

## **e-Bulletin**

### **No. 14 of 2017, 14 September 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 <http://www.edosa.org.au/> or email [edosa@edo.org.au](mailto:edosa@edo.org.au)**

The EDO has been busy since the last ebulletin dealing with a number of ongoing issues including reviewing the recommendations just released as to how SA's mining laws will change. For further information please see the article below.

**Our services are only possible with the support of the South Australian community. The need for community support to keep the EDO's services going is stronger than ever. Your donation will enable us to continue our fight to defend the environment using the law. Please consider a tax deductible donation - all amounts over \$2 are tax deductible.**

**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

### **[THIS SUNDAY - Support the EDO in the City-to-Bay fun run!](#)**

Our team and thousands of Adelaideans will head down to the Bay this Sunday. We are making good progress towards our sponsorship target, but there is still work to do! All the money we raise goes towards keeping the EDO running and ensuring it can continue to make a difference to our environment. A very big thank you to all the people who have sponsored our team to date. Just a reminder that all donations over \$2 are tax deductible.

You can [sponsor our EDO SA running team at this link](#).

### **[SA Government releases Mining Acts Review recommendations](#)**

The Leading Practice Mining Acts Review, which was begun in September 2016, has now reached the legislative drafting stage with the release of 82 recommendations to amend the *Mining Act 1971*, the *Opal Mining Act 1995* and the *Mines and Works Inspection Act 1920*. The recommendations were developed after a public consultation process that received over 130 written submissions.

The Department of Premier and Cabinet says that “these recommendations will increase transparency, provide clear and improved landowner rights, promote investment in our regions, and introduce a fit-for-purpose environmental regulatory framework (that is aligned with leading environmental legislation such as the Environment Protection Act 1993).”

An outline of the 82 recommendations may be found by following the above headline link. The EDO has requested a copy of the draft Bill.

## **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 - Port Adelaide Outer Harbor Channel Widening Project](#)

The Federal Environment Minister has received a referral made under the *Environment Protection and Biodiversity Conservation Act 1999* from Flinders Ports Pty Ltd in regard to their Port Adelaide Outer Harbor Channel Widening Project. Flinders Ports operates the Flinders Adelaide Container Terminal in the Outer Harbor, which is currently configured for use by vessels up to Panamax class in size.

The company argues that there is now a global trend towards larger ships - called Post Panamax – which are not able to safely operate within Outer Harbor. The company is seeking permission to widen the existing 130m channel to 170m, in order to accommodate these larger vessels. This would involve the removal of 1.55 million cubic metres of material, which the company wants to dispose of 30km offshore in Gulf St Vincent.

The referral lists 11 listed threatened species and 13 listed migratory species which may potentially be impacted by the proposed project.

Submissions are due by **26 September 2017**.

### [EPBC Act referral – Marino Land Division](#)

The Federal Environment Minister has also received a referral made under the *Environment Protection and Biodiversity Conservation Act 1999* from Folkstone Pty Ltd in regard to their plan to develop 18 residential allotments located on the proposed Lot 100 Trumara Road, in Marino, South Australia, approximately 18km south west of Adelaide. The action area comprises 1.64 ha of the 10.4 ha Trumara Road landholding, and would require the clearing approximately 1.39 ha of native and exotic vegetation.

Notably, 1.22 ha of this clearing will be of the listed threatened ecological community *Iron-grass Temperate Grassland*. The referral also identified 42 listed threatened species, and 34 listed migratory species which have the potential to be present within the vicinity of the project.

Submissions are due by **21 September 2017**.

### [Review of the Emissions Reduction Fund](#)

The Climate Change Authority is conducting its mandated 3 year review of the Emissions Reduction Fund (ERF) and the Carbon Farming Initiative legislation.

In its 2016 Special Review on Australia's climate goals and policies, the Authority recommended that the ERF continue in its current form until other policies – like an Emissions Intensity Scheme or a Clean Energy Target and vehicle emissions standards – are put in place. The

Authority recommended that the ERF crediting arrangements should continue for the land sector into the future.

The Authority has expressed the view that its recommendations on the ERF in the Special Review remain current. The review will therefore focus on the operational aspects of the ERF. The Authority says it is keen to understand from stakeholders how the ERF is performing and whether any improvements should be made to the operation, administration, design and governance of the ERF.

Submissions are due by **29 September 2017**.

### **Senate Inquiry – The influence of political donations**

The Senate has established the Select Committee into the Political Influence of Donations to inquire into and report on the following matters:

- the level of influence that political donations exert over the public policy decisions of political parties, Members of Parliament and Government administration;
- the motivations and reasons why entities give donations to political parties and political candidates;
- the use of shell companies, trusts and other vehicles to obscure the original source of political donations;
- how to improve the integrity of political decision-making through our political donations regime and the public funding of elections;
- any other related matters.

Submissions are due by **9 October 2017**.

### **Senate Inquiry – The integrity of the Murray-Darling Basin water market**

The Senate has moved that the following matters be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 5 December 2017:

- the allegations of theft and corruption in the management of water resources in the Murray-Darling Basin,

- the investigation and public disclosure by authorities, including the New South Wales Government and the Murray-Darling Basin Authority, of reported breaches within the Murray-Darling Basin, including the Barwon-Darling Water Sharing Plan,
- the actions of member states in responding to allegations of corruption and the potential undermining of the Murray-Darling Basin Plan,
- the use of Commonwealth-owned environmental water for irrigation purposes, and the impact on Basin communities and the environment,
- the operation, expenditure and oversight of the Water for the Environment Special Account, and
- any other related matters.

Submissions are due by **28 September 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**

### [Review of Australia's Gene Technology Scheme](#)

- Submissions due by **15 September 2017**.

### [Australian Marine Parks – consultation on draft management plans](#)

- Submissions due by **20 September 2017**.

### [SA Planning – Consultation on a draft Community Engagement Charter](#)

- Submissions due by **9 October 2017**.

[Senate Inquiry – Waste and Recycling](#)

- Submissions due by **20 October 2017**.