



New South Wales

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) Amendment (Jerrys Plains Prohibition) 2017

under the

Environmental Planning and Assessment Act 1979

His Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979*.

ANTHONY ROBERTS, MP
Minister for Planning

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1 Name of Policy

This Policy is *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) Amendment (Jerrys Plains Prohibition) 2017*.

2 Commencement

This Policy commences on the day on which it is published on the NSW legislation website.

3 Repeal of Policy

- (1) This Policy is repealed on the day following the day on which this Policy commences.
- (2) The repeal of this Policy does not, because of the operation of sections 5 (6) and 30 of the *Interpretation Act 1987*, affect any amendment made by this Policy.

Schedule 1 Amendment of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

[1] Clause 22

Insert after clause 21:

22 Savings and transitional—Jerrys Plains open cut mining prohibition

Schedule 1, as amended by *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) Amendment (Jerrys Plains Prohibition) 2017*, extends to an application for development consent made, but not finally determined, before the commencement of that amendment.

[2] Schedule 1 Prohibited development

Insert at the end of the Schedule:

Open cut mining within the area identified as “land where open-cut mining is prohibited” on the map named State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007—Map 4—Jerrys Plains.

Schedule 2 Amendment of State Environmental Planning Policy (State and Regional Development) 2011

[1] Clause 8 Declaration of State significant development: section 89C

Insert at the end of clause 8 (2) (b):

, and

- (c) development specified in Schedule 1 to *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

[2] Schedule 1 State significant development—general

Insert after clause 5 (4):

- (5) This clause does not apply to development specified in Schedule 1 to *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

[3] Schedule 1, clause 7

Insert after clause 7 (4):

- (5) This clause does not apply to development specified in Schedule 1 to *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.