

Mining Amendment (Safeguarding Agricultural Land and Water) Bill 2009

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Mining Act 1992* to protect prime agricultural land (and water sources that feed prime agricultural land) from mining operations. As a result of the proposed section to be inserted in the *Mining Act 1992*, an exploration licence, assessment lease or mining lease cannot be granted under that Act in relation to any such protected land and planning approvals under the *Environmental Planning and Assessment Act 1979* (such as development consents or Part 3A project approvals) cannot be given for the purposes of mining operations on that land. **Prime agricultural land** is defined in the proposed section as land that is identified as Class 1 or 2 land in accordance with the agricultural land classification by the Department of Primary Industries. The Director-General of that Department will be required to identify (by way of maps) land that is protected land for the purposes of the proposed section and to make that information publicly available.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Schedule 1 contains the amendment to the *Mining Act 1992* described in the overview above.