

ENVIRONMENT NETWORK WEEKLY (ENW)

AEBN National ENW e-news – 26 June 2023

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FEDERAL

**Safeguard Mechanism
reforms commence
1 July 2023:**

Are you ready?

A reminder that the [reformed Safeguard Mechanism](#) will commence on 1 July 2023 – as the new legislative rules were registered on 5 May 2023 (please refer to AEBN National ENW e-news – Edition 17 April 2023).

On 24 August 2023, the Australian Environment Business Network will hold an interactive Webinar: [Mid-Year](#)

[update - AEBN Environmental Compliance for Business: New laws and developments from across Australia](#) to provide industry, business and councils from across Australia with the latest key changes on environmental and carbon management laws and new developments.

The interactive Webinar is designed to assist you and your organisation to comply with your obligations. One of the topics that will be covered at the AEBN Mid-Year Webinar is the reformed Safeguard Mechanism. You will hear presentations from key Regulators, environmental and carbon management experts on key changes to assist you to understand your obligations.

Delegates will have an opportunity to ask questions of the regulators and the experts.

Please register early to secure your place at the [AEBN Mid-year Update Webinar](#).

Amendments to National Greenhouse and Energy Reporting scheme legislation for 2023-24 reporting year: Commences 1 July 2023

The Clean Energy Regulator has released amendments to the [National Greenhouse and Energy Reporting \(NGER\) scheme legislation](#) that take effect on 1 July 2023 and affect reports due by 31 October 2024 for the 2023–24 reporting year.

The amendments do not affect reports due by 31 October 2023 for the 2022–23 reporting year.

The amendments:

- introduce the optional, supplementary reporting of market-based ‘scope 2’ emissions (emissions associated with the consumption of electricity)
- update the Method 1 emissions factor used to calculate emissions of methane from Queensland open cut coal mines
- update Method 1 and 2 for the estimation of methane emissions released from landfills (other than from flaring of methane)
- create 2 new biofuels: renewable diesel and renewable aviation kerosene
- define biodiesel to give clarity on the distinction between biodiesel and renewable diesel.

The full text of the amendments can be found on the Federal Register of Legislation:

- [National Greenhouse and Energy Reporting Amendment \(2023 Measures No. 1\) Regulations 2023](#)
 - [Explanatory Statement](#)
- [National Greenhouse and Energy Reporting \(Measurement\) Amendment \(2023 Update\) Determination 2023](#)
 - [Explanatory Statement](#)

Further information on the amendments is now available at the Federal Department of Climate Change, Energy, the Environment and Water’s [2023 NGER scheme updates consultation](#) page.

For enquiries, please contact the [Clean Energy Regulator](#).

Federal Budget 2023-24

The [Federal Budget 2023-24](#) was released earlier this month and deals with immediate challenges to assist Australians and businesses to provide “*Stronger foundations for a better future*”.

At a glance, some key budget initiatives that have been announced include:

- **The establishment of the national Net Zero Authority** to help guide the net zero transformation.
- **Powering Australia Industry Growth Centre:** \$14.8 million to establish the Powering Australia Industry Growth Centre, to support Australian businesses looking to manufacture, commercialise and adopt renewable technologies. This is in addition to the up to \$3 billion allocated to investment in low emissions technologies including green metals under the National Reconstruction Fund.
- **Hydrogen and new energy industries:** \$38.2 million to establish a Guarantee of Origin scheme to underpin markets for green energy, including hydrogen and other low emissions products.
- **Accelerating industrial decarbonisation:** As part of the Powering the Regions Fund, the \$400 million Industrial Transformation Stream will support the growth of new clean energy industries in regional areas, as well as innovative efforts to decarbonise existing industrial activities.
- **Securing critical inputs for the net zero transition:** The \$400 million Critical Inputs to Clean Energy Industries stream of the Powering the Regions Fund will provide grant funding to support the development of clean energy industries by investing in sovereign manufacturing

capability of critical inputs, such as steel, cement, lime and aluminium.

- **Transforming Safeguard Mechanism facilities:** The \$600 million Safeguard Transformation Stream of the Powering the Regions Fund will support trade-exposed facilities covered by the Safeguard Mechanism to reduce their on-site emissions and boost their global competitiveness.
- **Building critical minerals industries:** \$57.1 million to develop Critical Minerals International Partnerships to secure strategic and commercial partnerships.
- **Sustainable finance:** to help make Australia a leading destination for global green investors, the Government is implementing corporate climate disclosure requirements and developing a comprehensive Sustainable Finance Strategy. Key new commitments include establishing an Australian Government green bond program, co-funding development of a sustainable finance taxonomy with industry, and resourcing ASIC to target greenwashing in financial markets.
- **Future Gas Strategy:** The development of a Future Gas Strategy, which will support Australia's energy system to reach 82% renewables by 2030 and become cleaner, cheaper and more reliable, while maintaining our international reputation as a trusted energy supplier to our longstanding trading partners.
- **Promoting energy efficient commercial buildings:** From 1 July 2025, the Federal Government will extend the clean building managed investment trust withholding tax concession to eligible data centres and warehouses where construction commenced after Budget night. Buildings will also need to satisfy higher energy efficiency

standards to qualify for the concession.

- **Energy price relief:** Providing energy bill relief to approx 5 million households and 1 million small businesses.
- **Small Business Energy Incentive:** \$310 million in tax relief and support up to 3.8 million businesses make investments like electrifying their heating and cooling systems, installing batteries and upgrading to high-efficiency electrical goods.
- **Small business instant asset-write off:** Up to 3.8 million small businesses with annual turnover of less than \$10 million will be able to immediately deduct eligible assets costing less than \$20,000 from 1 July 2023 until 30 June 2024.
- **Natural Heritage Trust:** A further allocations under its 5-year, \$1.1 billion commitment to the Natural Heritage Trust, to help protect our threatened species and habitats and restore urban rivers and catchments.
- **Building disaster resilience and preparedness:** \$200 million to the Disaster Ready Fund to support projects like levee upgrades, seawalls and bushfire risk reduction projects.
- **Buy Australian Plan:** The Budget builds on the creation of the Future Made in Australia Office by providing \$18.1 million to increase engagement with businesses, improve AusTender and procurement capability across the Australian Public Service.

Regulation to reduce waste from small electric products and solar photovoltaic systems:

Comment sought

The Federal Government is seeking to [develop a regulatory product stewardship scheme for small electrical and electronic equipment and solar photovoltaic \(PV\) systems](#) in order to reduce further waste.

Your feedback will help to design a proposal for the Federal Government to consider whether a product stewardship regulation is required for small electrical and electronic products and solar PV systems.

The aim of the regulation is to:

- reduce waste going to landfill, especially harmful materials found in electronic waste;
- increase recovery and re-use of valuable materials in a safe, scientific and environmentally sound manner;
- provide convenient access to recycling services for e-products and solar panels across Australia;
- help Australia take responsibility for its own waste and re-use the materials to make other products, and support Australia's transition to a circular economy;
- encourage all those involved in the creation, sale, use and disposal of e-products to act in a way that is consistent with reducing waste to landfill.

To provide [feedback](#), please read the [discussion paper](#) and submit comment by **23 July 2023**.

Managing noxious emissions from non-road diesel engines:

Comment sought

The Federal Department of Climate Change, Energy, the Environment and Water is seeking your [feedback](#) on the regulatory impact of introducing a noxious emission standard for non-road diesel engines.

Australia is deciding how to manage noxious emissions from diesel-powered equipment like tractors, cranes, loaders, excavators, bulldozers, forklifts, pumps, and generators.

Non-road diesel engines are the largest unregulated source of air pollution in Australia. Noxious air pollution emitted by these engines poses a significant health risk. Standards were implemented in the United States and European Union over twenty years ago and low-emitting technology is already available.

Introducing a national emission standard will accelerate the uptake of cleaner technologies and help Australians to live longer, healthier lives.

To advise government on the likely impacts of management, the Department is preparing an Impact Analysis. Feedback on the [draft Impact Analysis](#) will be incorporated into the final report to the Federal Government for their decision.

What would a noxious emission standard for diesel equipment mean for you? Please provide your [feedback](#) by **5.00pm AEST on Friday 14 July 2023**.

Consultation Regulation Impact Statement: Televisions, Computer Monitors and Digital Signage Displays

The Federal Department of Climate Change, Energy, the Environment and Water is consulting on the [possible changes to the energy efficiency requirements](#) applying to televisions

and computer monitors sold, supplied or imported into Australia or New Zealand.

The proposed changes would update Australian and New Zealand regulations and bring them into line with the requirements applying in the European Union.

The Department is also consulting on whether to introduce mandatory energy efficiency labelling and standby and network power requirements for digital signage displays.

If approved by Energy Ministers, these new requirements would be established in Australia under the *Greenhouse and Energy Minimum Standards Act 2012* (the GEMS Act).

Update to the Climate Change Considerations chapter of the Australian Rainfall and Runoff Guidelines:

Comment sought

The Federal Department of Climate Change, Energy, the Environment and Water is seeking your feedback to update the *Climate Change Considerations* chapter of *Australian Rainfall and Runoff (ARR): A Guide to Flood Estimation*.

The publication is one of the most widely used references to help engineers and the construction industry manage flood risk for the built environment. The latest version was published in 2019 and since this time, significant new research findings have been generated. Both the scientific and engineering community recognise that an update is required.

The Department has developed draft guiding principles and key considerations for this update, which is outlined in a [Discussion Paper](#). The Department is seeking feedback from engineers, governments and other subject matter experts on this discussion paper to ensure that the updated guidance reflects the needs of users and anyone else with an interest in the guidance.

You comment will be considered on the guiding principles and key considerations with peer-reviewed science to update the *Climate Change Considerations* chapter.

You will have an opportunity to provide feedback on the draft replacement *Climate Change Considerations* chapter later in 2023, before the document is finalised in the first quarter of 2024.

Please provide [feedback](#) on the [Discussion Paper](#) by **19 June 2023**.

GRANT: Carbon Farming Outreach Program grant guidelines released

The Federal Department of Climate Change, Energy, the Environment and Water is providing grants through the Carbon Farming Outreach Program that aims to support farmers and land managers, including First Nations people, to reduce their greenhouse gas emissions and sequester carbon.

The program is part of the Federal Government's response to the [Independent Review of Australian Carbon Credit Units](#) (ACCUs). The review recommended government support rural and remote communities, including First Nations people, to participate in and realise benefits from the ACCU scheme.

Grants of \$1 million to \$17.5 million are available to trusted and independent advisers to empower farmers and land managers to:

- make informed decisions to lower emissions;
- integrate low emissions technologies and practices into their operations;
- participate in carbon markets and certification schemes.

Grantees will be provided with a training package and support, via train-the-trainer sessions and networking opportunities.

First Nations, national and regional agricultural and land management

advisers and training providers are encouraged to apply.

The [grant guidelines](#) are now available.

Applications close **24 July 2023**.

VICTORIA

No paperwork to show lawful disposal of waste resulted in fine to company

You must ensure you keep all paperwork to prove your waste has been lawfully disposed of to avoid enforcement by EPA.

EPA Victoria recently fined a Heyfield company more than \$5,548 over a stockpile of industrial waste that 'went missing' from its Commercial Road premises.

EPA officers issued the company with a regulatory notice in 2022, requiring it to remove a stockpile of construction and demolition waste from its premises. When they returned, most of the waste was gone, but there was no paperwork to show it had been taken to a lawful place.

EPA fined the company for breaching the Environment Protection Act by failing to comply with a reporting requirement in an EPA regulatory notice.

EPA Gippsland Regional Manager Jessica Bandiera said "Any lawful place, which includes a licensed landfill or recycling facility, will give you documented proof to show they received your industrial waste and that you did the right thing".

"That paperwork also proves your pile of rubbish, demolition waste or asbestos has not been dumped in a creek, in the bush or on some unfortunate farmer's land," she said.

To reiterate, all paperwork must be kept to prove your waste was lawfully disposed of to avoid risk of penalty by EPA.

Emerging Contaminants in Recycled Water publication updated:

Released

EPA Victoria has released an updated publication - [Emerging Contaminants in Recycled Water](#).

EPA plays a role in educating Victorians about the use of recycled water. Recycled water has become a valuable resource in our drying climate. As Victoria's population grows, we need to make better use of recycled water and understand emerging and legacy contaminants.

Emerging contaminants include pharmaceuticals, pesticides, industrial chemicals, and personal care products. They are natural or manmade chemicals (i.e. PFAS, etc.) that may cause known or suspected changes to our environment and/or human health.

Updated Guidance for risk assessment of wastewater discharges to surface waters:

Released

EPA Victoria has released the updated [Guidance for environmental and human health risk assessment of wastewater discharges to surface waters](#) that provides step-by-step guidance to assessing the environmental and human health risks associated with point-source wastewater discharges to surface waters.

Industry, businesses and local governments may need to discharge wastewater into the environment. If you need to do this, you may need to get permission from EPA Victoria. As part of that permission, you will need to do an **environmental and human health risk assessment**.

The risk assessment processes can be complex, therefore, EPA Victoria has published the *Guidance for environmental and human health risk assessment of wastewater discharges to surface waters* (publication 1287). It

includes case studies and will help you assess risks if you are:

- discharging wastewater from a point-source
- discharging wastewater into surface waters. Examples of surface waters include streams, lakes and oceans.

NEW SOUTH WALES

Changes to Gas Supply (Natural Gas Retail) Regulation:

Comment sought

The Office of Energy and Climate Change is seeking your feedback on various changes to the Gas Supply (Natural Gas Retail) Regulation that will affect the Energy Social Programs.

The NSW Government's Energy Social Programs supports nearly 1 million NSW households to pay their electricity and gas bills and stay connected to essential energy services each year.

The proposed [Regulation](#) keeps many of the existing provisions, but is updated to reflect current practices, and be simple and easy to understand. The proposed Regulation includes the following changes:

- Increasing the maximum penalty units for infringements of the Code and impersonating an auditor.
- Extending auditing requirements to 'reticulators' and 'exempt persons'
- Introducing flexibility around who pays audit costs
- Clarifying that reticulators must issue a notice 'as soon as practicable' following disconnecting energy to a premises.

For further information, please read the [Regulatory Impact Statement](#) about the proposed Gas Supply (Natural Gas Retail) Regulation 2023. Please provide feedback to

energy.consumerpolicy@dpie.nsw.gov.au by **12 July 2023**.

SOUTH AUSTRALIA

Review underway on Environment Protection (Water Quality) Policy 2015

EPA SA has commenced a review of the Environment Protection (Water Quality) Policy 2015.

The first stage of this review will be the release of a discussion paper for public consultation and to engage with stakeholders on opportunities to improve the policy. The intended outcome will be to develop a new environment protection policy relating to water quality.

A notice has been published in the SA Government Gazette giving notice of the intention to prepare a draft environment protection policy.

Additional ban of more single plastic products:

Commences 1 Sept 2023

In early 2022, EPA SA sought comment on [Turning the Tide on Single-use Plastic 2021](#). Based on the feedback received, SA's Deputy Premier Hon Susan Close announced SA's next steps for banning single-use and other plastic products over the next 3 years.

Four additional single-use plastic products will be banned from 1 September 2023, including:

- plastic pizza savers
- plastic-stemmed cotton buds
- single-use plastic bowls without lids for food and beverages
- single-use plastic plates for food.

This requires a variation to the regulations under section 6(1)(h) of the *Single-use and Other Plastic Products (Waste Avoidance) Act 2020* to prescribe additional prohibited items.

The draft regulations that outline the products to be banned and the

proposed exemptions, have been developed with reference to legislation already in place across other Australian jurisdictions and New Zealand.

[Green Industries SA](#) is seeking feedback on the draft regulations and proposed exemptions, with the view to identify any specific issues not addressed and any potential unintended consequences.

Please read the current legislation, draft regulations and explanatory notes, and to provide your [feedback](#).

WESTERN AUSTRALIA

Second set of single-use plastics phase out from 1 September 2023

Just a reminder that [Stage 2 of the WA Plan for Plastics](#) came into effect on 27 February 2023 and includes a second set of single-use or disposable plastic items and materials that will be phased out between 1 September 2023 and 1 July 2025.

The Stage 2 regulations ban the sale and supply of:

- loose and moulded expanded polystyrene packaging
- degradable plastics (plastics designed to break up more rapidly into fragments under certain conditions).
- produce bags
- expanded polystyrene cups and food trays for raw meat and seafood
- coffee cups and lids
- lids for cups, bowls, trays, plates and takeaway food containers
- trays for food not covered in the Stage 1 ban
- cotton buds with plastic stems
- microbeads.

Dates of the ban are:

Stage 2 Item	Ban in effect date
Expanded polystyrene packaging (loose)	1 Sept 2023
Cotton buds with plastic stems	1 Sept 2023
Microbeads	1 Sept 2023
Expanded polystyrene cups and trays for raw meat and seafood	1 Sept 2023
Degradable plastics	1 Sept 2023
Produce bags	1 Mar 2024
Coffee cups and all disposable plastic cup lids	1 Mar 2024
Trays for food not covered in the Stage 1 ban	1 Mar 2024
Lids for bowls, trays, plates and takeaway food containers	1 Sept 2024
Expanded polystyrene packaging (moulded)	1 Jul 2025