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EDO NSW EBULLETIN – 28 July 2017: Number 1016

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 News and Events

Community group wins fight for Sirius Building

Our client Millers Point Community Assoc. Incorporated has won its court case challenging the NSW Minister for Heritage's decision not to list the Sirius Building in Millers Point, Sydney, on the State Heritage Register. The Minister made the decision not to list Sirius on the Register despite the Heritage Council's recommendation that it should be listed.

The Court held that the Minister's decision was invalid and of no effect, and has ordered the Minister to remake the decision in accordance with the law. The NSW Government has also been ordered to pay our client's legal costs.

This is a seminal judgment on the Heritage Act, which has been in force for 40 years and came about as a result of the Green Bans of the 1970s in the Rocks.

[Read more »](#)



Four Corners Investigation highlights our work to protect the Murray-Darling Basin

ABC's Four Corners has [aired an exposé](#) of alleged illegal water harvesting in the Murray-Darling Basin. The episode highlights major flaws in the way that our scarce and precious water resources are regulated, and focuses on allegations that irrigators in the Barwon-Darling catchment have been pumping more water from the river system than their licences, and the law, allows.

It also highlights the failure of the responsible government agency to take action to protect this important resource and the communities and environments that depend on it.

This is a problem that EDO NSW has been working to fix for a long time, alongside successive governments, scientists and the community.

[Read more »](#)

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, in [our latest blog post](#).

[Read more »](#)

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 their 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

Abattoir fined for releasing waste water

The NSW Land and Environment Court has convicted P&M Quality Smallgoods Pty Ltd (P&M) and JBS Australia Pty Ltd (JBS) of unlawfully releasing waste water from an abattoir in Scone.

Partially treated effluent was released from the abattoir into a nearby creek. Both companies were prosecuted for pollution of waters and P&M was also prosecuted for a breach of its environment protection licence held for the abattoir. P&M was penalised a total of \$90,000 and JBS was penalised \$60,000 for the offences. The companies were also ordered to pay the NSW Environment Protection Authority's investigation and legal costs.

[Read more »](#)

Law Reform and Policy Watch

Recent EDO submissions and reports

- [Environmental Planning & Assessment Amendment \(Staged development Applications\) Bill 2017](#) – EDO NSW submission
- [Inquiry into the Environment and Infrastructure Legislation Amendment \(Stop Adani\) Bill 2017](#) – EDOs of Australia submission
- [Tax Deductible Gift Recipient \(DGR\) Reform Opportunities – Discussion Paper](#) – EDOs of Australia submission
- [Review of Complying Development in Greenfield Areas](#) – EDO NSW submission
- [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

- [Parramatta](#) – Rezoning of land at Pennant Hills Road, Carlingford from low density to high density, increasing height restriction from 9m to 14-21m and increasing floor-space ratio from 0.5:1 to 1.2-1.6:1.
- [Parramatta](#) – Proposal for changes to Parramatta CBD planning controls affecting 14,500 dwellings.

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

- **Greater Parramatta Interim Land Use and Infrastructure Implementation Plan**

The NSW Department of Planning & Environment is calling for public submissions on the Interim Land Use and Infrastructure Implementation Plan for the Greater Parramatta area.

The plan outlines how the department is planning for a connected city with jobs, homes and essential services over the next 20 years. It aims to provide a framework to guide future redevelopment and identifies the infrastructure needed for continued growth.

Submissions are now invited until Thursday 7 September 2017.

[Read more and have your say »](#)

- **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

- [Sydney](#) – Modification to IMAX redevelopment – Submissions invited until Thursday 10 August 2017.
- [Parkes](#) – Modification to allow construction of new lift at Northparkes Extension Project – Submissions invited until Tuesday 8 August 2017.
- [Perisher Valley](#) – Installation of new snow machine – Submissions invited until Tuesday 8 August 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

- [Trunkey Creek, NSW](#) – Widening and modification of Colo Road, Hobbys Yards Road to Carrollina Road – Submissions invited until Monday 7 August 2017.
- [Hatfield, NSW](#) – Development of gravel pit sites – Submissions invited until Friday 4 August 2017.
- [Glenn Valley, NSW](#) – Residential subdivision, Berkeley Road – Submissions invited until Friday 4 August 2017.
- [Cooks Cove, NSW](#) – Commercial development of Kogarah Golf Course, southern precinct Cooks Cove – Submissions invited until Thursday 3 August 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

- **Australian Marine Parks Draft Management Plans**

Marine Parks Australia has released five draft plans to manage 44 Australian Marine Parks over the next 10 years.

The draft plans give the public the chance to comment on how Australia's Marine Parks will be managed over the next 10 years.

Submissions are now invited until Wednesday 20 September 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

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 »](#)

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 »](#)

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.

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.