

e-Bulletin

No. 8 of 2016, 9 June 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. In the last fortnight we have been working hard on issues such as preparing a submission to the Parliamentary Inquiry into the Nuclear Fuel Cycle Royal Commission Report (see item under Notices and Inquiries).

To help us to continue our vital work we ask that you please consider an end of financial year donation - all amounts over \$2 are tax deductible.

Please click here to [make a tax-deductible donation](#).

We are also on [Facebook](#).

EDO memberships are now due

EDO memberships are now due for renewal. Being a financial member is a great way to show your support. Membership rates are \$66 waged, \$33 concession, \$120 corporate and \$66 NFP. You can join or renew online [here](#) or contact us for further information on 8359 2222.

Also a quick call out to lawyers who might be interested in volunteering with the EDO advisory service. As of the 1 July practitioners who volunteer with us can apply to the Law Society for a volunteer practicing certificate (at much less cost than an ordinary practicing certificate). For more information contact the Law Society and/or the EDO.

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NEWS AND EVENTS

South Australia

[Law Society of SA – Nuclear Waste Repository information session](#)

The South Australian Government is considering whether to develop a nuclear waste repository in SA, for the permanent disposal of nuclear waste from around the world.

This will be an informal, free presentation by Kyra Reznikov of Finlaysons Lawyers, who was a member of a recent delegation to study nuclear sites in Finland, France and the UK in order to investigate what is likely to be involved in developing and operating a repository in SA. The discussion will focus on what nuclear waste repositories look like, the types of waste involved, where they are located, how the waste is transported and handled, and how safety and environmental risks are addressed.

When: Monday, **20 June 2016**; 1.00pm to 2.00pm

Where: Law Society of SA - Level 10, 178 North Terrace, Adelaide

Register: registrations@lawsocietysa.asn.au or [here](#)

Commonwealth

[The Federal Government's withdrawal from national environmental oversight](#)

James Trezise, policy co-ordinator for the Australian Conservation Foundation, has written a thought-provoking article on the [SBS news site](#) about the difficulties now coming to bear from the Federal Government handing over of a significant amount of authority for environmental matters to the States. This took place even though the Federal legislation itself specifically identifies that the issues to be regulated by the States are in fact “matters of **national** environmental significance” [our emphasis added].

Trezise outlines the policies that all the main parties will be taking to the election in this regard and, in the light of public concerns expressed with these various approaches, points to various solutions and better means of consultation to adequately protect “...our air, water, wildlife and places we love”. The full article can be viewed at the above link.

NOTICES AND INQUIRIES

South Australia

[Parliamentary Inquiry into findings of the Nuclear Fuel Cycle Royal Commission](#)

A Joint Committee of the South Australian Parliament has been established to consider the findings of the Nuclear Fuel Cycle Royal Commission. The Terms of Reference establish that the Inquiry is to focus on the issues associated with the establishment of a nuclear waste storage facility, and to provide advice, and report on, any South Australian Government legislative, regulatory or institutional arrangements, and any other matter that the Committee sees fit. The Joint Committee is to be comprised of two government members, two opposition members, and two crossbench members.

The Joint Committee is now calling for submissions from the public on this important topic. Information on providing submissions can be found by following the above headline link.

Submissions are due by **1 July 2016**.

[Biosecurity Strategy for Kangaroo Island – public consultation](#)

The South Australian Government is looking to create a new Biosecurity Strategy for Kangaroo Island for the years 2016-2021, and is seeking public feedback on a draft strategy. Biosecurity is the protection of the terrestrial and marine environment, agricultural industries and human health from the adverse impacts of pest, diseases and weeds.

Kangaroo Island is fortunate to be free of many of the pests and diseases found on the mainland. The geographical isolation, along with the existing policies and the promotion of awareness of high risk goods has assisted in managing biosecurity over recent years. The potential financial impacts on some agricultural industries and the tourism sector if particular

pests were to establish on KI would be significant, with niche agricultural enterprises such as the apiary industry relying heavily on freedom from pests and disease, uniqueness of species and Kangaroo Island provenance.

Submissions are due by **June 27 2016**.

[Environment Protection \(Air Quality\) Policy 2016 – summary of submissions](#)

Following a public consultation and engagement process on the *draft Environment Protection (Air Quality) Policy 2016*, the Environment Protection Authority (EPA) has released a summary of the submissions received and the EPA's response.

A summary of revisions to the draft Environment Protection (Air Quality) Policy 2016 as a result of submissions are included in Section 6 of the report. The report may be accessed by following the above link.

[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

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

The Federal Environment Minister has made a decision that no approval is required under the *Environment Biodiversity and Conservation Act 1999* for proposed drainage works in the Coorong South Lagoon area as part of the South East Flows Restoration Project (SEFRP). The Minister has decided that the project does not constitute a *controlled action* under the Act, and therefore requires no assessment.

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

[Smart Cities Plan – public consultation](#)

The Federal Government has released a 'Smart Cities Plan' which it says "...represents a new framework for cities policy at the federal level - and it is a framework that will guide action across various portfolios, to deliver better outcomes for our cities, the people who live in them and all Australians." The Plan appears to be a response to the projected changes that a 'transition to a knowledge economy' will bring to the urban landscape. It is an attempt to develop a long-term framework to facilitate that change, whilst addressing the issues of housing affordability, access to local jobs, congestion, traffic and environmental stress that would accompany that change.

The Government is now calling on the public and interested groups to have their say on the Smart Cities Plan. The Plan may be viewed by following the above headline link.

Submissions are due by **24 June 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

[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.