

TOTAL ENVIRONMENT NEWS



2013 / ISSUE 1

for the future

Planning for what?



TEC has been involved in campaigning for and negotiating planning legislation ever since the major overhaul of 1979. The Environmental Planning and Assessment Act (EP&AA) was an important promise by the Wran government, elected in 1976, after years of improper and environmentally insensitive

development decisions. The new Act was pioneering and promised a better future for local residents, heritage and environment protection as well as the new Land and Environment Court.

Almost immediately the development lobby complained about red tape and the amount of time they had to invest in consulting the community and assessing impacts. (It's the same refrain we hear today about state and federal approval processes). Almost as quickly government after government began to introduce slipways to speed up approvals. I've sat on committees designed to arrange new procedures – in fact we left one in disgust (and publicly) after it was clearly set up to validate some disastrous changes.

That's not to say there weren't some useful advances for the environment under the EP&AA including state environment protection policies for wetlands, littoral rainforest and urban bushland; and some early strategic plans. But inside the government and publicly, developers clamoured for concession after concession until the apparent corruption of developer influence in the last couple of state ALP governments and legislative changes brought the entire system into vast public disrepute.

The O'Farrell government justifiably campaigned to rewrite the Act – it was now encumbered by so many development-inspired amendments as to have completely lost touch with its sense of balance and environmental responsibility. After many months devoted to producing a 'green paper' and dissecting and stakeholder public comment – the 'white paper' is the final consultation chapter. Again TEC has been on a stakeholder committee along with the Nature Conservation Council – and we have been careful to warn the government not to assume our presence, implies endorsement.

There can be improvements – they are not hard to achieve after the low benchmark of the last ALP government. The question is whether it can achieve the pioneering and aspirational change that focuses on an ecologically sustainable future or - after it completes the final cabinet and parliamentary processes – becomes a pale imitation opening the door for more pollution, environmental destruction and ugly, car-dependent, resource wasting suburbs?

Some of the early signs of developer influence are worrying with the O'Farrell government introducing pre-emptive changes to speed up approvals and downgrade environment protection. There's a big push for more exempt and complying developments despite the level of risk and inability to predict all situations affecting neighbours and precincts with a standard template. If it does anything, planning and development consent processes need to respect the social fabric, good neighbour relations and the right to comment.

The inclusion of a legislative Public Participation Charter can be an advance if it is actually implemented

continued on page 2

Contents

2013 Issue 1

Planning for what? 1

The Litter Revolution 2

Snowy Under Fire, Again 3

New Economic Frontiers
for Business 4

Air Is Tight 5

How Clean Is My Power? 5

Gujarat NRE 6

Three arrestables 8

Published by

Total Environment Centre Inc
Suite 2, Level 1,
89 Jones Street, Ultimo. 2007

p: 02 9211 5022

f: 02 9211 5033

tec@tec.org.au

www.tec.org.au

appropriately at state, regional and local levels. Better strategic planning can reduce future conflicts if the information on the environment and impact analysis fundamentally influences the final plan – rather than last minute deals between the government and developers.

Don't get me wrong – there are some good developers –

but these are the ones who will take risks to move away from standard behaviour and build sustainable places. However there are still many who think the old way of doing business and developing are the only right way. They have to be marginalised by the new planning law.

Jeff Angel, Executive Director

The Litter Revolution

TEC's waste campaigner, Lisa Wriley, explores the changes a little ten cent deposit system could make to the Australian landscape...

15,000 bottles and cans are landfilled or littered every minute in Australia. The Boomerang Alliance has proposed a national solution to Australia's litter crisis that is more efficient, transparent and lower in cost than even the well established South Australian system container deposit system. Called RecycleRefund it is based on world's best practice and if our environment ministers make the sensible choice, it will deliver an 80% recycling rate across Australia, and significant pluses to our environment.

Let's imagine the scenarios which could deliver a saner alternative to the current outlook of extreme marine pollution, river damage and negative impacts on our precious wildlife, let alone key ecosystems.

At the moment, your average litterer, let's call him Greg, (apologies to all the Gregs) usually throws his empty beverage bottles in the gutter of his car park after work, and then drives off.

Greg did this on Friday (1/3/13) and on Sunday (3/3/13) the wonderful Clean Up Australia volunteers picked up Greg's bottle and 161 others which Aussies had left in the car park, ignoring the nearby bins.

At other times of the year these bottles are washed into the gutter and then waterways - or picked up when the local council workers come around for a clean up - at significant cost to ratepayers.

Greg's bottle has also sent a message - other people add their own litter to lazy Greg's bevy of abandoned bottles.

Now imagine what will happen to Greg and his litter when we have a national 10c refund on bottles and cans. Greg still buys his bevies (and pays 10c deposit per bottle), but now when he has an empty bottle in his

“...most Australians understand that a National Container Deposit System (CDS) is the best way to build a sustainable future.”

hand he thinks twice. He knows every empty bottle is worth 10c, so he puts the empties in his car and drives off. It could be his Mum, his kids or the neighbours – anyone can trade bottles for refunds at the local Reverse Vending Machine or the Local Community Recycling Depot.

and offset the costs of kerbside recycling to the community. This could stop the waste rates from going up next year. So Greg puts the empties in his car and drives off.

Even Option 3 has a happy ending. Greg knows his empty bottle is worth 10c but he can't be bothered doing anything with it so he leaves it in the car park. The local kids pick it up and use the refund money to save for a new bike, or sponsor orphaned orangutans or do other good works. Next week Greg notices the bottles are gone! Too easy!

No matter which option you choose, with a 10c refundable deposit, we all win - it costs Greg 10c every time he litters, and the rubbish is turned into community money.

Although 82% of Australians surveyed in July 2012 showed support for this foolproof scheme, the beverage industry still doesn't get it. Companies like Coca-Cola Amatil are fighting a ten cent refund all the way down the line. They mouth shallow commitment to producer responsibility.

The campaign for a national container deposit system is coming to a climax. In the next two months federal and state environment ministers will make a decision.

To offer your time and energy eg letterboxing, running random refunds - email lisaw@tec.org.au

To make a donation and use Tools for Taking Action : www.boomerangalliance.org.au



Option 2 sees Greg profiting from a new awareness of the value of the resources that go into his bottles. But he is not too worried about the 10c. He decides to take the bottle home and put it into his kerbside bin, knowing that the local council will be able to redeem the value of the bottle

Cocal Cola v NT government and the people

When the Northern Territory Parliament passed its Cash for Containers law, Coke threatened legal action under the Mutual Recognition Act (MUA). The scheme began in January 2012 and to date has recycled over 50 million containers – doubling the NT's recycling rate and reducing litter.

There are heart warming stories of charities and kids collecting the 10cent deposits and using the funds for good works like helping Vietnamese amputees.

However due to a technicality the scheme lost legal protection on 4 January 2013 and Coke pounced. They along with Lion and Schweppes

went to the Federal Court and stopped the scheme (and announced their withdrawal from the scheme). However this was a serious tactical mistake because it set off a storm of mainstream and social media criticism, as well as direct actions by Greenpeace and the Boomerang Alliance.

The Food and Grocery Council which works closely with Coke proposed an alternative to the CDS – old style bins and advertising. No one was interested – neither, councils, Territory government or the public. The tide began to turn.

The NT government had been

garnering the support of all states for an exemption from the MUAct (this is a formal process allowed under the Act.) Then the Senate unanimously passed a motion supporting the scheme and urging quick action by all the COAG governments. A few days later the NT government found funds to keep the scheme going until the process was complete (the withdrawal of Coke, Lion Schweppes from the scheme would have led to closure of collection depots).

It is now very likely that Cash for Containers will return fully to life in the Northern Territory. Good for the community and environment, bad for Coke.

SNOWY UNDER FIRE, AGAIN

Disturbing plans to sideline objective scientific scrutiny are threatening the Snowy River, reports Leigh Martin

The future of environmental flows for the iconic Snowy River has been placed at risk by NSW government moves to gut the Snowy Scientific Committee. The role of the Committee was to provide independent advice to guide the restoration of flows to the river. Crucially this includes ensuring that the timing and volume of flows delivers maximum environmental benefit for the river.

Incidentally TEC negotiated for the establishment of the Committee, as part of the process that led to the tri-government commitment to bring the river back to life -

during the hydro corporatisation debate some years ago. The first three year-term of the Committee expired almost two years ago but the Government has failed to reappoint the committee. It has also cut the Snowy Flow Response Monitoring and Modeling Program; a source of vital information in guiding environmental releases.

Cuts to the monitoring program and the failure to reappoint the Scientific Committee raise fears the Government does not wish to have independent oversight of the environmental flows program. These fears have been realised with the announcement that the government is planning to replace the Scientific Committee with a newly

formed Snowy Advisory Committee.

The new group will lack the independence of the former Scientific Committee and will be subject to control and direction by the NSW Minister for Primary Industries. It is now obvious that the government wishes to create a

compliant body that will toe the line rather than provide objective (and perhaps inconvenient) advice to guide the restoration of the Snowy. In fact, a discussion paper on the establishment of the Advisory Committee (laughably) describes the independence of

the former Scientific Committee as a 'weakness' of the previous arrangements.

In a disturbing twist the Advisory Committee will be funded by Snowy Hydro Ltd, a company with a vested interest in minimising the volume of water released for environmental flows and manipulating the timing of flows to suit commercial rather than environment objectives. The result will be a toothless tiger.

TEC strongly opposes this move and is campaigning for the restoration of an independent Scientific Committee and further enhancement of environmental flows.

“...environmental flows will be manipulated to suit commercial rather than environment objectives”

New Economic Frontiers for Business

Murray Hogarth surveys what's left of sustainability in business and discovers a far bigger, bolder dynamic is reshaping the global economy

Corporate sustainability was fresh, exciting new territory when Green Capital, the Total Environment Centre's business program, kicked off in 2002.

Back then the idea of a major company having an executive-level head of 'Sustainability' or 'Corporate Social Responsibility' was still novel. So was the notion that incorporating social and environmental factors into business management was more about strategy and value creation, than merely 'doing good'.

Executive employment in sustainability and CSR roles blossomed in the mid to later 2000s, along with sustainability reporting, carbon neutrality and a batch of new management theories and acronyms - CSR itself, Ecologically Sustainable Development (ESD), Triple Bottom Line (TBL), Environment Social Governance (ESG) and others, including the latest in Creating Shared Value (CSV).

Recently, however, post-GFC business tightening has begun laying waste to the more traditional job opportunities in this still newish professional sector. The most recent issue of WME Magazine, a leading industry journal, ran a cover article headlined 'Is sustainability out of steam?', suggesting an 'existential crisis' as more and more companies turned to 'survival mode' and downgraded sustainability/CSR to junior compliance-focused roles, or abandoned it altogether.

All of this may be no great surprise to those who always doubted corporate commitment to genuinely sustainable outcomes for people and the planet, and also those who always found CSR a bit soft and fringe in terms of the real business agenda to make profits for shareholders.

After all, corporate sustainability has to be able to survive tougher times for the economy as well as good ones if it's to last the distance and deliver actual change for the better, socially, environmentally and economically.

But before writing off the role of business and the market in engineering a transformation to a more sustainable economy, there are other emerging trends that balance off the decline in sustainability/CSR top jobs and corporate programs, visible backsliding by some early 'leadership' companies like Origin Energy and Shell Oil, and spectacular falls from grace like BP post the Deepwater Horizon oil spill in the Gulf of Mexico.

As Australia's pioneer independent business sustainability program, Green Capital is committed to innovation. A substantial refresh of the programs's goals has resulted in a major new two-year initiative to focus on Australia's 21st century transformation to a clean, fair and financially robust economy that sustains resilient human communities and protects ecological integrity.

There is plenty of scope for action and debate. A 'green building' movement led by industry itself has transformed the construction and property sectors in the past decade. An innovative solar PV sector has reached nearly a million roofs in Australia, and is starting to undercut coal-fired generation of electricity on price. Clean technology businesses are on the rise, with the Australian Government's Clean Tech Open competition going into its third year in 2013, and major corporations like GE and Westpac targeting clean technology innovation and investment as being core to their business sustainability strategies.

New Frontiers

The fact is that around the world, genuine sustainability leadership is moving on ... from CSR and its incremental change at the level of individual companies and industry sectors, to a far bigger, bolder dynamic of reshaping the global economy itself to make markets sustainable for today's and future generations.

Yet while many are looking for a new economic destination, as yet no one can be sure how to get there, or even where 'there' is. So the questions about new economic frontiers and the routes to reach them pile up: Is there a 'right' direction? How is Australia best positioned? Who are the crucial stakeholders in transitioning to a better society, and what motivates them? Is there a critical path plan, or even a loose timetable? And what happens if we don't act at all or delay too long?

Over the next two years, Green Capital and its partners will explore the changing face of business sustainability as it adopts a mainstream economic transformation agenda; new models being proposed include the UN's 'Green Economy', international guru Gunter Pauli's 'Blue Economy', Australian thought leader and author Paul Gilding's 'The Great Disruption', sustainability pioneer John Elkington's 'Breakthrough Capitalism', and other theses like the 'Circular Economy', 'The Green New Deal', 'Conscious Capitalism', 'Collaborative Consumption' and more.

As the project progresses, it will consider the Australian national agenda, the opportunity for state-level leadership in NSW and city-level leadership in Sydney as a change-economy powerhouse for the Asia Pacific region. Green Capital and its project partners* will develop detailed case studies of selected business sectors.

*Green Capital has support from the Pratt Foundation and leading sustainability advisory firm Banarra for its 'New Economic Frontiers' work, and is offering additional partnership and participation opportunities.

“Major corporations are targeting clean technology innovation and investment.”

AIR IS TIGHT

Urban Campaigner, Leigh Martin tells us what TEC is doing to tackle real threats from cars and chemical reactions to the stuff we all breathe every day.

A Senate inquiry into the impacts of air quality on the health of millions of Australians has provided an opportunity to highlight the serious public health risks posed by chronic air pollution in our cities. TEC has a long history of battling air pollution and there's much still to do. We told the inquiry that urgent actions are needed, in particular by curbing the ever growing emissions from the national vehicle fleet.

There are two principle air pollution problems affecting urban areas that are a priority – photochemical smog and particle pollution.

Photochemical smog is the result of the atmospheric reaction of oxides of nitrogen (NOx) and volatile organic compounds (VOCs), triggered by sunlight. The principal measure of photochemical smog is ground level concentrations of the major component, ozone.

Apart from its role in producing ozone, nitrogen dioxide (NO₂) has also been found to trigger asthma and respiratory problems on its own. It can increase the effects of some allergens and is associated with increased hospital admissions for heart disease.

Fine particles with a diameter under

10µm (PM₁₀) are of greatest concern as they are small enough to be inhaled and remain within the respiratory system. Of these fine particles, those with a diameter under 2.5µm (PM_{2.5}), known as very fine particles, pose the greatest health risk as they are inhaled more deeply into the very small airways of the lungs.

Photochemical smog and fine particle

“Perverse incentives in the taxation system that favour vehicle use should be eliminated.”

pollution have been closely linked with serious health impacts including increased risk of respiratory and cardiovascular disease, reduced birth weights and impaired lung development in children.

The pollutants include emissions from fixed sources such as industry, commercial premises, domestic buildings and mobile sources such as motor vehicles. While there has been considerable progress in recent years on reducing emissions from fixed sources there has been little success

in curbing mobile emissions.

Increases in vehicle fuel efficiency and exhaust emissions have been negated by failure to curb growth in vehicle kilometers traveled – which is projected to continue increasing significantly in the foreseeable future unless urgent action is taken to improve public transport and land use planning.

TEC highlighted that planning for Australian cities should include increased focus on higher population densities near public transport as opposed to urban sprawl with its focus on the fringes of cities. This should be supported by major investment in new public transport infrastructure and strong targets to reduce vehicle kilometres traveled (VKT).

We have also recommended initiatives to restrict traffic growth. These include congestion charging/road pricing as well as time-of-use charging to encourage drivers to travel outside peak periods and switch to other modes of transport. Perverse incentives in the taxation system that favour vehicle use as part of salary sacrifice arrangements should be eliminated.

HOW CLEAN IS MY POWER?

What is ‘electricity fuel mix disclosure’ and can we trust it? TEC’s energy market advocate, Mark Byrne, takes an axe to the consumer power iceberg

Funny how often the people who sell you stuff – cars, food, cigarettes – don't want to tell you what's in it or where it comes from – unless they are required to by regulation. Same applies to electricity – in Australia at least.

In the EU, electricity retailers have been required since 2005 to disclose the fuel mix of their sales. We're talking here about the financial market. There's only one supply of electrons coming down the wire, although it varies according to where you live and the time of day. They do this on their websites, and NGOs collate them on websites

like www.electricityinfo.org for people who want to compare how much of retailers' sales come from renewables or fossil fuels.

In Australia, most retailers are loath to provide this information. Those that do are usually the ones that want to tout their green credentials, but there is no independent verification. So when AGL calls itself “Australia's leading integrated renewable energy company”, punters might be forgiven for thinking AGL only sells renewables – when in fact last year it bought Loy Yang A, one of the biggest and

continued on page 6

continued from page 5

dirtiest power stations in Australia. Even though, on a volume basis, AGL sells more wind power than any other company, so there's more to their profile consumers might like to know.

TEC has released a report it commissioned from the Institute for Sustainable Futures at UTS on the fuel mix disclosure of retailers in the NEM. Along with other environment and consumer groups we have been fielding an increasing number of calls from people and companies wanting to know who they should buy electricity from if, for instance, they want to boycott AGL and Origin because of their CSG investments. It's the tip of the consumer power iceberg.

Our usual response is: "Well, it's complicated; how much time have you got?" It's easy to identify the bad guys, but who are the good guys? Our fall-back position is to recommend buying GreenPower, which is worthwhile if you buy the full 100 per cent to offset your dirty power purchases. But it only accounts for about 2 per cent of sales nationally, and we think it's important to turn the spotlight onto the other 98 per cent.

The main finding of our stage 1 report is that the level of public fuel mix disclosure is very poor in Australia.

Getting the data is made difficult by the fact that there are four sources of electricity sales – gentailer (vertical integration) arrangements, hedging contracts or power purchase agreements, the spot market and the futures market — and while each retailer must know what percentage of their sales comes from each source, and the fuel mix of the first two (the last two would be whatever is on sale at the time), there is no duty to disclose this information to the public.

“We have been fielding an increasing number of calls from people and companies wanting to know who they should buy electricity from.”

Neither do most disclose what proportion of their sales are GreenPower offsets.

What they could tell us is the fuel mix of generation assets, including CSG; their PV feed-in tariff offerings; whether each retailer supports the RET and the carbon price; and their commitment to corporate sustainability reporting. So we know, for instance, that at the end of the 2011 financial year there were only

four companies with 100 per cent of their generation assets in renewable energy (Momentum, Diamond, Infigen and TrustPower). But this doesn't mean this is what consumers would buy, as these companies could be selling part of their generation output and buying from other generators as well as from the spot market (in fact they would have to at times). And three of these four companies do not currently retail to consumers in the largest and third largest markets in Australia, NSW and Queensland.

The ISF report is the first salvo in what is likely to be a long campaign to bring about greater fuel mix and emissions intensity disclosure. The next step will be a voluntary survey of retailers, backed up by a push for regulators to mandate annual reporting.

TEC called the various NGOs together to discuss what to do on the transparency front. We pioneered Green Electricity Watch when GreenPower products were poorly regulated and obscure. It led to a marked improvement in the quality of GreenPower products, and we are confident that with a combined approach, the same could happen for the broader electricity market.

Gujarat NRE

The NSW Government must stop the rogue miners reports Natural Areas
campaigner, **Dave Burgess**

Gujarat NRE's provocative plan to expand its NRE No.1 mine into Sydney's drinking water catchment has finally been put before the NSW government.

18 longwall panels are proposed to undermine an area around Cataract Dam to increase mining tenfold to 3 million tonnes per annum.

Cataract Dam, Cataract River and three of its sub-catchments will all be damaged; as will a number of Coastal Upland Swamps

despite their recent listing as an Endangered Ecological Community. If approved, some of these panels would be the widest ever mined in the catchment area at 390m with even greater subsidence occurring.

It is also the first attempt in the Southern Coalfield to longwall mine coal from a seam below two previously mined seams. 'Multi-seam mining' is known to result in

greater and more unpredictable subsidence and studies in the USA have listed ground instability, inflows of water and gas and oxygen deficient air as major hazards. In 2011 Gujarat NRE's own consultant found that their predictions when it came to multi-seam mining were "fraught with uncertainty".

“The Premier and Planning Minister need to reign in Gujarat NRE”

The NSW Government came to power with a "No ifs, no buts, a guarantee," promise from the Premier to "ensure mining can't occur in any water catchment

area, and will ensure that mining leases and mining exploration permits reflect that common sense."

However the O'Farrell Government has failed to live up to this and appears to be actively encouraging longwall mining in water supply catchment areas. It recently approved BHP Billiton's expansion of the Dendrobium Mine with the likely destruction of 8 upland swamps, despite

condemning the company's tactics in gaining the approval. It has also encouraged South Korean miner Kores to resubmit plans for a mine in the Central Coast's supply catchment although strongly opposing the mine when in opposition.

Since acquiring the NRE No.1 lease from BHP Billiton, Gujarat NRE has been a poor corporate citizen. The company has developed a history of using public announcements to the stock exchange and the media to

place pressure on government agencies to approve mining. A report last year by the NSW Office of Environment and Heritage (OEH) said the company had failed to conduct proper monitoring and adequate assessment in the water supply catchment. It also indicated that Gujarat NRE's way of gaining mining approvals was likely to lead to a lack of public confidence in the NSW planning system. Damage to an endangered ecological community and failure to disclose political

donations as required by law, are part of a litany of failings.

Residents of Wollongong's northern suburbs also face their own set of problems with the proposal. The mine's surface facilities are in closer proximity to a residential area than any other mine in the Illawarra and possibly NSW. An 11-14 storey high stockpile adjacent to Russell Vale will have major noise and dust impacts, while 682 trucks per day will take the coal to Port Kembla for export.

TAX DEDUCTIBLE DONATION

TOTAL ENVIRONMENT CENTRE INC.

Yes, I want to help the environment campaign work of TEC.

Name:.....

Address:.....

.....

.....Postcode:

I wish to pay by:

Cheque payable to Total Environment Centre Inc

Visa Mastercard

I wish to donate:

\$1000 \$500 \$100 Other \$.....

or Please deduct \$..... monthly from my credit

card until further notice

Card Number:

.....

Card expires:

Name on card:.....

Signature:.....

Phone: (day)

(evening)

Please send me regular email updates to

.....

Return this form and payment to:

The Administrator

Total Environment Centre Inc

Suite 2, 89 Jones Street Ultimo. 2007

VOLUNTEERS NEEDED

TEC and the environmental battle can be greatly assisted with your volunteer time and skills.

If you can help, please return this coupon to:

Volunteers Coordinator,

Total Environment Centre Inc

Suite 2, 89 Jones Street Ultimo. 2007

I would like to volunteer to help TEC with:

Reception/support

Phone marketing

Research/submission writing

Other

My previous work has been

My qualifications / skills are.....

.....

My environmental interests are.....

.....

I am available (per week) half day one day

occasionally other

Name:

Address:

.....Postcode:

Date:

Email:

Phone: (day).....(evening).....

Consider a Bequest

Please remember TEC in your will. The Law Society of NSW recommends the following wording: "I bequeath the sum of \$..... to TOTAL ENVIRONMENT CENTRE Inc. for its general purposes and declare that the receipt of the Treasurer for the time being of Total Environment Centre Inc. shall be complete discharge to my executors in respect of any sum paid to Total Environment Centre Inc."

Return Address

**Total Environment Centre
Suite 2, 89 Jones Street
Ultimo. 2007**

POSTAGE
PAID
AUSTRALIA

TOTAL ENVIRONMENT NEWS



for the future

Three arrestables

March 4, 2013

At about 11am, 3 respectable CEOs of major environment groups (Ian Kiernan, Jeff Angel and David Ritter) approached the Coca Cola headquarters in North Sydney to deliver 4,000 of its containers collected at the previous day's national Clean Up. They got to the back of the building and were then stopped by the local superintendent and 7 police who told them they would be 'littering' if they entered the foyer and that they did not have permission for their 'assembly'.

"We were stunned for a few seconds that Coke would try to have Ian Kiernan or David and I arrested for a purely symbolic act. Coke showed its true bully nature," said Jeff Angel. "I've been in a few arrestable situations before but these were expected. However you don't think a massive multinational corporation with its vast experience in public issues to make such a tactical mistake. When they did they gifted another big boost to the campaign."

"Everyone was well behaved (perhaps Coke thought they would be subject to a riotous invasion by hordes of greenies) and after our media conference, the police followed us to make sure we drove away with our 'litter'. Clearly the campaign is spooking Coke who had already been withdrawn from the public debate for some time."

