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## **EDO NSW EBULLETIN – 21 April 2017: Number 1002**

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**

### **Our environmental law advice line**

Did you know you can call us for free initial advice on an environmental or planning law matter?

If you're worried about a development in your area, your street, or even next door, our expert solicitors can provide advice and guidance on your legal rights and what you can do.

The environmental law advice line is open during office hours – Monday to Friday, 9am to 5pm.

Before you call, make sure you have the key details described on our [advice line page](#).

[Read more »](#)



*We take around 1,500 calls on our free advice line each year*

### **Springvale coal mine case: appeal date set**

You may remember that we are representing community group 4nature as they challenge a decision to allow Springvale coal mine in the Blue Mountains to discharge large amounts of mine water into the river system that forms part of Sydney's drinking water catchment.

In September 2016, the NSW Land and Environment Court dismissed 4nature's case. We're now appealing that decision.

The court dates for our appeal have been set: we'll be in the Court of Appeal on Wednesday 31 May 2017.

[Read more about the case »](#)

### **Hearing begins on protection of 'brutalist' Sirius building**

Last week 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 »](#)

### **Analysis: the ever changing face of Barangaroo**

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

Read our blog for 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 »](#)

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## **Court and Compliance Watch**

### **Waste manager fined for multiple breaches**

The NSW Environment Protection Authority (EPA) has fined Hi-Quality Waste Management Pty Ltd \$32,500 and issued an Official Caution for multiple incidents at its Minda landfill in Windellama, near Goulburn.

The company was found to have failed to properly cover waste, had unlawfully disposed of waste tyres, had not paid waste levies, and had breached reporting requirements.

[Read more »](#)

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## **Law Reform and Policy Watch**

### **Rehabilitation of mining and resources projects – EDOs of Australia submission**

In our submission, we comment on the Australian Government's responsibilities within the regulatory framework that supports rehabilitation of mining and resources projects.

We address the issues identified in the inquiry's terms of reference:

- the cost of outstanding rehabilitation obligations of currently operating projects;
- the adequacy of existing regulatory, policy and institutional arrangements to ensure adequate and timely rehabilitation;
- the adequacy and transparency of financial mechanisms, including assurances, bonds and funds, to ensure that mining and resources projects are rehabilitated without placing a burden on public finances;
- the effectiveness of current Australian rehabilitation practices in safeguarding human health and repairing and avoiding environmental damage;
- the effectiveness of existing abandoned mines programs, with regard to repairing environmental damage and safeguarding human health;
- whether any mining or resources companies have engaged in conduct designed to avoid fulfilling their rehabilitation obligations;
- international examples of effective rehabilitation policy and practice; and
- proposals for reform of rehabilitation of mining and resources projects.

[Read our submission »](#)

### **Regulation of agriculture report released**

The Productivity Commission has released its Regulation of Agriculture report.

The report is the final stage in the Commission's public inquiry into the regulatory burden on farm businesses.

The report makes a number of recommendations relating to the reform of vegetation and animal welfare laws, genetically modified crops, and the evaluation of environmental decision making.

[Read more »](#)

### **Inquiry into Crown land – NSW Government response**

The NSW Government has released its response to the Report from the General Purpose Standing Committee no.6 into Crown land in NSW. The report was tabled in the NSW Legislative Council in October 2016.

In its response, the Government either supports or supports in principle all of the 20 recommendations made in the report.

[Read more »](#)

### **Recent EDO submissions and reports**

- [Inquiry into the rehabilitation of mining and resources projects as it relates to Commonwealth responsibilities](#), EDOs of Australia submission
- [Draft State Environmental Planning Policy \(Education Establishments and Child Care Facilities\) 2017](#), EDO NSW submission
- [State Environmental Planning Policy \(Infrastructure\) Amendment \(Review\) 2016](#), EDO NSW submission
- [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

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

- [Canada Bay](#) – Alternations to height and floor space and removal of heritage listing, Waterview Street, Second Avenue and Barnstaple Road, Five Dock
- [Camden](#) – Map amendments for sites in 'Willowdale' Estate, East Leppington precinct.

To access the LEP tracking system, visit the Department of Planning and Environment [website](#). Read more about LEPs in our [Fact Sheets](#). Visit your [local council's website](#) to see if there are any planning proposals or LEP changes open for public comment.

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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

- **Water Resource Plans: Status and Issues**

The NSW Department of Industry - Water is inviting feedback on two Status and Issues Papers for the development of Water Resource Plans:

1. Murrumbidgee (groundwater) GW9
2. NSW Border Rivers (surface water)

The paper for each region defines the status of the water resources and lists existing known water issues for consideration. These are two out of 22 plans required to be developed for NSW.

Submissions are invited until Friday 26 May 2017.

[Read more and have your say »](#)

- **Extension: Quinkan Country National Heritage Listing**

The Australian Heritage Council has extended the deadline for comments on the listing of Quinkan Country, Laura, Queensland, on the National Heritage List. The List recognises places that are of outstanding heritage value to the nation for their natural, Indigenous and/or historic heritage values.

The Council has released a draft map and description of potential National Heritage values applying to Quinkan Country.

Submissions are now invited until Friday 23 June 2017.

[Read more and have your say »](#)

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

- *No new listings have been placed on exhibition since the last eBulletin.*

For a full listing of threatened species and endangered ecological community listings currently open for public comment, visit the [NSW Office of Environment and Heritage website](#) and the [Australian Department of the Environment website](#).

- **Fisheries assessments**

- [Sea Cucumber Fishery and South Coast Trawl Fishery, WA](#) – Export approval extensions – Submissions invited until Friday 19 May 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](#).

### **Major Project proposals: Invitation to comment**

- [Oran Park](#) – Construction of a new high school and increase of primary school student capacity – Submissions invited until Thursday 11 May 2017
- [Broken Hill](#) – Modifications to the Rasp Mine Project – Submissions invited until Thursday 11 May 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**

- [Waroona, WA](#) – Sand extraction and clearing, Buller Road – Submissions invited until Wednesday 3 May 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](#).

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## **Community News**

New this week

### **NELA National Conference 2017: Save the date**

Today is the last day to submit abstracts and speaker suggestions for the 2017 National Environmental Law Association (NELA) national conference, which will be held in Brisbane on Friday 4 August 2017.

The conference theme is 'Addressing Past Harm, Managing Future Risks'. A list of suggested topics and details on how to make a submission can be found at the [NELA website](#).

When: Friday 4 August 2017

Where: King & Wood Mallesons, 1 Eagle Street, Brisbane

[Read more »](#)

### **The Critical Atmosphere: CASANZ conference 2017**

Early bird registrations are open for the Clean Air Society of Australia and New Zealand 2017 conference, to be held in Brisbane in October.

The conference will examine the effects of climate change on human health and wellbeing and our capacity to effectively control and regulate air pollution.

Early bird registrations close on Monday 3 July 2017.

When: Sunday 15 to Wednesday 18 October 2017

Where: Pullman Hotel, Brisbane

[Read more »](#)

### **Tree disputes helpdesk**

Did you know that the NSW Land and Environment Court runs a free service that provides procedural assistance (not legal advice) to the public on tree dispute matters? The service is service attended by Macquarie University students under the supervision of a qualified legal practitioner.

[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: [Planning Officer: Senior Policy Officer - Planning](#); [Team Leader](#); [Senior Planning Officer](#); [Deputy Chief Inspector – Assessment & Planning](#); and [Deputy Chief Inspector - Mining Engineering](#)
- Office of Environment and Heritage: [Principal Climate & Atmospheric Scientist](#).
- Environment Protection Authority: [Senior Operations Officer](#).
- Planning Assessment Commission: [Team Leader](#).
- Western Sydney Parklands Trust: [Manager, Design and Strategy](#).

[More NSW environment positions »](#)

### **International climate change reports: call for experts**

The Intergovernmental Panel on Climate Change (IPCC) is calling for nominations for experts to participate in the development of two reports: *Special Report on Oceans and Cryosphere in a Changing Climate*; and *Climate Change and Land: an IPCC special report on climate change, desertification, land degradation, sustainable land management, food security, and greenhouse gas fluxes in terrestrial ecosystems*.

Experts will write, coordinate authors and undertake editorial reviewing.

Nominations close on Wednesday 3 May 2017.

[Read more »](#)

### **Animal Law Week 2017**

For Animal Law Week in NSW (24 to 29 April), the Animal Law Institute will hold Law Reform - The Development of the National Poultry Standards, at which Jed Goodfellow, Senior Policy Officer, RSPCA Australia, will provide insights on the Productivity Commission's recent landmark report into the regulation of Australian agriculture and its proposal for the establishment of an Australian Commission for Animal Welfare.

When: Thursday 27 April 2017, 5:30-7:00pm

Where: Customs House Library, 31 Alfred Street, Sydney

[Read more »](#)

### **Operation Jeedara Sydney screening**

In 2016 The Great Australian Bight Alliance launched 'Operation Jeedara' – a project to document the beauty and bio-diversity of the Great Australian Bight to showcase the wildlife that is put at risk through resource exploitation in the area.

The film tells the story of the operation.

When: Wednesday 26 April 2017, 6:30pm

Here: Ritz Cinema, Saint Paul Street, Randwick.

[Read more »](#)

### **Narrandera Koala Count 2017**

The National Parks and Wildlife Service (NPWS) and the Narrandera Koala Regeneration Centre Committee are calling for community members to join the annual Narrandera Koala Count on Sunday 30 April 2017.

The count has been running for 27 years. Each year between 30 and 70 koalas are spotted by volunteers.

For more information contact Griffith NPWS Office on 6966 8100 or the Narrandera Visitor Centre on 6959 5545.

[Read more »](#)

### **Australasian Emissions Reduction Summit**

The program for the fourth Australasian Emissions Reduction Summit includes a wide variety of keynote presentations, plenary sessions, panel discussions and workshops.

The Summit aims to promote exchange, commercial interaction and peer-to-peer networking.

When: Tuesday 2 to Wednesday 3 May 2017.

Where: The MCG, Melbourne

[Read more »](#)

### **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 »](#)

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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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