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By Email to:

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16 December 2024

Dear Mr Miezes

Re: WMRR comments on the Draft Statement of Regulatory Intent on Climate Change

Thank you for the opportunity to provide feedback on the EPA's *Draft Statement of Regulatory Intent on Climate Change 2025-2027 ("SRI")*. The Waste Management and Resource Recovery Association of Australia (WMRR) is the national peak body representing Australia's \$17 billion waste and resource recovery (WARR) industry. With more than 2,300 members from over 410 entities nationwide, we represent the breadth and depth of the sector, including representation from business organisations, the three (3) tiers of government, universities, and Non-Government Organisations (NGOs), including research bodies. In Victoria, WMRR represents over 530 individual members from more than 90 entities. The state generates 19 million tonnes of waste each year with a resource recovery rate of 67% delivering an economic value of \$3.72 billion employing 12,300 Victorians.

Our members are involved in a range of important WARR activities within the Australian economy, including infrastructure investment and operations, collection, manufacturing of valuable products from resource recovery, energy recovery as well as community engagement and education. WMRR continues to advocate to drive knowledge and understanding of the value a systems-based approach to material management plays in addressing greenhouse gas (GHG) emissions and carbon abatement for achieving net zero within the community and economy. We are committed to efforts that promote the avoidance of waste in the first instance, and which promote sustainable materials management that help protect both people and planet.

WMRR understands that the SRI reflects the EPA's regulatory strategy on the causes and consequences of climate change, clarifying how these are regulated to minimise potential risks, and how regulatory tools and influence will be used to achieve the best result. It lays out expectations for duty holders, which will be 'built on over time' and identifies three (3) priority focus areas based on their potential risk of harm and where the biggest difference can be made:

- i. Major emitters and energy users.
- ii. Major industry with increased pollution and waste risks due to climate change.

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iii. Circular economy.

It is noted that the waste and circular economy industries are firmly within the WARR sector that WMRR represents. Furthermore, EPA Victoria and WMRR share the same vision of success wherein net zero targets are achieved and WARR businesses and regulators work together to establish 'default' understanding of the obligations to address the risks from pollution and waste that could be increased due to climate change.

Resource recovery necessarily mitigates negative carbon impacts and promotes its sequestration, as well as reducing reliance on virgin materials. As the peak body for industry, WMRR endorses regulatory support for applying the waste management hierarchy to preference resource recovery initiatives over landfilling. This is fundamental to decarbonization, mitigating climate change through reducing GhG emissions and promoting circular economy principles.

The implementation of the SRI by the EPA strongly aligns with WMRR's advocacy for the avoidance of landfilling and eliminating the creation of waste in the first place - key factors to manage the impacts of climate change. There is an obvious nexus between the WARR sector's operations and the management and reduction of greenhouse gas (GHG) emissions in particular – with the reduction of organics to landfill, the increased recovery and reuse of materials and reduced use of virgin resources (including energy), and reduced transport of materials between precincts being key elements to helping Victoria to decarbonise and build greater preparedness and resilience to climate change risks.

Decarbonisation and the WARR industry under the Victorian Regulatory framework

The EPA has a critical role in protecting the environment and human health from the threat of climate change and in delivering actions that will support Victoria to achieve net zero emissions by the target date of 2045. In particular, the EPA plays a significant role in setting standards (including for methane emissions) for WARR operations through license and permissioning functions.

WMRR supports the Victorian regulatory framework enshrined within the *Environment Protection Act 2017* and *Environment Protection Regulations 2021*. The general environmental duty (GED) provides a legitimate framework for the EPA to regulate where the causes and consequences of climate change caused by the WARR sector may increase risks to human health and the environment from pollution and waste. WMRR appreciates that under Section 140 of the *Environment Protection Act 2017*, duty holders have obligations to consider alternatives to disposal (landfill) for some types of priority waste, and the EPA has obligations to consider the principles of waste management hierarchy in its decision-making.

WARR facilities combat climate change risks on a regular basis, for example rainfall events can lead to stormwater surges, flooding of facilities, odour management issues for organic and putrescible materials, and access issues, and increased temperatures can increase fire risk at waste and resource recovery facilities and in transportations – all of which can have a debilitating impact on the delivery of our essential services to the community, and the consequences of which may pose a real risk to



environmental and human health. These can have wide impacts if not planned for and addressed through appropriate risk management and monitoring. WMRR notes that the SRI identifies the role of the EPA in supporting these businesses to understand the impacts of climate change on their pollution and waste risks, in order that they can identify, assess, and minimise their risks in line with the GED, using risk-based assessment to plan and design appropriately. It is noted that WARR businesses will be expected to develop climate resilience strategies in risk management and monitoring programs, with expectations and actions for businesses increasing over time which may result in enforcing instances of non-compliance. We trust however that any duplication with Recycling Victoria and their risk and contingency plans framework will be avoided.

WMRR supports regulatory and policy settings such as the SRI which acknowledge the shared climate change challenge between government and industry, prioritise the waste management hierarchy when making regulatory decisions, and support the safe use of materials and avoid the creation of waste. It is WMRR's view that the priority areas (ii) and (iii) of the SRI will further promote decarbonisation of the WARR sector beyond existing monitoring and compliance activities associated with permissioning.

Please don't hesitate to contact the undersigned should you have any questions or wish to discuss these matter further.

Yours sincerely

Gayle Sloan

Chief Executive Officer

Waste Management and Resource Recovery Association of Australia