

View our most recent eBulletin at [www.edonsw.org.au/ebulletin](http://www.edonsw.org.au/ebulletin)

## EDO NSW EBULLETIN – 15 September 2017: Number 1023

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

#### **APEEL Blueprint for the Next Generation of Environmental Laws**

The Australian Panel of Experts on Environmental Law (APEEL) has released a Blueprint for the next generation of Australian environmental law. The Blueprint identifies 14 key ideas for reform including in relation to: the foundations of environmental law (environmental principles, rights and duties); environmental governance and strategic national leadership (including new bodies such as an Environment Commission and national EPA, and clearer roles for role of government and non-government actors); improved integrity and accountability of environmental laws; and specific proposals for reform of terrestrial and marine biodiversity and climate and energy laws.

Our Policy and Law Reform Director Rachel Walmsley was one of several experts that contributed to the Blueprint.

[Read more »](#)

---

### Court and Compliance Watch

#### **Cleaning company fined for waste offences**

The NSW Environment Protection Authority (EPA) has fined Cleanaway \$30,000 for waste offences and failing to comply with the conditions of a Prevention Notice.

Cleanaway operates a resource recovery site at Appin which processes food waste. The company is permitted to apply up to 600 tonnes of grease trap waste per hectare to three paddocks at the site; however EPA officers found that Cleanaway had applied approximately 800 to 1000 tonnes per hectare to each paddock.

The EPA issued a Prevention Notice to Cleanaway in March 2017 which required the company to cease further grease applications and to submit a formal report but the company failed to provide the required information. The EPA fined Cleanaway \$15,000 for the waste offences and \$15,000 for failing to meet the requirements of the Prevention Notice.

[Read more »](#)

### **Waste company fined after fire**

The NSW Environment Protection Authority (EPA) has fined Solveco Pty Ltd \$15,000 following a fire at the company's premises in St Marys.

The EPA alleges Solveco shredded aerosol cans containing flammable gases resulting in small explosions and a fire at the St Marys facility. A worker was injured during the incident and required emergency surgery. The EPA inspected the site and determined there were no negative environmental impacts as a result of the fire.

The EPA issued the \$15,000 fine for failing to carry out activities in a competent manner and failing to operate equipment properly and efficiently.

[Read more »](#)

### **Demolition company fined for illegal asbestos dump**

The NSW Environment Protection Authority (EPA) has fined Centric Operations Pty Ltd and its sole director, Mr Hussein Mrad, \$63,000 for unlawfully dumping asbestos waste at a site in Bringelly.

Centric Operations leases the property and was operating an unlawful waste facility without the knowledge of the owner. The company used the site to deposit waste produced from excavation and demolition projects, including asbestos waste. The EPA issued directions ordering Centric Operations to cease depositing waste at the site and to appropriately manage the asbestos waste, but the company failed to comply with these directions.

The EPA fined Centric Operations \$48,000 and also fined Mr Mrad \$15,000 for these offences.

[Read more »](#)

---

## **Law Reform and Policy Watch**

### **Independent investigation into NSW water management and compliance**

Ken Matthews AO has released an interim report arising from his independent investigation into NSW water management and compliance. The investigation was commissioned following the broadcast of a Four Corners program "Pumped" which

presented allegations of widespread non-compliance with NSW water law, particularly in the Barwon-Darling River system in Northern NSW.

Mathews recommends the urgent initiation of a Water Management Compliance Improvement Package to make the future system more transparent, more independent and considerably more effective than the current system.

Many of Mathews' recommendations align with recommendations of EDO NSW and EDOs of Australia in recent law reform submissions and which were provided to Mathews to assist with his investigation. These include:

- EDOs of Australia submission into the [Inquiry into National Water Reform](#), May 2017
- EDO NSW submission on [Surface Water Status and Issues Papers for the Barwon-Darling and Namoi Catchments](#), March 2017
- EDOs of Australia submission on the [Murray Darling Northern Basin Review](#), February 2017

[Read more »](#)

### **New social impact assessment guideline for State significant resource projects**

The NSW Department of Planning and Environment has released a new social impact assessment guideline to provide direction on assessing the positive and negative social impacts associated with State significant resource projects such as mining, petroleum production and extractive industries. The guideline will be used in the context of the environmental impact assessment process under the *Environmental Planning and Assessment Act 1979*.

[Read more »](#)

### **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

- *Regional Forest Agreements Legislation (Repeal) Bill 2017*

This Private Member's Bill seeks to repeal the *Regional Forest Agreements Act 2002* which enables logging of Australian native forests to continue with exemptions from our country's environment protection laws.

[Read the Bill »](#)

- *Renewable Fuel Bill 2017*

This Private Member's Bill would regulate renewable fuel content in petrol at the bowser and stipulate a mandatory minimum of 5% ethanol or other renewable fuel volume from 1 July 2019 and 10% minimum from 1 July 2022.

[Read the Bill »](#)

### NSW Parliament

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

## Local Environmental Plan tracking

- [Woollahra](#) – Planning proposal to rezone land at 42-58 Old South Head Road, Vaucluse from Low Density Residential to Medium Density Residential, amend the maximum permissible building height from 9.5m to 10.5m and apply a maximum permissible floor space ratio of 1:1.
- [Blue Mountains](#) – Planning proposal to rezone land at 54 Luchetti Avenue, Hazelbrook from Environmental Conservation to Environmental Living.

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

- **Aboriginal Cultural Heritage in New South Wales**

The NSW Government is reforming the way Aboriginal cultural heritage is conserved and managed in NSW and is seeking your feedback to help refine the proposed new system.

Public consultation is open from 11 September to 18 December 2017. Consultation will consist of a series of public information sessions and workshops to explain and seek feedback on the proposed new framework.

[Read more and have your say »](#)

- **Draft NSW Invasive Species Plan**

The Department of Primary Industries is seeking public comment on the Draft NSW Invasive Species Plan 2017-2021.

The plan aims to help prevent new pest incursions and reduce existing pest threats. It will help guide investment and resources to invasive species prevention and management programs, with the aim of building NSW's ability and commitment to manage invasive species activities on the ground.

Submissions are invited until Friday 13 October 2017.

[Read more and have your say »](#)

- **M4 – M5 Link EIS**

The Department of Planning and Environment invites feedback on the M4-M5 Link Environmental Impact Statement.

Submissions are invited until Monday 16 October 2017.

[Read more and have your say »](#)

- **Cabarit Wharf Interchange Upgrade**

Transport for NSW invites Aboriginal people and Aboriginal groups to register their interest to be consulted on the Cabarita Wharf Interchange upgrade.

Transport for NSW proposes to upgrade the existing wharf, providing a new pontoon and gangway which will allow two ferries to access the wharf at the same time.

Submissions are invited until Saturday 30 September 2017.

[Read more and have your say »](#)

- **Guidelines for the Economic Assessment of Mining and Coal Seam Gas Proposals**

The Department of Planning and Environment is seeking feedback on the content of nine technical notes supporting the Guidelines for the Economic Assessment of Mining and Coal Seam Gas Proposals. The technical notes cover a range of environmental, heritage, social and transport related issues to be considered when developing State Significant Development (SSD) mining and coal seam gas proposals.

Submissions are invited until Monday 23 October 2017.

[Read more and have your say »](#)

- **Renewable Energy (Electricity) Regulations 2001**

The Department of Environment and Energy is seeking feedback on a possible new method for calculating exemptions based on the electricity used by emissions-intensive trade-exposed (IETE) activities.

EITE businesses and liable entities are encouraged to review the paper and make a submission by Friday 29 September 2017.

[Read more and have your say »](#)

- **Framework for Investing in Environmental Activities: Discussion Paper**

The Commonwealth Environmental Water Holder (CEWH) has released a Discussions Paper – Development of a Framework for Investing in Environmental Activities and is seeking feedback on what type of environmental activities the community would like to be considered when developing a framework for future investments.

The Discussion Paper provides background on the guiding environmental priorities and legislative scope limitations for future investments as well as a set of discussion questions to consider.

Submissions are invited until Thursday 30 November 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**

- [St Marys](#) – Proposal to extend an existing processing shed at 25 Dunheved Circuit into 21 Dunheved Circuit – Submissions invited until Friday 13 October 2017.
- [Tweed Heads](#) – Modifications to mixed-use development at Bay Street, including increasing the number of units to 201 and reducing building separations – Submissions invited until Friday 22 September 2017.
- [Darling Park](#) – Modification to the Plan of Management for Adria Restaurant to delineate an ancillary bar area – 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**

- [Goulburn, NSW](#) – Planning proposal to enable residential subdivision and create 323 residential lots at 129 Marys Mount Road – Submissions are invited until Wednesday 27 September 2017.
- [Port Campbell, VIC](#) – Planning proposals to maintain well deliverability from the Casino Henry Netherby fields or through the Minerva Gas Plant – Submissions are invited until Tuesday 26 September 2017.
- [Arthur-Pieman Conservation Area, TAS](#) – Proposal to open off-road vehicle tracks 501, 503 and 601 for public use – Submissions are invited until Tuesday 26 September 2017.
- [Port Adelaide, SA](#) – Planning proposal for the Outer Harbour Channel Widening to widen the Port Adelaide shipping channel from 130m to 170m – Submissions are invited until Tuesday 26 September 2017.
- [Macarthur, NSW](#) – Planning proposal for development of 72 residential lots, 411 dwellings, realignment of Bow Bowing creek and construction of a stormwater basin between Goldsmith Avenue and Menangle Road as part of the Macarthur Gardens North development – Submissions are invited until Friday 22 September 2017.
- [Marino, SA](#) – Proposal to develop 18 residential allotments at 100 Trumara Road, Marino including clearing and maintenance of a 3m wide firebreak – Submissions are invited until Thursday 21 September 2017.
- [Warner, QLD](#) – Planning proposal for consolidated urban areas and a consolidated conservation area / corridor as well as a new Warner Road – Old

North Road intersection alignment – Submissions are invited until Wednesday 20 September 2017.

- [Haughton, QLD](#) – Proposal to construct and operate a large scale solar photovoltaic facility with a generation capacity of up to 500MW and battery storage capabilities near Keith Venables Road – Submissions are invited until Wednesday 20 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](#).

---

## **Community News**

### **Women in the Environment**

EIANZ is presenting three leading women in the environmental profession who have made their mark in their respective industries: Justice Nicola Pain in the Land and Environment Court, Jenny MacMahon, Director of Environment at WSP and Erica van den Honert Director, Assessment Practice at the NSW Department of Planning and Environment.

Come along to hear these three leading women all at the forefront of their chosen industries talk about where they have come from; how they made it to where they are; their achievements; and the key differentiators that have allowed them to get to where they are in their careers.

Where: WSP, Level 27 – 680 George St, Sydney NSW 2000  
When: Thursday, 21 September 2017, 5:30pm – 8:00pm  
Cost: EIANZ Members \$20 / Student Members \$10 / Non-members \$40

[Read more »](#)

### **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.

---

### **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 »](#)

---

### **Subscribe to this weekly eBulletin**