics, composition or quantity
- its storage, transport, handling, transfer, disposal, processing, recycling, recovery, re-use or use
- the hazards or potential harm to the environment or human health associated with waste or activities relating to waste.
- When supplying information about waste, ensure all relevant information is disclosed, such as:
  - waste assessment and classification reports, including sampling methodologies and laboratory analysis for potentially harmful materials
  - written procedures and plans for managing waste, including handling and storage procedures, and incident response plans
  - development applications, including waste management plans
  - site assessments including contaminated site assessments, and environmental and geotechnical studies.
  - the address where waste was generated

### **Did you know?**

**If waste is illegally dumped and harms the environment, the maximum penalty for a corporation is \$5 million. For an individual the maximum penalty is \$1 million or 7 years imprisonment, or both.**

**The maximum penalty for supplying false or misleading information about waste is \$500,000 for a corporation. For an individual the maximum penalty is \$240,000 or 18 months imprisonment, or both.**

### How you can help.

1. Transport development waste to a lawful place
2. Avoid fines and penalties by complying with the law
3. If you suspect someone is handling development waste unlawfully or illegally dumping waste report the details to your local Council or report on-line at [ridonline.epa.nsw.gov.au](http://ridonline.epa.nsw.gov.au)



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**A NSW Environment Protection Authority and Council joint initiative**

TO REPORT AN INCIDENT ON LINE GO TO:

