

Environment and Communications References
Answers to questions on notice
Climate Change, Energy, the Environment and Water Portfolio

Inquiry: Inquiry into waste reduction and recycling policies
Question No: IQ24-000096
Hearing Date: 08 May 2024
Division/Agency: Circular Economy Division
Topic: Paper and cardboard waste stream
Hansard Page: 57
Question Date: 08 May 2024
Question Type: Spoken

Senator Whish-Wilson asked:

CHAIR: Okay, thank you. I'll have some more questions on that in a second, but I will go to my other colleagues. I just wanted to ask one final question, I suppose a bigger question, in terms of the intentions behind this series of waste stream regulations that have kicked in since the legislation passed in 2020. It was put to us today that the government's original RIS recommended that paper and cardboard not be included in export bans or regulations because there was no evidence of environmental impacts of this particular waste stream. Are you able to confirm that that was the case?

Ms Lynch: That's not my understanding. I believe that paper and cardboard was mooted at the time for export regulation. Perhaps we can take it on notice and come back to you with details of what's in that RIS.

CHAIR: Yeah, if you could, and we can get you a copy of the Hansard from earlier today.

Answer:

The *Decision Regulation Impact Statement: Phasing out exports of waste plastic, paper, glass and tyres* (Decision RIS) was prepared by the former Department of Agriculture, Water and the Environment for the Council of Australian Governments' consideration in March 2020.

The Decision RIS did not recommend excluding paper and cardboard from the waste exports regulations.

The Decision RIS identified potential negative environmental impact from mixed and unsorted paper and cardboard exports including that it can contain contaminants such as plastic, which can be released into the environment if not carefully managed, and biohazards due to its absorbent nature.

The Decision RIS did establish that paper and cardboard sorted into one type and with low contamination levels represented a low risk to the environment and human health. The export of these materials is unregulated.

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Inquiry: Inquiry into waste reduction and recycling policies
Question No: IQ24-000098
Hearing Date: 08 May 2024
Division/Agency: Environmental Permitting and Compliance Division
Topic: Licence approval and variation timeframes
Hansard Page: 60
Question Date: 08 May 2024
Question Type: Spoken

Senator Whish-Wilson asked:

CHAIR: We'll seek more information from the department on this. But I think the other issue that's become really clear today is that it's not just the cost. In fact, some of the bigger exporters said they can carry the cost, whereas some of the smaller exporters may not be able to. But what was of significant concern to the bigger exporters was the opportunity cost of time—how long it would take to have these variations approved, or even get approvals in the first place to get a licence, when they have customers lined up for their product in a highly competitive business. Can the department give us an idea on the kind of time it will take to approve licences—I mean, we could pick any kind of export stream—or to approve variations? Are you even aware of what that will be at this point in time?

Mr McNee: Yes, I can certainly give you an indication based on historic applications that have been received. Basically, once we've received sufficient information from the applicant, the average time for a decision to be taken is around six weeks. Now, I just wanted to point out that often they take longer, and in fact we often spend around 10 or 11 weeks working with applicants to ensure that the appropriate information is available. We're very—

CHAIR: Sorry to interrupt, Mr McNee. Is this for approvals of licences, or is this for variations or both?

Mr McNee: I don't actually have that breakdown here, but we can come back to you on variations.

Answer:

1. The average time in weeks for each application type is as follows, noting each assessment varies depending on the supporting evidence and timely responses to requests for information to support the assessment:

Stage	New applications	Variation applications	Exemption applications
Working with applicants on information requirements	12	6	10
Assessing and deciding	8	6	11
Total time	20	12	21

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Inquiry: Inquiry into waste reduction and recycling policies
Question No: IQ24-000099
Hearing Date: 08 May 2024
Division/Agency: Circular Economy Division
Topic: Proportion of clean and mixed exports of paper and cardboard
Hansard Page: 65
Question Date: 08 May 2024
Question Type: Spoken

Senator Cadell asked:

Senator CADELL: Earlier on, right at the beginning of this, you delineated the types of export products and licences, and you said something about clean versus mixed. What's the department's definition of 'clean' for exporting recycled products?

Ms Lynch: There are two different streams where that applies. The first was in relation to the export of plastics. The definition there is where the plastics themselves are sorted into single columnar types. For example, if you can put all of the PET together and all of the HDPE together. They are just different types of polymers, essentially. That is what was required under the first phase of the plastics export rule. In relation to different paper and cardboard exports, I may have used the words 'clean streams' there. What we're differentiating there is where the proposed export is of only paper or only cardboard. They're not mixed. Where they are separated, they are not regulated by these rules. Effectively, there's no regulation on the export of those separated streams.

Senator CADELL: From the evidence we've heard today I don't think we've had a single exporter who doesn't export mixed fibre like that. Do you know what proportion of exports of paper and cardboard are clean under your definition?

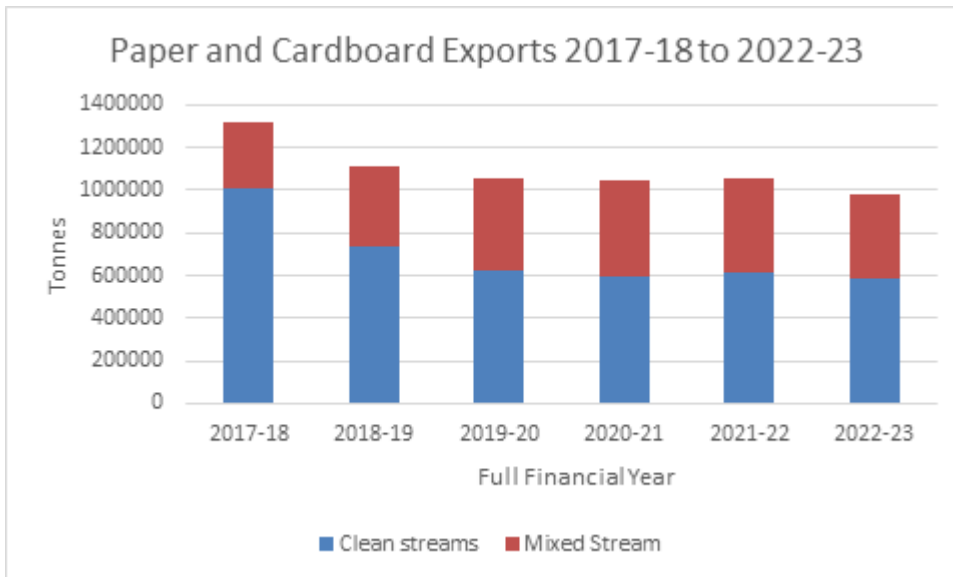
Ms Lynch: Not off the top of our heads. Perhaps that's something we could look into and see if we can get some data back to you.

Answer:

The export of waste paper and cardboard that is sorted into a single type and contains low levels of prohibited (non-fibre) material are sometimes referred to as 'clean' waste paper and cardboard streams. These materials are not regulated waste under the *Recycling and Waste Reduction (Export – Waste Paper and Cardboard) Rules 2024* (Rules).

The 'clean' streams of waste paper and cardboard are exported under Australian Harmonised Export Commodity Classification (AHECC) codes 47071000, 47072000, 47073000 and 47062000. Mixed and unsorted waste paper and cardboard is regulated under the Rules and is exported under the AHECC code 47079000.

Analysis of waste paper and cardboard exports is presented in the following table, using Australian Bureau of Statistics AHECC trade data. The table shows that over the 6 financial years 2017-18 to 2022-23, 'clean' waste paper and cardboard exports represented a yearly average of 63% of total waste paper and cardboard exports.



Source: <https://www.dccew.gov.au/environment/protection/waste/how-we-manage-waste/data-hub/data-insights/waste-export-data-viewer>

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Inquiry: Inquiry into waste reduction and recycling policies
Question No: IQ24-000100
Hearing Date: 08 May 2024
Division/Agency: Environmental Permitting and Compliance Division
Topic: Staffing for licence applications
Hansard Page: 65
Question Date: 08 May 2024
Question Type: Spoken

Senator Whish-Wilson asked:

CHAIR: You mentioned earlier—I can't quote you exactly—you have a dedicated team appointed to work on this now. How many people are we talking about? What training and skills are undertaken for the appointed staff to make the judgements and assessments of industry applicants?

Mr McNee: I don't have the breakdown here.

CHAIR: You can provide that on notice.

Mr McNee: I'm happy to provide that on notice.

Answer:

1. At 8 May 2024, there are 17 staff in the Waste Export Assessment team.
2. All new assessment staff participate in an induction program, including an online learning module and sessions about the legislation and technical aspects of assessing applications to export waste plastic, tyres and glass.

New staff are shadowed by experienced assessment officers on their first applications and there are ongoing learning sessions conducted by experienced team members.

Assessment staff are also supported with templates, policies and standard operating procedures.

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Inquiry: Inquiry into waste reduction and recycling policies
Question No: IQ24-000101
Hearing Date: 08 May 2024
Division/Agency: Environmental Permitting and Compliance Division
Topic: Number of rejected and withdrawn applications
Hansard Page: 65
Question Date: 08 May 2024
Question Type: Spoken

Senator Whish-Wilson asked:

CHAIR: How many applicants have been denied exporter or exemption permits? How and why were those determinations made for existing waste streams that have been regulated? Have there been many?

Ms Elliott: During the process of putting in an application and engaging with the department and the assessment officer, if they're not meeting the requirements or standards specified in the rules, often these applications are withdrawn and don't progress. I would have to take it on notice in terms of whether we've actually rejected a licence application. Usually they're withdrawn if they are not meeting the requirements—

CHAIR: If you could take on notice how many were withdrawn and how many were rejected.

Answer:

1. Since the scheme commenced to 31 March 2024, 16 applications for waste export licences and exemptions have been refused by the Minister or delegates:

Status	New applications	Variation applications	Exemption applications
Refused	5	1	10

Since the scheme commenced to 31 March 2024, 110 applications for waste export licences and exemptions have been withdrawn by applicants:

Status	New applications	Variation applications	Exemption applications
Withdrawn	58	37	15

2. In general, applications are refused when the Minister or delegate has formed the view that the application has not satisfied the criteria in the *Recycling and Waste Reduction Act 2020* (the Act) or relevant rules made under the Act; or the applicant has not provided information or evidence to satisfy those criteria, despite requests. Applicants who lodge an application that is refused are advised why the application was refused, and have the opportunity to request the decision be reviewed.
3. See response at Question 1.