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EDO NSW EBULLETIN – 4 May 2018: Number 1054

A free weekly bulletin that includes news, policy submissions 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

Seeking access to information on Shenhua buy-back



EDO NSW is representing the Lock the Gate Alliance in proceedings that will ask the NSW Civil and Administrative Tribunal to release information held by the NSW Government relating to the buy-back of the coal exploration licence for the Shenhua Watermark mine on the Liverpool Plains.

Secretive dealings between Shenhua and the NSW Government resulted in the 2017 buy-back of around 51% of the exploration licence, which covered the highly fertile black soils of the Liverpool Plains, at the cost of \$262 million to the public.

[Read more about this case >>](#)

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



Bleached coral, Keppel Islands. Creative Commons.

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 the 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, EDO NSW CEO David Morris proposes a change in the way we frame advocacy for new environmental laws – based on fairness.

[Read the post >>](#)

EDO NSW in the news

- [Australia gets UN to delete criticism of Murray-Darling Basin plan from report](#)

Save the date for our Gala dinner



This year's Gala will be held on Thursday 6 September at the Ivy Ballroom. Further details to come, so watch this space or get in touch via [email](#) or phone (02) 9262 6989.

Court and Compliance Watch

Fine for failing to respond to statutory notices

The NSW Environment Protection Authority (EPA) has fined demolition and excavation company TROB Civil Pty Ltd \$4500 for failing to respond to statutory notices following an illegal dumping incident.

In September 2017, the EPA commenced an investigation in relation to illegal dumping of approximately 30 truckloads of construction and demolition waste at Austral.

TROB Civil failed to respond by the due date to three notices requesting information and records.

[Read more >>](#)

\$15,000 fine for dumping waste soil

The EPA has fined J.D. Concrete Pty Ltd \$15,000 for dumping waste soil on a property in Vineyard.

In November 2017, Hawkesbury City Council officers observed a truck dumping soil-like material at an Old Hawkesbury Road property. Further inspections revealed the material contained building and demolition waste, and the receiving property did not have the appropriate approvals to receive this.

EPA officers also inspected the site and collected fibro cement fragments that were analysed and tested positive for the presence of asbestos.

[Read more >>](#)

Law Reform and Policy Watch

Inquiry into Commonwealth environmental water

EDOs of Australia has made a submission to the federal House of Representatives Inquiry into the management and use of Commonwealth environmental water.

We have considerable concerns regarding the current management of environmental water. A key rationale of the Basin Plan was to restore the Murray-Darling Basin to health. Recovering water for the environment is absolutely essential as a healthy system underpins healthy regional communities and economies. Despite this imperative, the benefits of the water recovered for the environment to date have been undermined by insufficient protection of environmental flows. This relates to our overarching concern regarding the failure of the Commonwealth and certain Basin States to actively ensure we have a scientifically rigorous, risk-based approach to the management of the Basin's variable and scarce water resources, underpinned by strong laws.

[Read more and download our submission >>](#)

Natural Resources Access Regulator Act 2017 (NSW)

This Act establishes the Natural Resources Access Regulator, including transferring staff and regulatory functions from WaterNSW.

[Certain provisions commenced on 30 April.](#)

Initial functions, under the Water Management Act 2000, are [listed in Schedule 2](#).

Recent EDO submissions and reports

- [Inquiry into the management and use of Commonwealth environmental water](#) – EDOs of Australia submission
- [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

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

Local Environmental Plan tracking

- [Woollahra](#): Planning proposal for Ian Street and Wilberforce Avenue car parks, Rose Bay.
- [Blacktown](#): Amendment to SEPP (Sydney Region Growth Centres) - Grange Avenue, Marsden Park (6 dwellings).

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 – 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 will take place on Tuesday 8 May and Saturday 12 May.

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

- **Murray-Darling Basin Royal Commission**

The South Australian Royal Commission has published a second Issues paper and invites comment. Paragraph 91 of the paper invites specific written submissions in relation to the matters discussed therein, to be provided by 1 June 2018.

Submissions can be [uploaded to the website](#) or emailed to

mdbroyalcommission@mdbrc.sa.gov.au.

- **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:

- Berkshire Park – 8 May
- St Marys – 14 May

- Oakville – 16 May

Submissions close on 18 May 2018.

[Read more and have your say »](#)

- Gosford Urban Design and Implementation Framework

The Government Architect has placed a series of reports on public exhibition concerning the revitalisation of Gosford City Centre.

Make your submission by 5pm Friday 4 May 2018.

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

- **Morriset intersection**

Installing traffic lights at the intersection of Macquarie St and Fishery Pt Rd, widening the road to provide additional turning lanes and installing raised concrete median on Macquarie St.

Provide feedback by Friday 11 May 2018.

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

- **Intersection upgrade Lochinvar**

Roads and Maritime Services has prepared a design to install traffic lights at the New England Highway and Wyndella Road intersection to accommodate access from the highway into the new residential area.

The proposal includes installing traffic lights, road widening, building part of the future 'Southern Ring Road' opposite Wyndella Road and providing facilities for buses, cyclists and pedestrians.

Provide feedback by Friday 18 May 2018

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

- **Kamay Botany Bay National Park Kurnell**

The National Parks and Wildlife Service is seeking feedback on the draft master plan for Kamay Botany Bay National Park at Kurnell. The Master Plan will see the implementation of new visitor infrastructure and facilities and will support an increase in visitor capacity.

Feedback is open until Thursday 2 August 2018

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

Threatened Species and Endangered Ecological Community Listings

- [Habitat degradation and loss by Feral Horses, *Equus caballus*](#) – proposed key threatening process listing. On public exhibition until 22 June 2018

- [Homoranthus bebo, a shrub](#) – proposed critically endangered species listing. On public exhibition until 22 June 2018.

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

- [Queensland Coral Fishery](#) – This fishery is due for assessment for ongoing export accreditation. The call for public comments is open until 13 June 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

- **Kamay Botany Bay National Park**

This plan has been prepared using a new format which is presented as two separate documents:

- The plan of management is the 'legal' document that will be provided to the Minister for formal adoption. This is the document seeking feedback.
- The planning considerations document is a supporting document that includes detailed information on park values (e.g. threatened species and cultural heritage) and threats to these values. A summary of this information is provided in the plan of management.

Comments close 2 August 2018.

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

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

- [Marsden Park Amended Winten Planning Agreement](#) – Development contribution comprising the dedication of Education land and payment of Education Cash Contribution.
- [Australian Technology Park](#) – Amendments to the internal configuration of Building 2.
- [Australian Technology Park](#) – Amendments to the exterior of Building 1.

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

- [Flagstone Central to Cedar Grove, Qld](#): Proposed construction of 8.5km wastewater conveyance system involving clearing of mapped koala habitat.
- [Cataby, WA](#): proposal to clear vegetation to undertake a 3D seismic survey for mineral, oil and gas exploration
- [Thornlie-Cockburn Rail Link Project, WA](#): proposal to implement Stage 1 of the WA Government's METRONET for Perth's transport network, involving clearing of black cockatoo habitat.

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](#).

Community News

Including Health in Land-Use Planning Policy-Making: People, Ideas, Systems and Politics

Dr Patrick Harris of the Menzies Centre for Health Policy will present a lunchtime seminar on a four year research program investigating the inclusion of health at multiple levels of the NSW land use planning system: legislative reform, strategic city planning, and environmental assessments of mega-infrastructure (transport and mining) projects.

When: Tuesday 22 May 12noon – 1:00pm

Where: Seminar Room Level 6 Charles Perkins Centre, University of Sydney

[Find out 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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