

ENVIRONMENT NETWORK WEEKLY (ENW)

AEBN National ENW e-news – 31 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

Greenwashing Update: ACCC releases Draft guidance on environmental and sustainability claims by businesses

The ACCC has released [draft guidance on environmental and sustainability claims by businesses](#).

This draft guidance explains the obligations under Australian Consumer Law which businesses must comply with when making environmental and sustainability claims.

It sets out what the ACCC considers to be good practice when making such claims, to help businesses provide clear, accurate and trustworthy information to consumers about the environmental performance of their business and product.

Join us at the forthcoming [AEBN Webinar: Mid-Year Update on Environmental Compliance for Business: New Laws and](#)

[Developments from across Australia](#) at 10.00am to 3.00pm on Thursday 24 August 2023 to find out more.

Draft guidelines on Safeguard Mechanism for International Best Practice Benchmarks

Released

As part of the Australian Government's reforms to the Safeguard Mechanism, the Federal Government is seeking feedback on [draft guidelines](#) to help set international best practice emissions standards. Government seeks your views on the proposed approach.

Once finalised, the guidelines will inform the development of international best practice emissions intensities, which will be used to calculate baselines for new facilities and new products from existing facilities.

Comment is sought by 5.00pm AEST on 11 August 2023.

Tender for auditors to be part of Greenhouse and Energy Audit Service panel

The Clean Energy Regulators (CER) is inviting audit companies with suitably qualified auditors to [submit a tender](#) to be part of the Greenhouse and Energy Audit Services panel to provide audit services to the Clean Energy Regulator (CER).

The CER will use the panel to undertake a range of audit services related to schemes administered by the CER. These may include National Greenhouse and Energy Reporting,

the Safeguard Mechanism, Australian Carbon Credit Unit Scheme (formerly Emissions Reduction Fund) and Renewable Energy Target and may extend to new schemes administered by the CER. Please note that Greenhouse and Energy Auditor registration status is separate and independent of panel requirements.

Enquiries can be made to centralprocurement@cleanenergyregulator.gov.au. Submissions close on **15 August 2023**.

National Climate Risk Assessment Stage 1:

Commenced

The Federal Government is taking action to prepare for extreme weather and climate events. Australia has always faced risks arising from harsh climate. Climate change is exacerbating current risks and creating new ones. This has consequences to communities and the economy.

In the 2023-24 Budget, \$27.4 million was allocated towards a [National Climate Risk Assessment](#) and a National Adaptation Plan.

The Risk Assessment is expected to assist Government to understand the potential risks and impacts to Australia from climate change. The Plan is expected to help guide actions to adapt to those risks.

The first National Climate Risk Assessment will run for 2 years, through 2023 to 2024.

The scoping of the Risk Assessment has successfully concluded providing a methodology for the Risk Assessment. Commencing in July 2023, the next stage will deliver a first pass assessment. This will provide a high-

level understanding of national priorities for climate adaptation action.

The Federal Government expects to finalise this stage and deliver a list of priority risks by the end of 2023.

**REMINDER:
Applications for Renewable Energy Target (RET) Emissions-Intensive Trade-Exposed (EITE) Entity Exemption Certifications:**

Open 1 August 2023

Applications for [Renewable Energy Target \(RET\) emissions-intensive trade-exposed \(EITE\) entity exemption certificates](#) open on Tuesday 1 August 2023.

The Clean Energy Regulator has advised that guidance has been developed to assist businesses to save time and ensure this year's applications are complete and accurate.

PFAS and PeCB Management Standards:

Comment sought

The Federal Department of Climate Change, Energy, the Environment and Water (DCCEEW) is inviting feedback on proposed scheduling decisions for managing chemicals that pose a high risk to the environment, including chemicals that have been widely used in firefighting foams.

Consultation on proposed standards to manage three groups of per and poly fluoroalkyl (PFAS) chemicals - PFOA, PFOS and PFHxS - and pentachlorobenzene (PeCB) is now open.

Feedback will assist the Australian governments and businesses to better manage the environmental risks of these chemicals.

Please refer to [Industrial Chemicals Environmental Management Standard](#) before providing feedback by **1 September 2023**.

Proposed development of national framework for recycled content traceability:

Comment sought

The Federal Department of Climate Change, Energy, the Environment and Water (DCCEEW) is seeking to develop a national framework for recycled content traceability and has released a [discussion paper](#) for your feedback.

The national framework is expected to guide businesses in recycled content supply chains to improve traceability of recycled materials.

The proposed framework is expected to:

- guide supply chain participants on what data to collect and share
- support national harmonisation
- enable Australian governments to set expectations for traceability in a consistent way.

Feedback is sought on key considerations of the framework that is expected to assist the Department to design a draft framework for Australia's Environment Ministers to consider in late 2023.

Please read the discussion paper and provide feedback via the [Survey](#).

New guidance to assist applicants on offshore renewable energy projects

Released

The Federal Government has released [new guidance](#) to help support applications for offshore renewable energy projects.

The guidelines outline considerations for developing renewable energy projects in the marine environment.

Australia's ocean economy is rapidly growing. The offshore renewable energy sector offers huge potential to support Australia's transition to renewable energy. It can also help to achieve net-zero emissions by 2050.

It is important that offshore projects:

- avoid and minimise impacts to the environment
- protect birds and marine fauna
- contribute to nature positive outcomes.

This guidance is expected to assist proponents to –

- develop referral and assessment documentation to support better and faster assessments.
- assist proposals to align with environmental expectations in the [Nature Positive Plan](#).

New interactive map of global hydrogen research projects

The [Clean Hydrogen Mission – Mission Innovation](#) is a global coalition established to support the development of the clean hydrogen economy.

To promote this work, an [interactive case studies map](#) has been produced to showcase 42 projects from 10 countries.

The goal of the Mission is to reduce the costs of clean hydrogen to 2 USD/kg by 2030. Australia is undertaking a piece of work under the Mission focused on research and development related to global storage and distribution of hydrogen.

The Mission focuses on:

- promotion of research, development, and innovation
- the demonstration of various production, storage, and transportation methods
- fostering international collaborations and identifying means to reduce the costs of production.

Australia is a co-lead of Mission, along with the United States, Chile, European Union, and the United Kingdom.

Great Barrier Reef: A virtual tour

The Federal Government has released a [virtual dive 360-degree video](#) of the Great Barrier Reef, to learn about the different threats it is facing and how the Federal Government is addressing them.

FUNDING OPPORTUNITY: New Plastics Technology

The Federal Department of Climate Change, Energy, the Environment and Water has announced up to \$60 million in funding is now available under the Recycling Modernisation Fund (RMF) [Plastics Technology stream](#) to deliver national solutions for hard-to-recycle plastics.

It is expected that some state or territory governments will also contribute funding to this stream. The funding is now open and will close on 13 November 2023. [Guidelines](#) are now available.

VICTORIA

Ban on gas targets new Victorian homes:

Effective 1 January 2024

Victoria's Minister for Energy and Resources Lily D'Ambrosio has announced that all gas will be banned in all new homes across Victoria from 1 January 2024.

It was announced that from 1 January 2024, planning permits for new homes and residential subdivisions, including public and social housing, will be connected to only all-electric networks.

With reference to new public buildings, that include hospitals, police stations, government owned buildings and schools - that are yet to reach a 'design stage' - must be all-electric and effective immediately.

EPA Victoria lays charges against Water Corporation

EPA Victoria has laid 7 charges against a Victorian water corporation that relates to alleged breaches of an EPA licence and failure to comply with an EPA Clean Up Notice.

The case involves incidents at the wastewater treatment plant that received trade wastes with high chemical oxygen demand (COD), resulting in the alleged failure of equipment and an inability to treat wastewater. The case was investigated by EPA's Environmental Crime Branch, and the charges are due to come up for first mention in Court in September 2023.

Reducing the regulatory barriers for continued use of black coal fly ash:

Comment sought

EPA Victoria is seeking [feedback](#) on reducing the regulatory barriers for the continued use of black coal fly ash.

The use of black coal fly ash (from interstate black coal fired power plants) is well established and critical to the construction industry in the making of cement products and concrete.

The Environment Protection Act 2017, which came into effect on 1 July 2021, introduced specific waste duties to address the risks and complexities of waste. Black coal fly ash is a waste that has been used by the construction industry for many years under the previous legislation.

Environment Protection Authority Victoria (EPA) proposes to reclassify black coal fly ash and remove requirements relating to its transport, storage and use to prevent harm to human health and the environment.

By creating new legislative instruments, EPA is lessening the regulatory requirements of managing the transport, storage and use of black coal fly ash for duty holders.

EPA Victoria is keen to hear from industry if the new proposed legislative instruments will help you continue to manage black coal fly ash and reflect industry best practices.

Please provide your [feedback](#) by 14 August 2023.

Victorian Biosecurity Strategy Consultation

The Victorian Government is seeking to develop a new Biosecurity Strategy for Victoria - to turn the vision from Victoria's Biosecurity Statement into clear priorities.

Your [feedback](#) is sought on how Government can strengthen the biosecurity system in Victoria to protect Victoria's land, waters, communities, culture, and economy.

Biosecurity is a collective effort to prevent and manage the harms caused by pests and diseases, and the impact they have on what is valued most. Biosecurity is important to ensure that we can move freely, gather, care for and connect with Country, produce safe and clean food, and enjoy the outdoors. It helps to protect ourselves, farms, the environment and animals from harmful pests and diseases.

Comment is sought by midnight on 16 August 2023

Victoria's waterways:

Comment sought

The Victorian Department of Energy, Environment and Climate Action is developing a new Victorian Waterway Management Strategy that is expected to guide on how to manage Victoria's waterways into the future.

The Department seeks feedback on a [Discussion Starter](#) to help shape the development of the new draft Strategy. The final Strategy is expected to be released in 2025.

The Department intends to work closely with key stakeholders

throughout the project on development of the new Strategy. The next round of formal public consultation will take place when the draft Strategy is released for public comment, expected in 2024.

[Feedback](#) closes on 1 September 2023.

NEW SOUTH WALES

NSW EPA releases Best Practice Stormwater Management Factsheet:

Released

NSW EPA has released a factsheet on [Best practice stormwater management](#) for licencees. Licencees must report pollution incidents to NSW EPA and other relevant authorities. The factsheet covers general steps to improve stormwater management.

Biodiversity Assessment Method 5 Year Review:

Comment sought

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

The Biodiversity Assessment Method provides a scientifically rigorous and consistent method to identify and quantify biodiversity values.

The [Biodiversity Conservation Act](#) requires the NSW Minister for the Environment, Penny Sharpe to review the Biodiversity Assessment Method as soon as possible after 5 years from when it was first introduced and to undertake public consultation in connection with the review.

[Feedback](#) is sought by **11 August 2023**.

Soft Plastics:

NSW EPA says supermarkets have until May 2024 to find long-term solution

NSW EPA has reported that Coles and Woolworths have met their immediate obligations under the Clean-up Notices issued by EPA with more than 5000 tonnes of soft plastics moved to safe storage.

The notices required the supermarkets to address the potential fire and pollution risk posed by 15 soft plastic stockpiles accumulated during the REDcycle soft plastics collection program.

EPA Executive Director Steve Beaman said having the retailers move these stockpiles to a safe and lawful location has been a priority.

“Our inspections confirmed waste from 15 sites has been removed, with the majority going to a waste facility in Orchard Hills for storage,” Mr Beaman said.

“We will continue to monitor the progress of the supermarkets under the Clean-up Notices as they consider options for recycling and reprocessing the material.

“Our largest retailers have an important role to play in how we reduce plastic waste in NSW, and we want to see them taking proactive steps.

“We’ll continue to collaborate with supermarkets and industry to support opportunities for long term sustainable solutions for plastic packaging.

“We’ll also continue working closely with our counterparts in other jurisdictions to ensure we take a coordinated approach and understand the issues that impacted the REDcycle program.”

The supermarkets have until May 2024 to find a long-term solution for the material including either reprocessing it, exporting it for reprocessing offshore, or, as a last resort, sending it to landfill.

QUEENSLAND

Waste Reduction and Recycling and Other Legislation Amendment Act 2023:

Commenced 2 June 2023

In QLD, the [Waste Reduction and Recycling and Other Legislation Amendment Act 2023](#) (the WRROLA Act) commenced on 2 June 2023.

The WRROLA Act supports the QLD Government’s commitment to reduce the amount of waste going to landfill and create more jobs in QLD’s recycling and resource recovery industry.

The WRROLA Act amends the *Waste Reduction and Recycling Act 2011* and also makes consequential amendments to the *Environmental Protection Act 1994* and the QLD Waste Reduction and Recycling Regulation 2011.

[Notable amendments](#) to the [Waste Reduction and Recycling Act 2011](#) are now available.

Sunset review of the Waste Reduction and Recycling Regulation 2011:

Comment sought

The QLD Government has announced that the Waste Reduction and Recycling Regulation 2011 is due to expire on 31 August 2023.

Before remaking the regulation, the QLD Government must undertake a [sunset review](#) to evaluate its continuing need, effectiveness and efficiency.

The QLD Department of Environment and Science is completing a review and proposes to remake the regulation with amendments designed to improve clarity and reduce the regulatory burden on stakeholders.

Over the last 10 years, there has been continuous consultation and improvement on the function of the regulation.

The Department seeks your [feedback](#) on:

- the current effectiveness and efficiency of the WRR Regulation
- proposed amendments to the WRR Regulation.

To provide feedback, please email OCE.Policy@des.qld.gov.au.

Submissions close at **5.00pm on 2 August 2023**.

DIY Asbestos removal by homeowners in QLD:

Comment sought

QLD Health is seeking your feedback on whether changes to the current asbestos 10-square metre rule ('10m² rule') removal provisions under the [Public Health Regulation 2018](#) (the Regulation) are necessary to ensure the right balance between safeguarding the health of Queenslanders while minimising unnecessary regulation.

Please read the [Consultation Paper and Appendix](#) to the consultation paper and provide your feedback. Your feedback will be used to determine if changes or improvements to the current rule are necessary.

[Feedback](#) closes on **3 August 2023**.

SOUTH AUSTRALIA

Groundwater prohibition area for Elizabeth South and surrounding suburbs

SA EPA will establish a [Groundwater Prohibition Area \(GPA\) for parts of Elizabeth South, Edinburgh, Edinburgh North and Salisbury North](#) due to contamination from past industrial activities.

The GPA will come into effect when it is gazetted on 10 August 2023, making it the tenth GPA in South Australia. The GPA prevents the taking of groundwater (bore water) from the upper three aquifers to a depth of 35 metres.

The suburbs in the GPA have a commercial, industrial and manufacturing history and groundwater has been contaminated with petroleum hydrocarbons, chlorinated hydrocarbons such as trichloroethene (TCE) and tetrachloroethene (PCE) and their degradation products, per- and poly-fluoroalkyl substances (PFAS) and metals. The EPA establishes GPAs to protect public health by preventing exposure to contaminated groundwater.

Using contaminated bore water for drinking, showering, washing, filling swimming pools, watering lawns or irrigating edible produce over a long period of time is considered a health risk.

WESTERN AUSTRALIA

WA's first climate adaptation strategy sets path for resilience

The WA Department of Water and Environmental Regulation has released WA's first Climate Adaptation Strategy that was developed in conjunction with the Department and key stakeholders.

The Strategy prioritises 37 actions to ensure communities and the economy are resilient to risks posed by climate change.

Approx. \$40 million has been allocated in the 2023-24 State Budget to deliver the strategy, which will prepare our State for the climate of the future.

The WA Government is taking action to help business and communities to prepare, adapt, and avoid growing costs associated with disaster recovery.

The State Budget also included \$65.3 million for works at the new Alkimos Seawater Desalination Plant, securing WA's drinking water supply as rainfall continues to decline in Perth and the South-West.