

ACT EDO Summer Newsletter



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ACT ENVIRONMENTAL NEWS

Parliamentary Agreement – ACT Labor and ACT Greens

ACT Parliamentary Agreement between Ms Katy Gallagher MLA and Mr Shane Rattenbury MLA was made on 2 November 2012. The Agreement commits to delivering a comprehensive program of reforms including the construction of a light rail network; 90% of Canberra's electricity to come from renewable sources by 2020; restoring the health of Canberra's lakes and helping Canberra households reduce energy, emissions and save money on utility bills.

The Parliamentary Agreement supports the revision of the Territory Plan so that it is consistent with the aim of reducing greenhouse gas emissions by 40% by 2020. The Agreement also supports the implementation of a new renewable electricity consumption target of 90% renewable by 2020, including the amendment of the *ACT Electricity Feed-in (Large-scale Renewable Energy Generation) Act 2011* to facilitate this target. To read the full Parliamentary Agreement, [click here](#).

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Strategic assessment of urban development at Gungahlin, ACT

On 2 October 2012, the Department of Sustainability, Environment, Water, Population and Communities entered into an agreement with the ACT Government Environment and Sustainable Development Directorate and the ACT Government Economic Development Directorate to undertake a strategic assessment of proposed urban development at Gungahlin, ACT. The strategic assessment will be undertaken in accordance with section 146 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The strategic assessment will look at impacts from urban development and infrastructure on biodiversity and matters of national environmental significance at potentially developable sites. The strategic assessment will include commitments from the ACT Government to avoid, mitigate and offset impacts on the natural environment.

[Click here](#) for more information, including a full copy of the Agreement and the proposed development at Gungahlin.

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NEWS FROM AROUND THE NATION

NSW EDO under threat

After nearly 30 years of helping the people of NSW to protect their environment and heritage under the law, **EDO NSW faces an unprecedented threat to its survival** and we need your help to ensure we can continue to assist you in public interest environmental matters. Please [click here](#) to better understand the problem and what you can do to help.

Also, [click here](#) to read [Don Anton's](#) article 'Slurs against legal aid put our environment at risk'.

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Integra Coal fined \$84,000 for illegal waste dumping

The NSW Department of Infrastructure and Planning has successfully prosecuted Integra Coal Pty Ltd (Integra) for dumping excessive levels of waste at its mine complex in the Hunter Valley. In August 2011 the Department found waste rock dump heights at a level that significantly breached the limits set in the development approval. The Land and Environment Court convicted and fined Integra \$84,000 and awarded the department their costs. [Click here](#) for the NSW Planning and Infrastructure media release.

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News from the Tarkine

An appeal by the Tarkine National Coalition (TNC) on its legal standing to object to a proposed mine in the region has been dismissed. The Tasmanian Resource Management and Planning Appeal Tribunal (RMPAT) held the TNC's appeal was invalid as it had lodged its objection to Shree Metals Ltd's proposed Nelson Bay River open pit magnetite and haematite mine out of time. TNC had lodged its objection with the planning authority for the project via email, but the mailed document was not received by the authority until a day after the submissions had closed. [Click here](#) to read the full judgement.¹

There is some good news. On 23 November the Tasmanian forest agreement passed the Tasmanian House of Assembly. If it is implemented the agreement will protect 504,012 hectares of rainforest and important native forests. The protected areas would include the iconic forests of the Styx Valley, Upper Florentine and Weld Valleys, the temperate rainforests of the Tarkine and the unique forests of the Blue Tier. The agreement will also support workers and restructure the timber industry towards a sustainable and productive future. Don Henry, CEO of the Australian Conservation Foundation said that "when implemented, this agreement will be remembered as a socially, economically and environmentally robust solution achieved by old foes putting differences aside and finding common ground to protect jobs and the environment." Tasmania's Upper House must now review the legislation and decide whether to support the agreement.

To read the media release issued by the Tasmanian Premier, Lara Giddings, [click here](#).

¹ *Tarkine National Coalition Inc. v. Circular Head Council and Shree Minerals* [2012], TASRMPAT 146, 3/10/ 2012.

To read the *Tasmanian Forests Agreement Bill 2012*, [click here](#).

For more information on protecting the Tarkine, you can follow these links: [Tarkine National Coalition](#) and [GetUp!](#).

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Orica to swallow bitter \$432k pill

Orica Australia Pty Ltd has been penalised \$432,000 after pleading guilty to unauthorized stormwater and effluent water releases from its Queensland Yarwun facility near Gladstone (EM 864). The Gladstone Magistrate's Court imposed a public benefits order pursuant to s502 of the state Environmental Protection Act (EPA Act). Orica was ordered to direct \$250,000 of its penalty to three community based environment groups, including \$100,000 to a Port Curtis turtle research project. Orica was also ordered to pay the Queensland Government's \$53,100 legal and investigation costs.

The Court heard that once in 2010 and on 217 occasions between March 2011 and February 2012, Orica released effluent containing cyanide into Gladstone Harbour in excess of permit limits. On 50 occasions between March and May 2011 Orica failed to notify Queensland authorities about unauthorised releases. It also failed to test for cyanide between June 2010 and February 2012. The company was charged with 279 counts of "willfully" breaching Queensland environment laws, however the charges were eventually rolled into four counts of contravening an EPA Act development approval condition.

NSW Orica is also facing up to \$5m in fines after charges were laid over with regards to incidents at its Botany and Koorangang plants (EM 880).

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No agreement for Antarctic marine protected areas

The meeting of Antarctic nations in Hobart on 1 November 2012 failed to agree on protecting the area's vast marine resources. WWF said this outcome breached a promise by the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) to create three new Antarctic marine protected areas (MPA). WWF spokesperson Paul Gambin said that "after years of scientific work, and two weeks of intensive negotiations, to see the talks break down [was] greatly concerning."

Three MPA's had been proposed; in the Ross Sea, the east and west Antarctic. However, CCAMLR said agreeing on three major proposals to create MPA's "each involving 1.9m to 2.4m km², proved to be a task needing more time and consideration". A special meeting would held in Germany in July next year.

[Click here](#) for more information.

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COMMONWEALTH ENVIRONMENTAL NEWS

COAG's proposed reforms to EPBC Act are shelved

COAG shelved proposed changes to the *Environment Protection and Biodiversity Act* (EPBC) 1999 at their meeting on 7 December. Ultimately, the proposals were put on hold because they were not a solution to something that was not a problem to begin with.

The EPBC was created to ensure that in “matters of national environmental significance” the Commonwealth has some authority to act to protect World Heritage areas, such as the Great Barrier Reef, endangered and vulnerable species, and internationally-important wetlands. The changes proposed by COAG involved a transfer of environmental protection powers from the Commonwealth to the states. Such a transfer would have, inevitably, reduced environmental protection.

However, as Senator Larissa Waters, Greens spokesperson for the environment, biodiversity and natural heritage said, “the Prime Minister has finally taken notice of the evidence that demonstrates that weakening our environmental laws in such a way would have led to unacceptably low standards for our natural environment, strong community resistance, and business uncertainty”. Consequently, the proposed changes were put on [hold](#).

While this is good news, it is not over yet. The Business Council of Australia and many state governments are not happy with this decision and they are pushing the Federal Government to move forward with weakening the hard fought environmental laws so they can proceed with their mining and other destructive development. Canberra is listening, and we need to keep the pressure on them by contacting your local MP and/or writing to Julia Gillard. This can be done easily through the Places you Love website. [Click here](#) for more details.

Senator Waters said "if the Federal Government is truly committed to high environmental standards as the Prime Minister has said, then I welcome its support for my bill which seeks to remove federal handover of environmental powers in the *Environmental Protection and Biodiversity Conservation Act*.

"Instead of speaking to conservative state premiers and business groups behind closed doors, who have demonstrated time and time again that the long-term sustainability of our increasingly threatened environment comes second to short term profits, the Prime Minister needs to engage with the Australian community concerned and support the efforts of the Greens to strengthen environmental protection," continued Senator Waters.

In addition, an alliance of major NGOs had made it clear that the inevitable decline in environmental regulation from these changes would unavoidably lead to an increase in litigation.

COAG took the opportunity in its communiqué to re-affirm its commitment to broad environmental regulation reform that enhances efficiency and increases certainty for business, while maintaining high environmental standards.

Australia's long term prosperity depends on a healthy environment. It requires a more effective legal, regulatory and policy response to that which currently exists. The [Commonwealth State of the Environment Report 2011](#) made it clear that most environmental health indicators in Australia are in decline. Earlier this year, the Australian Institute of Marine Science announced that half of the coral cover of the Great Barrier Reef had gone when measured against a 1985 baseline. In the latest Quarterly Essay, Tim Flannery writes bluntly of the abject failure of Australia's environmental laws to halt a breaking new wave of extinctions.

Of course not all of this can be attributed to the EPBC, but there is no doubt that the current system is inadequate in many respects. For example, the Act does not facilitate proper assessment of the cumulative impact of projects. Most fundamentally, the EPBC contains no requirement to properly assess the climate change impact of a project. Nonetheless, it remains the Federal Government's responsibility to look after the most important and precious of Australia's environment assets. Amending the EPBC to shift the power completely to the states would have made a bad situation worse. If the genuine purpose of environmental laws is to effectively safeguard the environment in order to secure our long-term prosperity, then the national debate should be over how to significantly strengthen the existing system.

For more information and analysis see David Ritter's article on [The Conversation](#), the 'Too Precious to Lose' [website](#), and the 'Places You Love' [website](#).

There is to be a Senate Inquiry into Retaining Federal Approval Powers. On 28 November 2012 the Senate referred the *Environment Protection and Biodiversity Conservation Amendment (Retaining Federal Approval Powers) Bill 2012* to the Environment and Communications Committee for inquiry and report. The Bill seeks to prevent the Commonwealth from handing responsibility for approving proposed actions that significantly impact matters protected under the *Environment Protection and Biodiversity Conservation Act 1999* to a State or Territory.

Submissions should be received by **18 January 2013**. The reporting date is 25 February 2013.

[Click here](#) for more information.

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Declaration of the Commonwealth marine reserves

The Australian Government has declared forty new Commonwealth marine reserves, completing the development of the National Representative System of Marine Protected Areas (NRSMPA). The new Commonwealth marine reserves will add more than 2.3 million square kilometres to Australia's marine reserve estate, resulting in a total area of 3.1 million square kilometres of Commonwealth waters being managed primarily for biodiversity conservation. Effective from 17 November 2012. The reserves will

comprise the Coral Sea Commonwealth Marine Reserve and the South-west, North-west, North and Temperate East Commonwealth Marine Reserves Networks. In addition, seven former Commonwealth marine reserves are incorporated into the new network and four existing marine reserves renamed and incorporated into the North-west Network of Commonwealth Marine Reserves.

The reserves within each network will be managed under a network management plan. The Director of National Parks has issued a notice of invitation for the public to comment on a proposal to prepare draft management plans for marine reserves under the Environment Protection and Biodiversity Conservation Act 1999 (Cth).

The closing date for submissions is **18 December 2012**.

Follow these links for more [information](#) and to [have your say](#).

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Emerging Renewables Program

Australian Renewable Energy Agency (ARENA) is a \$3.2 billion Federal Government commitment to improve the competitiveness of renewable energy technologies and increase the supply of renewable energy in Australia.

The most recent successful applicant for ARENA's *Emerging Renewables Program* is Renergi Pty Ltd, which has received \$3.6 million of funding. The grant will assist Renergi Pty Ltd to provide technical data to design a commercial-scale gasifier which will transform various types of biomass, such as agricultural waste and mallee, into gas that can be fed into an engine to generate electricity. The total cost of the project will be \$6.7 million. For more information, click [here](#).

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Climate Commission Report

In November 2012 the Climate Commission released its latest report – *The Critical Decade: Generating a Renewable Australia*. It outlines the challenges faced by Australia in its shift towards renewable energy. The report says momentum is building in Australia for renewable energy. Specifically, solar PV electricity generation has been growing rapidly and similarly, the rate of growth of wind energy is above any other large-scale generation source, growing at an average of 40 per cent each year over the five years to 2009-10. In the coming decades the Australian economy could be powered almost entirely by renewable energy and that such expansion will need to be large and sustained, and investment growth will have to be encouraged by policy certainty.

The report also says the world has less than four decades to transform energy systems to sources that do not contribute to climate change and to achieve this goal, energy needs to be used more efficiently and low-emissions energy technologies, including renewable energy, need to be harnessed. The challenge is to turn Australia's enormous potential of renewable energy into implementation as rapidly as possible and at the lowest cost possible. To view the report, [click here](#).

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Indigenous Carbon Farming Fund – nominations open²

The Federal Government's new grants program to support Indigenous land managers in establishing carbon farming businesses opened on 7 November 2012. The first round of the Indigenous Carbon Farming Fund – Capacity Building and Business Support stream, is part of the Government's Clean Energy Future Plan.

Over the next five years the Australian Government will invest \$22.3 million to help Indigenous organisations and land managers participate in the Carbon Farming Initiative (CFI) by providing practical financial support and investing in the development of additional carbon farming methodologies.

[Click here](#) for more information about the Indigenous Carbon Farming Fund and to find out how to apply.

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Renewable Energy Target Review³

The Australian Climate Change Authority released a [discussion paper](#) following the public exhibition of the Renewable Energy Target Review issues paper, and public comment was invited throughout early November. The discussion paper sets out the Climate Change Authority's draft recommendations on the Renewable Energy Target review. ANEDO made [a submission on the issues paper](#) strongly supporting the continuation and enhancement of the Renewable Energy Target as an important measure to reduce Australia's greenhouse gas emissions.

The Climate Change Authority's final report on the RET review is expected to be released in December. Visit the [Climate Change Authority website](#) for more information.

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Independent Expert Scientific Committee to advise on coal seam gas and large coal mining

On 27 November 2012, the Federal Environment Minister announced the membership of the new Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development. The Minister has said that the Committee's advice is expected to substantially improve the collective scientific understanding of the water related impacts of CSG and coal mining developments.

For more information, see the [media release](#) issued by the Federal Environment Minister, Tony Burke.

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² We thank the NSW EDO for this article. See [Climate Law Bulletin](#) Issue 18.

³ We thank the NSW EDO for this article. See [Climate Law Bulletin](#) Issue 18.

National Wildlife Corridors Plan Released

The Federal Government has announced the National Wildlife Corridors Plan, which is an initiative to support landscape connectivity.

The Plan outlines a process for communities to identify and nominate areas they believe will contribute to a national network of wildlife corridors. An area that meets the criteria and is declared as a National Wildlife Corridor may be eligible for priority funding under a range of Australian Government funding programs.

The National Wildlife Corridors Plan Advisory Group undertook consultation on the draft plan with stakeholders across the community, including regional natural resource management organisations, environment groups, local and State governments, scientists, Aboriginal and Torres Strait Islander people, tourism organisations, planning organisations and agricultural and mining peak bodies.

The plan will help guide future government investment through a range of initiatives, such as Caring for our Country and the Biodiversity Fund. For more information, [click here](#).

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NEWS FROM AROUND THE WORLD

Doha Climate Change Conference (COP18)

The United Nations Climate Change Conference in Doha, Qatar, took place from 26 November to 8 December 2012. It included the eighteenth session of the Conference of the Parties (COP 18) to the United Nations Framework Convention on Climate Change (UNFCCC) and the eighth session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP 8). The conference included approximately 9,000 participants, with 4,356 government officials, 3,956 representatives of UN bodies and agencies, intergovernmental organizations and civil society organizations, and 683 members of the media. Negotiations in Doha focused on ensuring the implementation of agreements reached at previous conferences. A primary goal for COP 18 was to encourage member countries to increase their commitment to climate change mitigation strategies, and the financing of initiatives that will be needed to achieve this goal. It was also expected that member countries would agree on an emissions peak time frame. The emissions peak is the point at which emissions stop increasing and begin decreasing. There are concerns that even the most ambitious existing proposals and national policies will fail to achieve an emissions peak before 2050, and will fail to prevent a rise in global temperature of more than 2 degrees Celsius, which is the basis of the UNFCCC.

The package of “Doha Climate Gateway” decisions adopted on the evening of Saturday, 8 December, included amendments to the Kyoto Protocol to establish its second commitment period. Key elements of the outcome also included agreement to consider loss and damage in developing countries that are particularly vulnerable to the adverse effects of climate change. While developing countries and observers expressed disappointment with the lack of ambition in outcomes on Annex I countries’ mitigation and finance, most agreed that the conference had paved the way for a new phase, focusing on the implementation of the outcomes from negotiations under the AWG-KP and AWG-LCA, and advancing negotiations under the ADP. The 19th Conference of the Parties to the UNFCCC (COP 19), CMP 9 and subsidiary bodies will re-convene in Warsaw, Poland on 11-22 November 2013.

[Click here](#) for a report of the Doha Climate Change Conference including a history of the UNFCCC and the Kyoto Protocol, final outcomes and an analysis.

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Thawing permafrost not yet accounted for in climate change predictions but likely to cause significant global warming⁴

The United Nations Environment Programme (UNEP) has released a report revealing that permafrost covering almost a quarter of the northern hemisphere contains 1,700 gigatonnes of carbon, twice the carbon that is currently in the atmosphere. The thawing of this permafrost could significantly increase global warming if it accelerates as projected, and could radically change ecosystems and cause expensive infrastructural damage due to increasingly unstable ground. The report was released on the second day of COP 18 climate talks in Doha. The United Nations Under-Secretary General and UNEP Executive Director said that this report was released during COP 18 to ‘communicate to climate-treaty negotiators, policy makers and the general public the implications of continuing to ignore the challenges of warming permafrost’.

The majority of current permafrost formed during or since the last ice age. It extends to over 700 meters deep in parts of northern Siberia and Canada. The permafrost is made up of an active layer up to two metres in thickness which thaws every summer and refreezes every winter, as well as permanently frozen soil beneath.

If the active layer increases in thickness because of global warming, vast quantities of organic matter stored in the frozen soil would thaw and decay, releasing large amounts of carbon dioxide and methane into the atmosphere.

This process would trigger the ‘permafrost carbon feedback’, which has the effect of increasing surface temperatures and accelerating the further thawing of permafrost. This process would be irreversible.

[Click here](#) for more information and to read the report.

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Law Council of Australia - Regional Colloquium on Environmental Law

Position Paper on Environmental Impact Assessment Laws and Regulation and the Non-Regression Principle

The Law Council of Australia held their Regional Colloquium on Environmental Law in Bali on 18 November 2012. The Chair of EDO (ACT), Hanna Jaireth, authored a position paper on EIA laws and regulation as well as the non-regression principle. Hanna is also the coordinating editor of the National Environmental Law Review and is a member of the Australian Committee of the IUCN. Hanna has a longstanding interest in sustainable development and human rights, and has worked as an academic, lawyer, public servant and communications officer in a range of private and public sector positions. She completed undergraduate arts/law (hons) and postgraduate international relations degrees. Hanna is employed by the Law Council of Australia.

⁴ We thank the NSW EDO for this article. See [Climate Law Bulletin](#) Issue 18.

Click [here](#) to download the position paper.

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Environmental Law Alliance Worldwide

The Environmental Law Alliance Worldwide has released its latest issue. For interested readers, [click here](#) to access the issue.

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LAW REFORM AND POLICY

Murray Darling Basin Plan⁵

The Murray-Darling Basin Authority (MDBA) presented the final Basin Plan to the Federal Water Minister on 21 November for him to consider for adoption. The Minister signed the Plan into law on 22 November 2012.

The Minister has accepted the Authority's recommendation of a Basin Plan that returns 2,750GL of surface water to the environment. It sets up a mechanism which allows governments to improve environmental, social or economic outcomes provided that improving one doesn't sacrifice others.

The Federal Government has also committed to providing an additional \$1.77 billion to relax key operating constraints and recover an additional 450GL of environmental water to look to achieve the environmental outcomes described in the 3,200GL modelling and do so through projects to ensure there is no social and economic downside for communities.

The Water Minister said that the plan will deliver vital additional water to the Basin, including 40,000 hectares of iconic vegetation such as the River Red Gums, and will also flush an average of two million tonnes of salt from the Basin each year, which will significantly improve water quality and prevent land degradation.

Some of the ecological benefits the Plan will provide include: increased waterbird breeding opportunities, the protection of Australia's two largest River Red Gum forests through periodic flooding to ensure their survival, and a reduced incidence of high salinity periods in the Coorong, Lower Lakes and Murray Mouth that can harm fish and vegetation.

The Minister has indicated that there will be \$5.2 billion spent on irrigation infrastructure which will contribute to increased irrigation productivity and provide employment benefits during design and construction phases. The infrastructure investment also aims to enable irrigation and related industries, such as food processing, to position themselves for a future of less water due to climate change and variability.

The Plan will be tabled in Parliament. Parliament will then have 15 sitting days to consider or disallow the Plan. If it is passed, the MDBA and the Basin States will then implement the Plan.

⁵ We thank the [NSW EDO](#) for this article. See: [Weekly Bulletin, 7 December 2012](#).

[Click here](#) for more information and to read the final Plan.

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The Climate Institute – Coming Ready or Not: Managing climate risks to Australia’s infrastructure⁶

The Climate Institute has released *Coming Ready or Not: Managing Climate Risks to Australia’s Infrastructure*, a report which brings together research on the physical impacts and consequences of climate change on major infrastructure across property, electricity, road and rail and finance. It asks how prepared businesses and governments are to manage these risks, and the steps that will be required to improve Australia’s climate change adaptation strategies.

The report reveals that Australia will face significant human and economic costs because our infrastructure is poorly equipped to handle more frequent extreme weather events and other consequences of climate change.

[Click here](#) for more information and to read the report

Further, there is to be a Senate Inquiry into recent trends on the frequency of and preparedness for extreme weather events. The Environment and Communications References Committee is the relevant Committee and Submissions should be received by **18 January 2013**. The reporting date is 20 March 2013.

[Click here](#) for more information.

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RECENT EDO (ACT) SUBMISSIONS

Review of the *Environment Protection Act 1997* (ACT) – Nov 2012. Click [here](#) to view the submission.

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OPPORTUNITIES TO COMMENT – ACT

Community Transport Project

The ACT Community Transport Project released a paper in June 2012, which aimed to involve the community sector with respect to transport in areas such as the Home and Community Care (HACC) sector, which provides transport to disadvantaged people. This paper draws together information about the main HACC transport providers in the ACT and examines areas where there are gaps in the provision of services. Click [here](#) to read the publication.

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⁶ We thank the NSW EDO for this article. See [Climate Law Bulletin](#) Issue 18.

Draft Nature Conservation Strategy

The Conservator of Flora and Fauna has prepared a draft Nature Conservation Strategy under the provisions of the *Nature Conservation Act 1980*. The [Draft Nature Conservation Strategy](#) will help guide future planning of the Territory's open spaces, rural areas, urban areas, riverine corridors, and nature reserves, and guide investment of funding and resources in nature conservation.

The public consultation period for the Draft Nature Conservation Strategy ended on Monday 10 December, however submissions may be viewed on the Department of Environment and Sustainable Development [website](#).

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OPPORTUNITIES TO COMMENT – COMMONWEALTH

Review of Freedom of Information Laws

A review of the operation of the *Freedom of Information Act 1982* (Cth) and the *Australian Information Act 2010* (Cth) is being undertaken.

The terms of reference for the review include the effectiveness of Federal freedom of information (FOI) laws and the Office of the Information Commissioner, the role of fees and charges on FOI, and the desirability of minimising regulatory and administrative burdens on government agencies.

Submissions addressing the Terms of Reference (including ANEDO's submission) can be read on the Commonwealth Attorney-General's Department [website](#).

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Senate Inquiry – the effectiveness of threatened species and ecological communities protection in Australia

On 31 October 2012, the Senate referred the matter of the effectiveness of threatened species and ecological communities' protection in Australia to the Environment and Communications References Committee for inquiry and report by 7 February 2013. The terms of reference for the inquiry include:

- management of key threats to listed species and ecological communities;
- development and implementation of recovery plans;
- management of critical habitat across all land tenures;
- regulatory and funding arrangements at all levels of Government;
- timeliness and risk management within the listings processes; and
- the historical record of State and Territory governments on these matters.

The closing date for submissions was 14 December 2012, however for more information about the inquiry [Click here](#).

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Public Inquiry into Mineral and Energy Resource Exploration

The Australian Government has asked the Productivity Commission to undertake a 12-month inquiry into the non-financial barriers to mineral and energy resource exploration. Specifically the Commission should:

- determine if there is evidence of unnecessary regulatory burden and if there is, make recommendations on how to reduce or eliminate these burdens
- examine the complexity and time frames of government approvals processes for exploration, and potential for delay due to appeals both within and across jurisdictions
- examine areas of duplication between and within Local, State, Territory and Commonwealth regulation that can be triggered throughout an exploration project
- examine costs of non-financial barriers (including regulatory and related costs)
- consider options to improve the regulatory environment for exploration activities, having regard to regulatory objectives
- assess the impact of non-financial barriers on international competitiveness and economic performance of Australia's exploration sector.

The Commission will consult with all relevant State, Territory and Commonwealth Government agencies and other key stakeholders. [Click here](#) for more information including key dates and documents

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Draft Environmental Water Recovery Strategy for the Murray-Darling Basin

The Australian Government's *Draft Water Recovery Strategy for the Murray-Darling Basin* has been released for public consultation.

The Draft Strategy outlines the Government's future approach to environmental water recovery in the Murray-Darling Basin. This includes water recovery through investment in more efficient water delivery infrastructure, environmental works and measures and water purchase.

The Government invites comment from stakeholders on the issues outlined in the *Strategy*. The Government says that comments will be used to inform subsequent updates of this strategy in 2013 and that an overall adaptive approach will be required over the coming years to take account of Basin Plan developments and water recovered from various government programs.

Submissions are due by **28 February 2013**.

To read the complete document and for more information, [click here](#).

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Commonwealth Fisheries Consultations on Harvest and Bycatch Policies⁷

Following the controversy surrounding the proposal for the 'super-trawler' *Abel Tasman* (formerly known as the *Margiris*) to fish in Australian waters, the Department of Agriculture, Fisheries and Forestry (DAFF) is seeking input from interested stakeholders on key issues associated with the reviews of the Commonwealth Policy on Fisheries Bycatch (2000) (bycatch policy) and the Commonwealth Fisheries Harvest Strategy Policy and Guidelines (2007) (harvest strategy policy). Both policies are central to the sustainability of Australia's Commonwealth fisheries.

DAFF has released two consultation papers for public comment, one for each policy review. The papers have been developed to promote discussion and feedback on issues relevant to the policies which may require refinement, elaboration or further development. Interested members of the public are invited to contribute to the reviews by providing separate written submissions to either review.

The review of the bycatch policy seeks to improve the management of bycatch in Commonwealth fisheries by developing a revised policy framework intended to avoid, minimise and manage bycatch that is practical, cost effective to apply and supports environmental and fisheries legislative requirements.

The harvest strategy policy is the major Australian Government policy for the harvest of commercial species in Commonwealth fisheries. Harvest strategies developed under the policy are designed to ensure that key commercial fish stocks are maintained at ecologically sustainable levels and to maximise economic returns to the community.

Submissions close on **21 December 2012**.

[Click here](#) for more information.

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EPBC Referrals: Invitation to Comment

Referrals under the *Environment Protection and Biodiversity Conservation Act 1999* are available for comment on the Department of Sustainability, Environment, Water, Population and Communities [website](#). To learn more, follow [this link](#) to the NSW EDO Fact Sheet on the EPBC Act.

To see the most recent referrals in the ACT, follow the links below:

- Acton – Proposed demolition and landscape works at ANU. [Click here](#).
- Barton – hotel and carpark development. [Click here](#).

⁷ We thank the SA EDO for this article. See [SA EDO eBulletin](#), No. 21 of 2012.

- Canberra – Centenary Trail Project. [Click here.](#)
- Mugga Lane – Solar Development. [Click here.](#)
- Tidbinbilla – Construction at the Canberra Deep Space Communication Complex. [Click here.](#)

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No Hunting in National Parks - NPA NSW petition⁸

The National Parks Association NSW has well over 5,000 signatures for their petition opposing hunting in national parks. They need 10,000 signatures so they can table the petition in the NSW Parliament. The petition must be signed on hard copy because Parliament will only accept original signatures.

[Click here](#) to download a form from the page with details for posting.

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⁸ We thank ACT *Burning Issues*, November 2012 for this article.

EVENTS AND COMMUNITY NEWS

Sustainable Cities Judging at Merici College

Merici College, Canberra has been named as one of 8 national finalists in the Australian Sustainable Cities Awards 2012. The 8 finalists are the cream of the crop when it comes to environmental sustainability with proven results.

Merici College saw the Keep Australia Beautiful National Sustainable Cities judge, Lynn Sorrell, visit to judge the school on 3 September 2012 as one of eight National finalists celebrating local sustainability achievements of urban communities across Australia. Meredith Hunter, (then) Parliamentary Leader of the ACT Greens, and Dr. Chris Bourke, Labor, were in attendance at the school's garden which was the most impressive part of the school's submission for the award.

Ms Sorrell said that, "the Merici College students' enthusiasm for their kitchen garden program is really encouraging in setting an example for other schools in the territory, as well as the country. Their garden is a hub for learning sustainability practices, new skills and innovative thinking. They have really demonstrated what these awards are about."

The ACT EDO wishes Merici College the best of luck.

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2013 NELA National Conference

The 2013 National Environmental Law Association (NELA) National Conference will be held from 7-9 March in Melbourne and focuses on Delivering a Clean Energy Future. The Conference brings together different aspects of clean energy law, including environment and climate change lawyers and those at the forefront of environment protection, resources and energy regulation and planning, carbon and biodiversity credits and emissions trading. For more information and to register, [click here](#).

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WildEndurance 2013 – Take the Challenge!

Get a team of between 3 and 7 people together, and prepare for an awesome adventure of team building, training and inspiration. One weekend, one goal – to get your team through either 50 or 100kms of spectacular World Heritage listed wilderness in the Blue Mountains. Your team will raise funds for the Wilderness Society, helping to protect the kind of pristine wilderness through which you will be walking. The event is held over the weekend of 4-5 May 2013. [Click here](#) for more information and to register.

⁹ We thank the [NSW EDO](#) for this article. See: [Weekly Bulletin, 7 December 2012](#).

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What do you like about Canberra?

With the approaching centenary celebrations of Canberra, the Chief Minister wants to know what your favourite thing about Canberra is! A favourite walk? Or perhaps a favourite place? [Click here](#) to share what you like, and in January the submissions shall be opened for voting. In March, the top 100 things about Canberra will be revealed.

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Eco Christmas Presents

With Christmas so close, there are thousands of Eco Gifts on Greenfinder with a comprehensive green business directory. For more information, [click here](#).

Other sustainable gifts that will make a difference to children's lives can be found at:

www.savethechildren.org.au/shop and

www.unicef.org.au/water

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Positions Vacant

POSITIONS VACANT

Global Greens Network - Secretary

Global Greens is the network of the world's Green parties and political movements, based on the Global Greens Charter and formed at the first Global Greens Congress in 2001. The Global Greens Coordination (GGC), with representatives each from Africa, Americas, Asia Pacific and Europe, coordinates the work of the Global Greens, and the Executive is responsible for operational management and administrative work.

The Secretary's role is to provide assistance to the GGC, Convener, Executive and Treasurer. The position is fulltime and based in Brussels at the European Green Party office until the next Global Greens Congress expected to be in 2017. For more information on this role please [click here](#).

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Australian Greens – Campaign Assistant position

The Australian Greens are seeking an experienced project manager to assist the coordination of campaign activities for the forthcoming federal election. The National Campaign Assistant will play a key role in supporting the preparation, communication and coordination in the election campaign for the Greens across the country including the coordination of overseas polling booths. For more information please [click here](#).

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Environmental Defender's Office

The Environmental Defender's Office is a non-profit community legal centre based in Canberra.

We advise on environment and planning law and aim to increase public awareness of environmental law and available remedies.

We advise on questions of Commonwealth and Australian Capital Territory law.

We offer a free telephone advice service on environmental law questions.

Appointments with our solicitor are also available.

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Make an online donation through our secure server.

