

#### **4. MAYORAL MINUTE**

**No mayoral minute this round**

#### **5. PETITIONS**

##### **5.1 Residents of Minto**

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Forwarding a petition containing 20 signatures asking that consideration be given to declaring Redfern Park Minto as an Alcohol Free Zone.

(Comment: This matter has been forwarded to the Director Business Services for investigation).

##### **Officer's Recommendation**

That the petition be received and the petitioners be advised in terms of the above comment.

##### **Council Meeting 23 April 2013 (Greiss/Thompson)**

That the Officer's Recommendation be adopted.

##### **Council Resolution Minute Number 51**

That the Officer's Recommendation be adopted.

## **6. CORRESPONDENCE**

### **6.1 Local Government NSW**

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#### **Attachments**

Copy of letter from Local Government NSW

Advising that the new Local Government NSW Board and President will be elected at the first annual local government conference on 1-3 October 2013 at the Sydney Town Hall.

Council is also advised that in the meantime, the Interim Local Government NSW Board will be conducting fortnightly board meetings to address policy, industrial and operational issues and will be writing to all mayors, councillors and general managers each month to keep them up to date.

#### **Officer's Recommendation**

That the letter be received and the information be noted.

#### **Council Meeting 23 April 2013 (Mead/Lake)**

That the Officer's Recommendation be adopted.

#### **Council Resolution Minute Number 52**

That the Officer's Recommendation be adopted.

# ATTACHMENT 1



Our ref: R10/0016 Out

28 March 2013

APR02'13 07:10:01 RCVD

Cr Sue Dobson  
Mayor  
Campbelltown City Council  
PO Box 57  
CAMPBELLTOWN NSW 2560

Dear Cr Dobson

As you would be aware, the Local Government Association of NSW and the Shires Association of NSW merged to become one single and united association called Local Government NSW (LGNSW) on 1 March 2013. The new LGNSW Board and President will be elected at the first annual LGNSW conference on 1-3 October 2013 at the Sydney Town Hall.

In the meantime the Interim LGNSW Board will be conducting fortnightly Board meetings to address policy, industrial and operational issues and will be writing to all mayors, councillors and general managers each month to keep them up-to-date. You are also encouraged to read the LG Weekly Newsletter each week for updates, which you can find on our new website at [www.lgnsw.org.au](http://www.lgnsw.org.au)

At the most recent Board Meeting on 14 March 2013, the Interim Board adopted eight major portfolio areas covering the main political and policy concerns of LGNSW. Individual portfolio holders were elected to deal with specific strategic issues and in representations to Government and other stakeholders. The portfolios and their representatives are:

- Industrial relations and employment – Cr Maria Woods
- Finance & Economic Development – Cr Paul Braybrooks OAM
- Governance, functions and responsibilities – Cr Rex Wilson OAM
- Infrastructure – Cr Allan Smith
- Planning – Cr Leo Kelly OAM
- Natural Resources and Environmental Management – Cr Kevin Schreiber
- Social Policy – Cr Julie Hegarty
- Transport – Cr Bruce Miller.

Another important issue that has been brought to the Interim Board's attention by our members recently is the Early Intervention Bill. We are well aware that there is great concern amongst our members about the details of this Bill and we take this very seriously. LGNSW and the Joint Presidents were not consulted with or provided with the detail of this Bill and the supporting guidelines before it was introduced to the NSW Parliament, and we took this up with Minister Page in the strongest terms. Mayors were sent a letter on 27 March 2013 updating them on progress with this issue.

LOCAL GOVERNMENT NSW  
GPO BOX 7003 SYDNEY NSW 2001  
L8, 28 MARGARET ST SYDNEY NSW 2000  
T 02 9242 4000 F 02 9242 4111  
[LGNSW.ORG.AU](http://LGNSW.ORG.AU) [LGNSW@LGNSW.ORG.AU](mailto:LGNSW@LGNSW.ORG.AU)  
ABN 49 853 913 882

At the Board Meeting on 15 March 2013, the Board also received an update from Professor Graham Sansom and Glenn Inglis from the Independent Local Government Review Panel about their third and final discussion paper, *Future Directions*. They gave a strong indication that this paper, to be released in April, will address proposals and options on: ways to improve the financial management of councils; the number of recommended councils for NSW; and the need for a greater self-regulatory role of the NSW Local Government sector.

We are pleased to advise that the Board has appointed Bill Gillooly AM as the Chief Executive of Local Government NSW. Mr Gillooly has extensive experience in Association and Public Sector Management and will be an asset to LGNSW.

In the months leading up to the inaugural LGNSW Conference, we will continue to keep you updated on these and other new issues. Members of the Interim Board will be visiting councils across the state to discuss key issues of importance and ensure all the benefits of a single association are understood, and to address any issues that councils may have.

We look forward to seeing you on our visits and at the annual conference in October 2013.

Yours sincerely



Cr Ray Donald  
Joint President  
Local Government NSW



Cr Keith Rhoades, AFSM  
Joint President  
Local Government NSW

## **6.2 Hon Don Page MP Minister for Local Government**

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### **Attachments**

Copy of letter from Hon Don Page MP

Providing an update relating to the NSW Government's Local Government amendment (Early Intervention Bill 2013)

### **Officer's Recommendation**

That the letter be received and the information be noted.

### **Council Meeting 23 April 2013 (Lake/Borg)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 53**

That the Officer's Recommendation be adopted.

# ATTACHMENT 1



**The Hon Don Page MP**  
Minister for Local Government  
Minister for the North Coast

Ref:  
MIN:  
Doc ID: A318671



Clr Susan Dobson  
Mayor  
Campbelltown City Council  
Email: [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

19 March 2013

Dear Mayor

I am proud of the fact that for the first time in 17 years, not a single council in NSW is under administration. The proposed new early intervention laws currently before Parliament will help keep it that way.

We are all too aware of the high-profile dysfunction in a number of councils in recent times. I frequently receive calls from members of the public, and indeed the sector itself, to act in these circumstances. The options available to tackle these issues are blunt and limited. They range from writing a letter and investigations, to a public inquiry. While a public inquiry is an important and necessary process when facing the serious prospect of dismissing a council, it usually follows years of dysfunction which could have been avoided, costs over \$200,000, and has tended to result in the public being deprived of democratic representation at this vital level of government.

The laws we currently have in place for dealing with dysfunctional councils are inadequate. The NSW Auditor-General reinforced this fact in recommending the need for Government to play a stronger role in tackling poor performance of councils, in a recent review titled 'Monitoring Local Government'.

In November last year, I announced proposals to tackle dysfunction through early intervention in the small number of underperforming councils that damage the reputation of local government and the community.

I believe that the proposals contained in the Local Government Amendment (Early Intervention) Bill 2013 will provide an important set of tools to ensure that underperformance is dealt with early and that the democratic leadership of communities is retained.

The proposals in the Bill are explicitly designed to improve the performance of councils in NSW by balancing measures to encourage councils to drive their own improvement with sanctions for failing to take action.

The new powers will be used where:

- a council is not complying with its legislative responsibilities,
- there are significant risks facing the council that are not being addressed,
- previous intervention attempts have failed.

For example, where a council has consistently failed to implement the Integrated Planning and Reporting framework, has ignored letters from the Division of Local Government and refused offers of help, then a performance improvement order may be an appropriate next step. Another example where an order or suspension may be an appropriate tool is where a council is continually unable to function because of inability to maintain a quorum, resulting in delays to important decisions, such as development applications.

I recognise that transparency and fairness will be vital in ensuring credible use of these powers. That is why the draft legislation includes requirements for notice and publication of evidence and reasons for the decision to act. I understand that the option of waiving the notice period has caused some concern. I am therefore discussing this issue further with Local Government NSW.

The Division of Local Government is also working with Local Government NSW on the procedures to support the proposed new legislation, which will outline in more detail the criteria and process by which early intervention will work.

These proposals in no way change the view that councils are responsible for driving their own improvement and that they are best placed to address issues about their performance. What they do is provide a broader range of tools so that where the informal, voluntary approaches fail, we can intervene early to reduce the risk of the council being dismissed.

The public expects councils to perform and Government to act when they do not. I strongly believe that these proposals will go a long way to ensuring councils meet the expectations of the community and that we continue to have no councils being dismissed and under administration in NSW. I encourage you to support these proposals.

Yours sincerely



Dori Page MP  
Minister

## **6.3 Hon Brad Hazzard MP Minister for Planning and Infrastructure**

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### **Attachments**

1. Copy of letter from Hon Brad Hazzard MP
2. Copy of Council's letter

Responding to Council's letter concerning its opposition to coal seam gas activities in the Campbelltown Local Government Area and seeking legislative amendments to make councils the determining authorities for coal seam gas activities.

### **Officer's Recommendation**

That the letter be received and the information be noted.

### **Council Meeting 23 April 2013 (Brticevic/Lake)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 54**

That the Officer's Recommendation be adopted.



# ATTACHMENT 1



**The Hon Brad Hazzard MP** 19'13 08:04:11 RCVD  
Minister for Planning and Infrastructure  
Minister Assisting the Premier on Infrastructure NSW

Mr Paul Tosi  
General Manager  
Campbelltown City Council  
PO Box 57  
CAMPBELLTOWN NSW 2560

13/01662

  
Dear Mr Tosi

I refer to your letter concerning Council's opposition to coal seam gas activities in the Campbelltown Local Government Area. I note Council's resolution seeking legislative amendments to make local Councils the determining authorities for coal seam gas activities.

The thresholds for State significant coal seam gas development were thoroughly analysed prior to the finalisation of State Environmental Planning Policy (State and Regional Development) 2011. This analysis looked at all projects lodged with the Department of Planning and Infrastructure since 2005 to ensure only appropriate proposals are considered State significant.

The State Significant Development system provides for the comprehensive and consultative assessment of development proposals of significance to the whole State. Furthermore, the assessment of coal seam gas proposals at the State level ensures a coordinated assessment across all agencies with a regulatory role, including the Department of Planning and Infrastructure, the Department of Trade and Investment, Regional Infrastructure and Services, the Office of Environment and Heritage, the Environment Protection Authority and the NSW Office of Water. It also entails the independent, expert determination of applications by the Planning Assessment Commission.

I appreciate Council's position on this matter but am confident a robust assessment and determination framework is in place for coal seam gas proposals in NSW.

As you are aware, on 8 February 2013 AGL formally requested the Department of Planning and Infrastructure suspend its proposed Stage 3 expansion of the Camden Gas Project.

You would also be aware on 19 February 2013, the NSW Government announced several significant initiatives around the regulation of coal seam gas (CSG) activities in addition to the measures already announced as part of the Strategic Regional Land Use Policy.

These new initiatives include the banning of all new coal seam gas exploration and production activity in or within 2 kilometres of existing and future residential areas. CSG activity will also be banned within the areas identified as the Upper Hunter equine and viticulture critical industry clusters. The ban will be implemented via an amendment to the Mining State Environmental Planning Policy. This amendment is currently being drafted and will be publicly exhibited for comment shortly.

The NSW Chief Scientist and Engineer will also undertake a review of all coal seam gas activity in the State, including impacts on water catchments. A preliminary report is due to the Government by July 2013.

In addition, the Environment Protection Authority will become the lead regulator of environmental and health effects of CSG activity. An Office of Coal Seam Gas Regulation will also be established to regulate non-environmental issues around CSG activity, such as occupational health and safety.

Should you have any further enquiries about this matter, I have arranged for Mr Richard Pearson, Deputy Director General, Planning Operations and Regional Delivery of the Department of Planning and Infrastructure, to assist. Mr Pearson can be contacted on telephone number 02 9228 6162.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Brad Hazzard', written over a light blue horizontal line.

**HON BRAD HAZZARD MP**  
Minister

15 MAR 2013

# ATTACHMENT 2



18 December 2012

The Hon B Hazzard  
Minister for Planning and Infrastructure  
Level 31, Governor Macquarie Tower  
1 Farrer Place  
SYDNEY NSW 200

Dear Minister

## **Determining authority for new coal seam gas exploration**

Council has previously written to you on a number of occasions expressing strong dissatisfaction over the assessment and approval process for coal seam gas and mining operations (both exploration and production) within NSW. The responses received in reply from your office are acknowledged.

However, it is noted that these responses express the viewpoint that the Strategic Regional Land Use Policy (SRLUP) has provided a comprehensive framework for the regulation of the mining and coal seam gas industry. This viewpoint is strongly disputed due to various deficiencies in this Policy including the failure of the Aquifer Interference Policy to apply to the current Camden Gas Project Stage 3 Application.

In addition, Council's experiences with the State Significant Development System have identified similar deficiencies in this system to those associated with the former Part 3A assessment/approval process. The promotion of the benefits and transparency of this system as outlined in previous correspondence from your office is therefore not supported.

I need to advise you therefore, that Council resolved at its meeting on 20 November 2012 to:

- 1. Support the resolution unanimously carried at the 2012 Local Government Association Conference by writing to the relevant Ministers to change legislation to ensure that any new coal seam gas exploration and mining applications must be determined by means of a Council development application.*
- 2. State its opposition to Coal Seam Gas exploration and mining in the Campbelltown Local Government Area.*
- 3. Request that legislation be changed to ensure that Council is the determining consent authority in these decisions irrespective of the dollar value.*

Page 1 of 2

Consequently, it is requested that the NSW Government implement the necessary amendments to legislation and policy, including the Strategic Regional Land Use Policy, to enable the above resolutions.

Should any further information please be required, contact can be made with Council's Director Planning and Environment, Jeff Lawrence, on (02) 4645 4576.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul Tosi', with a long horizontal flourish extending to the right.

Paul Tosi  
General Manager

## **6.4 Chris Patterson MP Member for Camden**

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### **Attachments**

1. Copy of letter from Chris Patterson MP
2. Copy of Council's letter

Responding to Council's letter expressing concerns regarding coal seam gas.

### **Officer's Recommendation**

That the letter be received and the information be noted.

### **Council Meeting 23 April 2013 (Borg/Thompson)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 55**

That the Officer's Recommendation be adopted.

# ATTACHMENT 1



**Chris Patterson MP**  
Member for Camden



APR04'13 07:09:01 RCW

April 2 2013

Mr Paul Tosi  
General Manager  
Campbelltown City Council  
P O Box 57  
CAMPBELLTOWN NSW 2560

Dear Mr Tosi

A handwritten signature in blue ink that reads 'Chris Patterson'.

Thank you for your recent letter outlining the Council's concerns regarding coal seam gas (CSG). During the public exhibition for the Camden Gas Project Northern Expansion, the NSW Government received many hundreds of submissions, including Campbelltown City Council. I also made a submission on behalf of my constituency.

The communities concerns were taken into account by the Government resulting in the introduction of tough new rules to exclude any coal seam gas wells within 2km of residential areas, horse breeding and wine making industries.

To implement the proposed exclusion zones, an amendment is required to the Mining State Environmental Planning Policy (SEPP). The draft amendment is currently on public exhibition until Friday 12 April 2013. If your Council still has concerns, I would suggest putting in a new submission by the designated time.

The current CSG wells in the Macarthur region were approved without any public consultation by the former NSW Labor Government and the current NSW Government has appointed the State's Chief Scientist, Professor Mary O'Kane to conduct an independent review of CSG activities in NSW, including any potential impact on water catchments. The independent Environment Protection Authority (EPA) will now be the lead regulator of environmental and health impacts of CSG activities in NSW with responsibility for compliance and enforcement. The Government will establish an Office of CSG Regulation to be established within the Department of Trade and Investment to enforce other regulations.

**Phone:** (02) 4655 3333 **Fax:** (02) 4655 3325 **Mail:** PO Box 669, Camden NSW 2570  
**Electorate Office:** 66 John Street, Camden NSW 2570 **Email:** camden@parliament.nsw.gov.au

I am confident the decision taken by the Government has been a major step in addressing a number of community concerns regarding coal seam gas.

I have also enclosed the Frequently Asked Questions on the Strategic Regional Land Use Policy which addresses many concerns.

Yours faithfully

A handwritten signature in blue ink, appearing to be 'CP' or similar initials, written in a cursive style.

**Chris Patterson MP**  
**Member for Camden**  
encl



September 2012

## Frequently Asked Questions Strategic Regional Land Use Policy

### WHAT IS THE STRATEGIC REGIONAL LAND USE POLICY?

The Strategic Regional Land Use Policy sets out a range of initiatives to better balance growth in the mining and coal seam gas (CSG) industries with the need to protect important agricultural land and water resources.

For the first time, it maps the State's most valuable agricultural land and protects it from mining and CSG projects.

Key elements of the policy include:

- Strategic Regional Land Use Plans covering the Upper Hunter and New England North West regions
- Strengthening the regulation of exploration activities
- Establishing the role of a Land and Water Commissioner
- A statewide Aquifer Interference Policy
- Two Codes of Practice for the CSG industry

### HOW HAS THE GOVERNMENT CONSULTED ON THE POLICY?

Draft policy documents were publicly exhibited from 8 March to 14 May 2012 and almost 1,600 written submissions were received on the two Strategic Regional Land Use Plans. More than 500 submissions were received on the draft Aquifer Interference Policy and over 100 on the draft Code of Practice for Coal Seam Gas Exploration.

Around 1,000 people attended 11 public forums and information sessions across the two regions where Ministers and senior staff from government agencies outlined the plans and answered questions from the community.

### WHAT WERE THE MAIN ISSUES RAISED?

The Government commissioned an analysis of submissions received on the Strategic Regional Land Use Plans by an independent consultant, which is available at [www.planning.nsw.gov.au/srlup](http://www.planning.nsw.gov.au/srlup). The issues raised most frequently were:

- regulation of mining and CSG exploration activities
- the "Gateway" process
- agricultural land mapping
- the proposed "exceptional circumstances" provision
- aquifer impacts
- the natural environment



# Strategic Regional Land Use Policy



## WHAT ARE THE MAIN CHANGES?

The key changes made following public comment are:

- The creation of a new Land and Water Commissioner to better manage exploration activities, including land access agreements between farmers and miners as well as provide advice on exploration activities proposed on Strategic Agricultural Land.
- Agricultural impacts must now be assessed at the exploration stage through an Agricultural Impact Statement.
- The amount of agricultural land mapped for protection has increased by more than 680,000 hectares to over two million hectares.
- The "exceptional circumstances" provision that would have allowed certain mining or CSG projects to bypass the Gateway has been scrapped.
- The Gateway has been revised to focus on the scientific assessment of land and water impacts of projects located on Strategic Agricultural Land. Other matters such as the socio-economic impacts and benefits of the proposal will be considered at the development application (DA) stage.
- The Gateway will apply to proposals that extend beyond an existing mining lease area or require a new lease.
- The Aquifer Interference Policy has been expanded to apply statewide and minimal impact considerations have been more clearly defined. Potential impacts on connected surface water sources have also been included and requirements will be customised for different projects.

## WHAT ROLE DO THE MAPS PLAY?

The maps identify areas in each region that qualify as "Strategic Agricultural Land". This is the highest value agricultural land in the regions and has been identified based on its soil type and access to water, or because of its value to a particular industry such as wine making or horse breeding.

Land that is mapped as Strategic Agricultural Land is then subject to additional protection from mining and CSG production proposals via the Gateway process.

## WHAT CHANGES HAVE BEEN MADE TO THE MAPS?

- Strategic Agricultural Land now includes some land which has "moderate" soil fertility, capturing important cotton producing areas around Gunnedah, Moree and Narrabri.
- The amount of Strategic Agricultural Land mapped in the New England North West has increased by 569,000 ha to more than 1.5 million ha or over 15 per cent of the region.
- The viticulture cluster in the Upper Hunter now includes grape growing land around Denman, more than doubling its size to over 100,000 ha or 4.4 per cent of the region.

# Strategic Regional Land Use Policy



- The equine cluster now includes land of up to 18 degrees in slope, which has increased its size by almost 50,000 ha. It now accounts for 9.7 per cent of the region.
- The total area of Strategic Agricultural Land in the Upper Hunter is now more than 470,000 ha or 19.5 per cent of the region.
- A verification process will replace the buffer zone concept so that State significant mining and CSG proposals within the Strategic Regional Land Use Plan regions that are not located on mapped Strategic Agricultural Land must verify whether the land they are on meets the criteria for biophysical Strategic Agricultural Land prior to lodging a DA.
- Landowners, including those in areas outside the Upper Hunter and New England North West regions, will also be able to apply for verification of whether their land meets the criteria for biophysical Strategic Agricultural Land. If the land is identified as biophysical Strategic Agricultural Land, the Gateway process will apply to subsequent State significant mining or coal seam gas proposals on that land.

## HOW WILL OTHER AGRICULTURAL LAND BE PROTECTED?

- Mining and CSG production proposals outside the mapped areas must verify whether the land meets strategic agricultural land criteria. If it does, the proposal will need to go through the Gateway process.
- An Agricultural Impact Statement will be required for all State significant mining and CSG production proposals that may impact agricultural land.
- Every mining or CSG production proposal must lodge a development application and go through a thorough merit assessment.
- Any potential impacts on aquifers and their highly connected surface water sources must also be considered in line with the Aquifer Interference Policy.

## WHAT IS THE GATEWAY?

The Gateway is an independent, scientific and upfront assessment of how a mining or CSG production proposal will impact the agricultural values of the land on which it is proposed to be located. It will consider proposals at a very early stage before a development application is lodged.

To pass the Gateway unconditionally, a proposal must demonstrate that it meets the Gateway criteria relating to agricultural and water impacts.

If a proposal can't demonstrate that it meets these criteria, it will be subject to stringent requirements – included as conditions of a Gateway Certificate – that must be addressed at the development application stage.



# Strategic Regional Land Use Policy



## HOW WILL THE GATEWAY PROTECT OUR BEST AGRICULTURAL LAND?

The Gateway will be a focused assessment of the agricultural and water impacts of a proposed mining or CSG production project. A proposal will be assessed against explicit, objective criteria to determine whether its impacts on soil, water and other agricultural assets are acceptable.

Expert advice on aquifer impacts will be obtained from the Minister for Primary Industries and the Commonwealth Independent Expert Scientific Committee to assist in the assessment.

Through an early and targeted assessment of agricultural and water impacts, the Gateway will ensure that by the time a proposal reaches the development application stage, these impacts have been clearly identified and comprehensively addressed.

Projects deemed through the Gateway process to have significant agricultural and water impacts will be subject to stringent, additional requirements that must be addressed at the development application stage. This may include requiring changes to the project itself to avoid unacceptable impacts on agricultural land or water resources.

Any conditions of a Gateway Certificate, as well as a cost benefit analysis if prepared by an applicant and independently peer reviewed, will be specifically considered by the Planning Assessment Commission (PAC) in its determination of the development application. Terms of Reference will be provided to the PAC for each project to ensure this is done.

Full details of the Gateway process and criteria will be included in a forthcoming amendment to the Mining SEPP which will be exhibited for comment.

## WHO WILL BE ON THE GATEWAY PANEL?

The Gateway Panel will consist of independent experts in fields such as agricultural science, water and mining. The panel will be appointed by the Minister for Planning and Infrastructure following an independent selection process and will operate at arm's length from government.

No panel members have been appointed to date.

## WHAT ROLE WILL COST BENEFIT ANALYSIS PLAY?

As the Gateway assessment will be limited to a scientific assessment of the agricultural and water impacts of proposals, triple bottom line cost benefit analysis will not be considered at the Gateway stage.

Instead, a cost benefit analysis can be submitted by applicants at the development application stage for consideration through the comprehensive merit assessment process. Potential economic, social and other benefits of a proposal may be considered against its possible impacts.

The use of cost benefit analysis will be optional for the applicant rather than a requirement. If a cost benefit analysis is prepared by the proponent it will be independently peer reviewed.

A draft cost benefit analysis methodology is being prepared and will be exhibited shortly.

# Strategic Regional Land Use Policy



## WHAT WILL THE NEW LAND AND WATER COMMISSIONER DO?

The Land and Water Commissioner has an unfettered oversight and community advisory role with respect to exploration across the State. The Commissioner has the ability to review any exploration approval and advise government and the community whether the assessment process has occurred in accordance with the regulation, policy and Acts.

The Commissioner will oversee the finalisation and implementation of standard land access agreements for exploration activities currently being negotiated between the NSW Farmers Association, other key agricultural stakeholders and the Australian Petroleum Production and Exploration Association.

The Land and Water Commissioner will also collate and publish remuneration information on land access agreements to assist parties in negotiating future agreements, and be able to appoint a mediator if requested.

## WHAT INITIATIVES ARE ALREADY IN PLACE TO OVERSEE EXPLORATION?

A number of initiatives are already in place or have been strengthened to better regulate exploration activities, including:

- The introduction of a community comment process on licence applications.
- The inclusion of community consultation conditions on exploration licences and the release of community consultation guidelines.
- The release of updated, improved environmental assessment guidelines for exploration activities.
- The publication of approvals for exploration activities on the Division of Resources and Energy (DRE) website.
- The introduction of an industry levy to fund enhanced regulatory and communication capabilities within DRE.
- The introduction of an Aquifer Interference Regulation which requires any exploration activities taking more than three megalitres per year to hold a water access licence.
- A review of bonds and penalties is currently underway.

## HOW ARE CSG PRACTICES BEING REGULATED?

The NSW Government has introduced a range of important initiatives including:

- A ban on the use of BTEX chemicals in drilling and hydraulic fracturing.
- A ban on the use of evaporation ponds for the disposal of extracted water associated with petroleum production.
- Two Codes of Practice for the CSG industry covering exploration, well integrity and fracture stimulation, following a review by the Chief Scientist & Engineer.
- Multi-agency assessment of applications for CSG exploration activities.
- Removal of the previous five year royalty holiday for CSG producers.
- Draft Code of Practice for CSG explorers, which is currently being finalised.





# Strategic Regional Land Use Policy



## **HOW DOES THE POLICY DEAL WITH ENVIRONMENTAL AND BIODIVERSITY ISSUES?**

Potential impacts on environmental and biodiversity values are thoroughly addressed in a number of ways in NSW, including strict legislative requirements and penalties, government policy and the environmental planning assessment process.

In response to issues raised in submissions about the accuracy and usefulness of the biodiversity and cultural heritage maps in the draft Strategic Regional Land Use Plans, these maps are not included in the final plans.

A more robust and focused mapping process has commenced in the two Strategic Regional Land Use Plan regions through the Upper Hunter Strategic Assessment and the Leard Forest Mining Precinct Regional Biodiversity Strategy in the New England North West region.

Similarly, the Office of Environment and Heritage will be undertaking a more robust regional assessment of cultural heritage values in the regions to provide a baseline of information that supports sustainable economic and environmental planning decisions.

## **HOW DOES THE STRATEGIC REGIONAL LAND USE POLICY RELATE TO THE GREEN PAPER?**

The recently released Green Paper *A New Planning System for NSW* outlines the NSW Government's vision to create a whole new planning system that meets the needs of the State in the 21<sup>st</sup> century. It proposes a far greater emphasis on early community engagement and upfront strategic planning, rather than the current focus on site-by-site decision-making.

The Strategic Regional Land Use Policy Package fits well with this new approach as it has involved the upfront identification of areas to be given additional protection and establishes the ground rules for planning and decision-making in these areas.

# ATTACHMENT 2



22 March 2013

Mr C Patterson  
Member for Camden  
66 John Street  
CAMDEN NSW 2570

Dear Mr Patterson

## **NSW Government response to the NSW Legislative Council Report No. 35 on 'Coal Seam Gas'**

At its meeting on 3 July 2012 Council considered a report on the outcomes of the Parliamentary Inquiry into coal seam gas. Council subsequently resolved to send correspondence to the NSW Premier urging the NSW Government to support all 35 recommendations of the Inquiry, subject to a number of conditions. These conditions included the consideration of issues raised in previous Council submissions on the coal seam gas industry as well as the imposition of a moratorium on all coal seam gas extraction activities.

At its meeting on 26 February 2013 Council considered a report on the response of the NSW Government to the Parliamentary Inquiry into coal seam gas and resolved:

1. *That Council send correspondence to the NSW Premier that:*
  - a) *Expresses dissatisfaction at the response of the NSW Government to the recommendations of the NSW Legislative Council Inquiry into Coal Seam Gas due to its failure to address Council's resolutions and issues raised in Council's submissions relating to the Coal Seam Gas Industry and the Camden Gas Project.*
  - b) *Expresses opposition to the view of the Government that the Strategic Regional Land Use Policy (SRLUP) provides a comprehensive regulation for the coal seam gas industry, based on the deficiencies outlined in the report considered by Council at its meeting on 20 November 2012.*
  - c) *Advises that Council continues to have the view that no new licences for Coal Seam Gas mining or exploration should be issued until such time as scientific evidence guarantees that such activities do not compromise the environment or health and safety of the community.*
2. *That a copy of this correspondence be forwarded to all local State Members of the NSW Parliament.*

The NSW Government response is of concern to Council primarily due to its emphasis on the implementation of the Strategic Regional Land Use Policy (SRLUP). Council is of the view that this policy framework has deficiencies in effectively regulating the coal seam gas industry.

The recent changes to the regulation of coal seam gas activities by the NSW Government are acknowledged and welcomed by Council, in particular the direction from the NSW Government, on 18 February 2013, that no coal seam gas activity will be permitted within two kilometres of residential areas.

However, Council seeks your support in making representations to both the NSW Premier and the Minister for Planning and Infrastructure in relation to the above resolutions and in encouraging the NSW Government to consider Council's submissions on coal seam gas activities in its review of the industry and associated regulation.

If you require any further information please contact Council's Director Planning and Environment, Jeff Lawrence, on (02) 4645 4575.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul Tosi', with a stylized flourish at the end.

Paul Tosi  
General Manager