

e-Bulletin

No. 4 of 2017, 16 March 2017

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 assistance, engage in law reform and participate in legal education activities for the South Australian community. If you are seeking advice on any environmental or planning issue please visit our website or email edosa@edo.org.au

Since our last ebulletin we have been finalising our submissions to the Review of the State's Mining laws. Our first submission on the Mines and Works Inspection Act is now on our website (see link below). Our major submission on the Mining Act will be on our website by the end of the month. We are also pleased to have completed our audit report of public participation provisions in SA legislation impacting the environment and are looking forward to launching this publication at our seminar on 12 April – please see details below. Other work coming up includes participating in a review of the Environment Protection Noise Policy 2007.

This year the EDO celebrates 25 years providing services to the SA community- more on this in future ebulletins. One of the major supports that the EDO has had over the years are our volunteers-students, professionals, members of the community. The EDO would like to celebrate and raise awareness of the amazing work of our volunteers. If you have volunteered with us we invite you to share some of your experiences and insights gained. These testimonials may be shared on various platforms such as the EDO website, LinkedIn, the eBulletin and Facebook to highlight not only the work you've done but also the types of activities and cases that the EDO engages in. We are looking for a brief description of who you are, your occupation currently, how you volunteered and why you support the EDO. Your testimonial need only be short, preferably no more than 100 words. If you would like to contribute please email us at edosa@edo.org.au

You could also consider making a donation to the EDO - all amounts over \$2 are tax deductible. All donations are vital in helping us to continue providing our services to the SA community.

Click here to [join us](#) or [make a tax-deductible donation](#).

We are also on [Facebook](#).

Please feel free to share this eBulletin with your networks.

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NEWS AND EVENTS

South Australia

[Call for an admin volunteer at the EDO](#)

If you have some time to spare on a regular basis to help out with routine office work (half to one day per week) we would love to hear from you. Ideally, a retired legal secretary, or departmental clerk who wants to help out would be particularly appreciated. Tasks would include:

- maintenance of client, member and supporter data bases

- data entry and file management
- website maintenance
- basic office duties eg answering phone calls, recording incoming and outgoing mail
- helping to research grant and sponsorship opportunities
- helping to organise events

Please call Iris if you can help, on 0438 535 058.

[DAC approves Glenside demolitions and tree removals](#)

The South Australian Development Assessment Condition has granted Development Plan Consent for the demolition of all non-heritage buildings - as well as the removal of 55 regulated and 28 significant trees - at the old Glenside Hospital site.

The proposal, by Cedar Woods Properties Ltd, will also involve site remediation works, construction of a regional detention basin, the construction of a sales office, associated signage and a car park. The approval is subject to 12 conditions of consent. All the relevant minutes, approvals and conditions may be viewed by following the above headline link.

[EPA approves topsoil for Port Augusta power station ash problems](#)

The South Australian Environmental Protection Authority has given approval to Flinders Power to begin applying topsoil across the Port Augusta power station's ash dam as part of a plan to rehabilitate the site and settle the wind-blown ash and dust problems that have been occurring since the station's closure. Work on applying topsoil will begin immediately so that it is in place in time for native vegetation to be established in the coming months.

EPA Chief Executive Tony Circelli said the rehabilitation is an important step in site closure for the protection of the environment and community. "Ensuring that the rehabilitation of this site is managed in the best possible way for the community is a priority, and long-term management and monitoring of the rehabilitation work is a requirement of all approval parties including the EPA, Native Vegetation Council, and the independent site contamination auditor," Mr Circelli said.

"The proposal will provide a stable separation layer between the ash and the final surface, by spreading topsoil across the 220ha ash dam area and planting over six tonnes of native vegetation seeds," he said. Seeds have been sourced from existing local vegetation and similar sites within SA and soil is being sourced from within the Flinders Power site.

Reminder: EDO Seminar - What role does the community have in environmental decision making?

Access and participation by citizens in decision making is at the heart of modern policy and law making. Typical areas of public participation include strategic planning, community forums, commenting on specific proposals, formal submissions or representations, access to information, appeals and civil enforcement. However the EDO is concerned that many aspects of environmental law and policy do not prioritise public participation rights.

The EDO will be launching its audit report into public participation provisions in South Australian legislation which directly and indirectly impacts on environmental decision making. The report identifies deficiencies and makes recommendations for law reform.

Speakers: EDO staff solicitor Melissa Ballantyne, Alison Brookman (Wallmans Solicitors), Daniel Popping (Department of Premier and Cabinet), Lisa Teburea (Local Government Association) and Associate Professor Karen Bubna-Litic (University of SA)

WHEN: Wednesday 12 April 9.30am -12 noon

WHERE: Room 1, Level 1, 182 Victoria Square Adelaide (Flinders Uni City Campus)

BOOK: <http://www.edosa.org.au/seminar>

Tickets \$50/\$25 concession -includes morning tea

Inquiries : edosa@edo.org.au

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 YourSAy consultations](#)

[Current EPA license applications](#)

[Current DSD mining proposals](#)

[Current DSD petroleum proposals](#)

Commonwealth

[EPBC Act referral – Carrapateena copper / gold / silver mine](#)

The Federal Environment Minister has received a referral under *the Environment Protection and Biodiversity Conservation Act 1999* from OZ Minerals Carrapateena Pty Ltd in regard to their proposal to develop an underground copper/gold/silver gold mine and processing plant in the vicinity of Lake Torrens, SA. The mine would be located approximately 160 km north of Port Augusta, and 65km west of Woomera.

The development would include on-site ore processing. The company says that ore would be processed at a nominal rate of approximately 4 Mtpa via a conventional crushing, grinding and flotation circuit, followed by a pressure leach hydrometallurgical operation, referred to as the Concentrate Treatment Plant (CTP), designed to increase the grade of the concentrate. Concentrate will be produced at a rate of up to approximately 175,000 dry tpa.

The facility would also involve the construction of a tailings dam, and the requirement for up to 13 megalitres per day of water. Power demand would be up to 57 MW, to be supplied from the SA electricity grid.

The referral describes 5 listed threatened species, 6 migratory species and 10 listed marine species that were identified within the vicinity of the mining area. The nationally important wetland - The Lake Torrens National Park – is also located within the project's buffer zone.

Submissions are due by **27 March 2017**.

[Productivity Commission releases National Water Reform issues paper](#)

The Productivity Commission has released an issues paper posing the questions the Commission will seek to ask and answer in their National Water Reform Inquiry. The Commission was tasked by the Treasurer, Scott Morrison, to undertake an Inquiry into the progress of reform in Australia's water resources sector. The Inquiry will have a

particular emphasis on the progress of all Australian governments in achieving the objectives, outcomes and timelines anticipated under the Intergovernmental Agreement on a National Water Initiative (NWI).

The Commission says that the inquiry will focus on the future challenges to ensure Australia's water policy settings are future proof. This will include addressing the looming challenges of climate change and climate variability, population growth and ageing water infrastructure. The Productivity Commission says they want to hear what has worked well and what hasn't, and whether there is any unfinished business about what is needed for water policy to serve the nation well in the future.

Submissions are due by **18 April 2017**.

[House of Representatives Inquiry – Modernising Australia's electricity grid](#)

The House of Representatives Standing Committee on the Environment and Energy will inquire into and report on the adequacy of the current electricity transmission and distribution networks to support Australia's future needs, giving particular consideration to:

1. the means by which a modern electricity transmission and distribution network can be expected to ensure a secure and sustainable supply of electricity at the lowest possible cost;
2. the current technological, economic, community and regulatory impediments and opportunities to achieving a modern electricity transmission and distribution network across all of Australia, and how these might be addressed and explored; and
3. international experiences and examples of electricity grid modernisation in comparable jurisdictions.

Submissions are due by **28 April 2017**.

[Climate Change Authority releases 'Land and Farming' issues paper](#)

The Climate Change Authority has released an issues paper for public consultation called *Action on the land: reducing emissions, conserving natural capital and improving farm profitability*.

In the first phase of the research, this issues paper seeks stakeholder views on barriers to, and solutions for, delivering "win-win" outcomes on the land.

The issues paper considers the following areas:

- the agriculture sector, its challenges and opportunities including improving productivity, climate change impacts and natural resource management (NRM)
- existing agricultural-related policies and programs
- measurement and reporting needed to design or evaluate programs aimed at coordinating NRM and emissions reduction initiatives
- options to involve the private sector in creating new markets for NRM outcomes and environmental services
- options for integrating emissions reductions, broader NRM outcomes and farm profitability through research and development.

Submissions are due by **20 April 2017**.

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

[Invitation to comment on a national phase-down of mercury](#)

- Submissions due by **17 March 2017**.

[House of Representatives Inquiry - Water use efficiency in Australian agriculture](#)

- Submissions due by **31 March 2017**.

[Senate Inquiry – The adequacy of current mine rehabilitation in Australia](#)

- Submissions due by **10 April 2017**.

[Draft Threat Abatement Plan for the Impacts of Marine Debris on Vertebrate Marine Species](#)

- Submissions due by **13 April 2017**.

[Productivity Commission Inquiry – National Water Reform](#)

- The inquiry is currently open for general submissions with no specific due date.

EDO (SA) Recent Submissions

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

- [EDO Submission on Mines and Works Inspection Act 150317](#)