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EDO NSW EBULLETIN – 6 October 2017: Number 1026

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



Aunty Virginia with an EDO NSW solicitor at Dharriwaa (Narran Lakes).

We're very pleased that Aunty Virginia Robinson of [Dharriwaa Elders Group](#) in Walgett has been named as a nominee for the Law and Justice Foundation Aboriginal Justice Award for her achievements in protecting culture and heritage. We've been working in partnership with Aunty Virginia and Dharriwaa Elders Group to protect and promote culture and heritage since 2012.

The award recognises outstanding commitment to improving access to justice for Aboriginal people in NSW. Dharriwaa Elders Group is a vibrant grassroots organisation made up of Aboriginal people aged over 60 that aims to support Aboriginal elders to resume leadership roles in the community, help them stay active and healthy, promote local Aboriginal cultural knowledge and identity and develop the Walgett Aboriginal community.

The 2017 Justice Awards will be announced on Thursday 19 October at 6pm in NSW Parliament House.

[Read more about Aunty Virginia and Dharriwaa Elders Group's work »](#)

Court and Compliance Watch

Quarry company fined for over-extraction

The NSW Environment Protection Authority (EPA) has fined Sheridan's Hard Rock Quarry Pty Ltd \$15,000 for over-extraction of quarry materials at Hernani.

The EPA found that the quarry operator had extracted more than 40,000 tonnes more material in the 2016-17 licence period than was permitted under their licence. The EPA said that the breach was administrative in nature and there was no evidence of environmental harm caused as a result of the breach, however, by breaching its licence requirements the licensee avoided over \$10,000 in licence fees and exceeded their licence limits by over 50%.

[Read more »](#)

Demolition company fined for unlawful waste facility

The NSW Environment Protection Authority (EPA) has fined Serious About Civil \$15,000 for unlawfully operating a waste facility.

Serious About Civil was storing waste at a site on Nells Road, West Gosford without the required licence. EPA officers found stockpiles of uncovered timber waste including treated timber, mixed soils and demolition waste at the site. In a subsequent inspection, EPA officers also found that leachate from the waste timber was draining out of the stockpiles and into stormwater drains.

[Read more »](#)

Power company fined for stormwater pond management

The NSW Environment Protection Authority (EPA) has fined Cape Byron Management Pty Ltd \$15,000 for failing to properly manage a stormwater pond at its Condong co-generation power plant facility.

An EPA officer inspected the premises in July 2017 and found that the stormwater pond was not being operated in accordance with licence requirements and could not adequately contain runoff following a rainfall event. The EPA noted that there was no direct evidence of environmental harm as a result of the breach but that the penalty was issued to act as a reminder of the importance of complying with licence conditions.

[Read more »](#)

Law Reform and Policy Watch

Recent EDO submissions and reports

- [Draft management plans for Australian Marine Parks that are managed by Parks Australia – EDOs of Australia submission](#)
- [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 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*

Gazette notices

- **Notice of Availability in Australia of a Final Comprehensive Environmental Evaluation**

This gives notice of a final comprehensive environmental evaluation and notice of a decision regarding the evaluation for construction and operation of a gravel runway in the area of Mario Zucchelli Station, Terra Nova Bay, Victoria Land, Antarctica, prepared under the jurisdiction of Italy.

[Read the Notice »](#)

Local Environmental Plan tracking

- [Ballina Shire Council](#) – The planning proposal seeks to rezone Lot 2 DP 620838 No. 9 Byron Bay Road, Lennox Head, from RU1 Primary Production (RU1) zone to an R2 Low Density Residential zone (R2).
- [Blue Mountains Council](#) – The proposal seeks to amend Schedule 1 of the Blue Mountains LEP 2015 to enable the subject site to be used for the purposes of a Registered Club, as part of Katoomba RSL.

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

- Review of the *Environmental Planning and Assessment Regulation 2000*

The NSW Department of Planning and Environment has recently commenced a review of the *Environmental Planning and Assessment Regulation 2000*. This review follows proposed changes to the Regulation's parent Act, the *Environmental Planning and Assessment Act 1979* (EP&A Act). The review affords an opportunity to undertake a comprehensive look at the Regulation and remove any unnecessary complexities or outdated rules which make the system hard to use.

The Department has prepared an issues paper that outlines the key operational provisions of the Regulation and seeks:

- Stakeholder views on known issues with the current Regulation
- Stakeholder feedback to help identify other issues, including suggestions for updating and improving the function of key operational provisions and reducing unnecessary regulatory and administrative burdens.

[Read more and have your say »](#)

- Development of a Framework for Investing in Environmental Activities Murray-Darling Basin: Discussion Paper

The Commonwealth Environmental Water Holder is seeking feedback on what type of environmental activities the community would like to be considered when developing a framework for future investments.

[Read more and have your say »](#)

- **Threatened Species and Endangered Ecological Community Listings**
 - [Western Australia](#) – 12 species assessed for eligibility for inclusion on the EPBC Act threatened species list and the necessary conservation actions. Comments open until 16 November 2017.
 - [Northern Territory](#) – 5 species assessed for eligibility for inclusion on the EPBC Act threatened species list and the necessary conservation actions. Comments open until 16 November 2017.

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 fisheries assessments since 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

- [Maules Creek Coal Mine](#) – Proposal to develop various associated infrastructure. Submissions invited until 11 October 2017.
- [Ski Club of Australia, Thredbo](#) – Proposal for renovations. Submissions invited until 16 October 2017.
- [Tahmoor](#) – Notice of Voluntary Planning Agreement. Monetary contribution by developer. Submissions invited until 31 October 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

- [Jim's Plain, TAS](#) – Proposal to develop a Wind Farm in north-west Tasmania. Submissions are invited until Wednesday 18 October 2017.
- [Newport, NSW](#) – Proposal to subdivide land into four new housing lots. Submissions are invited until 12 October 2017.

- [Maryvale/Boola Boola VIC](#) – VicRoads is proposing to replace an existing bridge over the Latrobe River. Submissions are invited until 12 October 2017.
- [Macquarie Harbour TAS](#) – Proposal to change process of disposal of solid waste from salmon farming. Submissions are invited until 13 October 2017.
- [Hobart TAS](#) – Proposal to construct new interchange on Tasman Highway/Holyman Avenue near Hobart International Airport. Submissions are invited until 13 October 2017.
- [Albion Park NSW](#) – Proposal to develop a residential subdivision over 9 hectares. Submissions are invited until 16 October 2017.
- [Sunbury VIC](#) – Proposal by Catholic Education Melbourne to construct a new primary school. Submissions are invited until 16 October 2017.
- [Charlton, VIC](#) – Proposal to remove approximately 50 individuals of *Pterostylis valida* -the Robust Greenhood orchid- from within a designated site rehabilitation works zone to the Nature Conservation Reserve at Nardoo Hills. Submissions are invited until 17 October 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 listed 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

'Secrets at Sunrise'

A documentary about the team of conservation experts and dedicated volunteers working together in WA to save one of the world's rarest birds, the Western Ground Parrot. Screening with Q+A by the film-maker Jennene Rigg.

Where: Mt Vic Flicks, Blue Mountains

When: Tuesday 10 October, 6pm

[Read more »](#)

Australian Centre for Climate and Environmental Law (ACCEL) Distinguished speaker lecture

Beck Dawson on 'A Stronger, Resilient Sydney'.

When: Wednesday 11 October 6:00-7:30pm

Where: Sydney Law School, Common room, level 4, New Law School Building

[Read more »](#)

Principal Solicitor EDO NQ

The Environmental Defenders Office of Northern Queensland Inc. (EDO NQ) is looking for a Principal Solicitor to be based in Cairns.

Applications close 12 October.

[Read more »](#)

PIAC advocacy workshops

The Public Interest Advocacy Centre is holding a two day workshop on planning 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, 9:00am – 4:30pm

[Read more »](#)

National Flying-fox Forum

Hosted by EIANZ and the Ecology Special Interest Section.

When: Wednesday 25 October, 8:00am-8:00pm

Where: Club York, Level 2, 99 York St, Sydney

[Read more »](#)

NSW Young Lawyers Environment & Planning Law Committee annual trivia night

When: Thursday, 26 October 6:00-9pm

Where: Norton Rose Fulbright, 18 Grosvenor Place, 225 George Street, Sydney

[Read more »](#)

Nature Conservation Council Annual Conference

Emily Ryan, our Outreach Director – Professional Programs, will be presenting a workshop at the conference on the new land clearing laws.

When: Saturday-Sunday, October 28-29

Where: Redfern Town Hall, 73 Pitt Street, Redfern

[Read more »](#)

Environmental Justice Conference 2017

The conference will 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 »](#)

The Future of Environmental Justice – a panel discussion

Co-presented by Sydney Ideas and Sydney Environment Institute

When: Tuesday 7 November 6-7:30pm

Where: Law School Foyer, Level 2 Sydney Law School, Eastern Avenue, 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 »](#)

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 »](#)

Launch of Women's Energy and Climate Law Network

The Women's Energy and Climate Law Network is a new network of female academics and practitioners working in the field of climate and energy law. The launch event will combine discussion panels with eminent energy and climate law scholars, small group sessions, mentoring sessions on careers in climate and energy law and more.

When: Friday 8 December 9:30am-4:40pm

Where: Level 2, Room 221, Melbourne Law School, 185 Pelham Street, Carlton, Melbourne

[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 that address issues facing Australian environmental law from undergraduate and postgraduate students at Australian universities.

Essays can be submitted until 18 December 2017.

[Read more »](#)

Call for submissions of case studies on environment and energy Sustainable Development Goals

The Department of the Environment and Energy is seeking case studies that showcase work that gives effect to the environment and energy Goals and their Targets. Closes 31 December 2017.

[Read more »](#)

Support EDO NSW

We need your help to keep defending our environment

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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