

e-Bulletin

No. 20 of 2018, 13 December 2018

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.

In the last fortnight we have been working on analysing proposed reforms to South Australia's natural resources management laws – please see update under South Australia – Notices and Inquiries.

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

Our services are only possible with the support of the South Australian community. 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

[EDO\(SA\) Christmas closure](#)

After a very busy year we advise our office at the Flinders University City Campus will be closed during the holiday period from 5pm **Thursday 20 December**.

We will reopen on **Tuesday 8 January** at 10am.

Our volunteer legal advisory service has finished for the year and will recommence the first week of February. Advice on environmental law matters may be sought over January from the Legal Services Commission – 1300 366 424.

We wish to thank everyone who has supported us in some way this year – without you we could not provide our vital services. Best wishes for a happy and safe festive season and we look forward to taking up the fight again next year to protect our precious environment.

NOTICES AND INQUIRIES

South Australia

[Proposed Landscape SA Act – consultation report released](#)

The South Australian Government announced earlier in the year its intention to replace the *Natural Resources Management Act 2004* with a proposed 'Landscape South Australia Act'. A discussion paper was released to canvas opinion of what directions that legislation should take. A consultation report including all community feedback received (that was not marked confidential) has now been made available.

The Government says that some key aspects of the feedback received include:

- the need to ensure that our landscapes are climate resilient and support our regional communities, primary producers and economies to thrive
- regional communities want a system of managing natural resources that not only focuses on the basics of delivering effective water management, pest, plant and animal control, soil and land management
- new conservation and nature based sector sought greater support for ecological communities with thriving biodiversity
- regional communities wanting less 'red tape' and a greater voice in decision-making, with local Board membership reflecting their communities
- overwhelming support to distribute some levy funding from the metropolitan area to regional South Australia

- strong support across all areas of the state for the continuation of nature education and nature stewardship
- a high level of enthusiasm for the creation of Green Adelaide and its vision for establishing Adelaide as a world renowned water sensitive urban city that's ecologically vibrant and climate resilient.

The Landscape SA Bill is expected to be introduced into Parliament in early 2019.

[Adelaide and Mount Lofty Ranges Natural Resources Management Plan consultation](#)

The Adelaide and Mount Lofty Ranges Natural Resources Management Board is seeking comment on its next business plan.

The draft AMLR NRM Plan (Business and Operational) 2019-20 to 2021-22 is a three-year plan that sets out:

- the income that the Adelaide and Mount Lofty Ranges NRM Board (the NRM Board) receives through levies and other funding
- how the NRM Board will spend that money to achieve the targets in its strategic plan
- the conditions under which the board will issue a permit for a water affecting activity.

The draft plan is a transitional plan while the State Government implements NRM reforms across the state. While it has been prepared to cover a three-year period, it is anticipated that the plan will be replaced by the State Government's new Landscape South Australia (SA) and Green Adelaide plans before the end of the three-year period.

Submissions are due by **7 January 2019**.

[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 SCAP](#)

[Current Ministerial Development Plan Amendments](#)

[Current YourSAy consultations](#)

[Current EPA license applications](#)

[Current DSD mining proposals](#)

[Current DSD petroleum proposals](#)

Commonwealth

[Australia's progress in implementing the Convention on Biological Diversity](#)

The Australian Government is currently preparing its sixth National Report to the United Nations Convention on Biological Diversity (the Convention). As a Party to the Convention, Australia is formally required to report, on a four-yearly basis, its progress on conservation measures undertaken, the effectiveness of its actions, and general progress in implementing the objectives of the Convention. The report includes progress against the Convention's Strategic Plan and its 20 Aichi Biodiversity Targets, and implementation of a National Biodiversity Strategy and Action Plan, which is currently *Australia's Biodiversity Conservation Strategy 2010-2030*.

The Department of Environment and Energy is leading the development of this report, and is now launching a public consultation to determine Australia's contribution towards global and domestic objectives. The Department says that they are attempting to create a holistic report which encompasses not only action taken at the Commonwealth and State levels, but seeks input on the initiatives, projects and activities which form Australia's contribution to both the

Convention's Strategic Plan and its 20 biodiversity focussed targets (the Aichi Targets) which all Parties to the Convention have agreed to contribute to achieving.

The Department is also seeking any case studies that have been previously prepared that could be utilised for this Report.

Submissions are due by **21 January 2019**.

Senate Inquiry – 'Fair Dinkum' Power

On 28 November 2018 the Senate established the Select Committee into Fair Dinkum Power to inquire into:

- (a) the potential for empowering energy consumers to play a more important role in the National Electricity Market, through providing diverse services in:
 - (i) energy generation,
 - (ii) demand response and energy efficiency,
 - (iii) grid stability and reliability services,
 - (iv) alternatives to conventional network investment, and
 - (v) peer-to-peer trading between households and businesses;
- (b) the potential for these services to deliver lower energy costs and increased energy reliability;
- (c) the changing role of retailers in the National Electricity Market in light of the growing empowerment of consumers;
- (d) the impacts of privatisation;
- (e) regulatory reforms which would empower energy consumers, including the following key groups:
 - (i) households, including low income households and renters,
 - (ii) farms,
 - (iii) small businesses, and
 - (iv) major energy users;
- (f) the likely long-term impacts, including to emissions, reliability and stability, of energy consumers playing a larger role; and

(g) any other related matters.

Submissions are due by **15 February 2019**.

Senate Inquiry – Land management policy impacts

On Wednesday, 5 December 2018, the Minister for Agriculture and Water Resources, the Hon. David Littleproud MP, asked the Senate Standing Committee on Agriculture and Water Resources to inquire into and report on the impact on the agricultural sector of vegetation and land management policies, regulations and restrictions.

The inquiry will have particular regard to:

- Past and current practices of land and vegetation management by the agricultural sector and regional industries;
- The science behind activities such as back burning, clearing and rehabilitation;
- The economic impact of vegetation and land management policies, regulations and restrictions;
- The impact of severe fires on the agricultural landscape, agricultural production and industry in regional, rural and remote areas;
- Factors that contribute to fire risk in regional, rural and remote areas; and
- The role the agricultural sector has in working with emergency services and forestry management officials in managing fire risk.

Submissions are due by **25 January 2019**.

NOPSEMA postpones Bight marine seismic survey decision to January

The National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA) has again delayed a decision on the (now third) Environment Plan proposal from

Petroleum Geo-services Pty Ltd for their planned Duntroon Multi-client 3D and 2D Marine Seismic Survey in the Great Australian Bight.

NOPSEMA said that it was unable to make a decision within the required 30 days due to the complex nature of the assessment. It is now scheduled to make the decision by **14 January 2019**.

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.

[EPBC Act Public Notices and Invitations to Comment](#)

[Department of the Environment and Energy - Public Consultation Notice Board](#)

PREVIOUS NOTICES: REMINDERS

[Consultation on roadside vegetation changes](#)

- Submissions are due by **30 December 2018**.

[Offshore oil and gas decommissioning framework - initial review](#)

- Submissions are due by **16 January 2019**.

[Consultation - Beach Energy Otway Basin Production](#)

- Submissions are due by **1 February 2019**.

[EPA consultation - Radiation Protection and Control Bill 2018](#)

- Submissions are due by **19 February 2019**.

[Planning and Design Code: Productive Economy Policy Discussion Paper](#)

- Submissions are due by **22 February 2019**.

EDO(SA) Recent Submissions

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

[Natural Resources and Environment Policy Discussion Paper](#)

EDOs of Australia Recent Submissions

EDOs of Australia has recently released the following completed submission, which is available for download:

[Submission to NOPSEMA on Improving Consultation and Transparency of Offshore Oil and Gas – Draft Regulations](#)