

ENVIRONMENT NETWORK WEEKLY (ENW)

AEBN National ENW e-news – 1 May 2024

FORTHCOMING AEBN EVENTS



[AEBN WORKSHOP WEBINAR]

[OPTIMISING YOUR TRADE WASTE TREATMENT PLANT AND TROUBLESHOOTING WORKSHOP WEBINAR](#)

(Interactive)

10.00am to 3.00pm
29 May 2024

facilities that **do not** receive an EID for their existing production variables. Where existing safeguard facilities do not receive an EID, their existing production variables will be subject to **best-practice** emissions intensity values. However, if the Safeguard Rule does not include a best practice emissions intensity value, the emissions intensity will be set to **zero**.

This means that the baseline emission number of existing safeguard facilities with existing production variables will be much lower than if the facility had an EID in place, and it will result in the facility needing to buy and surrender more carbon units to meet their obligations.

Further information is available by contacting cer-safeguardbaselines@cer.gov.au.

Nature Positive law reform package progresses to 2nd stage

The Federal Government has announced its plan to progress to the second stage of its Nature Positive Plan, including establishing Environment Protection Australia.

Laws to deliver this second stage will soon be introduced into Parliament.

• Environment Protection Australia

This package includes new legislation to establish Australia's first national independent environment protection agency – Environment Protection Australia (EPA).

The federal EPA will initially operate within the Federal Department of Climate Change, Energy, the Environment and Water to administer important

environmental legislation, until it transitions to become an independent statutory agency.

The federal EPA will administer Australia's environmental protection laws to better protect nature and make faster, better decisions. This includes:

- making environmental assessments
- deciding project approvals and conditions
- issuing permits and licences
- educating industry, business and the community to help them navigate environment laws
- speeding up development decisions, including project assessments
- enforcing the law through new monitoring and enforcement powers.

The new federal EPA will be responsible for regulatory activities under Australia's environment law, including in relation to project assessments, recycling, hazardous waste, wildlife trafficking, sea dumping, ozone protection, underwater cultural heritage and air quality.

• Environment Information Australia (EIA)

The Stage 2 legislation will also establish the Head of Environment Information Australia, a new statutory position.

The bill will provide statutory functions, powers and obligations for this position.

FEDERAL

Legislative changes to Safeguard baselines

The Clean Energy Regulator announced an amendment to the Safeguard Rule that was legislated on 27 April 2024. The amendment ensures a comprehensive set of production variables.

The online application form has also been updated to ensure all new and amended production variables are available for facilities to select when completing their emissions intensity determination (EID) applications.

The amendment also changes the treatment of existing safeguard

EIA will provide high quality and authoritative environmental data and information to the government – including to the federal EPA once established – and the public. It will also report regularly on the state of the environment every 2 years.

- **Investment in faster approvals**

The Australian Government also announced a nearly \$100 million investment to support faster environmental approval decisions for projects.

This will include support for staff to assess project proposals, and support for businesses to help them comply with the law.

This funding will also support research into threatened species and planning with state and territory governments.

This will help inform the federal government what areas are suitable for development and what areas need to be avoided to help protect most vulnerable places and species.

What's next

Stage 1 of the Nature Positive law reform package was delivered in 2023 with the passage of legislation to establish the first Nature Repair Market and to amend the water trigger to include unconventional gas.

Laws to deliver the second stage of the Government's Nature Positive Plan will soon be introduced into Parliament.

These are significant milestones in delivering the Nature Positive law reforms, but there's still a lot of work to do.

The Federal Government will continue to progress the Nature Positive law reforms, including stage 3, to ensure robust, fit-for-purpose laws to protect, repair and better manage the environment.

Australia's first national Environmental Sustainable Procurement Policy:

Commences 1 July 2024

The Federal Government has launched Australia's first national [Environmentally Sustainable Procurement Policy](#) (ESP Policy) which aligns with recommendations from the [Circular Economy Ministerial Advisory Group interim report](#).

The ESP Policy is expected to reduce the environmental impact of Australian Government procurements. The ESP Policy Reporting Framework will measure environmental outcomes. The government will buy products that:

- minimise greenhouse gas emissions
- are safe for the environment
- retain their value for longer.

The policy will be phased in -

- From 1 July 2024, businesses bidding for government construction services projects above \$7.5 million must meet agreed sustainability outcomes. These could include cutting or repurposing waste and replacing single-use materials with recycled materials.
- From 1 July 2025, the policy will extend to tenders for textiles; information and communication technology (ICT) goods, and furniture, fittings and equipment above \$1 million. It may include requirements to recover and recycle worn out uniforms that can be processed into new materials.

The project categories were chosen for their high impacts on nature and their immense potential in providing work for Australia's domestic recycling industry.

At its heart, this policy is about delivering a future remade in Australia – remaking, remanufacturing and recycling more goods to boost jobs while better protecting the environment.

This policy establishes, for the first time, a measurement and reporting framework to track environmental outcomes. The project categories have verification measures in place. About 60 per cent of Australian Government suppliers already collect sustainability data for their products.

The Circular Economy Ministerial Advisory Group interim report, also recently released, recommends ways the Government can boost the country's domestic manufacturing capabilities through reuse, repair and recycling, including:

- A Productivity Commission Inquiry to investigate how resource efficiency supports economic growth.
- Developing a National Circular Economy Framework and a power to set specific circularity standards for products and materials.
- Introducing a national 'recycled content first' policy to drive recycled content markets.
- Setting up sector-based circular economy targets and embed circular economy principles in key climate policies.

The Federal Government will provide additional guidance for suppliers and buyers ahead of the ESP Policy starting on 1 July 2024.

Proposed 2024 updates to NGER scheme:

Comment sought

The Federal Department of Climate Change, Energy, the Environment and Water has released a [consultation paper](#) and [Exposure draft amendments](#) for your comments on proposed 2024 amendments to the [National Greenhouse and Energy Reporting \(NGER\) scheme](#).

The NGER scheme is Australia's national system for reporting:

- greenhouse gas emissions
- energy consumption

- energy production by Australian corporations.

Proposed amendments would apply to reports relating to the 2024-25 or later financial years.

The proposed amendments include:

- phasing out Method 1 for fugitive emissions from open-cut coal mines, beginning with Safeguard Mechanism facilities that produced more than 10 million tonnes of coal in FY2023 from 1 July 2025, and other Safeguard Mechanism facilities from 1 July 2026
- updates to require the publication of the methods used by Safeguard Mechanism facilities to estimate fugitive methane emissions from coal mining, oil and natural gas sources
- enabling market-based estimates of scope 1 emissions from combustion of drop-in renewable liquid fuels
- updates to provisions for estimating scope 2 emissions from consumption of electricity, including introducing state and territory specific residual mix factors in the market-based method
- updates to provisions for estimating natural gas fugitive emissions, as well as emissions from carbon capture and storage and waste management
- other amendments to improve clarity and enhance reporting.

Please provide [feedback](#) by Friday 24 May 2024.

Clean Energy Regulator updates Certificate Shortfall Register

The Clean Energy Regulator has updated the [certificate shortfall register](#).

This follows the 2023 assessment year surrender period for [liable entities](#) under the [Renewable Energy Target](#) (RET). This includes a list of liable entities that have incurred

shortfall in all assessment years.

Under the RET, liable entities are required to surrender [large-scale generation certificates](#) (LGCs) and [small-scale technology certificates](#) (STCs) in proportion to the electricity they acquire in a year. The certificate shortfall register presents certificate [shortfalls](#) and [shortfall charges](#) for each assessment year. This includes both LGCs and STCs.

Clean Energy Regulator opens 4th pilot window for ACCU fixed delivery exit arrangement

The Clean Energy Regulator (CER) has opened a fourth pilot exit window for the [Australian Carbon Credit Unit \(ACCU\)](#) fixed delivery exit arrangement.

[ACCU Review Implementation](#) consultation helped inform the fourth pilot. This pilot exit window includes the following changes:

- The window for eligible deliveries is from 1 July 2023 to 31 December 2024, rather than the previous 6-month window period.
- To be eligible to participate in the fourth pilot exit window, sellers must deliver at least 20% of the applicable ACCUs under the delivery milestone that they are exiting. This must be done before they submit their application.

Further information on [fixed delivery exit arrangements](#), including how to apply and eligibility requirements is now available.

Latest Register of solar water heaters V.51:

Released

The Clean Energy Regulator has released the latest [register of solar water heaters](#) version 51 that came into effect on 24 April 2024.

The register lists solar water heaters and air source heat pump models that are eligible for [small-scale technology](#)

[certificates](#) under the [Small-scale Renewable Energy Scheme](#). Manufacturers and importers can apply to list their product models on the register.

Transmission and Infrastructure Licence (TIL) Guidance

The Federal Department of Climate Change, Energy, the Environment and Water has released for comment the proposed transmission and infrastructure licence (TIL) guideline and application content guide.

These documents aim to assist prospective licence holders, and other stakeholders, to understand:

- licence requirements for TILs
- the licensing processes set out in the [Offshore Electricity Infrastructure Act 2021](#) and [Offshore Electricity Infrastructure Regulations 2022](#).

The comment received will help update the [Guideline: Offshore Electricity Infrastructure Licence Administration - Feasibility Licences](#).

Please forward feedback [online](#) by 5pm AEST Friday 7 June 2024.

Offshore electricity infrastructure framework:

Draft transmission and infrastructure licence guideline: Comment sought

The Federal Department of Climate Change, Energy, the Environment and Water is seeking feedback on the [Draft Transmission and Infrastructure Licence Guideline](#) and [Application Content Guide](#).

These guidance documents will assist prospective licence holders, and other stakeholders, to understand the requirements and processes for transmission and infrastructure licences, and how the merit criteria is assessed under the [Offshore Electricity Infrastructure Act 2021](#) and

the [Offshore Electricity Infrastructure Regulations 2022](#).

Once finalised, the transmission and infrastructure guideline chapter will be incorporated into the existing [Guideline: Offshore Electricity Infrastructure Licence Administration - Feasibility Licence](#)

Please read the draft guideline and draft application content guide prior to providing your feedback by **5pm AEST) 7 June 2024**.

Proposed amendment to National Electricity Law (NEL) and potentially the Rules or Regulations:

Comment sought

The Federal Department of Climate Change, Energy, the Environment and Water has released an [issues paper](#) for comment on proposed amendments to the National Electricity Law (NEL) and potentially the Rules or Regulations to provide the Australian Energy Market Operator (AEMO) and Industry participants a longer-term competition law authorisation to manage reliability risks associated with System Works by coordinating and sharing information about System Works.

The proposed amendments are to provide the AEMO and Industry Participants a longer-term authorisation from competition provisions in the *Competition and Consumer Act 2010* (CCA) to manage power system security and reliability risks associated with System Works. This issues paper is seeking feedback on the form and content of the authorisation.

Please provide your [feedback online](#) by 5.00pm AEST Friday 17 May 2024.

VICTORIA

Building industry's environmental, safety, building compliance obligations

EPA Victoria and Macedon Ranges Shire Council officers have undertaken unannounced inspections of the building industry at 34 building sites in the Gisborne and New Gisborne areas to ensure the building industry is meeting its environmental, safety and building compliance obligations.

The inspections took place at the Willow and Cathlaw Estates, where EPA Victoria issued 7 regulatory notices, each one a legally enforceable order to fix a problem by a set deadline, with two more to come. EPA will also issue an Infringement Notice for a duty holder that had multiple sites with repeated non-compliances that required clean-up. Four Official Warnings are also planned, which come with no sanction but go on the official record.

In addition, Council officers issued 52 infringements for breaches of the Community Local Law 2023 related to building sites with lack of – or non-compliant – building site signage, incorrect management of building waste onsite, lack of toilet facilities, unsecure site fencing, skip bins on Council land without a permit, and general rubbish on Council land.

Local Laws Officers also referred seven unsafe sites to WorkSafe Victoria for further investigation.

Builders, developers and their tradies must know their responsibilities or cop enforcement action.

FUNDING OPPORTUNITY: Circular Economy Organics Council Fund

Sustainability Victoria is providing funding under the [Circular Economy Organics Councils Fund](#) that aims to support local government and the Alpine Resorts Victoria Board to increase their use of recycled kerbside organic products in council and community settings, to build

sustainable end markets and transition to a circular economy.

Details are available and applications close at 11.59pm on 14 June 2024.

Chair of SEC announced

It has been announced that Simon Corbell will be the Chair of the State Electricity Commission (SEC) Board along with four board directors that have experience in finance, asset management, energy and investment.

The revived SEC is expected to accelerate Victoria's renewable energy transition, deliver 4.5 gigawatts of new renewable electricity generation and storage and help cut household power bills.

Simon Corbell brings considerable experience in renewable energy investment, policy and regulation to the Board. His public and private sector roles in the energy transition – most recently at the Clean Energy Investor Group – will be key to guiding the SEC in its work.

The SEC board will play a significant role in supporting Victoria to achieve its nation-leading renewable energy target of 95 per cent by 2035. Work is underway to fill two additional board positions.

NEW SOUTH WALES

NSW EPA warns Builders and Developers to Get the Site Right

On 1 May 2024, the annual *Get the Site Right* campaign began as NSW EPA warns Builders and developers about safeguarding their construction materials from high wind and other strong weather events to prevent pollution of local waterways.

Get the Site Right is a joint taskforce between the Cooks River Alliance, Georges Riverkeeper, NSW Dept of Planning, Housing and Infrastructure (DPHI), NSW EPA, Parramatta River Catchment Group, Sydney Coastal Councils Group, WaterNSW, and councils across NSW.

As part of the month-long campaign, officers from the NSW EPA, DPHI, and more than 20 councils will participate in inspections for a one-day compliance blitz on **Thursday 16 May 2024**.

The 2024 campaign's focus is on pollution prevention through securing construction materials.

Failing to comply, may attract on-the-spot fines for individuals of \$15,000 for the first offence and \$22,500 for a second offence, and for companies \$30,000 for the first offence and \$45,000 for a second offence if water pollution occurs under the *Protection of the Environment Operations Act 1997*.

Latest NSW emissions projections

The NSW Government has released the latest NSW emissions projections that confirm expectations that more is needed to meet emissions reduction targets.

The update to the NSW Emissions Dashboard shows the state is expected to deliver 44% to 50% reduction on 2005 levels in 2030, and 65% to 70% by 2035. Projections are presented as a range to reflect the uncertainty of the forecast over the long term and across many sectors.

This update is a revision down from the last figures released, reflecting the challenges in decarbonisation efforts across sectors.

The projections are based on data from 2022 and 2023 which has been analysed by the Department of Climate Change, Energy, the Environment and Water to predict future trends in greenhouse gas emissions. This data is used to monitor and disclose progress towards achieving New South Wales's targets and will be the data used by the Net Zero Commission.

The NSW Government recognises action on climate change is urgent and has commenced rolling out a suite of measures to ensure NSW meets its now-legislated targets.

Measures include:

- Implementing the *Climate Change (Net Zero Future) Act 2023* which legislated emissions reduction targets of 50% of 2005 levels by 2030, 70% by 2035 and Net Zero by 2050 across government.
- Establishing the independent Net Zero Commission to monitor, review, report and advise on progress towards these targets.
- Working across government and with key sectors to reduce greenhouse gas emissions.
- Utilising the Climate Change Fund for decarbonisation efforts and focusing grants programs on decarbonization activities.
- Prioritising the Electricity Infrastructure Roadmap as a whole of government priority.
- Updating the Net Zero Plan.
- Implementing the EPA's Climate Change Action Plan including the Greenhouse Gas Guidelines to inform planning processes.

QUEENSLAND

Draft electricity price caps released

From 1 July 2024, the QLD Government has announced new electricity prices will commence following consultation and decisions by the Australian Energy Regulator (AER) and Queensland Competition Authority (QCA).

South East Queensland (SEQ) prices

On 19 March 2024, the AER released its draft default price for how much energy retailers can charge customers on default plans.

It is known as the Default Market Offer (DMO) or standing offer contract, and applies to small businesses and households in South East Queensland (SEQ), NSW and SA.

Around 9% of households are on a DMO, others are on market offers.

SEQ customers can shop around for a better deal, or choose to go on the DMO.

Regional prices

For regional Queensland, the QCA regulates prices based on the cost of supplying electricity in SEQ.

QLD's Community Service Obligation (CSO) ensures regional electricity users pay a similar price to SEQ, regardless of their location. In 2023–24, the CSO is budgeted at more than \$540m.

Only Ergon Retail and Origin Energy (Goondiwindi–Texas area) customers receive the CSO subsidy.

Most other states do not have a CSO, which can mean their retail prices vary much more between distribution areas. There, the [AER](#) sets the DMO for each individual distribution network area that has no other form of retail price regulation.

NEW GUIDELINE: Exempt waste – Earth contaminated with a hazardous contaminant

The QLD Department of Environment, Science and Innovation has released a new [Guideline – Exempt waste – Earth Contaminated with hazardous contaminant](#) to assist a person making an application under section 28 of the Waste Reduction and Recycling Act 2011 for approval of waste as exempt waste - earth contaminated with a hazardous contaminant from land recorded in the environmental management register or contaminated land register.

New Information Sheet on Monitoring and testing for PFAS in organic material processing (composting) and Regulatory Position Statement:

Released

The QLD Department of Environment, Science and Innovation has released an [Information Sheet – Monitoring and testing for PFAS in organic material processing \(composting\)](#) to assist composting operators to comply with the conditions of their environmental authority (EA), particularly in relation to monitoring and testing requirements.

The Queensland Government has recognised the importance of managing PFAS in the environment and through the environmentally relevant activities (ERAs) it regulates, including organic material processing by way of composting (ERA53).

A [Regulatory Position Statement](#) on PFAS in organic material processing (composting) has also been released.

QLD Business Energy Savings and Transformation Rebates: Open

The QLD Government's [Business Energy Saving Transformation \(QBEST\) Rebate scheme](#) provides to eligible small and medium-sized Queensland businesses to install energy-efficient equipment.

The energy-efficient equipment you purchase and install must reduce the energy consumption and lower energy bills of your business, as well as contribute to the Queensland Government's carbon reduction targets.

A rebate of up to 50% of the purchase and installation costs (GST exclusive) of eligible equipment, up to a maximum of \$12,500. A minimum spend of \$8,000 (GST exclusive) is required.

Details are available and applications close on 30 June 2025.

FUNDING OPPORTUNITY to assist waste and resource recovery

The QLD Government has released the following funding programs to assist with waste and resource recovery for businesses.

- [Let's Get it Sorted \(LGIS\) Partnership Program](#)
- [Regional Waste Management Plan Coordination Program](#)
- [Growing the Recovery of Organic Waste via Food Organic and Garden Organic \(GROW FOGO\) Fund](#)
- [The Charitable Recyclers Reimbursement Program](#)

SOUTH AUSTRALIA

Dairy Industry must comply says EPA SA

EPA SA is reminding the dairy industry, in particular, dairy managers and owners of the importance of adhering to the [Code of Practice for Milking Shed Effluent \(the Code\)](#) and the [Environment Protection \(Water Quality\) Policy \(the Policy\)](#).

As part of this, the EPA is undertaking a program of site visits in 2024 to assess compliance with EPA legislation, while working collaboratively with farmers on the changes necessary to ensure environmentally sustainable practices across the industry.

Dairy farm managers and owners need to ensure that the dairy farm operations have an effectively operating wastewater management system, with a tailored design suitable for each farm, to prevent risk of polluting the environment.

Any person undertaking the activity of operating a milking shed must meet the requirements of the Code to demonstrate that they are meeting their environmental obligations under the [General Environmental Duty of the Environment Protection Act 1993](#) and Clauses 15 and 20 of the Policy.

Dairy farm managers and owners planning to upgrade to larger intensified operations such as Composted Bedded Pack Barns, Freestalls or Permanent Feedpads, should also follow the [National Guidelines for Dairy Feedpads and Contained Housing](#).

EPA SA is encouraging owners to seek independent advice from experienced consultants who specialise in dairy effluent design and management. The following link may assist, but is not exhaustive: [Effluent system designers | Managing effluent | Dairy | Livestock and animals | Agriculture Victoria](#)

NEW GUIDELINES on 'establishing baseline groundwater quality':

Released

EPA SA is developing a series of documents titled *Guidelines for groundwater quality monitoring of regulated activities* to assist in understanding groundwater monitoring requirements for licensed activities.

The series will comprise of the following publications:

1. Groundwater monitoring bore network design
2. Groundwater sampling
3. [Establishing baseline groundwater quality](#)
4. Establishing groundwater quality assessment criteria
5. Developing a groundwater monitoring and management plan
6. Groundwater quality assessment reporting.

The first guideline in the series has now been published, *Guideline 3 – Establishing baseline groundwater quality*.

The implementation of this guideline will be a gradual process during the next five years to ensure relevant stakeholders understand and apply the guideline. This will also allow time for

clarification to be sought from the EPA where expectations are not clear.

While the intended stakeholders for this guideline are specifically EPA licence-holders who are required to undertake groundwater monitoring as a condition of licence, the document may also be utilised by other regulators as a suitable reference document for activities that are subject to groundwater monitoring requirements under different legislation.

Other guidelines in the series will be progressively published with an anticipated completion date for all by 2026.

WESTERN AUSTRALIA

Water supplies for emergency use

The WA [Department of Water and Environmental Regulation](#) has released a [map](#) that shows the network of strategic community water supplies across Western Australia's dryland agricultural areas which provide an important source of emergency stock water during dry seasons.

These water supplies are for emergency use at times when low rainfall causes on-farm supplies to fail and forces farmers to travel outside their farm gate to collect water for livestock and other essential farming purposes.

It is important that these water supplies are carefully managed to ensure water is available during times of emergency.

\$26M to WA's energy manufacturing sector

The WA Government will inject \$26.4 million to Western Australia's energy manufacturing sector, to drive local manufacturing on clean energy projects.

The WA Government is intending to deliver \$18.4 million to roll out another 50 locally-manufactured Standalone Power Systems (SPS) in regional WA. SPS are an off-grid power solution that provides low-cost, reliable power to

end-of-network customers through a combination of solar panels and battery storage with back-up generation.

The WA Government is expected to also invest \$8 million to support local businesses to manufacture wind turbine components. With demand for renewable energy set to grow significantly and given WA's strong wind resources, unlocking further opportunities for local businesses in the wind energy supply chain will help to create local jobs and strengthen the economy.

The funding will be available as grants to develop wind turbine manufacturing opportunities across the State.

EV charging stations: The latest in WA

Australia lags significantly behind in EV infrastructure, such as charging stations, in comparison to the UK where London virtually has at least one or two charging stations in most streets.

Recently, the WA Government announced that EV chargers are now available at regular intervals between Northampton and Albany, WA, with Bunbury becoming the 30th location in the WA EV Network.

Waste Authority's annual planning day:

Waste matters and decisions

At the last Waste Authority annual planning day, the focus was on the review of the Waste Avoidance and Resource Recovery Strategy 2030; progress against the targets of the current strategy; and the development of the 2024-25 Waste Authority Business and Action Plan and budget priorities.

- *Review of the Waste Avoidance and Resource Recovery Strategy 2030 (waste strategy)*

Key elements of the revised draft waste strategy were discussed at

a special meeting of the Waste Authority.

The draft waste strategy is anticipated to be released for a 12-week public consultation period in May 2024. The Department will also run stakeholder workshops with a range of sectors to provide input into developing actions for a roadmap which will accompany the strategy.

Other waste matters discussed were:

- *Management of end-of-life batteries*
- *E-waste to landfill ban by 2024*
- *Western Australian led national project on end-of-life tyre options*
- *Recovered Material Framework*
- *Plan for Plastics – Coffee cups*

[Details and decisions](#) are now available.