



New South Wales

Shellharbour Local Environmental Plan 2013 (Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

BRETT WHITWORTH

As delegate for the Minister for Planning

Shellharbour Local Environmental Plan 2013 (Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Shellharbour Local Environmental Plan 2013 (Amendment No 5)*.

2 Commencement

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

3 Land to which Plan applies

This Plan applies to certain land to which *Shellharbour Local Environmental Plan 2013* applies.

Schedule 1 Amendment of Shellharbour Local Environmental Plan 2013

[1] Clause 6.10 Significant mineral resources

Omit “‘State and Regional Mineral Resources’ on the Significant Extractive Resources Map” from clause 6.10 (2).

Insert instead “‘Mineral Resource Area’ on the Mineral Resource and Transition Areas Map”.

[2] Clause 6.11

Omit the clause. Insert instead:

6.11 Development within the Transition Area

- (1) The objectives of this clause are as follows:
 - (a) to provide for the proper management and development of mineral and extractive resources for the purpose of promoting social and economic benefits to Shellharbour and the State,
 - (b) to minimise the impact new land uses and development will have on mineral and extractive resource operations identified on the Mineral Resource and Transition Areas Map,
 - (c) to minimise the impact mineral and extractive resource operations may have on development in the Transition Area.
- (2) This clause applies to the land identified as “Transition Area” on the Mineral Resource and Transition Areas Map.
- (3) Development consent must not be granted for development on land to which this clause applies unless the consent authority has considered the following:
 - (a) whether the proposed development would have any adverse impact on the availability of mineral or extractive resources,
 - (b) whether there would be any adverse impact on the proposed development arising from noise, dust, vibration or reduced visual amenity from the mine or extractive industry,
 - (c) whether any measures incorporated into the proposed development would satisfactorily limit the impact of noise, dust and vibrations associated with the mine or extractive industry.

[3] Dictionary

Insert in alphabetical order:

Mineral Resource and Transition Areas Map means the Shellharbour Local Environmental Plan 2013 Mineral Resource and Transition Areas Map.

[4] Dictionary, definition of “Significant Extractive Resources Map”

Omit the definition.