

Australian Capital Territory

# Waste Management and Resource Recovery (Exemption) Declaration 2019 (No 1)

Disallowable instrument DI2019–82

made under the

**Waste Management and Resource Recovery Act 2016, s 67 (Declaration exempting person or activity)**

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**1 Name of instrument**

*This instrument is the Waste Management and Resource Recovery (Exemption) Declaration 2019 (No 1).*

**2 Commencement**

This instrument commences on the day after its notification day.

**3 Dictionary**

The dictionary at schedule 2 relates to schedule 1.

**4 Declaration**

I declare that the person or class of people set out in Column 1 of Schedule 1, subject to the conditions mentioned in Column 3, are exempt from the provisions of the *Waste Management and Resource Recovery Act 2016* set out in Column 2.

Jim Corrigan  
Waste Manager  
Transport Canberra and City Services  
7 May 2019

## Schedule 1

Column 1	Column 2	Column 3
Person(s)/class of people exempt	Provision	Conditions
<p>A waste management business or waste transporter</p>	<p>Section 30 (Requirement to be registered as a waste transporter)</p> <p>Section 107 (1) (c) (ii) (Unauthorised waste activity)</p>	<p>The exemption applies if the waste is only transported through the Australian Capital Territory.</p> <p>Any person that transports waste through the ACT, but also collects, transports or drops off waste within the ACT, is not to be exempt from the requirement to hold a waste transporter registration.</p> <p>A waste management business or waste transporter to which the exemption applies, is not to be exempt from any codes of practice which provide regulatory coverage for those business transporting waste through the ACT.</p>

## Schedule 2

### Dictionary

A waste transporter means a waste management business that does any of the following:

- a. Collects waste;
- b. Transports waste.

Waste means:

- a. Any substance (whether solid, liquid or gaseous) that is discharged, emitted or deposited in the environment in such volume, constituency or manner as to cause an alteration in the environment;
- b. Any discarded, rejected, unwanted, surplus or abandoned substance, whether or not intended for sale, recycling, reprocessing, recovery or purification by a separate operation from that which produced it;
- c. Any other substance declared by regulation to be waste.

A waste management business includes:

- a. Any of the following carried on, by a person or group of people acting together, with the purpose of providing services in relation to the handling of waste:
  - i. A trade, industry, business or profession;
  - ii. An activity carried on for a fee, benefit or reward; and
- b. A person or activity prescribed by regulation.

A waste facility means:

A site used by a waste management business for the storage, sorting, treatment, processing, or disposal of waste.