



EXPLANATION OF THE INTENDED EFFECT

STATE ENVIRONMENTAL PLANNING POLICY AMENDMENT (GAS EXPLORATION AND MINING) 2014 – VOLUNTARY LAND ACQUISITION AND MITIGATION POLICY

Section 38 of the *Environmental Planning and Assessment Act 1979* ('EP&A Act') requires the Minister to take such steps, if any, as the Minister considers appropriate or necessary to publicise an explanation of the intended effect of a proposed State environmental planning policy and to seek and consider submissions from the public on the matter before recommending that the proposed instrument be made by the Governor.

An indicative draft amendment SEPP entitled *State Environmental Planning Policy Amendment (Gas Exploration and Mining) 2014* ('the proposed SEPP') has been prepared for the purpose of public consultation.

The proposed SEPP, when read together with this document, provides an explanation of the intended effect of a proposed amendment to both the *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007* ('the Mining SEPP') and the *State Environmental Planning Policy (State and Regional Development) 2011* ("the SRD SEPP").

The proposed amendments will:

- amend the Mining SEPP to remove petroleum exploration activities, including the 5 wells rule, from being development permissible with consent so that these activities are no longer assessed by the Department of Planning and Environment as a development application, but rather are assessed by a relevant determining authority under Part 5 of the EP&A Act;
- amend the Mining SEPP to require a consent authority to consider the Voluntary Land Acquisition and Mitigation Policy in determining applications for State significant mining, petroleum and extractive industry projects; and
- amend the SRD SEPP to remove references to petroleum exploration, including the 5 wells rule, from specified development in Schedule 1 under petroleum (oil and gas) so that it is no longer considered to be State Significant Development (SSD).