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EDO NSW EBULLETIN – 9 June 2017: Number 1009

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

Our 2017 Gala Dinner – important update

We've had a great response to 2017 Gala Dinner next Thursday. Some room is still available, so [buy your tickets online now](#) to avoid disappointment

We've also had a change to the keynote speaker. As we are currently acting in a matter before the Hon. Justice Margaret Beazley AO in the NSW Court of Appeal, unfortunately her Honour is no longer able to deliver our keynote address.

Instead, our client and 2017 Goldman Environmental Prize winner, the indefatigable Wendy Bowman, will join us to share how she came to win this prestigious international award.

Join our MCs, legendary comedy duo Roy & HG, and celebrity auctioneer Cecily Hardy for a fabulous night of entertainment, and celebrate public interest environmental law with us.

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

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

[Book your tickets now »](#)

Biodiversity reforms seminar video now available

Thanks to everyone who came to our Sydney and Murwillumbah community seminars on the the next stage of the biodiversity reforms. We hope you found the seminars interesting and helpful.

If you weren't able to make it, you can [watch a video of the presentations at the Sydney seminar](#) and download the presentation slides.

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



Whaling footage ordered to be released – a win for public interest law!

Since 2012, we have been acting on behalf of our clients - Humane Society International and Sea Shepherd - to gain access to footage of the Japanese whaling fleet hunting whales in the Australian Whale Sanctuary off Antarctica. The footage was recorded by Australian customs but our clients were denied access to it under Freedom of Information law on the grounds that it could affect Australia's relations with Japan.

Last week the Information Commissioner ordered the Government to release the footage.

[Read more »](#)

Help heroes like Wendy

You've probably heard that our client Wendy Bowman was awarded the internationally prestigious Goldman Environmental Prize. We've represented Wendy since 2009 in her fight to save her local environment from the impact of a massive open cut coal mine.

Wendy is just one of the thousands of people we help every year across Australia and the Pacific. Your support will help us continue to provide legal representation to heroes like Wendy.

[Please make a tax-deductible donation to our Environmental Defence Fund.](#)

Since losing all our Federal Government funding in 2013, we have relied on the support of donors to continue our vital work. Thank you for helping us defend the environment through law

[Read more about Wendy and our work »](#)

Court and Compliance Watch

First ever cancellation of mining lease in NSW

The NSW Department of Planning and Environment has cancelled the mining lease for a dimension stone mine south-west of Tenterfield. This is the first time a mining lease has been cancelled in NSW.

The lease was cancelled after the mine refused to meet its legal obligations.

[Read an article in the media »](#)

[Read the Department's media release »](#)

Company Director convicted for pollution offences

The NSW Land and Environment Court has fined Mr Imad Osman-Kerim, Director of Sydney Drum Machinery Pty Ltd \$151,000 for failing to prevent contaminated water twice discharging from the company's premises into a creek in January 2012.

Mr Osman-Kerim was prosecuted as the sole director of the company. The court ordered Mr Osman-Kerim to pay the NSW Environmental Protection Agency's investigation costs of \$120,795, plus its legal costs.

[Read more »](#)

Waste company fined for failure to comply with clean-up notice

The NSW Environment Protection Authority has fined Sydney Transwaste Industries Pty Ltd \$15,000 for failing to comply with a clean-up notice.

The company was found to have stockpiled waste in excess of allowable limits. The company failed to comply with one of two notices issued in 2016.

[Read more »](#)

Waste companies fined for pollution and waste offences

The NSW Environment Protection Authority has fined Coast Wide Skips Pty Ltd and Wytown Pty Ltd \$30,000 each for waste offences.

Coast Wide Skips was fined for transporting waste containing asbestos to a property in Somersby that is being developed into homes. Wytown, the property's owner, was fined for using the waste in the construction of internal roads on the site.

[Read more »](#)

Meat company fined for waste water pollution

The NSW Environment Protection Authority has fined the Northern Cooperative Meat Company \$15,000 for failing to meet the requirements of a Pollution Reduction Program.

A Pollution Reduction Program was issued to the company to manage waste water at an abattoir and tannery in Casino. The company failed to demonstrate that the site can achieve sustainable reuse of waste water by the end of 2018 as required in the Program.

[Read more »](#)

Law Reform and Policy Watch

Maintaining Australia's Natural Wealth: Priorities for Terrestrial Conservation

The Australian Committee for the International Union for Conservation of Nature (ACIUCN) has published an important statement on the policies and laws needed in Australia to support the protection of our environment.

[Maintaining Australia's Natural Wealth: Priorities for Terrestrial Conservation](#) details a series of critical policy recommendations, including: strong action on climate change, revitalising the National Reserve System and connectivity principle, strengthening support for science and Indigenous knowledge, and valuing nature as Australia's natural capital and a critical component of a strong Australian economy.

Following our presentation on future laws at the ACIUCN Symposium last year, we have helped shape these important policy recommendations which provide decision makers with science-based and independent information to inform better policy.

[Read more »](#)

Low Emissions Technology Roadmap released

The Commonwealth Scientific and Industrial Research Organisation (CSIRO) has released a Low Emissions Technology Roadmap which provides an independent, science-based analysis of the technology options in the energy sector that can help Australia meet its 2030 emissions reduction target.

[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

- *Industrial chemicals bills*

The Australian Government has introduced six bills to Parliament to establish the legislative framework for a new risk-based regulatory scheme for regulating the introduction of industrial chemicals in Australia.

[Read the Bills »](#)

NSW Parliament

- *Local Government Amendment (Amalgamation Referendums) Bill 2017*

A Private Member's Bill would amend the *Local Government Act 1993* to require referendums to be held for the amalgamation or proposed amalgamation of local councils.

[Read the Bill »](#)

Local Environmental Plan tracking

- [Kempsey](#) – Rezoning land for a residential subdivision, Old Station Rd, Verges Creek.
- [Sydney](#) – Minor policy and several housekeeping amendments.
- [Coffs Harbour](#) – Rezoning land at Pacific St, Corindi Beach for low density residential, tourist and business development.
- [Bega Valley](#) – Rezoning of some deferred areas of Millingandi, 'Mandeni' Tura Beach, and Boydtown.

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

- **Travelling Stock Reserves Review**

NSW Local Land Services is inviting public submissions on a comprehensive review of the network of Travelling Stock Reserves (TSRs) in NSW. The review will determine which TSRs are still used or required, and determine if they are important for other reasons. An online mapping tool has been provided to help people identify TSRs in their local area.

Submissions are invited until Thursday 6 July 2017.

[Read more and have your say »](#)

- **Industrial Chemicals Notification and Assessment Scheme**

The Australian Department of Health is calling for public submissions on the latest consultation paper under its review of the National Industrial Chemicals Notification and Assessment Scheme (NICNAS).

The review aims to improve safety and lower the environmental risk in Australians' use of industrial chemicals. Consultation paper 5 details technical matters related to the categorisation and assessment of unlisted chemical introductions into Australia.

Submissions are invited until Wednesday 12 July 2017.

[Read more and have your say »](#)

- **Australian Government's role in the development of cities**

The Australian Parliament Standing Committee on Infrastructure, Transport and Cities is calling for public submissions on the Australian Government's role in the development of cities.

Comments are sought on two distinct aspects of the Committee's inquiry: sustainability transitions in existing cities; and growing new and transitioning existing sustainable regional cities and towns.

Submissions are invited until Monday 31 July 2017.

[Read more and have your say »](#)

- **Container deposit scheme: Regulation Impact Statement**

The NSW Environment Protection Authority is calling for public submissions on the regulatory impacts of proposed exemptions from Commonwealth mutual recognition laws for the NSW container deposit scheme.

Submissions are invited until Wednesday 21 June 2017.

[Read more and have your say »](#)

- **Royal National Park: Review of environmental factors**

The Office of Environment and Heritage is calling for public comments on the proposed use and upgrade of an access trail in Royal National Park, south of Sydney, for an eco-tourism lodge.

Submissions are invited until Thursday 15 June 2017.

[Read more and have your say »](#)

- **Draft Pesticides Regulation 2017**

The NSW Environment Protection Authority is calling for public submissions on the draft *Pesticides Regulation 2017*. The Regulation sets out requirements for mandatory pesticide record-keeping, training, licensing and the notification of some pesticide uses.

Submissions are invited until Friday 7 July 2017.

[Read more and have your say »](#)

- **Environmentally Hazardous Chemicals Regulation**

The NSW Environment Protection Authority is calling for public submissions on a review of the *Environmentally Hazardous Chemicals Regulation 2008*. The review makes two proposed changes: an increase in licensing and technology assessment fees; and the introduction of an application fee for technology assessments.

Submissions are invited until Friday 7 July 2017.

[Read more and have your say »](#)

- **Draft Architects Regulation 2017**

The NSW Department of Finance, Services and Innovation is calling for public submissions on a draft *Architects Regulation 2017* (draft Regulation) to support the operation of the *Architects Act 2003*.

The draft Regulation outlines qualifications for registration as an architect, the process for election of members to the NSW Architects Registration Board, and the NSW Architects Code of Professional Conduct.

Submissions are invited until Thursday 15 June 2017.

[Read more and have your say »](#)

- **Roads and transport consultations**

- [Bexley](#) – Night work on Forest Road – Submissions invited until Monday 12 June 2017
- [Gymea](#) – Night work on Princes Highway – Submissions invited until Monday 12 June 2017.
- [Eastern Creek](#) – Intersection improvements Great Western Highway, Doonside Rd and Brabham Dr – Submissions invited until Friday 9 June 2017.
- [Eastern Creek](#) – Archbold Road upgrade and extension – Submissions invited until Friday 16 June 2017.

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

- [Antechinus argentus \(silver-headed antechinus\)](#) – Submissions invited until Friday 28 July 2017.
- [Antechinus arktos \(black-tailed antechinus\)](#) – Submissions invited until Friday 28 July 2017.

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

- Orange – Construction of new six storey private hospital, Forest Rd: Modifications to: [concept plan](#) and [Precinct 2](#) – Submissions invited until Thursday 22 June 2017.
- [Sydney](#) – Construction of new Chau Chak Wing Museum building, Camperdown Campus – Submissions invited until Wednesday 21 June 2017.
- [Menangle](#) – Modification to Menangle Quarry, including extending the quarry life – Submissions invited until Wednesday 21 June 2017.
- [Blacktown](#) – Developer contribution, Wonderland Drive, Eastern Creek (Australand Industrial) – Submissions invited until Wednesday 5 July 2017.
- [Sydney](#) – Modification to Sydney Metro City & Southwest, Chatswood to Sydenham – Submissions invited until Wednesday 5 July 2017.
- [Marsden Park](#) – Modification to cold storage facility, Hollinsworth Rd – Submissions invited until Friday 7 July 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

- [West Meadows, VIC](#) – Church, Hall & Community Facility, Barry Rd – Submissions invited until Thursday 22 June 2017.
- [Willawong, QLD](#) – Residential development, Paradise Rd and Learoyd Rd – Submissions invited until Thursday 22 June 2017.
- [Sydney, NSW](#) – Sydney Opera House Concert Hall – Submissions invited until Wednesday 21 June 2017.
- [Ravenswood, QLD](#) – Recommencement of mining at Buck Reef West mine, Macrossan St – Submissions invited until Tuesday 20 June 2017.
- [Kojonup, WA](#) – Road widening, Albany Highway – Submissions invited until Tuesday 20 June 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

Lawyers Weekly Australian Law Awards 2017

Nominations have opened for the 2017 Lawyers Weekly Australian Law Awards.

More than 30 awards are on offer, including Energy and Resources Team of the Year and Pro Bono Program of the Year. Winners will be announced at a ceremony on Friday 1 September 2017.

Nominations close on Friday 23 June 2017.

[Read more »](#)

Wetland legislation workshop

Sydney Olympic Park Authority is presenting a professional development workshop entitled *Wetland Legislation: scope of their application, opportunities and challenges*, where participants will have the opportunity to update and refresh their knowledge in regulatory aspects of managing wetlands.

When: Thursday 22 to Friday 23 June 2017

Where: Sydney Olympic Park Education Centre, Bicentennial Park

[Read more »](#)

Australian Environment Review June 2017

The latest edition of the Australian Environment Review (vol.32 no.3 June 2017) is dedicated to climate change litigation. The edition includes articles on climate litigation in the UK, the USA and Australia.

[Read more »](#)

Accessing Environmental Justice Seminar

EDO Western Australia has made available online videos and transcripts from its recent Accessing Environmental Justice Seminar, held on 11 May 2017

Speakers at the event were former High Court Chief Justice the Hon. Robert French AC, Professor Carmen Lawrence and Professor John Bailey.

[Read more »](#)

Summary report on outfalls around coastal Australia

The Clean Ocean Foundation has released its community summary into outfalls around coastal Australia. The summary is part of the National Outfall Database produced by the Clean Ocean Foundation for the Marine Biodiversity Hub.

The Foundation is also asking recreational water users to take part in an online survey.

[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: [Director, Regional Planning](#); [Senior Regulatory Reform Officer](#); [Housing Affordability \(various positions\)](#); [Director, Energy Policy](#); [Director, Energy Operations](#); [Director, Water & Utilities](#); and [Senior Team Leader - Sustainability Programs](#).
- Environment Protection Authority: [Unit Head, Regulatory Services](#).
- Office of Housing Coordination: [Executive Director](#).

[More NSW environment positions »](#)

From last week

NSW Biodiversity Conservation Advisory Panel: call for panellists

The NSW Government is inviting applications for membership on the NSW Biodiversity Conservation Advisory Panel, which is to be constituted under *the Biodiversity Conservation Act 2016*.

The Panel will provide independent, expert advice on the management of biodiversity conservation and on proposed declarations of areas as of outstanding biodiversity value.

Panellist positions are paid, and are for an initial 18-month to 3-year term. Applications for the Panel close on Sunday 18 June 2017.

[Read more »](#)

Demystifying solar power – free seminars

The NSW Office of Environment and Heritage, with South West regional councils and business chambers, is presenting free 'Demystifying Solar' seminars for businesses in June 2017. The seminars will look at different options for businesses wanting to switch to solar.

A total of 11 seminars will be held around regional, areas of NSW

[Read more »](#)

Legal Officer, New South Wales Aboriginal Land Council

The New South Wales Aboriginal Land Council is seeking a Legal Officer at its Parramatta office.

The Legal Officer will deliver a wide range of legal services, including work on issues relating to land claim refusals and native title. Applications need to be submitted by Monday 19 June 2017.

[Read more »](#)

Australasian Groundwater Conference

The theme of the Australasian Groundwater Conference 2017 is 'Groundwater Futures: Science to Practice'. The plenary session on day 3 will be on groundwater and the law.

When: Tuesday 11 to Thursday 13 July 2017

Where: UNSW, Sydney

[Read more »](#)

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 »](#)

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 »](#)

Support EDO NSW

Help us help community heroes

Every day, our dynamic public interest environmental law experts help communities in Australia and across the Pacific protect our environment through law. Those communities need us, and we need you!

[Please make your end of financial year tax-deductible donation to our Environmental Defence Fund..](#)

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](#)