

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

EDO NSW EBULLETIN – 16 June 2017: Number 1010

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 biodiversity submission available ahead of deadline

With less than a week to go before submissions are due, we've released our [submission on the latest round of the NSW Government's biodiversity and land clearing law changes](#).

Our submission addresses the nine draft regulations and instruments released for public comment. You can either read each of the nine submissions separately, or in a combined document with an executive summary.

You can also [watch a video of the presentations from a Sydney seminar](#) held earlier this month and download the presentation slides.

The draft regulations and instruments support laws passed in 2016 that will significantly change the way biodiversity impacts, 'offsetting' and land-clearing are assessed in rural and urban areas. We hope that releasing our submission early will help others navigate the environmental issues in these complex and technical changes.

[Read more at our website »](#)

2017 Gala Dinner – thank you!

A huge thanks to everyone who came to our Gala Dinner last night. And what a night it was. With Roy & HG at the helm we were entertained by the vivacious celebrity auctioneer Cecily Hardy and Dr Karl Kruszelnicki AM. And we were inspired by the courageous Goldman Environmental Prize winner Wendy Bowman.

Thank you to everyone contributed to such a successful evening – our sponsors, our speakers, our donors, our bidders, our attendees, our staff, and all those who

weren't able to make it but supported us in other ways by donating or bidding on auction items.



MCs Roy & HG get some help from EDO NSW CEO Sue Higginson

Help heroes like Wendy

You probably know 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

Barangaroo developer fined for polluting Sydney Harbour

The NSW Environment Protection Authority has fined Lendlease Engineering Pty Ltd \$15,000 after 5,000 litres of iron-laden water was discharged from a stormwater tank at Barangaroo Reserve into Nawi Cove, Sydney Harbour, in May 2016.

The discharge resulted in a large orange plume being visible in the harbour for several hours.

[Read more »](#)

Sarah Bish appointed to Land and Environment Court

Sarah Bish has been appointed as a Commissioner of the Land and Environment Court. Ms Bish is an environmental scientist, with special knowledge and expertise in geology, hydrogeology, groundwater management and water resource management. She has over 26 years of applied experience in the fields of water resource management and environmental management.

[Read more »](#)

Law Reform and Policy Watch

Recent EDO submissions and reports

- [NSW biodiversity and land management reforms draft regulations and products](#), EDO NSW submission
- [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

Read all of our law reform submissions and briefing papers [on our website](#).

New legislation introduced to Parliament

[Australian Parliament](#)

- *Environment and Infrastructure Legislation Amendment (Stop Adani) Bill 2017*

This private member's Bill proposes to prohibit the Australian Government from providing a coal railway for the proposed Carmichael Coal Mine by creating a broad 'suitable person' test under the *Northern Australia Infrastructure Facility Act 2016*.

[Read the Bill »](#)

- *Regional Investment Corporation Bill 2017*

This Government Bill aims to establish the Regional Investment Corporation, which will deliver loans under the Australian Government's farm business concessional loans program and the National Water Infrastructure Loan Facility.

[Read the Bill »](#)

NSW Parliament

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

Local Environmental Plan tracking

- [Blayney](#) – Amendment to update the town's flood planning map.
- [Wollondilly](#) – Rezoning land in West Tahmoor for environmental conservation and to reduce minimum lot size.
- [Hornsby](#) – Amendment to permit residential flat buildings and increase building height, Hornsby RSL Club.
- [Armidale](#) – Rezoning land to facilitate additional lots in an approved subdivision, Cookes Rd.
- [Bourke](#) – Amendment to permit, with consent, residential accommodation in Primary Production and Large Lot Residential zones.
- [Shoalhaven](#) – Minor mapping and instruments amendments.
- [Shoalhaven](#) – Amendment to flood-related development controls.
- [Kyogle](#) – Deferred Land and Rural Zone consolidation.

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

- **OECD Environmental Performance Review**

The Australian Department of the Environment and Energy is calling for public submissions on an Organisation for Economic Cooperation and Development (OECD) Environmental Performance Review of Australia from 2017 to 2019.

The Review provides an independent, fact-based assessment, with recommendations for reforms. Australia is required to participate in this review every ten years, and reviews are published by the OECD. Submissions are invited to ensure that comprehensive and detailed information is supplied to the review.

Submissions are invited until Wednesday 21 June 2017.

[Read more and have your say »](#)

- **Review of the Marine Estate Management Regulation**

The NSW Department of Primary Industries - Fisheries is calling for public submissions on a review of the *Marine Estate Management Regulation 2009*, which supports the management of marine parks and aquatic reserves across NSW.

Submissions are invited until Sunday 9 July 2017.

[Read more and have your say »](#)

- **Noise Control Regulation**

The NSW Environment Protection Authority is inviting feedback on the draft *Protection of the Environment Operations (Noise Control) Regulation 2017* and the accompanying Regulatory Impact Statement.

Submissions are invited until Friday 7 July 2017.

[Read more and have your say »](#)

- **Roads and transport consultations**

- [Mortdale](#) – Review of Environmental Factors for changes to train maintenance facility operations – Submissions invited until Monday 10 July 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

- [Keiraville](#) – New Molecular and Life Sciences Building, University of Wollongong – Submissions invited until Monday 31 July 2017.
- [Wollondilly](#) – Developer monetary contribution, Brundah Road, Thirlmere – Submissions invited until Monday 10 July 2017.
- Orange – Construction of new six storey private hospital, Forest Rd: Modifications to: [concept plan](#), [Precinct 1](#) and [Precinct 2](#) – Submissions invited until Thursday 22 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

- [Brisbane, QLD](#) – Cross river rail connecting Dutton Park to Bowen Hills – Submissions invited until Wednesday 28 June 2017.
- [Eneabba, WA](#) – Seismic survey for petroleum exploration – Submissions invited until Wednesday 28 June 2017.
- [Derby, WA](#) – Minor and preliminary works, Thunderbird Mineral Sands Project – Submissions invited until Wednesday 28 June 2017.
- [Nebo, QLD](#) – Expansion of Mulgrave Pit, South Walker Creek open cut coal mine – Submissions invited until Tuesday 27 June 2017.
- [Spreyton, TAS](#) – Squibbs Road Drainage Improvements – Submissions invited until Monday 26 June 2017.
- [Rokewood, VIC](#) – Golden Plains Wind Farm – Submissions invited until Monday 26 June 2017.
- [Hallam, VIC](#) – Commercial subdivision, Hallam South Rd – Submissions invited until Monday 26 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

NELA National Conference 2017

Registrations are now open for the National Environmental Law Association (NELA) national conference 2017. This year's conference explores the current state of Australia's environment, how various States are addressing past impacts, and innovative mechanisms being explored to avoid future harm.

When: Friday 4 August 2017

Where: King and Wood Mallesons, Level 33 Waterfront Place, 1 Eagle Street, Brisbane.

[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 Team Leader, Aboriginal Cultural Heritage Reforms](#); [Specialist Planner Officer](#); [Project Manager](#),

[Accelerated Rezoning](#); [Senior Regulatory Reform Officer](#); and [Housing Affordability](#) (various positions).

- Environment Protection Authority: [Unit Head, Hazardous Incidents & Environmental Health](#); and [Principal Policy Officer](#).
- Office of Housing Coordination: [Executive Director](#).
- Office of Environment and Heritage: [Director, Parkland Development & Strategy](#).

[More NSW environment positions »](#)

From last week

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 »](#)

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 »](#)

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 »](#)

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 »](#)

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](#)