

ENVIRONMENT NETWORK WEEKLY (ENW)

AEBN National ENW e-news – 27 March 2024

FORTHCOMING AEBN EVENTS

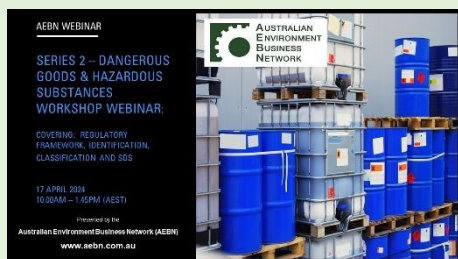
[AEBN WORKSHOP WEBINARS]



- [**SERIES 1 to Dangerous Goods, Hazardous Chemicals and GHS**](#)

[Covering: Regulatory framework, Identification, Classification, Safety Data Sheets \(SDSs\) and more](#)

9.50am for 10.00am start to 1.45pm
16 APRIL 2024



- [**SERIES 2 to Dangerous Goods and Hazardous Chemicals:**](#)

[Covering: Storage, Handling and Transport](#)

9.50am for 10.00am start to 1.45pm
17 APRIL 2024

NOTE: The two above workshop webinars will be highly interactive and will be delivered by AEBN's National Chemicals Specialist. Please bring along your questions to troubleshoot.

FEDERAL

Update of Australia's Strategy for Nature 2019-2023:

Comment sought

The Federal Department of Climate Change, Energy, the Environment and Water is updating [Australia's Strategy for Nature 2019-2030](#) (the Strategy) and has released a [discussion paper](#). The updating of the Strategy is to reflect Australia's contributions to the [Kunming-Montreal Global Biodiversity Framework \(the GBF\)](#). The GBF is a once-in-a-decade international agreement. It includes 23 targets to **halt and reverse biodiversity loss** by 2030 and 4 goals to **live in harmony with nature** by 2050.

The next meeting of the United Nations Convention on Biological Diversity (CBD) is in October 2024. Before this meeting, Australia is required to submit a revised national biodiversity strategy. Australia will update the existing Strategy to reflect the issues that impact biodiversity decline in Australia.

The federal, state and territory [environment ministers have agreed](#) to work together to tackle the main environment issues that impact Australia. These issues include **climate change, land and sea use change, invasive species, pollution, and unsustainable use of natural resources**.

Australia's environment ministers agreed to develop national biodiversity targets for **6 priority areas**. These are:

1. Effective restoration of degraded terrestrial, inland water, marine and coastal ecosystems.
2. Tackling the impact of invasive species.

3. Building a circular economy and reducing the impact of plastics on nature.
4. Minimising the impact of climate change on nature.
5. Protect and conserve 30% of Australia's land and 30% of Australia's oceans by 2030.
6. Work towards zero new extinctions.

The ministers also agreed that **3 enablers of change** are required to support the delivery of the national priority areas and other GBF targets. These are:

1. Ensuring environmental data and information is widely accessible and supports planning.
2. Mainstreaming biodiversity considerations into government and business decision-making, including in financing, policies, regulations and planning processes.
3. Ensuring equitable representation and participation in decisions relating to nature, particularly for First Nations peoples.

Australia will continue to deliver on the existing policies and programs that support biodiversity conservation and address the remaining GBF targets.

[Comment](#) on a set of draft targets that reflect Australia's priority areas by 5.00pm on 4 April 2024. Your response will be used to inform the new biodiversity targets in the updated Strategy and support planning for its implementation.

Climate adaptation in Australia: National Adaptation Plan Issues Paper released

The Federal Department of Climate Change, Energy, the Environment and Water has released the National Climate Adaptation issues paper for your comment.

The Australian Government is seeking to strengthen national adaptation policy to ensure adaptation action is well-targeted and effective. An investment of \$28 million over 2 years is expected to deliver the National Climate Adaptation and Risk Program, including Australia's first National Climate Risk Assessment, and the National Adaptation Plan.

Your input in this consultation process will assist in the development of Australia's first National Adaptation Plan.

The Plan will be the blueprint for adapting to nationally significant climate risks. Importantly, the Plan will be based on both the world-class science of the National Climate Risk Assessment and on extensive consultation.

The issues paper will be used to:

- Seek input on key design questions for the plan, including duration and scope and the approach to measurement and implementation.
- Seek input on priorities for strengthening adaptation action in Australia.
- Serve an educational function on climate adaptation.
- Outline key messages concerning Australian Government adaptation policy and the Plan.

Please provide [feedback](#) by 11 April 2024.

Electricity and Energy Sector Plan Discussion Paper:

Comment sought

To support the [Net Zero Plan](#), the Australian Government is developing an Electricity and Energy Sector Plan.

This Plan will set out pathways to reduce emissions in Australia's electricity and energy sector, while ensuring reliable, secure and affordable energy supply.

The Federal Department of Climate Change, Energy, the Environment and Water has released the [Electricity and Energy Sector Plan discussion paper](#) for your views on aspects of the energy transformation that represent the most material challenges and opportunities for the energy sector. These issues are outlined in the Discussion Paper.

Feedback received will be used to help develop the Electricity and Energy Sector Plan and inform the Net Zero 2050 Plan.

Please provide [feedback](#) by 5pm AEDT Friday, 12 April 2024.

National Climate Risk Assessment First Pass Assessment Report

The Federal Department of Climate Change, Energy, the Environment and Water has released the [National Climate Risk Assessment First Pass Assessment Report](#) which is a national report on how climate change puts what we value at risk, now and in the future.

The report identifies:

- 56 nationally significant climate risks facing Australia across 7 of 8 systems of national importance,
- a subset of 11 priority risks for analysis in a second pass risk assessment to be undertaken this year.

Identifying these climate risks will help provide a shared understanding of the most important risks facing the nation from climate change. The first pass

assessment of climate risks for the First Nations values and knowledges system is underway.

This has been delivered by the Department of Climate Change, Energy, the Environment and Water (DCCEEW) in partnership with the Australian Climate Service (ACS). The first pass assessment process included engagement with:

- governments
- academia
- industry
- non-government organisations
- First Nations peoples from across the nation.

New agreement between the Commonwealth, Tasmania and Victoria on clean energy link

A landmark ownership deal has been signed between the Commonwealth, Victorian and Tasmanian governments to deliver the Marinus Link cable that will connect Tasmania to Victoria.

Marinus Link is an underground and undersea electricity cable. It will run 255 km undersea from North West Tasmania to Waratah Bay in Victoria, then a further 90 km underground to the Latrobe Valley.

Marinus Link is expected to deliver low-cost, reliable renewable energy to households in Tasmania, Victoria and the wider National Electricity Market. It will also create hundreds of jobs in both states.

Under the agreement, which took effect on 22 March, a new tripartite ownership will oversee delivery of the crucial project. In the new ownership model, the Commonwealth has an equity share of 49%, Victoria 33.3% and Tasmania 17.7%.

Stage 1 of Marinus Link is expected to cost in the range of \$3 billion to \$3.3 billion and be operational by 2030.

Draft National Other Effective area-based Conservation Measures Framework:

Comment sought

The Federal Department of Climate Change, Energy, the Environment and Water is seeking comment on the [draft National Other Effective area-based Conservation Measures \(OECMs\) Framework](#).

OECMs, also referred to as Conserved Areas, recognise biodiversity conservation outside of formal protected areas. They will help Australia to meet its national target to protect and conserve 30% of Australia's landmass (the '30 by 30 target') and contribute to international protection and conservation goals.

The draft National OECMs Framework identifies principles to guide OECM recognition, how implementation arrangements could work in practice and a site assessment tool. The Framework will guide and ensure high-quality Conserved Areas are recognised in Australia. It has been developed by Australian, state and territory governments with consideration to:

- the Convention of Biological Diversity definition of Other Effective area-based Conservation Measures (OECMs)
- International Union for Conservation of Nature (IUCN) guidance to assist countries to recognise OECMs according to their national circumstances (IUCN-WCPA Task Force on OECMs 2019)
- the experiences of other countries in recognising OECMs
- [Australia's Strategy for the National Reserve System 2009 – 2030](#) which includes Protected Area requirements in Australia. Where appropriate, requirements for OECMs align with requirements for Protected Areas, and
- submissions received in April 2023 in response to the Federal Department of Climate Change, Energy, the Environment and

Water [consultation paper](#) on draft principles to underpin a national OECM framework in Australia.

Please provide [feedback](#) by 11:59pm (AEST) on Wednesday, 17 April 2024.

Australian Dangerous Goods Code Comprehensive Review – Working Group Discussion Paper 10 Special Provisions:

Comment sought

The National Transport Commission (NTC) is seeking stakeholder feedback for Working Group Paper 10 - Special provisions and conditions of carriage, loading, unloading and handling, as part of the full review of the Australian Dangerous Goods Code.

This paper is the tenth of a series of topic specific discussion papers relating to the comprehensive review of the Australian Code for the Transport of Dangerous Goods by Road and Rail.

The paper examines the special provisions assigned to specific dangerous goods in Chapter 3.3 and conditions for carriage, loading, unloading and handling of certain classes or specific dangerous goods. The paper includes requirements related to incompatibility, segregation and stowage.

NTC is seeking stakeholder views on the consultation questions in the Executive summary and throughout the document. NTC is also interested in any additional information submitters could provide to support their views.

NTC is seeking submissions on this issues paper by 22 April 2024 to dkirk@ntc.gov.au.

Australian Dangerous Goods Code Review – Working Group Paper 11 – Draft tank and vehicle provisions:

Comment sought

The National Transport Commission (NTC) is conducting a comprehensive review of the Australian Code for the Transport of Dangerous Goods by Road & Rail (the Code).

The NTC is seeking stakeholder feedback for Working Group Paper 11 - Draft tank and vehicle provisions for dangerous goods transport, as part of the full review of the Australian Dangerous Goods Code.

The NTC is seeking stakeholder views on the consultation questions in the Executive summary and throughout the document. NTC are also interested in any additional information submitters could provide to support their views.

In conducting the review, the NTC will seek to achieve greater alignment with the internationally recognised land mode-specific requirements contained in the Agreement for the International Transport of Dangerous Goods by Road (ADR) and the Agreement for the International Transport of Dangerous Goods by Rail (RID).

The review is focused on outcomes that serve the best interest of all parties involved in the transport of dangerous goods. This includes those parties on which the requirements are imposed, those who regulate and administer the requirements, and those who must maintain them. This paper is the 11th of a series of topic specific discussion papers.

This paper should be read in conjunction with Working Group Supplementary Paper #S1 – Tank provisions of the ADR - Terminology.

The purpose of this paper is to examine the current requirements for tanks and bulk containers in the ADR and the current code, and how these requirements can be combined and carried forward into the future code. Portable tanks and MEGCs that are designed to the requirements in the UN Model Regulations are out of scope for this paper.

NTC is seeking submissions on this issues paper by 29 April 2024 to dkirk@ntc.gov.au.

VICTORIA

Warning to all tyre retailers and mechanics if you stockpile

EPA Victoria is sending a stern warning to all Victorian tyre retailers and mechanics should they attempt to illegally stockpile waste tyres.

This follows an investigation by EPA Officers that discovered an illegal stockpile of thousands of waste tyres on a property south of Bendigo.

The tyres are believed to have come from businesses across the Bendigo, Geelong, and metropolitan Melbourne. EPA Victoria officers acting on a tipoff from the public, used aerial drones to locate a series of piles containing approximately 10,000 waste tyres. They measured one of the piles at 40 metres wide, 30 metres long and up to four metres high.

The premises did not have a license or permit to receive, store, dispose of, or process waste tyres, breaching numerous EPA regulations.

EPA Victoria Chief Investigator Greg Elms says officers from EPA, Victoria Police and the City of Greater Bendigo inspected the property on Thursday 14 March.

“Uncontrolled stockpiling of waste tyres creates a fire hazard and the risk of pollution of the land and nearby waterways,” Mr Elms said.

“Retailers and mechanics disposing of waste tyres must make sure they are sending them to legitimate operators, who track their transport through EPA’s online Waste Tracker app and take them to properly licensed premises for recycling or disposal,” he said.

“Registering the transport of waste through [Waste Tracker](#) shows you are doing the right thing, and being careful to choose a legitimate operator can make sure your waste tyres don’t wind up dumped in a paddock or creek.”

The property owner has been issued with a court order requiring the removal of the waste tyres for proper disposal. EPA continue to investigate the sources of the dumped tyres.

Volunteers needed for soil and dust study in Bendigo

EPA Victoria is conducting a soil and dust study in Bendigo as part of its focus on science-led decision making.

A team of scientists will be collecting samples from front yards and vacuums to gain a deeper level of understanding of any legacy impacts from historical mine activity.

EPA’s Chief Environmental Scientist, Professor Mark Patrick Taylor, is encouraging anyone in the area to get involved in the study and learn more about their environment.

“Our team will take soil samples from your front garden and test them for contaminants. Then we’ll test the dust from the vacuum cleaner to find out whether any of those contaminants are making it into the house,” Prof Taylor said.

“Your vacuum cleaner will become a scientific tool to help us answer some important questions; are there any contaminants in the soil, are they likely to have an impact?” he said.

The testing will look for eight contaminants typically found in gold mine tailings. They include lead, arsenic, chromium, cadmium, copper, manganese and nickel.

EPA is looking for up to 100 households, and anyone who takes part will receive a report on the scientific testing, an explanation of the results and advice on how to manage any potential contamination so it doesn’t do any harm.

To volunteer, [register here with EPA Victoria Citizen Science](#)

NEW SOUTH WALES

Environment Protection Legislation Amendment (Stronger Regulation and Penalties) Bill 2024:

Passes NSW Parliament

The [Environment Protection Legislation Amendment \(Stronger Regulation and Penalties\) Bill 2024 \(EPLA Bill\)](#) was passed by Parliament on 21 March 2024, with the bill expected to commence in late March or early April 2024.

The EPLA Bill increases certain penalties and strengthens protections for the environment. It is over 80 pages long and amends eight Acts and three regulations. The major amendments are to the:

Protection of the Environment Administration Act 1991 to:

- Specify matters in relation to climate change, including changes to reflect the court decision in the Bushfire Survivors for Climate Action case:
 - Clarifying that the EPA’s objective to reduce risks to human health and prevent the degradation of the environment includes taking action in relation to climate change;
 - Providing an example of climate change in relation to developing objectives, guidelines, and policies to ensure environment protection.
- Specify that the EPA can enter into arrangements, including commercial arrangements, in relation to carbon neutrality and achieving net zero emissions.
- Allow the funds for penalty notices issued by EPA officers to be paid into the Environment Protection Authority Fund.
- Limiting the liability for the Crown and personal liability of protected persons when using new powers about public warning statements, provided persons have acted in good faith.

Protection of the Environment Operations Act 1997 (POEO Act) to:

- Increase maximum court penalties for:
 - Tier 1 offences to \$10 million for corporations and \$2 million for individuals for wilful offences;
 - Tier 2 offences involving asbestos to \$4 million for companies and \$1 million for individuals, including failing to comply with the requirements of a resource recovery order;
 - Other common Tier 2 offences.
- Increase penalty notice amounts including:
 - Doubling common penalty notice offences to \$30,000 for corporations and \$15,000 for individuals;
 - 50% higher penalties for second and subsequent offences for some penalty notice offences;
 - Doubling fines for general littering of small items;
 - Removing the differential for penalty notices issued by the EPA and councils for the same offence.
- Simplify the process for making a protection of the environment policy.
- Enable the EPA to issue preliminary investigation notices to determine if either of the following circumstances may exist or have existed at a premises: a substance that poses a potential risk of harm to human health or the environment or a pollution incident.
- Introduce the new offence of small-scale illegal dumping, with higher penalties for depositing waste or litter in sensitive places.
- Ensure clean-up notices can be easily issued in relation to deposited litter or waste.
- Empower authorised officers to issue verbal directions to remove litter or waste.
- Define additional offences as repeat waste offences, including offences for resource recovery orders and exemptions, non-compliance with clean-up notices in relation to waste and leaks, spillages, and other escapes that involve waste.
- Enable the EPA to issue recall notices for substances, with the approval of the Minister, including where a substance poses a potential risk of harm to human health or the environment. A recall notice can require supply chain participants to do various things including ceasing to supply a substance or recovering a supplied substance. Supply chain participants are also able to initiate voluntary recalls.
- Enable the EPA to issue public warning statements about activities, persons, substances, or complaints of concern.
- Allow the EPA to apply to the Land and Environment Court for an order prohibiting a person from involvement in scheduled activities or from holding or applying for a licence.
- Remove the protected document provisions for voluntary environmental audits in Part 6.3.
- Increasing the jurisdictional limit of the Local Court (CLM Act, DG Act, Pesticides Act, POEO Act)
- Simplifying the process for calculating monetary benefits for the purposes of monetary benefit orders (CLM Act, Pesticides Act, Radiation Act, POEO Act)
- Clarifying the jurisdiction of the Land and Environment Court to hear certain dangerous goods matters (LEC Act)
- Clarifying the factors that can be considered when assessing if a person is a fit and proper person to hold a licence, etc. (Pesticides Act, Radiation Act, POEO Act)
- Clarifying requirements for serving documents (CLM Act, DG Act, Pesticides Act, PRCE Act, Radiation Act, POEO Act)
- Increased maximum penalties that can be imposed by regulations (DG Act, Pesticides Act)
- Including or clarifying regulation-making powers (Pesticides Act, Radiation Act, POEO Act), including in relation to:
 - Requirements for purchases of pesticides to provide evidence of training and recording that information shown by purchasers (Pesticides Act)
 - Regulated activities or otherwise dealing with regulated material, radiation apparatus, and harmful non-ionising radiation (Radiation Act)
 - Waste classifiers accreditation scheme and fees for licence variations (POEO Act)

Amendments are also made to the Contaminated Land Management Act 1997 (**CLM Act**), Dangerous Goods (Road and Rail Transport) Act 2008 (**DG Act**), Land and Environment Court Act 1979 (**LEC Act**), Pesticides Act 1999, Plastic Reduction and Circular Economy Act 2021 (**PRCE Act**), Protection from Harmful Radiation Act 1990 (**Radiation Act**), including:

- Clarifying provisions about certificates of analysts that are prepared for the EPA (CLM Act, Pesticides Act, POEO Act)
- Increasing maximum penalties for harm offences (Pesticides Act, Radiation Act)

Environment Legislation Amendment (Hazardous Chemicals) Bill 2024:

Passes NSW Parliament

The [Environmental Legislation Amendment \(Hazardous Chemicals\) Bill 2024](#), which implements a new national standard for the environmental risk management of industrial chemicals, was passed by Parliament on 13 March 2024, with an expected commencement date of later this month. The regulation of environmentally hazardous chemicals will now occur through the *Protection of the Environment Operations Act 1997* (POEO Act) and key provisions from the *Environmentally Hazardous Chemicals Act 1985* (EHC Act) and regulation will be transferred to the POEO Act, allowing for the repeal of the EHC Act

Key changes in the Bill include:

- Applying the Commonwealth's new Industrial Chemicals Environmental Management Standard (IChEMS) register in NSW
- Enabling the EPA to publish chemical use notices requiring information about the use and manufacture of chemicals to be given to the EPA
- Creating new offences relating to compliance with the NSW IChEMS register and chemical use notices
- Introducing new scheduled activities for 'environmentally hazardous chemicals' under the POEO Act, requiring users of high-risk industrial chemicals to be licensed by the EPA
- Converting existing environmentally hazardous chemicals licences under the EHC Act to environment protection licences under the POEO Act
- Extending authorised officers powers to apply to environmentally hazardous chemicals
- Consequential changes resulting from the repeal of the EHC Act.

New grants programs now open to reduce food waste

The NSW Government has announced the opening of two new grants programs in NSW in an effort to reduce the 1.7 million tonnes of food that goes to waste every year in NSW.

- A \$7 million funding injection under the Waste and Sustainable Materials Strategy is expected to provide \$4 million to help businesses reduce food waste and \$3 million to charities which rescue edible food and deliver it to families and households in need. One of the priorities of the NSW Government, is to help people across NSW with cost-of-living pressures. More than 30% of NSW households are experiencing moderate or severe food insecurity.

By redirecting surplus food before it goes to waste, the NSW Government can support people in the community who are experiencing food insecurity, while driving down emissions generated by rotting food in landfill.

The hospitality, retail and institutional sectors are responsible for 37% of NSW's food waste. Organics waste including rotting food generates 3.1 million tonnes of CO₂-e each year in NSW landfills, accounting for 56% of total landfill waste emissions.

- Through the new \$4 million Business Food Waste Partnership Grants, businesses can apply for grants of up to \$200,000 to reduce food waste and boost recycling. Grantees will partner with the NSW EPA to design and deliver tailor-made food waste education programs. A range of organisations are invited to apply, including businesses and councils.
- Grants and rebates worth \$3 million are available to food rescue and relief organisations to better manage increasing amounts of rescued food and deliver it to those in need.

The National Food Waste Baseline estimates around 70% of the food

wasted in NSW is still edible, and the NSW Government wants to see more redirected to charities.

- Food rescue charities can apply for grants of up to \$500,000 and rebates of up to \$2,000 to purchase new infrastructure and equipment or invest in education and collaboration.

For information on these grants and rebates, and closing dates, go to:

- <https://www.epa.nsw.gov.au/business-food-waste-grants>
- <https://www.epa.nsw.gov.au/food-rescue-grants>
- <https://www.epa.nsw.gov.au/food-rescue-rebates>

SOUTH AUSTRALIA

Hydrogen and Renewable Energy Act – Draft Regulations

The SA Government is seeking your feedback on the draft regulations for the Hydrogen and Renewable Energy Act.

South Australia's renewable energy sector is growing rapidly. The *Hydrogen and Renewable Energy Act 2023* passed the SA Parliament in November 2023. The Act will become operational once the associated regulations are established. Extensive feedback was received in 2023 during public consultation on the HRE Act and information sheets about key regulation-making powers. This feedback has informed the proposed regulations.

SA developed the *Hydrogen and Renewable Energy Act 2023* (the HRE Act) to streamline processes for companies to invest in SA in large-scale projects. The HRE Act brings issues such as land access, environmental impacts and Native Title rights into a single regulatory framework.

The next step is to establish regulations that provide more details to support the Act's operation. The SA Government has drafted regulations,

incorporating extensive Act
consultation feedback.

Your input will help shape the regulations for the *Hydrogen and Renewable Energy Act 2023*, which is expected to be finalised during the first half of 2024.

The following material is available to read:

- [Hydrogen and Renewable Energy Act 2023](#)
- [Draft Hydrogen and Renewable Energy Regulations 2024](#)
- [Draft Mining \(Exempt Land\) Amendment Regulations 2024](#)
- [Hydrogen and Renewable Energy Draft Regulations Webinar recording](#)
- Information sheets outlining the draft regulations in plain language

Please provide your feedback by 15 April 2024 by [uploading a submission](#) or email to hre@sa.gov.au
