

e-Bulletin

No. 12 of 2016, 11 August 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. We provide legal advice and where possible court representation, engage in law reform and participate in legal education activities for the South Australian community.

To help us to continue our work we ask that you please consider a donation - all amounts over \$2 are tax deductible.

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

We are also on [Facebook](#).

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NEWS AND EVENTS

South Australia

[NEXT THURSDAY: EDO Heritage Hypothetical](#)

Come along to a lively session debating the value of both natural and built heritage - what's it worth?

Brian Hayes QC will create imaginary heritage situations and seek responses from our panel of passionate advocates including parliamentarian Mark Parnell, lawyer David Cole, planner/historian Dr Iris Iwanicki and environmental policy maker Kathryn Bellette.

Attendees will receive a complimentary drink and nibbles on arrival.

We will also be having an art auction to raise much needed funds for the EDO. Donations of art for the auction are most welcome!

When: Thursday **18 August 2016** - 5:30pm for 6pm start. Event concludes 8pm.

Where: **Flinders University City Campus:** Room 1, Level 1, 182 Victoria Square (cnr Flinders St), Adelaide

Tickets: **\$20** (waged), **\$5** (student/concession)

Tickets can be purchased on the night or book online [HERE](#)

[BP's Great Australian Bight drilling sites to be located in a marine reserve](#)

Following two rejections of its Environment Plan by the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA) BP has released a map indicating precisely where in its 12,000 km² drilling area it is planning to target its exploration wells. Both locations fall in the middle of the Commonwealth's Great Australian Bight Marine Reserve. That reserve is described by the Federal Environment Department as a globally important seasonal calving habitat for the threatened southern right whale, as well as an important foraging area for the

threatened Australian sea lion, white shark, sperm whale and short-tailed shearwater. The area is also important for small pelagic fish (a species group with an important ecological role).

The purpose of BP's drilling program is to determine whether the underwater target formations of the Bight have commercially recoverable volumes of oil and natural gas. Drilling would take place in water depths ranging between 1,000 and 2,500 m. At its closest point, the drilling area would be located approximately 395 km west of Port Lincoln and 340 km southwest of Ceduna in South Australia.

BP was responsible for the world's largest oil spill in 2010 with the Deepwater Horizon disaster in the Gulf of Mexico. That catastrophe also occurred during an exploration drilling program, yet was conducted at shallower depths and in calmer waters than occur in the Bight. Furthermore, the Gulf of Mexico is a hub for oil spill clean-up and response assets, almost none of which are known to be present in the Great Australian Bight.

BP is in the middle of an extension period given by NOPSEMA to modify its Environment Plan so it can submit a third time by **31 August 2016**.

[Hawke Centre Keynote Address – The Futures of Waste: The Global Waste Crisis](#)

The Hawke Centre will be conducting a seminar and exhibition focused on The Future of Waste, to be followed by a keynote address by Prof. Veena Sahajwalla, Director of the SMaRT Centre at UNSW. The address is titled: *The role of sustainability and materials in the new innovation economy: Green Materials from Waste Resources*.

When: Thursday, **8 September 2016**, 6:00pm.

Where: Allan Scott Auditorium, Hawke building, UniSA City West campus, 55 North Terrace, Adelaide.

Book: [Here](#) - Free admission.

[REMINDER: EDO travelling to Kangaroo Island to provide legal advice sessions](#)

EDO(SA)'s Coordinator/solicitor Melissa Ballantyne will be travelling in August to Kangaroo Island 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, **23 August 2016**.

Where: Call or book below to organise a time and venue on the island.

Book: <http://www.edosa.org.au/requestlegaladvice> or ring Freecall: 1800 337 566

[REMINDER: EDO to speak at the Our Island Home – Our Future – Community Forum on K.I.](#)

EDO lawyer, Melissa Ballantyne will be one of the speakers at this important forum which will focus on BP's risky plans to explore for oil in the Great Australian Bight.

When: Monday, **22 August 2016**, 6:30 - 9:30pm.

Where: Kingscote Town Hall

Info: <https://www.facebook.com/events/1739982356289707/>

[REMINDER: EDO AGM – advance notice](#)

EDO(SA) will be holding its Annual General Meeting in October. Guest Speaker will be the Federal Shadow Minister for Climate Change and Energy, Mark Butler.

When: Monday, **24 October 2016**, 5:30pm

Where: **Flinders University City Campus:** Room 1, Level 1, 182 Victoria Square (cnr Flinders St), Adelaide

NOTICES AND INQUIRIES

South Australia

[Crown Development – Flinders Medical Centre](#)

The Development Assessment Commission (DAC) has given notice of an application by SA Health to expand the carpark at Flinders Medical Centre. The proposal calls for the addition of two-floor levels to an approved multi-deck carpark structure. Total car-parking numbers would increase from 1240 to 1800 (an increase of 560 spaces). The previously approved vehicle access points to Flinders Drive would remain unchanged.

Submissions are due **31 August 2016**.

[Nuclear Parliamentary Inquiry publishes transcripts of evidence and public submissions](#)

The South Australian Joint Parliamentary Inquiry into the findings of the Nuclear Fuel Cycle Royal Commission has made available copies of public submissions received, as well as a transcript of evidence heard by the Inquiry.

All documents may be downloaded from the above headline 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 YourSAy consultations](#)

[Current EPA license applications](#)

[Current DSD mining proposals](#)

Commonwealth

Coal mine waste gas ERF consultation

A proposed variation to the Emissions Reduction Fund (ERF) Methods expands the coverage of the existing method by recognising emission reductions delivered through the use of Ventilation Air Methane (VAM) oxidation devices.

VAM oxidation is a process that converts VAM (very low concentration methane) into carbon dioxide. This helps to reduce Australia's national emissions because carbon dioxide is a less potent greenhouse gas than methane. Many of these VAM oxidation devices are also able to produce electricity.

The proposed changes will provide projects with the potential to unlock substantial new sources of abatement. In 2012, VAM emissions accounted for up to 60 per cent (approximately 12.7 million tonnes) of fugitive emissions from Australian underground coal mines.

Submissions are due by **29 August 2016**.

Beef cattle herd management ERF consultation

This proposed Emissions Reduction Fund (ERF) determination variation clarifies and simplifies requirements, and implements several operational changes. The proposed variation would address:

- the need for changes to cater for mergers and acquisitions when complete historical data for a herd is not available;
- complexity with the project boundary and the need to increase transparency of cattle numbers and movements between herds; and
- the definition of a business operation which does not have an Australian Business Number (ABN).

Submissions are due by **15 August 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

[SA Government to consult on removing 'outdated' or 'unnecessary' legislation](#)

- Submissions are due **13 August 2016**.

[SA's native vegetation regulations set to change – public consultation](#)

- Submissions are due **15 August 2016**.

[Glenside Hospital Site – Development Plan Amendment public consultation](#)

- Submissions are due **17 August 2016**.

[Productivity Commission – draft report into regulation of agriculture released](#)

- Submissions are due **18 August 2016**.

[Nuclear Royal Commission Report state-wide public consultation](#)

- 2nd stage consultation to close **'late October' 2016**.

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

- Due date unspecified.