

**NEW SOUTH WALES***Nicholas Brunton*

'Nicholas Brunton has been on sabbatical leave. The NSW update will be provided in the next issue.'

**VICTORIA***Elisa De Wit***Cutting Red Tape in Planning Report**

The report from the review of planning processes led by the Parliamentary Secretary for Environment was released in August 2006. The *Cutting Red Tape in Planning* Report contains 15 recommendations for producing faster decisions, simpler processes, targeted requirements and more resources.

Some changes have already been introduced with Amendment VC40. This amendment removed planning permit requirement for various minor buildings and works and came into effect on 30 August 2006.

More information on the report is available on the DSE website: [www.dse.vic.gov.au](http://www.dse.vic.gov.au).

**Greenhouse Gas Emissions Reporting and Disclosure Pilot**

The Greenhouse Gas Emissions Reporting and Disclosure Pilot was established to examine the reporting of greenhouse gas emissions by industry. The Pilot is led by EPA Victoria together with other State and Territory Governments. The Pilot released a position paper in June 2006 which examines policy questions and strategic issues in relation to the use of the National Pollutant Inventory as a mechanism to report and disclose greenhouse gas emissions.

The report *Greenhouse Gas Emissions Reporting and Disclosure Pilot Final Position Paper*, Publication No 1046, is available on the EPA website: [www.epa.vic.gov.au](http://www.epa.vic.gov.au).

**New Aboriginal heritage legislation**

The *Aboriginal Heritage Act 2006* was enacted on 9 May 2006. When it comes into force it will repeal the *Archaeological and Aboriginal Relics Preservation Act 1972*. It will impose more onerous requirements on developers and land owners including the need to obtain or have approved Aboriginal Cultural Heritage Permits ("ACHPs"), Aboriginal Cultural Heritage Management Plans ("ACHMPs") and Aboriginal Cultural Heritage Agreements ("ACHAs"). Significant criminal penalties apply for breaches of the Act.

The key features of the new Act are:

- the establishment of a Victorian Aboriginal Heritage Council to provide a state-wide voice for Aboriginal people and to advise the Minister for Aboriginal Affairs on issues relating to the management of cultural heritage;
- the introduction of a system of registered Aboriginal parties that allows for Aboriginal groups with connection to country and others - such as Aboriginal groups with contemporary or historical interests - to be involved in decision making processes around cultural heritage;
- the establishment of ACHMPs and permit processes to manage activities that may harm Aboriginal cultural heritage;
- a system of cultural heritage agreements to support the development of partnerships around the protection and management of Aboriginal cultural heritage;
- strengthened provisions relating to enforcement - including protection declarations and stop orders, more effective and accountable inspectorship arrangements, and an updated structure of penalties.

**SPRING DEVELOPMENTS****Environment Protection (Amendment) Act 2006**

The *Environment Protection (Amendment) Act 2006* was passed on 24 August 2006. This Act introduces:

- a new environment and resource efficiency plans scheme,
  - key reforms relating to waste management,
  - streamlined licensing and reporting, and
  - broader enforcement powers for the EPA.