



New South Wales

State Environmental Planning Policy No 67—Macquarie Generation Industrial Development Strategy

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979* in accordance with the recommendation made by the Minister for Urban Affairs and Planning.

ANDREW REFSHAUGE, M.P.,

Minister for Urban Affairs and Planning

2001 No 269

State Environmental Planning Policy No 67—Macquarie Generation Industrial Development Strategy

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State Environmental Planning Policy No 67—Macquarie Generation Industrial Development Strategy

Part 1 Preliminary

1 Name of Policy

This Policy is *State Environmental Planning Policy No 67—Macquarie Generation Industrial Development Strategy*.

2 Aims, objectives etc

The aims of this Policy are:

- (a) to promote and co-ordinate the orderly and economic development of certain land in the local government areas of Muswellbrook and Singleton (the Macquarie Generation Buffer Land), and
- (b) to facilitate the carrying out of certain types of industrial development of State significance within the Macquarie Generation Buffer Land with a strong commitment to sustainable environmental performance, and
- (c) to enable public involvement and participation in the assessment of applications for consent to carry out this development.

3 Definitions

- (1) In this Policy:

Macquarie Generation Buffer Land means the land shown by heavy black edging on the map.

the Act means the *Environmental Planning and Assessment Act 1979*.

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Part 1 Preliminary

the map means the map marked “Environmental Planning and Assessment Act 1979 State Environmental Planning Policy 67 Macquarie Generation Industrial Development Strategy” deposited in the office of the Department of Urban Affairs and Planning.

(2) Notes in this Policy do not form part of it.

4 Land to which this Policy applies

This Policy applies to the Macquarie Generation Buffer Land.

5 Relationship with other environmental planning instruments

- (1) If any other environmental planning instrument, whether made before or after this Policy, contains provisions that are inconsistent with this Policy, this Policy prevails to the extent of any inconsistency, subject to this clause.
- (2) Nothing in this Policy affects *State Environmental Planning Policy No 4—Development Without Consent*.

Part 2 Development controls

6 Carrying out of certain development with consent

A person may, with the consent of the consent authority, carry out development specified in Schedule 1 on the land to which this Policy applies.

7 State significant development

Development specified in Schedule 1 is State significant development.

Note. Pursuant to section 76A (9) of the *Environmental Planning and Assessment Act 1979*, the Minister for Urban Affairs and Planning is the consent authority for State significant development.

8 Notice of development applications to be given to Councils

The consent authority:

- (a) must forward a copy of a development application to carry out development specified in Schedule 1:
 - (i) to the Muswellbrook Shire Council, if the development, or any part of it, is proposed to be carried out in the Council's area, or
 - (ii) to the Singleton Shire Council, if the development, or any part of it, is proposed to be carried out in the Council's area,or to both Councils, as the case may require, within 7 days after it is received, and
- (b) must not determine the development application until:
 - (i) it has received and considered the views of the relevant Council, or Councils, with respect to the application, or
 - (ii) the relevant Council has, or the Councils have, informed the consent authority that it does not, or that they do not, wish to make any representations concerning the application, or
 - (iii) 21 days have elapsed since the date on which the copy of the application was forwarded to the relevant Council or Councils.

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Part 2 Development controls

9 Additional matters to be considered by consent authority

In determining a development application, the consent authority must take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- (a) the cumulative air and other environmental impacts of the development and any other development (including the power stations) on the land to which this Policy applies,
- (b) the minimisation of truck movements and the feasibility of utilising transport by rail,
- (c) the efficiency of the utilisation of resources, including energy, water and raw materials,
- (d) the minimisation and management of waste,
- (e) the minimisation of visual impacts, including the restoration of native vegetation,
- (f) the likely effects of the development on local and regional societies and economies,
- (g) any submissions made to the consent authority concerning the development by any member of the public.

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Development with consent

Schedule 1

Schedule 1 Development with consent

(Clauses 6, 7 and 8)

Development for the purposes of:

- (a) a chemical sodium chlorate plant, and
- (b) the installation of utilities that are incidental to such a plant.