



New South Wales

Surface Coal Mining Prohibition (Lake Macquarie) Bill 2009

Explanatory note

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

Overview of Bill

The object of this Bill is to prohibit surface mining of coal in the local government area of Lake Macquarie City.

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 to the proposed Act.

Clause 3 defines certain words and expressions used in the proposed Act.

Clause 4 provides that the proposed Act prohibits all surface mining of coal in the local government area of Lake Macquarie City (except for the area of the existing Westside open cut mine) and applies despite any other Act or law (including any environmental planning instrument) to the contrary.

Introduced by Mr G M Piper, MP

First print



New South Wales

Surface Coal Mining Prohibition (Lake Macquarie) Bill 2009

Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Definitions	2
4 Prohibition of surface coal mining in Lake Macquarie City	2



New South Wales

Surface Coal Mining Prohibition (Lake Macquarie) Bill 2009

No. , 2009

A Bill for

An Act to prohibit surface mining of coal in the local government area of Lake Macquarie City.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Surface Coal Mining Prohibition (Lake Macquarie) Act 2009</i> .	3 4
2 Commencement	5
This Act commences on the date of assent to this Act.	6
3 Definitions	7
In this Act:	8
<i>surface coal mining</i> means the operation of a coal mine that is not an underground mine.	9 10
<i>underground mine</i> means a coal mine in which persons are employed beneath the earth's surface when the mine is being worked and in which the working environment is completely enclosed by the geologic medium.	11 12 13 14
4 Prohibition of surface coal mining in Lake Macquarie City	15
(1) Surface coal mining is prohibited in the local government area of Lake Macquarie City.	16 17
(2) Subsection (1) does not apply to the area identified as “existing Westside open cut mine” shown at the commencement of this section on the map marked “State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007—Map 1—Lake Macquarie” (being a map that is approved and signed by the Minister for Planning and copies of which are deposited in the head office of the Department of Planning and publicly available on that Department’s website).	18 19 20 21 22 23 24 25
(3) This Act is to be construed as if it formed part of the <i>Environmental Planning and Assessment Act 1979</i> .	26 27

-
- (4) This Act applies despite any other Act or law (including any environmental planning instrument) to the contrary.

1
2