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EDO NSW EBULLETIN – 8 April 2016: Number 952

The EDO NSW eBulletin is a free weekly bulletin that includes news, events, public notices and opportunities for public comment listed in our online resource [Have Your Say](#).

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Gala Dinner Auction – thank you!

A huge thank you to everyone who came along to our Gala Dinner and auction in Sydney on Wednesday night. It was a brilliant success, with over \$50,000 raised to help us continue to our work for the environment and communities.

We have a long and proud history of defending the environment through law, and we are so grateful for your generous support. This support allows us to ensure that our services are both affordable and accessible and that the community has access to justice. This support is also vital in allowing us to ensure we use our legal expertise to help individuals and community groups to use the law to achieve better environmental outcomes. Thank you for your contribution, your support is imperative to our success.



EDO NSW solicitor Ross Mackay and Master of Ceremonies Julie McCrossin

Court adjourns hearing on whether Santos' Pilliga CSG facility is illegal

On Wednesday this week we were in the NSW Land and Environment Court on behalf of community group People for the Plains, who are arguing that Santos' Leewood CSG waste water facility in the Pilliga region in North-West NSW is unlawful. The group believes that the facility is unlawful because it didn't go through the proper development assessment process. They're concerned that industrial scale CSG operations are incrementally rolling out across the Pilliga region without the community having a say, and without adequate environmental assessment or safeguards.

The hearing has been adjourned until 17 and 18 May to allow the parties more time to prepare the case for the Court.

[Read more about the case »](#)

Court and Compliance Watch

Construction company fined for failure to monitor discharge at Cockle Creek

The NSW EPA has issued a \$15,000 penalty notice to Pasminco Cockle Creek Smelter Pty Ltd for failing to monitor water discharged from its premises as required by the company's environment protection licence.

The EPA found that the operator had failed to monitor water discharged between 16 October and 21 October 2015 for metals and total suspended solids. In addition, the EPA fined the operator \$1,000 for failing to publish monitoring data on its website.

[Read more »](#)

Construction and Contractor Company fined for dumping asbestos fill

Romanous Contractors Pty Ltd & Romanous Construction Pty Ltd pleaded guilty to land pollution for dumping fill known to contain asbestos into the land and watercourse bank in Mortdale. Both companies were sentenced to pay \$42,000 in penalties plus costs.

[Read more »](#)

Waste processing company fined for water pollution at Somersby

The NSW EPA has fined Biocoal Group Pty Ltd \$30,000 for failing to comply with the conditions of its environment protection licence and causing water pollution at its facility into the nearby Piles Creek in Somersby.

[Read more »](#)

AGL Macquarie fined for fly ash spill

The NSW EPA has fined AGL Macquarie Pty Ltd \$15,000 due to a discharge of fly ash into Bayswater Creek from Bayswater Power Station. The ash was being transferred from Bayswater Power Station to Ravensworth mining complex when a pipeline partially failed.

[Read more »](#)

Law Reform and Policy Watch

Contaminated sites compliance statement

The NSW Environment Protection Authority has released its Contaminated Sites Compliance Statement, which details the approach taken to compliance and enforcement of the *Contaminated Land Management Act 1997* and the *Contaminated Land Management Regulation 2013*.

[Read more »](#)

Grassland ecological community raised to critically endangered

The Natural Temperate Grassland of the South Eastern Highlands has been added to the critically endangered category under the EPBC Act. Characterised by a very diverse flora and dominated by tussock grasses, the grasslands have declined due to clearing, weed and feral animal invasions, and changes to soil properties.

[Read more »](#)

Recent EDO NSW submissions and briefing notes

- [Senate Inquiry into Unconventional Gas Mining](#), EDOs of Australia submission
- [Implementing reforms to the National Industrial Chemicals Notification and Assessment Scheme](#), EDOs of Australia submission
- [Review of the Natural Resources Commission Act 2003](#), EDO NSW submission
- [Options for Low Rise Medium Density Housing as Complying Development](#), EDO NSW submission
- [The NSW Coastal Management Reforms](#), EDO NSW submission

Read all of our law reform submissions and briefing papers [on our website](#).

New legislation introduced to Parliament

[Australian Parliament](#)

- *No new bills have been introduced into Parliament since the last eBulletin.*

[NSW Parliament](#)

- *No new bills have been introduced into Parliament since the last eBulletin.*

Local Environmental Plan tracking

- [Holroyd](#) – Amendment of maximum building heights

To access the LEP tracking system, visit the Department of Planning and Environment [website](#). Read more about LEPs in our [Fact Sheets](#). Visit your [local council's website](#) to see if there are any planning proposals or LEP changes open for public comment.

Have Your Say Alerts – Opportunities to Comment

This eBulletin provides alerts for opportunities to comment on changes to law and policy, and activities that may impact the environment in your area. For a comprehensive list of current opportunities to have your say on a range of environment and planning matters, visit our [Have Your Say site](#).

This online resource [also helps the community to effectively engage](#) with decision-makers and [request a workshop](#) for your community. We are always trying to improve our community resources and are currently seeking feedback on the effectiveness of Have Your Say. You can help us out by [checking out the site](#) and [completing a short three-question survey](#).

Consultations

- **Draft Central West and Orana Regional Plan**

The NSW Government has released a Draft Central West and Orana Regional Plan covering 20 local government areas in the Central West and Orana region.

Submissions on the vision, goals and actions outlined in the draft Plan are invited until Monday 4 July 2016.

[Read more and have your say »](#)

- **Archbold Road upgrade and extension**

NSW Roads and Maritime Services is seeking early feedback on a proposal to extend and upgrade a 5km section of road stretching from the Great Western Highway at Minchinbury to Old Wallgrove Road at Eastern Creek.

The extension is related to the Western Sydney Employment Area.

Submissions are invited until Friday 15 April 2016.

[Read more and have your say »](#)

- **Emissions intensity benchmark guidelines**

The Australian Government has released draft guidelines for setting emissions intensity benchmarks for facilities that are new or will be expanded after 2020.

The safeguard mechanism, as part of the Emissions Reduction Fund, will be implemented based on the emissions intensity outlined in the guidelines.

Submissions are invited until Friday 6 May 2016.

[Read more and have your say »](#)

- **Submissions extended: Inland NSW Complying Development Review**

The NSW Government has extended the due date for submissions on proposed changes to the *State Environment Planning (Exempt & Complying Development Codes) 2008*. Changes proposed include a new 'Inland Code' for complying development in regional and rural areas of NSW west of the Great Dividing Range, and changes exempt development controls for farm buildings and silos in rural zones across the State.

Submissions are now invited until Friday 13 May 2016.

[Read more and have your say »](#)

- **Threatened Species and Endangered Ecological Community Listing Consultations**

- *No new threatened species listings have been placed on exhibition since the last eBulletin.*

For a full listing of threatened species and endangered ecological community listings currently open for public comment, visit the [NSW Office of Environment and Heritage website](#) and the [Australian Department of the Environment website](#).

- **Fisheries assessments**

- *No new fisheries assessments have been placed on exhibition since the last eBulletin.*

For a full listing of fisheries assessments currently open for public comment, visit the [NSW Department of Primary Industries website](#) and [the Australian Department of the Environment website](#).

Legislative reviews

- *No new legislative reviews have been announced since the last eBulletin.*

Major Project proposals: Invitation to comment

- [Sydney](#) – Extension of operating hours trial – Submissions invited until Thursday 5 May 2016
- [Cessnock](#) – Voluntary planning agreement for subdivision of land – Submissions invited until Friday 6 May 2016
- [Marulan](#) – Modification to existing mine and mine operating hours – Submissions invited until Friday 6 May 2016
- [Port Stephens](#) – Voluntary planning agreement for subdivision of land – Submissions invited until Friday 6 May 2016
- [Marulan](#) – Extension of existing mine – Submissions invited until Friday 20 May 2016
- [Mosman](#) – Development of new zoo habitat exhibit and eco-tourist facility – Submissions invited until Monday 23 May 2016

For a full listing of major project proposals currently open for public comment, visit the Department of Planning and Environment's [website](#). To learn more about the planning process for major projects, read our [Fact Sheet](#) on State Significant Development and State Significant Infrastructure.

EPBC Referrals: Invitation to comment

- [Carlton, VIC](#) – Protection and promotion works on Royal Exhibition Building – Submissions invited until Thursday 14 April 2016

- [Sunshine North, VIC](#) – Clearing of vegetation and development – Submissions invited until Thursday 14 April 2016
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- [Springbrook, QLD](#) – Reinstatement of track – Submissions invited until Thursday 14 April 2016
- [Busselton, WA](#) – Expansion of existing airport – Submissions invited until Friday 15 April 2016
- [Cape Gloucester, QLD](#) – Development of rural residential lots – Submissions invited until Friday 15 April 2016
- [Sunshine North, VIC](#) – Clearing of vegetation and development – Submissions invited until Friday 15 April 2016
- [Essendon Fields, VIC](#) – Commercial development of precinct – Submissions invited until Friday 15 April 2016
- [Brookwater, QLD](#) – Development of residential housing, roads and parks – Submissions invited until Friday 15 April 2016
- [Kooragang Island, NSW](#) – Closure and rehabilitation of waste facility – Submissions invited until Tuesday 19 April 2016
- [Baldivis, WA](#) – Clearing of native vegetation for development – Submissions invited until Wednesday 20 April 2016
- [Silverdale, NSW](#) – Development of residential subdivision – Submissions invited until Thursday 21 April 2016
- [Kilsyth South, VIC](#) – Upgrade of retarding basin – Submissions invited until Thursday 21 April 2016
- [Eaton, WA](#) – Construction of new bridge – Submissions invited until Thursday 21 April 2016

Referrals under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) can be viewed on the Australian Environment Department's [website](#). To learn more, read our [Fact Sheet on the EPBC Act](#).

Plans of Management: Invitation to comment

• Draft Wattamolla Master Plan

The NSW Department of Environment is seeking feedback on the Draft Master Plan for the Wattamolla area in the Royal National Park. The aim of the Draft Master Plan is to manage visitor levels at peak periods through the upgrade of park facilities while also sustainably managing and protecting the area and its surrounds.

Submissions are invited until Wednesday 3 June 2016.

[Read more and have your say »](#)

The full listing of plans of management for protected areas can be viewed on the [Office of Environment and Heritage website](#). To learn more about the Plans of Management, see our [Fact Sheet on Protected Areas](#).

New Coal and Petroleum Exploration Licence Applications

- *No new coal or petroleum exploration licence applications have been listed since the last eBulletin.*

To view current coal and petroleum (including CSG) exploration licence applications and approvals, visit the Minerals and Petroleum [website](#). The [NSW Government Gazette](#) also contains a list of all exploration and mining lease applications and determinations. Public comment can be made on coal and petroleum (including CSG) exploration licence applications on the Minerals and Petroleum [website](#). To learn more, read the EDO NSW publication [Mining Law in NSW: A guide for the community](#).

Community News

Narrandera Koala Count

The Narrandera Koala Regeneration Committee and NSW National Parks and Wildlife Service is hosting the annual Narrandera Koala Count, and are calling for volunteers as to help out.

A BBQ lunch will be available for volunteers for a gold coin donation.

When: Sunday 17 April 2016, 10am

Where: Narrandera Flora and Fauna Reserve, Narrandera

[Read more »](#)

Animal Law Week 2016

The Animal Law Institute has initiated Australia's first Animal Law Week. The week brings together legal professionals and experts to facilitate discussions on the most pressing animal law issues and what must be changed to achieve a just world for animals.

Events will be held around the country. In Sydney, Katikna Day of CHOICE and Emmanuel Giuffre of Voiceless will present on labelling issues and the law surrounding food products.

When: Tuesday, 12 April 2016, 5.45 - 7.30pm

Where: Allens, Level 28 Deutsche Bank Place, 126 Phillip Street, Sydney

[Read more »](#)

New report: Money doesn't grow on trees

The Nature Conservation Council and the National Parks Association of NSW have commissioned a report by The Australia Institute, *Money doesn't grow on trees: The financial and economic losses of native forestry in NSW*. The report explores the economics of native forest logging in NSW, and in particular the Forestry Corporation of NSW. The report concludes that native forest logging could end in NSW with minimal economic disruption and potentially substantial savings for NSW taxpayers.

[Read more »](#)

Workshop: Managing feral animals rural properties

Greater Sydney Local Land Services is running a free workshop for Sydney-based rural landholders on managing feral animals on rural properties. The event will provide attendees with an introduction to:

- Types of feral animals
- Why feral animals are a problem
- Control methods
- Equipment and licencing requirements

The workshop will be presented by biosecurity officers from Greater Sydney Local Land Services and a light supper will be provided.

When: Thursday, 28 April, 2016, 6:15pm

Where: Dougherty Community Centre, Victor St, Chatswood, Sydney

[Read more »](#)

Climate Change Research Strategy for Primary Industries (CCRSPI)

CCRSPI 2016 will explore the commercial drivers for climate resilience and focus on steps being undertaken to grow the resilience of primary industries across Australia. The conference is designed for industry, government, policy and science leaders.

When: 27-28 April 2016

Where: Doltone House, Darling Island, Sydney

[Read more »](#)

Australian Clean Energy Summit

Hosted by the Clean Energy Council, the Australian Clean Energy Summit briefs delegates on the latest policy, finance, business and technology developments impacting the renewable energy sector. Early bird registrations are available until Thursday, 31 May 2016.

When: 27-28 July 2016

Where: Hilton Hotel, 488 George St, Sydney

[Read more »](#)

Support EDO NSW

Take action

By donating to EDO NSW you are ensuring the environment has a fighting chance.

[Donate today »](#)

Other ways you can help us defend the environment

By donating to our [Environmental Defence Fund](#), you can help us continue to protect the environment from harm.

You can have an even greater impact by becoming a [Friend of the EDO](#). Our regular donors are an invaluable source of funding and help us ensure we are ready to respond when the community needs our help.

Visit [our website](#) for even more ways to support our work.

Environmental Defender

Read more about how your support can help protect the environment in the October edition of our supporter newsletter, [Environmental Defender](#).

EDO NSW has been providing critical legal support to NSW communities for 30 years. We are the only legal centre in NSW specialising in public interest environmental issues.

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