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EDO NSW EBULLETIN – 1 September 2017: Number 1021

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

A message from our CEO

After 11 years of public interest environmental lawyering at EDO NSW, I am leaving.

I know that I am leaving the organisation in great hands - the Board has appointed David Morris as the new CEO. David has run the EDO in the Northern Territory for the past 4 years, representing clients across the top end, winning the Law Council of Australia's Mahla Pearlman Award for the Australian Young Environmental Lawyer of the Year in 2016, and generally turning the fortune of EDO NT around. David will work with our brilliant management team to carry on the good work of the Environmental Defender's Office.

David will be starting up in October and will introduce himself to you all.

EDO Insider – CPD on Protecting the Murray-Darling Basin

Get the inside story on EDO NSW's work as featured in ABC's Four Corners exposé of alleged illegal water harvesting in the Murray-Darling Basin.

Hear from lawyers Dr Emma Carmody and Brendan Dobbie about what we're doing at both State and Federal levels to address major flaws in the way that our scarce and precious water resources are regulated.

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

When: Tuesday 12 September 2017, 12:30-1:30pm.

Where: McCabes Lawyers, Level 38 MLC Centre, 19 Martin Place 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 McCabes for hosting this seminar.

Court and Compliance Watch

Mining company fined for water discharge

The NSW Land and Environment Court has fined Warkworth Mining Ltd (Warkworth) \$50,000 for a discharge of sediment-polluted water at its Mount Thorley coal mine.

In January 2016 a dam at the mine failed resulting in the discharge of up to 4.4 megalitres of sediment-laden water in breach of the company's Environment Protection Licence. The court found Warkworth had increased the capacity of the dam without engineering oversight and failed to perform an appropriate risk assessment or other quality assurance process on the new construction.

Warkworth was fined \$50,000 and ordered to pay the NSW Environment Protection Authority's legal costs.

[Read more »](#)

Mining company fined for water pollution

The NSW Environment Protection Authority (EPA) has fined HV Operations Pty Ltd \$15,000 for a discharge of sediment-polluted waters into Bayswater Creek in the Hunter Valley.

On 30 March 2017 a sediment sump at the company's coal loading facilities overflowed causing 240 kilolitres of water containing sediment to discharge into the nearby creek. The EPA stated that the company failed to implement practical measures which could have mitigated the discharge despite having the opportunity to do so.

[Read more »](#)

Law Reform and Policy Watch

Draft Water Management (General) Regulation 2017

This short submission focuses on 4 proposed changes to the Draft Water Management (General) Regulation 2017 concerning: subdividing approvals; correcting descriptions in approvals; streamlining requirements for private pontoons, jetties and moorings on public land; and the use of water for dust suppression.

[Read more »](#)

Recent EDO submissions and reports

- [Draft Water Management \(General\) Regulation 2017](#) – EDO NSW submission
- [Inquiry into the future of Australia's cities](#) – EDOs of Australia submission
- [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
- [NSW biodiversity and land management reforms draft regulations and products](#), EDO NSW 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

- [Hornsby](#) – Planning proposal to allow residential development in the Commercial Core zone; increase the building height and floor space ratio, reduce the minimum non-residential floor space ratio and rezone George Street carpark to Mixed Use.
- [Parramatta](#) – Planning proposal to modify the maximum building height and floor space ratio at 55 Aird Street, Parramatta.
- [The Hills Shire](#) – Planning proposal to rezone land and amend the height of building, lot size and floor space ratio at 1-6 Vixen Place, 1, 3, 5 and 7 Gay Street and 12 Gilham Street, Castle Hill.

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

- **Improvements to Old Windsor Road**

Roads and Maritime Services is seeking feedback on proposed improvements to maximise the road space of Old Windsor Road, Bella Vista.

Submissions are now invited until Thursday 7 September 2017.

[Read more and have your say »](#)

- **Clearway on Marsden Road**

Roads and Maritime Services is inviting feedback on a proposal to extend the current weekday clearways and introduce new weekend clearways in Carlingford and Dundas Valley.

Submissions are now invited until Monday 4 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

- [Northside Storage Tunnel](#) - Proposal to modify the operational environmental management (OEM) requirement to enable Sydney Water to adopt its certified management systems, in place of preparing and implementing project specific OEMPs – Submissions invited until Thursday 7 September 2017.
- [Thredbo](#) – Modification to re-route existing mountain bike trail off cleared ski runs and into adjoining vegetation – Submissions invited until Wednesday 6 September 2017.
- [Coal Cliff, Stanwell Park, Stanwell Tops and Otford Sewerage Scheme](#) - Proposal to modify the operational environmental management (OEM) requirements to enable Sydney Water to adopt its certified management systems, in place of preparing and implementing project specific OEMPs – Submissions invited until Thursday 7 September 2017.
- [Jamberoo Sewerage Scheme](#)- Proposal to modify the operational environmental management (OEM) requirement to enable Sydney Water to adopt its certified systems (EMS and IMS) in place of preparing and implementing project specific OEMPs – Submissions invited until Tuesday 12 September 2017.
- [Illawarra Wastewater Strategy](#) - Proposal to modify the operational environmental management (OEM) requirement to enable Sydney Water to adopt its certified systems (EMS and IMS) in place of preparing and implementing project specific OEMPs – Submissions invited until Tuesday 12 September 2017.
- [Picton Sewerage Scheme](#) - Proposal to modify the operational environmental management (OEM) requirement to enable Sydney Water to adopt its certified systems (EMS and IMS) in place of preparing and implementing project specific OEMPs – Submissions invited until Tuesday 12 September 2017.
- [Western Sydney Recycled Water Initiative](#) - Proposal to modify the operational environmental management (OEM) requirement to enable Sydney Water to adopt its certified systems (EMS and IMS) in place of preparing and implementing project specific OEMPs – Submissions invited until Monday 11 September 2017.
- [Water Related Services for North West Growth Centre Precinct](#) - Proposal to modify the operational environmental management (OEM) requirement to enable Sydney Water to adopt its certified systems (EMS and IMS) in place of preparing and implementing project specific OEMPs – Submissions invited until Monday 11 September 2017.
- [The Oaks, Oakdale and Belimbla Park Sewerage Scheme](#) - Proposal to modify the operational environmental management (OEM) requirement to enable Sydney Water to adopt its certified systems (EMS and IMS) in place of preparing and implementing project specific OEMPs – Submissions invited until Monday 11 September 2017.
- [Cronulla Sewage Treatment Plant](#) - Proposal to modify the operational environmental management (OEM) requirement to enable Sydney Water to adopt its certified systems (EMS and IMS) in place of preparing and implementing project specific OEMPs – Submissions invited until Monday 11 September 2017.
- [Penrith Sewage Treatment Plant and Glenbrook Waste Water Transfer](#) - Proposal to modify the operational environmental management (OEM) requirement to enable Sydney Water to adopt its certified systems (EMS and

IMS) in place of preparing and implementing project specific OEMPs – Submissions invited until Monday 11 September 2017.

- [Thirlmere](#) – Developer monetary contribution for the provision of designated State public infrastructure – Submissions invited until Friday 22 September 2017.
- [Wollongong](#) – Developer monetary contribution for the provision of designated State public infrastructure – Submissions invited until Friday 22 September 2017.
- [Tamworth](#) – Developer monetary contribution for the provision of designated State public infrastructure – Submissions invited until Friday 22 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

- [Joondalup, WA](#) – Development of an Environmental Engineering Teaching Laboratory at Edith Cowan University – Submissions are invited until Monday 11 September 2017.
- [Coral Sea](#) – Proposal to conduct a scientific site survey on the Lord How Rise – Submissions are invited until Monday 11 September 2017.
- [Barton, ACT](#) – Proposal to clear and sell Blocks 3 and 15, Section 22 to a private purchaser – Submissions are invited until Monday 11 September 2017.
- [Pilbara, WA](#) – Proposal to develop the Eliwana Iron Ore Mine Project – Submissions are invited until Friday 8 September 2017.
- [Pilbara, WA](#) – Construction of the Eliwana Railway linking the proposed Eliwana Iron Ore Mine with the existing Fortescue rail network – Submissions are invited until Friday 8 September 2017.
- [Perth, WA](#) – Proposal to remove four timber doors at the Perth GPO building and replace them with frameless glass shopfronts – Submissions are invited until Friday 8 September 2017.
- [Willow Tree, NSW](#) – Proposal to extend the Willow Tree Gravels Quarry to extract additional conglomerate resources – Submissions are invited until Thursday 7 September 2017.
- [Epping, VIC](#) – Proposal to make modifications to O'Herns Road and Hume Freeway – Submissions are invited until Wednesday 6 September 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

- **Coolbaggie Nature Reserve Draft Plan of Management**

The NSW Parks and Wildlife Service is seeking public comment on the Coolbaggie Nature Reserve Draft Plan of Management.

Coolbaggie Nature Reserve has significant natural and cultural values. The park lies within the traditional country of the Tubba-Gah Wiradjuri People and protects habitat for 88 native animal species, including 4 threatened species

[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

Diploma of Business (Governance) Scholarships

In order to further break down the barriers that prevent community directors from formalising their governance knowledge, the Institute of Community Directors Australia has partnered with Greening Australia to offer twenty-five \$1000 scholarships towards Diploma of Business (Governance) enrolments.

Scholarships will be awarded on the basis of merit and the likely impact for the organisations and community served by each recipient.

Applications close 3:00pm AEST, 6 September 2017

Delivered by the Institute of Community Directors Australia in alliance with Federation Training, the Diploma of Business (Governance) is the only accredited course for existing and prospective not-for-profit board and committee members, and the staff who work with them.

[Read more »](#)

NELA Essay Competition

The NELA Essay Competition is now open, seeking essays addressing issues facing Australian environmental law from undergraduate and postgraduate students at Australian universities.

Essays can be submitted until 18 December 2017.

[Read more »](#)

Environment Protection Authority ACT seeking Deputy Director, Environment Protection

Access Canberra is seeking someone who enjoys the challenges of working in a regulatory environment and balancing the Government's economic agenda with its environmental protection responsibilities. As the Environment Protection Authority, you and your team of dedicated staff will be responsible for ensuring our liveable city continues to be the envy of the world.

Applications close 6 September 2017

[Read more »](#)

EDO ACT seeking part-time Policy and Communications Director

The EDO (ACT) is seeking a self-motivated person to work as its Policy and Communications Director, responsible to the Chief Executive Officer/Principal Solicitor. The Policy and Communications Director will assist in all areas of the EDO's core functions and deliver activities in the areas of policy and law reform and legal education.

The position is for 3 days per week but, as EDO ACT is co-located in the Legal Aid office, the opportunity exists for the successful applicant to also engage in 2 days employment with the Legal Aid Helpdesk.

The Legal Aid Commission of ACT is seeking a part-time Helpdesk Solicitor to assist with the provision of legal information and advice to people contacting Legal Aid either by telephone or in person.

[Read more »](#)

Position vacant – Solicitor, private practice (environmental sustainability)

A sole practitioner in the renewable energy development industry is seeking a colleague to expand a practice with an environmental sustainability theme. Services to main, current client (based in North Sydney) relate to landowner agreements (options for lease, purchase and easements, in NSW and other Australian jurisdictions), planning law and contractual advice. Potential exists to expand the

client base in the renewables industry, in property development and associated general practice.

Would suit a solicitor with at least 3-5 years' post-admission experience seeking part-time work (approximately one day per week initially) in an expanding and satisfying field.

Please send CV and covering letter to David Robinson, robinsond@idx.com.au, mob 0405 127 224.

NELA national conference papers available online

The National Environmental Law Association held its national conference in Brisbane on 4 August 2017 on the theme 'Addressing Past Harm, Managing Future Risks'. Papers and presentations from the conference are now available online.

[Read more »](#)

PIAC advocacy workshops

The Public Interest Advocacy Centre is holding a two day advocacy workshop which will provide an opportunity to plan an effective strategy about issues affecting your community. You will complete strategy planning, learn the best ways to have your issue considered by parliament, prepare your advocacy tool kit, write a media release, and negotiate for your best outcomes.

Tuesday 17 October and Wednesday 18 October, 9:00 – 4:30

[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.

Applications close 1 October 2017.

[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 »](#)

[Make your donation online here »](#)

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