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### **EDO NSW EBULLETIN – 19 January 2018: Number 1039**

A free weekly bulletin that includes news, events, notices and opportunities for public comment. These are also listed on our website in [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**

#### **Sand quarry workshop at Lennox Head**



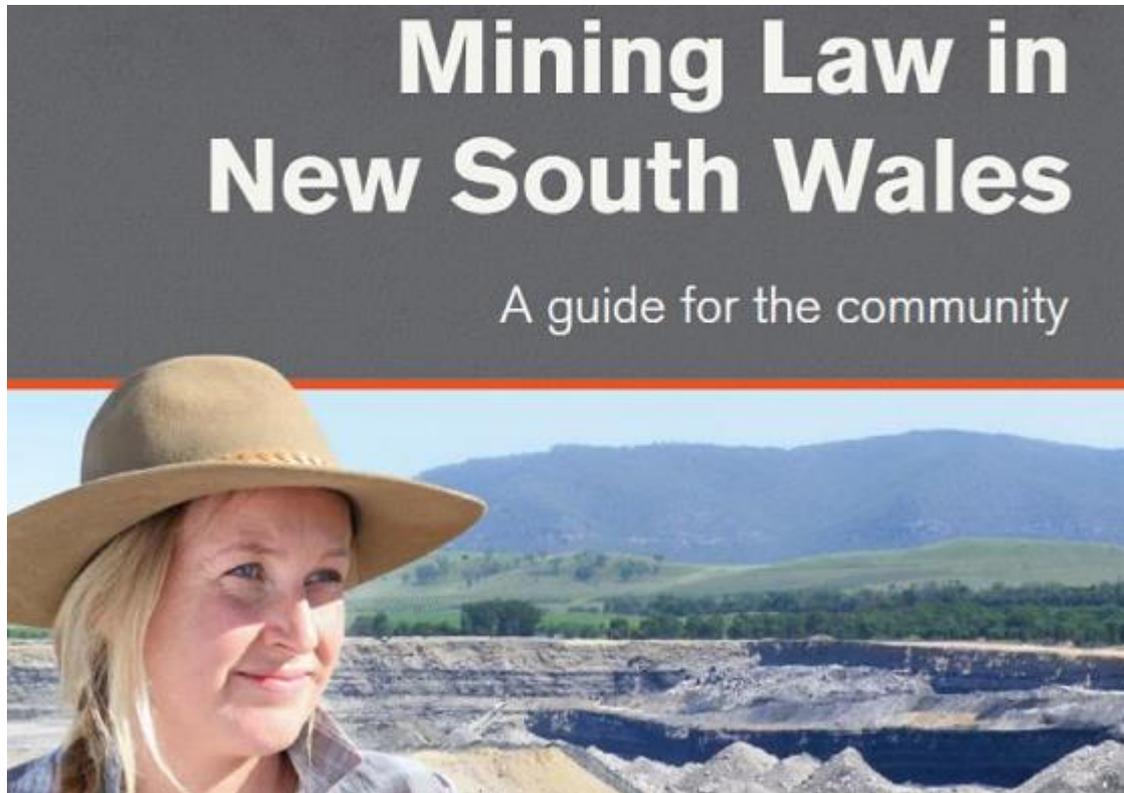
There was a strong turnout for our workshop in Lennox Head last night, run in conjunction with community group No Sand Mine for Lennox to discuss a proposal for a local sand quarry. EDO NSW's Northern Rivers solicitor Nina Lucas covered the development assessment process and what people can do to protect their environment both before and after developments are approved.

We regularly run workshops on environmental law and policy and can come to you for a Have Your Say workshop. Workshops are tailored to meet the needs of the participants, with emphasis on practical application.

[View content from past workshops »](#)

[Request a workshop »](#)

## EDO NSW legal guides



We produce many plain English educational materials explaining environmental law and policy and how the community can have their say in decision-making processes. All our publications are available for free download from our website.

Check out our guides to mining law; environmental law for rural landholders, Aboriginal communities and coastal communities; as well as a guide to pesticide use in the Northern Rivers.

[Legal guides »](#)

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## Court and Compliance Watch

### **Mining company fined for dust emissions**

The NSW Environment Protection Authority (EPA) has fined Hunter Valley Energy Coal Pty Ltd \$15,000 for producing excess dust at its Mount Arthur Coal Mine after a witness provided photographs of dust from the mine blowing across a public road.

Under a Pollution Reduction Program issued to all above ground mines by the EPA in 2014, they are required to implement best practice measures to reduce dust emissions, including using water carts and chemical dust suppression.

[Read more »](#)

## **South Australian guilty on 10 charges of wildlife crime**

A man has pled guilty to nine charges of possessing and one charge of importing illegal animal specimens listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

On 9 January, Mr Terry Dalkos was fined \$4,000 in the Magistrates Court of South Australia. He appeared on charges of possessing specimens of leopards, bears, lions, a gray wolf, a cheetah and an orangutan. He was also charged with importing the skull of a babirusa (deer pig).

The defendant also admitted to selling other CITES-listed specimens, including bears, a cheetah, lions, orangutans and primates.

Australia is a signatory to CITES and implements the Convention under its national environment law, the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

[Read more »](#)

## **Construction company fined for water pollution**

The EPA has fined John Holland Pty Ltd \$15,000 for polluting water in Deep Creek and the Coldstream River catchment near Grafton.

John Holland notified the EPA in October 2017 that a sediment basin at the construction site of the new Grafton Correctional Centre had failed following heavy rainfall. EPA officers found that John Holland had failed to implement critical elements of an Erosion and Sediment Control Plan, including failing to properly construct the sediment basins on site. These failures resulted in the uncontrolled discharge of highly turbid water into Deep Creek and the Coldstream River catchment.

[Read more »](#)

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## **Law Reform and Policy Watch**

### **Recent EDO submissions and reports**

- [Primary Production and Rural Development proposed SEPP](#) – EDO NSW submission
- [Draft Biodiversity Conservation Investment Strategy](#) – EDO NSW submission  
[Marine Diversity: Beyond National Jurisdiction](#) – HSI, EDO NSW, Australian Committee for IUCN
- [Draft Greater Sydney Region Plan](#) – EDO NSW submission to Greater Sydney Commission
- [Community Engagement Strategy under the Crown Land Management Act 2016](#) – EDO NSW submission
- [Review of Environmental and Planning Assessment Regulation 2000 \(Issues paper\)](#) – EDO NSW submission
- [Draft Marine Estate Management Strategy 2018-2028](#) – EDO NSW submission

- [Proposed adjustment to Sustainable Diversion Limit \(SDL\) Adjustment Mechanism](#) – EDO Australia submission
- [Protected Plant Sustainable Management Plans 2018-22](#) – EDO NSW submission

Find all our law reform submissions and briefing papers [on our website](#).

## Local Environmental Plan tracking

- *No new listings have been placed on exhibition since the last eBulletin.*

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.

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## Have Your Say Alerts – Opportunities to Comment

The eBulletin gives 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 seek your feedback on the effectiveness of Have Your Say. You can help us by [checking out the site](#) and [completing a short three-question survey](#).

## Consultations

- **Australia's Biodiversity Conservation Strategy**

Australia's Strategy for Nature has been revised to provide a long-term vision for the care and sustainable management of Australia's biodiversity from now until 2030.

Submissions are invited until Friday 16 March 2018.

[Read more and have your say »](#)

- **Feral Horse Strategic Action Plan, Alpine National Park**

Parks Victoria has developed the *Protection of the Alpine National Park - Feral Horse Strategic Action Plan 2018-2020*. The plan proposes a three-year program to reduce the impacts on natural and cultural values in the Alpine National Park by expanding the feral horse removal program.

Feedback is sought until Friday 16 February via a web survey and by submission.

[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.*
- **Nominations invited:** Nominations are invited for species, ecological communities or key threatening processes to be considered for listing under national environment law during the assessment period starting 1 October 2018. Nominations close at 5pm on Friday 30 March 2018. For further information, contact the Species Information and Policy Section, by email [epbc.nominations@environment.gov.au](mailto:epbc.nominations@environment.gov.au) or telephone (02) 6274 2535.

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 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

- **Newcastle** – Application to modify subdivision layout for residential subdivision in Fletcher.
- **Thredbo** – Application to upgrade an existing car park at Thredbo Alpine Resort.
- **Haymarket** – City West Link is applying to relocate an existing monopole digital advertising sign.
- **Redfern** – Application to modify an apartment project through the addition of two private rooftop terraces and associated minor design amendments.
- **Newcastle** – Application to install balustrading and an additional outdoor deck area, and expand trading hours at the Honeysuckle Hotel.
- **Perisher Valley** – The Kosciuszko Alpine Resorts group is proposing to undertake external alterations and additions to its property.
- **Thredbo** – Application to carry out external additions and alterations to an existing dwelling.

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**

- [Oakford, WA](#): proposal for the extraction of sand for commercial purposes, with clearing of 2.7ha of native vegetation within a 4.7ha disturbance footprint.
- [Perth, WA](#): proposal to supply and install a submarine fibre optic cable from Perth to Jakarta, Indonesia.
- [Rockhampton, QLD](#): proposal for the construction of the Clarke Creek Wind Farm comprising 195 turbines and associated infrastructure, with regions of Threatened Ecological Communities and flora and fauna species.
- [Newcastle, NSW](#): proposal to modify a Mining Project Approval to allow for the continuation of open cut mining at Bloomfield Colliery beyond the life of its current consent.

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](#). [Common Ground](#) is the NSW Government's online tool to help you find information about current exploration and mining activity in your area. 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**

### **Upper Hunter Air Quality Advisory Committee**

The NSW Environment Protection Authority (EPA) is seeking community representatives for the Upper Hunter Air Quality Advisory Committee.

Nominations must be lodged by 5pm on Thursday 25 January 2018.

[More details »](#)

## **Imagining a Different Future – Overcoming Barriers to Climate Justice**

This multidisciplinary conference will examine the barriers to responding to climate change and implementing climate justice and propose ways forward.

When: Thursday 8-Saturday 10 February 2018

Where: University of Tasmania, Hobart

[More details »](#)

## **2018 Environmental Law Symposium**

The Legal Practice Section of the Law Council of Australia will be hosting the 2018 Environmental Law Symposium at the NSW Law Society. The event will include a special presentation honouring the contribution of Justice Murray Wilcox AO QC to environmental jurisprudence in Australia.

When: Thursday 19 April 2018 11:45am – late (dinner)

Where: NSW Law Society 170 Phillip St Sydney

[Read more »](#)

## **2018 Mahla Pearlman Oration**

The Legal Practice Section and the Environment and Planning Law Association of NSW will be co-hosting this event. The oration will be delivered by former Chief Justice of the High Court, the Honourable Robert French AC, who will be introduced by Justice Pepper.

The oration will also include the presentation of the Mahla Pearlman Australian Young Environmental Lawyer of the Year Award.

When: Thursday 19 April 2018 5:00pm – 7:00pm

Where: Federal Court of Australia, Sydney

[Read more »](#)

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## **Support EDO NSW**

### **We need your help to keep defending our environment**

EDO NSW has been providing critical legal support to communities for over 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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