

ENVIRONMENTAL LAW HANDBOOK

4th Edition



edotasmania

using the law to protect the natural and built environment

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1. Introduction

Welcome to the fourth edition of the Environmental Law Handbook!

Finding out about the law can be a difficult task. There are more and more new laws that deal with the environment, and large numbers of government departments and authorities that deal with those laws.

Various laws provide opportunities for citizens to have a say in what happens in their environment, including discussing development in your area, reporting pollution offences or nominating new areas to be protected in reserves. But all of these avenues are of limited benefit if the community is unaware of them.

This Handbook will help you to understand your obligations in relation to environmental protection, your rights and how to use the available opportunities to have your say about decisions that will affect you.

Getting through the maze

If you have never had to deal with it before, the law can seem like an impenetrable maze. This Handbook has been developed in response to queries and feedback over many years, and is designed to help people to find their way through the maze. The Handbook is intended to provide practical assistance for residents, farmers, environmental and community groups, local councils and government agencies.

The Handbook outlines the most significant laws that impact on people's lives in Tasmania, and tries to do this without legal jargon. The Handbook is not designed to answer all your questions, it is designed to point you in the right direction. Wherever possible, the Handbook also provides links to additional sources of information for those people who want to investigate further.

How to use this handbook


Most often, this guide will be a handy reference if you have an immediate problem – such as a polluted creek, noise from a nearby quarry, concerns regarding unlawful killing of native wildlife – and want to know what to do about it. There are chapters covering most issues that could arise, so you can go straight to the relevant chapter.

We highly recommend that, whatever the issue is that you're concerned about, you read Chapter 4 to get a basic understanding of the framework for Tasmania's Resource Management and Planning System (**RMPS**). This system underpins most of the laws relevant to the environment, so it is good to have a clear idea about how it works.

Chapter 13 provides some general guidance on how to take action. This could include reporting concerns to your local council or to the EPA, lodging an appeal against a decision to allow development in your neighbourhood, or going to the Tribunal to get orders to protect the environment. Throughout the Handbook, there are a few symbols that will help to guide you:

 This is a flag to highlight important messages and things you need to be aware of.

 This warns about time limits for taking action, so you don't miss an important opportunity!

 Go to... will direct you to other parts of the Handbook that are relevant to your issue (sometimes, these aren't immediately obvious when you start out). Just like the natural environment, law is a dynamic, interacting system. But, when you understand the connections, it's not as confusing as it first appears!

 This is used to direct you to another website for more detailed information.

EDO Tasmania is here to help. If you still have more questions after reading through the Handbook, you can always contact us for more specific advice.

Disclaimer Policy

🗨️ This guidebook is not a substitute for legal advice relating to your particular issue. If you need specific legal advice, please contact the Environmental Defenders Office. The EDO does not accept responsibility for any loss or damage suffered by any person acting or relying on information on this website.

🗨️ Throughout this guidebook, links are provided to other relevant websites. EDO Tasmania takes no responsibility for maintaining those links, or for the content of any external website.

While every effort has been made to ensure that information in the Handbook is accurate at the time of writing, sometimes mistakes are made. If you find an error in the text, or have any other comments, please email us at edotas@edo.org.au

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FOURTH EDITION

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