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EDO NSW EBULLETIN – 21 July 2017: Number 1015

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

Should all environmental charities have to plant trees?

You may have heard that environmental charities are for the first time being required to report how much they spend on 'on-ground environmental remediation'.

This is part of a controversial move to restrict charitable environmental groups to activities such as tree planting, and divert them from education, advocacy and community support.

The Australian Treasury is seeking feedback on a proposal that would require environmental groups to spend up to 50 percent of their revenue on remediation, or lose their tax-deductible status. A change such as this would impact dramatically on EDO NSW, other environmental defenders offices, and many other important environmental charities.

Find out more about the proposals, and how you can have a say, on [our latest blog](#).

[Read more »](#)



Outreach Director Emily Ryan presents at a community workshop on how to engage in law reform.

What does Solomon Islands' first protected environmental area have to do with EDO NSW?

On a recent trip to Solomon Islands, our International Programs Coordinator BJ Kim was delighted to discover that EDO NSW played a part in Solomon Islands declaring its first ever protected area.

The Arnavon Community Marine Conservation Area, in the Arnavon Islands, is the biggest breeding ground in the South Pacific for critically endangered hawksbill turtles. Resources developed under our International Program were used by both the Arnavon community and the Solomon Islands Government to bring about this historic milestone in environmental protection in the Solomon Islands.

[Read more »](#)

Professional Development Training for Local Council Staff in a Changing Legal Landscape – Biosecurity, Biodiversity, Coastal Development, Crown Land

[New biosecurity laws](#) commenced in NSW on 1 July 2017, and significant changes to laws regulating [biodiversity](#), [coastal development](#), and [Crown land](#) are expected to commence in the next 12 months. Navigating this changing legal landscape poses unique challenges for local council staff working for the benefit of their communities and the environment, particularly given the complexity of and interaction between these new legal frameworks.

As the acknowledged expert in public interest environmental law, EDO NSW is pleased to offer professional development for staff of local councils on environmental law. We can tailor a professional development program to suit your workplace, offer half and full day options, and can travel to you. We work with local councils and State Government departments across NSW to deliver targeted training to

environmental decision-makers and enforcement officers. We offer competitive rates and unparalleled insight into the inner workings of environmental and planning laws.

Please contact us if you would like to discuss your training needs or to request a quote on your tailored program, or [visit our website](#) for more information.

Community Workshop in Lue – Mining and the law: What you need to know and how to have your say

We'll be holding a free workshop in Lue explaining how the community can have their say about the proposed Bowdens Silver Project. The workshop will include information about:

- The legal process for the assessment of mining developments
- The requirements for environmental assessment of the project
- How the community can have a say through the development assessment process and Community Consultative Committee

Please bring a plate to share.

When: Tuesday 15 August 2017, 5:30-8pm

Where: Lue Public School, Swanston Street, Lue

[Read more and register »](#)

Court and Compliance Watch

Colliery fined for releasing coal slurry

The NSW Land and Environment Court has fined Clarence Colliery Pty Ltd \$1.05 million plus costs for releasing by-products of coal mining into the Blue Mountains National Park.

Clarence Colliery was found to have allowed coal fines slurry and coarse coal reject to enter Wollangambe River in the Blue Mountains National Park, affecting 10.3 kilometres of the river and damaging vegetation and the river bed.

The NSW Environment Protection Authority ordered Clarence Colliery to clean up the affected area. The Court fined the company \$1.05 million and ordered them to pay investigation costs of \$106,010 and legal costs as assessed.

[Read more »](#)

Quarry fined for poor erosion and sediment controls

The NSW Environment Protection Authority (EPA) has fined Leadshine Pty Ltd \$15,000 for ongoing issues of erosion and sediment control.

The EPA found that erosion and sediment controls at the company's Broken Head Quarry remained inadequate despite multiple orders for the company to review and improve the controls.

[Read more »](#)

Logging contractor and landowner fined for logging and pollution offences

The NSW Environment Protection Authority (EPA) has fined logging contractor Honey Ridge Timber Pty Ltd \$20,500 and landowner Putty Holdings Pty Ltd \$5,500 for logging in protected areas and pollution of a stream.

The EPA found that 39 trees were logged in a protected area and that significant water pollution was caused in the process, including damming a stream with soil so that machinery could cross. Putty Holdings also did not hold a Forest Operation Plan as legally required.

[Read more »](#)

Law Reform and Policy Watch

First bioregional assessments released

The Australian Government has released the first full assessments of the potential impacts of coal mining and coal seam gas extraction on a bioregion's water resources.

The first assessments are for for the Maranoa-Balonne-Condamine and Clarence-Moreton bioregions, two of the 13 areas earmarked for study by the program in 2012.

[Maranoa-Balonne-Condamine bioregion assessment »](#)

[Clarence-Moreton bioregion assessment »](#)

Recent EDO submissions and reports

- [NSW Travelling Stock Reserves Review 2017](#), EDO NSW submission
- [Review of Complying Development in Greenfield Areas](#), EDO NSW submission
- [Environmental assessments and approvals](#), EDOs of Australia submission
- [Draft Marine Estate Management Regulation 2017](#), EDO NSW submission
- [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

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

- [Kiama](#) – Amendment to enable subdivision of dual occupancies and multi dwelling housing in residential areas and adjustment of rural allotment boundaries.

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

- **Tax deductible gift recipient reform**

The Australian Treasury has extended the deadline for public submissions on a discussion paper that considers reforms to the Deductible Gift Recipient (DGR) tax arrangements.

The proposals could have implications for environmental organisations with DGR status, including EDO NSW. So it's not too late to have your say about these important proposals.

Submissions are now invited until Friday 4 August 2017.

[Read more and have your say »](#)

- **Waste Point Point Kosciuszko National Park Preliminary Master Plan**

The National Parks and Wildlife Service (NPWS) is calling for public submissions on the Waste Point Preliminary Master Plan for Point Kosciuszko National Park.

The Plan proposes to transition Waste Point from an operational based support facility to a recreational park precinct.

Submissions are invited until Tuesday 29 August 2017.

[Read more and have your say »](#)

- **Carbon Credits (Carbon Farming Initiative - Industrial Electricity and Fuel Efficiency) Methodology Determination 2015**

The Australian Department of the Environment and Energy is calling for public submissions on a review of the Industrial Electricity and Fuel Efficiency method.

The method is used to calculate emissions reductions from improving the efficiency of (usually large-scale) equipment that consumes electricity or fuel.

Submissions are invited until Friday 11 August 2017.

[Read more and have your say »](#)

- **Industrial Equipment Upgrades**

The Australian Department of the Environment and Energy is calling for public submissions on the draft Industrial Equipment Upgrades method. The draft method aims to calculate how much abatement energy is achieved by efficiency upgrades to equipment.

Submissions are invited until Wednesday 9 August 2017.

[Read more and have your say »](#)

- **Threatened Species and Endangered Ecological Community Listings**
 - [Casuarina glauca](#) (Coastal Swamp Oak) – Submissions invited until Friday 25 August 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

- [St Leonards](#) – New tower, St Leonards Private Hospital – Submissions invited until Friday 18 August 2017.
- Weston – Modifications to allow Weston Aluminium Dross Recycling Facility to process illicit drug and pharmaceutical wastes, [MOD10](#) and [MOD 12](#) – Submissions invited until Monday 21 August 2017.
- [Parkes](#) – Construction of Parkes to Narromine inland rail – Submissions invited until Friday 18 August 2017.
- [Thirlmere](#) – Developer monetary contribution, Thirlmere Way – Submissions invited until Tuesday 15 August 2017.
- [Hillston](#) – Construction of solar photovoltaic (PV) generation facility and associated infrastructure – Submissions invited until Sunday 13 August 2017.
- [Mororo](#) – Increase in maximum daily truck numbers, Sly's Quarry, Tullymorgan-Jackybulbin Road – Submissions invited until Friday 28 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

- [Cockatoo Island, WA](#) – Expanded and upgraded airstrip and wharf – Submissions invited until Wednesday 2 August 2017.
- [Perth, WA](#) – Commercial development, Forrest Place – Submissions invited until Friday 28 July 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

- **Monga State National Park draft plan**

The Nationals Parks and Wildlife Service is calling for public submissions on the Monga State National Park Draft Plan of Management. The draft plan provides the community with the opportunity to have a say in the future management directions for the Monga State Conservation Area, in the Southern Tablelands of New South Wales near Braidwood and Mongarlowe.

Submissions are invited until Monday 16 October 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

Women in Law Awards 2017

Nominations are now open for the Lawyers Weekly Women in Law Awards 2017.

The Awards recognise the achievements of women who have challenged, influenced or changed the practice of law in Australia.

Nominations are due by Friday 11 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: [Team Leader](#); and [Executive Director – Infrastructure and Delivery](#).
- Office of Environment and Heritage: [Senior Project Officer](#); [Senior Project Officer, Ecosystems & Threatened Species](#); [Senior Team Leader](#); and [Senior Team Leader – Climate Change Adaptation](#).
- NSW Environment Protection Authority: [Manager, Strategic Policy and Programs](#); [Executive Officer Waste & Resource Recovery](#); [Manager – Regulatory Practice and Reform](#); and [Manager – Technical Assessments and Advice](#).

[More NSW environment positions »](#)

[From last week](#)

Australian Environment Review July 2017

The latest issue of the Australian Environment review (vol 32 no 4) has articles on Aboriginal heritage protection in Australia, the National Partnership Agreement on Remote Indigenous Housing, lessons from the Sioux's Dakota access pipeline protest, and more.

[Read more »](#)

Guarding the Galilee film night and Q&A

North Sydney Community Centre is hosting a community film night and Q&A on *Guarding the Galilee*, a new documentary on the Adani Carmichael coal mine in Queensland's Galilee basin.

The screening will be followed by a Q&A session with film Director and Producer Nell Schofield & environmentalist, writer and president of the Australian Conservation Foundation Geoff Cousins.

When: Friday 11 August 2017, 6:30-8:00pm

Where: North Sydney Community Centre, 220 Miller Street, North Sydney

[Read more »](#)

Reminder: NELA National Conference – Friday 4 August

The theme for this year's National Environmental Law Association (NELA) National Conference is *Addressing Past Harm, Managing Future Risks*. The conference will explore the state of Australia's environment, how states are addressing past impacts, and innovative mechanisms being explored to avoid future harm. Examining mining rehabilitation, groundwater management, climate risk disclosure, sustainable business practices and much more, this is an event not to be missed.

When: Friday 4 August 2017

Where: King & Wood Mallesons, Waterfront Place, Eagle Street, Brisbane

[Read more »](#)

Marine Campaigner

Australian Marine Conservation Society and the Nature Conservation Council of NSW are looking for an energetic and experienced campaigner with a diverse skillset to build on a campaign to secure a multiple-use marine park for the Sydney region.

The position is part time (three days per week) and is located at the Nature Conservation Council's office in Sydney. Applications close 9am on Monday 24 July 2017.

[Read more »](#)

Workshop on shared spaces in Greater Sydney

The Greater Sydney Commission is holding a 'community challenge' workshop on how to maximise the effective use of shared spaces in Sydney, and how to open up private spaces for shared public uses.

The workshop aims to bring together big thinkers, experts, practitioners and passionate Sydneysiders to explore some of the big opportunities to grow and improve Greater Sydney.

The workshops will also be available online.

When: Saturday 22 July 2017

Where: Bicentennial Park

[Read more »](#)

Workshop on active transport in Greater Sydney

The Greater Sydney Commission is holding a 'community challenge' workshop on how best to encourage walking and cycling for short trips to reduce congestion on public transport and help create a more liveable city.

The workshop aims to bring together big thinkers, experts, practitioners and passionate Sydneysiders to explore some of the big opportunities to grow and improve Greater Sydney.

The workshops will also be available online.

When: Saturday 29 July 2017

Where: Bicentennial Park

[Read more »](#)

2017 NSW Coastal Conference

Registrations are now open for the 26th annual NSW Coastal Conference.

With the theme 'The Next Wave', conference sessions will focus on the new coastal management framework.

When: Wednesday 8 to Friday 10 November 2017

Where: Shoal Bay Country Club, Port Stephens

[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.

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