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EDO NSW EBULLETIN – 10 March 2017: Number 997

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](#).

EDO News & Events	Court & Compliance	Law Reform & Policy Watch
Have Your Say Alerts	Community News	Support EDO NSW

EDO NSW News and Events

Appeal court upholds decision that Leewood CSG waste water facility is lawful

On Tuesday the NSW Court of Appeal upheld the 2016 Land and Environment Court decision that Santos's Leewood CSG wastewater treatment facility in the Pilliga was approved lawfully.

While we're disappointed for our client People for the Plains, and others concerned about the environmental impact of the Leewood facility, the community still has a chance to comment on Santos' massive CSG project in the Pilliga.

An Environmental Impact Statement is currently on public exhibition until Monday 22 May. Details on how to make a submission are at the [Major Project Proposal page for the project](#).

We're also presenting at community seminars on how to have a say on the project's EIS – see below.

[Read more about the case »](#)



Members of People for the Plains with EDO NSW Principal Solicitor Elaine Johnson outside the Court of Appeal on Tuesday.

Find out how to have your say on Santos' CSG activities in the Pilliga

We're joining forces with CSG Free North West NSW to present two community workshops on Santos' proposed Narrabri Gas Project.

The Environmental Impact Statement (EIS) for the project is currently on public exhibition until 22 May 2017.

The EIS is over 7,000 pages. These workshops will help you understand the EIS and support you to write the most powerful submission possible. An EDO NSW lawyer will take you through the assessment process so you know what to expect and how to respond.

Boggabri

When: Monday 27 March, 9-10:30am

Where: Boggabri Tennis Club, Merton St, Boggabri

[Read more and RSVP »](#)

Narrabri

When: Monday 27 March, 6-8pm

Where: Namoi Water, 3/69 Maitland St, Narrabri

[Read more and RSVP »](#)

NSW planning reforms 2017 – resources to help with your submission

If you're disappointed you couldn't make it to our community seminar on the planning reforms, watch our [video of the seminar](#) online.

We have a number of other resources to help you with your submission:

- [Submission](#) – we've published our submission four weeks early so you can read what we're saying about the reforms.
- [Briefing note](#) – a summary of the key issues
- [Podcast](#) – listen to an overview of key issues and missed opportunities.

This is a great opportunity to tell the NSW Government what you would like planning laws to do better, and how you would like to engage in the planning system.

[Read and share these resources »](#)



Our new professional development program is launched

Lawyers and planners: we're excited to announce the launch of our new professional development program for environment and planning professionals.

The first session, [EDO Insider – CPD on the Barangaroo Crown Casino Case](#), will look at how the Crown Casino got the go ahead on land that was set aside for a public park at Barangaroo, Sydney.

You can claim CPD points for this and all of our professional development seminars. The session costs \$85, with all funds raised going towards our core work of helping the community to protect the environment through law.

Know someone who might be interested? Why not [share the event page](#) with them?

When: Wednesday 5 April 2017, 12-1pm

Where: McCabes Lawyers, 19 Martin PI, Level 38, MLC Centre, Sydney,

Numbers are strictly limited.

[Reserve your place now »](#)

Court and Compliance Watch

Developers fined for development in Liverpool, Sydney

The Land and Environment Court has fined Liverpool Developing Pty Ltd \$80,000 and Erector Group Pty Ltd \$80,000 for a range of offences related to the construction of a building at 248-252 Liverpool Road, Enfield. The developers constructed the building without proper consent and caused damage to neighbouring properties.

[Read more »](#)

Man fined for using bus depot for accommodation

The Land and Environment Court has fined Masaaki Imaeda \$210,000 plus costs for using a property approved as a bus depot in Alexandria, Sydney, for rental accommodation.

Mr Imaeda was found to be using the site for rental accommodation after a serious fire in July 2014. He was found to be renting out an abandoned bus and a number of caravans.

[Read more »](#)

Law Reform and Policy Watch

Reducing emissions from the transport sector – EDOs of Australia submission

This is a submission to the Commonwealth Government on three proposals to improve standards for harmful emissions from the transport sector: Better Fuel for Cleaner Air; improving light vehicle efficiency; and improving noxious emissions standards for light and heavy vehicles.

We continue to support the adoption of stringent vehicle emissions and fuel quality standards. The Australian community deserves the environmental, public health and cost-of-living benefits of these improved standards.

Our key recommendations are:

- **Fuel quality standards:** EDOs of Australia supports option D in the Government's Discussion Paper.
- **Light vehicle efficiency (greenhouse gas):** The target with the greatest emissions and fuel savings for vehicle owners (target A) should be chosen. Earlier commencement and more stringent standards should also be considered.
- **Heavy vehicle efficiency standards:** should also be considered (they are not addressed in the government's proposals).
- **Noxious emissions standards:** European standards should be adopted (option 6) to achieve the best health and environmental benefits.

- **Other federal, state and local government measures** are needed to reduce the transport sector's significant and growing greenhouse emissions.
- **The Fuel Tax Credit Scheme for diesel** should also be independently reviewed on environmental, public health and budgetary grounds.
- **Future reviews to ensure continuous improvement** are needed in legislation and policy, beginning well before 2025.

[Read the submission »](#)

Product Stewardship Act Review: terms of reference released

The Australian Department of the Environment and Energy has released the terms of reference for a review of the *Product Stewardship Act 2011*.

The Act helps to reduce the environmental and health impacts of products. The Department will be seeking input from industry, governments and the general public about the effectiveness of the Act and how it can be improved.

[Read more »](#)

New methodology for assessing industry air emissions

The NSW Environment Protection Authority (EPA) has released a new methodology for assessing industry air emissions.

The *Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (2016)* lists the statutory methods that are to be used to model and assess emissions of air pollutants from stationary sources in NSW.

The EPA will reference the Methods when evaluating air quality impact assessments submitted as part of any planning application on or after the gazettal date of 20 January 2017.

[Read more »](#)

Recent EDO submissions and reports

- [Reducing emissions from the transport sector](#) – EDOs of Australia submission
- [Environmental Planning and Assessment Amendment Bill 2017](#) – EDO NSW submission
- [Developing a NSW Koala Strategy](#), EDO NSW submission
- [Inquiry into shark mitigation and deterrent measures](#), EDOs of Australia submission
- [Draft Social Impact Assessment Guidelines](#), EDO NSW submission
- [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

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

- *Mining Amendment (Climate Protection—No New Coal Mines) Bill 2016*

A private member's Bill to amend the *Mining Act 1992* to prohibit the granting of new authorisations to prospect for or mine coal.

[Read the Bill »](#)

Local Environmental Plan tracking

- [Wingecarribee](#) – Amendment to clauses and maps in the Wingecarribee LEP 2010.
- [Kempsey](#) – Rezoning of land at Beranghi Road, Crescent Head, from rural to environmental conservation zones.
- [The Hills Shire](#) – Development of a seniors housing complex and ancillary services on Windsor Road, Baulkham Hills.
- [Cumberland](#) – Development of an educational and office premises on land on St Hilliers Road, Auburn.

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

- **Draft Infrastructure SEPP**

NSW Planning and Environment is asking for submissions on the proposed changes to State Environmental Planning Policy (Infrastructure) 2007.

Key changes proposed to the policy relate to health infrastructure, correctional facilities and police services, services at commuter hubs and transport interchanges, and the management of lands by councils.

Submissions are now invited until Friday 7 April 2017.

[Read more and have your say »](#)

- **National Water Reform Inquiry – issues paper**

The Productivity Commission is calling for public comments on an issues paper for its inquiry into national water reform.

The inquiry will assess progress in achieving the objectives and outcomes of the National Water Initiative and the need for any future reform. The issues paper is designed to help people prepare a submission and outlines a range of issues about which the Commission is seeking information.

There will be an opportunity for further comment once the Commission releases a draft report for the inquiry in September 2017.

Initial submissions are due by Tuesday 18 April 2017.

[Read more and have your say »](#)

- **Murray Island Group proposed National Heritage Listing**

The Australian Heritage Council is assessing the Murray Island Group, in the Torres Strait, for potential inclusion on the National Heritage List.

The Council's initial assessment is that the island group may have National Heritage values, and is asking for public comment on the listing. The Council has drafted a description of the island group's potential national heritage values.

Submissions are now invited until Tuesday 18 April 2017.

[Read more and have your say »](#)

- **Roads and transport consultations**

- [Caringbah](#) – Changes to parking restrictions on Kingsway, Caringbah – Submissions invited until Monday 20 March 2017.
- [Alexandria](#) – New Intercity Fleet, Eveleigh facility – Submissions invited until Thursday 5 April 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**

- [Queensland East Coast Otter Trawl Fishery](#) – Ongoing export accreditation – Submissions invited until Thursday 13 April 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

- [Baulkham Hills](#) – Additional stockpile area for the Holcim Regional Distribution Centre – Submissions invited until Wednesday 29 March 2017.
- [Dalton](#) – 2 year extension of the approval for the Dalton Power Project – Submissions invited until Friday 31 March 2017.
- [Kellyville](#) – Development of Kellyville South Public School – Submissions invited until Friday 28 April 2017.
- [Perisher Valley](#) – External signage at the Matterhorn Lodge – Submissions invited until Tuesday 28 March 2017.
- [Brandy Hill](#) – Brandy Hill quarry extension and increasing annual production to a maximum 1.5 million tonnes per year - Submissions invited until Friday 31 March 2017.
- [Koondrook-Perricoota Forest](#) – Modification to the Koondrook-Perricoota Forest Flood Enhancement Project application - Submissions invited until Friday 31 March 2017.
- [Thredbo](#) – External and internal alterations to Ridge Creek Chalet 1 - 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

- [Miles, QLD](#) – Develop the coal seam gas resources within the Alfredson Block petroleum development – Submissions invited until Wednesday 29 March 2017.
- [Minamoolka, QLD](#) – Vegetation clearing for high value cropping, Wombinoo Station – Submissions invited until Wednesday 29 March 2017.
- [Muchea, WA](#) – Transport depot and warehouse development, Great Northern Highway – Submissions invited until Wednesday 29 March 2017.
- [Yellingbo, VIC](#) – Cockatoo Swamp environmental watering – Submissions invited until Monday 27 March 2017.
- [Woomera, SA](#) – Carrapateena Project copper, gold mining and ore processing – Submissions invited until Monday 27 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 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

Wombat Conference 2017

The Wombat Protection Society of Australia's Wombat Conference 2017 is being held this weekend.

Our Outreach Director - Professional Programs Emily Ryan will be speaking about the new biodiversity laws, which are yet to commence, and what they mean for wombats and other native species in NSW.

When: Saturday 18 to Sunday 19th March 2017

Where: Panthers Leagues Club, 123 Mulgoa Road, Penrith

[Read more »](#)

Safeguard our Crown Lands Community Forum

This community forum will provide participants with knowledge of the new legislation and the skills and motivation to improve the management of crown lands and to reduce the likelihood of their inappropriate disposal or conversion to freehold.

Our Outreach Director - Professional Programs Emily Ryan will be presenting on recent changes to Crown Lands legislation.

Tickets are \$45 (\$38 concession), and include morning and afternoon tea, and lunch.

When: Saturday 13 May 2017, 5:30pm

Where: Rahamim Ecology Centre, 34 Busby St, South Bathurst

[Read more »](#)

SOS Green Spaces Community Forum

At this Total Environment Centre forum, community groups will discuss how we can better protect Green Spaces in the Greater Sydney Area and other urban centres across NSW.

Our Outreach Director – Professional Programs Emily Ryan will speak on how new and proposed legislation and the Greater Sydney Commission District Plans will impact the protection of Green Spaces as well as the best protection mechanisms.

When: Saturday 1 April 2017, 10am-3pm

Where: Mitchell Theatre, 280 Pitt St, Sydney

[Read more »](#)

Start Something Workshops

If you have a bright idea that would help your natural environment, you may be interested in the Start Something Workshops series.

These free workshops help budding entrepreneurs and environmental groups focus on three skills areas: shaping your idea; finding finance; and telling your story.

The next workshop is in Ewingsdale, in the Northern Rivers, this Saturday 18 March 2017. There will also be a workshop in Albury for the Murray-Riverina community on Saturday 25 March 2017.

[Read more »](#)

The Trump Administration and the Future of US Environmental Law

Professor Robert L Glicksman, George Washington University Law School will speak about the impact of the changed political landscape in the USA on US environmental law.

If the President and his legislative allies have their way, US environmental law will become unrecognisable to anyone familiar with its substance and process over the past half century.

When: Tuesday 4 April, 6.00-7.30pm

Where: Level 2, Law School Foyer, Sydney Law School, Eastern Avenue, The University of Sydney

[Read more »](#)

Key roles at environment and planning agencies

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

- Department of Planning and Environment: [Senior Policy Officer](#); [Senior Policy & Program Officer](#); [Senior Planning Officer](#); and [Senior Project Management Officer](#).
- Office of Environment & Heritage: [Senior Project Officer, Coastal](#) (Newcastle);
- Environment Protection Authority: [Unit Head, Waste Levy Compliance](#); [Principal Technical Advisor Waste Assessment](#); [Policy Officer Hazardous Incidents & Environmental Health](#).

[More NSW environment positions »](#)

From last week

NSW Planning Changes Workshop

The Better Planning Network is holding a free workshop on the NSW Government's proposed changes to planning laws.

The workshop will explore the nature of the NSW planning and development system and whether it might be time to consider a different model altogether.

Our Outreach Director – Professional Programs Emily Ryan and senior planner John Mant will present, and there will be a questions and comments session.

When: Sunday 19 March 2017, 3:30-7pm
Where: Redfern Town Hall, 73 Pitt St, Redfern

[Read more »](#)

Fire Ants Down Under: National Emergency Tour

From 20 to 24 March, the Invasive Species Council is holding a series of fire ant forums across Australia. At the forums, US fire ant expert Dr Robert Puckett will send a clear message that a failure to eradicate red fire ants in Queensland will eventually have devastating consequences for Australia.

Forums will be held in Brisbane, Canberra, Sydney, Melbourne and Perth. Details for the Sydney event below.

When: Wednesday 22 March 2017, 6:30pm
Where: New Law Lecture Theatre, 106 New Law Annexe, University of Sydney

[Read more »](#)

One Day Intensive – Environment and Planning Law

This one day intensive is organised by the New South Wales Young Lawyers Environment and Planning Law Committee.

The intensive is aimed at all levels – from solicitors and barristers seeking an introduction to Land and Environment Court practice, to more experienced practitioners wishing to refresh their knowledge and skills in environment and planning law.

Cost: Members \$498; non-members \$590.

When: Saturday 25 March 2017
Where: Level 3, Law Society of NSW, 170 Phillip Street, Sydney

[Read more »](#)

Mangrove Creek Catchment Crawl

Join Central Coast Waterwatch for a fun and hands on tour of the Mangrove Creek Catchment. Participants will travel by bus and explore the creek for native flora and fauna, conduct water testing and learn about hanging swamps.

Morning tea, lunch, bus travel and report of information collected on the day will be provided. Cost: \$10 Adult, \$5 Child

When: Saturday 18 March 2017, 8:30am-3pm
Where: Rumbalara Environmental Education Centre, 149 Donnison St, Gosford

[Read more »](#)

Regional Director, IUCN Oceania Regional Office

The International Union for the Conservation of Nature (IUCN) is looking for a Regional Director based at its Oceania Regional Office, Suva, Fiji.

This senior leadership position provides an exciting opportunity to be at the forefront of the implementation of the regional program for the IUCN Oceania Region.

Applications close Sunday 2 April 2017.

[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 »](#)

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 »](#)

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 »](#)

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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