



# Recovered aggregates

## Definition

Recovered aggregates means material comprising of concrete, brick, ceramics, natural rock and asphalt processed into an engineered material. This does not include refractory bricks or associated refractory materials, or asphalt that contains coal tar.

This is mainly relevant to Roads and Maritime Services when any of the above processed materials are accepted onto site or if you intend processing any of the above materials on-site and are supplying the materials off-site for non-road construction or maintenance activities.

## Waste classification

General solid waste (non-putrescible).

## Do I need an Environment Protection Licence for 'waste disposal to land' to re-use recovered aggregates?

- **Onsite reuse:** No
- **Offsite re-use:** No. Provided the requirements of the resource recovery order and exemption for recovered aggregates are met (see below).

Please note that an environment protection licence may still be required for other activities such as road construction and extractive activities.

## Are recovered aggregates covered by a resource recovery order and exemption?

Yes. Recovered aggregates can be re-used off-site provided all conditions attached to the EPA's recovered aggregate resource recovery order and exemption are complied with.

**Processor responsibilities** are specified in the *Recovered aggregate order 2014*. These include that a processor of recovered aggregates supply the consumer with:

- A written statement of compliance, certifying that the recovered aggregate complies with the conditions of the recovered aggregate order
- Copies of all test results (see below)
- A copy of the recovered aggregate exemption, or a link to the EPA website where the recovered aggregate exemption can be found
- A copy of the recovered aggregate order, or a link to the EPA website where the recovered aggregate order can be found.

The processor must keep a written record of the quantity of recovered aggregate supplied, and the name and address of each person to whom the processor supplied the recovered aggregate. Records must be kept for six years.

**Consumer responsibilities** are specified in the *Recovered aggregate exemption 2014*. As a consumer of recovered aggregates, Roads and Maritime must ensure that any application of recovered aggregate to land must occur within a reasonable period of time after its receipt and keep records of the quantity of the recovered aggregate received and the suppliers' name and address. These records must be kept for six years.

A copy of the recovered aggregates order and exemption can be found here:

<http://www.epa.nsw.gov.au/wasteregulation/orders-exemptions.htm>

## When to use this exemption

Recovered aggregate can only be applied to land for road making activities, building, landscaping and construction works. Under this exemption recovered aggregates **cannot** be used for:

- Construction of dams or related water storage infrastructure
- Mine site rehabilitation
- Quarry rehabilitation
- Sand dredge pond rehabilitation
- Back-filling of quarry voids
- Raising or reshaping of land used for agricultural purposes
- Construction of roads on private land unless a development consent has been granted or the road is to provide temporary or permanent access to a development.

## Do I need to take samples and perform any tests for contaminants?

Yes. A processor of recovered aggregates must undertake contaminant testing as per the recovered aggregate order.

Written records of all test reports must be kept for a period of six years.

## Do I need to obtain a Section 143 Notice from the landholder for the off-site disposal of recovered aggregates (for example, as fill material)?

Yes. When disposing of recovered aggregates off-site to a private or publically owned site you must issue the landholder with a copy of the Roads and Maritime proforma letter and Section 143 Notice as per [Environmental Direction No: 20](#).

The landholder must complete, sign and return the 143 Notice to Roads and Maritime prior to the waste being transported to the landholder's site.

**Important note:** The landholder must attach written evidence that legal consent has been granted from the local council or planning consent authority showing that the material can legally be accepted onto the landholder's site.

## What type of waste facility can I take the material to?

Any waste facility such as a council tip, licensed to accept the specific recovered aggregates.

You should first check that the waste facility is licensed with the EPA to accept the specific excavated material you wish to dispose of. (For example, a facility may not be licensed to accept rock but may be licensed to accept concrete waste).

Copies of EPA licenses can be obtained directly from the waste facility or by checking the EPA's public licence register. The EPA's public register is located at: <http://www.epa.nsw.gov.au/prpoeoapp/>.

## Are there any legal waste transporter or waste tracking requirements?

No, but as a minimum and for due diligence reasons, you should keep records of the:

- Amount and the type of waste generated, stored, treated or disposed of
- Amount and the type of waste transported
- Name of the transporter and transporter's vehicle registration number
- Date of transportation
- Name and location of the waste facility that is receiving the waste.

## Re-use opportunities

Roads and Maritime strongly encourages the re-use of recovered aggregates.

Roads and Maritime pavement specifications allow for the use of many excavated recycled materials in road construction and maintenance.

A list of current applications for recycled materials along with the relevant specifications that allow for their use is available from the Senior Environmental Specialist (Sustainability) in the Environment Branch (contact details below) or on the intranet under Techinfo at

[http://home.rta.nsw.gov.au/org/techinfo/info\\_about/pavements/general/sustainable.html](http://home.rta.nsw.gov.au/org/techinfo/info_about/pavements/general/sustainable.html).

## Further information

If you require further advice on Roads and Maritime waste issues, please contact your regional environment staff or the Senior Environmental Specialist (Sustainability) in the Environment Branch on 02 8843 3055.