

ENVIRONMENT NETWORK WEEKLY (ENW)

AEBN National ENW e-news – 18 July 2023



[AEBN WEBINAR]
MID-YEAR UPDATE - ENVIRONMENTAL COMPLIANCE FOR BUSINESS: New Laws and Developments from across Australia

10.00am to 3.00pm
24 August 2023

[Program and Register here](#)

FEDERAL

The Mandatory Gas Code of Conduct:

Now law

The Federal Government has implemented a **mandatory Gas Code of Conduct** that commenced on 11 July 2023. There will be a 2-month transitional period to allow companies to adapt to new conduct provisions, record keeping and reporting obligations.

The mandatory code is part of the [Energy Price Relief Plan announced in December 2022](#), to ensure that east coast gas users can contract for gas at reasonable prices and on reasonable terms.

The mandatory code is an important addition to Australia's east coast gas

market. Key elements of the Code include:

- a price cap, initially set at \$12/GJ, designed to anchor wholesale contract negotiations between gas producers and buyers
- an exemptions framework to incentivise producers to commit more gas to the east coast gas market in the short term and facilitate new investment to meet ongoing demand in the medium term which supports the ability for east coast gas users to access gas at reasonable prices and on reasonable terms
- transparency obligations to increase visibility of the amount of uncontracted gas to be produced, and when producers will bring that gas to the domestic market
- conduct provisions aimed at reducing bargaining power imbalances between producers and gas buyers and establishing minimum conduct and process standards for commercial negotiations.

A [fact sheet](#) provides information on the key elements of the Code, how it is structured and high-level information on how it operates.

Producers can apply for [conditional exemptions](#) from provisions in the Code which will be considered by the Energy Minister and the Resources Minister.

[Factsheet and documentation](#) are now available.

Corporate Emissions Reduction Transparency (CERT) report 2023:

Released

The Clean Energy Regulator (CER) has announced the release of the voluntary [Corporate Emissions Reduction Transparency \(CERT\) report 2023](#). The report shows the progress toward net zero emissions, 100% renewable electricity use and other climate related commitments of 25 large Australian companies.

David Parker, Chair and CEO, Clean Energy Regulator said the report provides a framework for companies to present their climate related commitments, progress and net emissions in one place.

Twenty of the 25 participating companies have commitments to reach net zero emissions by 2050, including 6 companies that are already carbon neutral. Thirteen others have commitments to reach 100% renewable electricity use by 2030. These commitments support Australia's goal of 82% renewables by 2030 and net zero by 2050 target.

Mr Parker welcomed the continued participation of 19 companies from the pilot CERT report 2022 and said they had been instrumental in helping to evolve and simplify the report's framework.

The CERT report 2023 shows companies are choosing to surrender international carbon units, up 65% from last year, while Australian carbon credit unit (ACCU) surrenders are down 10%.

Over 1.3 million large-scale generation certificates have also been voluntarily cancelled to prove claims of renewable electricity use, up 274% compared to last year.

'I expect more companies – big and small – will start to cancel renewable energy certificates as a tangible way of proving they have switched to renewable electricity,' Mr Parker said.

Companies are responsible for providing accurate data and information. The CER works closely with other Australian government regulators, particularly the Australian Securities & Investments Commission (ASIC) and the Australian Competition and Consumer Commission (ACCC), where any concerns are raised regarding companies misreporting their green credentials.

Participation in the CERT report is voluntary and open to companies reporting above 50 kilotonnes of carbon dioxide equivalent under the *National Greenhouse and Energy Reporting Act 2007*.

2022-23 National Greenhouse and Energy Reporting –

EERS now open

The Clean Energy Regulator has announced the opening of the [Emissions and Energy Reporting System \(EERS\)](#) for the 2022–23 reporting year, and can be accessed via the [Client Portal](#).

This means that *National Greenhouse and Energy Reporting (NGER)* reporters can now prepare and submit emissions and energy reports under sections 19, 22G and 22X of the *National Greenhouse and Energy Reporting Act 2007 (NGER Act)*.

Please note, there have been [changes made to the EERS for the 2022–23 reporting year, including NGER legislative changes](#).

Please submit 2022–23 reports by 11:59pm on 31 October 2023 (AEDT).

Clean Energy Regulator reminder for Q2 STC surrender deadline

A reminder from the Clean Energy Regulator that the [Quarter 2 \(Q2\) 2023 small-scale technology certificates](#)

[\(STCs\) surrender deadline for liable entities](#) is on Friday 28 July 2023.

Please ensure you have the required amount of STCs to meet your certificate surrender obligations. You can buy STCs from the STC clearing house and surrender by the Q2 deadline of 28 July 2023 to avoid a shortfall charge of \$65 per certificate not surrendered. The Clean Energy Regulator (CER) does not have any discretion to extend the surrender deadline.

Energy Bill Relief Fund for small business

Through the Energy Bill Relief Fund, the Federal Government, in partnership with the state and territory governments, will provide eligible small businesses with electricity bill relief.

The Fund rebate will be administered by the states and territories.

The total amount of bill relief will vary across the states and territories.

- The Vic Government is providing \$325 of bill relief if your eligible small business is in Victoria.
- The governments of NSW, Queensland, Western Australia, South Australia, Tasmania and the Northern Territory are providing co-contributions of \$325, resulting in a total bill relief of \$650 per customer.
- The ACT Government is lowering electricity tariffs for all households and businesses through its large-scale feed-in tariff scheme. The scheme will provide \$75 million in direct bill relief in 2023-24. The relief to any business will vary depending on electricity consumption. A business with an average electricity consumption is estimated to receive relief of \$624 each year. This is in addition to the Australian Government's \$325 bill relief contribution.

For details on how the bill relief applies in each state and territory, please visit:

- VIC - [Help paying your bills](#)
- NSW - [National Energy Bill Relief](#)
- QLD - [Energy bill relief](#)

- SA - [Energy bill relief](#)
- ACT - [Energy Bill Relief Fund](#)
- NT - [Energy Bill Relief Fund](#)
- Tasmania - [Energy Bill Relief Fund](#)
- WA - [Electricity credit available for Western Australians](#)

Large-scale Renewable Energy Target Market Data for May 2023:

Released

The Clean Energy Regulator has released the May 2023 [Large-scale Renewable Energy Target market data](#). Highlights include:

- 178 MW of capacity was approved for LGC generation in May, bringing the total approved in 2023 to 563 MW. Approvals in May included:
 - Wyalong Solar Farm in NSW with a capacity of 75 MW and
 - Mica Creek Solar Farm in QLD with a capacity of 101 MW.

'Water Rule' removed from Forest Carbon Credit Projects:

Commences 1 June 2024

The Federal Government has removed the 'water rule' from the *Carbon Credits (Carbon Farming Initiative) Rule 2015 (CFI Rule)* under the Australian Carbon Credit Unit (ACCU) Scheme commencing 1 June 2024.

The 'water rule' refers to added conditions that plantation forestry and other tree planting projects in high rainfall locations need to meet to participate in the ACCU Scheme.

This amendment supports carbon farming opportunities for plantation growers and farm foresters.

During this transition, applications to register new plantation and tree planting ACCU projects in high rainfall areas can now be made to the Clean Energy Regulator and will not be subject to the 'water rule', if they do not

start before 1 June 2024.

The government has also approved 4 new specified regions where tree planting is unlikely to impact water availability in:

- South and Central QLD
- Nth QLD
- NT and Ord Valley
- SE NSW.

In the period before 1 June 2024, new plantation and other tree planting ACCU projects can meet the water rule by being in any of the 11 specified regions. The removal of the 'water rule' follows public consultation and consultations with state and territory governments.

All ACCU projects must still follow relevant state or territory government rules and regulations.

Further information is now available:

- [Plantation forestry method](#)
- [Measurement based methods for new farm forestry plantations method](#)
- [Proposed removal of 'water rule' for forest carbon credit projects: discussion paper](#)

Hydrogen Headstart and National Hydrogen Strategy Review:

Comment sought

The Federal Government is inviting feedback on two important initiatives - the [Hydrogen Headstart Program](#) and the [National Hydrogen Strategy Review](#).

The \$2 billion **Hydrogen Headstart Program** is expected to support large-scale renewable hydrogen projects in Australia.

Headstart aims to take advantage of hydrogen's immense job and investment potential by:

- accelerate the development of Australia's hydrogen industry;

- catalyse clean energy industries;
- help Australia connect to new global hydrogen supply chains.

The Federal Government is now seeking feedback from stakeholders on the design of the competitive process to select large scale, Australian-based projects producing renewable hydrogen.

Stakeholders can provide submissions to the [Hydrogen Headstart consultation](#) process by 3 August 2023.

The Federal Government is also leading a **Review of the National Hydrogen Strategy**.

Australia's first [National Hydrogen Strategy](#) contained 57 actions and principles outlining the initial steps Australia could take to develop a large scale hydrogen industry.

Australia has the foundations to be a global hydrogen leader, and there is a need to consider updated or additional actions to ensure we reach our potential.

The revised National Hydrogen Strategy is expected to build on the 2019 Strategy. It will focus on the role hydrogen technology needs to play for Australia to meet its commitments to achieve net zero emissions by 2050, and to reduce greenhouse gas emissions by 43% below 2005 levels by 2030.

Stakeholders can now provide submissions to the [National Hydrogen Strategy Review consultation](#) process 18 August 2023.

FUNDING OPPORTUNITY: Reduce marine debris impact on the Reef

The Federal Department of Climate Change, Energy, the Environment and Water has announced funding of \$3.5 million to help tackle marine debris entering the Great Barrier Reef.

Marine debris is one the key threats facing the Reef. Debris, such as plastics that can threaten the

biodiversity of the Reef and be fatal for its marine life.

The Great Barrier Reef Marine Debris Management and Mitigation program will support debris removal and prevention activities. This includes community engagement, targeted education and awareness raising, to prevent litter from entering Reef waterways.

The program is expected to establish networks and key partnerships to support the management and mitigation of debris in the Great Barrier Reef.

It is expected to reduce marine debris that threatens coral, turtles, dugongs, seabirds and marine life.

Funding is available from 2023–24 to 2026–27 through the first round of the program.

This funding is part of the Federal Government's \$1.2 billion investment to protect and restore the Great Barrier Reef.

[Applications](#) close on 11 August 2023.

FUNDING GUIDELINES: Powering the Regions Fund (PRF) Safeguard Transformation Stream (STS):

Released

The Federal Department of Climate Change, Energy, the Environment and Water has released the *Powering the Regions Fund's (PRF) Safeguard Transformation Stream (STS) Program Opportunity Guidelines* that are designed to assist industry prepare when the grants open on 7 August 2023.

The PRF is part of the Federal Government's [Powering Australia](#) plan for Australia to become a renewable energy leader and reduce Australia's emissions to net zero by 2050.

The PRF is providing matched funding through competitive grants to assist industry invest in decarbonisation.

The STS under the PRF is expected to support decarbonisation investments at trade-exposed industrial facilities covered by the Safeguard Mechanism with the aim of bringing forward investment and technology adoption.

Many trade-exposed facilities covered by the Safeguard Mechanism are important as they provide essential inputs to supply chains for clean energy. These include production and processing facilities for metals, critical minerals, chemicals and cement.

To support the release of the STS Guidelines, information sessions will be held between late July and early August 2023. For further information about these sessions, please visit [Powering Australia](#).

Environmental-Economic Accounts Dashboard:

Comment sought

The Federal Department of Climate Change, Energy, the Environment and Water (DCCEEW) and the Australian Bureau of Statistics (ABS) are releasing a prototype dashboard to support environmental-economic accounting in Australia.

The [System of Environmental-Economic Accounts](#) is an international framework that integrates economic and environmental data to provide a more comprehensive and multipurpose view of the interrelationships between the economy and the environment.

The dashboard aims to increase the understanding of environmental-economic accounting and provide access and useability of accounts developed and released within Australia.

The dashboard will be expanded over time to enhance the user experience, communication and guidance materials, curated data, analysis and end user tools.

You can now provide feedback on the prototype dashboard and share your ideas to guide its future enhancement, in particular:

- the user experience

- account themes for Australia and associated reporting boundaries of interest
- end user application and expansion tools.

Please provide [feedback](#) by **31 July 2023**.

Full audit of environmental offsets crackdown:

New Environment Protection Australia to monitor compliance

The Federal Government has announced a full audit of environmental offsets to crackdown on developers who are not meeting their obligations to protect the environment.

Work will commence immediately to assess current projects and ensure they are meeting their commitments. Penalties may be imposed for projects found to be in breach of their approval conditions.

The audit will investigate the compliance of over 1,000 offset sites approved under national environmental law over the last 20 years, to ensure developers are meeting their obligations.

It will consider whether offset requirements have been met, and whether they are delivering the environmental benefits they said they would.

Until recently there has been no reporting to track whether developers are actually delivering on their responsibilities.

It is not clear whether offset arrangements prevent environmental decline, particularly where they are not effectively enforced or maintained.

Environment laws will include a new offsets standard, and the independent body Environment Protection Australia will monitor compliance.

Plastic Free July

The Federal Department of Climate Change, Energy, the Environment and Water is promoting the campaign, [Plastic Free July](#), that is a global movement encouraging millions of people to be part of the solution to plastic pollution, in an effort to have cleaner streets, oceans, as well as cleaner communities.

To be part of Plastic Free July means you chose to refuse single-use plastics?

VICTORIA

Recycling Victoria's proposed Container Deposit Scheme refund sharing protocols:

Comment sought

Recycling Victoria is seeking your [feedback](#) on the Container Deposit Scheme Refund sharing protocols and is consulting with material recovery facilities, local government, Alpine Resorts Victoria and other key market participants over a 6 week public consultation period.

Recycling Victoria has prepared draft protocols and as part of its commitment to stakeholder involvement, they are seeking your comment.

Victoria's container deposit scheme, CDS Vic, will commence on 1 November 2023. CDS Vic uses a financial incentive to encourage Victorians to return empty suitable eligible drink containers for recycling.

Consultation will close at 5.00pm on 11 August 2023.

FUNDING OPPORTUNITY: Circular Economy Infrastructure Fund: Hazardous Waste Round 3

Opens

Sustainability Victoria has announced additional funding to support hazardous waste infrastructure

projects. The funding is through the [Circular Economy Infrastructure Fund: Hazardous Waste – Round 3](#) and is available to industry (including for profit and not-for-profit organisations) and local government.

The fund aims to build the capacity, capability, and resilience of Victoria's resource recovery sector to increase local reprocessing of hazardous waste and improve the use and quality of recycled materials to make new products.

Grant applications close at 11:59pm on 25 July 2023.

Quarry company faces EPA charges

EPA Victoria has laid a total of 33 charges each against a quarry and the company's Director.

The charges relate to breaches of EPA Victoria landfill licences and failure to comply with EPA remedial notices.

The company runs a landfill in Bulla, and is licensed to accept a variety of prescribed waste. The company allegedly failed to comply with licence conditions related to leachate, coverage of waste and the amount of material in a landfill cell.

The company also allegedly failed to comply with requirements of EPA Victoria remedial notices that required it to address non-compliance with licence leachate levels and waste coverage issues.

The charges relate to:

- Contravening an EPA licence condition issued pursuant to Environment Protection Act 1970
- Contravening an EPA operating licence condition issued pursuant to Environment Protection Act 2017
- Failing to comply with an EPA Pollution Abatement Notice
- Failing to comply with an EPA Improvement Notice

Metal recycling company obstructed EPA Officers cops fine and costs

Operators of a metal recycling company who refused EPA officers their legal right to enter its site has been fined and ordered to pay costs and do training.

The company will pay \$2,000 in fines, \$2,000 in costs and must publish an adverse publicity notice in a major newspaper following the decision in the Magistrates Court on 6 July 2023.

Other orders made by the court also include for training of the company's staff and directors to better understand their legal obligations.

NEW SOUTH WALES

Towards a Circular Economy: Enhancing NSW resource recovery framework

NSW EPA has released a [delivery plan](#) to implement recommendations of the Independent Review of the Resource Recovery Framework to improve recovery, reuse, and circularity of resources.

This delivery plan sets out the pathway NSW EPA will take, in consultation with key stakeholders, to reform NSW's resource recovery framework and facilitate the transition to a circular economy.

The resource recovery framework is the policy, regulatory and compliance framework administered by NSW EPA to facilitate beneficial resource recovery and circular economy outcomes. This delivery plan implements the 22 recommendations made in the independent review of the resource recovery framework.

Biodiversity Assessment Method 5 Year Review:

Comment sought

The NSW Department of Planning and Environment is seeking your feedback on the [Biodiversity Assessment](#)

[Method review \(BAM\).](#)

The *Biodiversity Conservation Act 2016* commenced on 25 August 2017, establishing the Biodiversity Assessment Method (BAM). The NSW Minister is required to review the BAM as soon as possible after 5 years from when it was first introduced and undertake public consultation in connection with the review.

To guide your input, the department has identified some key elements and focus questions, reflecting stakeholders' experience with the BAM and recommendations from the *2022 Parliamentary Inquiry into the Integrity of the Biodiversity Offsets Scheme*. The views expressed do not necessarily reflect the position of government. The scope of the review is not limited to these focus areas.

The Department welcomes feedback on other aspects of the BAM. Please include examples, data and documentation, where relevant, in your submission.

Comment is sought by 11 August 2023 to BAM.Consultation@environment.nsw.gov.au

SOUTH AUSTRALIA

NEW GUIDELINES for SA Container Deposit Scheme

EPA SA has released the following updated guidelines that relate to the Container Deposit Scheme for SA:

- [Super collector guidelines](#) - This guideline is intended to assist applicants in completing the Application for Approval for a Super Collector.
- [Beverage container approval guidelines](#) - This guideline is intended to assist applicants in completing the online Application for approval of class of container.
- [Collection depots - reverse vending machine \(RVM\) guideline](#) - This guideline is intended to assist applicants in completing the online Application

for approval of a collection depot – reverse vending machine (RVM).

- [Application to vary an approval for a collection](#) - This form is to be used to apply for a variation to an approval to operate a collection depot.

Comprehensive policy to shape SA's energy future:

Comment sought

The SA Government is embarking on a consultative process to develop a comprehensive energy transition policy for the next three decades.

To achieve this, the SA Government is seeking to engage with the people who make energy, the people who use it and the people who regulate it. All South Australians are central to this consultation.

The transformation of SA's energy sector offers significant opportunities for SA including sustainable economic development, social inclusion, energy security, improved health, and job creation.

As a first step, *South Australia's Green Paper on the energy transition* has been developed to encourage conversation and generate ideas on the challenges impacting South Australia's use of energy, both now and in the future, and the opportunities these challenges bring to the state as we transition to a net-zero emissions future.

Your feedback is sought on the questions that the [Green Paper](#) poses, including any other feedback you have. To assist, the SA Government has released [FAQs](#).

Please provide your feedback by [Completing the survey](#)

Consultation closes **11pm, Sunday 13 August 2023**

New program to help drive down Local Government emissions

The SA Government has launched the Local Government Net Zero Accelerate Program - an initiative to help local governments support the SA's emissions reduction targets.

The Program is expected to enhance SA's council's ability to identify and report on their emissions profiles, tackle key areas for emissions reduction, and create an emissions reduction strategy.

The program, the first of its kind in SA, is funded by a \$120,000 grant from the Department for Environment and Water.

The project can help accelerate councils' emission reductions and assist achieving state government targets of at least a 50 percent reduction by 2030 and net zero emissions by 2050.

Expressions of interest are now open to both metropolitan and regional councils.

Interested councils can register their expression of interest by 11 August 2023 through [Local Government Association](#).