



New South Wales

# **State Environmental Planning Policy (Mining and Infrastructure) Amendment 2010**

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*. (10/08793)

TONY KELLY, MLC  
Minister for Planning

## **State Environmental Planning Policy (Mining and Infrastructure) Amendment 2010**

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### **1 Name of Policy**

This Policy is *State Environmental Planning Policy (Mining and Infrastructure) Amendment 2010*.

### **2 Commencement**

This Policy commences on the day on which it is published on the NSW legislation website.

### **3 Repeal of Policy**

- (1) This Policy is repealed on the day following the day on which this Policy commences.
- (2) The repeal of this Policy does not, because of the operation of sections 5 (6) and 30 of the *Interpretation Act 1987*, affect any amendment made by this Policy.

**Schedule 1      Amendment of State Environmental  
Planning Policy (Mining, Petroleum  
Production and Extractive Industries)  
2007**

**[1]      Schedule 1 Prohibited development**

Insert “City” after “Lake Macquarie” wherever occurring.

**[2]      Schedule 1**

Omit “and publicly available on the Department’s website”.

**[3]      Schedule 1**

Insert at the end of the Schedule:

Extractive industries within the area identified on the map marked “State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007—Map 2—Gosford City” (being a map that is approved and signed by the Minister and copies of which are deposited in the head office of the Department).

Open cut mining within the area identified on the map marked “State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007—Map 3—Upper Hunter Shire” (being a map that is approved and signed by the Minister and copies of which are deposited in the head office of the Department).

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State Environmental Planning Policy (Mining and Infrastructure)  
Amendment 2010

Schedule 2      Amendment of State Environmental Planning Policy (Infrastructure) 2007

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### **Schedule 2      Amendment of State Environmental Planning Policy (Infrastructure) 2007**

**[1] Part 3, Division 16, heading**

Insert “**and monitoring**” after “**Research**”.

**[2] Clause 90 Definitions**

Insert in alphabetical order:

*monitoring station* means a facility operated for the principal purpose of monitoring weather, noise, air, water, groundwater or environmental impacts.

**[3] Clause 92 Development permitted without consent**

Insert at the end of clause 92:

- (2) Development for the purpose of a monitoring station (other than development to which clause 92A applies) may be carried out by or on behalf of a public authority without consent on any land.

**[4] Clause 92A**

Insert after clause 92:

**92A Exempt development**

Development for the purpose of a monitoring station is exempt development if it complies with clause 20 (2) (Exempt development) and is carried out on land within a prescribed zone.