



New South Wales

# **Environmental Planning and Assessment Amendment (Sea Bed Mining and Exploration) Regulation 2024**

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following regulation under the *Environmental Planning and Assessment Act 1979*.

PAUL SCULLY, MP  
Minister for Planning and Public Spaces

## **Explanatory note**

The object of this regulation is to permit sea bed mineral exploration or recovery that is for the purpose of scientific investigation or is incidental to development for a purpose other than the recovery of minerals.

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## **Environmental Planning and Assessment Amendment (Sea Bed Mining and Exploration) Regulation 2024**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of regulation**

This regulation is the *Environmental Planning and Assessment Amendment (Sea Bed Mining and Exploration) Regulation 2024*.

### **2 Commencement**

This regulation commences on the day on which the *Environmental Planning and Assessment Amendment (Sea Bed Mining and Exploration) Act 2024* commences.

## Schedule 1 Amendment of Environmental Planning and Assessment Regulation 2021

### Section 299

Insert after section 298—

#### 299 Exemption from prohibition against sea bed mineral exploration, recovery and development—the Act, Sch 10, s 3

For the Act, Schedule 10, section 3(1), the prohibition in the Act, Schedule 10, section 2(1) does not apply to sea bed mineral exploration or recovery, or development for the purposes of sea bed mineral exploration or recovery, that is the following—

- (a) exploration, recovery or development the subject of a special purpose consent for the purpose of scientific investigation under the *Offshore Minerals Act 1999*, in force immediately before the commencement of this section,
- (b) the following exploration, recovery or development, but only if undertaken for the purpose of scientific investigation—
  - (i) exploration for minerals,
  - (ii) the taking samples of or recovery of minerals,
- (c) the use of minerals recovered from the sea bed, but only if it is incidental to development carried out for another purpose.

**Example—** Development in relation to the laying of submarine cables for telecommunication or electricity transmission may involve the use of tailings for another purpose, such as landfill.