

e-Bulletin

No. 4 of 2016, 7 April 2016

The environment's legal team since 1992 - protecting the public interest - evening the odds

The EDO is an independent community legal centre specialising in public interest environmental law.

The EDO's legal advisory service can help with planning, pollution, biodiversity, heritage, natural resources management, public health, and other environmental issues. Just fill in the legal advice request form on the front page of our website and we will arrange an appointment with one of our volunteer lawyers. An administration fee of \$55 (\$25 concession) applies to this service.

Please feel free to forward this e-Bulletin within your networks.

With community support we will continue the fight for protection of our State's environmental assets. This is now more vital than ever as community donations are our chief source of financial support.

Please [join us](#) or [make a tax-deductible donation](#).

In the last fortnight we have;

- Provided advice to clients on clean up of freshwater pollution and coastal development issues
- Provided comment on the Tentative Findings document produced by the South Australian Royal Commission into the Nuclear Fuel Cycle
- Provided comment to the Senate Inquiry into the potential environmental, social and economic impacts of BP's planned exploratory oil drilling project, and any future oil or gas production in the Great Australian Bight

We are also on [Facebook](#). If you have any queries please phone us on (08) 8359 2222.

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NEWS AND EVENTS

South Australia

EDO Quiz Night Fundraiser

Only 2 weeks away!

Silent auction, games, raffle & more!

Theme: Gold and Black

“Give us your gold to keep us in the black!”

BYO Basket Supper. Drinks for sale at the Bar

MC: Judith Barr – former ABC Adelaide presenter

TICKETS: \$20 per person; \$200 for a table of 10

There will be door prizes of premium tasting vouchers at Primo Estate Wines (value \$30).

We already have the following sponsors for our Quiz Night in Willunga:

*Roseys Aldinga,
Home Grain Bakery,
Surf Esteem,
Lou's Shack, Aldinga
Sophie Dunlop (artist),
Penny Hill Wines,
QIK Pix,
Willunga Farmer's Market,
Coriole Wines,
Samuel's Gorge Wines,
Kaz's Retro Retreat,
Russell's Pizza,
Hither & Yon Wines,
Fall from Grace,
The Old Vine,
Salopian Inn,
Artel Restaurant and Bar,
Blondie's Shoes,
Mercury Cinema,
Au Pear,
Carmel's,
Taronga Orchard Almonds,
Cradle of Hills Wines,
Hardings Olives,
Willunga Pasta,
Fleurieu Lavender,
2 Hills and a Creek
Matchett's
Willunga Olive Farm
Diggers*

We are looking for more so if you would like to sponsor the Quiz Night, please contact Karen Bubna-Litic on 0402348301.

Accommodation options

The quiz is being held over a long weekend. What better way of taking a break, staying at one of the B n B establishments overnight, followed by a leisurely tour of McLaren Vale wineries on the Sunday, or a swim at the many beaches along the coast? If you are looking for

accommodation over the Quiz weekend, Kaz's Retro Retreat will donate 20% of the value of accommodation booked to the EDO. It accommodates 5 people in three bedrooms. The link to book is below.. Don't forget to mention this notice to trigger the donation.

<https://www.airbnb.com.au/rooms/4881659?preview>. There is also a very long list of further accommodation options on the McLaren Vale Visitor Centre website.

Bus option

For those who'd prefer not to linger and try out wineries the next day, there is an offer of a 24 seater bus from Adelaide for people going to the Quiz, the fare being \$10 return on the night. If the EDO gets enough people to fill the bus, then it can be provided, so anyone wanting a lift from two pickup points north and south of the City please email iris7@internode.on.net as soon as possible if you are interested.

When: Saturday, **23 April 2016**; arrive 6:30pm for a 7pm start

Where: Willunga Show Hall, Main Road, Willunga

Book: www.edosa.nationbuilder.com/quiz_night

For further info. contact edosa@edo.org.au or phone Iris on 0438 535 058

Offshore Drilling Community Forum – “Our Land, Our Sea, Our Future”

EDO(SA), the Limestone Coast Protection Alliance, and the Great Australian Bight Alliance will be holding a community forum at Millicent in the state's southeast that will address the timely issue of offshore drilling. Readers will be aware that the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA) is currently reviewing the resubmitted environment plan by BP Developments Australia in relation to its proposal to undertake substantial exploration drilling in the Great Australian Bight.

The proposed drilling program has attracted significant community concerns. [Independent modelling](#) commissioned by the Wilderness Society has indicated that a deep-water well blowout in the lease area - of even modest proportions - could affect the entire southern coastline of Australia from WA across to Victoria, Tasmania and Bass Strait. Should the spill approach the magnitude of BP's 2010 Deepwater Horizon exploration well spill in the Gulf of Mexico it could destroy marine environments, fisheries and tourist industries across southern Australia, with oil contamination reaching even as far as Sydney and New Zealand.

Speakers at the forum include Peter Owen (The Wilderness Society SA) and Melissa Ballantyne (Environmental Defenders Office SA).

When: 7pm, Monday **9 May 2016**.

Where: Millicent Community Club, 28 Davenport St, Millicent SA.

Entry is by gold coin donation. For more information contact Melissa Ballantyne 1800 337 566.

[Reminder: EDO travelling to Mt Gambier to provide legal advice sessions](#)

EDO(SA)'s Coordinator/solicitor Melissa Ballantyne will be travelling in May to the SE Community Legal Service office in Mt Gambier as part of the EDO's Legal Outreach service. Melissa will be available to provide expert legal advice on environmental and development issues. Advice is provided for free, although there is an administrative cost recovery fee of \$55 (\$25 concession).

When: Tuesday A.M., **10 May 2016.**

Where: SE Community Legal Service, 9 Penola Rd, Mt Gambier SA.

Book: Freecall: 1800 337 566

['Let's Talk About Consumption' – 1 Day Interactive Workshop](#)

The Conservation Council of Australia and the Australian Earth Laws Alliance will be conducting a free workshop in May that will examine the unsustainable consumption of natural resources by human societies, and look for solutions.

It is estimated that today, we use the equivalent of 1.6 planets to provide the resources we use and absorb our waste (Global Footprint Network). And of course, we only have one precious Earth. The impacts on our climate, ecosystems and declining biodiversity are just some of the most obvious signs of our over-consumption. If we are to transform our relationship with the Earth community and create a healthy future for all life on Earth, we must reduce our consumption of the natural world.

But how do we do this? Modern Australian society has little experience understanding, or trying to live within, its ecological limits. Our dominant economic, political and legal systems are built on the antiquated notion of 'endless growth', which is powered by unsustainable consumption. AELA is inviting individuals, community groups, environmental NGOs, regulators, academics and others to our interactive workshop, to discuss the problems caused by unsustainable consumption and map out collective strategies for reducing consumption.

This workshop is an opportunity to share achievements and frustrations in trying to tackle consumption, and provide views about the role of law and regulation in supporting a sustainable consumption future. The ideas, case studies and recommendations generated by participants will form part of a major publication series, aimed at supporting civil society initiatives and influencing public policy.

When: 8:30 for a 9am start, Friday **27 May 2016**.

Where: The Joinery, 111 Franklin St, Adelaide.

Book: At the above headline link.

[2016 NRM Science Conference](#)

The Department of Environment, Water and Natural Resources (DEWNR) is organising the 2016 NRM Science Conference, which will showcase the natural resource management science underpinning environmental decision making, policy and management in South Australia. Presenters include university and government scientists.

The event is free of charge and open to all.

More than 250 projects will be presented over three days covering topics such as citizen science, climate change, conservation and biodiversity management, fire ecology and management, Indigenous natural resource knowledge, marine and coasts, sustainable land management and water management.

When: **13-15 April 2016**.

Where: Bragg Lecture Theatre, University of Adelaide, North Terrace, Adelaide, SA.

Register: At the above headline link.

Commonwealth & Interstate

[Australian Earth Laws Alliance Conference 2016 – call for papers](#)

Australian Earth Laws Alliance (AELA) are calling for papers for their October conference titled “The future of Australian environmental law: politics, reform and community activism”, which will be held at Griffith University in Brisbane.

Confirmed speakers so far:

- The Hon. Justice Brian Preston, Chief Judge of the NSW Land and Environment Court
- Professor Irene Watson, University of South Australia and the Tanganeakald and Meintangk First Nations Peoples
- David Ritter, CEO Greenpeace Australia
- Adjunct Professor Rob Fowler, University of South Australia
- Professor Brendan Mackey, Director, Griffith Climate Change Response Program

- Professor Mathew Rimmer, QUT Law School
- Dr Nicole Rogers, School of Law and Justice, Southern Cross University
- Jo-Anne Bragg, CEO, Environmental Defenders Office Qld
- Sue Higginson, CEO, Environmental Defenders Office NSW
- Brendan Sydes, CEO, Environmental Justice Australia
- Aidan Ricketts, School of Law and Justice, Southern Cross University
- Dr Michelle Maloney, Convenor, Australian Earth Laws Alliance

The conference convenors welcome proposals for individual papers and panels addressing a wide range of themes exploring the future of environmental law and governance in Australia. Further details can be found by following the above headline link.

The call for papers closes **1 June 2016**.

NOTICES AND INQUIRIES

South Australia

Regular SA Government Consultations

Below are links to a number of SA Government agencies and bodies who undertake regular environmental audits or assessments open for public consultation. Whilst there are too many such consultations for us to list them all fully in the e-Bulletin, the links are included here as they may nevertheless be of interest to readers. The e-Bulletin will publish consultations in these categories where we deem them to be of wide public importance.

[Current Crown Developments and 'Category 3' Developments before the DAC](#)

[Current Ministerial Development Plan Amendments](#)

[Current DEWNR consultations](#)

[Current EPA license applications](#)

[Current DSD mining proposals](#)

Commonwealth

[Consultation and Transparency Requirements for Offshore Petroleum Activities – Public Review](#)

On 22 March 2016, the Department of Industry, Innovation and Science released an issues paper examining the consultation and transparency requirements for offshore petroleum and greenhouse gas activities in place under the Offshore Petroleum and Greenhouse Gas Storage (Environment Regulations) 2009 (the Environment Regulations).

The Department says that while the Environment Regulations contain existing regulatory mechanisms that aim to provide transparency to stakeholders and ensure the consultation process is undertaken appropriately, feedback from industry and community stakeholders indicates the effectiveness of these mechanisms is not meeting all stakeholders' expectations. A key issue raised was the need for earlier engagement in the regulatory process to build community confidence in offshore petroleum environmental management.

The department, in consultation with NOPSEMA, has developed an issues paper to examine these concerns. The stated purpose of the issues paper is to:

- identify policy, legal and operational issues that could impact the effectiveness of the consultation requirements under the Environment Regulations
- discuss those issues and identify draft options to address the issues identified
- invite comments on the issues and proposed options, and any potential impacts on stakeholders, including industry and other parties.

Submissions are due by **30 April 2016**.

For more information click on the headline link.

[EPBC Act referral – SE Flows Restoration Project - Coorong South Lagoon](#)

The Federal Environment Minister has received a referral under the *Environment Biodiversity and Conservation Act 1999* in regard to drainage works in the Coorong South Lagoon area as part of the South East Flows Restoration Project (SEFRP).

The referral - made by the South Australian Department of Environment, Water and Natural Resources - involves widening approximately 81 km of existing drains (the Tilley Swamp and Taratap drains), and constructing approximately 12 km of new drains to connect the Taratap Drain to the existing Blackford Drain. The SEFRP channel capacity will range between 1,100 ML/day and 600 ML/day and will have the capacity to deliver, on average, an additional 26.5 GL (56.2 GL total) of water to the Coorong South Lagoon per year.

The project is designed to provide significant long-term environmental outcomes for:

(1) the Coorong South Lagoon by helping to maintain salinity between the target management ranges of 60 g/L and 100 g/L in order to ensure that the lethal effects of high salinity on the ecosystem are mitigated during periods of low barrage outflows; and (2) the Tilley Swamp and Taratap ("en route") wetlands through the provision of additional flows.

The referral identifies that the proposed works will take place within a declared Ramsar Wetland, a site of international importance. In addition the referral identifies 3 listed ecological communities, 54 listed threatened species and 57 listed migratory species that are either present, or potentially present, within the development area.

Submissions are due by **11 April 2016**.

[Senate Inquiry into 'Supertrawlers' – interim report indefinitely delayed](#)

The Senate's Environment and Communications References Committee has advised that the interim report of its Inquiry into the environmental, social and economic impacts of large-capacity fishing vessels commonly known as 'Supertrawlers' operating in Australia's marine jurisdiction, will be delayed indefinitely. While the parliamentary website appears to show that an interim report has been released, the document contains only a request for further time. The Final Report is expected by 24 August 2016.

[Senate Inquiry into the threat of marine plastic pollution – interim report cancelled](#)

The Senate's Environment and Communications References Committee has advised that the interim report of its Inquiry into the threat of marine plastic pollution in Australia has been cancelled. Instead a notice has been released asking for an extension of time so that the Final Report can be released within two weeks.

The Inquiry is looking at the impacts of marine plastic pollution on species and ecosystems, fisheries, small business, and human health – as well as looking at measures and resources for mitigation.

[National Standard for Environmental Risk Management of Industrial Chemicals – Discussion Paper and consultation](#)

Environment Ministers from the Commonwealth and all states and territories met in July 2015 and agreed to establish a National Standard for the environmental risk management of industrial chemicals. This followed on from the Productivity Commission's 2008 *Research Report on Chemicals and Plastics Regulation* which highlighted that management of environmental risks from industrial chemicals across jurisdictions was fragmented and inefficient, and less effective than other chemical risk management regimes.

The Commonwealth Government says that a new National Standard is intended to streamline regulation of industrial chemicals, enabling a more consistent, efficient and effective approach to environmental risk management of industrial chemicals across all jurisdictions.

A Discussion Paper has now been released for public consultation. The stated purpose of the discussion paper is to outline the proposed design and operation of the Standard, including

scheduling and decision-making under the Standard. The paper provides an overview of the Schedules for industrial chemicals and how risk management conditions may be applied.

Submissions are due by **6 May 2016**.

Regular Commonwealth Government Consultations

Below are links to Federal Government agencies and bodies who undertake environmental audits/assessments that may be open for public consultation. Whilst there are too many such consultations for us to list them all in the e-Bulletin, the links are included here as they may nevertheless be of interest to readers. The e-Bulletin will publish consultations in these categories where we deem them to be of wide public importance.

Department of Environment Public Notices and Invitations to Comment

PREVIOUS NOTICES: REMINDERS

[Planning, Development and Infrastructure Bill consultation](#)

- Parliamentary debate is continuing. Submissions can still be made directly by contacting Minister Rau's office, the Department of Planning, Transport and Infrastructure (DPTI.Planning@sa.gov.au), or your local MP.

[Vehicle emissions discussion paper – consultation open](#)

- Submissions due by **8 April 2016**.

[Draft EPBC Act referral guidelines for the vulnerable Murray cod](#)

- Submissions due by **6 May 2016**.

[Improving the River Torrens from the foothills to the sea – consultation open](#)

- Submissions are due **30 June 2016**.

[The next generation of Australia's environmental laws – public consultation](#)

- Due date unspecified.

EDO(SA) RECENT SUBMISSIONS

EDO(SA) has recently released the following completed submission, which is available for download:

[Response to the Nuclear Fuel Cycle Royal Commission Tentative Findings](#)

EDOs of AUSTRALIA RECENT SUBMISSIONS

EDOs of Australia has recently released the following completed submissions, which are available for download:

[Reforms to the National Industrial Chemicals Notification and Assessment Scheme](#)

[Submission to the Senate's Unconventional Gas Mining Inquiry](#)