



Reference: DLA:dlA 0514/2013

Contact: Donna Ausling

1 November 2013



The Director - Strategic Regional Policy
NSW Department of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Sir/Madam,

Submission on the draft State Environmental Planning Policy (Mining, Petroleum Production & Extractive Industries) Amendment, October 2013

Thank you for the opportunity to comment on the proposed amendments to the Mining SEPP.

From the Department's recent advice, it is noted that feedback is currently being sought in relation to a range of additional amendments to the Mining SEPP. Council provides the following comments in this regard:

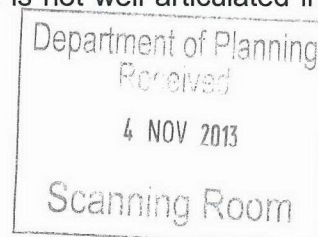
1. Extension of CSG exclusion zones

As you are undoubtedly aware, strong community interest exists within the Liverpool Plains Region in relation to the potential impacts of CSG on both existing and future agricultural operations, and, rural activities generally. As previously detailed in Council's correspondence dated 9 April 2013, Council is in strong support of the introduction of appropriate statutory measures which aim to better regulate and manage coal seam gas (CSG) within NSW.

The mapping pertaining to additional CSG exclusion areas (designated future residential growth areas) within the Liverpool Plains Shire local government area has been reviewed. In response, no specific issues or concerns have been identified in this regard.

2. Revised maps of equine and viticulture CICs

The significant proposed amendments to the equine and viticulture CICs within the adjoining Upper Hunter Region as part of the Upper Hunter SRLUP, are noted. It is apparent that a vastly differing approach is being pursued to the management of CSG within the adjoining Upper Hunter Region despite considerable similarity to the prevailing issues framework in the Liverpool Plains region. The rationale for such a disparate approach is not well articulated in the accompanying documentation.



LIVERPOOL PLAINS SHIRE COUNCIL

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The Liverpool Plains contains vast tracts of valuable agricultural land which are of national significance. As the Department is undoubtedly aware, considerable concerns, and largely unresolved tensions exist within segments of the Liverpool Plains community in respect of the potential impact of CSG (and mining) on these agricultural land resources. The failure to clearly articulate the foundation for such decision making processes and corresponding policy (ie based on the outcomes of credible, peer-reviewed scientific research), is unlikely to assist in the resolution of such tensions. For many members of the farming fraternity, there is little conceptual difference between viticulture and broad-acre cropping. Consequently, such a divergent approach is likely to attract criticism and concern: most particularly that decision-making regarding the management of CSG at the State level is being made within a predominantly political, and not a scientific or environmental, evidence-based policy framework.

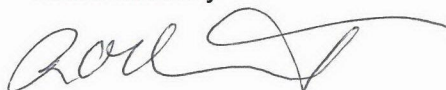
3. Mapping of additional biophysical agricultural land

The mapping resources detailing additional biophysical agricultural land have been reviewed. Council wishes to advise that the scale and clarity of the mapping has presented some challenges in terms of precise identification of the location of the affected land(s). As part of the in-house review process, it appears that the additional mapped lands on sheet no. STA_030 are located on the outer fringe of the Liverpool Plains local government area within the adjoining Warrumbungle Shire. If this interpretation is erroneous, it would be appreciated if Council could be furnished with copies of appropriately scaled mapping with cadastral overlays in respect of the affected land(s) for further detailed technical review.

Given that BSAL mapping has been prepared on a regional basis, and not at a property-specific level, the BSAL mapping is likely to present ongoing difficulties for a range of stakeholders, including local government. The absence of appropriate detail and local context will undoubtedly lead to future uncertainty regarding the application of cognate gateway processes.

Council trusts that the above provides assistance and would be pleased to provide further information as required. Should you have any questions or require further information regarding this issue, please contact the undersigned or Council's Manager of Planning and Development, Ms Donna Ausling on (02) 6746 1755.

Yours faithfully



Robert Hunt
GENERAL MANAGER