

LEGISLATIVE COUNCIL

Mining and Petroleum Legislation Amendment Bill 2014

Second print

Proposed amendments

No. 1 Page 3, Schedule 1. Insert after line 1:

[1] Section 4C

Insert after section 4B:

4C Independent Expert Mining Licence Committee

- (1) There is established by this Act an Independent Expert Mining Licence Committee (*the Committee*) with such membership as the Director-General determines from time to time. The Committee is to determine its own procedures, subject to any direction of the Director-General.
- (2) The Committee is not subject to the direction or control of the Director-General or the Minister in the exercise of its functions.
- (3) The Committee has the following functions in respect of each application for the grant or renewal of a relevant authority:
 - (a) to conduct a triple bottom line assessment of the environmental, social and economic aspects of the application,
 - (b) to make an assessment of the likelihood that, if the application is successful, the applicant will subsequently be granted a mining lease or production lease over the land concerned,
 - (c) to make an assessment of the financial capacity of the applicant to fund the activities to be conducted under the relevant authority and any mining lease or production lease likely to be granted to the applicant over the land concerned,
 - (d) to make an assessment of the application against a set of strategic objectives, priorities and outcomes for the allocation of the State's mineral and petroleum resources, as determined by the Minister.
- (4) The Committee is to report to the Minister on the results of any assessment by the Committee under this section in respect of an application for the grant or renewal of a relevant authority and the report is to be publicly released before the application is determined.
- (5) In this section:

relevant authority means an exploration licence under this Act or an exploration licence or assessment lease under the *Petroleum (Onshore) Act 1991*.

No. 2 Page 5, Schedule 1 [24], lines 21–24. Omit all words on those lines. Insert instead:

[24] Section 380B

Insert after section 380A:

380B Fit and proper person consideration in making certain decisions about mining rights

No. 3 Page 8, Schedule 1 [25], line 30. Omit “380A”. Insert instead “380B”.

No. 4 Page 8, Schedule 1 [25], line 36. Omit “380A”. Insert instead “380B”.

No. 5 Page 10, Schedule 2 [3], line 16. Omit “380A”. Insert instead “380B”.

No. 6 Page 10, Schedule 2 [4], line 20. Omit “24A”. Insert instead “24B”.

No. 7 Page 10, Schedule 2 [5], line 25. Omit “380A”. Insert instead “380B”.

No. 8 Page 10, Schedule 2 [5], line 25. Omit “24A”. Insert instead “24B”.

No. 9 Page 10, Schedule 2 [6], line 30. Omit “380A”. Insert instead “380B”.

No. 10 Page 10, Schedule 2 [6], line 30. Omit “24A”. Insert instead “24B”.

No. 11 Page 11, Schedule 2 [9], line 3. Omit “380A”. Insert instead “380B”.

No. 12 Page 11, Schedule 2 [10], line 7. Omit “24A”. Insert instead “24B”.

No. 13 Page 14, Schedule 5 [3], lines 25–28. Omit all words on those lines. Insert instead:

[3] Section 24B

Insert after section 24A:

24B Fit and proper person consideration in making certain decisions about petroleum titles

No. 14 Page 17, Schedule 5 [4], line 31. Omit “24A”. Insert instead “24B”.

No. 15 Page 17, Schedule 5 [4], line 38. Omit “24A”. Insert instead “24B”.