

3 December 2018

Via email

Re: Natural Resources and Environment Policy Discussion Paper

The Environmental Defenders Office (SA) Inc (“the EDO”) is an independent community legal centre with over twenty five years of experience specialising in environmental and planning law. EDO functions include legal advice and representation, law reform and policy work and community legal education. The EDO has expertise in law and policy on environmental protection, development assessment, planning and approval processes. Effective, leading practice planning and assessment laws and policies should:

1. identify and require adherence to targets and limits across environmental indicators such as biodiversity, native vegetation, water, soil and air quality (including public health considerations), and greenhouse gas emissions;
2. require assessment of the climate change impacts of individual projects, and specific conditions to address these impacts (for mitigation and adaptation);
3. have objective criteria to protect environmental assets in accordance with ecologically sustainable development (ESD) principles;
4. include independent baseline studies of catchments’ environmental qualities, such as water, soil, vegetation, biodiversity, minerals, air quality;
5. take account of potential cumulative impacts of development over time. Cumulative impact assessment and related processes like strategic environmental assessment (SEA) are essential to good strategic planning and to assessing the full impacts of major projects alongside individual project assessment;
6. identify competing land uses, including sensitive areas where certain development (such as mining) is prohibited based on economic, environmental, social or cultural criteria;
7. integrate natural resource management goals;
8. promote resilience to climate change for communities and the environment, addressing risks and opportunities via mitigation and adaptation;
9. consider the scale of any possible impacts on native vegetation and biodiversity, actions taken to avoid and minimise those impacts, and resultant residual impacts;
10. identify and protect areas of high biodiversity or conservation value from developments that do not directly maintain or improve those values;
11. consider and manage the full impacts of proposed development, both the immediate and direct impacts, indirect and future impacts including potential impacts on adjoining land use and;
12. align with and seek to further the objects of biodiversity related legislation such as the Native Vegetation Act 1991 and National Parks and Wildlife Act 1972.

Please advise if you require clarification on any of the issues raised in this submission.

Yours sincerely



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Environmental Defenders Office (SA) Inc.