

Update Mineral Resource and Transition Area mapping

Proposal Title : **Update Mineral Resource and Transition Area mapping**

Proposal Summary : **This Planning Proposal updates mineral resource and transition area mapping to reflect information provided by the NSW Department of Trade and Investment (Resources and Energy) obtained through its state wide resource audit.**

The proposal maps 5 properties as Mineral Resource that were not previously mapped; maps 20 additional properties as Transition Area; and removes the reference to mineral resource or transition area from 65 properties.

The proposal will also result in changes to clause 6.10 Significant extractive resource to reflect the terminology of the new mapping - e.g. 'Quarry Buffer' changed to 'Transition Area'; and 'Significant extractive resource' changed to 'Significant mineral resource'.

PP Number : **PP_2013_SHELL_002_00** Dop File No : **13/10368-1**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions : **1.2 Rural Zones
1.3 Mining, Petroleum Production and Extractive Industries
1.5 Rural Lands
2.1 Environment Protection Zones
5.1 Implementation of Regional Strategies**

Additional Information : **The Executive Director, Rural and Regional Planning, as delegate of the Minister for Planning and Infrastructure, determine under section 56(2) of the EP&A Act that an amendment to the Shellharbour Local Environmental Plan 2013 to update the mapping of Mineral Resource and Transition Areas should proceed subject to the following conditions:**

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

**(a) the planning proposal is to be made publicly available for 28 days; and
(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing local environmental plans (Department of Planning and Infrastructure 2012).**

2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

***Office of Environment and Heritage
*NSW Trade and Investment - Resources and Energy Division
*Southern Rivers Catchment Management Authority**

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that it will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

3. No public hearing is required to be held into the matter under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to

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conduct a public hearing (for example in response to a submission or if reclassifying land).

4. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

SECTION 117 DIRECTIONS

5. The Director General can be satisfied that the planning proposal is consistent with all relevant s117 Directions or that any inconsistencies are only of minor significance.

6. Further referral under these Directions is not required for the Plan while it remains in its current form.

Supporting Reasons : This Planning Proposal updates mineral resource and transition area mapping to reflect information provided by the NSW Department of Trade and Investment (Resources and Energy) obtained through its state wide resource audit.

Panel Recommendation

Recommendation Date : 11-Jul-2013

Gateway Recommendation : Passed with Conditions

Panel Recommendation : The planning proposal should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal must be made publicly available for a minimum of 28 days; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013).

2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Office of Environment and Heritage
- NSW Trade and Investment – Mineral Resources and Energy
- Southern Rivers Catchment Management Authority

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

4. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Sabina Miller

Date:

18 July 2013