

# Producer Notice NSW Protection of the Environment Legislation Amendment Act 2011 - Update



2 April 2012

## Information

### Issue:

The New South Wales government recently passed the *NSW Protection of the Environment Legislation Amendment Act 2011*, amending the *NSW Protection of the Environment Operations Act 1997*. The *Amendment Act* introduced several changes to the way pollution incidents are reported and managed. The changes apply to all holders of an environment protection licence (licensees) under the *Protection of the Environment Operations Act 1997 (POEO Act)*.

### What Australian Pork Limited (APL) has done:

- APL issued a Producer Notice (available at: <http://www.australianpork.com.au/pages/page11.asp>) relating to these changes on 9 February 2012;
- APL wrote to the NSW Minister for the Environment, the Hon Robyn Parker and the Chief Executive of the NSW EPA Lisa Corbyn to express our concern over the nature of some of the changes introduced. APL sought reform of the *Amendment Act* such that its requirements reflect the degree of environmental risk posed by respective industry sectors captured by the legislation;
- APL met with Minister Parkers' advisors, and the NSW EPA on 9 February 2012, and;
- APL lodged two submissions (available at <http://www.australianpork.com.au/pages/page98.asp>) with the NSW EPA.

### Ministers' response to concerns raised by APL:

The Minister responded to APL on the 15 March 2012, to address the concerns raised in our correspondence, confirming that:

- New requirements for licensees to prepare Pollution Incident Response Management Plans (PIRMP) are not intended to be onerous;
- APL's concerns regarding the type of information to be made public have been taken in to consideration;
- PIRMPs can be incorporated into existing environmental management plan to reduce duplication;
- There will be no change to the frequency of existing pollution monitoring regimes;
- Monitoring data must be made available on a publically available website (if a company maintains one), or alternatively, if a business does not maintain a website, the data must be made available within 14 days of being received, if requested;
- Guidance material is being prepared by the NSW EPA to clarify what is required, in order to ensure an appropriate level of information is provided and in a meaningful form, without placing an undue burden on industry, and;
- Details regarding the changes can be viewed on the NSW Environment Protection Authority website, at: <http://www.environment.nsw.gov.au/legislation/poelegisamend2011.htm>.

APL will continue to monitor the implementation phase of the new legislation, and update producers as necessary should any further issues arise.

## Contact details for producers

- NSW Environment Protection Authority: **1300 361 967**
- To report pollution and environmental incidents: **131 555**
- DPI Emergency Animal Disease Hotline: **1800 675 888**
- NSW DPI Drought, Flood and Bushfire Hotline: **1800 814 647**. Rural landholders can phone this hotline to report damage to their property and request information and assistance including on matters related to animal welfare and environmental concerns.
- For emergency help in floods call the NSW State **Emergency Service (SES): 132 500**
- For life threatening emergencies, call **000** immediately.

## Key APL Contacts

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