

# ENVIRONMENT NETWORK WEEKLY (ENW)

AEBN National ENW e-news – 16 September 2024

## UPCOMING AEBN EVENTS

[AEBN Workshop Webinar - Interactive]

[SERIES 1 to Dangerous Goods, Hazardous Substances/Chemicals and GHS – INTERACTIVE WORKSHOP WEBINAR](#)

COVERING: Regulatory framework, Changes to laws and requirements, Identification, Safety Data Sheets and more

10.00am to 1.45pm  
18 September 2024

[AEBN Workshop Webinar]

[SERIES 2 to Dangerous Goods and Hazardous Substances/Chemicals – INTERACTIVE WORKSHOP WEBINAR](#)

COVERING: Safe Storage, Handling and Transport

10.00am to 1.45pm  
19 September 2024

## FEDERAL

### Australia's mandatory climate reporting law:

#### What you need to know and how to prepare

Article by: [Dr Kaushik Sridhar](#), Founder & CEO, [Orka Advisory](#)

Australia has recently taken a significant step towards addressing climate risks and enhancing transparency with the introduction of its first mandatory climate-related financial disclosures law.

This new legislation, passed by the Senate on 22 August 2024, will require companies to disclose climate risks and strategies, beginning in January 2025. This move represents a key milestone in the nation's effort to tackle climate change and transition to a more sustainable economy.

The Treasury Laws Amendment (Financial Market Infrastructure and Other Measures) Bill outlines comprehensive requirements for companies under Chapter 2M of the Corporations Act, including listed entities, large private companies, and financial institutions. The law will be phased in over the coming years based on company size and emissions. Companies that meet specific thresholds will be required to provide detailed climate-related disclosures, with the first set of reports due for financial years starting on or after 1 January 2025.

One of the key features of the legislation is the requirement for companies to conduct climate scenario analyses. These analyses will assess the financial impact of climate change under different global warming scenarios, including both a 1.5°C

increase (aligned with global climate targets) and a 2.5°C or higher increase (representing a more severe warming scenario). Additionally, companies will need to report on their Scope 1 and Scope 2 emissions in their first reporting year, while Scope 3 emissions—those related to the supply chain and investment activities—will become mandatory in the second year of reporting.

These disclosures will be incorporated into each company's annual sustainability report, ensuring that climate-related risks are integrated with broader governance and risk management processes. By embedding these requirements within annual financial reporting, the legislation ensures that climate risks are treated with the same level of seriousness as other business risks.

The law also introduces a phased approach to ensuring the accuracy of climate-related disclosures. By 2030, companies will be required to provide reasonable assurance on all disclosures, including forward-looking statements and emissions data. During the first three years, however, companies will benefit from limited liability protections concerning disclosures on Scope 3 emissions, scenario analysis, and transition plans, giving businesses some flexibility as they adapt to the new reporting requirements.

This legislation aligns Australia with global trends in climate reporting. At COP28, the International Sustainability Standards Board (ISSB) took over responsibility for climate-related financial reporting, replacing the Task Force on Climate-related Financial Disclosures (TCFD). This shift is reflected in Australia's new framework, which emphasises international consistency and aims to enhance the country's appeal to global investors by

creating a robust and credible climate disclosure system.

Domestically, the new law is expected to have far-reaching implications across various sectors, including public companies, larger not-for-profit organisations, and government bodies. The reporting requirements will drive greater transparency in corporate Australia and support the country's net-zero ambitions. Moreover, the legislation opens up opportunities for growth in decarbonisation efforts, enabling businesses to explore projects that reduce emissions and create long-term environmental and financial benefits.

As the deadline for compliance approaches, businesses are encouraged to begin preparing now. Steps such as conducting carbon audits, establishing baseline emissions data, and integrating climate risks into business strategies will be crucial. Organisations can also take advantage of environmental certificates and grants to offset the costs associated with compliance and achieve long-term sustainability.

In conclusion, Australia's mandatory climate-related financial disclosures law marks a major shift in how companies address climate risks. By requiring transparency and robust reporting, this legislation will not only strengthen corporate accountability but also position Australia as a leader in sustainable business practices. As the climate crisis continues to intensify, the need for reliable and comprehensive climate data has never been more urgent, and this new framework is an essential part of that effort.

**Please contact Dr. Kaushik Sridhar, Founder & CEO of [Orka Advisory](https://kaushiksridhar.com/orka-advisory/) to discuss how your business can navigate this new regulatory landscape with confidence.**

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## Nature Repair Rules discussion paper:

### Comment sought

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The Federal Department of Climate Change, Energy, the Environment and Water has released the [Nature Repair Rules \(the rules\) discussion paper](#), for comment, to test policy ideas in relation to proposed rules.

This consultation on legislative rules is intended to support the operation of the Nature Repair Market under the *Nature Repair Act 2023*. The *Nature Repair Act 2023* came into effect on 15 December 2023, establishing a legislated, national, voluntary biodiversity market. The Nature Repair Market is expected to incentivise actions to restore and protect the environment. It encourages nature positive land management practices to deliver improved biodiversity outcomes.

The Department is developing the legal and policy content that will support the operation of the Nature Repair Market. This includes the making of subordinate legislative instruments, such as:

- the Nature Repair Rules (the rules)
- biodiversity assessment instruments (BAIs)
- methodology determinations (methods).

This consultation on the Rules is expected to ensure the market:

- delivers environmental integrity
- meets the needs of buyers and landholders
- delivers on the environmental priorities of the government.

Consultation on a BAI and a method will occur ahead of scheme commencement.

Feedback is sought via the [online survey](#) by 30 September 2024.

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## Options for streamlining network connections processes for large consumer energy resources (CER), incl EV supply equipment:

### Comment sought

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States and territories are considering options to streamline network connection processes for large consumer energy resources (CER), including electric vehicle supply equipment (EVSE), and distribution level storage and renewables.

With increasing uptake of CER, together with the transition to renewable energy sources and the electrification of transport, there is an increasing number of requests to connect these resources to local distribution networks. This growth has posed a significant challenge for the rapid installation of the infrastructure needed to support the transition to net zero at least cost.

The Federal Department of Climate Change, Energy, the Environment and Water seeks your feedback on the options presented, via the [online survey](#), by 11:59pm (AEST) 22 September 2024.

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## Proposed new National Water Agreement:

### Comment sought

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The Federal Department of Climate Change, Energy, the Environment and Water is seeking feedback on the principles of the proposed [new National Water Agreement](#) - in particular, on the principles relating to three key areas of the new agreement:

- climate change;
- urban water; and
- science knowledge and partnerships.

Water management in Australia is vital given the frequency of drought. In 2004, the Commonwealth, state and territory governments all agreed to a National Water Initiative (NWI), which set out principles for water

management across Australia. 20 years on, it's time to update and renew the NWI. The NWI has served Australia well, so much of it will be retained in the new agreement. However, the new agreement will more comprehensively address emerging climate challenges affecting water resources.

The Department has released the [discussion paper](#) that outlines a full set of draft principles, along with a table mapping out clauses from the 2004 NWI, showing how they have been retained or modified in the proposed new agreement.

The development of a new National Water Agreement also provides an opportunity to consider [recommendations by the Productivity Commission](#) that a renewed NWI should focus on:

- strengthening the capacity to deal with climate change and extreme weather events
- increasing Aboriginal and Torres Strait Islander Peoples' involvement and influence in water resource management
- improving the provision of urban water services
- improving water monitoring, accounting and data
- improving regulatory, governance and management arrangements
- the use of best available information in decision making.

Comment is sought via the [online survey](#) by 18 September 2024.

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## **Greenhouse and Energy Minimum Standards (GEMS) determination for commercial ice-makers:**

### **Comment sought**

The Federal Department of Climate Change, Energy, the Environment and Water is seeking comment on the exposure draft of a new Greenhouse and Energy Minimum Standards

(GEMS) determination introducing minimum energy performance standards (MEPS) for commercial ice-makers.

Commonwealth, state and territory Energy Ministers agreed in January 2024 to introduce MEPS for commercial ice-makers and a determination under the *Greenhouse and Energy Minimum Standards Act 2012* would give effect to this decision.

MEPS will be introduced in two stages to reduce the disruption to the market. The first stage will be introduced on 1 January 2026 and the second level will come into effect two years later on 1 January 2028.

Your input will help to ensure that the new energy efficiency requirements operate as intended by Energy Ministers with the least burden placed upon suppliers of icemakers.

Please provide comment on the exposure draft via the online survey by 16 September 2024.

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## **National Greenhouse Accounts (NGA) Factors: 2024 workbook**

### **Released**

The Federal Department of Climate Change, Energy, the Environment and Water has released the [National Greenhouse Accounts \(NGA\) Factors: 2024 workbook](#) for individuals and organisations estimating their greenhouse gas emissions.

The publication includes –

- Energy
- Industrial processes and product use
- Waste emissions
- Agriculture
- Land Use, Land Use Change and Forestry.

The Department welcomes feedback related to any of the content contained within the document as the NGA Factors is subject to a system of continuous improvement. Feedback can be forwarded to

[nationalgreenhouseaccounts@dcceew.gov.au](mailto:nationalgreenhouseaccounts@dcceew.gov.au)

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## **Federal Government's response to Climate Change Authority's 2023 Review on National Greenhouse and Energy Reporting legislation**

The Federal Government has released its response to the Climate Change Authority's (CCA) 2023 Review on the operation of the National Greenhouse and Energy Reporting (NGER) legislation, that establishes:

- a national framework for reporting and disseminating company information about greenhouse gas emissions, energy production and energy consumption;
- the Safeguard Mechanism, which places emissions limits on large industrial facilities; and
- the framework for administration and compliance, including auditing requirements.

The CCA made 25 recommendations, focussed on further enhancements to the NGER scheme's methane emissions measurement, reporting and verification; as well as enhancements to data transparency; coverage; and administration.

The Federal Government [response to all 25 recommendations](#) is now available.

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## **Federal Government's response to Climate Change Authority's 2023 and 2020 Reviews on Carbon Credits (Carbon Farming Initiative) Act 2011**

The Federal Government has released its [response](#) to the Climate Change Authority's (CCA) 2023 and 2020 Reviews on *Carbon Credits (Carbon Farming Initiative) Act 2011* (CFI Act).

The 2023 Review found that the ACCU Scheme is fundamentally well

designed. The Scheme has robust governance, compliance and enforcement structures to support integrity. The CCA recognised the Scheme's role in supporting the transition to net zero emissions.

The CCA made 15 recommendations to further enhance the Scheme. Government's response:

- agrees to 3 recommendations, and
- agrees in principle to 12 recommendations.

Aspects of 12 of the 15 recommendations align strongly with the Independent Review of ACCUs (ACCU Review) and are already being implemented or under development. Implementation of the remaining 3 recommendations will be considered as part of ongoing improvements to the ACCU Scheme.

Attached to the 2023 response is the government response to the 2020 Review. The response acknowledges CCA's findings and recommendations, and notes that many of the issues raised have been addressed by the government's Powering Australia plan, including the ACCU Review.

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## Clean Energy Regulator releases its Corporate Plan 2024-28

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The Clean Energy Regulator has released its [Corporate Plan 2024-28](#) that outlines how they are advancing their purpose and objectives, engaging with stakeholders and how they are delivering priorities on emissions reduction.

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## National Energy Workforce Strategy consultation paper:

### Comment sought

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The Federal Department of Climate Change, Energy, the Environment and Water has released for comment the [National Energy Workforce Strategy Consultation Paper](#). To better guide government policy, the Department

seeks responses on key energy workforce issues.

The National Energy Workforce Strategy (NEWS) aims to build on existing workforce resources to identify current and future skills gaps and help plan for energy workforce needs.

The Department was tasked by state and territory Energy Ministers to build a stronger understanding of issues facing the energy workforce as Australia moves to a clean energy economy.

Comment is sought via the [online survey](#) by 5.00pm (AEST), Friday, 13 September 2024.

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## VICTORIA

### NEW GUIDELINES:

#### Separation distance and landfill buffer guidelines:

#### Released

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EPA Victoria has released the following new guidelines on –

- [Separation distance guidelines](#)
- [Landfill buffer guidelines](#), and
- [Supporting information for separation distance and landfill buffer guidelines](#).

The guidelines are expected to help people who make planning decisions to protect the community and the environment from risks. The guidelines are intended to help to keep a safe distance between places that emit dust or odours and where people live, learn and work.

The guidelines recommend bigger distances for some activities. New industries and activities are also included. They are intended to assist industry to operate without impact on sensitive uses, such as:

- homes
- schools
- childcare
- medical centres
- aged care facilities.

The guidelines also provide advice on how to manage areas around landfills and what uses are suitable there.

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## Strategic Review of the Victorian Energy Upgrades program:

### Comment sought

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The Victorian Department of Energy, Environment and Climate Action is undertaking a [Strategic Review of the Victorian Energy Upgrades \(VEU\) program \(the Review\)](#) and seeks feedback on the program's performance to date, the suitability of its current objectives and metrics, and opportunities for improvement.

The [VEU](#) program is the Victorian Government's flagship energy savings and emissions reduction initiative, with a strong track record of success in delivering low-cost energy saving activities since its commencement in 2009.

The Review aims to deliver an updated VEU program that is fit for the future and fully supports the Government's policy objectives on electrification, energy affordability, emissions reduction targets, and reliability.

The Review will also explore options to improve consumer protections, increase participation by households and businesses, and strengthen the integrity of the scheme.

Further consultation and additional actions under the Review will be undertaken in the first half of 2025.

Please provide feedback via the [online survey](#) by 11.59pm on 22 September 2024.

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## EPA Victoria's Statement of Regulatory Intent on Climate Change:

### Comment sought

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EPA Victoria has released for comment its [Statement of Regulatory Intent \(SRI\) on climate change](#) and seeks the views of interested

stakeholders to help shape EPA's approach in the SRI as EPA has a regulatory role in managing climate change risk..

This SRI outlines EPA's regulatory strategy on climate change. It is an important part of sharing how EPA will use its tools, powers and functions to address risks from climate change.

The draft SRI reflects EPA's focus on ensuring industry, business and community are clear on the shared responsibility of understanding and considering climate change risks.

The SRI outlines EPA's areas of regulatory focus and the types of activities and businesses that EPA proposes to focus on.

EPA seeks feedback on a range of topics, including:

- its clarity
- how the document could be improved
- how it will support duty holders to meet their obligations relating to the risks from climate change
- our proposed areas of focus and actions.

Your feedback will help ensure EPA considers matters appropriate in their approach.

Please provide feedback via the [online survey](#) by 14 October 2024.

## NEW SOUTH WALES

### ***NSW Plastics: The Way Forward:***

#### **Comment sought**

NSW EPA has released the [draft NSW Plastics: The Way Forward paper](#) for comment on the actions and timeframes proposed to ensure the steps taken to tackle problematic and unnecessary plastic, support a circular economy and in turn create a cleaner, safer and more sustainable NSW for current and further generations.

The draft paper provides proposed actions and timeframes, such as:

- Reduce littering of takeaway food and beverage packaging by end of 2025
- Eliminate harmful chemicals in food packaging, plastic shopping bags and plastic barrier bags by end of 2027
- Phase out the supply of unnecessary plastic barrier bags by end of 2027
- Require anti-littering labels and the Australasia Recycling Label on plastic shopping bags and plastic barrier bags by end of 2027
- and more.

Please read the paper and provide feedback via the [online survey](#) by 5.00pm on 4 November 2024.

### **Failing to comply with Court order costs Director over \$192K**

NSW EPA commenced proceedings in the NSW Land and Environment Court after the Director and sole shareholder of a home construction company had failed to comply with the Court order to remove the waste.

The Director of the home construction company had buried thousands of cubic metres of building and demolition waste at a rural property in NSW. The Director was fined and ordered to remove the waste and remediate the land at his own cost. Following amendments to the Court order, the Director was required to complete those works by 31 March 2023.

As the Director failed to comply with the Court order, he was fined more than \$112,000 and ordered to pay NSW EPA's legal costs totalling more than \$80,000.

NSW EPA's Executive Director of Operations Jason Gordon said "those who do the wrong thing and illegally dump waste will face the consequences including cleaning up". He said the Director "was ordered to dig up and dispose of the waste. He

then failed to finish the clean-up after being given an extended deadline, which was more than three years after the orders were made. "The delay in clean-up was unacceptable and resulted in further harm to the environment. The dumped waste included construction and asbestos materials and the impacted land remained unvegetated and subject to soil erosion."

The Court found the offence caused actual and potential harm to the environment due to the nature of the waste. It caused land degradation and had the potential to contaminate groundwater and the surrounding soil and pose a significant risk to human health due to the presence of asbestos.

## SOUTH AUSTRALIA

### **More single-use plastic bans for SA commence 1 September 2024**

On 1 September 2024, the [next stage of SA's single-use plastic bans](#) commenced.

Plastics that are now banned from sale, supply and distribution (with some exemptions\*) include:

- plastic barrier bags when used for fruit, vegetables, nuts and confectionery
- thick plastic shopping bags, including singlet style bags and plastic laminated paper shopping bags\*
- single-use plastic hot and cold beverage containers (including coffee cups) and their lids\*|
- single-use plastic food containers when used for ready-to-eat takeaway food\*
- expanded polystyrene (EPS) consumer food and beverage containers
- EPS trays
- plastic confetti and plastic balloon sticks/ties
- plastic food bag tags\*.

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## Proposed reforms for SA's container deposit scheme (CDS):

### Comment sought

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EPA SA is [proposing reforms](#) to SA's container deposit scheme (CDS) and has released the draft *Environment Protection (Beverage Container Deposit Scheme) Amendment Bill 2024* for comment.

The proposed reforms focus on scheme governance and system modification. They set out:

- Updated objectives and features of the CDS that build upon the scheme's success in reducing litter and waste.
- The appointment and functions of a not-for-profit scheme coordinator who would be responsible for the administration, management, and proper operation of the scheme.
- Clear roles and responsibilities for the scheme coordinator including around contract arrangements with scheme participants, scheme cost-setting practices, performance targets, customer service standards, and IT-based payment, auditing, and reporting requirements.
- A framework to recognise eligible material recovery facilities in the scheme.
- A scheme price review mechanism for the Essential Services Commission of South Australia.
- Clear roles for government oversight and Environment Protection Authority fee reform.
- Transitional provisions including a process to be followed to bring existing collection depots into a reformed scheme.

Please provide feedback to [epainfo@sa.gov.au](mailto:epainfo@sa.gov.au) by 25 October 2024.

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## WESTERN AUSTRALIA

### WA Plan for Plastics: Single-use plastic bans 2022-25

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The WA Government and National Retail Association have developed a [comprehensive guide](#) specifically for business on single-ban plastic bans. The publication covers all existing and upcoming bans for WA that relate to plastics.

From 1 September 2024, it is illegal to supply:

- disposable plastic produce bags used for fresh unpackaged fruit and vegetables,
- disposable plastic lids for bowls, trays and containers used for takeaway or eat-in food

From 1 July 2025, it is illegal to supply:

- expanded plastic packaging (moulded or cut).

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### FUNDING OPPORTUNITY:

#### WasteSorted grants open for organics recycling infrastructure

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Organics recycling and processing operators in WA can now apply for grants to support the WA's uptake of [Food Organics, Garden Organics \(FOGO\) recycling](#).

Funds to be awarded through the latest round of WasteSorted grants will support the construction or purchase of a broad range of infrastructure and equipment that can recycle separated FOGO materials, diverting them from landfill.

The program is administered by the Waste Authority and these grants are aligned with the objectives of the Waste Avoidance and Resource Recovery Strategy 2030, including recovering more value and resources from solid waste.

Applications close on 7 October 2024, with information on how to apply available [here](#).

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## Air quality monitoring in Kalgoorlie WA

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The WA Department of Water and Environmental Regulation has undertaken [Air quality monitoring in Kalgoorlie](#) WA and has released a publication.

The purpose of the publication is to provide information on air quality monitoring undertaken by the WA Department of Water and Environmental Regulation in Kalgoorlie.

Air quality monitoring is undertaken by the Department at selected regional and metropolitan locations in WA in accordance with the *National Environment Protection (Ambient Air Quality) Measure (AAQ NEPM)*.

The Department is responsible for the operation and maintenance of 15 air quality monitoring sites in WA, including Kalgoorlie. Kalgoorlie's air quality monitoring site was founded in 2017, primarily to monitor smoke from bushfires, hazard reduction burns, wood-fired home heaters and emissions from gold mining industries.

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### Why soil test your farm:

#### Fact sheet released

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The WA Government has released a [fact sheet](#) on why soil testing should be undertaken on farms.

Soil is one of the most important assets on your farm. Soil testing is the only way to accurately establish the nutrient status and pH of your soil, allowing you to make informed decisions to improve production and protect the environment.