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EDO NSW EBULLETIN – 27 April 2018: Number 1053

A free weekly bulletin that includes news, events 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

Groundswell Gloucester



On Monday the Land and Environment Court agreed to our client, community group Groundswell Gloucester, participating in a merit review which will determine the fate of the Rocky Hill Coal project, a greenfield open cut coal mine at Gloucester.

During a full-day hearing on Friday last week, Gloucester Resources Limited strongly opposed Groundswell Gloucester's application to join the case, arguing the Court should not hear from climate science and social impact experts in considering whether to approve the mine.

[Read more >>](#)

When will Australia's environmental laws have their ball tampering moment?



Bleached coral, Keppel Islands. Creative Commons.

A rhetorical remark at the recent Better Laws for a Better Future symposium stuck in David Morris' mind. What will it take to jolt Australians out of our comfortable inertia when it comes to our national environmental laws? Our appalling record on land clearing, our position as a nation with the worst extinction record for mammals, not even the devastating coral bleaching of the Great Barrier Reef, has caused the requisite public outcry over our inept environmental laws.

In this blog post, David proposes a new way of framing how we advocate for new environmental laws – based on fairness.

[Read the post >>](#)

EDO NSW in the news

- [Gloucester mine appeal](#) – Prime7 news
- [Groundswell Gloucester part of defence against Rocky Hill Mine in LEC](#)
- [Ballina Shire Council accused of failing to protect old fig tree](#)
- [Community gets a say in Court review of Gloucester coal mine](#)

Save the date for our Gala dinner



This year's Gala will be held on Thursday 6 September at the Ivy Ballroom and we'd love you to be there!

Further details to come, so watch this space or get in touch via [email](#) or phone (02) 9262 6989.

Court and Compliance Watch

- No new cases this week.

Law Reform and Policy Watch

Recent EDO submissions and reports

- [NSW Water Reform Action Plan](#) – EDO NSW submission
- [Murray-Darling Basin Plan: 5 year assessment](#) – EDOs of Australia submission
- [Draft Aboriginal Cultural Heritage Bill 2018 \(NSW\)](#) – EDO NSW submission
- [Draft Revision of the Biodiversity Conservation Strategy](#) – EDOs of Australia submission
- [NSW Regional Forests Agreements \(Renewal\)](#) – EDO NSW submission
- [Ancillary rules for use of mine site ecological rehabilitation as an offset](#) – EDO NSW submission
- [Improving Mine Rehabilitation in NSW](#) – EDO NSW submission
- [NSW Regional Forests Agreements \(Review\)](#) – EDO NSW submission
- [Draft VLAMP and Mining SEPP](#) – EDO NSW submission
- [Draft Large Scale Solar Energy Guidelines](#) – EDO NSW submission

- [New State Environmental Planning Policy \(Environment\)](#) – EDO NSW submission
- [Water Use by Extractive Industry](#) – EDOs of Australia submission
- [Primary Production and Rural Development proposed SEPP](#) – EDO NSW submission

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

Local Environmental Plan tracking

- [Yass Valley](#): amend Yass Valley LEP 2013 to permit highway service centres in IN1 General Industrial Zone.
- [Edward River](#): Rezone land at Barham Road Deniliquin from RU1 Primary Production to IN1 General Industrial.
- [Blacktown](#): Rezone land at Altrove Estate Schofield to R2 and R3.
- [The Hills](#): Rezone land in Castle Hills North Precinct from R1 General Residential and R2 Low Density Residential to R1 General Residential, R3 Medium Density Residential and R4 High Density Residential, applying minimum lot size of 1800m² across the precinct; varying maximum floor space ratio standards and maximum height of buildings; and amending clauses 4.4 and 7.7 in respect to floor space ratios and Design Excellence.
- [Coffs Harbour](#): Rezone lands at Hearnese Lake, Sandy Beach, Emerald Beach, Moonee Beach and Sapphire Beach areas.
- [Sutherland](#): Amend Sutherland Shire LEP 2015 to introduce minimum lot size for dual occupancy and multi dwelling development in R2 Low Density Residential and E4 Environmental Living zones.

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

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](#).

Our online resource [also helps the community to effectively engage](#) with decision-makers and [request a workshop](#) for your community.

Consultations

- **Sydney Football Stadium**

Community information sessions on the proposed demolition and rebuild of Sydney Football Stadium at Moore Park.

Sessions will take place on Thursday 3 May, Tuesday 8 May and Saturday 12 May.

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

- **ADI land St Marys**

Proposed amendments to the development of the former Australian Defence Industries land at St Marys mainly relate to the Central Precinct and Regional Park. These are: rezoning of approximately 38.4 ha of land from Employment to Urban; revising the size and location of land zoned Drainage; rezoning of approximately 1.2 ha of land within Jordan Springs in the western precinct from Urban to Regional Park that is currently identified for use as Local Open Space.

Have your say until 11 May 2018.

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

Trade in Elephant Ivory and Rhino Horn

The Commonwealth Parliamentary Joint Committee on Law Enforcement has initiated an inquiry into the trade in elephant ivory and rhino horn. The committee invites individuals and organisations to send in their opinions and proposals in writing.

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

- **Sydney Metro West**

Transport for NSW is seeking feedback on the study area for Sydney Metro West, an underground rail link connecting Parramatta to the Sydney CBD.

There will be community information sessions held around the metropolitan area:

- Sydney Olympic Park – 3 May
- Pyrmont – 5 May

Submissions close on 18 May 2018.

[Read more and have your say »](#)

- **Western Sydney Long Term Strategic Transport Corridors**

Transport for NSW is seeking feedback on the Strategic Environmental Assessments that set out the strategic justification for four Western Sydney corridors.

There will be community drop-in sessions held around Western Sydney:

- Camden – 1 May
- Guildford – 3 May
- Berkshire Park – 8 May
- St Marys – 14 May
- Oakville – 16 May

Submissions close on 18 May 2018.

[Read more and have your say »](#)

Draft Code of Practice Authorising Flying Fox Camp Management Actions

Flying-foxes are protected in NSW by the *Biodiversity Conservation Act 2016*. Currently, public land managers need a biodiversity conservation licence to act in or near flying-fox camps to reduce the impact of camps on nearby communities. The Office of Environment and Heritage has prepared a draft code of practice defining the standards required for the effective and humane management of flying-fox camps. If actions required by councils and other public land managers to manage a flying-fox camp are consistent with the code, then a licence will not be required.

Feedback can be submitted until 24 May 2018.

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

Highway Upgrade Mudies Creek

The proposed upgrades are on the Golden Highway, between Whittingham and Dubbo. The proposal involves building a new 30-metre long bridge over Mudies Creek that would be three metres higher than the current road level. A six-kilometre section of the highway between Whittingham and Mount Thorley will be upgraded, including providing a smoother road surface, wider road shoulders, five metre clear zones, safety barriers, and overtaking lanes in both directions.

Feedback can be submitted until 9 May 2018.

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

Companion Animals Regulation 2008 Review

The *Companion Animals Regulation 2008* provides key information about how pet cats and dogs (companion animals) are identified, registered and managed in NSW. Two separate consultations are being undertaken as part of the regulation review. In 2017, feedback was gathered on a discussion paper which identified a number of focus areas where the current regulation could be updated and improved. Responses to the paper informed development of a draft regulation and a Regulatory Impact Statement (RIS).

Submissions responding to both of these are invited until 22 May.

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

Highway upgrade Winery Hill

The project involves upgrading a 2km section of highway near Ogilivies Hill and a 7km section of highway between Bowmans Crossing and Sadlers Creek at Winery Hill. The works include building overtaking lanes in both directions, rebuilding and realigning the road, widening road shoulders, drainage improvements and providing five metre clear zones along sections of the highway.

Submissions can be made until 9 May 2018.

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

Strata Building Bond Scheme changes

The NSW Government is proposing changes to Part 11 of the *Strata Schemes Management Act 2015* which introduced the Strata Building Bond and Inspections Scheme.

The proposed amendments seek to enhance the ability of Fair Trading to verify the building contract price, on which the 2% building bond is based, and to clarify the role of the building inspector in the scheme.

Email submissions can be made until 11 May 2018.

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

Threatened Species and Endangered Ecological Community Listings

- [*Dasyercus cristicauda* \(crest-tailed mulgara\)](#) – proposal to delete from threatened species list.
- [*Pseudantechinus mimulus* \(Carpentarian antechinus\)](#) – proposal to delete from threatened species list
- [*Mesembriomys macrurus* \(golden backed tree rat\)](#) - proposal to delete from threatened species list

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

- [South Australian Beach-cast Marine Algae Fishery](#) - This fishery is due for assessment for ongoing export accreditation. Submissions for this proposal are invited until 17 May 2018.

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 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

- [Bomen Solar Project](#) – Development of a large-scale solar photovoltaic (PV) generation facility and associated infrastructure with an estimated capacity of 120 megawatts (MWdc) and a battery storage system.
- [Gregadoo Solar](#) – Development of 45MW solar farm and associated infrastructure.
- [ASICS facility Marsden Park](#) - Construction and operation of a warehouse and distribution facility, with showroom and retail outlet, ancillary office car parking and supporting infrastructure and services.
- [St Aloysius' College](#) - Concept proposal for the staged redevelopment of the junior, senior and main campuses including alterations and additions, internal refurbishment, new teaching and learning spaces and new sports facilities.
- [Schofields Public School](#) - Redevelopment comprising demolition of existing buildings, tree removal and construction of a new two storey school building, internal refit of heritage school building and hall, associated landscaping and open space and school signage.
- [Sydney University Darlington](#) - Redevelopment of the Engineering Building and Engineering Link Building
- [Nukalba, Cessnock](#) - The Developer will make a monetary contribution of \$82,103 per net developable area for the purposes of provision of designated State public infrastructure
- [Campbell's Stores, The Rocks](#) - The discovery of State significant archaeological material within the Bay 12 area at the northern end of Campbell's Stores has necessitated a redesign of the previously approved landscaped terrace, outdoor dining area and associated awning, basement, services and drainage so that so that the remains can be conserved in situ.
- [IMAX redevelopment](#) – modify approved Ribbon building, including amendments to tower envelope and facades, reconfiguration of hotel swimming pool facilities, internal floor plan changes, additional signage size and external facade lighting; extend construction hours between midnight and 6 am, Mondays to Saturdays (excluding use of high noise generating appliances) allowing deliveries and waste removal.
- [Glebe Island](#) - Construction and operation of a new aggregate handling and concrete batching facility with the capacity to produce up to 1 million cubic metres of concrete per annum and operate 24 hours a day, seven days per week.

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 VOLUNTEER

- [Warner, Qld](#): proposed residential development in known koala habitat.
- [Galilee Basin Qld](#): Alpha North Coal Mine Project with a development footprint of 144,000 ha.
- [Kingvale Station, Laura, Qld](#): Clearing of vegetation for agriculture.
- [Fremantle, WA](#): Adaptive reuse of two heritage warders cottages.

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 VOLUNTEER

- *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](#).

Community News

Accelerate Climate Action: Bill McKibben

Bill McKibben is coming back to Australia as part of a global effort to accelerate climate action.

When: Tuesday 1 May 6:00pm
Where: Lower Town Hall Sydney

[Read more >>](#)

Narratives of Climate Change Symposium

This will be an interdisciplinary collaboration inspired by the possibility that the gap between scientific knowledge and effective political, legal and social action can be bridged by alternative forms of narrative, including fiction, social and other media, performances of all types, visionary planning and innovative litigation.

When: Thursday 5 – Friday 6 July 2018
Where: Newcastle Law School, 409 Hunter St, Newcastle

[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 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 »](#)

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