

[Act 1997 No 40]



New South Wales

Port Kembla Development (Special Provisions) Bill 1997

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to validate a development consent granted by the Minister for Urban Affairs and Planning in February 1996 for the upgrading and expansion of a copper smelter and refinery at Port Kembla, together with a modification of that development consent made in November 1996, to the extent of any invalidity.

On 12 September 1994, Southern Copper Limited lodged with the Minister for Urban Affairs and Planning a development application for the upgrading and expansion of an existing copper smelter and refinery at Port Kembla, which was accompanied by an environmental impact statement. After receipt of the report of a commission of inquiry, the Minister granted development consent on 19 February 1996. On a further application, the Minister modified the development consent on 19 November 1996.

The development consent and modification are the subject of proceedings before the Land and Environment Court.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent.

Clause 3 defines various expressions used in the proposed Act.

Clause 4 validates the development consent granted by the Minister for Urban Affairs and Planning on 19 February 1996 and consequently validates anything done or omitted pursuant to it.

Clause 5 validates the modification of the development consent made by the Minister for Urban Affairs and Planning on 19 November 1996 and consequently validates anything done or omitted pursuant to it.

Clause 6 validates the development consent as modified and consequently validates anything done or omitted pursuant to it. The clause reinforces the validations made by clauses 4 and 5.

Clause 7 provides that the validations (clauses 4-6) are effective despite any pending legal proceedings in any court.