



Ms Kate Houghton
Secretary
Department of Energy, Environment and Climate Action
8 Nicholson St
Melbourne VIC 3000
By email: rvresponsible.entity@deeca.vic.gov.au

9 November 2025

Dear Ms Houghton

Re: Feedback on the Circular Economy Risk, Consequence and Contingency (CERCC) Plan 2026

Thank you for the opportunity to provide feedback on the annual Circular Economy Risk, Consequence and Contingency (CERCC) Plan 2026 for the waste, recycling and resource recovery sector. The Waste Management and Resource Recovery Association of Australia (WMRR) is the national peak body representing Australia's \$21 billion waste and resource recovery (WARR) industry. With more than 2,300 members from over 400 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. WMRR members are involved in a range of important 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. In Victoria, WMRR represents over 530 individual members from more than 90 entities.

The CERCC Plan outlines how risks to Victoria's essential waste, recycling, and resource recovery industry's services are identified and managed. It ensures that industry participants develop and implement contingency plans to minimise the impacts of any major disruptions to service delivery. Responsible entities must prepare and submit an annual Responsible Entity Risk, Consequence and Contingency (RERCC) Plan to Recycling Victoria which sets out how each entity will identify, manage, and mitigate risks, and demonstrates compliance with the CERCC Plan currently in force. WMRR appreciates that the draft CERCC Plan 2026 has been updated to reflect challenges such as battery started fires as a safety threat, biosecurity emergencies generating high risk waste and increased packaging from online shopping. The sector risks have been updated in the draft CERCC Plan 2026, in order that a total of nine (9) risks are identified being:

1. Contamination (unacceptable levels of contamination of a waste material or stream)
2. External threats (severe or sustained external disruption event affecting services)
3. Planning (inadequate planning for capacity and capability)
4. Internal threats (severe or sustained internal disruption event affecting services)
5. Social acceptance (a loss of, or a significant reduction in, or an inability to gain a social licence to operate)
6. Economic shocks and stressors (extrinsic factors influencing the system making it not cost effective for operators to provide services, due to changes in market conditions)

WMRR NATIONAL OFFICE
57 ST JOHNS ROAD
GLEBE NSW 2037
(02) 8746 5000
INFO@WMRR.ASN.AU

WMRR.ASN.AU

7. Commercial viability in the market (intrinsic factors within the system, services or market are not commercially viable)
8. Land use competition and encroachment (land use competition and excessive encroachment for industrial and commercial land, which is in limited supply. This is a new risk for 2026, and has been separated out from the planning risk which now focuses on capacity and capability)
9. Data (inadequate or insufficient data related to waste, recycling and resource recovery services. This is a new risk for 2026.)

WMRR does not dispute the majority of these identified risks, however, we do have some comments in relation to the additional measures included for the 2026 CERCC against these risks, which are identified as Responsible Entity Measures at pages 50 and 51 of the draft CERCC which states:

“The following measures are required to be considered and undertaken by responsible entities, where relevant to their operations, to prevent or minimise the risks identified. Responsible entities will need to document actions to undertake each measure, including suitably justifying where a measure is not relevant to the operations, in their RERCC Plan and submit to Recycling Victoria by 30 September 2026: “

In WMRR’s view, many of the proposed additional measures are not necessary to mitigate the risks identified. For ease of reference WMRR has reproduced those Responsible Entity Measures in the table below against WMRR’s comments.

Responsible Entity Measure	WMRR comments
1. For all risks For each essential service provided by the responsible entity, outline the contingency measures and notification procedures in place, should the service be compromised, including potential limitations to the contingency processes.	This appears to be a request for a summary document from Responsible Entities. For clarity and ease, it would be useful for Recycling Victoria to provide a simple interactive template for completion whereby the relevant document references can be noted.
2. Planning and Land use competition and encroachment Identify relevant risk events that may arise from an inability to secure relevant approvals as and when required, for continued service provision, and provide evidence of planning controls which include: • a timeline for any upcoming regulatory approvals that relate to service continuity over the next three (3) years • the proactive engagement planned with approval authorities ahead of submitting applications for the identified approvals • enough time to proactively engage around any constraints in existing approvals that may impact service delivery	As this relates to continued service provision over the next three (3) years, this requirement appears to be closely aligned to a business continuity plan, which should suffice to meet this requirement. The risks are mitigated by evidence of <i>‘having suitable contingencies in place to maintain service continuity if approvals are delayed or not successful’</i> (the final bullet point). WMRR recommends stating this is as the sole evidentiary requirement. Adding the word “may” to the first three (3) requirements, in order that it reads “provide evidence of planning controls which <i>may</i> include”, would be acceptable.

Responsible Entity Measure	WMRR comments
• having suitable contingencies in place to maintain service continuity if approvals are delayed, or not successful	
3. Social acceptance Provide evidence of plans and processes in place to measure and proactively build public trust and confidence through community involvement, including activities related to upcoming regulatory approvals identified above.	WMRR does not agree with this additional requirement to address this risk. The risk of Social Acceptance is already addressed by the requirements to: - Implement odour management - Implement marketing strategy - Conduct site tours - Develop stakeholder engagement plans Moreover, Responsible Entities are already required to undertake extensive community consultation as a necessary part of their planning and licensing approval processes. This should not be revisited continually in their RERCCs on top of stakeholder engagement plans which are already required.
4. External, Internal threats and Data Provide evidence that measures are in place to prevent cybersecurity incidents which would result in a loss of sensitive data or impact operational performance. Provide evidence of any cybersecurity threat exercises undertaken (tests of cybersecurity controls) – Example exercise - https://www.cyber.gov.au/business-government/exercise-in-a-box	WMRR has no issue with this requirement.
5. Contamination Provide details of how the responsible entity will minimise the likelihood of contamination (including from LIB and PFAS) within each waste, recycling or resource recovery service provided. Review the guidelines within the PFAS National Environmental Management Plan and update risk assessments and control measures appropriately.	WMRR does not believe that such additional positive obligations are required in RERCC given that legislative requirements and product quality assurances already exist. The obligation to regulate materials coming into the circular economy should be addressed at the government levels to mitigate these pollution risks by chemical presence at first instance. Furthermore, the Victorian Government should take stronger action to address chemical contamination at its source — including pollutants such as PFAS, bromides, and other harmful substances — through improved design regulations and stronger generator obligations. It should also differentiate chemical contamination from physical contamination ie the contamination caused by placing material in the

Responsible Entity Measure	WMRR comments
	incorrect bin), which is more readily understood by the public.
6. Economic shocks and stressors Provide evidence that financial management and planning practices are in place to minimise the impacts to operational performance of external economic factors.	Responsible Entities are already required to investigate diversification opportunities of business, implement cash flow controls, establish financial reserves (insurance, emergency credit), hold bank guarantees and look to secure long-term agreements with key suppliers under the CERCC. This additional confidential information should not be required for commercial businesses.
7. Commercial viability in the market Provide evidence of plans and processes in place to access sustainable end markets, such as commercial offtake agreements.	Responsible Entities are already required to invest in product innovation and implement market monitoring under the CERCC. Again, this additional confidential information for business growth and market share should not be required for commercial businesses.

WMRR trusts these specific comments will be reviewed alongside the responses to the consultation survey. Please contact the undersigned if you wish to further discuss WMRR's submission.

Yours sincerely



Gayle Sloan

Chief Executive Officer

Waste Management and Resource Recovery Association of Australia