



1 July 2024

NSW Environment Protection Authority
6 Parramatta Square, 12 Darcy St, Parramatta NSW 2150
Parramatta NSW 2150
By email climatechange.review@epa.nsw.gov.au

Feedback on Draft Climate Change Assessment Requirements and Guide

Dear Sir/Madam,

Thank you for providing Sydney Water the opportunity to provide feedback on the NSW EPA's new draft Climate Change Assessment Requirements and draft Greenhouse Gas Assessment Guide for Large Emitters.

Please find below Sydney Water's consolidated feedback for consideration.

We would welcome the opportunity to discuss these comments further. If you would like to discuss further, please contact [REDACTED].

Yours sincerely,

A handwritten signature in dark blue ink, appearing to read "A. Armstrong".

Andrew Armstrong
Senior Environmental Regulatory Specialist

Section Reference	Page reference	Sydney Water comment
Section 2.1	10	Sydney Water suggests this document would benefit from consistency about planning approval pathways to which it is intended to apply, particularly whether it would apply to Division 5.1 and Division 5.2 approvals under the Environmental Planning and Assessment Act 1979 (EP&A Act). For example, section 2.1 notes it may apply if a project requires development assessment and approval under the EP&A Act. However other sections refer to development consent, pathways where DPHI is the approval authority, etc. In Sydney Water's experience, similar provisions are already included in Secretary's Environmental Assessment Requirements for State significant infrastructure projects (eg. a greenhouse gas assessment was required for Upper South Creek Advanced Water Recycling Centre project). We would typically get a consultant to complete this assessment on our behalf as part of an Environmental Impact Statement for this scale of project.
Sections 2.1 and 2.4	10 and 12	Sydney Water requests consideration to be made regarding license requirements and emission increases when offsets cannot be used. Technologies used to assist nutrient removal are both energy intensive and may increase nitrous oxide emissions, in the absence of readily available technology to the water industry for secondary treatment. There needs to be acknowledgement that emission reduction may not be achieved if meeting or addressing other licence requirements.
Section 2.4	12	Sydney Water has developed its own GHG emission estimation tool. To limit duplicating of effort that is required by other provisions or where we have existing plans/ strategies in place, it would be beneficial if approved methods and calculators could be used that ultimately achieve contribution to existing NSW Government commitments.
Section 3.2 Figure 3	16	Figure 3 (Steps for undertaking a GHG assessment and preparing a GHG Mitigation Plan) under Section 3.2, Scope 1 & 2 emissions over 100,000 tCO₂-e is not consistent with the safeguard mechanism. Could the EPA please clarify?
Section 3.2	16	Section 3.2 (Steps to be applied for all large emitter projects) <i>"The setting of emissions goals for the project may both inform and be informed by the assessment of mitigation measures which are commercially and technically ready for adoption or are likely to be ready during the project life."</i> Sydney Water acknowledges this is key, but asks how this will be justified and accepted?
Section 3.3 Box 3	18	Sydney Water requests further clarification between Box 3 on page 18 and Section 2.1 from page 10 (how emissions are assessed for existing sites). Section 2.1 implies to only look at a new build, but Box 3 looks at both new and existing.

Section 3.1	15	Section 3.1 Figure 2 (Hierarchy of emissions mitigation actions for the project). For Substitute it has "Use lower- emission raw materials and energy sources, e.g. renewable energy" - should this be extended to "raw and recycled materials" or perhaps just "lower emission materials" as on page 23?
Section 4.3.1	21	Sydney Water suggests repositioning "waste materials" to "recycled materials" which links to other NSW policy and strategies, especially NSW Waste and Sustainable Materials Strategy 2041. As this transition can be challenging, the inclusion of piloting and potential to drive this further adopting the same philosophy as NSW Government Procurement of a "if not, why not" basis especially where there is no significant additional cost or negative impacts on performance and the environment. Box 6 (page 24) Emerging requirement for sustainable construction within the public sector: Sydney Water suggests replacement of "remanufactured waste" with "remanufactured substitute materials" as used on EPA's website https://www.epa.nsw.gov.au/your-environment/recycling-and-reuse/strategic-direction-for-waste-in-nsw/carbon-recycling-and-abatement
Sections 4.8 and 5	31 and 33	Section 4.8 and 5. Sydney Water suggests timing of Greenhouse Gas Mitigation Plans to be after the planning approval process, similar to the approach taken to management plans in Minister's conditions of approval for State significant infrastructure projects. While we can have some general mitigation approaches at planning approval phase, detailed design is usually contracted out and happens after planning approval. Specific design and mitigation measures are not finalised until that phase of the project.
General comment	-	There are various aspects of the scope that are unclear (in particular Section 2.1). Is this guide intended to apply to sewage treatment plants (STPs) only (e.g. for Sydney Water our wastewater environment protection licences cover STPs and sewage networks); is the scope focused on operation only or is construction relevant too? Given this lack of clarity, can Sydney Water suggest another opportunity for review once feedback is addressed or a separate discussion to further clarify aspects?
General comment	-	Considering this guide is for large emitters, has there been consideration on how best to future proof design to take into account near future technology or potential extension of the site's facility or capacity?
General comment	-	Title change suggestion. This is a greenhouse gases assessment for large emitters. Its objective is carbon accounting, and decarbonisation, it doesn't touch wider on climate adaptation. Suggest the draft climate change assessment requirements, is retitled to Greenhouse gas assessment. A Climate Change Assessment generally looks at hazards and risks. The mitigation plan could be termed carbon management plan.