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EDO NSW EBULLETIN – 24 November 2017: Number 1033

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

Fiji: Fisheries and ocean management law and policy

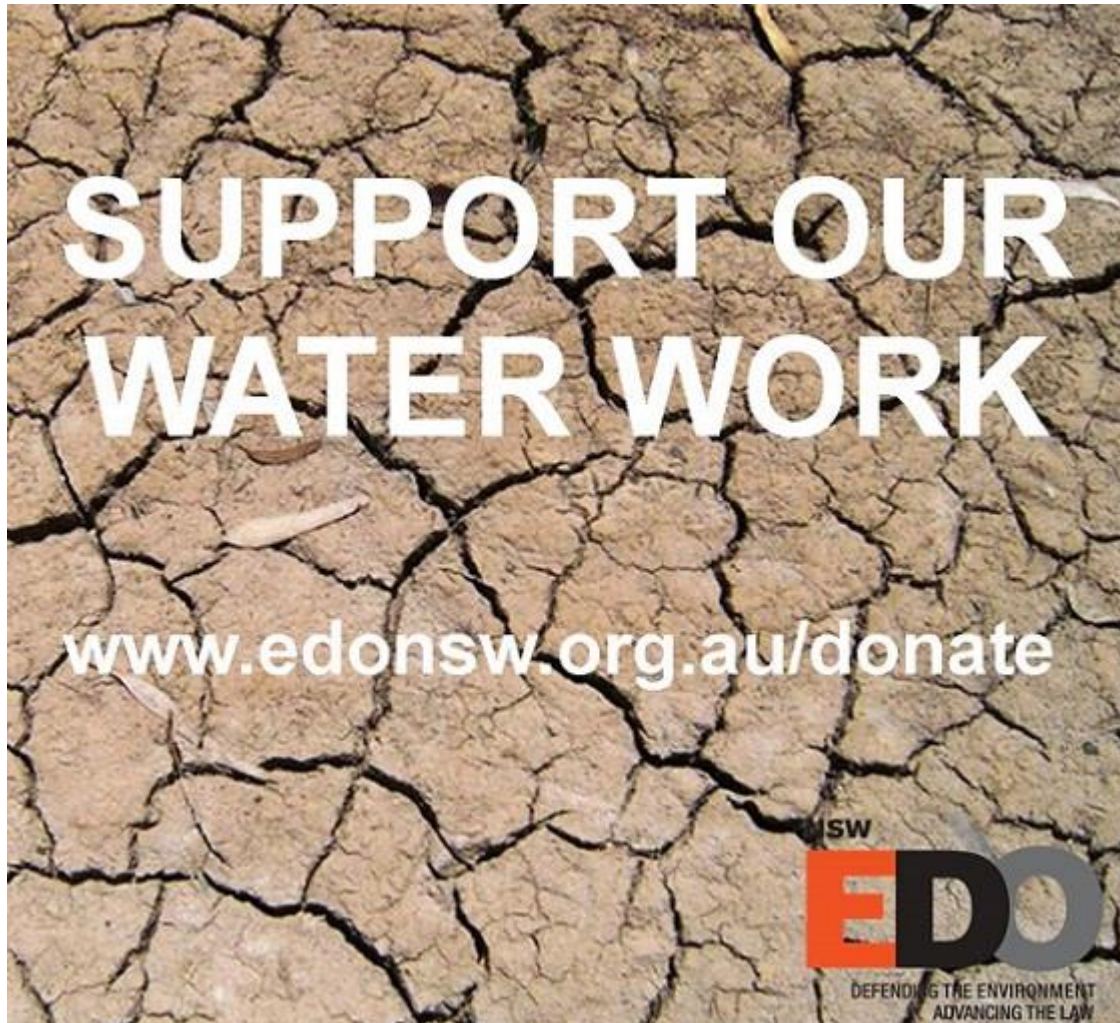


Through our International Program, we have been working with Fiji Environmental Law Association (FELA) to support the development of comprehensive law and policy frameworks for sustainable fisheries and oceans management in Fiji.

FELA and EDO NSW have now completed three significant policy papers in this area, looking at regulation of coastal fisheries, adequacy of marine protected areas mechanisms and consideration of an integrated oceans management policy.

[Access the three Fiji papers »](#)

Support our Environmental Defence Fund



EDO NSW has consistently argued that the law must ensure the Murray-Darling Basin is managed sustainably and NSW water laws are upheld by all water users. We all need water to survive – and a healthy river equals healthy ecosystems, communities and farms.

When the responsible government agencies fail to take action, EDO NSW empowers affected communities to seek environmental justice under the law.

As expert environmental lawyers, with over 30 years' experience, we get results through our dynamic, multi-disciplinary and expert approach.

But we can't do it without you. We need your help to ensure that our community continues to have access to environmental justice.

[Please make a tax-deductible donation to our Environmental Defence Fund >>](#)

[Read more about our work protecting water >>](#)

EDO Insider seminar – Protecting Sydney's drinking water catchment



Join us for a lunchtime seminar in Sydney on Friday 1 December to find out more about one of our most significant recent cases – [4nature Inc vs Centennial Springvale Pty Ltd](#).

Members of our legal team, Barrister Nicholas Kelly and EDO NSW Senior Solicitor Rana Koroglu, will discuss how this case was won, the precedent value of the judgment and the effect of the special legislation.

[Find out more and RSVP »](#)

Court and Compliance Watch

Wingecarribee Council fined for asbestos breach

The NSW Environment Protection Authority (EPA) has fined Wingecarribee Shire Council \$23,000 for processing waste materials contaminated with asbestos and sending that waste into the marketplace.

An investigation was launched following a report from a member of the public alleging recovered aggregate was processed by Council at its Moss Vale Resource Recovery Centre into various products for sale and those products contained asbestos.

[Find out more »](#)

Wambo Coal to pay over \$130,000 for water pollution

The Land and Environment Court has convicted and fined Wambo Coal Pty Ltd after a sediment dam failed at its Warkworth coal mine in the Hunter Valley.

The incident occurred in the first week of January 2016 following heavy rain in the region, when a portion of the dam wall collapsed resulting in sediment-laden runoff escaping from the dam. The sediment-laden water flowed along an ephemeral drainage line and into Waterfall Creek which eventually leads to the Hunter River.

Wambo Coal reported the incident to the EPA on Monday 11 January after Wambo staff had inspected the dam and identified the failure. However, it is estimated that the dam wall collapse occurred around 5 January.

[Find out more »](#)

Law Reform and Policy Watch

Recent EDO submissions and reports

- [Protected Plant Sustainable Management Plans 2018-22 – EDO NSW submission](#)
- [Inquiry into the Integrity of the Water Market in the Murray-Darling Basin – EDOs of Australia submission](#)
- [Draft Technical Notes supporting Guidelines for the Economic Assessment of Mining and Coal Seam Gas Proposals – EDO NSW submission](#)
- [Draft Crown Land Regulation 2017 – EDO NSW submission](#)
- [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](#)

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

- **Electricity Supply Amendment (Fair Price for Solar and Other Renewable Sources of Electricity) Bill 2017**

This Private Members Bill seeks to amend the *Electricity Supply Act 1995* with respect to a minimum price for electricity produced by small-scale renewable energy generators.

[Read the Bill >>](#)

- **Natural Resources Access Regulator Bill 2017**

This Government Bill seeks to constitute and confer functions on the Natural Resources Access Regulator.

[Read the Bill >>](#)

- **Snowy Hydro Corporatisation Amendment (Restriction on Sale) Bill 2017**

This Private Members Bill seeks to amend the *Snowy Hydro Corporatisation Act 1997* to prevent the sale of shares in Snowy Hydro Limited unless each State Minister holding those shares is satisfied that the proceeds of the sale will be applied for the purposes of investment in infrastructure in regional NSW.

[Read the Bill >>](#)

Gazette notices

- No new relevant notices have been gazetted since the last eBulletin.

Local Environmental Plan tracking

- **Leichhardt:** Proposed rezoning at 67-73 Lords Road from IN2 Light Industrial to R3 Medium Density Residential, also increasing the maximum permissible floor space ratio.
- **Katoomba:** Seeks to enable 4 Merriwa Street to be used for the purposes of a Registered Club, as part of Katoomba RSL.
- **Terranora, Tweed Shire:** Seeks to rezone 420-434 Terranora Road from non-urban to residential.
- **Parramatta/The Hills:** This proposal seeks to split The Hills LEP 2012 into two parts: one covering land that was absorbed by the City of Parramatta as a result of the Council Amalgamations and one covering the land that is still part of The Hills local government area.
- **Hawks Nest:** Seeks to rezone land and apply provisions that require consideration of wildlife corridors in the Hawks Nest town centre.

To access the LEP tracking system, visit the Department of Planning and Environment [website](#), go to Current Proposals and search for 'On Exhibition'. 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

- **Seniors Housing SEPP**

A change has been proposed to the state policy governing housing for seniors and people with a disability to address the practice of incremental expansion of land for seniors housing through Site Compatibility Certificates.

Comments close today, Friday 24 November.

[Read more and have your say >>](#)

- **Community engagement for Crown land**

The Department of Industry is seeking feedback on the draft Community Engagement Strategy for Crown land.

Submissions are invited until Sunday, 10 December 2017

[Read more and have your say >>](#)

- **Mamre Road upgrade**

Roads and Maritime Services is seeking feedback on the strategic design for this 10-kilometre upgrade in western Sydney.

Submissions are invited until Friday, 15 December 2017

[Read more and have your say >>](#)

- **Rail Trail Community Consultation**

The NSW Department of Premier and Cabinet is seeking input on the proposed closure of the rail corridor between Armidale and Wallangarra.

Submissions are invited until Friday, 22 December 2017

[Read more and have your say >>](#)

- **NSW National Parks System**

NSW National Parks invites feedback on the NSW National Parks System Directions Statement that will guide building the public national parks system.

Submissions are invited until Friday, 15 December 2017.

[Read more and have your say >>](#)

- **Biodiversity Conservation Investment**

The Office of Environment & Heritage seeks feedback on the Draft Biodiversity Conservation Investment Strategy 2017-2037 that will guide government investment in private land conservation.

Submissions are invited until Friday, 15 December 2017.

[Read more and have your say >>](#)

FEDERAL

- **Second Exposure Draft Carbon Credits (Carbon Framing Initiative)**

The *Carbon Credits (Carbon Farming Initiative) Act 2011* concerns the crediting of greenhouse gas abatement from emissions reduction activities across Australia.

Submissions are invited until Monday, 27 November 2017.

[Read more and have your say >>](#)

- **Regulation Impact Statement for a national phase out of PFOS**

The Department of the Environment and Energy has released a Regulation Impact Statement on options for a national phase out of perfluorooctane sulfonic acid and related chemicals, including its salts and perfluorooctane sulfonyl fluoride.

Submissions are invited until Monday, 26 February 2018

[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](#).

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](#).

Major Project proposals: Invitation to comment

- [Perisher Valley](#) - External and internal alterations at Kandahar Ski Club.
- [Macquarie University](#) - Modification to approved concept plan for the campus.
- [Archbold Road, Eastern Creek](#) - Deed of variation to the planning agreement providing that the Developer will make monetary contributions totalling

\$4,204,673.99 over 10 stages for the provision of designated State public infrastructure and services.

- [Forbes](#) - Development of a 50 MW photovoltaic solar farm and associated infrastructure.
- [Deniliquin](#) - Development of a 90 megawatt solar farm with energy storage and associated infrastructure.
- [Deniliquin](#) - Development of a 195 MW solar farm and associated infrastructure.
- [Thirlmere](#) - The Planning Agreement for 25 Dennis Street provides that the Developer will make a monetary contribution of \$9,264.00 per residential allotment.
- [Stockton Boat Harbour](#) - Redevelopment involving demolition of the existing boat harbour and jetty, reconstruction of revetment walls, installation of floating berths and maintenance dredging/excavation to improve existing navigational depths.
- [Lane Cove](#) - Replacement of existing advertising sign on the inbound (northern) side of Epping Road pedestrian bridge, near Johnston Crescent, with a new digital advertising sign.
- [Hornsby](#) - Stage 2 of the redevelopment of Ku-ring-gai Hospital, including: a new entry; new 12 bed Intensive Care Unit; four new 28 bed inpatient units; new and refurbished ambulatory care; extended Emergency Department; two new 28 bed rehabilitation wards; new mortuary; teaching and research facilities; administration space; and associated works.
- [Wollongong](#) - New four storey Arts and Social Sciences Building on the western side of the University of Wollongong campus.
- [Eveleigh of the Australian Technology Park](#) - demolition of existing modern infill fit-out elements.
- [Macquarie University](#) - Refurbishment of buildings W6A and W6B and construction of a new built-for-purpose museum building.
- [Ryde](#) - Construction of a new public school on the former Ryde High School site. Consisting of a new three-storey building including specific education facilities, library, school hall, out of school hours care facilities, offices for teaching and administration staff, Canteen; associated signage.
- [Kemps Creek](#) - Staged development of the Oakdale West Industrial Estate for a warehousing and distribution hub, including a Concept Proposal and Stage 1 Development Application comprising estate-wide earthworks, infrastructure and services and construction and use of warehouse buildings in proposed Precinct 1.
- [Art Gallery of NSW](#) - Construction of a new separate building over five levels (known as the 'Sydney Modern') to the north-east of the existing gallery incorporating the adaptive re-use of the former navy fuel bunker adjacent to Lincoln Crescent.
- [Willoughby](#) - Concept Plan for Residential Development with Ancillary Uses and Open Space
- [Narrabri to North Star](#) - Australian Rail Track Corporation Ltd (ARTC) is seeking approval to construct and operate the Narrabri to North Star section of Inland Rail.
- [Bexley North](#) - Conversion of existing signage to digital on a pedestrian bridge on Bexley Rd.

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

- [Hunter Valley, NSW](#) - Proposed modification of the conceptual mine plan for the Middle Liddell coal seam which would increase the dimensions of longwalls 15-17 and develop additional longwall panels.
- [Park Ridge, QLD](#) - A predominately residential development consisting of approximately 1,500 lots with a commercial precinct, open space, conservation and associated transport and stormwater infrastructure.

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](#).

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

EDO ACT: CEO/Principal Solicitor

EDO ACT is seeking a self-motivated person with a commitment to environmental protection to lead, direct and coordinate all aspects of their operations.

[Read more »](#)

Trees in Sydney's North – new clearing laws

In August this year, new laws came into effect for clearing trees and bushland in NSW, including the Greater Sydney area.

Emily Ryan, Outreach Director - Professional Programs at EDO NSW will speak on the night.

When: Thursday 30 November 2017 6:30 – 8:30pm

Where: Cheltenham Recreation Club, 60-74 The Cres, Cheltenham 2119

[Read more »](#)

Beyond the Climate Elephant

This Sydney Environment Institute and Sydney Ideas seminar explores the issue of climate change denial and the societal attributes that may contribute to moving from denial to public engagement.

When: Tuesday 28 November 2017 6:00 – 7:30pm

Where: Law School Foyer, Sydney Law School, University of Sydney

[Read more »](#)

Ending Fossil Fuels: Is It Possible?

Join writer George Monbiot (by video conference), global Director of 350.org May Boeve and Australian journalist Giles Parkinson (RenewEconomy) for a lively discussion, followed by audience questions.

When: Wednesday 29 November 2017 5:30 – 7:30pm

Where: Leighton Hall, John Niland Scientia Building, UNSW Kensington Campus

[Read more »](#)

***Rescheduled:* Public information sessions on proposed new system for managing and conserving Aboriginal cultural heritage**

These public workshops are being rescheduled to 2018, due to delays in the drafting of the legislation and to ensure that stakeholders have adequate time to examine the draft legislation prior to attending the workshops.

[Read more »](#)

Renewable Energy Day

Join one of two bus tours to visit renewable energy sites throughout the ACT and south east NSW region.

When: Saturday 25 November 2017 9am – 3:30pm

Where: ACT and southeast NSW

[Read more >>](#)

A Spring Day in the Gardens of Stone

A picnic to raise awareness of the Gardens of Stone reserve proposal.

When: Sunday 26 November 2017 11:00am - 2:30pm

Where: Top of the hill, State Mine Gully Rd, Newnes State Forest via Lithgow

[Read more >>](#)

Wild Law: The Theory and Practice of Earth Jurisprudence

A Summer School at Griffith University Law School.

When: Monday 27 November-Friday 1 December 2017

Where: Griffith University Nathan Campus, Brisbane

[Read more »](#)

Beyond Tokenism

Has the legal industry managed to go beyond tokenism and be truly LGBTQI-inclusive? Do we need to do more to promote LGBTQI inclusion initiatives within the industry?

Hear from the keynote speaker Hon. Michael Kirby AC, CMG, followed by drinks and canapés.

When: Wednesday 29 November 2017 starts 5:30pm

Where: Rooftop, Thomson Reuters, L6, 19 Harris St Pyrmont 2009

RSVP: shelley.mulhern@thomsonreuters.com

[Read more »](#)

EDO Insider – Protecting Sydney’s drinking water catchment

Join members of the legal team who ran EDO NSW’s [4nature vs Springvale mine](#) case, Barrister Nicholas Kelly and EDO NSW Senior Solicitor Rana Koroglu, to find out more about how the case was won, the precedent value of the judgment and the effect of the special legislation.

When: Friday 1 December 2017

Where: McCabes Lawyers, MLC Centre, 19 Martin Place, Sydney

[Read more »](#)

Adaminaby Private Land Conservation workshop

Free workshop in Adaminaby about: Traditional Ngarigo Culture, history, language and land management; Landscape connectivity and how you can contribute to conservation through the Land for Wildlife project; How to survey your land for native

and pest animals with infrared cameras, with an opportunity to borrow a camera from the 'Who's Living on my Land?' project.

This workshop is a collaboration of the National Parks Association of NSW and Kosciuszko 2 Coast.

When: Saturday 2 December 2017 10:00am – 3:30pm
Where: 22 York St, Adaminaby NSW 2629

The Biosphere Question – Sydney Ideas

Environmental historian and historical geographer **Jason W Moore** will challenge the theory and history offered by the most significant environmental concept of our times: the Anthropocene, literally the 'Age of Man'.

When: Thursday 7 December 2017 6:00 - 7:30pm
Where: Sydney Law School, University of Sydney

[Read more »](#)

Launch of the Women's Energy and Climate Law Network

The Women's Energy and Climate Law Network (WECLN) is a new network of female academics and practitioners working in the field of climate and energy law. The WECLN 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 an opportunity to input into future directions for the network.

When: Friday 8 December 2017 9:30am – 4:30pm followed by dinner
Where: Melbourne University Law School, 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 »](#)

Caring Better for the Seas – Sydney Ideas

This panel of academics and NGOs will look at diverse practices and politics of caring – from caring for Aboriginal and Torres Strait Sea countries, campaigns on fish and fishing, to how surfers navigate the necessity of caring for the ocean with a desire to preserve secret surf spots.

When: Monday 11 December 2017 5:00 – 6:30pm
Where: Foyer, Level 2 Sydney Law School, Eastern Avenue, 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 »](#)

Law Society of NSW Women's Mentoring Program 2018

The Law Society is looking for **mentees** and **mentors** for the **Women's Mentoring Program 2018**.

The program connects women in the profession with experienced law practitioners and leaders to support, encourage and promote their career progression through a mutually beneficial mentoring relationship. Applications close 17 January 2018.

[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 your support to help fund our programs and services.

Your help 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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