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## **EDO NSW EBULLETIN – 3 March 2017: Number 995**

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**

### **NSW planning reforms 2017**

Thanks to everyone who joined us yesterday for our Sydney seminar on the proposed changes to the NSW planning laws. We had a great presentation from Nari Sahukar, our Senior Policy and Law Reform Solicitor, followed by an engaging Q&A session.

If you weren't able to make it, why not [listen to our podcast](#) in which Nari summarises some key aspects and missed opportunities in the reforms.

Keep your eye out on future bulletins for more from us about these important reforms.

[Listen to our podcast on the reforms »](#)



### **Transitions Film Festival – specials for EDO NSW supporters**

Throughout March, Transitions Film Festival will be showing an amazing line up of social and environmental impact films in Sydney.

We're giving away one free double pass for EDO NSW supporters to [How to Let Go of the World and Love All the Things Climate Can't Change](#), screening on Friday 10 March 2017 at 6:30pm at Hayden Orpheum in Cremorne.

To win the double pass, simply go to the [Transitions Film Festival 'win'](#) page and enter the following code: SHOWTOEDO WIN TIX

If you miss out, there are a limited number of half-price tickets for EDO NSW supporters to the movie [The Chocolate Case](#), a documentary following three Dutch journalists as they uncover child labour in the cocoa production chain. The film screens on Monday 13 March 2017 at 8:45pm at Newtown Dendy. To claim your discount, simply use the code CHOCOLATEEDOEB when purchasing your ticket.

Transitions Film Festival runs in Sydney from 9 to 24 March 2017.

[More about the Festival »](#)

### **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](#).

### **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 »](#)

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### **Court and Compliance Watch**

#### **Tyre recycler fined for unlawful storage of waste tyres**

The NSW Environment Protection Authority (EPA) has fined Grippy Tyres \$15,000 for failing to comply with their clean-up notice issued in July 2016.

The company was unlawfully storing waste tyres at their premises and, after being directed by the EPA to lawfully dispose of the waste tyres, they merely moved them to another unacceptable location.

[Read more »](#)

#### **South Wentworthville landlord sentenced for contempt**

The Land and Environment Court has sentenced landlord Robert Khoury to ten months' imprisonment for failing to comply with court orders to stop using premises in South Wentworthville as a boarding house without development consent.

The sentence was suspended subject to conditions, and Mr Khoury was ordered to pay costs.

[Read more »](#)

#### **Waste recovery operation to pay \$1.2m for asbestos clean-up costs**

The Land and Environment Court has found in favour of Kempsey Shire Council in its recovery of over \$1,2 million for the costs Council incurred in cleaning up asbestos waste found on premises formerly leased by Council to a business owned

and operated by the Slade family. The site is on Arakoon Road, a short distance from South West Rocks.

[Read more »](#)

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## Law Reform and Policy Watch

### Submission on the Murray Darling Northern Basin Review

Our submission sets out why the EDOs of Australia do not support the proposal to cut the volume of water available for the environment in the Murray Darling's Northern Basin, and why we do not support proposed increases in extraction from three groundwater sources (some of which is earmarked for CSG projects). We also outline our key concerns about the latest trajectory of water policy in the Murray Darling Basin.

We have consistently argued that while the Water Act requires the Basin Plan to optimise socio-economic (as well as environmental) outcomes, this can only be achieved if the river system is managed sustainably. Failure to do so will ultimately undermine the long-term viability of the industries and communities that depend on a healthy Murray-Darling.

[Read the submission »](#)

### National greenhouse and energy information for 2015–16 out now

The Clean Energy Regulator has released the 2015-16 National Greenhouse and Energy Reporting data. The report shows that in 2015-16, Australia's 'scope 1' emissions rose 2.2 per cent.

Data in report come from Australian corporations required to report their emissions and energy information, and make up about 60 percent of Australia's total emissions.

[Read more »](#)

### Recent EDO submissions and reports

- [Murray Darling Northern Basin Review](#), EDOs of Australia submission
- [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

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

## **New legislation introduced to Parliament**

### [Australian Parliament](#)

- *No new relevant Bills have been introduced since the last eBulletin*

### [NSW Parliament](#)

- *No new relevant Bills have been introduced since the last eBulletin*

## **Local Environmental Plan tracking**

- [Penrith](#) – Rezoning sites at Victoria Street, Werrington to high density residential, increasing building height and minimum lot size.
- [Hawkesbury](#) – Rezoning sites on Hawkesbury Valley Way and George Street, Windsor to neighbourhood centre.
- [The Hills Shire](#) – Development of a child care centre, Samantha Riley Drive, Kellyville.
- [Inner West](#) – Removal of 39 Smith Street, Summer Hill, as a locally listed heritage item and amendment of the heritage map for the Ashfield Local Environmental Plan 2013.
- [Bayside](#) – Rezoning land at Kingsland Road South, Bexley to mixed use.
- [Blacktown](#) – Rezoning and reclassifying of Alpha Park from public recreation to mixed use.
- [Georges River](#) – Amendment of zoning and development controls for sites on Forest Road and Wright Street, Hurstville.

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.

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## **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

- **Sydney Metropolitan Regional EMPLAN**

The Sydney Metropolitan Regional Emergency Management Committee is seeking public comments on the draft Regional Emergency Management Plan (Sydney Metropolitan Parts 1 & 2 public version). The management plan sets out a range of management measures in the event of a major emergency.

Submissions are invited until Thursday 9 March 2017.

[Read more and have your say »](#)

- **Draft Sustainability Strategy**

UrbanGrowth NSW is seeking public comment on its draft Sustainability Strategy, which will guide the agency's work. UrbanGrowth NSW is the NSW Government's urban transformation agency. Community members can also register interest in attending a briefing session on the strategy.

Submissions are invited until Wednesday 10 May 2017.

[Read more and have your say »](#)

- **National Heritage listing for St Kilda Rd and environs, Melbourne**

The Australian Heritage Council is inviting public comment on the listing of St Kilda Rd and its environs in the National Heritage List under the emergency listing provisions of the *Environment Protection and Biodiversity Conservation Act 1999*. The Council is inviting comment on whether the area meets any National Heritage criteria, and whether it should continue to be included in the list.

Submissions are invited until Friday 28 April 2017.

[Read more and have your say »](#)

- **National Heritage listing for Centennial Park, Sydney**

The Australian Heritage Council is assessing Centennial Park, Sydney, for potential inclusion in the National Heritage List. The National Heritage List recognises places that are of outstanding heritage value to the nation for their natural, Indigenous and/or historic heritage values.

Submissions are invited until Friday 28 April 2017.

[Read more and have your say »](#)

- **Cost Recovery under the EPBC Act**

The Australian Department of the Environment and Energy is calling for submissions on cost recovery arrangements for small businesses environmental assessments and some strategic assessments under the *Environment Protection and Biodiversity Conservation Act* 1999. Comment is sought on the preferred method for determining which businesses should be exempt from cost recovery fees.

Submissions are invited until Tuesday 28 March 2017.

[Read more and have your say »](#)

- **Biofuels, oils, lubricants, greases, waxes, solvents and petroleum coke**

The Australian Department of the Environment and Energy is seeking submissions from stakeholders engaged in activities relating to biofuels, oils, lubricants, greases, waxes, solvents and petroleum coke. The Department has released three discussion papers for comment.

Submissions are invited until Friday 31 March 2017.

[Read more and have your say »](#)

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

- [Lerista lineata](#) (Perth slider) – Submissions invited until Monday 10 April 2017.
- [15 species in WA and NSW](#) – Listing assessments – Submissions invited until Monday 10 April 2017. The species are:
  - *Austrostipa jacobiana*
  - *Caladenia hopperiana* (Boddington spider orchid)
  - *Caladenia luteola* (lemon spider orchid)
  - *Commersonia apella* (many-flowered Commersonia)
  - *Diplolaena andrewsii* (native wild rose)
  - *Eremophila glabra* subsp. *chlorella* (emu bush)
  - *Goodenia arthrotricha*
  - *Grevillea thelemanniana* subsp. *thelmanniana* (spider net Grevillea)
  - *Lerista neviniae* (Nevin's slider)
  - *Leucopogon nitidus*
  - *Leucopogon* sp. *Ongerup* (A.S. George 16682)
  - *Marianthus mollis* (hairy-fruited Billardiera)
  - *Marianthus paralius*
  - *Stylidium applanatum* (flat-leaved triggerplant)
  - *Banksia vincentia*

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**

- [Commonwealth North West Slope and Western Deepwater Trawl fisheries](#) – Ongoing export accreditation – Submissions invited until Thursday 30 March 2017.

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**

- [Kooragang](#) – Cap and containment remediation system at Orica's Kooragang Island facility – Submissions invited until Friday 31 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**

- [Longreach, QLD](#) – Longreach Solar Farm, 50758 Landsborough Highway – Submissions invited until Wednesday 15 March 2017.
- [Murchison, WA](#) – CSIRO radio telescope, Boolardy Station – Submissions invited until Thursday 16 March 2017.
- [Narre Warren, VIC](#) – Plumbing Industry Climate Action Centre (PICAC) Education Centre – Submissions invited until Thursday 16 March 2017.
- [Bendigo, VIC](#) – Castlemaine Link raw water transfer system project, Bendigo to North Harcourt – Submissions invited until Wednesday 15 March 2017.
- [Portland, VIC](#) – Landfill borehole installation – Submissions invited until Tuesday 14 March 2017.
- [Hammond Park, WA](#) – Urban development, Wattleup Road – Submissions invited until Friday 10 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**

- *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](#).

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## **Community News**

New this week

### **New Commissioner for Land and Environment Court**

The Chief Judge has announced that Joanne Gray has been appointed as a Commissioner of the Land and Environment Court. Ms Gray commences as a Commissioner on Tuesday 18 April 2017.

[Read more »](#)

### **Southern Highlands residents – get your free tree to help the glossy black cockatoo**

The National Parks and Wildlife Service (NPWS) is providing more than 700 trees to people in the Southern Highlands to provide crucial habitat for the threatened glossy black-cockatoo.

The Service will distribute *Allocasuarina littoralis*, or black she-oak trees, at a 'hand-out' day at Bundanoon on Saturday 4 March 2017. Once mature, the trees will provide habitat and food for the cockatoos.

[Read more »](#)

## Key leadership role at Central Coast Community Legal Centre

Central Coast Community Legal Centre is seeking a dynamic, innovative and resourceful person with a passion for social justice to lead the organisation through a time of change. This key leadership role can be filled by a practicing solicitor or by a person with developed managerial skills and experience. Applications close 5pm on Tuesday 21 March 2017.

[Read more »](#)

## Key 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](#); and [Legal Officer](#).
- Department of Planning and Environment: [Team Leader, Sydney Regions East](#); [Senior Policy Officer](#); [Director, Greater Parramatta](#); [Legal Operations Manager](#); [Biodiversity Conservation Trust Board members](#).
- Environment Protection Authority: [Senior Legal Officer](#); and [Principal Legal Officer \(Legislation and Advice\)](#).

[More NSW environment positions »](#)

From last 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 »](#)

### **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 »](#)

### **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 »](#)

### **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 »](#)

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## **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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