

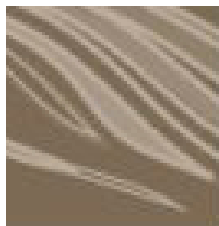


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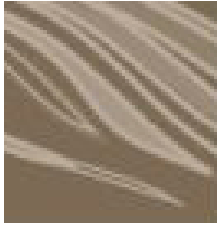


Volunteer Information Session



Who are we?

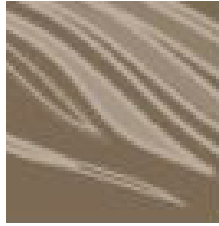
- Community legal centre specialising in environment and planning law
- 3 lawyers, 1 fundraiser
- Funded largely by public donations and project grants
- Member of the national EDO network and CLC Tasmania



What do we do?

- Legal advice
- Public interest litigation
- Community legal education
- Law reform and research

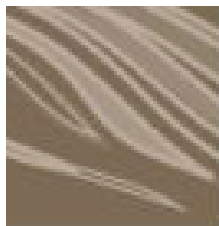




Volunteer programme 2015

VOLUNTEER REGISTERS

- On-call volunteering
- Project volunteering
- 3rd, 4th and 5th year students from any relevant discipline
- No environmental law experience required
- Nominated areas of interest / expertise

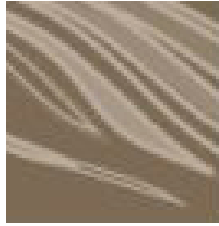


Volunteer programme 2015

ON-CALL REQUESTS

- Simple / confined research task
 - Memo sent to group detailing research question
 - The task will be assigned to the first volunteer to respond
 - **Examples:** case notes, summaries for EDO Bulletin

- Complex research task
 - Research request outlining general topic
 - Interested volunteer/s will meet with EDO solicitor to discuss scope of request
 - Volunteer submits simple research plan for approval
 - **Examples:** client advice, review of legislation from other States



Volunteer programme 2015

PROJECT REQUESTS

- Large projects
 - May require a team of volunteers
 - Longer hours
 - **Examples:** Discovery, collating document for a hearing, significant research report or law reform submission, developing content for a website
- Events
 - May require a team of volunteers
 - Generally, non-legal assistance
 - **Examples:** mail-outs for fundraising events, helping to organise conferences or workshops, media releases



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RESEARCH REQUEST

Solicitor: Jess

Due Date: 27 March 2015

Topic: Regulation of "green burials"

Output: Research memo (with a view to inclusion in client advice)

Legislation: *Burials and Cremation Act 1995; Public Health Act 1997; Local Government Act 1993 (+ others)*

Cases: -

Need to contact EDO before commencing: Yes No

We have been asked to review any current legislative hurdles for "green burials" (that is, burials that allow for more natural decomposition). Our client is preparing a brochure on options for more sustainable funerals and would like advice regarding what is possible, and what approvals may be required.

The following links will give you some background regarding what a "green burial" involves:

- <http://www.treehugger.com/htgg/how-to-go-green-funerals.html>
- <http://greenburialcouncil.org/home/what-is-green-burial/>
- <http://www.greenburials.org/>

Please review Tasmanian or national legislation, or policy guidance, and outline any restrictions on green burials. For example:

- Where can bodies be buried? Can they be buried on private property?
- How deep must bodies be buried?
- Do bodies need to be embalmed?
- If any permits are required in relation to "green burials", who issues them and what are the considerations?
- Are there any planning considerations regarding the location of burial sites (e.g. zoning guidelines for councils)?
- Can bodies be buried at sea?

Many thanks,
Jess



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RESEARCH REQUEST - URGENT

Solicitor: Adam

Due Date: 18 March 2015

Topic: Definition of quarrying

Output: Research memo

Legislation: *Environmental Management and Pollution Control Act 1994, Schedule 2*

Cases: *Fuglsang Development Pty Ltd & Salamanca Inn v Sullivans Cove Waterfront Authority & Jaws [2008] TASRMPAT 22*

Need to contact EDO before commencing: Yes No

Our client is concerned regarding the impact of a proposed high-rise development adjoining her property. In order to construct the underground carpark and footings for the building, the developer proposes to blast through and excavate dolerite. The application material estimates that 6,000 tonnes of dolerite will be excavated as part of this process. The developer proposes to use some of the dolerite on site, and to deliver the remainder to a waste facility.

We have been asked to investigate whether excavation of this volume of rock could be characterised as "quarrying" and, if so, would it require approval under the *Environmental Management and Pollution Control Act 1994*?

Ideally, our client would like to seek an injunction to prevent further work occurring until such a permit was obtained. Blasting is expected to commence on **20 March 2015**.

We will also need to review the requirements for seeking an injunction.

Please contact me to discuss.

Kind regards,

Adam

From: STUDENT
Sent: Tuesday, 17 March 2015 9:16 AM
To: EDO
Subject: Research plan - Quarrying

Hi Adam,

You have asked me to research whether or not the excavation of the site of a proposed high-rise building would be considered “quarrying” and would require approval from the EPA.

I will prepare a memo addressing the following questions:

- What level of extraction is required to trigger EPA involvement under Schedule 2 of the *Environmental Management and Pollution Control Act 1994*
- Is there a definition of quarrying / excavation in EMPCA? If so, would it cover excavation for buildings?
- Are there any cases regarding the definition of “quarry”? If so, what factors are applied when deciding if something falls within the definition? Does it make a difference whether the excavated rock will be used privately, sold or dumped?
- How would the Fuglsang decision apply in this situation?
- In my view, is approval from the EPA required in relation to the excavation?

I will get the memo to you by tomorrow afternoon.

Sincerely,

STUDENT

From: EDO
Sent: Tuesday, 17 March 2015 9:25 AM
To: STUDENT
Subject: Research plan - Quarrying

Hi Student,

Thank you, that plan sounds good. Please also address the following:

- If a permit is required, what are the steps to seek an injunction to prevent further excavation until a permit is obtained?

Kind regards,

Adam



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RESEARCH REQUEST

Solicitor: Sarah

Due Date: 25 March 2015

Topic: EDO Bulletin

Output: Case note

Legislation: -

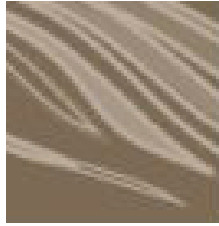
Cases: *Big Mining Co v EPA & Hobart City Council*

Need to contact EDO before commencing: Yes No

Please prepare a detailed summary of this case for publication on our website, along with a short summary of the findings for the EDO Bulletin. The case note should:

- Describe the Big Mining Co project (where is it, how big is it?)
- Describe the EPA / Council decisions appealed against
- Outline the key arguments
- Summarise the findings of the case, including any discussion of factors considered
- Explain the implications of the case for other developers / decision makers

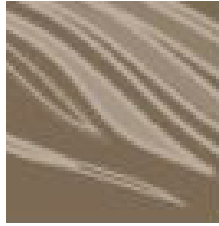
Many thanks,
Sarah



Volunteer programme 2015

OUTCOMES

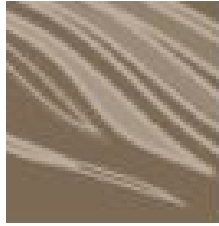
- Increased capacity for EDO Tasmania
- Practical research experience for students
- Volunteers will:
 - be acknowledged in reports or submissions
 - be able to assist with, and attend, hearings
 - receive feedback on their work
 - receive a certificate and letter of reference
 - be entitled to membership rates at EDO events



Volunteer programme 2015

EXPECTATIONS

- Complete induction training
- Volunteer for at least 2 tasks per semester
- Maintain client confidentiality
- Complete volunteer tasks on time
- Seek clarification
- Take feedback on board



What happens now?

- Fill in a registration form
- Training day
 - 27 March 2015
- Check your email!
- Programme review
 - end of Semester 1