

Waste Reduction and Recycling Amendment Regulation 2023

Human Rights Certificate

Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 41 of the *Human Rights Act 2019*, I, Leanne Linard, Minister for the Environment and the Great Barrier Reef, Minister for Science and Minister for Multicultural Affairs provide this human rights certificate with respect to the *Waste Reduction and Recycling Amendment Regulation 2023* made under the *Waste Reduction and Recycling Act 2011*.

Section 26 of the *Waste Reduction and Recycling Act 2011* provides for wastes to be prescribed in regulation as exempt wastes.

In my opinion, the *Waste Reduction and Recycling Amendment Regulation 2023*, as tabled in the Legislative Assembly, is compatible with the human rights protected by the *Human Rights Act 2019*. I base my opinion on the reasons outlined in this statement.

Overview of the Subordinate Legislation

Amendments to the *Waste Reduction and Recycling Regulation 2023* are made under the *Waste Reduction and Recycling Act 2011* (the Act). Section 26 of the Act provides that wastes may be prescribed in regulation as exempt wastes for the purposes of application of the waste disposal levy.

The amendments will define residue waste from Material Recovery Facilities (MRF) and glass beneficiation plants as exempt from the application of the waste disposal levy.

Material received at a MRF from kerbside household and commercial collections contains a proportion of non-recyclable items that the MRF operator must manage. Similarly, glass beneficiation plants receive kerbside collected glass bottles and jars that have been sorted at the MRF and sent for further processing to make it suitable for manufacturing into new bottles and other products. The non-recyclable fraction is residue waste.

Providing an exemption in regulation provides certainty for local governments and operators of these facilities and helps reduce the costs of service provision to the community. The regulation provides clear advice to operators about the standards of operation and recovery efficiency that is expected in order to benefit from the levy exemption.

The amendment regulation also provides for a transitional period, to 30 June 2024, for the application of the metropolitan waste disposal levy rate to waste that is generated outside the non-levy zone (interstate) and disposed to a waste disposal site in the non-levy zone in Queensland – with the exception of waste generated in the regional zone. In this instance the regional levy rate applies.

Human Rights Issues

Human rights relevant to the subordinate legislation (Part 2, Division 2 and 3 *Human Rights Act 2019*)

No human rights have been identified as being engaged or limited by the *Waste Reduction and Recycling Amendment Regulation 2023*.

Conclusion

I consider that the *Waste Reduction and Recycling Amendment Regulation 2023* is compatible with the *Human Rights Act 2019* because it does not limit human rights.

LEANNE LINARD
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MINISTER FOR SCIENCE AND MINISTER FOR MULTICULTURAL AFFAIRS

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