

GREENLAW

NEWSLETTER OF THE ENVIRONMENTAL DEFENDERS OFFICE



ENVIRONMENTAL
DEFENDERS
OFFICE (SA)

*A Community Legal Centre specialising
in public interest environmental law.*

EDO Officially Launched

No 4: 1996

Our Office was officially opened on Friday 31st of May 1996 by Her Honour Judge Christine Trenorden of the Environment Resources and Development Court. The evening was a great success with over 100 people celebrating with wine, cheese and a few beers.

The Office was spectacularly decorated with paintings of the environment generously loaned to us by Erika Calder. We are lucky to have them still on view. The paintings are for sale, so if any took your fancy on the night of the launch, come back with your cheque book and buy them. The EDO receives a commission on every painting sold.

Law reform sub-committee report

Development (Major Development Assessment) Amendment Act 1996

This regressive piece of legislation was recently passed by the government with opposition support. The EDO was very disappointed in the approach taken by both major parties, particularly in relation to the removal of rights of judicial review. The EDO submission supported a number of changes to the EIA procedures, however we strongly opposed measures which removed rights of public scrutiny and the right to challenge illegal activity through the Courts.

The EDO pressed its position through direct lobbying and the media, however these

efforts were not sufficient to sway an opposition determined not to appear "anti-development". In the end, only the Australian Democrats opposed the Bill.

Water Resources Bill 1996

The EDO legislation sub-committee prepared a comprehensive submission on this major new resource and environment Bill. Consultations were undertaken with officers of the Department of Environment and Natural Resources. The EDO's general position is one of support for the proposed legislation, however there are a number of areas where improvements can be made.

In particular, the EDO has asked that the concept of "catchment" be included in the Bill as the primary unit of management. The EDO has also sought changes to the Bill to ensure that the interaction with other land use and natural resource legislation such as the Development Act, is made more explicit. Prescriptions as to membership of the various administrative bodies to be established under the Bill also require tightening to ensure that conservation interests are properly represented.

Copies of the submission are available from the EDO. The EDO will make further representations once the Bill has been tabled in Parliament.

Defending *the* Environment:

a public interest environmental law conference

Adelaide 21-22 September 1996

The EDO is proud to be sponsoring this year's ACEL Defending the Environment Conference.

This is the third year the Australian Centre for Environmental Law (ACEL), at The University of Adelaide Law School has held the 'Defending the Environment' Conference. This national public interest environmental law conference aims to examine current issues and developments regarding public involvement in the protection of the environment.

The conference will provide participants with opportunities to share knowledge and expertise, develop and maintain links for the exchange of information and nurture the development of public involvement in the defense of the environment.

Conference fees are \$80 for employed, \$40 concession. Entry to the public session is \$10 for employed, \$5 concession. A special session on 'Public Interest Environmental Litigation' will include contributions from the Victorian, West Australian and South Australian EDOs.

For a registration form please contact Paul Leadbeter or Linda Lambie; ph: (08) 8 303 5582; fax: (08) 8 303 4344. Late registrations are still being accepted.

EDO conference

Prior to the ACEL Defending the Environment Conference, a meeting of EDOs from around Australia will be held at our office. This meeting has been associated with the last three ACEL conferences, however this year, a full day (Friday 20th) has been set aside. The agenda will include important issues surrounding the now national network of EDOs and how we can best work together.

Seminars

The first of a series of seminars to be run jointly by the EDO and the National Environmental Law Association (NELA) was held at this Office in August. There were over 40 people gathered to get up to date information on SA Catchment Water Management Issues. Speakers were Lyn Parnell, (Chairperson, Patawalonga Catchment Water Management Board), Tony Reid, (Catchment Management consultant, Kinhill Engineers), Rowena McLean, (Australian Conservation Foundation) and Mark Parnell, (Environmental Defenders Office).

The next seminar will again be on water issues, this time focusing exclusively on the new Water Resources Bill. Details will be announced (and posted to members) once the Bill has been introduced into Parliament.

Future free evening seminars are being planned now. Any suggestions for topics?

The EDO also conducts seminars and provides speakers for community groups, organisations or companies on request. In the last six months we have provided our services to a number of organisations including, the National Committee of Peak Conservation Councils, the Threatened Species Network, the Neighbourhood Mediation Service, the Australian Institute for Environmental Health and the Constitutional Centenary Foundation State Schools Constitutional Foundation.

The conference space in our Halifax St office is also available for use by other groups. Seating is limited to around 45 and cost is by negotiation. Contact Chris in the office for details.

AGM

The AGM was held at the Earl of Aberdeen Hotel on Friday 14th June. The following members were elected to the management committee:

D. Cole, J. Levinson, P. Leadbeter, M. Doherty, T. Power, T. Pikusa, S. Lock, J. Tideman and A. Freeman. S. Lock has since moved interstate and we wish her well.

After spirited debate, the meeting also resolved to formally change our name from ELCAS (Environmental Law Community Advisory Service) to EDO. This was to bring us in line with the eight other EDOs now established throughout Australia. Whilst the change of name reflects our new role (and resources), it was also agreed that our established links with the legal profession through the rostered Thursday evening advisory service are much valued and will be retained.

EDO Strategic Plan

Any organisation with limited resources and a brief to "save the world" needs to plan strategically to be effective. The EDO management committee is currently preparing a plan to guide the office in its operations over the next 12 months and beyond. Key issues will include strategies for managing the increasing demand for advice and representation as well as balancing our three core activities of case work, law reform and legal education. Any suggestions or contributions from members will be welcome. Contact EDO Chairperson, D. Cole through the office.

Advice Service - Still going well

The Advice Service is continuing on Thursday nights staffed by volunteer lawyers from Adelaide's law firms. The service is in great demand with appointments being booked up to three weeks ahead. In light of the demand, the EDO is considering whether the Service should be expanded to two evenings per

week. Urgent matters are dealt with directly by EDO staff lawyers.

We have moved from the premises of Bowden Brompton Community Centre to the office of the EDO 118 Halifax Street, Adelaide. Thanks to Bowden Brompton for their support over the last 4 years.

Matters dealt with by EDO staff solicitors since March 1996, include advice on:

- contaminated land in country and urban areas
- demolition of heritage buildings
- private pollution prosecutions
- aquaculture regulation
- open space protection
- environmental whistleblowing
- privatisation of public utilities

The Staff

Most of you probably know that the Office is staffed by 2 jobshare lawyers. Mark Parnell works on Mondays and Tuesdays and James Blindell works on Thursdays and Fridays, also both do a half day on Wednesdays. Since July, Chris Hales has been working as the Administrative Officer for three days a week, Tuesdays to Thursdays. We also have a Vasiljko Vukojo, a Serbian barrister here on a 6 month jobskill placement.

On the rare occasion that all staff are out of the office, the answering machine will be on.

The Federal Budget

Even though the EDO SA was only set up this year, there was concern that with the change of Government, Federal funding may have been substantially or completely lost. As a result, a major campaign of lobbying was set into motion. The Federal Budget in August resulted in EDO SA's funding decreasing by about 1.4% ie: instead of getting \$70,000 we get about \$69,000.

This commitment seems fairly secure for the next three years.

Membership

To make administration easier, EDO membership is now on a financial year basis. All memberships expire on 30th June 1997. Renewal reminders will be sent out with notices of the next AGM around May next year. Members joining after 1st January will remain financial until the following year.

Thanks to those who have joined already. Shame on those who haven't! The EDO faces reduced government funding over the next three years, so our membership income is important.

Equipment

The EDO office is now almost fully equipped, however we still need the following:

- 486 IBM Compat. computer
- Whiteboard
- Guillotine (for paper - not royalty)
- Mailroom scales
- Commander telephone system

If you can help with any of these, please contact Chris in the office.

Donations

Donations to the EDO are now tax-deductible. So why not make a donation and feel great!

Membership Form

Members receive regular newsletters about the EDO and current issues in Environmental Law.

I wish to join the Environmental Defenders Office (SA) inc

Name:.....

Address:.....

Ph:w.....

Ph:h.....

Fax:.....

E-mail:.....

My fee of \$10pa (\$50 corporate) is enclosed

Donation \$.....

Total \$.....

I am interested in volunteer work.

Legal(please tick)

Administration.....(please tick)

ENVIRONMENTAL
DEFENDERS OFFICE (SA) INC
GPO BOX 170
ADELAIDE SA 5001