



New South Wales

State Environmental Planning Policy Amendment (Gas Exploration and Mining) 2014

under the

Environmental Planning and Assessment Act 1979

His 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*.

PRU GOWARD, MP
Minister for Planning

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1 Name of Policy

This Policy is *State Environmental Planning Policy Amendment (Gas Exploration and Mining) 2014*.

2 Commencement

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

3 Amendment of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007—gas exploration

Clause 7 Development permissible with consent

Omit clause 7 (2) (f) and (g) and (2A).

4 Amendment of State Environmental Planning Policy (State and Regional Development) 2011—gas exploration

Schedule 1 State significant development—general

Omit clause 6 (2)–(3).

5 Amendment of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007—mining

Clause 12A

Insert after clause 12:

12A Consideration of voluntary land acquisition and mitigation policy

(1) In this clause:

the voluntary land acquisition and mitigation policy means the policy by that name published by the Minister in the Government Gazette on 19 December 2014.

(2) Before determining an application for consent for State significant development for the purposes of mining, petroleum production or extractive industry, the consent authority must consider any applicable provisions of the voluntary land acquisition and mitigation policy and, in particular:

- (a) any applicable provisions of the policy for the mitigation or avoidance of noise or particulate matter impacts outside the land on which the development is to be carried out, and
- (b) any applicable provisions of the policy relating to the developer making an offer to acquire land affected by those impacts.

- (3) To avoid doubt, the obligations of a consent authority under this clause extend to any application to modify a development consent for State significant development for the purposes of mining, petroleum production or extractive industry.
- (4) This clause extends to applications made, but not determined, before the commencement of this clause.

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- (1) This Policy is repealed on the day following the day on which this Policy commences.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