

October 2013

Frequently asked questions **Critical Industry Clusters Upper Hunter Exhibition**

WHAT ARE CRITICAL INDUSTRY CLUSTERS?

- Critical Industry Clusters (CICs) are concentrations of highly productive industries within a region that are related to each other, contribute to the identity of that region, and provide significant employment opportunities.
- Two CICs – the equine and viticulture industries – were identified and mapped in the 2012 Strategic Regional Land Use Plan for the Upper Hunter region.
- These CICs are potentially impacted by coal seam gas (CSG) and mining development.

WHY HAVE THE CRITICAL INDUSTRY CLUSTERS BEEN REMAPPED?

- Maps showing the clusters of these industries in the region were produced as part of the development of the Upper Hunter Strategic Regional Land Use Plan in 2012.
- As this mapping was done at a broad regional scale, a commitment was made in the Plan to verify the location of specific enterprises in the clusters.
- This verification process has now occurred and revised maps are now on exhibition for comment.

WHAT IS THE NSW GOVERNMENT EXHIBITING?

- Explanatory material and three maps showing the location of the equine and viticulture clusters in the Upper Hunter region.
- The maps are being exhibited as draft amendments to the *State Environmental Planning Policy (Mining Petroleum Production and Extractive Industries)* 2007 (Mining SEPP).
- The documents can be found on the department's website at:
www.planning.nsw.gov.au/srlup

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- Feedback is invited up to 8 November 2013.

WHAT IS THE GOVERNMENT SEEKING FEEDBACK ON?

- The draft final maps have been prepared and the NSW Government is now seeking broader input to ensure all relevant equine or viticulture enterprises are included.
- A process is in place to allow enterprises that match the criteria to nominate properties to be included in the mapped area if they have not already been identified (see over).
- The NSW Government is also providing mining and CSG companies with an opportunity to identify horse or viticulture properties that they owned as at 10 September 2012, which they may wish to exclude from the cluster (see over).
- If the property is owned by a CSG company and it meets the criteria, it will be exempt from the CSG exclusion zone and will not be subject to the Gateway trigger; unless the land is also biophysical strategic agricultural land (BSAL).
- If the property is owned by a mining company, and it meets the criteria, then the mining development will not need to be considered by the Gateway Panel; unless the land is also BSAL (see FAQ – Introduction of Gateway Process & Gateway Panel).

HOW WERE THE MAPS – CURRENTLY ON EXHIBITION – DEVELOPED?

- An independent consultant was engaged to conduct the regional verification process. The consultant used evidence of current commercial activity.
- The external boundaries of the 2012 maps were used as a starting point for this mapping process. Within this area, enterprises that met certain criteria were identified and spatially located.
- Sources of information to identify these enterprises included: industry association lists; State and Local Government databases, Yellow pages and internet listings. These were checked against Google maps and aerial photographs.

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HOW DOES THIS MAPPING PROCESS DIFFER FROM THE PROCESS USED FOR THE MAPPING IN THE STRATEGIC REGIONAL LAND USE PLAN?

- The two mapping processes were quite different in their approach. The 2012 mapping process was undertaken in consultation with industry, and broadly identified land important to the equine and viticulture industries, based on a mix of biophysical and land access characteristics.
- The process used to prepare the maps which are now on exhibition, was also undertaken in consultation with industry, and specifically identified individual enterprises that met the criteria. These verified properties are also clustered, to a more limited extent.

WHAT DOES IT MEAN IF MY PROPERTY IS INCLUDED IN THE FINAL MAPPED CRITICAL INDUSTRY CLUSTER AREAS?

- The Government is proposing:
 - The application of CSG exclusion zones to the mapped areas which will prevent CSG activity.
 - That State significant mining projects proposed within the mapped area will have to go through an additional level of scrutiny via the Gateway process – an independent, upfront and scientific assessment of the land and water impacts of the proposal.

WHAT SHOULD I DO IF MY EQUINE OR VITICULTURE ENTERPRISE IS NOT INCLUDED AND I WOULD LIKE IT TO BE CONSIDERED?

- A fact sheet has been developed to help enterprises work out whether or not their equine or viticulture enterprise qualifies for inclusion in the CICs.
- Attached to the fact sheet is a form to be completed by each enterprise.
- The completion and return of this form to the email address shown over will help determine whether the enterprise should be included in the mapped areas.
- The fact sheet and form are available at: www.planning.nsw.gov.au/srlup

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IF A MINING OR CSG COMPANY THINKS ITS PROPERTY SHOULD NOT BE INCLUDED IN THE CLUSTER, WHAT SHOULD THE COMPANY DO?

- The NSW Government has developed a fact sheet that will help mining or coal seam gas companies to work out whether or not their property qualifies for exclusion from the CICs.
- Attached to the fact sheet is a form to be completed by each enterprise.
- The completion and return of this form to the email address over will help determine whether the enterprise should be excluded from the revised mapped areas.
- The fact sheet and form are available at: www.planning.nsw.gov.au/srlup

WHAT HAPPENS IF A MINING OR CSG PROPOSAL IS MADE ON LAND WITHIN THE CRITICAL INDUSTRY CLUSTER BEFORE THE MAPS ARE FINALISED?

- The NSW Government is requiring all mining and CSG proposals on CIC land to go through the Gateway process, which will involve an upfront, independent, scientific assessment by the Gateway Panel.

WHAT IS THE PROCESS FROM NOW ON?

- Once the exhibition period is closed and all relevant information is collected, it will be considered and reviewed by an interagency panel.
- This panel will provide advice to the NSW Government about the inclusion of enterprises in the mapped cluster area and the exclusion of mining and coal seam gas companies from the mapped cluster area.
- Once finalised, an amendment to the *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007* (Mining SEPP) will be made to give legal effect to the maps.
- Following this, CSG activity will be prohibited in the mapped areas and State significant mining development in the mapped areas will be subject to the Gateway process.
- It is anticipated that this process will be completed by the end of 2013.

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WHY ISN'T THE LIVERPOOL PLAINS AREA INCLUDED IN THIS PROCESS?

- As part of the strategic regional land use planning process, the NSW Government considered a variety of industries as potential CICs but found that only the Upper Hunter viticulture and equine industries met the critical industry cluster criteria, which are:
 - a concentration of enterprises that provides clear development and marketing advantages and is based on an agricultural product
 - the productive industries are interrelated
 - it consists of a unique combination of factors such as location, infrastructure, heritage and natural resources
 - it is of national and/or international importance
 - it is an iconic industry that contributes to the region's identity
 - it is potentially substantially impacted by coal seam gas or mining proposals.

CAN I SUGGEST OTHER INDUSTRIES THAT SHOULD BE INCLUDED?

- The purpose of this final stage of consultation is to ensure that all viticulture and equine enterprises are identified in the Upper Hunter region.

FURTHER INFORMATION

- The maps of the identified equine and viticulture enterprises in the Upper Hunter region can be viewed at: www.planning.nsw.gov.au/srlup
- The fact sheet and form are available at: www.planning.nsw.gov.au/srlup
- Feedback is invited up to **8 November 2013**.
- Submissions on the maps should be emailed to: cic.submissions@dpi.nsw.gov.au
- Inquiries to: 02 6391 3644.