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EDO NSW EBULLETIN – 7 April 2017: Number 1000

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

Welcome to a new millennium

You may have noticed that this is the 1,000th edition of our weekly eBulletin.

The first eBulletin was sent in 1996. As our Annual Report for that year excitedly declared ‘the bulletin is sent by electronic mail each week’ and, together with the creation of our first website, meant that ‘the EDO has at long last established a solid Internet presence.’

After its first year in circulation, the eBulletin was experiencing ‘a strong demand of over 150 subscribers’.

The language may seem quaint and the beginnings humble, but the issues we were working on at the time are eerily familiar. That year we reported on winning a case about the Iron Gates development at Evans Head, which resurfaced just last year. We also made a major submission on the NSW Draft Biodiversity Strategy, an issue that is again at the forefront of our work after a recent overhaul of our biodiversity laws.

Thank you for being part of our eBulletin community, which now surpasses 3,000 subscribers. We hope to be celebrating issue 2,000 with you in 2036!

If you’d like to help us celebrate our new millennium, why not share the eBulletin birthday card below and encourage others to get on board.



Hearing begins on protection of ‘brutalist’ Sirius building

Yesterday we were in the Land and Environment Court representing Millers Point Community Assoc. Incorporated as it tries to overturn the NSW Heritage Minister’s decision not to list the Sirius Building, in Millers Point Sydney, on the State Heritage Register.

Our clients are concerned that this iconic public housing building is at risk of being sold to developers and is likely to be knocked down.

[Read more about the case »](#)



Members of Millers Point Community Assoc. Incorporated talking to media outside the court

Analysis: the ever changing face of Barangaroo

How did a casino and hotel building come to dominate Barangaroo in Sydney?

The massive urban renewal project underway on public land at Barangaroo has had its fair share of controversy. It has been criticised for its ever-increasing bulk and scale, for being an abuse of the planning process, for representing bad value to the NSW public and has been the subject of two court cases, the most recent concerning the location of the Crown Sydney casino.

Our latest blog takes an in-depth look at how the Barangaroo development has changed since the first award-winning design was released in 2006.

[Read more »](#)

Residents group fights to protect critically endangered plant

In our new case, we're representing Residents Against Intermodal Development (RAID) Moorebank in their fight to protect *Hibbertia fumana*, a critically endangered species thought to be extinct for almost 200 years.

[Read more about the case »](#)

Newly discovered frog gets some help from Kangy Angy and EDO NSW

We're excited to report that we have helped a residents' group from Kangy Angy get an emergency listing for a rare frog on the NSW threatened species list.

[Read more »](#)

Court and Compliance Watch

Coal miner fined for discharge from leaking pump

The NSW Environment Protection Authority (EPA) has fined coal mining company HV Operations Pty Limited, trading as Hunter Valley Operations, \$15,000 for a breach of its Environment Protection Licence.

The EPA found that a leaking pump led to salty water discharging from the company's dam into Parnell's Creek, Singleton. Staff at the company were aware that the pump was faulty.

[Read more »](#)

Sand quarry fined for water pollution

The NSW Environment Protection Authority (EPA) has fined Grafil Pty Ltd, which trades as Macka's Sand and Soil, \$15,000 for water pollution at its sand quarry in Salt Ash, north of Newcastle NSW.

EPA inspectors found water with high levels of suspended particles flowing out of the quarry into local waterways.

[Read more »](#)

Compliance report February 2017

The NSW Department of Planning and Environment's latest compliance report shows that 5 penalty notices were issued by the Department in February 2017.

Penalties include \$15,000 fines issued to two Tweed Heads developers for breaching dust conditions.

[Read more »](#)

Law Reform and Policy Watch

Towards Our Greater Sydney 2056 – EDO NSW submission

We welcome the Greater Sydney Commission's efforts to better integrate environmental and social considerations into its economic vision for Greater Sydney, such as through its proposed Liveability Framework.

However, our analysis shows that planning for Greater Sydney faces a number of key limitations, including:

- the risk that specific economic aims will eclipse generic environmental aims;
- a lack of State environmental goals, targets or data to assist decision-making;
- limited community awareness, engagement, or clarity on the Commission's role and influence; and
- limited coordination and resources within and between governments to genuinely integrate environmental goals and policies to achieve ecologically sustainable development.

These limitations need to be addressed for planning to bring the best long-term outcomes for Greater Sydney.

[Read our submission »](#)

NSW Marine Estate Threat and Risk Assessment (TARA) Draft Report – EDO NSW submission

The TARA draft report identifies threats and risks to the marine and estuary areas of NSW, plus threats and risks to the socio-economic benefits received from these critical environmental resources.

Overall we welcome the draft report and its associated documents. However, we identify a number of flaws in the assessment that we argue may lead to poor prioritisation of management of the NSW marine estate, especially over the long-term. Specific issues we address in our submission are:

1. Objectives for the environmental TARA
2. Marine Estate Expert Knowledge Panel (MEEKP) Evaluation Process

3. TARA risk matrices
4. Method for calculating prioritisation scores

Note: The deadline for public submissions on this report has been extended to Tuesday 18 April 2017. [Find out how to make a submission.](#)

[Read our submission »](#)

Surface Water Status and Issues Papers for the Barwon-Darling and Namoi catchments – EDO NSW submissions

EDO NSW has commented on two of the eight Status and Issues Papers recently put on exhibition. In two brief submissions, we outline our key concerns about the future allocation of water under 'water resource plans' for the Barwon-Darling and Namoi Catchments.

These water resource plans, which must be finalised by mid-2019, must comply with the requirements of the Murray-Darling Basin Plan. There will be an opportunity to comment on full draft water resource plans when they are put on exhibition in 2018.

EDO NSW will analyse these when they are made publicly available as part of our ongoing water law work.

[Read our submissions »](#)

Great Barrier Reef Marine Park shark control program extended

The Great Barrier Reef Marine Park Authority has issued a ten year renewal of shark control programs at 85 beaches in the Great Barrier Reef Marine Park.

The renewal comes with a list of conditions, including the public release of catch information every two months.

[Read more »](#)

2015–16 National Pollutant Inventory Data is now available online

The Australian Department of the Environment and Energy has released National Pollutant Inventory data for 2015-16. This is the first time the data has been available as an online public dataset.

[Read more »](#)

Recent EDO submissions and reports

- [Greater Sydney Commission's draft *Towards Our Greater Sydney 2056*](#), EDO NSW submission
- [NSW Marine Estate Threat and Risk Assessment Draft Report](#), EDO NSW submission

- [Surface Water Status and Issues Papers for the Barwon-Darling and Namoi catchments](#), EDO NSW submissions
- [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

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 into Parliament since the last eBulletin*

NSW Parliament

- *No new relevant bills have been introduced into Parliament since the last eBulletin*

Local Environmental Plan tracking

- [Weddin](#) – Rezoning, amending lot sizes and removing deferred matter status for land in Millingandi, Tura Beach and Boydtown.
- [Queanbeyan-Palerang](#) – Rezoning of rural land primarily for business and industrial land uses, Nth Tralee.
- [Sydney](#) – Increase in development standards for hotel/motel, Randle St, Surry Hills.
- [Wingecarribee](#) – ‘Housekeeping’ amendments to a number of clauses and maps.
- [Kyogle](#) – Rezoning to facilitate development of a truck depot, Kyogle Road.

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

- **Extension: marine threat & risk assessment**

As part of its Marine Estate Management Strategy, the NSW Marine Estate Management Authority is calling for submissions on its NSW Marine Estate Threat and Risk Assessment Draft Report.

As a starting point, you can [read our submission on the report](#).

Submissions are now invited until Tuesday 18 April 2017.

[Read more and have your say »](#)

- **Education and Childcare SEPP 2017**

The NSW Department of Planning & Environment is calling for public comment on proposed changes to the planning system to make it easier for education and child care providers to build high-quality facilities.

Submissions are invited until today, Friday 7 April 2017.

[Read more and have your say »](#)

- **Regional Infrastructure Review**

The NSW Department of Premier and Cabinet Regional Unit is seeking public submissions on the delivery of key local infrastructure projects in regional NSW. Submissions will be used by the Regional Infrastructure Coordinator in a report due in May 2017.

Submissions are invited until Friday 28 April 2017.

[Read more and have your say »](#)

- **NSW Wild Dog Management Strategy**

The NSW Department of Primary Industries is seeking public comment on an updated NSW Wild Dog Management Strategy. The strategy, for 2017–2021, aims to reduce the negative impacts of wild dogs in NSW.

Submissions are invited until Friday 28 April 2017.

[Read more and have your say »](#)

- **Carbon Credits (Carbon Farming Initiative) Amendment Bill 2017**

The Australian Senate Environment and Communications Legislation Committee is calling for public submissions on the *Carbon Credits (Carbon Farming Initiative) Amendment Bill 2017*, which addresses implementation issues primarily for savanna fire management projects in Northern Australia.

Submissions are invited until Tuesday 11 April 2017.

[Read more and have your say »](#)

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

- [Atrichornis clamosus \(noisy scrub-bird\)](#) – Submissions invited until Friday 19 May 2016.
- [Dasyornis longirostris \(western bristlebird\)](#) – Submissions invited until Friday 19 May 2016.
- [Calyptorhynchus baudinii \(Baudin's cockatoo\)](#) – Submissions invited until Friday 19 May 2016.
- [Neochmia phaeton evangelinae \(crimson finch \(white-bellied\)\)](#) – Submissions invited until Friday 19 May 2016.
- [Polytelis alexandrae \(princess parrot\)](#) – Submissions invited until Friday 19 May 2016.

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 Spanish Mackerel Fishery](#) – Export approval extension – Submissions invited until Friday 26 May 2016.
- [Queensland Gulf of Carpentaria Inshore Fin Fish Fishery](#) – Export approval extension – Submissions invited until Friday 26 May 2016.
- [Queensland Marine Aquarium Fish Fishery](#) – Export approval extension – Submissions invited until Friday 26 May 2016.
- [Queensland Sea Cucumber Fishery \(East Coast\)](#) – Export approval extension – Submissions invited until Friday 26 May 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](#).

Major Project proposals: Invitation to comment

- [Dubbo](#) – Redevelopment of Dubbo Hospital – Submissions invited until Saturday 22 May 2017.
- [St Leonards](#) – Construction of a new private hospital, Reserve Rd and Westbourne St – Submissions invited until Saturday 22 May 2017.
- [Gilgandra](#) – Solar farm development – Submissions invited until Wednesday 12 May 2017.
- [Berrima](#) – New Extension to the Berrima branch rail line to connect with Hume Coal Mine – Submissions invited until Friday 30 June 2017.
- [Sutton Forest](#) – New underground coal mine, the Hume Coal Mine – Submissions invited until Friday 30 June 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

- [Altona, VIC](#) – Industrial Development, 10 Gordon Luck Ave – Submissions invited until Thursday 20 April 2017.
- [Wandi, WA](#) – Residential developments, Lyon Rd and De Haer Rd – Submissions invited until Wednesday 19 April 2017.
- [Williamstown, NSW](#) – New Sand Quarry, Cabbage Tree Road – Submissions invited until Thursday 13 April 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

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: [Manager Strategic Projects](#); [Director, Sector Performance and Intervention](#); and [Technical Specialist](#).
- Office of Environment & Heritage: [Compliance and Regulation Officer](#) (Central & North Coasts); and [Senior Scientist](#).
- National Parks & Wildlife Service: [Senior Project Officer](#).
- Western Sydney Parklands Trust: [Manager, Design and Strategy](#).

[More NSW environment positions »](#)

From last week

Regarding Sydney Park: exhibition to support EDO NSW

In April, artist Janet Kossy will exhibit a series of works on Sydney Park, parts of which are being acquired for Sydney's WestConnex project.

We're thrilled to say that Janet has generously pledged to donate net proceeds to EDO NSW. So Sydneysiders, get along to the gallery and show your support!

When: Wednesday 19 April to Tuesday 25 April 2017

Where: The Corner Gallery, 88-90 Percival St, Stanmore, Sydney

[Read more »](#)

International Bar Association Conference Scholarship

The Energy, Environment, Natural Resources and Infrastructure Law Section of the International Bar Association is offering a scholarship to attend the 2017 IBA Annual Conference to be held in Sydney in October 2017.

The scholarship will be awarded to young lawyers who wish to participate in the conference, but who face financial difficulties in doing so.

Applications are open to all qualified lawyers age 35 and under. The deadline for applications is Sunday 7 May 2017.

[Read more »](#)

Aboriginal Cultural Awareness course

The NSW Division of the Environment Institute of Australian and New Zealand (EIANZ) is holding a one day course with renowned Aboriginal environmental educator Clarence Slockee.

The interactive course will provide an insight into, and an understanding of, Australia's first inhabitants, including Aboriginal use of native Australian plants of the Sydney region.

Cost: \$60 members, \$90 non-members (lunch included)

When: Saturday 22 April 2017, 8:30am-4:30pm

Where: Lane Cove National Park - Jenkins Hall, Max Allen Rd (off Lady Game Drive), Lane Cove National Park, Chatswood, Sydney

[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, 9am to 5:30pm

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

[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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