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EDO NSW EBULLETIN – 19 August 2016: Number 971

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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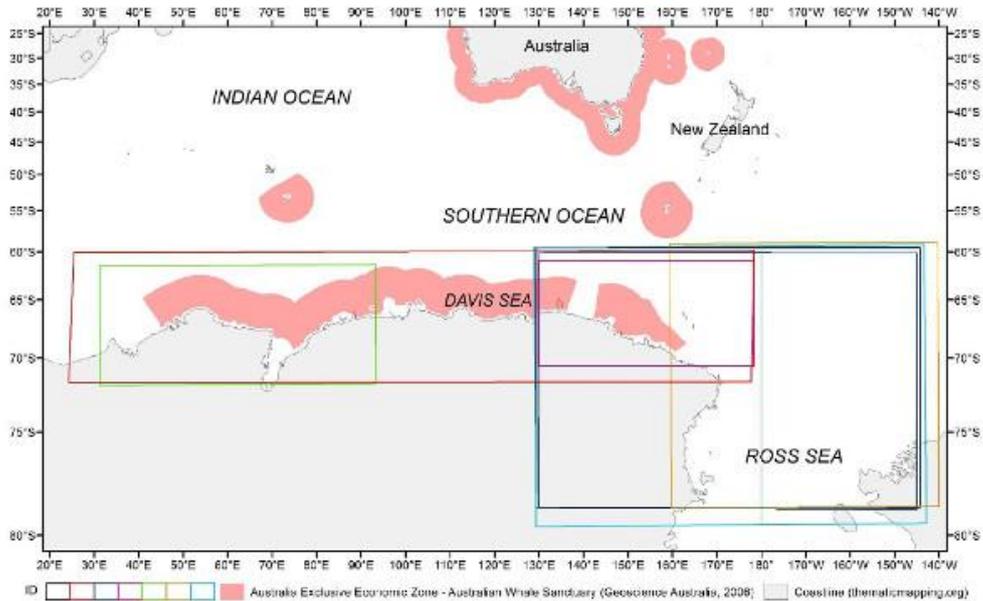
How science helps us defend the environment through law

You've heard about our Scientific Advisory Service, but have you ever wondered how the service works?

This National Science Week, we produced [two case studies](#) showing how science and scientific expertise help us defend the environment through law.

Thank you to the 72 experts who advised us and our clients during the 2015/16 financial year – your support is essential to our work. If you would you like to use your expertise to help defend the environment and improve environmental laws and policies, find out more about our [opportunities for science volunteers](#).

[Read more »](#)



Part of the mapping evidence presented to the Court in our whaling case for Humane Society International.

Giving evidence in NSW Parliament on improving regional planning

On Wednesday we were at the NSW Parliament giving evidence to the Government's inquiry into regional planning processes in NSW.

We reiterated to the Standing Committee on State Development the five issues critical to regional planning in NSW that we set out in the submission we made in February this year.

[Read more »](#)



Rachel Walmsley and Nari Sahukar at Parliament after giving evidence.

EDO NSW delivering professional development workshops for local council and Local Land Services

Over the next few months we'll be delivering 13 full day professional development workshops in environmental law for local council and Local Land Services staff across NSW. This week we have been in the Hunter with around 80 staff from councils and LLS, and in Redfern speaking to staff from Sydney councils.

The workshops are supported by the NSW Government through its Environmental Trust. If you work with council or Local Land Service and you're interested in knowing more, please email education@edonsw.org.au.

Barangaroo case dates confirmed

Dates have been set for our case on behalf of community group, Millers Point Fund Inc., who is challenging decisions by the NSW Planning Assessment Commission (PAC) on the Crown Casino development at Barangaroo in Sydney.

The case will be heard in the Land and Environment Court from 15 to 18 November 2016.

This is a complex case that relates to the approvals process, and subsequent modifications, through which the casino has come to be located on land that had been set aside as public parkland. The community group argues that the PAC did not apply the law properly when approving the casino's location.

[Read more »](#)

Australian climate mitigation laws and targets update

We have received a lot of interest in our recent report [Planning for climate change: how the NSW planning system can better tackle greenhouse gas emissions](#).

As part of our ongoing climate law reform work, we have updated the table from the report which summarises Australian State, Territory and Federal government climate mitigation laws and targets, to more accurately reflect measures currently in place in the ACT. You can [view the updated table online](#), or download the full [updated report](#).

We've also put the [slides from the publication launch on 27 July](#) online.

[Download the updated report »](#)

Environmental Defender July 2016

Want a quick, easy-to-read summary of what we've been up to? In the latest edition of our supporter newsletter, [Environmental Defender](#), we look back at some highlights from the past year. There's a report from a Mother's Day luncheon and forum fundraising event held in Ku-ring-gai, a feature on our International Programs Coordinator BJ Kim, and more.

[Read Environmental Defender online »](#)

Court and Compliance Watch

Trawler operator fined for fishing in Great Barrier Reef Green Zone

The Cairns Magistrates Court has fined a prawn trawler operator \$15,000 for fishing in a green zone in the Great Barrier Reef Marine Park.

An investigation by the Great Barrier Reef Marine Park Authority found the operator had trawled near Lookout Point off Cooktown in June 2015.

[Read more »](#)

Mining company suspended for breach of Mining Act

The NSW Department of Industry's Resources Regulator has issued a suspension notice to Young Mining for failing to pay outstanding environmental rehabilitation security deposits. The company has been ordered to suspend all mining operations from Thursday 18 August 2016.

[Read more »](#)

Multiple fines issued for illegal dumping

The NSW Environment Protection Authority (EPA) has issued three fines for illegal dumping at the Sydney Trains electrical substation on Layton Avenue in Blaxland, Sydney.

Two \$4,000 fines were issued to a tree-logging business, and one \$4,000 fine to a Blaxland resident. The illegal dumpers were identified in footage from surveillance cameras installed earlier in 2016.

[Read more »](#)

Law Reform and Policy Watch

Recent EDO NSW submissions and reports

- [Planning for climate change: how the NSW planning system can better tackle greenhouse gas emissions](#), EDO NSW discussion paper
- [NSW Parliamentary Inquiry into Crown Land 2016](#), EDO NSW submission
- [Merits Review in Planning in NSW](#), EDO NSW discussion paper
- [NSW Biodiversity reform package 2016](#), EDO NSW submission
- [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

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](#)

- **Rural Fires Amendment (Fire Trails) Bill 2016**

A Private Members Bill to amend the *Rural Fires Act 1997* (NSW) to create a system for establishing, maintaining and protecting fire trails on public and private land. The Bill has had its second reading in Parliament.

[Read the Bill »](#)

Local Environmental Plan tracking

- [Sydney](#) – Green Square Town Centre floor space ratio amendments.
- [Blue Mountains](#) – Various ‘housekeeping’ amendments to improve the accuracy of the Blue Mountains LEP 2015.
- [Fairfield](#) – Additions to allow development of a service station and take-away premises, Elizabeth Drive, Bonnyrigg Heights.
- [Blacktown](#) – Adjustment to zone, height, land reservation and residential density maps, Marsden Park precinct.

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

- **Application to export an artwork containing native species feathers**

The Department of the Environment and Energy is seeking public comment on whether to grant a permit to export a sculpture containing feathers from three native species: the Silver Gull, Magpie Goose and Rainbow Lorikeet.

The sculpture was made in the 1960s by the Indigenous people of the Milingimbi Community. The exporter intends to exhibit the sculpture in the UK before offering it for sale at auction. The export of the sculpture would not meet the requirements of the EPBC Act, so the applicant has made a request for export under exceptional circumstances.

Submissions are invited until Wednesday 24 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**

- [Queensland Gulf of Carpentaria Line Fishery](#) – Export approval extension – Submissions invited until Wednesday 14 September 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

- [Ingleburn](#) – Consent for a battery recycling facility, Lancaster Street – Submissions invited until Friday 16 September 2016.

- [Sydney](#) – Construction of new mixed use building, Harrington Street, The Rocks – Submissions invited until Friday 16 September 2016.
- [Carss Park](#) – Digital conversion of existing sign on pedestrian overbridge, Princes Highway – Submissions invited until Friday 16 September 2016.
- [Guthega](#) – Modification to the landscaping plan, entry roof and decking at Turnak Ski Lodge, Farm Creek Place – Submissions invited until Wednesday 31 August 2016.
- [Maitland](#) – Residential subdivision on Raymond Terrace Road, Thornton – Submissions invited until Friday 16 September 2016.
- [Cessnock](#) – Residential subdivision of Avery's Village, Heddon Greta – Submissions invited until Friday 16 September 2016.
- [Wiley Park](#) – Digital conversion of advertising sign on the Samuel Street pedestrian bridge over King Georges Road – Submissions invited until Thursday 15 September 2016.
- [Gloucester](#) – Modification to allow for a new haul road, Rocky Hill Coal Project of the Stratford mine – Submissions invited until Friday 14 October 2016.
- [Grafton](#) – New Grafton Correctional Centre – Submissions invited until Monday 12 September 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

- [Woorndoo, VIC](#) – Salt Creek Wind Farm transmission line – Submissions invited until Wednesday 31 August 2016.
- [Lord Howe Island, NSW](#) – Rodent Eradication Project – Submissions invited until Monday 29 August 2016.
- [Bowelling, WA](#) – Curve realignment, Collie Lake King Road – Submissions invited until Monday 29 August 2016.
- [Moora and Dalwallinu, WA](#) – Upgrade of Great Northern Highway, Muchea to Wubin – Submissions invited until Friday 26 August 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

New this week

Environment vacancies at NSW Government agencies

The Office of Environment and Heritage has a range of senior positions advertised, including [Senior Team Leader](#), Science Division, and [Senior Scientist](#), Social Research. The National Parks & Wildlife Service is also looking for a [Senior Project Officer](#), Threatened Species (SoS).

[More NSW Government environment and planning vacancies »](#)

From last week

New Website on NSW Mining and CSG for Landholders

NSW Farmers has launched a website to provide landholders information on mining and coal seam gas in NSW.

The site aims to improve landholders' awareness of mining and coal seam gas activity in their region, improve their capacity to negotiate access arrangements with exploration companies, and improve their awareness of the NSW Government's Strategic Regional Land Use Policy package and how it applies to mining and coal seam gas activities.

[Read more »](#)

Aurora Internship Program applications open

The on-line application period for the summer 2016/17 round of Aurora internships runs from Monday 1 August to Friday 26 August.

The Aurora Internship Program supports under-resourced host organisations by introducing law, anthropology and some other social science students and graduates to career opportunities in native title, land rights, policy development, social justice and the broader Indigenous sector.

[Read more »](#)

Improvements made to national renewable energy map

An enhanced user interface for the Australian Renewable Energy Mapping Infrastructure (AREMI) has been released. AREMI is designed to help project developers and researchers find out where renewable energy can add the most value in the National Electricity Market.

[Read more »](#)

Australian Environment Review Vol 31 No 5 August

The latest edition of Australian Environment Review contains a number of articles on sea, coastal environments and fishing laws, with analyses from NSW, Australia, New Zealand, the UK, Timor Leste, Indonesia and the UN's Convention on the Law of the Sea. Included in the edition is a preliminary analysis of NSW Coastal Law Reform.

[Read more »](#)

Police powers and protest laws update: impacts on environmental activism

The NSW Young Lawyers Criminal Law and Environment & Planning Law Committees are holding a seminar on the impact of the new protest laws on environmental protesters.

Our own Kira Levin will give an overview of what the protest laws mean for environmental protesters, and will provide a checklist for 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

CPD units: 1.5.

[Read more »](#)

Support EDO NSW

Your support is vital to ensuring that people have access to environmental justice.

[Your donation](#) will help us 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

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 July 2016 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.



Environmental law advice line

Phone us for free initial legal advice on planning and environmental law matters.

EDO NSW online

Website

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