

View our most recent eBulletin at www.edonsw.org.au/ebulletin

EDO NSW EBULLETIN – 12 May 2017: Number 1005

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

Join us in thanking our volunteers

If you've ever called us for legal help or accessed our vast array of legal information, chances are you've used the services of one of our many volunteers.

For National Volunteer week 2017, we'd like to introduce you to [Jasmine and Kit](#), two of our talented, committed volunteers.

If you're passionate about protecting our environment and think you can contribute to our work, we'd like to hear from you. Find out more about [volunteering at EDO NSW](#).

[Read more »](#)



Biodiversity reforms – the next stage begins

On Wednesday the NSW Government released a range of draft regulations and instruments in support of the *Biodiversity Conservation Act 2016* and the *Local Land Services Amendment Act 2016*, passed last year after the Government's review of biodiversity and land clearing laws in NSW.

The Government has released 13 draft documents, including regulations, codes and guidelines. It is calling for public submissions on these tools by Wednesday 21 June 2017. More details are available at the [consultation website](#).

We will provide an analysis of the draft documents during the submission period and make a formal detailed submission. Keep an eye on future eBulletins for more information.

[Read more about the reforms at our website »](#)

How can we make national environmental laws better?

A panel of experts is working on their vision for 'next generation' laws, and is calling on others to contribute.

The Australian Panel of Experts on Environmental Law (APEEL) is developing a vision for how Australian environmental laws can ensure a healthy, functioning and resilient environment for generations to come.

If you or someone you know has ideas on how we can improve our laws to stop environmental decline, now is your chance to get involved. Your feedback is sought by Tuesday 2 June 2017.

[Read more »](#)

You're invited – our 2017 Gala Dinner, a charity event not to miss

Tables and tickets are selling fast – book now to ensure your seat at our [2017 Gala Dinner](#).

Join our MCs legendary comedy duo Roy & HG and celebrity auctioneer Cecily Hardy for a fabulous night of entertainment. Hear from keynote speaker the Hon. Margaret Beazley AO, watch Dr Karl Kruszelnicki AM, and listen to the stories of some of the communities we've worked with to protect the environment through law.

When: Thursday 15 June 2017, 6:30-10pm

Where: Ivy Ballroom, Level 1, 320 George Street, Sydney (entrance at the end of Palings Lane)

There will be fine food and drink, live music, and a charity auction where you'll have the chance to bid on exciting items, including things that money can't buy.

We'd love you to be there. Don't miss out!

[Book your tickets now »](#)

Court and Compliance Watch

Department of Planning & Environment March compliance report

The NSW Department of Planning and Environment issued \$135,000 in fines in March 2017 according to the Department's latest compliance report. The Department issued 9 fines and 9 official cautions.

[Read more »](#)

Collombatti property owner's native logging rights terminated

The NSW Environment Protection Authority (EPA) has terminated a property owner's authority to log a private native forest at Collombatti near Kempsey.

EPA investigators found that most of the native forest had been illegally cleared and replaced with a market garden. Sensitive areas, such as streams, were also cleared.

[Read more »](#)

Law Reform and Policy Watch

Australia's Climate Change Policy Review – submission

This EDOs of Australia submission outlines 12 main recommendations for the future of Australia's climate policy, including:

- Setting long-term and interim reduction targets in climate legislation that will achieve the Paris Agreement's goals
- Putting a price on pollution
- Considering risks and impacts of 2 degrees warming (or higher) when assessing 'policy impacts'
- Integrating climate considerations, emissions and targets in National Energy Market laws and decisions
- Adopting a climate change impact trigger and land-clearing trigger under national environmental law
- Identifying and reducing subsidies for polluting activities, and supporting communities in transition
- Increasing government capacity and resourcing for effective climate change responses

[Read our submission »](#)

Inquiry into National Water Reform – submission

This EDOs of Australia submission to the Productivity Commission's inquiry into National Water Reform briefly addresses the following five issues, all of which should be considered National Water Reform priorities:

1. Access to information

2. Compliance, enforcement and markets
3. Climate change
4. Protection of environmental water
5. Extractive industries, including mining.

[Read our submission »](#)

Mining rehabilitation security deposits audit report

The NSW Acting Auditor-General has released a report on mining rehabilitation security deposits in NSW.

According to the report, mine rehabilitation security deposits are not likely to be sufficient to cover the full costs of each mine's rehabilitation in the event of a default.

[Read more »](#)

2017-18 Energy Budget Package

The environment and energy portfolio segments of the Australian Government's 2017-18 budget are available on the Australian Department of the Environment and Energy's website.

The segments cover energy, electricity and gas.

[Read more »](#)

Recent EDO submissions and reports

- [Australia's Climate Change Policy Review](#), EDOs of Australia submission
- [Inquiry into National Water Reform](#), EDOs of Australia submission
- [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

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

- *Protection of the Environment Legislation Miscellaneous Amendments Bill 2017*

A Government Bill to make miscellaneous amendments to environmental laws, including amending powers for investigators of contaminated land, and changes to community consultation forums.

[Read the Bill »](#)

Local Environmental Plan tracking

- [Hornsby](#) – Amendment to permit residential flats and height increase, Hornsby RSL Club.
- [Shoalhaven](#) – Rezoning lot on Beach Rd, Berry, for rural residential and environmental protection.
- [Wingecarribee](#) – Various ‘housekeeping’ amendments, including new fold maps.
- [Tweed](#) – Rezoning for residential allotments at Terranora Road, Banora Point.
- [Hills Shire](#) – Rezoning to allow townhouses at 582, Old Northern Road, Dural.

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: Western Slopes Pipeline Project**

The NSW Department of Planning and Environment is calling for public submissions on a survey application for the Western Slopes Pipeline Project. The pipeline is proposed to run between Narrabri and Condobolin and past the Pilliga State Forest. Owners and occupiers of land parcels affected by the survey are particularly invited to make submissions.

Submissions are now invited until Monday 15 May 2017.

[Read more and have your say »](#)

- **Biodiversity and land clearing regulations**

The NSW Government is calling for public submissions on regulations and other documents that support the recently passed *Biodiversity Conservation Act 2016* and *Local Land Services Amendment Act 2016*.

The Acts are a result of the 2016 biodiversity reform package. You can read more about those reforms [at our website](#).

The documents will only be on exhibition for 6 weeks. Keep an eye on future eBulletins for news on our analysis of the regulations.

Submissions are invited until Wednesday 21 June 2017.

[Read more and have your say »](#)

- **Draft Commonwealth Fisheries Harvest Strategy Policy**

The Australian Department of Agriculture and Water Resources is calling for public submissions on an update to the 2007 Commonwealth Fisheries Harvest Strategy Policy.

The new draft maintains most of the elements of the current policy.

Submissions are invited until Wednesday 21 June 2017.

[Read more and have your say »](#)

- **Bylong Coal Project**

The NSW Planning and Assessment Commission is calling for public submissions on the Bylong Coal Project, a 'greenfield' open cut coal mine in the Bylong Valley.

A two-day public hearing on the project will also be held in Mudgee:

When: Thursday 11 May to Friday 12 May 2017

Where: Club Mudgee, 99 Mortimer Street Mudgee

Written submissions are invited until Friday 19 May 2017.

[Read more and have your say »](#)

- **Planning rules for outdoor advertising and signage**

The NSW Department of Planning & Environment is calling for public submissions on proposed changes to planning rules for outdoor advertising and signage. The proposed changes aim to improve road safety, and include a proposal to disallow roadside trailer advertising.

The changes relate to *State Environmental Planning Policy No. 64 – Advertising and Signage* and the *Environmental Planning and Assessment Regulation 2000*.

Submissions are invited until Friday 30 June 2017.

[Read more and have your say »](#)

- **Roads and transport consultations**

- [Edgecliff](#) – Train station access upgrade – Submissions invited until Friday 2 June 2017.

- **Threatened Species and Endangered Ecological Community Listings**

- *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](#).

Major Project proposals: Invitation to comment

- [Smiggin Holes](#) – Modifications to development consent for Smugglers Lodge, Corroboree Road – Submissions invited until Wednesday 24 May 2017.
- [Maitland](#) – Developer monetary contribution, Owlpen Lane – Submissions invited until Tuesday 6 June 2017.

- [Thredbo](#) – Internal alterations, Omaru Apartments, Thyne Reid Drive – Submissions invited until Wednesday 24 May 2017.
- [Tahmoor](#) – Developer monetary contribution, Myrtle Creek Avenue – Submissions invited until Tuesday 6 June 2017.
- [Coleambally](#) – Development of a 150 megawatt solar farm – Submissions invited until Saturday 6 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

- [North Esk, TAS](#) –Irrigation Scheme, including dam, pipelines and pump stations – Submissions invited until Thursday 25 May 2017.
- [Sinagra, WA](#) – Residential development, Wanneroo Rd – Submissions invited until Friday 19 May 2017.
- [Epping, VIC](#) – Alliance Business Park development, O'Herns Rd – Submissions invited until Thursday 18 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

- **Cottan-Bimbang National Park**

The National Parks and Wildlife Service (NPWS) is seeking public submissions on a draft plan of management for Cottan-Bimbang National Park.

The draft plan covers both the Cottan-Bimbang National Park and State Conservation Area and The Cells State Conservation Area in the hinterland of the NSW mid north coast, approximately 70 kilometres west of Wauchope and 65 kilometres east of Walcha.

Submissions are invited until Monday 14 August 2017.

[Read more and have your say »](#)

- **Bongil Bongil National Park**

The National Parks and Wildlife Service (NPWS) is seeking public submissions on a draft plan of management for Bongil Bongil National Park, located on the mid north coast of NSW south of Coffs Harbour.

Submissions are invited until Monday 14 August 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

Global Trends in Climate Change Legislation and Litigation: 2017 update

This London School of Economics report summarises key trends in climate change legislation and litigation. It is the sixth stock-take in a series of global climate legislation studies that dates back to 2010. The 2017 edition covers legislative activities in 164 countries, and for the first time includes analyses of climate change litigation.

[Read more »](#)

Threatened Species Recovery Fund: applications open

The National Landcare Programme is inviting community groups around Australia to apply for funding under the Threatened Species Recovery Fund. The Fund provides between \$20,000 and \$250,000 to help communities actively protect threatened species. Funding is distributed to eligible groups through a competitive funding round.

Applications need to be in by Thursday 15 June 2017.

[Read more »](#)

EIANZ 2017 Annual Conference: call for papers

The Environment Institute of Australia and New Zealand (EIANZ) 2017 Annual Conference will be held in Wellington, New Zealand, in October 2017.

The theme for the conference is Tu Kaha: Stand Tall, Fronting up with wicked solutions. EIANZ is calling for abstracts on one of the conference streams to be submitted by Friday 26 May 2017.

[Read more »](#)

Essay prize on environmental law

The topic for this year's Australian Academy of Law's Annual Essay Prize is *How well do Australian legal institutions respond to climate change? How could that response be improved?*

The \$10,000 prize is open to anyone who is studying or has studied legal subjects at a tertiary level, or who is working or has worked in a law-based occupation.

If you're interested in entering, you need to submit an expression of interest by Friday 30 June 2017. Essays need to be submitted by Thursday 31 August 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:

- Department of Planning and Environment: [Manager, Energy Networks Transition](#); [Executive Director, Energy Delivery & Coordination](#); [Senior Precinct Planner](#); [Senior Project Officer, Sustainability Advantage](#); and [Director, Strategy and Asset Management](#).
- Office of Environment and Heritage: [Senior Team Leader – Planning](#); [Senior Team Leader - Ecosystems and Threatened Species](#); [Executive Director, Park Operations](#); [Senior Team Leader, Water Floodplains and Coast](#); and [Senior Project Officer \(Environmental Programs\)](#).
- Environment Protection Authority: [Investigator](#).

[More NSW environment positions »](#)

From last week

Green Globe Awards 2017

Nominations for the 2017 Green Globe Awards open on Tuesday 9 May 2017.

The Awards celebrate excellence in environmental sustainability by businesses, community groups and individuals in NSW. Ten awards are available.

Nominations close on Tuesday 27 June 2017, with the winners announced in September.

[Read more »](#)

Panel session on the changing face of planning approval compliance

The Environmental Institute of Australia and New Zealand (EIANZ) is holding a panel discussion in Sydney on the changing face of planning approval compliance.

Presentations will be given by Kirsty Ruddock, Director of Compliance, Department of Planning and Environment and Peter Briggs, Partner, Herbert Smith Freehills. Presentations will be followed by a Q&A session

When: Wednesday 17 May 2017, 5:30-7:30pm

Where: WSP Parsons Brinckerhoff, Level 27, 680 George St, Sydney

Cost: EIANZ members \$15; non-Members \$30

[Read more »](#)

Forum on Northern Rivers contaminated land and waste

EIANZ is presenting a one day forum on contaminated land and waste. There will be a number of keynote speakers from both government and industry.

When: Wednesday 21 June 2017, 8:00am-5:00pm

Where: Ballina, NSW

Cost: EIANZ Members \$125; non-members \$250

[Read more »](#)

Bushfire Conference: Fire, Fauna and Ferals

The NSW Nature Conservation Council's 11th biennial bushfire conference will explore how fire management can support ecological values across the landscape, from our backyards through to the bushland interface and beyond.

A conference field day will be held on Thursday 1 June, will visit North Head to see restoration and regeneration projects in action.

When: Tuesday 30 to Wednesday 31 May 2017

Where: Teachers Federation Conference Centre, 37 Reservoir Street, Surry Hills, Sydney

[Read more »](#)

2017 Regional Environment Conference

The Nature Conservation Council's 2017 Regional Environment Conference will be held in Lithgow. The conference is a chance for conservationists to network, learn new skills, and plan for community action.

On the second day of the conference, participants will go on a field trip to Maiyingu Marragu, Cox's River and Wolgan Valley.

Jemilah Hallinan, our Outreach Director – Community Programs, will take part in a panel session on mining impacts on nature in the Central West and present a workshop on the new Biodiversity Conservation Act.

When: Saturday 3 June to Sunday 4 June 2017

Where: Uniting Church Lithgow, 43 Bridge Street, Lithgow

[Read more »](#)

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 »](#)

Support EDO NSW

Help plan for a sustainable future

The NSW Government is making significant changes to planning legislation. Our expert planning lawyers are reviewing the changes and will advise the community on what they 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.

[Subscribe to this weekly eBulletin](#)