

ENVIRONMENT NETWORK WEEKLY (ENW)

AEBN National ENW e-news – 28 February 2024

FORTHCOMING AEBN EVENTS



[AEBN WEBINAR]

- **PLAN FOR 2024: [2024 AEBN Annual National Environmental Compliance: New Laws, Developments and Funding from across Australia for Business in 2024](#)**

About this webinar:

This annual AEBN Conference Webinar is designed for industry, business and councils to assist you to PLAN FOR 2024. This Conference Webinar will focus on the key **EXPECTED CHANGES IN 2024** on environmental and climate change laws & funding from across Australia for business in 2024 – to assist you and your organisation to remain compliant.

Program

The [Program](#) is now available.

Date/Time:

14 March 2024
10.00am to 4.00pm

Details/Register:

Click for [Details and Register](#)

FEDERAL

Australia's new Nature Positive laws

The Federal Department of Climate Change, Energy, the Environment and Water is working to enhance Australia's environmental laws to better protect the environment and to provide faster, clearer decisions for business.

As a part of this process, the Department has developed the [Nature Positive Plan](#) and seeks your comment by [comment](#) by **30 March 2024**.

Feedback will be considered as the Department progresses the new Nature Positive laws.

Clean Energy Regulator commences work on Nature Repair Market

The Clean Energy Regulator (CER) is working closely with the Federal Department of Climate Change, Energy, the Environment and Water (DCCEEW) to implement the new scheme - [Nature Repair Market](#) (the Market).

In mid December 2023, the *Nature Repair Act 2023* (the Act) came into effect. The Act establishes the framework for a world-first, legislated, national, voluntary biodiversity market.

The [Nature Repair Market](#) (the Market) is intended to make it easier for companies and businesses to voluntarily invest in nature repair projects across Australia.

The CER will be responsible for administering the scheme and its responsibilities will include:

- assessing applications to register, vary or cancel projects
- issuing biodiversity certificates
- performing ongoing assurance, monitoring and compliance activities
- maintaining the public register of biodiversity projects and certificates
- publishing scheme information and education activities to support the market.

Similar to the Australian Carbon Credit Unit Scheme (ACCU Scheme), the Market will have methodology determinations (methods) that outline the rules for eligible projects. These methods are being developed with experts and other stakeholders through collaborative processes led by DCCEEW. The CER will administer both the Nature Repair Market and the ACCU Scheme to support alignment between carbon and biodiversity markets. Where possible, the CER will use its experience to create synergies and streamline processes to make it easier for landholders to participate in both schemes.

DCCEEW is currently seeking highly experienced professionals and technical experts to join the [Nature Repair Committee](#). Applications close 5:00pm on 26 February 2024.

For enquiries on the Nature Repair Market, please email naturerepairmarket@dcceew.gov.au.

2024 Renewable Power Percentage and Small-scale Technology Percentage: Now set

The Clean Energy Regulator (CER) has announced that the 2024 [renewable power percentage](#) (RPP) and [small-scale technology percentage](#) (STP) has been set by legislative amendment:

- RPP is 18.48%
- STP is 21.26%.

The amendment instrument and explanatory statement are now [available](#).

Under the [Renewable Energy Target](#) (RET), the:

- RPP is set to meet the annual legislated target for renewable electricity; and
- STP aims to set demand to match projected small-scale technology certificate creations.

For queries regarding the RPP or STP, please contact the [CER](#).

Large-scale Renewable Energy Target market data for January 2024:

Released

The Clean Energy Regulator has released the [Large-scale Renewable Energy Target market data](#) for January 2024.

Highlights include:

- 9.6 MW of capacity was approved for LGC generation in January, bringing the total approved in 2024 to 9.6 MW.
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Expanding your knowledge of climate change risk and opportunities

The Federal Government has released the [Approach to Climate Risk and Opportunity Management in the Public Sector 2024–2026](#) that aims to develop APS capabilities to identify,

manage and report climate risks and opportunities.

The online information is intended for Australian Public Servants (APS) to learn about how climate change risks and opportunities can impact work.

The online information sets out how all Commonwealth agencies will assess and report their climate risks.

The program has [resources for public servants to use](#), including:

- downloadable guides that give step-by-step instructions; and
- guidance on identifying and managing climate risks and opportunities.

This information is to support improved policies that respond to climate change.

There are also online learning modules relating to climate change risks and opportunities, and a support service. APS can access this material at the [APS Academy](#).

Interim National Action List for Offshore Carbon Dioxide Sequestration:

Released

The Federal Department of Climate Change, Energy, the Environment and Water has released the [Interim National Action List for offshore carbon dioxide sequestration](#) (Interim NAL) and advises that Australia needs a National Action List (NAL) for offshore carbon dioxide sequestration to meet obligations under the *1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972*.

A National Action List:

- is a screening tool to assess suitability for the disposal of CO2 into sub-seabed geological formations,
- outlines acceptable incidental associated substances and upper limit thresholds, and

- supports the assessment of potential effects on the marine environment and human health.

You are encouraged to read the interim NAL and the [offshore carbon capture and sequestration](#) before applying for a permit.

New Solar Consumer Guide for rooftop solar and batteries:

Released

The Federal Department of Climate Change, Energy, the Environment and Water has launched the [Solar Consumer Guide](#) to help households and small businesses get the most out of rooftop solar and batteries.

The Guide aims to help consumers choose the right rooftop solar system for their needs and make confident and informed choices. It also provides advice on solar system design and how consumers can make the best use of solar and batteries to save money on electricity bills and reduce their carbon footprint.

The step-by-step guide includes information on:

- how consumers can financially benefit from solar,
- how to install, use and maintain a new or existing system,
- how to choose a reputable solar retailer or installer,
- what details to check on solar installation quotes, and
- what questions to ask a solar retailer or installer before installation.

The Australian Government has also helped fund the [SunSPOT](#) tool, which is featured in the guide. Consumers can use SunSPOT to get an estimate of the likely costs and savings of rooftop solar and batteries for their own home or business.

New Water Efficiency Labelling and Standards scheme (WELS) product category nomination

The Federal Department of Climate Change, Energy, the Environment and Water is looking to expand the range of product categories regulated under the *Water Efficiency Labelling and Standards (WELS) scheme*.

Expanding the scheme will enable manufacturers and suppliers to show that their products are water efficient using the WELS label. This will assist consumers to make informed choices that save water.

You can use this form to nominate a product category to be considered for regulation and mandatory labelling under the WELS scheme. Your nomination and supporting information will help us perform an initial assessment on possible WELS scheme inclusion.

If you wish to nominate more than one product, fill out a nomination form for each product category. To make your [nomination](#) by 15 March 2024:

- Complete a submission using this consultation platform.
- Provide supporting documents which can be uploaded after completing the submission.
- Lodge your submission through this consultation platform.

General certificate of approval for electric vehicle supply equipment (EVSE)

The National Measurement Institute (NMI) has been working to develop a general certificate of approval for electric vehicle supply equipment (EVSE). NMI is basing the certificate on [OIML G 22:2022 Electric Vehicle Supply Equipment](#) (OIML G 22).

The NMI is seeking feedback on the draft general certificate of approval for EVSE which specifies the:

- maximum permissible errors (MPEs) that would apply to all EVSE regardless of the date of manufacture
- need for EVSE to be constructed in line with OIML G 22 and marked with the specified markings from 1 April 2026
- principles-based test procedure for verification.

The main draft points to consider include:

- marking needs (as specified in clause 1.2 - Markings), and
- base MPEs.

To assist you to provide feedback by 8 March 2024, please read the following consultation paper:

- [Consultation paper - general certificate of approval for electric vehicle supply equipment](#)
- [Draft general certificate of approval for electric vehicle supply equipment](#)

Please provide [feedback](#) by 8 March 2024.

Register for Solar water heater V.52:

Opens for applications

The Clean Energy Regulator is seeking applications for version 52 of the [register of solar water heaters](#). The register lists all eligible solar and air source heat pump models that can create small-scale technology certificates under the [Small-scale Renewable Energy Scheme](#).

Applications open until 5pm (AEDT) on 4 April 2024.

Please refer to the [register of solar water heaters application and assessment process](#) or contact the [CER](#) for further information.

Please submit applications through the [Client Portal](#).

New Chair for Reef 2050 Independent Expert Panel

A new Chair has been appointed to the Reef 2050 Independent Expert Panel.

The new Chair, Prof Margaret Sheil AO will lead the work of the panel, advising ministers on the implementation of actions and investments for the Reef. This will include the implementation of the Reef 2050 plan.

The Panel was established in 2015, to provide scientific advice to Australian and Queensland governments on Great Barrier Reef matters.

Professor Sheil is a highly experienced scientist and advisor, having sat on various expert committees in the past.

These include:

- Chair of the Advisory Council, Australian Research Council
- Member of the Australian Space Agency Advisory Group
- Member of the Prime Minister's Science, Innovation and Engineering Council
- Member of the National Research Infrastructure Council.

VICTORIA

Information on Victorian fires and air quality

EPA Victoria has released important [information](#) to help those affected or concerned about fire conditions in Victoria.

EPA is working with local SES, has deployed incident air monitoring equipment in Ampitheatre and Beaufort. Data is being collected live and the results are now available at [Air quality monitoring data across Victoria](#). A link to EPA AirWatch for current information regarding [Victoria's air quality](#) is also available.

2023 NSW Annual Air Quality Statement:**Released**

The NSW has released its [Annual Air Quality Statement](#). The Annual Air Quality Statement for NSW summarises data collected from the NSW Air Quality Monitoring Network each year and is a key component of the 2021–2030 NSW Clean Air Strategy.

The 2023 Statement shows that NSW experienced good air quality in 2023, despite warmer and drier conditions.

The report's key findings show:

- Air quality in 2023 deteriorated marginally compared to 2022. However, 2022 was the state's best air quality on record due mainly to cooler, wetter weather which contributed to fewer bushfires, hazard reduction burns and windblown dust.
- Four of the state's 16 air quality regions met national standards 100% of the time in 2023. These were: Central Coast, Lake Macquarie, Lower Hunter, and Southern Tablelands.
- Air quality standards were met at least 96% of the time in all regions, except for Newcastle Local, which met standards 84% of the time, due to sea salt raising PM10 levels at Stockton.
- Across the 16 regions, there were 47 days in 2023 when at least one national standard was not met. This compares with 19 days in 2022.
- Particle pollution PM10 and PM2.5 continues to be the main source of air pollution mostly due to hazard reduction burns, bushfires, wood heater emissions, and dust. Particle concentrations increased by approximately 30% from 2022.
- Of the gaseous pollutants, sulphur dioxide levels exceeded national standards on 2 days at Muswellbrook station in the Upper Hunter region, and Bradfield Highway roadside monitoring station did not meet the nitrogen

dioxide annual standard in 2023. Ozone levels exceeded national standards on 3 days.

- New South Wales experienced a warmer and drier year compared to 2022, but rainfall from late spring moderated the intensifying hot and dry conditions, and likely as a result the air quality.
- Rural areas experienced fewer hours of dust on average, despite expanding drought conditions.

The NSW Government monitors air quality at 99 stations located in 19 regions.

A duty to ensure hazardous materials are handled appropriately

NSW EPA has fined a Newcastle chemical and material manufacturer \$15,000 for failing to transfer tar-based substances onto a ship properly at Mayfield North in September 2023.

The incident occurred as hot coal tar pitch that was being loaded onto a ship came into contact with water, which increased pressure in the vessel's storage compartments and activated safety relief valves releasing potentially harmful fumes into the atmosphere.

NSW EPA's investigation found the loading happened too quickly, and that the chemical and material manufacturer was aware of the issue after workers had previously stopped transferring the substances twice before the safety feature was activated.

The incident resulted in an alleged breach of the company's environment protection licence.

NSW EPA Executive Director of Regulatory Operations, Jason Gordon said while the EPA is unaware of any offsite impacts, the company has a duty to ensure hazardous materials are handled appropriately.

"Exposure to vapour from coal tar pitch is environmentally hazardous, and the company could have taken measures to prevent this incident from occurring," Mr Gordon said.

"We consider the incident was foreseeable and the company must prioritise compliance in its day-to-day operations. Extra care is needed when working on waterways to protect the communities and sensitive marine habitats.

NSW EPA is monitoring operations closely and may consider other regulatory action if the company commits future alleged offences.

Penalty notices are one of several regulatory tools that NSW EPA can use to achieve environmental compliance, including formal warnings, licence conditions, notices and directions, mandatory audits, legally binding pollution reduction programs, enforceable undertakings, and prosecutions.

Asbestos found in mulch

The NSW Government has established the Asbestos Taskforce to give more resources and support to NSW EPA's investigation into asbestos in mulch.

The taskforce will be led by the current Chair of the NSW Asbestos Coordination Committee, Carolyn Walsh, and will include senior representatives of several NSW Government agencies, as well as local government.

The NSW Premier and NSW Minister for the Environment have activated an additional surge workforce to assist the state's environmental regulator - NSW EPA, as the scale of the investigation continues to grow.

Additional staff from the Natural Resources Access Regulator and NSW Fire and Rescue will be deployed to NSW EPA to increase capacity.

The government's number-one priority is 'contact tracing' down the complex supply chain, and then facilitating testing, reporting and management of any positive results. SafeWork NSW, NSW Health and Public Works Advisory will continue to provide support.

The taskforce will assist to coordinate government agencies and assist in prioritising sites considered of highest risk to the public, to ensure all resources are available to secure and

remediate sites. It will also support NSW EPA in ensuring environmental risks to public land are appropriately managed, as the EPA prioritises its criminal investigation into any breaches of the law.

QUEENSLAND

Draft amendment of end of waste (EOW) code – Plasterboard:

Comment sought

The QLD Department of Environment, Science and Innovation is proposing to [amend the current end of waste \(EOW\) code for Plasterboard](#) and has issued a Notice of proposed action along with the proposed amendment to the existing EOW code for the use of plasterboard as a resource.

Comment is sought on the [draft amendment of the end of waste \(EOW\) code – Plasterboard](#) by 5:00pm, 29 March 2024.

Draft updates to the Landfill siting, Design, Operation and Rehabilitation Guideline:

Comment sought

The QLD Department of Environment, Science and Innovation is seeking feedback on [the draft updates to the Landfill siting, design, operation and closure guideline](#).

The purpose of the guideline is to provide environmental management expectations for a waste disposal activity (ERA 60) in Queensland.

Please provide [feedback](#) by 5.00pm, 8 March 2024.

SOUTH AUSTRALIA

Draft Climate Change and Greenhouse Emissions Reduction (Miscellaneous) Amendment Bill 2024:

Comment sought

The SA Government is updating SA's Climate Change and Greenhouse Emissions Reduction Act 2007 and is seeking your feedback on the changes to the [Draft Climate Change and Greenhouse Emissions Reduction \(Miscellaneous\) Amendment Bill 2024](#).

The purpose for updating the Act is to:

- update emission reduction and renewable electricity targets and,
- strengthen requirements around government planning, risk assessment and action on climate change.

The proposed amendments to the Act will:

- update the state's emissions reduction and renewable electricity targets for 2030 and 2050,
- require five yearly emissions reduction targets to be set between 2030 and 2050,
- require a state-wide emissions reduction plan to help achieve South Australia's emission reduction targets,
- include a state-wide climate risk assessment to identify risks and opportunities and to inform adaptation planning,
- introduce an ability for the Premier to nominate a public sector entity to prepare a climate change plan for an entity or sector,
- provide for public sector action and reporting on reducing emissions and managing climate risk in government actions.

An [Explanatory Guide to the Draft Bill](#) and Frequently Asked Questions are now available.

Please provide feedback by 12.00noon, Friday 5 April 2024 via -

- filling in all or part of the [Draft Bill Survey](#)
- providing other feedback in the general comments field of the Draft Bill [Survey](#)
- emailing a written submission to DEWClimateChange@sa.gov.au
- mailing your written submission to Climate Change Act Amendment Engagement, Department for Environment and Water, GPO Box 1047, Adelaide SA 5001.

Energy Resources Act – Draft Regulations

The SA Government is seeking your feedback on regulations to support the recently amended *Petroleum and Geothermal (Energy Resources) Act 2023*.

To maintain leading practice regulation of the petroleum, gas storage, pipeline transmission and geothermal energy industries in SA, the SA Department for Energy and Mining (DEM) is updating current regulations.

These proposed amendments have been developed based on extensive feedback received from industry and co-regulators, and the draft amendments have now been released for public comment.

The *Petroleum and Geothermal Energy (Energy Resources) Amendment Act 2023*, which amends the Petroleum and Geothermal Energy Act 2000, passed the SA parliament in November 2023.

The amended Act will become operational once the associated regulations are established.

Notably, changes are proposed relating to the calculation of annual rental for the utilisation of a natural reservoir. The [consultation guideline](#) provides information about these specific changes.

You are encouraged to read the following documents prior to providing feedback by [uploading a submission](#) or emailing your feedback to DEM.Engineering@sa.gov.au by 6 March 2024:

- [Petroleum and Geothermal Energy \(Energy Resources\) Amendment Regulations 2024](#)
- [Petroleum and Geothermal Energy Regulations 2013 with 2024 amendments](#)
- [Consultation Guideline, Rental - PGE Amendment Regulations Feb 2024](#)

Northern Water explores options for desalination plant in Spencer Gulf at Cape Hardy

Northern Water is investigating the option of a seawater desalination plant in the Spencer Gulf at Cape Hardy. The desalination plant would be connected to the Upper Spencer Gulf and northern South Australia via approx. 600km of pipeline.

Aimed at addressing the limited sustainable water supplies in the Far North and Upper Spencer Gulf Regions of SA, and encouraging growth of the industries crucial to achieving net-zero goals, including the emerging clean energy and hydrogen industries, Northern Water would provide a climate-independent water source.

This [map](#) illustrates the proposed project pipeline.

During 2024 – 2025, Northern Water will undertake a range of project planning, design and assessment activities to understand potential project opportunities, benefits, impacts and costs. Activities will include:

- Formal tender process and development of agreed contract terms with a preferred contractor to design, build, operate and maintain the plant and pipeline

- More detailed evaluation of the overall environmental, social and economic impact of the project
- Progression of Cultural Heritage Survey and Native Title negotiations
- Land access negotiations for the plant and pipeline
- Ongoing engagement with stakeholders and the community to ensure risks and opportunities are properly understood and addressed
- Other activities required to provide Government with clear understanding of the risks and opportunities associated with the project.

Northern Water is seeking your feedback to inform the assessment process and assist in making a final decision on the project. Your feedback will help identify management measures to reduce risk and enhance local community benefits.

WESTERN AUSTRALIA

GRANT OPPORTUNITY: E-waste infrastructure Grants Program:

Round 2 opens

The WA Government is delivering a statewide ban on e-waste disposal to landfill by 2024.

The ban supports the objectives in the [Waste Avoidance and Resource Recovery Strategy 2030](#) to recover more valuable resources from waste and to protect the environment by managing waste responsibly.

The WA Department of Water and Environmental Regulation is administering \$10 million in grant funding through competitive grant rounds. The grants are intended to support the ban by funding increased e-waste collection, storage and/or reuse including e-waste processing/recycling.

The [application process for Grant Round 2](#) is open until 29 March 2024. A list of [frequently asked questions](#) on the E-waste Infrastructure Grants

Program is available.

Applications for E-waste Infrastructure Grant Round 2 can be made via the [SmartyGrants portal](#) by 4pm WST, 29 March 2024.

Proposed Bunbury WA for offshore wind area:

Comment sought

The Federal Department of Climate Change, Energy, the Environment and Water (DCCEEW) is seeking your feedback on the benefits and effects of future [offshore wind development](#) in a proposed area in the Indian Ocean off the Bunbury region WA.

The area is at least 20km from the coast, has quality wind resources and some relatively shallow waters. A strong offshore wind industry in the region provides opportunities to:

- drive economic growth
- support and create thousands of jobs during construction and operation
- provide clean, reliable, affordable power to households, businesses, and industries
- help us reach net zero by 2050.

Future offshore wind project proposals must share the marine area with other users and interests. Your feedback will assist to inform the Federal Minister for Climate Change and Energy's decision on whether this proposed area is suitable for offshore wind development.

The Federal Government is organising public consultation sessions from 19 to 21 March 2024 where the community will be invited to drop in and have your questions answered. These sessions will be an opportunity to speak with departmental staff about the government's process and ask questions regarding the proposal.

Please [have your say](#) by 3 May 2024.

Pilbara Hydrogen Hub for WA

The Federal Government has finalised a \$140 million agreement to build a hydrogen hub in the Pilbara WA - the *Pilbara Hydrogen Hub*.

Construction of the Pilbara Hydrogen Hub will commence in 2024 and is expected to be delivered by 2028.

The Pilbara Hydrogen Hub will be a major centre for hydrogen production and export, with the potential to become an international gateway to Australian-made green steel and iron.

Hydrogen hubs are locations where producers, users and exporters of hydrogen work side by side to share infrastructure and expertise. They will help the hydrogen industry springboard to scale.
