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EDO NSW EBULLETIN – 17 June 2016: Number 962

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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Help protect biodiversity

Our end of financial year appeal highlights our [recent court victory](#) for the critically endangered Regent Honeyeater. But as we celebrate this win, the NSW Government is proposing to make once in a generation changes to biodiversity and native vegetation laws that represent a serious retrograde step.

While on one front we have won in the courts to save our precious wildlife from extinction, on another we're facing laws that remove important protections for wildlife.

It's vital that EDO NSW is able to provide expert, independent analysis of the environmental impacts of laws and policies, and to inform and empower communities when reforms propose to remove environmental protections.

The pressures on our environment and threatened wildlife are increasing, including the impacts of our changing climate. Our work in ensuring laws protect the environment for future generations is more vital than ever. [Please make a donation to our work today.](#)

[Donate online today »](#)

Proposed Biodiversity Conservation Laws

- 1. WIND BACK LEGAL PROTECTION**
- 2. INCREASE HABITAT LOSS**
- 3. INEVITABLY INCREASE EXTINCTION**

Environmental Defenders Offices welcome funding pledges

Environmental Defenders Offices of Australia (EDOs of Australia) welcome acknowledgements made in the lead up to the Federal election about the importance of our work.

Federal funding to EDOs was withdrawn in 2013. Both Labor and The Greens propose that this funding be reinstated to help EDOs help communities defend the environment through law.

The Australian Labor Party has committed to restore funding to EDOs by providing \$10.8 million over four years. The Greens have committed to restore \$14.5 million funding for EDOs.

These commitments recognise the vital services provided by EDOs to the Australian community. Each year, EDOs provide access to justice for thousands of Australians who simply could not afford legal help otherwise.

[Read more »](#)

NSW biodiversity reforms – less than two weeks to have your say

The NSW Government's legislative and policy biodiversity reform package propose significant changes to the laws and policies that regulate land clearing and biodiversity protection.

The Government has put 25 documents – around 657 pages – on public exhibition. The deadline is looming fast – **public submissions need to be made by 28 June 2016**.

If you don't have the time or inclination to trawl through all these documents, but are wondering what the reforms mean for the environment, we've summarised six key issues you may like to know about: [The 2016 NSW biodiversity reforms: 6 things you need to know.](#)

If you'd like to make a submission, check out the information and resources at our [web page dedicated to the reforms](#). Why not also help us spread the word by sharing the page on social media?

And 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:

- [Byron Bay](#) – Friday 17 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. We're in Newcastle on Friday 17 June with [Landcare](#), and we've also been participating in forums with Local Land Services and local councils, including a [community forum being hosted by Ku-ring-gai Council](#) on Monday 20 June from 6:30-8pm.

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 »](#)

Calling law students

Do you have spare time 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 »](#)

Court and Compliance Watch

Wood processing company fined for water pollution

The Land and Environment Court has ordered Borg Panels Pty Ltd to pay \$58,500 for accidentally discharging contaminated water into a local creek in Oberon. The company was also ordered to cover the Environmental Protection Authority's prosecution and investigation costs, which amounted to a further \$72,780.

The contamination occurred when a waste water hose from a holding tank was redirected into the nearby creek. The contaminated water contained chemicals used in the manufacturing and processing of wood and joinery products, including nitrogen compounds and acids. Local residents and council workers noticed the pollution and notified the EPA.

[Read more »](#)

Former refinery at Kurnell declared significantly contaminated

The NSW Environment Protection Authority (EPA) has declared the former Caltex refinery at Kurnell as significantly contaminated land under the *Contaminated Land Management Act 1997*.

The sources of the contamination include incidental fuel leaks and spills, waste storage and disposal associated with the refinery that operated from 1956 to 2014. The site is now a fuel storage terminal. Contamination has the potential to impact on groundwater and the natural environment. Under its Environment Protection Licence, Caltex is required to remediate the site by December 2020.

[Read more »](#)

Law Reform and Policy Watch

Transporting Coal by Rail: Submission on an Amendment to NSW pollution regulations

EDO NSW has made a submission on a Draft Amendment to the Protection of the Environment Operations Regulation (Scheduled Activities) 2016.

We support the intent to better regulate railway activities and assign responsibility for managing environmental and health impacts. However we have a number of concerns with the Amendment Regulation and provide recommendations for improvement, including:

- Any new licences issued as a result of the Amendment Regulation must specify clear standards and timeframes for achieving emissions reduction targets.
- Load-based fees should be applied for railway activities that emit pollutants including fine particulates and nitrogen oxides, to encourage continuous improvement.
- The Amendment Regulation should be clarified to address issues which require “shared responsibility for environmental performance” (such as wheel squeal).
- The minimum 30km track-length should be removed before a pollution licence is required for trains and railway infrastructure, to ensure all coal trains are properly regulated.

[Read more »](#)

Recent EDO NSW submissions and briefing notes

- [Protection of the Environment Operations Regulation – railway coal transport](#), EDO NSW submission

- [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

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

- [Auburn](#) – Rezoning of land, increase in building heights and maximum floor space at Amy, Smith and Mauder Streets, Regents Park.
- [Holroyd](#) – Modification to building height, floor space and land acquisition maps for Merrylands Centre. Introduction of design excellence principles to Holroyd LEP.
- [Newcastle](#) – Modification to height maps and maximum building height in City Centre.
- [Blacktown](#) – Rezoning of land, William and Edmund Streets, Riverstone.

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

- **Proposal to implement Regional Joint Organisations Model**

The NSW Government is seeking consultation on a proposal to fully implement the Joint Organisations pilot across NSW. Joint Organisations are a forum for local councils and the State Government to work together on issues of regional strategic priority, and are intended to bridge the gap between local strategic plans and regional strategic planning to ensure local priorities are considered.

Submissions are invited until Friday 12 August 2016.

[Read more and have your say »](#)

- **New Housing Code**

The NSW Department of Planning and Environment is seeking feedback on the proposed new Housing Code for exempt and complying development. The new code proposes to simplify planning rules for new homes, extensions and other home renovations that can be carried out as complying development.

Submissions are invited until Friday 12 August 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**

- [Torres Strait Finfish Fishery – ongoing export accreditation](#) –
Submissions are invited until Friday 15 July 2016.

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

- [Oberon](#) – Expansion of current timber processing facilities and construction of new Particle Board Processing facility – Submissions invited until Wednesday 27 July 2016.
- [Minto](#) – Construction of four warehouses with associated offices and car park – Submissions invited until Friday 1 July 2016.
- [Tweed Heads](#) – Modification to Cobaki Estate Concept Plan – Submissions invited until Wednesday 29 June 2016.
- [Camperdown](#) – Development of multi-storey car park at Royal Prince Alfred Hospital – Submissions invited until Friday July 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

- [Point Ceylon, NT](#) – Development of prawn aquaculture breeding facilities – Submissions invited until Monday 27 June 2016.
- [Roma, WA](#) – Progressive development of CSG infrastructure – Submissions invited until Monday 27 June 2016.
- [Horsham, VIC](#) – Development of wind energy facility – Submissions invited until Wednesday 29 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

Contaminated Land seminar

The Australian Sustainable Business Group is hosting a seminar on the latest regulatory and policy perspectives on contaminated land management. The seminar is aimed at land owners, environmental professionals and others dealing in contaminated land management. Cost: \$395 (ASBG & ALGA Members, and Henry Davis York clientele) or \$495 (Non Members)

When: Wednesday 22 June 2016, 8:20am-4:40pm

Where: Henry Davis York, L10, 44 Martin Place, Sydney

[Read more »](#)

Community Environment Network (CEN) Annual Forum

The CEN Annual Forum brings together members and others from across Gosford, Wyong and Lake Macquarie to share the latest information on issues that affect local communities and the environment.

Jeff Angel from the Total Environment Centre will provide a presentation on the recently released draft Biodiversity Legislation.

When: Sunday 19 June 2016, 9am-3:30pm

Where: Central Coast Campus of the University of Newcastle, Ourimbah

[Read more »](#)

Police powers and protest laws update: impacts on environmental activism

The NSW Young Lawyers Criminal Law and Environment and Planning Law Committees are holding a seminar on the impact on environmental activists of the new 'lock on' laws.

Our own Kira Levin will give an overview on what the lock on laws mean to environmental protesters, and will provide a checklist for enviro lawyers. David Porter, Senior Solicitor, UNSW Policing Practice at Redfern Legal Centre, will provide an overview and analysis of the new laws.

Cost: Members \$120; Non-Members \$156

When: Tuesday 30 August 2016, 5-6:30pm

Where: The Law Society of NSW, Level 3, 170 Phillip Street, Sydney

[Read more »](#)

Maintaining Australia's Natural Wealth: Priorities for Conservation Policy

Registrations are now open for the sixth symposium in the ACIUCN *Science Informing Policy Symposium Series*.

The symposium will bring together around 100 conservation experts from across governments, non-government organisations, academia, Indigenous organisations and natural resource management bodies to discuss the future of Australia's rich natural environment.

When: Tuesday 19 to Wednesday 20 July 2016

Where: The Hall, University House, Australian National University, Canberra

[Read more »](#)

Positions at the New South Wales Aboriginal Land Council

The New South Wales Aboriginal Land Council is currently recruiting for positions based at its Parramatta Office:

- Senior Economic Development Advisor - permanent full time
- Senior Policy Officer x 2 – for a period up to May 2017
- Senior Programs Officer (Planner) - permanent full time
- Programs Officer (Identified) – temporary full time

Applications for the Senior Policy Officer and Programs Officer positions close 5pm Wednesday, 22 June 2016. Applications for the Senior Programs Officer (Planner) close 5pm Wednesday, 29 June 2016.

Aboriginal people are encouraged to apply.

[Read more »](#)

Building the new economy: activism, enterprise and social change

Early bird registrations are now open for the New Economy conference. The conference will explore what types of future economic systems we want to build in

Australia. The conference will include an interactive plenary session on Day 2, which will enable interested participants to co-design a Charter for a Coalition for a New Economy, and those Interested are invited to propose a creative range of participation, including: papers, mini-workshops, performances, games or other interventions.

When: Tuesday 16 to Wednesday 17 August 2016

Where: Glebe Town Hall, 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 »](#)

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 remaining drop in sessions is:

Western Sydney

When: Monday 20 June 2016, 5-7:30pm

Where: Penrith Library, 601 High St, Penrith

[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 »](#)

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 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.

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