

## PLANNING SYSTEM

State environmental planning policies

<b>Circular</b>	PS 10-012
<b>Issued</b>	31 May 2010
<b>Related</b>	

# Amendments to Mining SEPP and Infrastructure SEPP

The purpose of this circular is to advise councils and the public of policy changes related to mining and extractive industry prohibitions and environmental monitoring stations.

## Introduction

On 28 May 2010, an amendment was made to the State Environmental Planning Policy (Mining, Petroleum & Extractive Industries) 2007 (Mining SEPP) and State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP).

This circular provides details of these amendments.

## Mining SEPP prohibitions

The Mining SEPP has been amended to introduce two new prohibitions:

- 1) a prohibition of extractive industries on Lot 41 DP 1046841 and Lot 1 DP 302768, Peats Ridge Road, Somersby. This land is considered unsuitable for extractive industries due to the close proximity to a school and residential area.
- 2) a prohibition of open cut mining at the site of the Bickham Coal Project proposal and its associated exploration licence areas. The prohibition is intended to prevent impacts on the region's water supply including the Pages River and groundwater reserves.

Both the Somersby Fields extractive industry and Bickham Coal Project prohibitions will provide greater certainty to the affected communities with respect to any future proposals.

## Monitoring stations

In October 2009 the Minister for the Hunter announced a partnership between government agencies and the mining and power industries to establish the Upper Hunter Air Quality Monitoring Network. The planned network will include up to 14 air quality (dust) monitoring stations which will also monitor wind speed and wind direction.

In order to facilitate the establishment of the air quality monitoring network, the Infrastructure SEPP has been amended to allow a simplified approval process for environmental monitoring stations in general.

The amendments to the Infrastructure SEPP will make monitoring stations constructed by public authorities exempt development in prescribed zones, including rural land. On any other land, monitoring stations can be self assessed by the public authority, after taking into consideration any potential environmental impacts.

A monitoring station is defined as 'a facility operated for the principal purpose of monitoring weather, noise, air, water, groundwater or environmental impacts'.

## Further information

A copy of the State Environmental Planning Policy (Mining, Petroleum & Extractive Industries) 2007 and State Environmental Planning Policy (Infrastructure) 2007 (as amended) are available on the NSW legislation website at <http://www.legislation.nsw.gov.au>.

Copies of the Mining SEPP maps are also available on the NSW legislation website.

Note: This and other Department of Planning circulars are published on the web at <http://www.planning.nsw.gov.au/circulars>

## Authorised by:

Sam Haddad  
Director-General  
NSW Department of Planning

---

**Important note:** This circular does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this circular.

© State of New South Wales through the Department of Planning  
[www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)

**Disclaimer:** While every reasonable effort has been made to ensure that this document is correct at the time of publication, the State of New South Wales, its agencies and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance upon the whole or any part of this document.