

Ms Joss Crawford
A/ Chief Executive Officer
EPA Victoria
664 Collins Street Docklands VIC 3008
By email: climate@epa.vic.gov.au
Submitted via [online portal](#)

3 December 2025

Dear Ms Crawford

Re: Minimising pollution and waste risks in a changing climate draft guidance

Thank you for the opportunity to provide feedback on the minimising pollution and waste risks in a changing climate draft guidance (“*draft guidance*”). 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. 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. In Victoria, WMRR represents over 530 individual members from more than 90 entities.

WMRR understands that the EPA has developed the draft guidance to assist businesses and local government understand how to identify climate-related pollution and waste risks and assess the potential impact of those risks, thereby supporting compliance with the General Environmental Duty (GED) requirement to *eliminate or otherwise reduce risks of harm from your waste or pollution so far as [reasonably practicable](#)*. The draft guidance articulates that the way these risks are assessed and managed will depend on the nature, scale, and complexity of activities, as well as their location and the specific climate-related risks. To support appropriate risk assessment, the draft guidance summarises findings from *Victoria’s Climate Science Report 2024* (VCSR24), which shows continuing warming trends, increasing frequency and intensity of extreme events (heat, storms, and bushfires), declining winter rainfall but more intense short-duration rain events, sea-level rise, and that climate impacts disproportionately affect indigenous communities. VCSR24 also includes ten (10) regional summaries detailing effects of climate change for each of Victoria’s regional partnership based on future projections which may be utilised when making an assessment.

WMRR notes that:

- the draft guidance applies to organisations beyond permissioned activities – so is not a compliance document, but a state of knowledge document.
- the draft guidance is consistent with the four-step risk management approach set out in the [EPA’s *Assessing and controlling risk: A guide for business*](#) (Publication 1695) and aligned with ISO 31000.

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- the draft guidance encourages an adaptation pathway approach with staged actions over time and established triggers (e.g. frequency of flooding, temperature thresholds, sea level rise) to decide when to implement more controls.
- when identifying risks, organisations can use the same scenario that captures physical climate risks as part of Climate Related Financial Disclosure obligations to assess pollution and waste.
- the draft guidance provides examples for a concrete batching plant, a chemical manufacturing plant and wastewater treatment plant, and includes a qualitative risk assessment template (Appendix B) for rating risks under different emissions scenarios and time horizons.

The draft guidance explains that a qualitative risk assessment is necessary to set triggers for adaptation pathways, stage medium- and long-term upgrades and identify when higher-risk thresholds are approached. The document provides several specific triggers indicating when a qualitative climate-related risk assessment should be undertaken. These include when:

- the activity is medium or high risk,
- the site is located in a climate-vulnerable area,
- climate change has already affected the activity
- planning a new development or major upgrade,
- corporate, regulatory, or financial requirements apply,
- climate projections indicate increased future risk,
- existing controls may no longer be effective,
- after major incidents or near misses, and
- uncertainty exists and future decisions require timeline planning.

However, the draft guidance is not clear on when this is not practicable or required. In particular, the draft guidance lacks clarity on determining when a qualitative risk assessment should be undertaken for an organisation – like a WARR facility – which already has a number of existing controls and licence limits that are already conservative and effective in managing environmental risks including those related to climate change.

Further clarity is needed to address how the draft guidance should be applied to permissioned WARR facilities

WMRR appreciates that the draft guidance aims to improve understanding of how organisations should assess and control pollution and waste risks in a changing climate. However, 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.

Due to this well-established risk, WARR facility operators are generally involved in EPA permissioned activities and as such, are already required to demonstrate appropriate proactive risk management through:

- Adherence to strict licence conditions and existing controls which are already conservative and effective in managing environmental risk, and
- Risk Management and Monitoring Plans (RMMPs) - under the *Environment Protection Act 2017*, Victorian businesses operating pursuant to an EPA Victoria Operating Licence must implement an RMMP to demonstrate their compliance with licence condition OL_G5 and the General Environmental Duty (GED)

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requirement – to *eliminate or otherwise reduce risks of harm from your waste or pollution so far as reasonably practicable*. WMRR notes that the EPA's *Statement of Regulatory Intent on Climate Change* identifies the role of the EPA in supporting 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 within their RMMPs with expectations and actions for businesses increasing over time which may result in enforcing instances of non-compliance.

Many Victorian WARR facilities are also identified as Responsible Entities by Recycling Victoria and must meet the requirements of the *Circular Economy Risk, Consequence and Contingency Plan (CERCC)* which establishes how risks to Victoria's essential waste, recycling and resource recovery services are identified, managed and mitigated, requiring responsible entities to prepare an annual Responsible Entity Risk, Consequence and Contingency (RERCC) Plan that demonstrates risk management, contingency planning and compliance with the CERCC framework.

The draft CERCC Plan 2026 identifies nine (9) key sector risks: contamination; external threats; planning; internal threats; social acceptance; economic shocks and stressors; commercial viability; land-use competition and encroachment (new for 2026); and inadequate data (also new for 2026). WMRR appreciates that Recycling Victoria emphasise that existing documentation – such as RMMPs – can be used as evidence of compliance with their risk and contingency plans framework.

WMRR notes that in relation to other assessments, the draft guidance states that:

"Leveraging these assessments and including harms from pollution and waste can help you meet your GED obligations. When undertaking a detailed risk assessment of key environmental aspects, physical climate risks should be considered."

However, it is unclear if the qualitative risk assessment would be expected by EPA to be a stand-alone formal document or whether this can be incorporated into existing assessments (such as those within RMMP or general environmental management documentation) for a site. This lack of clarity may result in inconsistent interpretation and implementation across sites and by EPA officers, as it is not explicitly clear whether existing measures and monitoring in place can be relied on to also meet the requirement to conduct a "qualitative risk assessment".

Given this, WMRR believes the revised guidance should explicitly clarify when an additional qualitative risk assessment would be practicable or required for an already highly risk-assessed, permissioned WARR facility. Many WARR facilities already have existing controls in place when an extreme weather event or near miss occurs (i.e.- Critical Incident Response Procedures, Monitoring and Measurement Procedures or other Standard Operating Procedures). In WMRR's view, it may not be necessary to conduct a further "qualitative risk assessment" either because:

- Controls implemented on site already encompass 'reasonably practicable' measures to control expected risk changes from climate change; or
- Given existing measures, no changes or extremely minor changes to risk are expected and no further change is required.

Recommendation:

WMRR would like to see the draft guidance revised to make it explicitly clear that there is no expectation for organisations to undertake further, separate assessments if the requirements of a qualitative risk assessment are already documented in existing assessments.

Where the requirements to consider climate change risks have already been considered by organisation and that organisation has documentation, there should not be room in the guidance wording for an EPA officer to misconstrue the need to minimise pollution and waste risks from a changing climate as an additional document required in order for an organisation to comply with the GED. This is especially the case for permitted facilities who are already required to submit RMMPs and often RERRCs in addition to meeting their licence conditions.

WMRR sincerely hope our feedback will be constructive and helpful in shaping the updated guidance into a clear and useful document for business and local government organisations, including WARR facilities.

Please contact the undersigned if you wish to further discuss this submission.

Yours sincerely



Gayle Sloan
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Waste Management and Resource Recovery Association of Australia