



New South Wales

# Coal and Gas Legislation Amendment (Liverpool Plains Prohibition) Bill 2021

## Explanatory note

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

## Overview of Bill

The objects of this Bill are—

- (a) to prohibit the grant of new authorisations to mine or prospect for material under the *Mining Act 1992* on land in the Liverpool Plains, and
- (b) to prohibit the grant of new petroleum titles under the *Petroleum (Onshore) Act 1991* for petroleum mining operations on land in the Liverpool Plains, and
- (c) to ensure pending applications for authorisations or petroleum titles for land in the Liverpool Plains are taken to be refused, including applications for the renewal of expired petroleum titles, and
- (d) to cancel approved authorisations or petroleum titles for land in the Liverpool Plains if prospecting or mining operations have not commenced, and
- (e) to provide that compensation is not payable by or on behalf of the State because of the operation of this proposed Act.

## 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      Amendment of Mining Act 1992 No 29**

**Schedule 1** inserts proposed section 10B into the *Mining Act 1992* to prohibit the grant of a new authorisation to mine or prospect any material on land in the Liverpool Plains.

The proposed section provides that an application for an authorisation made but not finally determined before the commencement of the proposed Act is taken to be refused.

The proposed section also cancels an approved authorisation for land in the Liverpool Plains if prospecting or mining operations have not commenced.

Compensation is not payable by or on behalf of the State because of the operation of the proposed section.

## **Schedule 2      Amendment of Petroleum (Onshore) Act 1991 No 84**

**Schedule 2** inserts proposed Part 2A into the *Petroleum (Onshore) Act 1991* to prohibit the grant of a new petroleum title under the *Petroleum (Onshore) Act 1991* for land in the Liverpool Plains.

The proposed Part provides that an application for a petroleum title made but not finally determined before the commencement of the proposed Act is taken to be refused. Further, an application for an expired, unused petroleum title may not be enlivened by way of the *Petroleum (Onshore) Act 1991*, section 20 and is also taken to be refused.

The proposed Part also cancels an approved petroleum title for land in the Liverpool Plains if petroleum mining operations have not commenced.

Compensation is not payable by or on behalf of the State because of the operation of the proposed Part.