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EDO NSW EBULLETIN – 24 February 2017: Number 994

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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EDO NSW News and Events

Santos' Pilliga CSG project – 'enormous' environmental impact statement open for community comment

The NSW Department of Planning and Environment has released an enormous 7,000 page environmental impact statement (EIS) for Santos' proposed coal seam gas project near Narrabri and the world-renowned Pilliga State Forest.

You may recall that we are representing community group People for the Plains in appealing a court decision that gave Santos the green light to operate its 'Leewood' wastewater treatment facility, which is part of this controversial project. [Read more about the case](#).

The public doesn't have much time to comment on the EIS – submissions are invited until Monday 24 April 2017. Given the size of the EIS, the concerns of the local community, and the significance of the project, we have [publicly called for an extension to the submission deadline](#).

If you'd like EDO NSW to hold a workshop for your community about this project and how to make a submission, email us at education@edonsw.org.au.

Protections for water too fluid?

Centennial Coal has applied to modify a consent condition for its Springvale coal mine. What might this mean for the important environmental protections that were part of the project's approval?

This will be an important test of the State Environmental Planning Policy – Sydney Drinking Water Catchment 2011 (Catchment SEPP).

[Find out on our latest blog »](#)



Help plan for a sustainable future

As you will know, the NSW Government is proposing significant changes to planning legislation. Our expert planning lawyers are reviewing the proposed changes and will advise the community on what these changes mean for you and the environment. You can get involved by making a submission, attending our seminar, or by donating to help us inform the community about these changes.

Your [tax deductible donation](#) today will help us reach as many people as possible with information on the changes that will decide the way we care for our precious natural areas.

[Read more »](#)

Mining and the Law: a guide for the community

We've just updated our popular community guide [Mining Law in NSW: A guide for the community](#).

The guide is aimed at helping communities affected by mining and CSG. It offers landholders a step-by-step legal guide to dealing with mining companies, and understanding their rights and obligations under the law.

[Download the guide »](#)

Court and Compliance Watch

Caltex fined for petrol spill

Caltex Australia Petroleum Pty Ltd has been fined \$850,000 by the Land and Environment Court for a 2013 incident in which 150,000 litres of unleaded petrol

contaminated a bund at their Banksmeadow fuel terminal in the Port Botany Industrial Estate, Sydney.

This fine includes a \$400,000 Environmental Service Order by the NSW EPA, as well as \$450,000 in the EPA's legal costs. [Read the Court judgment.](#)

[Read more »](#)

Sydney Water fined for sewage overflow

The NSW Environment Protection Authority (EPA) has fined Sydney Water \$15,000 after 90,000 litres of raw sewage was discharged from a pumping station at Tahmoor, near Picton, into a local creek. The overflow lasted approximately 11 hours.

[Read more »](#)

Council fined for compliance failure at waste facility

The NSW Environment Protection Authority (EPA) has fined Bega Valley Shire Council \$15,000 after it failed to comply with a condition of its operating licence for the Central Waste Facility at Wolumla. The EPA found that, as Council had not properly followed the procedures in its own Stormwater Dam Management Plan, sediment-laden stormwater discharged into Wolumla Creek.

[Read more »](#)

Law Reform and Policy Watch

Report on the Government Information (Public Access) Act 2009

The NSW Information and Privacy Commission has delivered its annual report on the operation of the *Government Information (Public Access) Act 2009* (GIPA Act).

This year's report, which examines the performance of over 200 NSW government agencies, indicates that public access practices across agencies vary. It identifies positive trends, issues for attention and key challenges to improving public access to NSW government information.

[Read more »](#)

Restoring pollinator habitat guidelines released

The NSW Office of Environment and Heritage has released guidelines to help restore feeding habitats for threatened birds and mammals, including Regent Honeyeaters, Swift Parrots, Little Lorikeets and tree-dwelling marsupials.

The new guidelines are designed to inform habitat restoration, enhancement and regeneration projects.

[Read more »](#)

NSW container deposit scheme delayed

The NSW Government has announced that the start of the NSW container deposit scheme has been delayed from June 2017 to December 2017. Read more about the delay at the [Government's media release](#).

[Details on the container deposit scheme »](#)

Recent EDO submissions and reports

- [Six big changes to the Planning Act in 2017 \(and three missed opportunities\)](#), EDO NSW briefing paper
- [Submission on the Clean Air for NSW Consultation Paper](#), EDO NSW submission
- [Submission on the Koala SEPP Review](#), EDO NSW submission
- [Draft Coastal Management State Environmental Planning Policy](#), EDO NSW submission
- [Review of the load-based licensing scheme](#), EDO NSW submission
- [Gwydir Water Resource Plan Surface Water – Issues Paper](#), EDO NSW submission
- [Proposed Medium Density Housing Code – Statement of Intended Effect and Draft Medium Density Design Guide](#), EDO NSW submission
- [Review of State Environmental Planning Policy on Koala Habitat Protection](#), EDO NSW submission
- [Inquiry into flying-fox management in the eastern states](#), EDOs of Australia submission
- [Inquiry into the impacts of climate change on marine fisheries and biodiversity](#), EDOs of Australia submission

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

New legislation introduced to Parliament

[Australian Parliament](#)

- *Protection of the Sea (Prevention of Pollution from Ships) Amendment (Polar Code) Bill 2017*

This Australian Government Bill aims to amend the *Prevention of Pollution from Ships Act 1983* to ensure there are strict discharge restrictions for oil, noxious liquid substances, sewage and garbage for certain ships operating in polar waters.

[Read the Bill »](#)

NSW Parliament

- *Biosecurity Amendment Bill 2017*

This NSW Government Bill would amend the *Biosecurity Act 2015* provisions on biosecurity certifiers, biosecurity auditors, accreditation authorities, fees, evidentiary certificates and biosecurity orders.

[Read the Bill »](#)

- *Motor Racing Legislation Amendment (Newcastle 500) Bill 2017*

This Government Bill would amend the *Homebush Motor Racing (Sydney 400) Act 2008* to facilitate the holding of an annual motor race and event at Newcastle.

[Read the Bill »](#)

Local Environmental Plan tracking

- [Ballina](#) – Subdivision of land on Friday Hut Road, Tintenbar, to reflect current separate uses.
- [Cumberland](#) – Permission to continue using 459 Merrylands Road, Merrylands, for a takeaway pizza establishment.
- [Murray River](#) – Rezoning land from Environmental Management to Tourist, 'Tindarra Resort', Pericoota Road, Moama.
- [Liverpool](#) – Rezoning of land from Private Recreation to Medium Density Residential, Georges Cove Marina Development, Newbridge Road, Moorebank.

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

- **Online lodging of development applications**

The NSW Department of Planning and Environment is proposing changes to the *Environmental Planning and Assessment Regulation 2000* that will support online lodgement of development applications for homes and businesses.

Submissions are invited until Wednesday 15 March 2017.

[Read more and have your say »](#)

- **Water resource plans – status and issues papers**

The NSW Department of Primary Industries - Water has prepared status and issues papers for eight water resource plans. Each plan defines the status of the water resources and lists existing water issues for consideration in the respective regions.

Papers have been released for:

- Murray and Lower Darling surface water
- Murrumbidgee surface water
- Barwon-Darling Watercourse surface water
- Namoi and Peel surface water
- Lachlan alluvium
- Macquarie-Castlereagh alluvium
- Gwydir alluvium
- NSW Border Rivers alluvium

Submissions are invited until Friday 31 March 2017.

[Read more and have your say »](#)

- **Future Security of the National Electricity Market – deadline extension**

The Australian Department of the Environment and Energy has extended the deadline for public submissions on the Preliminary Report on the Independent Review into the Future Security of the National Electricity Market.

Submissions are now invited until Friday 3 March 2017.

[Read more and have your say »](#)

- **Roads and Maritime consultation**

- [Mona Vale Road West](#) – Review of Environmental Factors and Species Impact Statement – Submissions invited until Monday 13 March 2017.

- **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 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

- [Ingar](#) – Development of Nevertire Solar large-scale solar photovoltaic generation facility – Submissions invited until Monday 20 March 2017.
- Milsons Point – Luna Park [Lighthouse fit out and external alterations](#), and [Wild Mouse tenancy fit out](#) – Submissions invited until Monday 20 March 2017.
- [Narrabri](#) – Development of coal seam gas field comprising up to 850 gas wells on up to 425 well pads over 20 years – Submissions invited until Monday 24 April 2017. [Read more about what this means and how to have your say.](#)
- [Coraki](#) – Modification to increase the number of truck dispatches out of Coraki Quarry – Submissions invited until Wednesday 8 March 2017.
- M2 Motorway – Conversion of existing signage to digital signage in [Hornsby](#) and [The Hills](#), Sydney – Submissions invited until Thursday 23 March 2017.

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

- [Reedy Creek, QLD](#) – Gas transmission pipeline from Reedy Creek to Wallumbilla – Submissions invited until Tuesday 7 March 2017.
- [Eneabba, WA](#) – Addition of a passing lane and widening of the Indian Ocean Drive – Submissions invited until Monday 6 March 2017.
- [Parwan, VIC](#) – Installation of sewerage infrastructure, Parwan-Exford Road – Submissions invited until Friday 3 March 2017.

- [Oakey, QLD](#) – Development of Oakey solar farm, Warrego Highway - Submissions invited until Thursday 2 March 2017.
- [Bertram, WA](#) – Vegetation clearing for residential development, Johnson Rd and Holden Close – Submissions invited until Thursday 2 March 2017.
- [Gowrie, QLD](#) – Development of rail project from Gowrie to Helidon - Submissions invited until Thursday 2 March 2017.
- [Calvert, QLD](#) – Development of rail transport from Helidon to Calvert – Submissions invited until Thursday 2 March 2017.
- [Maryborough, QLD](#) – Colton Mine Project – Submissions invited until Thursday 2 March 2017.

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

- **Weddin Mountains National Park Plan of Management Draft Amendment for Horse Riding**

The NSW Office of Environment and Heritage is introducing a draft amendment to permit horse riding on a 20-kilometre loop trail in the southern part of the Weddin Mountains National Park.

Submissions are invited until Monday 3 April 2017.

[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

New this week

Marine Biodiversity in Areas Beyond National Jurisdiction – Australia’s Continuing Role

At this forum, experts will discuss the critical importance to Australia of establishing a coherent international regime to conserve the biodiversity of our oceans.

Speakers will discuss Australia’s continued leadership in developing a global Beyond National Jurisdiction framework. The forum will examine challenges and whether there is a need for Australia to develop an improved regulatory regime to conserve ocean biodiversity within its own national jurisdiction, as a complement to any high seas regime.

Our own Policy and Law Reform Director, Rachel Walmsley, will be chairing and presenting at the forum.

When: Thursday 16 March 2017, 9am to 5pm

Where: Australian Museum, 1 William Street Sydney

[Read more and register »](#)

Come on Coffs Harbour – plant trees for koalas

The National Parks & Wildlife Service (NPWS) is calling on the Coffs Harbour community to once again get involved in its Tree Parents project.

The Tree Parents project was launched in 2014, with over 100 enthusiastic and competitive local volunteers having planted 600 trees in a degraded eucalypt plantation in the national park near East Boambee.

Another 600 trees are now ready to be planted and nurtured. The NPWS is planning to begin phase two of the project in May 2017. To find out more or to sign up to be a Tree Parent, contact Martin Smith at the local NPWS Coffs Jetty office on (02) 6652 0907.

[Read more »](#)

Environmental Research Program Grants – Now Open

The NSW Environmental Trust is now inviting Expressions of Interest (EOIs) to its Environmental Research Program. The closing date for Research EOIs is 13 March 2017.

This year’s Research Program is offering grants of up to \$150,000 for applied research projects resulting in practical application under the following themes:

1. Contaminants and Pollution
2. Biodiversity
3. Climate Adaption
4. Mechanisms for Social Engagement.

[Read more »](#)

Part time Senior Solicitor Mid North Coast Community Legal Centre

The Mid North Coast Community Legal Centre is looking for a part time Senior Solicitor. The position is 21 hours per week for 12 months. Applications Applications should be submitted by Friday 3 March 2017.

[Read more »](#)

Transitions Film Festival

Transitions Film Festival is a social and environmental impact film festival that will screen in Sydney in March. The festival aims to present positive, solutions-focused films and showcase cutting-edge ideas from around the world.

The program includes films on climate change, marine plastic pollution and renewable energy. The festival will also screen in Melbourne, Brisbane and Adelaide.

When: Thursday 9 to Friday 24 March 2017

Where: Various venues around Sydney

[Read more »](#)

Roles at environment and planning agencies

A number of key positions are currently being advertised at NSW environment and planning agencies:

- Plan Making & Urban Renewal: [Principal Legal Officer](#); [Senior Legal Officer](#); [Legal Officer](#); and [Paralegal](#).
- Department of Planning and Environment: [Director Policy](#); [Legal Operations Manager](#); [Senior Conservation Planning Officer \(Buronga\)](#); [Biodiversity Conservation Trust Board members](#); [Director - Resource Assessment](#); [Senior Project Officer](#); and [Director – Regions](#) (3 positions).
- Environment Protection Authority: [Senior Legal Officer](#); and [Principal Legal Officer \(Legislation and Advice\)](#).

[More NSW environment positions »](#)

From last week

Female Senior Solicitor: Western NSW Community Legal Centre

Western NSW Community Legal Centre, based in Dubbo, is looking for a Female Senior Solicitor. The deadline for applications is Monday 6 March 2017.

All applicants must obtain an information package containing the selection criteria by contacting 02 6884 9422.

[Read more »](#)

Women's Environmental Leadership Australia – deadline extended

The application deadline for Women's Environmental Leadership Australia (WELA) 2017 has been extended to Monday 26 February 2017.

WELA is a 12-day residential program designed by and for women environmentalists. WELA 2017 will examine critically ideas about women taking even more environmental leadership in Australia.

[Read more »](#)

Young environmental lawyer of the year

Nominations are open for the Mahla Pearlman Award for the Australian Young Environmental Lawyer of the Year. The award is given to a young lawyer who has made a significant contribution to environmental law. Recipients have carried out extra work giving back to the legal community as well as to the community at large.

Nominations for the Award close Friday 28 February 2017.

[Read more »](#)

Mahla Pearlman Oration 2017

Professor Jane McAdam, University of New South Wales, will deliver the 2017 Mahla Pearlman Oration, *Should I Stay or Should I Go? Shaping International Responses to Climate Change, Disasters and Displacement*.

The Mahla Pearlman Australian Young Environmental Lawyer of the Year Award will be presented at the Oration. The Oration is free.

When: Thursday 9 March 2017, 5pm – 7pm

Where: Court 21, Federal Court of Australia, Queens Square, Sydney

[Read more »](#)

Future of environmental law symposium

The Law Council of Australia's 2017 Future of Environmental Law Symposium will focus on the interrelation of business law and the environment. It will also honour the contributions of the Hon Justice Michael Barker of the Federal Court of Australia, and Professor Christine Trenorden, founding member and Senior Judge of the South Australian Environment, Resources and Development Court.

When: Friday 10 March 2017, 9am – 5pm

Where: The Langham, 89–113 Kent Street, Sydney

[Read more »](#)

Planning and environment law: reforms and their practical applications

This Legalwise seminar will explore recent legislative changes and directions in planning and environmental law. Sessions will be held on:

- Planning Reforms: What You Need to Know
- Proposed Reforms to Biodiversity and Native Vegetation Legislation
- Progress in NSW Wind Energy Development: The Lawyers' Snapshot
- An Update on Environmental Prosecution, Sentencing and Contempt

When: Tuesday 14 March 2017, 9am – 1:15pm

Where: UNSW CBD Campus, Level 6, 1 O'Connell Street, Sydney

[Read more »](#)

Support EDO NSW

Help plan for a sustainable future

The NSW Government is proposing significant changes to planning legislation. Our expert planning lawyers are reviewing the proposed changes and will advise the community on what these changes mean for you and the environment.

[Your donation](#) will help us reach as many people as possible with information on the changes that will decide the way we care for our precious natural areas.

[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 latest 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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