

Waste Reduction and Recycling (Waste Levy Rates for 2020-2021) Amendment Regulation 2020

Explanatory notes for SL 2020 No. 111

made under the

Waste Reduction and Recycling Act 2011

General Outline

Short title

Waste Reduction and Recycling (Waste Levy Rates for 2020-2021) Amendment Regulation 2020.

Authorising law

Sections 37 and 271 of the *Waste Reduction and Recycling Act 2011*

Policy objectives and the reasons for them

The objective of the *Waste Reduction and Recycling (Waste Levy Rates for 2020-2021) Amendment Regulation 2020* (Amendment Regulation) is to provide for a deferral of the waste levy increase. An increase of \$5 per tonne for each type of waste is due on 1 July each year for three years. This amendment defers that increase for the 2020-2021 financial year, with the increase taking effect on 1 January 2021.

This provides relief from increased costs for businesses starting to re-open following the lifting of COVID-19 restrictions.

Achievement of policy objectives

To achieve this objective, the Amendment Regulation amends the *Waste Reduction and Recycling Regulation 2011* to defer the regulated waste levy increase of \$5 per tonne (as per Schedule 1) by six months, with the increase taking effect on 1 January 2021.

Consistency with policy objectives of authorising law

The Amendment Regulation is not inconsistent with the main objectives of the *Waste Reduction and Recycling Act 2011*, one of which being to promote waste avoidance and resource recovery and efficiency actions.

Inconsistency with policy objectives of other legislation

No inconsistencies with the policy objectives of other legislation have been identified.

Alternative ways of achieving policy objectives

The Amendment Regulation is the only effective means of achieving the policy objectives as the waste levy increase is legislated.

Benefits and costs of implementation

The Amendment Regulation aims to reduce the cost burden on businesses by holding the waste levy rate steady at the 2019-2020 level for all waste types. Reduced costs will assist those businesses that have been impacted by COVID-19 restrictions.

It is anticipated that the deferral will result in a revenue shortfall of approximately \$10 million.

Consistency with fundamental legislative principles

The amendments are consistent with fundamental legislative principles, as defined under the *Legislative Standards Act 1992*.

Consultation

No external consultation was undertaken on the Amendment Regulation; however, both local government and the waste and resource recovery sectors were advised of the proposed deferral and welcomed this announcement.

Discussions between states and territories generally indicated that other jurisdictions were looking at similar options to assist with reducing costs to businesses.

In accordance with *The Queensland Government Guide to Better Regulation* (the Guidelines), the Office of Best Practice Regulation (OBPR) was consulted in relation to the proposal. The Department of Environment and Science recommended that the proposal be excluded from further regulatory impact analysis under the Guidelines (Category k - Regulatory proposals designed to reduce the burden of regulation, or that clearly do not add to the burden, and it is reasonably clear there are no significant adverse impacts). OBPR agreed with this assessment. No further regulatory impact analysis was required.