



New South Wales

# Environmental Planning and Assessment Amendment (Newcastle Gas Terminal Project) Order 2019

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning and Public Spaces, in pursuance of sections 5.12 (4) and 5.13 of the *Environmental Planning and Assessment Act 1979*, make the following Order.

Dated, this 12th day of August 2019.

ROBERT STOKES, MP  
Minister for Planning and Public Spaces

## Explanatory note

The object of this Order is to declare certain development for the purposes of the Newcastle Gas Terminal Project to be State significant infrastructure and critical State significant infrastructure. The development project includes the following:

- (a) a terminal for receiving, handling, storing and processing liquefied natural gas,
- (b) a gas pipeline for the transmission of gas from the terminal to the NSW gas distribution network,
- (c) ancillary development.

This Order is made under sections 5.12 (4) and 5.13 of the *Environmental Planning and Assessment Act 1979*.

## **Environmental Planning and Assessment Amendment (Newcastle Gas Terminal Project) Order 2019**

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### **1 Name of Order**

This Order is the *Environmental Planning and Assessment Amendment (Newcastle Gas Terminal Project) Order 2019*.

### **2 Commencement**

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

## **Schedule 1      Amendment of State Environmental Planning Policy (State and Regional Development) 2011**

### **Schedule 5 Critical State significant infrastructure**

Insert at the end of the Schedule, with appropriate clause numbering:

#### **Newcastle Gas Terminal Project**

- (1) Development for the purposes of the Newcastle Gas Terminal Project.
- (2) The Newcastle Gas Terminal Project includes the following:
  - (a) a terminal for receiving, handling, storing and processing liquefied natural gas,
  - (b) a gas pipeline for the transmission of gas from the terminal to the NSW gas distribution network.
- (3) Development that is ancillary to other development in this clause, including utilities and communications infrastructure, gas compression and odourisation units, pipeline monitoring infrastructure, access roads and car parks, construction compounds and lay-down areas, excavation, waste management and environmental control systems, geotechnical and engineering investigations, and the decommissioning of the project and rehabilitation of the project site.
- (4) The development is to be carried out on land in the suburb of Kooragang and includes land within the port of the Port of Newcastle (whether terrestrial or underwater).
- (5) In this clause:  
*development* does not include the following:
  - (a) surveys, sampling (soil, air and water), test drilling, test excavations, minor geotechnical and engineering investigations for the purposes of the berth and pipeline design, archaeological investigations and other design and assessment processes associated with the project,
  - (b) development authorised by the development consent granted by the Minister for Planning dated 9 August 2005 (File No. S01/00533) and as modified from time to time, including dredging works and the construction and operation of the swing basin.