



New South Wales

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) Amendment (Coal Seam Gas) 2014

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*.

BRAD HAZZARD, MP
Minister for Planning and Infrastructure

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) Amendment (Coal Seam Gas) 2014

under the

Environmental Planning and Assessment Act 1979

1 Name of Policy

This Policy is *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) Amendment (Coal Seam Gas) 2014*.

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- (1) This Policy is repealed on the day following the day on which this Policy commences.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.

4 Maps

Each map adopted by *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007* that is specified in Column 1 of the following table is declared by this Plan to be amended or replaced, as the case requires, by the map specified opposite in Column 2 of the table as approved by the Minister on the making of this Plan:

Column 1	Column 2
Name of map being amended or replaced	Name of amending or replacement map
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map - Upper Hunter (SEPP_MPEI_UH_STA_002_320_20130228)	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map - Upper Hunter (SEPP_MPEI_UH_STA_002_320_20131213)
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map - Upper Hunter (SEPP_MPEI_UH_STA_003_320_20130228)	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map - Upper Hunter (SEPP_MPEI_UH_STA_003_320_20131213)
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map - Upper Hunter (SEPP_MPEI_UH_STA_004_320_20130228)	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map - Upper Hunter (SEPP_MPEI_UH_STA_004_320_20131213)

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State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map - Upper Hunter (SEPP_MPEI_UH_STA_007_320_20130228)	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map - Upper Hunter (SEPP_MPEI_UH_STA_007_320_20131213)
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_001_160_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_002_160_20131218)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_003_160_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_004_160_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_005_160_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_006_160_20131218)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_007_160_20131218)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_008_160_20131218)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_009_320_20131218)

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	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_010_320_20131218)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_011_320_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_012_320_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_013_320_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_014_320_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_015_160_20131218)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_016_160_20131218)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_017_160_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_018_320_20131213)
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	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_020_320_20131213)
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	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_024_320_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_025_320_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_026_320_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_027_320_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_028_160_20131218)
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	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_030_320_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_031_320_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_032_320_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_033_320_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_034_320_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_035_320_20131218)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_036_320_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_037_320_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_038_320_20131213)
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	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_040A_180_20131218)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_040B_180_20131218)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_040C_180_20131218)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_040D_180_20131218)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_041_320_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_042_160_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_043_160_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_044_160_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map (SEPP_MPEI_STA_045_160_20131213)
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<p>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Future Residential Growth Areas Land Map (SEPP_MPEI_RGA_001_20130301)</p>	<p>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Future Residential Growth Areas Land Map (SEPP_MPEI_RGA_001_20131213)</p>
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	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Future Residential Growth Areas Land Map (SEPP_MPEI_RGA_011_20131213)
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	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Future Residential Growth Areas Land Map (SEPP_MPEI_RGA_022_20131213)
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	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Future Residential Growth Areas Land Map (SEPP_MPEI_RGA_030_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Future Residential Growth Areas Land Map (SEPP_MPEI_RGA_031_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Future Residential Growth Areas Land Map (SEPP_MPEI_RGA_032_20131213)
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	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Future Residential Growth Areas Land Map (SEPP_MPEI_RGA_039_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Future Residential Growth Areas Land Map (SEPP_MPEI_RGA_040_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Future Residential Growth Areas Land Map (SEPP_MPEI_RGA_041_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Future Residential Growth Areas Land Map (SEPP_MPEI_RGA_042_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Future Residential Growth Areas Land Map (SEPP_MPEI_RGA_043_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Future Residential Growth Areas Land Map (SEPP_MPEI_RGA_044_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Future Residential Growth Areas Land Map (SEPP_MPEI_RGA_045_20131213)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Future Residential Growth Areas Land Map (SEPP_MPEI_RGA_046_20131213)

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	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Future Residential Growth Areas Land Map (SEPP_MPEI_RGA_048_20131218)
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Future Residential Growth Areas Land Map (SEPP_MPEI_RGA_049_20131213)

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

[1] Clause 3 Interpretation

Insert in alphabetical order in clause 3 (2):

additional rural village land means land identified on the Additional Rural Village Land Map as “additional rural village land”.

Additional Rural Village Land Map means the State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Additional Rural Village Land Map.

[2] Clause 3 (2)

Omit the note to the definition of *Future Residential Growth Areas Land Map*.

[3] Clause 3 (2), definition of "Strategic Agricultural Land Map"

Omit “Map.”.

Insert insert instead “Map, the State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map—New England North West Region and the State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 Strategic Agricultural Land Map—Upper Hunter Region.”.

[4] Clause 9A Coal seam gas development prohibited in certain exclusion zones

Omit clause 9A (5). Insert instead:

(5) In this clause:

buffer zone means land that is not within a coal seam gas exclusion zone, but is within 2 kilometres of the following land:

- (a) land within a residential zone,
- (b) future residential growth area land,
- (c) additional rural village land.

Note. There is no buffer zone surrounding critical industry cluster land.

coal seam gas exclusion zone means any of the following areas of land:

- (a) land within a residential zone,
- (b) future residential growth area land,
- (c) additional rural village land,
- (d) critical industry cluster land.

[5] Clause 20 Savings and transitional—coal seam gas development in certain exclusion zones

Insert after clause 20 (1):

(1A) Clause 9A does not prohibit the carrying out of the following coal seam gas development:

- (a) development that is a transitional Part 3A project (within the meaning of Schedule 6A to the Act), but only if:
 - (i) the project was approved (whether before or after the repeal of Part 3A) or is the subject of an approved concept plan (whether

- approved before or after the repeal of Part 3A) before the commencement of that clause, and
- (ii) the carrying out of the development complies with the conditions of the approval of the approved project or the approved concept plan (as in force on the commencement of that clause),
 - (b) development for which development consent has been granted before the commencement of that clause, but only if the carrying out of the development complies with the conditions of the development consent (as in force on the commencement of that clause).

[6] Clause 20 SEPP to be reviewed by Minister

Renumber the clause as clause 20A.

Schedule 2 Amendment of State Environmental Planning Policy (State and Regional Development) 2011

[1] Clause 8 Declaration of State significant development: section 89C

Omit clause 8 (2). Insert instead:

- (2) If a single proposed development the subject of one development application comprises development that is only partly State significant development declared under subclause (1), the remainder of the development is also declared to be State significant development, except for:
 - (a) so much of the remainder of the development as the Director-General determines is not sufficiently related to the State significant development, and
 - (b) coal seam gas development on or under land within a coal seam gas exclusion zone or land within a buffer zone (within the meaning of clause 9A of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*).

[2] Schedule 1 State significant development—general

Insert after clause 6 (4):

- (4A) This clause does not apply to coal seam gas development on or under land within a coal seam gas exclusion zone or land within a buffer zone (within the meaning of clause 9A of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*).