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Dear Rachael

## **Exposure Draft Recycling and Waste Reduction (Export – Waste Plastic) Rules 2021**

The National Waste and Recycling Industry Council (NWRIC) welcomes the opportunity to provide a submission in response to the *Exposure Draft Recycling and Waste Reduction (Export – Waste Plastic) Rules 2021*.

The NWRIC is a not-for-profit industry association, funded by major waste and recycling businesses operating Australia wide. It brings together national waste and recycling business leaders and affiliated state waste and recycling associations to formulate policies that will advance waste and recycling services in Australia. Ensuring a safe, fair and sustainable waste and recycling industry.

Please see attached response from the NWRIC. The NWRIC would also welcome the opportunity to discuss this further with the Department.

Yours sincerely,



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1 April 2021

### **MEMBERS**

Cleanaway | JJ Richards and Sons | Veolia |  
Solo Resource Recovery | Sims Metals  
Management | ResourceCo. | Sell & Parker

### **STATE AND TERRITORY AFFILIATES**

Waste Recycling Industry Queensland  
(WRIQ) | Waste Contractors and Recyclers  
Association of NSW & ACT (WCRA) | Victorian  
Waste Management Association (VWMA) |  
Waste Recycling Industry of South Australia  
(WRISA) | Waste Recycling Industry of  
Western Australia (WRIWA) | Waste Recycling  
Industry Northern Territory (WRINT)

## EXPOSURE DRAFT RECYCLING AND WASTE REDUCTION (EXPORT – WASTE PLASTIC) RULES 2021

The National Waste and Recycling Industry Council (NWRIC) is committed to protecting the environment and building Australia's resource recovery sector.

Overall, the NWRIC supports the proposed export bans of waste glass, plastics, paper and tyres and welcomes the leadership and investment being provided by the Federal government through the National Waste Policy Action Plan, Recycling Modernisation Fund, Product Stewardship Investment Fund and the National Plastics Plan.

In specific response to the Exposure Draft Recycling and Waste Reduction (Export – Waste plastic) Rules 2021 it is unclear how the Waste Export Plastics List will be developed and operate. How does industry recommend to the Minister to add a particular waste plastic to the list? Will there be an ability for industry to comment on proposed waste plastic to be added to the list? What criteria must be met and how will compliance be enforced?

The NWRIC considers there needs to be a clear and transparent process for waste plastics to be added to the Waste Export Plastics List and its subsequent enforcement.

More broadly, the NWRIC is also concerned that there won't be sufficient local processing capacity in place by 1 July 2021 due to delays in distributing the Recycling Modernisation Fund, lack of local market development and phase out of problematic plastic packaging not due till 2022.

The roll out of the Recycling Modernisation Fund (RMF) by Commonwealth and state governments to develop new and innovative recycling infrastructure has been slow as summarised in Table 1. The ACT and Western Australia are the only jurisdictions where projects have been approved to either upgrade existing or build new facilities with sufficient mixed plastics processing capacity to match existing mixed plastics exports from those states. Victoria and NSW still have a way to go, with both states still needing to increase processing capacity by an estimated 35,000 and 42,000 tonnes respectively. Queensland is of greatest concern as at the end of March this year they had still to sign off on the RMF agreement with the Commonwealth government.

**Table 1 – 2018-19 exported mixed plastics\* versus RMF Investment into mixed plastic processing**

Jurisdiction	Mixed plastics Exports 2018-19 (tonnes)	RMF Projects Processing Capacity at 31 March 2021 (tonnes)
ACT	1,771	1,800 (MRF upgrade)
NSW	68,878	16,000 (Suez) + Grant process underway
South Australia	2,041	Grant process underway
Victoria	58,500	20,000 (Cleanaway)
Western Australia	11,897	35,000 (3 projects)
Tasmania	170	Grant process underway
Northern Territory	20	Nil
Queensland	8,131	Nil
<b>TOTAL</b>	<b>149,695</b>	<b>61,800</b>

Based on 2018-19 exports we are potentially looking at a shortfall of up to 60,000 tonnes as the bans on mixed plastics are implemented.

This will mean that material recycling facilities who at this stage due to these delays are unable to sort all plastics into single polymer streams or pass on to a local secondary processor for sorting will either have to stockpile or landfill mixed plastics.

## **EXPOSURE DRAFT RECYCLING AND WASTE REDUCTION (EXPORT – WASTE PLASTIC) RULES 2021**

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This will place undue financial strain on material recycling facilities due to a loss in revenue and increased costs. The only way they can cover these additional short-term costs is to pass them on through increased gate fees to local councils until there is sufficient local processing capacity and markets.

The NWRIC does not consider it appropriate to delay the date for phase 1 of the plastic export ban, but rather requests that the Federal government consider establishing a mechanism that enables genuinely affected organisations the ability to seek a temporary exemption for the export of mixed waste plastics.

The applicant would need to justify the temporary exemption by demonstrating that they cannot access viable local sorting infrastructure or markets for the mixed plastics, that it has a significant negative financial impact on its operations, that they have a viable offshore market that will sort and use the bales of mixed plastics to an acceptable standard and that the applicant is in the process of taking all necessary steps to ensure all mixed plastics will be sorted onshore in Australia by no later than the 31 December 2021.

The NWRIC members are committed to building Australia's Resource Recovery sector and managing Australia's waste onshore, however, it requests the government consider a temporary exemption process while necessary additional processing capacity, development of local markets and the phasing out of problematic plastics come online.

The next 12 months will be a challenging time for all. For this transition to be successful we need local, state and federal governments to work proactively with the resource recovery sector in fast tracking grant and planning approvals for processing facilities, prioritising the specification of recycled plastics in government procurement contracts, phasing out the use of non-recyclable and problematic packaging and products, and stringently enforcing the export bans, sending a clear message that illegal exports will not be tolerated.