

Offshore exploration and mining

The NSW Government is taking a responsible and balanced approach to the development of the State's mineral, coal and petroleum resources. Under this policy, the NSW Government will limit exploration or mining of the State's offshore geological resources.

The NSW Government is committed to providing certainty to industry and community about exploration and mining in NSW, both onshore and offshore. This policy complements the Government's strategic direction set out in the [Strategic Statement on Coal Exploration and Mining in NSW](#) and the [Future of Gas Statement](#) and outlines the circumstances under which the NSW Government will consider allowing applications for offshore exploration and mining.

Scope

This policy outlines the NSW Government's approach to decision-making on applications for exploration and mining authorities in both NSW coastal waters, which extend from the low tide mark to three nautical miles offshore, and Commonwealth waters which are from three nautical miles to the boundary of Australia's Exclusive Economic Zone.

This policy applies to exploration and mining authority considerations under the NSW *Offshore Minerals Act 1999* and the *Petroleum (Offshore) Act 1982*.

The policy will also inform the NSW Government's position on exploration and mining in Commonwealth waters off the coast of NSW. It will inform the NSW Minister responsible for the relevant offshore resources legislation in their role as:

- Designated Authority, and as a member of the Joint Authority, under the *Offshore Minerals Act 1994* (Cth)
- as part of the Joint Authority under the *Offshore Petroleum Greenhouse Gas Storage Act 2006* (Cth).

Under the Commonwealth legislation the NSW body is referred to as the Designated Authority and the Joint Authority is the NSW Government and Commonwealth Government acting together.

Position on offshore exploration and mining

The NSW Government has taken a responsible and balanced approach to the exploration and development of the State's geological resources. In consideration of the benefits and impacts from offshore exploration and mining, the NSW Government:

- does **not support** offshore mineral, coal or petroleum exploration or mining for commercial purposes in or adjacent to NSW coastal waters
- **will consider** offshore mineral exploration or mining in NSW coastal waters for the purposes of beach nourishment, provided it is for a broader public benefit.

Offshore coal and petroleum exploration and mining

The NSW Government does **not support** offshore coal and petroleum exploration and mining as the potential impacts on sensitive marine environments, indigenous heritage, commercial and recreational fishing and other recreational activities outweigh the potential benefits.

The NSW Government also acknowledges there has been strong community opposition to offshore exploration and mining.

Offshore mineral exploration and mining for public benefit

The Government **will consider** applications for offshore mineral exploration and mining for sand for the purposes of beach nourishment, provided it can be demonstrated that it is for a broader public benefit. Such activity could benefit any local government areas where coastal erosion is an issue and beach remediation activities could be supported by offshore sand mining.

Sand harvesting for the purposes of beach nourishment retains the sand in the system, relocating it from the sea floor to the beach. Beach nourishment delivers community benefits in contributing to the restoration and amenity of public beaches.

Prospective applicants will need to satisfy the Minister that their application is for beach nourishment purposes and will provide a public benefit in order to be permitted to apply for an exploration licence. Being granted approval to apply for an exploration licence does not automatically mean that an exploration licence will be granted, and any application will be individually assessed and must all regulatory requirements under the *Offshore Minerals Act 1999*.

Similarly, the granting of an exploration licence does not automatically mean that mining will be permitted. In order to progress to sand mining, development consent under the NSW planning framework would need to be obtained following the completion of exploration activities. Under this framework, the mining proposal is subject to a rigorous, merits-based assessment process, including a detailed assessment of environmental issues.