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## **EDO NSW EBULLETIN – 8 September 2017: Number 1022**

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](#).

<a href="#">EDO News &amp; Events</a>	<a href="#">Court &amp; Compliance</a>	<a href="#">Law Reform &amp; Policy Watch</a>
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### **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.

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## **Court and Compliance Watch**

### **Waste company fined for submission delay**

The NSW Environment Protection Authority (EPA) has fined Veolia Environmental Services (Veolia) \$15,000 for failing to meet a submission deadline for a component of the Long-term Leachate Management Strategy for the Woodlawn Bioreactor near Tarago.

The bioreactor has a history of odour and leachate issues and the EPA and Veolia negotiated the Long-term Leachate Management Strategy to address these issues. Veolia was required to engage a consultant to investigate and report on the suitability of two dams at the site by 30 November 2016. Veolia did not submit the report until 2 June 2017 and this constituted a breach of Veolia's environment protection licence.

[Read more »](#)

### **Waste company fined for waste stockpile**

The NSW Environment Protection Authority (EPA) has fined Direct Pallets \$15,000 for a stockpile of waste at a resource recovery facility at Ingleburn.

Direct Pallets operate a waste pallet processing and recycling facility under an environment protection licence which requires that the height of waste stockpiles must not exceed four metres. On 31 July 2017 EPA Officers conducted an unannounced inspection at the site and found a stockpile of waste pallets approximately 10 metres high.

[Read more »](#)

### **Coal company fined for water pollution**

The NSW Environment Protection Authority (EPA) has fined Wollongong Coal Limited (WCL) a total of \$31,000 for discharging sediment-laden water into Bellambi Gully in November 2016.

Sediment-laden water was discharged from the WCL's Russell Vale coal mine after rainwater leaked from cracks and holes in a diversion pipe which runs under the premises. This water was then washed down Bellambi Gully when water was

released from a treatment plant at the site. While investigating this incident the EPA also found that WCL had failed to publish water quality (turbidity) monitoring data from previous discharges into Bellambi Gully in October and November 2016.

The EPA fined WCL \$15,000 for causing water pollution, \$15,000 for poor maintenance and operation of the diversion pipe and \$1,000 for failing to publish the water quality monitoring data.

[Read more »](#)

### **Soil company fined for leachate and odours**

The NSW Environment Protection Authority (EPA) has fined Soilco a total of \$30,000 for discharging leachate-contaminated water in Kembla Grange and resultant odours in and around the local area.

Between February and April 2017, sustained heavy rainfall in the Illawarra region coincided with a large number of odour complaints in and around Kembla Grange. EPA officers determined that the odours were originating from drains at the Soilco site where green leachate was present. Further investigation found that Soilco's leachate treatment tanks were overflowing and a broken pipe was causing the leachate to flow off site.

The EPA fined Soilco \$15,000 for failing to competently store and dispose of waste water and \$15,000 for water pollution as a result of the discharge.

[Read more »](#)

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## **Law Reform and Policy Watch**

### **Environmental Impact Assessment Improvement Guidelines**

The Department of Planning and Environment is reviewing Environmental Impact Assessment (EIA) for State significant projects in NSW to identify areas for improvement. This submission comments on the need to improve EIA processes and makes recommendations on the proposed series of 9 guidelines. The guidelines relate to the following EIA stages:

Guideline 1 - Overview of the EIA Improvement Project

Guideline 2 - Community Guide to EIA

Guideline 3 - Scoping an Environmental Impact Statement

Guideline 4 - Preparing an Environmental Impact Statement

Guideline 5 - Responding to External Submissions

Guideline 6 - Community and Stakeholder Engagement

Guideline 7 - Approach to Setting Conditions

Guideline 8 - Modifying an Approved Project

Guideline 9 - Peer Review

[Read our submission »](#)

Find out more about the EIA Improvement Project [here](#) and [here](#).

### Recent EDO submissions and reports

- [Submission on the Environmental Impact Assessment Improvement Project - Draft EIA Guidelines](#) – EDO NSW submission
- [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](#)

- *Renewable Energy (Electricity) Amendment (Continuing the Energy Transition) Bill 2017*

This Private Member's Bill seeks to amend the *Renewable Energy (Electricity) Act 2000* so as to continue increases to the Renewable Energy Target until 2030 to support increased renewable energy generation through the next decade.

[Read the Bill »](#)

- *High Speed Rail Planning Authority Bill 2017*

This Private Member's Bill seeks to establish an authority to advise on, plan and develop high speed rail (HSR) on the east coast of Australia. The Authority will ensure that the HSR corridor is preserved so that provision can be made for regular, efficient and cost effective rail transport on the east coast of Australia.

[Read the Bill »](#)

- *Commission of Inquiry (Coal Seam Gas) Bill 2017*

This Private Member's Bill seeks to provide for the establishment of a Commission of Inquiry to inquire into the Coal Seam Gas industry, including the negotiating powers of parties involved; impacts on land, water and communities; agreement making and payment for damages and compliance.

[Read the Bill »](#)

## NSW Parliament

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

## Local Environmental Plan tracking

- [Parramatta](#) – Planning proposal to remove height restriction and floor space ratio controls at 107 George Street, Parramatta in order to produce a high density mixed use development, including car parking, commercial space and residential apartments.
- [Canterbury-Bankstown](#) – Planning proposal to implement housekeeping amendments following a review of the Bankstown LEP 2015.
- [Ballina](#) – Planning proposal to rezone land at 9 Byron Bay Road, Lennox Head from Primary Production to Low Density Residential.
- [Camden](#) – Planning proposal to allow a Medical Centre at 2 Ironbark Avenue, Camden.
- [Canterbury-Bankstown](#) – Planning proposal to allow garden centres as an additional permitted use at 479 Henry Lawson Drive, Milperra.
- [Fairfield](#) – Planning proposal to rezone land at 682 Cabramatta Road, Bonnyrigg from Low Density Residential to Medium Density Residential.
- [Ryde](#) – Planning proposal to rezone land at 3-5 Vincentia Street, Marsfield from Public Place of Worship to Low Density Residential, introduce a maximum building height, maximum floor space ratio and minimum lot size to facilitate subdivision.
- [Coolamon](#) – Group Planning Proposal to amend land use zones and minimum lot size maps, amend the Primary Production and Primary Production Small Lots land use tables, amend minor mis-description of a heritage item and to insert a new LEP clause to make provision for development proposed in the vicinity of sewerage treatment and landfill facilities.
- [The Hills Shire](#) – Amendment to the Hills LEP 2012 Schedule 1 – Additional Permitted Uses to facilitate high density residential development.

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.

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**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

- **Review of the Carbon Farming Initiative legislation and the Emissions Reduction Fund**

The Climate Change Authority is seeking public comment to inform its review of the Carbon Farming Initiative and the Emissions Reduction Fund.

Submissions are invited until Friday, 29 September 2017.

[Read more and have your say »](#)

- **Inquiry into the waste and recycling industry in Australia**

The Senate Environment and Communications References Committee is seeking public feedback to inform its inquiry into the waste and recycling industry in Australia, including issues related to landfill, markets for recycled waste and the role of the Australian Government in providing a coherent approach to the management of solid waste.

Submissions are invited until Friday, 20 October 2017.

[Read more and have your say »](#)

- **Draft ERF method: Measurement of soil carbon sequestration in agricultural systems**

The Department of the Environment and Energy is seeking feedback on the draft *Measurement of soil carbon sequestration in agricultural systems* method. The draft method provides an opportunity for landholders and businesses to earn Australian Carbon Credit Units by managing their land in a way that could lead to an increase in soil organic carbon. The draft method uses direct measurement to detect changes in soil carbon and a regression approach to attribute that change to human activity. The method provides for project proponents to be credited with this change, subject to discounts and buffers.

Submissions are invited until Monday, 2 October 2017.

[Read more and have your say »](#)

- **PFAS National Environmental Management Plan**

The National Chemicals Working Group of the Heads of EPAs Australia and New Zealand (HEPA) is developing the per-and poly-fluoroalkyl substances (PFAS) National Environmental Management Plan (NEMP) to provide governments with a consistent, practical, risk-based framework for the environmental regulation of PFAS-contaminated materials and sites. The PFAS NEMP is being developed as an adaptive plan, able to respond to emerging research and knowledge.

Public comment is being sought to inform the development of the PFAS NEMP.

Submissions are invited until Monday, 25 September 2017.

[Read more and have your say »](#)

- **Draft Crown Land Management Regulation**

The Department of Industry is seeking feedback on the Draft *Crown Land Management Regulation 2017*.

The Regulation sets out the principles and rules proposed to govern the conduct of users and managers of Crown land.

Submissions are invited until Sunday, 24 September 2017.

[Read more and have your say »](#)

- **NorthConnex Development**

NorthConnex is inviting feedback on stage two of the NorthConnex Urban Design and Landscape Plan. Stage two includes urban design and landscape plans for buildings such as the ventilation outlets, motorway operations complex and service buildings as well as tunnels and tolling structures.

Submissions are invited until Saturday, 30 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**

- [Hay](#) – Proposal to develop a large-scale solar photovoltaic generation facility – Submissions invited until Friday 29 September 2017.
- [Wollondilly](#) - Developer monetary contribution for the provision of designated State public infrastructure at 80 Tahmoor Road – Submissions invited until Monday 2 October 2017.
- [Wollondilly](#) - Developer monetary contribution for the provision of designated State public infrastructure at 90 Tahmoor Road – Submissions invited until Monday 2 October 2017.
- [Wollondilly](#) – Developer monetary contribution for the provision of designated State public infrastructure at 78-80 River Road – Submissions invited until Monday 2 October 2017.
- [Wollondilly](#) – Developer monetary contribution for the provision of designated State public infrastructure at 30 Bronzewing Street – Submissions invited until Monday 2 October 2017.
- [Hornsby](#) - Proposal to modify the operational environmental management (OEM) requirements of the West Hornsby and Hornsby Heights Sewage Plants 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 19 September 2017.
- [Curl Curl](#) – Proposal to redevelop Curl Curl North Public School – Submissions invited until Monday 16 October 2017.
- [Penrith](#) – Proposal to construct a Costco warehouse and distribution centre at the Oakdale South Estate – Submissions invited until Monday 16 October 2017.
- [Wollongong](#) – 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**

- [Karnup, WA](#) – Proposal to construct the Rockingham Montessori School at 700 Mandurah Road, Karnup – Submissions are invited until Monday 18 September 2017.
- [Jalbarragup, WA](#) – Proposal to construct a telecommunication tower – Submissions are invited until Friday 15 September 2017.
- [Dianella, WA](#) – Proposal to establish an urban residential development at Lot 55 and 56 Cottonwood Crescent, Dianella – Submissions are invited until Thursday 14 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

- *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](#).

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## Community News

### **The Food Waste Debate: Are consumers ultimately responsible for food wastage?**

Food waste poses serious environmental and social consequences, which will only increase in the future.

Are consumers ultimately responsible for food wastage? Leaders from agriculture, community activism, food aid and social entrepreneurship will debate this question, and determine whether or not the heart of the food waste problem lies with consumers.

Moderator: Alana Mann, Chair of the Department of Media and Communications, University of Sydney

Affirmative: Costa Georgiadis, Host, Gardening Australia; Sarah Pennell, General Manager & Company Secretary, Foodbank Australia

Negative: Ankit Chopra, Co-Founder, Eat Me Chutneys; Robbie Davis, CEO, Potatoes South Australia

When: TODAY, 5.00 - 6.30pm

Where: Charles Perkins Centre Lecture Theatre, Johns Hopkins Drive University of Sydney

Cost: Free

[Read more and register »](#)

### **Renewable Reinvention: A green global shift**

What are the opportunities and challenges Australia and the world face in the coming decade as we try to kick our fossil fuel habit and embrace a cleaner, more sustainable energy future?

This Sydney Ideas event will bring together three expert speakers on the potential for renewable reinvention and a global green shift.

When: Wednesday 27 September, 6.00 - 7.30pm

Where: Law School Foyer, New Law School, Eastern Avenue, University of Sydney

[Read more »](#)

### **Environmental Justice Conference 2017**

Sydney University has released a draft program for the Environmental Justice Conference 2017.

The 2017 conference will provide a retrospective look at environmental justice scholarship and activism and the prospects and themes for current and future work in the field.

When: Monday 6 - Wednesday 8 November 2017

Where: Holm Building, University of Sydney

[Read more »](#)

### **Food Justice in the City: Toward a just and sustainable food system**

How can we build fairer urban food systems in the face of growing climate challenges? Join a star-studded panel of international experts to explore this question, and anticipate what Sydney's food systems might look like in the future.

When: Thursday 9 November, 6.00 - 7.30pm

Where: University of Sydney

[Read more »](#)

### **Sustaining the Seas Conference: Fish, oceanic space and the politics of caring**

Registrations are now open for the Sustaining the Seas conference, hosted by the Sustainable Fish Lab.

When: Monday 11 - Wednesday 13 December 2017

Where: University of Sydney

[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 »](#)

## **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 »](#)

## **NSW Government seeking experts to join IHAPs**

The NSW Government is calling on relevant experts to express their interest in becoming a chair or panel member for the recently introduced Independent Hearing Assessment Panels (IHAPs) that will become mandatory for all councils in Sydney and Wollongong City Council.

The closing date for applications is Sunday 17 September.

[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](mailto:robinsond@idx.com.au), mob 0405 127 224.

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## **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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