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EDO NSW EBULLETIN – 11 August 2017: Number 1018

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

New case to protect the biodiversity of the Great Barrier Reef Marine Park

Humane Society International Australia (HSI), represented by EDO NSW, is seeking independent review of the Great Barrier Reef Marine Park Authority's (GBRMPA) decision to approve a lethal shark control program in the Great Barrier Reef Marine Park.

The Administrative Appeals Tribunal (AAT) is being asked to reconsider the approval of the shark control program which will operate for 10 years and target 26 shark species, including threatened and protected species. The appeal is based on the public interest in protecting the biodiversity of the Great Barrier Reef Marine Park, a World Heritage Area.

We are grateful to barristers Philip Clay SC and Natasha Hammond for their assistance in this matter.

[Read more »](#)

EDO Insider – The Sirius Building Heritage Case CPD

The Land and Environment Court's judgment in the Sirius building heritage case is a seminal judgment on the listing provisions of 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.

The case challenged the Minister for Heritage's decision not to list Sirius on the Heritage Register, despite a recommendation by the Heritage Council that it be listed because of its rarity and aesthetic value.

So what does this judgment mean for Sirius, which also came about as a result of the Green Bans, and for other buildings with heritage value? Join the legal team who ran the case, barristers Bruce McClintock SC and Shane Prince, and EDO NSW solicitor Belinda Rayment, to find out.

All funds raised from this seminar go towards our core work of helping the community to protect the environment through law. You can claim CPD points for this and all of our professional development seminars.

When: Thursday 31 August, 12:30-1:30pm.

Where: Colin Biggers & Paisley, Level 42, 2 Park Street Sydney.

Cost: \$75. A light lunch will be provided.

Numbers are strictly limited. [Reserve your place now »](#)

We are very grateful to our pro bono partner Colin Biggers & Paisley for hosting this seminar.

Community group wins fight to protect Sydney's drinking water catchment

Our client, 4nature, has won its case to protect Sydney's drinking water catchment from the impacts of the Springvale coal mine.

The Court of Appeal judgment overturns an approval that would have allowed the mine to discharge large amounts of mine water into the river system that forms part of Sydney's drinking water catchment. This is the first case to test laws passed in 2009 that were introduced to protect the catchment.

A further hearing will be required to consider the orders appropriate to resolve the proceedings.

[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

Quarry fined for operating without a licence

The NSW Land and Environment Court has convicted Rixa Quarries No.2 Pty Ltd (Rixa) of operating a quarry without an Environment Protection Licence (EPL) and fined the company \$350,000.

Between March and October 2013, Rixa operated a quarry at Doonbah where it extracted and processed more than 30,000 tonnes of sand for sale. Rixa did not hold an EPL for these operations despite knowing that it was required to do so.

In addition to the \$350,000 fine, Rixa was ordered to pay the Environment Protection Authority's legal costs and pay for published notifications of the conviction and penalty.

[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
- [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

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

New legislation introduced to Parliament

Australian Parliament

- *No new Bills have been introduced since the last eBulletin*

NSW Parliament

- *Environmental Planning and Assessment and Electoral Legislation Amendment (Planning Panels and Enforcement) Bill 2017*

This Government Bill would amend the *Environmental Planning and Assessment Act 1979* in relation to the establishment and operation of local planning panels.

[Read the Bill »](#)

- *Environmental Planning and Assessment Amendment (Staged Development Applications) Bill 2017*

This Government Bill would amend the *Environmental Planning and Assessment Act 1979* to confirm the manner in which the staged development application provisions of that Act have operated prior to a recent decision of the Supreme Court that invalidated State significant development consent for the Walsh Bay Arts Precinct.

[Read the Bill »](#)

Local Environmental Plan tracking

- [Liverpool](#) – Amendment to the Local Environmental Plan to reclassify four land parcels from Community to Operational and one land parcel from Public Recreation to Low Density Residential.
- [The Hills Shire](#) – Planning proposal to amend The Hills Local Environmental Plan to facilitate a medium to high density residential development, up to 600 dwellings at 55 Coonara Avenue West Pennant Hills.

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

- **Development of Water Resource Plans**

The Department of Primary Industries Water (DPI Water) is seeking public comments on the Status and Issues Papers for the development of Water Resource Plans covering five groundwater sources.

The development of NSW water resource plans seeks to balance economic, environmental and socio-economic concerns and put local communities first.

Submissions are now invited until Friday 15 September 2017.

[Read more and have your say »](#)

- **Water Management (General) Regulation**

The Department of Primary Industries Water (DPI Water) is seeking public comments on remaking the current *Water Management (General) Regulation 2011*.

DPI Water is proposing to remake the 2011 Regulation with proposed amendments including clarification of licensing and approval requirements and the functions and powers of water supply authorities as well as creation of new exemptions from approval requirements.

Submissions are now invited until Sunday 3 September 2017.

[Read more and have your say »](#)

- **Springwood to Lithgow rail corridor**

Transport for NSW is seeking public comment on proposed modifications to the rail corridor from west of Springwood Station to Lithgow Station.

The modifications aim to accommodate new and existing trains and include extending platforms at Katoomba Station and Lithgow Station; modifications to station platform edges and canopy at Faulconbridge station; re-positioning of rail tracks; signalling works and upgrades to the overhead wiring system and supporting structures.

Submissions are now invited until Tuesday 29 August 2017.

[Read more and have your say »](#)

- **St Leonards and Crows Nest Station Precinct**

The Department of Planning and Environment is seeking public comment on its strategic planning investigation of the St Leonards and Crows Nest Station Precinct.

The Precinct is identified as a Strategic Centre in the Greater Sydney Commission's (GSC) draft North District Plan. The importance of the Precinct as a key employment centre in Sydney, combined with a new metro station at Crows Nest, presents a unique opportunity for renewal and to prepare a coordinated strategic plan for the Precinct. The NSW Government is looking to provide new homes and jobs located close to transport, open space and social infrastructure such as schools and community centres.

Submissions are now invited until Thursday 7 September 2017.

[Read more and have your say »](#)

- **Wilton Interim Land Use and Infrastructure Implementation Plan**

The Department of Planning & Environment is seeking public comment on its Interim Land Use and Infrastructure Implementation Plan.

The plan aims to guide the growth of a new town of around 15,000 homes at Wilton. New and upgraded infrastructure will support the growing community, and residents will have access to jobs, schools, shops and other essential services. The Plan also identifies sensitive environmental areas that will be protected as the community grows.

Submissions are now invited until Wednesday 20 September 2017.

[Read more and have your say »](#)

- **Review of Australia's Space Industry Capability**

The Australian Government is seeking public comment on its review of Australia's space industry capability.

The review aims to enable Australia to capitalise on the increasing opportunities within the global space industry sector. The Expert Reference Group (ERG) has prepared an issues paper to provide a starting point for discussion.

Submissions are now invited until Tuesday 22 August 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

- [Eastlakes](#) – Modification to Eastlakes Shopping Centre approval – Submissions invited until Wednesday 23 August 2017.
- [Glen Innes](#) – Modification to Glen Innes Wind project approval to use turbines with longer blades and taller towers – Submissions invited until Thursday 31 August 2017.
- [Mosman](#) – Taranga Zoo African Savannah and Congo exhibits - Demolition of existing African Safari exhibit and Gorilla facility; construction of a new African Savannah exhibit for Giraffe, Zebra, Lions, Meerkats and Fennec Fox species and a new Congo Forest exhibit for Gorillas and Okapi – Submissions invited until Monday 4 September 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

- [Yuendumu, NT](#) – Development of the Tanami Gas Pipeline, Tanami Road – Submissions are invited until Monday 21 August 2017.
- [La Grange, WA](#) – Development of Shamrock Station Irrigation Project, Argyle Cattle Company Pty Ltd – Submissions invited until Monday 21 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

- *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

Wildthings Talkfest No. 3

The topic of the next Wildthings Talkfest will be 'protecting Ku-ring-gai's wildlife and habitat through community action'. Come along and hear from a lineup of great speakers on topics such as Blue Gum High Forest-- Ku-ring-gai's Dwindling Heritage and Corridors and Connectivity for Wildlife in Ku-ring-gai.

When: Sunday 13 August 2017, 12 noon to 5pm

Where: Turramurra Masonic Hall, Cnr Turramurra Ave. & Pacific Highway (Near Car Park) TURRAMURRA

[Read more and RSVP »](#)

Kowmung campaigner – Help save the Blue Mountains wilderness from being flooded

The Colong Foundation for Wilderness is looking for an experienced campaigner who will work with others to protect World Heritage listed wilderness national parks in the Blue Mountains from being flooded due to the proposed raising of the Warragamba Dam wall.

The contracted position is for 26 weeks, 32 hours/week at \$43.80 per hour inclusive of GST 832 hours total – renewable.

Applications close 18 August 2017 at 5pm.

[Read more »](#)

The Festival of Urbanism

Brought to you by the Henry Halloran Trust and the University of Sydney School of Architecture, Design and Planning from 1-12 August 2017.

Cities are more than their physical and spatial form; they are also patterns of living. By looking deeper into the historical, political and economic forces that make up urban life, we create opportunities to ask questions and improve our knowledge to inform good planning.

The Festival is a series of talks in conversation with researchers, industry professionals and community leaders, who are challenging practice and creating new approaches to maximise the public interest and benefits.

[Read more »](#)

Green-Go Short Film Contest 2017

This short film competition aims to showcase creative minds by producing movies that raise awareness about specific problems or show solutions. The 7th edition of the contest has now launched. The contest has reached 9 million people, with applicants from more than 40 countries. This year's categories are targeted towards environmental issues and the Earth's future.

[Read more »](#)

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 TODAY.

[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

We need your help to keep fighting

EDO NSW has been providing critical legal support to communities for 30 years. We are the only legal centre in NSW specialising in public interest environmental issues. As a not-for-profit, non-government organisation, we rely on our donors to help fund our programs and services.

Your support is vital to ensuring that community groups and individuals across Australia and the South Pacific have access to environmental justice.

[Find out more here »](#)

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