



Mr Tony Chappel
Chief Executive Officer
NSW Environment Protection Authority
Locked Bag 5022
PARRAMATTA NSW 2124

By email: climatechange.review@epa.nsw.gov.au

7 October 2025

Dear Mr Chappel

Re: Reducing greenhouse gas emissions from NSW's large, licenced facilities

Thank you for the opportunity to provide to the NSW Environment Protection Authority (EPA) with feedback on its proposed pathway for regulating for climate change to reduce greenhouse gas emissions from licensed facilities. Starting in 2026, NSW will take on a much stronger role in overseeing greenhouse gas (GHG) emissions across the state, with Environment Protection Licenses (EPLs) serving as the main mechanism for regulating GHG emissions in NSW. The consultation draft documentation includes *Climate Change Licensee Requirements* ("Licensee Requirements") and the *Climate Change Mitigation and Adaptation Plans: Proposed Mitigation Requirements* ("CCMAPs") as well as specific information for landfills. As part of the consultation process, the EPA Major Projects team also presented an online session for our members on 25 September 2025 with specific information for landfill licensees including details on the Landfill Emissions Abatement Program (LEAP).

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 2,340 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. Our members are involved in a range of important WARR activities within the Australian economy, including infrastructure investment and operations, collection, manufacturing of valuable secondary raw products from resource recovery, energy recovery as well as community engagement and education. Over a third of our membership is based in NSW, where our sector directly contributes more than \$4 billion per annum to the State's economy and directly employs more than 8,500 workers.

WMRR fiercely advocates for whole-of-system action to progress the development of a truly circular economy that designs out waste and uses less for longer, by managing material to prolong life and mitigate carbon impacts. This outcome is enabled by adopting the principles of the waste and resource management hierarchy, which promotes avoidance of waste, and the diversion of materials from landfill through design for reuse, recovery, recycling and composting of resources. WARR is a complex and integrated system that provides an essential service for the safe and effective management of discarded materials for business and the community. The emissions produced by our industry are inextricably linked to societal consumption, over production and

WMRR NATIONAL OFFICE
57 ST JOHNS ROAD
GLEBE NSW 2037

(02) 8746 5000
INFO@WMRR.ASN.AU

WMRR.ASN.AU

local facility constraints such as transportation and population. Apart from total capacity thresholds, operators lack input control over the volume or composition of the waste material received. These fluctuating input characteristics necessarily impact the volume of emissions produced and is something that WARR facilities must manage and mitigate but cannot control.

The consultation process has articulated that the EPA is in the early stages of regulating for climate change, with this consultation focused on the first two (2) steps that will initiate the phasing in of five (5) types of climate change requirements for licensees who have exceeded 25,000 tonnes per year of carbon dioxide equivalent (CO₂-e) scope 1 and scope 2 emissions, being:

1. *Annual climate change emissions reporting*

Due by 28 February each year, with the first report due by 28 February 2027 (or 28 February 2026 for safeguard facilities and coal mines). This report is intended to capture the same data that is already provided to the Clean Energy Regulator under the National Greenhouse and Energy Reporting (NGER) Scheme.

2. *Climate Change Mitigation and Adaptation Plans (CCMAPs)*

These will be published on the licensee's website, detailing current and future emissions (10-year forward emissions projections), mitigation measures (including those set out in the EPA's mitigation guidance), and emission reduction goals. CCMAPs must set Scope 1 emissions-reduction targets that, at a minimum, align with NSW's legislated objectives—namely the 2030/2035 interim targets and the 2050 net-zero goal. Where a licensee's projected pathway does not align with the NSW net-zero timeline, the CCMAP must explain how the proposed trajectory nonetheless makes a material contribution to NSW emissions targets and broader decarbonisation outcomes. CCMAPs are to be supplied to the EPA by 31 October every three (3) years with the first CCMAP and projections due by 31 October 2027 (2026 for safeguard facilities and coal mines).

3. *Specific mitigation actions for some licensees in particular sectors*

These will be developed by the EPA over time and subject to public consultation (commencing with the draft *Greenhouse Gas Mitigation Guide for NSW Coal Mines*, released with the consultation documents). Potential funding support has been identified from the High Emitting Industries Grants Fund.

4. *Emissions measurement for facilities rather than relying on estimates.*

This will commence with continuous monitoring of methane concentration in emissions from ventilation shafts at underground coal mines, and regional greenhouse gas monitoring networks to improve data accuracy. Monitoring requirements for sources of fugitive emissions (such as landfills) may evolve over time as technology improves.

5. *Greenhouse gas emission limits on key sector licensees.*

This is noted as a "long term" action for development.

WMRR supports the initial step of introducing annual climate change reporting and acknowledges the EPA's considered approach to alleviate the reporting burden by supporting consistency with NGER reporting methods, which most eligible WARR licensee facilities already need to comply with under federal legislation. However, WMRR is concerned that the approach of aligning emissions reduction with a single WARR licensee's CCMAP disregards the nuance of our industry and could undermine the benefits a revised '0' baseline for small, regional landfills under a revised Landfill Gas Method under the Australian Carbon Credit Units Scheme which WMRR understands is to be imminently released. The lower baseline may promote more optimal outcomes for emissions reductions for the landfill sector, however this would be thwarted by the imposition of a NSW regulatory baseline via an emissions reduction target in the CCMAP. To this end, WMRR recommends that NSW EPA await the publication of the revised Method by the Commonwealth, in order to understand the potential impacts given the significant interplay that exists between Commonwealth and State legislation for carbon policy.

Further, WMRR recommends that publication of facility specific emissions projections (which could indirectly reveal confidential commercial information) is instead replaced with the EPA publication of the sector's aggregated emissions projections. This will enable the EPA to track meaningful progress towards the state's net zero and interim targets and will better reflect the WARR industry as an essential service provider whose emissions are inextricably linked to the broader community's consumptive and production behaviours. In finalising its approach to climate change regulation for licensees, WMRR urges the EPA to consider the following key points:

i. *Meaningful emissions reduction from the WARR sector requires a whole-of-system approach*

Licensee CCMAP's include mitigation targets, which support decarbonising processes with consistent inputs and throughputs, however these are inappropriate for a single landfill licensee to implement. Landfills cannot influence the type of material received for disposal, and methane emissions from landfills are more appropriately addressed through targeted measures such as methane capture, Australian Carbon Credit Units (ACCUs), and government led organic waste diversion leading up to 2030. Reducing emissions – particularly from the decomposition of discarded organic material in landfills – will be primarily driven by reducing the volumes of material sent to landfills in the first instance.

A more relevant way for the EPA to drive long term emissions reduction would be to consider the broader WARR infrastructure network and recognise avoided emissions from landfill diversion, reduced waste volumes, decarbonised transport and logistics and reduced reliance on virgin materials, and assist with driving genuine uptake of recycled materials and products by government.

ii. *Opportunities for increased greenhouse gas mitigation for landfills are limited - more beneficial outcomes may result from upcoming revisions to the Landfill Gas Method to incentivise smaller landfill participation*

There are genuine concerns within industry that 'reduction' goals may be unachievable for many landfill licensees, given that the sector has already significantly decarbonised through existing national emissions reduction schemes, being:

- The voluntary Australian Carbon Credit Unit Scheme (ACCUs) which provides an important financial incentive to make landfill gas capture and combustion projects viable under the the Landfill Gas (LFG) Method. Emissions reduction for Scope 1,2 and 3 emissions can contribute to ACCUs. The revised LFG Method is awaiting exhibition at the time of this consultation. WMRR notes that the Draft LFG Method differentiated default baselines as to encourage increased uptake by small and regional landfills by applying a 0% default baseline – in acknowledgement of the higher costs and lower gas flows of these facilities and recognising that flaring-only projects have fewer revenue streams (than electricity). Given this, there may soon be a clear financial incentive for landfill licensees to invest in abatement technologies, invoking the state regulatory baseline will trump the default, resulting in NSW landfill licensees not being able to benefit from the method. Hence, the question needs to be asked if it is in the best interest of NSW to apply the CCMAPs to the landfill sector, as the financial incentive of generating ACCUs may promote more favourable reductions for the sector.
- The mandatory Safeguard Mechanism (SGM) which is designed to discourage high-emitting facilities to shift to low emission technology however also covers a small number of landfills who generate 100,000 tonnes per year of CO₂-e of scope 1 emissions (approximately five (5) nationally). The SGM facilities can purchase ACCUs and Safeguard Mechanism Credits (SMCs) to offset their emissions. Landfills have a unique status and cannot generate SMCs. In our view, landfills have little relevance under the Safeguard Mechanism, as they provide an essential waste disposal service rather than producing controllable industrial outputs, and have limited ability to move to low emission technology. WMRR notes that SMCs can be included as part of a licensee's CCMAP to meet an organisation's Safeguard obligation.

Given the broad participation in these national schemes, the EPA should confirm what they expect as an emission reduction goal for landfills which already have gas capture, flaring, and renewable energy generators on site. Otherwise, there is not much else that can be done at present to reduce emissions other than continuing to manage capping and leachate within the cells. Moreover, the implementation of these licensee requirements for landfills needs to be carefully considered if the revised Landfill Gas Method will incentivise more of the state's smaller, regional landfills to uptake abatement technologies.

WMRR's responses to the consultation questions can be found at [Annexure A](#). 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

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

WMRR.ASN.AU

Annexure A: WMRR responses to the consultation questions

Consultation question	WMRR Comment
The EPA has heard from some license holders that publishing 10-year emission estimates may reveal commercially sensitive information. Do you have any suggestions for how to meet the intent of this requirement without publishing commercially sensitive information?	WMRR agrees with the concern that commercially sensitive information could be deduced from publishing license holder specific emissions estimates, instead, these estimates should be submitted confidentially to the EPA for aggregation and publishing.
Is there any additional information that would help licensees create their CCMAPs?	Yes. The landfill sector will need draft guidance to create their CCMAPs. As noted in the cover letter, significant decarbonisation has already been undertaken by the landfill sector through the ACCU Scheme and there isn't much else that can be done at present to reduce emissions other than continuing to manage capping and leachate within the landfill cells. The EPA have not provided a draft landfill CCMAP with the consultation documentation, as such it is not clear what would be emission reduction goal for the many landfills which already have gas capture, flaring, and renewable energy generators on site.
The EPA is seeking feedback on the proposed time frames for the Annual Climate Change Emissions Report and Climate Change Mitigation and Adaptation Plans. Are these time frames suitable in light of NGERs and Safeguard Mechanism reporting obligations? Are there other factors the EPA should be aware of?	The time frame for the emissions report is suitable. WMRR acknowledges the EPA's considered approach to alleviate the reporting burden by supporting consistency with NGER reporting methods, which most eligible WARR licensee facilities already need to comply with under federal legislation. WMRR acknowledges that there are existing supports for those facilities not familiar with NGER reporting, such as the training package resulting from Hunter Joint Organisation's Landfill Emissions project with the EPA which measured landfill emissions for several Hunter councils using the NGERs solid waste calculator, and that the EPA are developing a resource toolkit and an education package in partnership with CNSWJO to upskill councils on landfill gas management, procurement and reporting, which will be released for consultation in early 2026, ahead of the first reporting deadline of 28 February 2027. The timing for the CCMAPs will require consideration subject to: the release of a draft mitigation guide for landfills. As noted in the cover letter, it is not clear what the EPA expects from landfills.

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| | <ul style="list-style-type: none">• release of the Landfill Gas Method. Given the significant investment required landfill gas capture technology, it is reasonable to assume that the requirements will compel some landfills seek to participate in the ACCU Scheme. The Draft Method proposed a reduction in the regional landfill baseline to 0, which is likely to compel participation in the scheme by smaller landfill licensees. The financial incentives could prove more successful in driving carbon abatement from smaller landfills than support under the LEAP program and licensee requirements for a reduction target under the CCMAP. This warrants careful consideration of whether landfills should be captured by emissions reduction requirements. |
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