

# Waste Reduction and Recycling (Annual Payments to Local Governments) Amendment Regulation 2023

Explanatory notes for SL 2023 No. 75

made under the

*Waste Reduction and Recycling Act 2011*

## General Outline

### Short title

*Waste Reduction and Recycling (Annual Payments to Local Governments) Amendment Regulation 2023*

### Authorising law

Sections 73DA 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 (Annual Payments to Local Governments) Amendment Regulation 2023* (Amendment Regulation) is to provide for annual payments to local governments disposing of municipal solid waste in the metropolitan or regional levy zones for the 2026-2027 financial year.

Section 73DA of the *Waste Reduction and Recycling Act 2011* (the Act) states that a regulation may prescribe an amount, for a financial year, that is to be paid to a local government affected by the waste levy and the chief executive must pay the amount to each local government, without specifying that payments are limited to local governments within the metropolitan or regional levy zone.

Schedule 4A (Annual payments to local governments affected by waste levy) of the *Waste Reduction and Recycling Regulation 2011* (the Regulation) currently makes provision for annual payments, through a schedule of dollar amounts, to 43 local governments affected by the levy on the disposal of municipal solid waste for the financial years 2022-2023 to 2025-2026. These payments were made in June 2022.

An amendment to the Regulation is now necessary in order to make the 2026-2027 annual payment to the local governments.

## **Achievement of policy objectives**

To achieve its objectives, the Amendment Regulation amends the Regulation to provide for the payments to local governments disposing of municipal solid waste in the metropolitan or regional levy zones for the 2026-2027 financial year.

## **Consistency with policy objectives of authorising law**

The Amendment Regulation is consistent with the objectives of the Act to ensure that the annual payment to local governments can be made in accordance with section 73DA of the Act.

## **Inconsistency with policy objectives of other legislation**

The Amendment Regulation is not inconsistent with any other legislation.

## **Benefits and costs of implementation**

The Amendment Regulation ensures that impacted local governments have visibility over the amount of annual payment they will receive and certainty that the costs of disposing of municipal solid waste to a levyable waste disposal site will be offset, ensuring that there is no direct cost to households as a result of the levy.

## **Consistency with fundamental legislative principles**

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

## **Consultation**

No consultation on the amendments has been undertaken as the legislative framework through the Act is already established.

In accordance with *The Queensland Government Guide to Better Regulation, the Office of Best Practice Regulation* was not consulted in relation to the regulatory proposal. The Department of Environment and Science applied a self-assessable exclusion from undertaking further regulatory impact analysis (Category g – Regulatory proposals that are of a machinery nature).