

ENVIRONMENT NETWORK WEEKLY (ENW)

AEBN National ENW e-news – 3 July 2023

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FEDERAL

Climate Change Authority seeks feedback on ACCU and NGERs

The Climate Change Authority has released an [Issues Paper on 'Setting, Tracking and Achieving Australia's Emission Reduction Targets'](#).

The issues paper seeks feedback on a broad range of topics to inform the Authority's advice on tracking progress on emissions reduction targets and setting a target for 2035. It also seeks feedback on the Authority's legislative reviews of the [National Greenhouse and Energy Reporting Act 2007](#) (NGER Act) and the [Carbon Credits \(Carbon Farming Initiative\) Act 2011](#) (CFI Act), which establishes the Australian Carbon Credit Unit (ACCU) Scheme.

The Authority is an independent statutory authority established under the *Climate Change Authority Act 2011* to provide expert advice to the Federal Government on climate change. This year, the Authority will conduct its first concurrent reviews of the NGER Act and the CFI Act. Both reviews are due to the Federal Minister for Climate Change and Energy by 31 December 2023.

The Authority is interested in receiving feedback on:

- the strengths and weaknesses of the NGER and ACCU schemes
- how the NGER and ACCU schemes could be improved in the context of the Paris Agreement era
- methane measurement, reporting and verification in the NGER scheme
- any concerns about ACCU integrity that remain following the adoption of the recommendations of the Independent Review of ACCUs
- how a potential new buffer could be applied for further assurance of ACCU additionality and conservativeness.

The Authority also welcomes broader commentary, information, research, data, evidence and submissions made to other consultation processes,

including the recent Independent Review of ACCUs.

[Feedback](#) is sought by 30 June 2023.

Audit to ensure regeneration gateway check complies with legislative requirements

On 3 May 2023, the Federal Minister for Climate Change and Energy made a [direction](#) to the Clean Energy Regulator (CER) concerning the administration of Human-Induced Regeneration (HIR) projects. It includes a direction on the implementation of audits under section 215 of the *Carbon Credits (Carbon Farming Initiative) Act 2011* for HIR projects.

From 6 May 2023 onwards, all regeneration gateway check reports submitted to the CER will be subject to an audit to confirm that the regeneration gateway check complies with the legislative requirements in particular section 9AA and 70(3A) of the *Carbon Credits (Carbon Farming Initiative) Act 2011*, taking into account the [Guidelines on stratification, evidence and records](#).

The CER conducts an annual audit program as part of its broader compliance monitoring strategy. The CER will expand its audit program to cover 5 yearly regeneration gateway audits.

The CER will appoint auditors for these engagements from the current panel for Greenhouse and Energy Audit Services (SON3658866). When appointing the auditor, the CER will need to be satisfied that the auditor or one or more audit team members have expertise in relation to ecological assessment, either through an appropriate qualification and/or relevant experience.

The CER will also commission an independent expert to regularly review and report on HIR regeneration gateway checks in aggregate for publication. This will provide greater transparency about the outcome of regeneration gateway checks across the HIR project portfolio. Audit reports undertaken under s215 of the *Carbon Credits (Carbon Farming Initiative) Act 2011* will be included as part of independent expert's review. Australian Carbon Credit Units (ACCUs) will be issued once the CER is satisfied that the requirements of a regeneration gateway check have been met.

The Clean Energy Regulator (CER) has recently developed [guidance](#) that outlines the implementation of the ACCU Review Recommendation 8 for Human-Induced Regeneration (HIR) projects. The CER expects that in undertaking audits of HIR projects, including for scheduled audits, auditors will take into account the requirements of these guidelines for project proponents. This includes information and record keeping requirements at both registration and crediting, and requirements for the recommended causal relationship for suppression, demonstration of the removal of suppressors, and consistent application of FullCAM guidance. Auditors must also continue to assure that HIR projects meet the requirements of the [Guidelines on stratification, evidence and records](#).

Please contact CER-Audit@cer.gov.au for any questions regarding audits of regeneration gateway checks.

Clean Energy Regulator and Federal Department of Environment respond to ANU paper on Human Induced Regeneration

The Clean Energy Regulator (CER) has released [Carbon Estimation Area \(CEA\)](#) data following recommendations from the Independent Review of Australian Carbon Credit Units (ACCU Review) and a change to the law by Federal Parliament.

The Federal Department of Climate Change Energy Environment and Water and the Clean Energy Regulator provide the following statement in response to the two papers released by Andrew Macintosh et al on Human Induced Regeneration (HIR) on 19 June 2023:

The analysis relies on a misinterpretation of requirements in the method:

- There is no requirement in the HIR method, nor other legislation, for projects to be preceded by land clearing.
- The HIR method was designed to avoid creating an incentive for broad scale land clearing, which can cause significant environmental harm including land degradation, loss of biodiversity and poor water quality.
- Scientific literature supports the view that grazing animals can stop trees reaching a forest, such as a study by Eldridge et al. (2016), which found that that overall "ecosystem structure, function, and composition in rangelands are negatively affected by livestock grazing".
- Carbon Estimation Area (CEA) satellite images are not sufficient, in and of themselves, to make a judgement about the performance of HIR projects.
- The CEA data alone does not provide insight into the changed land management practices, nor readily show how much abatement has been achieved, particularly at the early stages of a project.
- The CER confirms abatement outcomes of HIR project activity with audits, site visits, drone footage and geolocated photographs.
- On the first paper, the CER and the department reject the claim that CER released false and misleading material. The analysis in the paper is based on flawed assumptions about when projects started and the extent to which forests increased on areas of land in the CEAs.

Offshore renewable energy infrastructure for Southern Ocean Region

Comment sought

The Federal Department of Climate Change, Energy, the Environment and Water is seeking your feedback on the benefits and effects of future offshore renewable energy projects in a proposed area in the Southern Ocean Region, which extends from Warrnambool, Victoria to Port MacDonnell, South Australia.

At its closest, the area is 10km off the Victorian and South Australian coast and has quality wind resources and marine conditions.

A strong offshore energy industry in the region provides opportunities to:

- drive economic growth
- support and create jobs
- provide clean and affordable power to households, businesses and industrial consumers
- help us reach net zero by 2050.

The Southern Ocean Region is the third out of [6 priority regions](#) identified as possibly suitable for large-scale offshore wind projects. The first area declared as suitable was Bass Strait off Victoria's [Gippsland coast](#).

Information [sessions](#) are being held from 1 August to 3 August 2023.

Offshore renewable energy projects must share this proposed multi-use area with other marine users and interests. Your feedback will help inform the Minister's decision on whether the proposed area is suitable for offshore renewable energy.

Please provide your [feedback](#) by 31 August 2023.

Solar panel and inverter product listing body:

Applications round opens

The Clean Energy Regulator (CER) has opened a [3-month application round](#) for the solar panel and inverter product listing body under the Small-scale Renewable Energy Scheme (SRES).

CER is encouraging organisations to read the [guidance material](#) and [apply](#).

For further information, please email enquiries@cleanenergyregulator.gov.au or call 300 553 542.

Applications close 5.00pm (AEST) on 29 September 2023.

Register of solar water heaters (Version 50):

Applications open

On 3 July 2023 applications opened for Version 50 of [Register of solar water heaters](#). The Register lists all solar and air source heat pump water heaters that are eligible to have small-scale technology certificates created for them.

Applications must be submitted through the [Client Portal](#) by 5.00pm (AEST) on 3 August 2023 as per the timetable of the [2023 application rounds](#) submitted via the [Client Portal](#).

Further information is now available through the [register of solar water heaters application and assessment process](#) or [contact the Clean Energy Regulator](#) for more information.

VICTORIA

On-Farm Tyres Registration deadline

On 1 July 2023, new rules commenced that requires farmers who use or store 5m³ or more of waste tyres as weights for silage production on their farms to register their activity with EPA Victoria.

Farmers that meet this criteria are required to apply for a B04 registration

with EPA Victoria to ensure they are compliant with the law. Currently available is the B04 [guidance](#) that provides step-by-step instructions to help with the application process including [further information](#).

Application for a B04 registration can be made via the [EPA portal](#).

Further enquiries can be made to EPA Victoria on 1300 372 842 or contact@epa.vic.gov.au.

Draft guidelines for onsite wastewater management

EPA Victoria is seeking feedback on [two draft guidelines](#) for onsite wastewater management:

1. Draft Guideline for Onsite Wastewater Management (GOWM).

A reference document informing all areas of onsite wastewater management, from the installation to overall operation and management of systems. It also outlines the Victorian regulatory process and requirements for constructing, installing or altering of an OWMS that have a sewage flow rate below 5,000 litres a day; and

2. Draft Guideline for Onsite Wastewater Effluent Dispersal and Recycling Systems (EDRS Guideline).

A technical guideline that informs best practice to design systems for wastewater dispersal. It also gives information on how to check whether these systems are appropriate for the site and fit for purpose.

Both guidelines inform a risk-based approach to manage your onsite wastewater. They give you guidance to manage your wastewater to meet environment protection laws.

EPA will use feedback to:

- make improvements to the guidelines
- ensure the guidelines are clear, accessible and relevant for users.

- identify challenges stakeholders may face when using the draft guidelines to manage onsite wastewater.

Suggested amendments to onsite wastewater regulations in the *Environment Protection Regulations 2021* (or elsewhere) will not be considered as part of this project.

Further enquiries on draft Guideline for onsite wastewater management and draft Guideline for onsite wastewater effluent dispersal and recycling systems can be directed to the email address owms.project@epa.vic.gov.au.

Mixed waste stockpiles and non compliance leads to fine

A Broadmeadows company and its director has been fined \$7,000 after pleading guilty to charges by EPA Victoria over stockpiles of old tyres, electronics and mixed waste.

EPA Victoria charged the company and its Director after ordering them to fix inadequate containment of chemical spills and waste stockpiles that were too big and too close together.

EPA Victoria's Executive Director Mark Rossiter says the case sends a clear message to all businesses handling waste.

"Licence conditions, regulatory notices and Victoria's Combustible and Recyclable Waste Management (CWRM) rules are there to protect the community and the environment," Mr Rossiter said.

"Ignoring them won't get you out of cleaning up or fixing the problem, but it can leave you with a heavy fine and a criminal record," he said.

The company pleaded guilty to 19 charges including:

- Storing waste and discharging waste without a licence
- Failing to comply with an EPA notice

- Disobeying the conditions of an EPA licence
- Storing industrial waste in contravention of rules, and
- Failing to take steps to manage priority waste

Its Director pleaded guilty to 19 charges that included:

- Causing an environmental hazard
- Contravening the requirements of an EPA notice
- Storing industrial waste in contravention of rules, and
- Disobeying the conditions of an EPA licence

The court did not record a conviction for either, but ordered the company and its director to pay EPA Victoria \$12,136 in legal costs.

Circular Economy Infrastructure Fund: Hazardous Waste – Round 3 opens

Sustainability Victoria (SV) is supporting industry and local government through the [Circular Economy Infrastructure Fund \(CEIF\): Hazardous Waste – Round 3](#) that 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.

This grant is funded through the government's circular economy policy [Recycling Victoria: a new economy](#).

The total funding available for this grant round is \$4,500,000 and it does not have a funding cap per project.

Applications must be submitted by **11:59pm** on **25 July 2023**.

Circular Economy Recycling Modernisation Fund – Round 4 opens

Sustainability Victoria (SV) is supporting industry and local councils through Round 4 of the [Victorian Circular Economy Recycling Modernisation Fund](#).

The fund aims to:

- build the capacity, capability and resilience of Victoria's resource recovery sector
- support Businesses to respond to the national regulation of waste exports
- increase the quality of materials for manufacturing
- support the roll-out of a new standardised four-stream household waste and recycling system
- create jobs in the circular economy.

Projects will be co-funded through the Victorian government's circular economy policy, [Recycling Victoria: a new economy](#). Those projects addressing materials impacted by the national regulation of waste exports are additionally co-funded by the Australian Government's [Recycling Modernisation Fund](#).

The fund will also assist organisations to prepare for and address the national export ban on priority waste materials and increase landfill diversion of these materials.

Applications must be submitted by 11:59 pm on Friday 11 August 2023.

Hazelwood Battery Energy Storage System (HBESS) launch

The Victorian Minister for Energy and Resources Lily D'Ambrosio has launched the Hazelwood Battery Energy Storage System (HBESS) – a collaboration between ENGIE, Eku Energy and Fluence. The Hazelwood battery has the capacity to power

approx 75,000 Victorian homes for one hour during the evening peak.

This project will assist Victoria's energy storage targets of at least 2.6 gigawatts of energy storage capacity by 2030 and at least 6.3 gigawatts by 2035 as Victoria works towards 95% renewable energy by 2035.

Other big batteries in the pipeline include:

- a 100-megawatt battery with grid forming inverters in Terang, funded through the Energy Innovation Fund;
- a 125-megawatt lithium-ion big battery with grid forming inverters, funded by \$119 million from the Renewable Energy Zone Fund;
- four batteries totalling 365 megawatts as part of the Victorian Renewable Energy Target (VRET2) auction.

EPA Victoria inspections on carwash sites

EPA Victoria has undertaken inspections of 18 commercial car washes and visiting businesses in Greater Geelong, Ballarat, Warrnambool, Colac and Ararat.

The inspections concentrated on stormwater management, the disposal of wash water, the storage and handling of chemicals, spill response readiness, the use of EPA's Waste Tracker to ensure priority waste goes to the right place for disposal, and the company's trade waste agreement with local authorities.

The EPA Victoria car wash inspection team are Officers for the Protection of the Local Environment (OPLEs), who are EPA authorised officers that work closely with councils where they tap into local knowledge and work with staff on cooperative operations.

NEW SOUTH WALES

Tightening the Forestry regulation

NSW EPA will [strengthen its capabilities and response](#) to native forestry regulation after it accepted all four recommendations outlined in an Audit Office report that was tabled in NSW Parliament last week.

The Native Public Forestry Regulation Audit assessed how effectively Forestry Corporation NSW (FCNSW) manages its public native forestry activities to ensure compliance, and how effectively NSW EPA regulates these activities.

NSW EPA's Executive Director of Regulatory Operations Regional Carmen Dwyer said "Strong and effective regulation is critical to ensuring our state forests are protected for future generations.

NSW EPA will continue to work with FCNSW to ensure it understands its obligations. Further information regarding [NSW EPA's regulatory approach of native forestry](#) is now available.

QUEENSLAND

Final Report of the Review of the Electrical Safety Act 2002:

Comment sought

The QLD Government is seeking feedback on the recommendations made in the [Final Report of the Review of Queensland's Electrical Safety Act 2002](#) addressing key definitions and emerging technologies.

Submissions on the Final Report will close on **15 August 2023**.

SOUTH AUSTRALIA

Cleanway Inkerman landfill approved for PFAS waste disposal

EPA SA has approved PFAS-contaminated solid waste to be disposed of at the [Cleanway Inkerman landfill](#), north of Adelaide,

SA. This means that SA will join the rest of Australia in providing a landfill site where PFAS contaminated waste can be safely contained and disposed of.

Future of Energy in SA

The SA Government is seeking to develop a comprehensive energy transition policy for the next three decades and will commence a consultation process with people that make energy, the people who use it and the people who regulate it.

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.

We want your feedback on the many questions proposed in the [Green Paper on South Australia's Energy Transition](#) and any other feedback you have. [FAQs](#) have also been released.

The SA Government will use the feedback on the Green Paper to develop a comprehensive White Paper that will set out where we are now, where we need to be and how we will get there as SA transition's to a net-zero emissions future.

Please [complete the survey](#) by **11.00pm on 13 August 2023**