

View our most recent eBulletin at www.edonsw.org.au/ebulletin

EDO NSW EBULLETIN – 3 June 2016: Number 960

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](#).

Contents

EDO News and Events

Court and Compliance Watch

Law Reform and Policy Watch

Have Your Say Alerts – Opportunities to Comment

Community News

Support EDO NSW

EDO NSW News and Events

Calling law students

At a loose end at the end of semester? Just studied environmental law, and want to gain experience while making a difference? Volunteer with us!

As a legal volunteer, you'll help our solicitors with case work and be dedicating your energies and skills into defending the environment through law. What better way to spend your break?

If you're wondering if volunteering with us is for you, [read what legal volunteers Christine and Peter have been doing](#).

[Read more »](#)

Biodiversity reforms update

Thank you to everyone who came along to our seminar in Sydney to hear our Policy and Law Reform Director Rachel Walmsley present an analysis of the NSW Government's proposed biodiversity legislative and policy package. We're very grateful to our pro bono partner McCabes for sponsoring the event and for their ongoing support.

If you weren't able to make it to the seminar, you can [view Rachel's slides online](#). We'll also be posting the analysis online as a series of blogs. Stay tuned.

Don't forget that we're running workshops to help community members understand and engage in the reforms. Registrations are currently open for four free workshops on how the community can have their say about the reforms:

- [Blue Mountains](#) community workshop – Tuesday 6 June 2016
- [Murwillumbah](#) community workshop – Wednesday 15 June 2016
- [Lismore](#) community workshop – Thursday 16 June 2016
- [Gerroa](#) community workshop – Monday 20 June 2016

You can RSVP to these events [online](#) or by calling 02 9262 6989.

We are also participating in forums on the reforms with Landcare, Local Land Services, and local councils throughout June.

If you can't make it to one of our workshops, Nature Conservation Council and Total Environment Centre are running a [number of workshops](#) across the State, and the NSW Government is holding drop in sessions at a [number of locations](#).

[Read more »](#)



Paul Vergotis, Principal, McCabes Planning and Environment group introduces the Sydney Seminar

Housing, housing everywhere but not a DA in sight: the possible consequences of expanding complying development on sensitive coastal environments

Sometimes seemingly separate government reforms can interact in unforeseen ways. Two recent reforms proposed by the NSW Government are a case in point: the expansion of the General Housing Code and the coastal reform package.

We need to make sure these reforms work together more effectively so as to minimise impacts on coastal wetlands and littoral (or coastal) rainforests.

In our latest blog post, EDO NSW Policy and Law Reform Solicitor Dr Emma Carmody looks at how these two reforms could interact to negatively impact sensitive coastal environments, and what should be done about it.

“This is a great opportunity for the Government to demonstrate its commitment to rigorous planning processes AND to protecting what remains of our beautiful coastal wetlands and littoral rainforests.”

[Read more »](#)

Volunteer with our administration team

We're currently looking for a volunteer to assist our administration team:

- 1-2 days per week for at least 6 weeks
- Undertaking reception and basic admin duties (phone answering, mail distribution, photo copying, data entry) or more complex tasks depending on ability/desire
- Immediate start for an ongoing role, or a 6 week commitment from July to mid-August 2016

If you would like to dedicate your skills and energy to help us defend the environment through law, please email recruitment@edonsw.org.au with cover letter and CV, or call Blake Powell on 9262 6989 for further information.

If you know of someone who would be interested, please forward this email to them.

Help us fight extinction

The permanent exhibition dedicated to the Tasmanian Tiger at the [Tasmanian] Museum is a poignant memorial to, and a powerful reminder of, how easily and quickly a species can, through human intervention, vanish forever.

Land and Environment Court decision, 11 March 2016

These powerful words come from a recent decision of the Land and Environment Court. We recently represented a Hunter Valley community group who has been fighting for many years to protect an area of forest vital to the long term survival of the Regent Honeyeater, a bird on the brink of extinction. Drawing parallels between the Regent Honeyeater and the Tasmanian Tiger, a symbol of extinction worldwide, the Court found in favour of the group. [Read more about the decision.](#)

Please make a donation this EOFY so we can continue fighting legal battles for communities committed to protecting our precious wildlife from extinction. Donations over \$2 are tax deductible.

[Donate online today »](#)

Court and Compliance Watch

Soldiers Point Marina fined for polluting Great Lakes Marine Park

Clippers Anchorage known as the Soldiers Point Marina has been fined \$15,000 for allowing hazardous chemicals to flow into Port Stephens. The contaminants included biomaterial and antifouling paint which are particularly toxic for marine life. Material moved directly into the Marina and would then flow into the Great Lakes Marine Park which is a highly sensitive and protected marine zone.

In addition to the fine the company has received a clean-up notice to assess the quantity and nature of all potential contaminants in the area. This remedy was determined by the EPA through weighing up the public interest, history of non-compliance and any real threat to public health and safety.

[Read more »](#)

Law Reform and Policy Watch

New protest laws commenced

Changes to laws targeting environmental protesters commenced yesterday. The changes include new trespass offences and new offences specific to coal seam gas protests. Changes made to the law to broaden police powers to move people on who are part of a genuine protest and to search and seize property have not yet commenced.

We've had lots of calls from members of the community who want to know the detail about the laws, and we've just updated our fact sheet explaining the changes. We hope that this answers all of your questions.

[Read more »](#)

Coastal Management Bill passed

The *Coastal Management Bill 2016* has been passed by both Houses of Parliament and is now awaiting assent.

In our our submission on the draft Bill, we identified seven key actions needed to conserve sensitive coastal environments, build resilience to the impacts of climate change and ensure that all development in the coastal zone is consistent with the principles of ecologically sustainable development.

[Read more in our submission »](#)

Recent EDO NSW submissions and briefing notes

- [Review of Complying Development for Inland NSW](#), EDO NSW submission
- [Hawkesbury Shelf Marine Bioregion Assessment Suggested Management Initiatives](#), EDO NSW submission
- [National Standard for Environmental Risk Management of Industrial Chemicals](#), EDOs of Australia submission
- [Consultation and Transparency Requirements for Offshore Petroleum Activities in Commonwealth Waters](#), EDOs of Australia submission
- [Community Consultative Committee Guidelines – State Significant Projects](#), EDO NSW submission
- [Senate Inquiry into Offshore Oil and Gas Production in the Great Australian Bight](#), EDOs of Australia 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

- *No new Local Environmental Plan proposals have been added since the last eBulletin.*

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

- **Staged repeal of mining and petroleum regulations**

The NSW Department of Industry Division of Resources and Energy is updating the *Mining Regulation 2010*, *Petroleum (Onshore) Regulation 2007*, and the *Petroleum (Offshore) Regulation 2006*, which are due for repeal on 1 September 2016.

Minor changes are proposed to remove some provisions and/or to make minor procedural changes to these regulations.

Submissions are invited until Wednesday 29 June 2016.

[Read more and have your say »](#)

- **Panania Station Upgrade**

Transport for NSW has proposed improvements at Panania Station including a bridge, new stairs and lifts, new canopies, signage, lighting, camera surveillance, and other facilities.

Submissions are invited until Friday 17 June 2016.

[Read more and have your say »](#)

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

- *No new 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 announced 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

- [Macquarie Park](#) – Modification to increase the height of building, increase area of development, and the number of apartments – Submissions invited until Friday 1 July 2016
- [Botany Bay](#) – Modifications to the Botany Bay Cable Project, and its associated Environmental Impact Assessment – Submissions invited until Wednesday 15 June 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

- [Dysart, Central QLD](#) – Open-cut coal mine extension to existing mine – Submissions invited until Thursday 16 June 2016
- [Port Stephens, NSW](#) – Modification of fish farming consents – Submissions invited until Tuesday 14 June 2016
- [Grafton, NSW](#) – Building of a new bridge across the Clarence River – Submissions invited until Wednesday 15 June 2016
- [Kuranda, QLD](#) – Development of 'KUR-World' integrated eco-resort – Submissions invited until Tuesday 14 June 2016
- [Hope Valley, WA](#) – Clearing of native vegetation to enable development – Submissions invited until Friday 10 June 2016
- [Banjup, WA](#) – Residential development in Aramadale Road – Submissions invited until Friday 10 June 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

- *No new National Park plans of management have been placed on exhibition since the last eBulletin.*

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

Landcare Workshop in Newcastle: Let's connect on Biodiversity

Landcare NSW and Hunter Regional Landcare Network are hosting a workshop about proposed changes to the NSW legislation on native vegetation, biodiversity and land management.

Landcare groups, farmers, environmentalists, agencies, universities, local government and community members are invited to share, learn and connect on biodiversity and changes to the way it is managed in NSW. Lunch will be provided. RSVP necessary.

The full day workshop will include:

- Draft Biodiversity Conservation Act and changes to Local Land Services Act
- EDO NSW analysis of the proposed changes
- Showcase of Landcare biodiversity projects
- Networking

When: Friday 17 June, 10am–4:45pm

Where: Hunter Wetlands Centre, 412 Sandgate Road, Shortland

[Read more and RSVP »](#)

Conservation on rural properties – free workshop

Do you live in Sydney but also have a property in the country? Do you want to learn more about sustainable land practices to conserve and restore your rural property?

Greater Sydney Local Land Services is running a free workshop on conservation on rural properties for absentee rural landholders living in Sydney. Bookings are essential.

The event, which includes a light supper, will provide attendees with an introduction to:

- Benefits of conservation
- Developing a property plan
- Conservation in real life – a landholder’s experience

When: Thursday 16 June, 2016, 6:15-8:30pm

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

[Read more and RSVP »](#)

Position at Nature Conservation Council: Project Officer (Hotspots)

Nature Conservation Council of NSW has a vacancy for a Project Officer to provide operational support to the NCC Hotspots Fire Project team.

Working with the Hotspots team, the Project Officer provides office management, administration (including budget) and program promotion support, reporting to the Healthy Ecosystems Program Director.

[Read more »](#)

2016 Justice Awards: call for nominations

The Law and Justice Foundation of NSW is calling for nominations for its annual Justice Awards. The Awards recognise the contributions that individuals and organisations have made to improving access to justice in NSW, particularly for socially and economically disadvantaged people.

This year the Justice Awards dinner will be held on Thursday 13 October 2016 at the Strangers' Dining Room, Parliament House, Macquarie Street, Sydney.

Nominations close on Thursday 30 June 2016.

[Read more »](#)

EPLA Twilight Seminar - The criminal jurisdiction of the Land and Environment Court

The fourth EPLA Twilight Seminar of 2016 is on the criminal jurisdiction of the Land and Environment Court: Prosecuting and defending environmental crime.

Thomas Spohr, senior solicitor at the Office of the DPP, will present on ‘Prosecutor's duties, from the perspective of both the prosecutor and the defendant’ and Michelle England, Barrister-at-law from 2 St James' Hall, will speak on ‘The jurisdiction generally, including procedure and strategy’.

EPLA Members: \$33; Non-members: \$44; Students, Government and Local Councils: Free.

When: Wednesday 15 June 2016, 5:30-7:30 pm
Where: Martin Place Chambers, Level 32, 52 Martin Place, Sydney

[Read more »](#)

Endangered Fauna Workshop & BBQ

The Hunter & Central Coast Regional Environmental Management Strategy is holding a community information day to raise awareness of threatened and endangered animals. The session is free and lunch will be provided.

When: Saturday 18 June, 9am-1:30pm
Where: Clarence Town Reserve, meet at Langlands Road, Glen Oak, Clarence

[Read more »](#)

EPBC Act approval condition setting and advanced environmental offsets

An EIANZ 'PEP talk' on the Australian Government's new policy positions concerning approval condition setting and advanced environmental offsets under the *Environment Protection and Biodiversity Conservation Act 1999*.

When: Wednesday 15 June 2016, 6:30–8:30pm
Where: Hotel Realm, 18 National Circuit, Barton, ACT

[Read more »](#)

NSW Government biodiversity reforms 'drop in' sessions

The NSW Government has announced major reforms to NSW biodiversity laws and regulations. You can read more about the reforms [on our website](#).

The Government has been holding 'drop in' sessions to help community members find out more about the reforms and explain how to provide feedback. The next drop in sessions are:

Cobar

When: Monday 6 June 2016, 3:30-6pm
Where: Cobar Golf Club, Bloxham St

Lismore

When: Thursday 9 June 2016, 5-7:30pm
Where: Lismore City Hall, 1 Bounty St

Western Sydney

When: Tuesday 14 June 2016, 5-7:30pm
Where: Penrith Library, 601 High St, Penrith

Sydney

When: Thursday 16 June 2016, 5-7:30pm

Where: Ultimo Community Centre, 40 William Henry St, Ultimo

Walgett

When: Monday 20 June 2016, 3:30-6pm

Where: CWA Hall, Cnr Wee Waa and Pitt Sts, Walgett

[Read more »](#)

Australian Environment Review

The latest edition of the Australian Environment Review contains a number of articles on economics and the environment.

Articles include:

- The rise of economics in major project litigation
- How evaluations of coal projects go wrong, and how they might be improved
- Natural Capital and Ecosystem Services — a major market failure
- Ecologically Sustainable Development (ESD) and the cost-effectiveness principle
- Obstacles in developing and implementing biodiversity markets: an overview
- Environmental economic valuation in merits review

[Read more »](#)

2016 Annual EPLA Conference – save the date

The annual Environment & Planning Law Association NSW conference will be held at The Hydro Majestic Hotel in Medlow Bath from Thursday, 20 October to Saturday, 22 October 2016. Full details are yet to be finalised, but you can add the conference to your electronic calendar via the [EPLA website](#).

[Read more »](#)

Support EDO NSW

End of financial year appeal

We recently won a court case for a Hunter Valley community group who has been fighting for many years to protect an area of forest vital to the long term survival of the the Regent Honeyeater, a bird on the brink of extinction.

Together, we can continue fighting these legal battles for communities who are committed to protecting our precious wildlife from extinction.

[Your donation](#) to our Environmental Defence Fund this tax time will ensure we can continue fighting legal battles for communities who are committed to protecting our wildlife from extinction.

[Please make a donation 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.

[Subscribe to this weekly eBulletin](#)