



RIS Ref: DEHP557-1116

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25 July 2018

Mr. Chris Stewart
Principal Policy Officer
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4002

Dear Mr. Stewart

Decision Regulatory Impact Statement: Review of the Regulated Waste Classification and Waste-Related Environmentally Relevant Activity frameworks

Thank you for your initial enquiry of 11 July 2018 and further information provided 20 July and 24 July 2018 seeking advice on the adequacy of the 'Review of the Regulated Waste Classification and Waste-Related Environmentally Relevant Activity (ERA) frameworks' Decision Regulatory Impact Statement (RIS).

Release of Consultation RIS

The *Environmental Protection Act 1994* and its subordinate legislation, the *Environmental Protection Regulation 2008*, provide a framework for classifying waste and regulating associated waste management activities. The Department of Environment and Heritage Protection (the Department) released a Consultation RIS in June 2017, seeking stakeholder views on:

- the move to a 'risk based' classification of regulated wastes based on the risk to the environment and human health, rather than the current system of wastes being classified as 'regulated' or 'non-regulated'
- a new schedule of five waste-related ERAs incorporating the new waste classification system to better reflect the risk of activities and support new and emerging technologies
- the transfer of waste activity approvals from local government to the state for: metal recovery, waste incineration and thermal treatment.

The Consultation RIS was open for comment for a period of eight weeks and 36 submissions were received. The Department notes that stakeholders generally supported the proposed overarching reforms but concerns were raised about particular individual elements.

Preparation of Decision RIS

Following consultation, the Department maintained its preferred policy position to amend the waste framework to: 'better apportion regulation to those activities and wastes based upon the level of risk they pose.' However, to address some concerns raised in stakeholder submissions, the Department has amended the RIS to:

- reduce the number of 'regulated waste categories' from three to two and adjust some 'default waste categories' and hazard parameter limits. Such adjustments have been informed by an external review,



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based on updated science, commissioned by the Department. This review will be released by the Department as an attachment to the Decision RIS

- increase the number of waste related ERAs from five to seven
- introduce some exemptions for certain low risk activities to operate without requiring regulatory approval
- amend the 'Aggregate Environmental Score (AES)' for some activities, which results in a reduction (from that proposed in the Consultation RIS) in the annual fee payable by those operators.

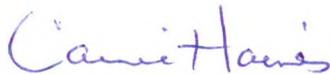
The Queensland Productivity Commission (the Commission) has assessed the Department's RIS and considers it adequately contains a summary of the results of consultation and details what regulatory proposals have been amended following stakeholder responses. The Commission also notes that where a regulatory proposal imposes a cost, that these impacts are clearly presented and discussed in the RIS.

Given this, the Commission considers the Decision RIS is adequate to support the decision maker's consideration of the proposal.

Consistent with the Queensland Government Guide to Better Regulation (the Guidelines) the final Decision RIS and this letter of adequacy will be published on the Commission's website following approval of the RIS for release.

Please contact Sean Mackay, Principal Analyst, on (07) 3035 5149 should you require any additional information or guidance in relation to the above comments or the Guidelines in general.

Yours sincerely



Carrie Haines
Team Leader