

# **Mining and Other Legislation Amendment Bill 2007**

## **Explanatory Notes for Amendments to be moved during consideration in detail by the Honourable Geoff Wilson MP Minister for Mines and Energy**

### **Title of the Bill**

Mining and Other Legislation Amendment Bill 2007

### **Objectives of the Amendments**

To validate the grant of Additional Surface Area No. 2 to Mining Lease No. 4761 made by the Governor in Council on 29 March 2007, and the grant of the associated environmental authority made on 8 March 2007, in order to remove any uncertainty about the validity of those grants and to secure the future of the mining operations conducted under those grants.

### **Achievement of the Objectives**

The amendments achieve the objectives.

### **Alternate Ways of Achieving the Objectives**

There are no alternatives considered suitable to achieve the objectives.

### **Estimated Cost for Government Implementation**

Nil.

### **Consistency with Fundamental Legislative Principles**

The validating legislation arguably does not have sufficient regard to the rights of individuals, in that it denies the QCC and its members the opportunity to be heard further on greenhouse gas emission issues arising out of the mining operations being conducted under the two grants.

## **Consultation**

There has been no consultation external to Government.

## **Notes on Provisions**

### **Amendment 1**

This amends clause 2 (Commencement) of the Bill, to ensure that the amendments made by Part 3A and clause 91A of the Bill commence on assent, rather than by proclamation.

### **Amendment 2**

This amendment inserts a new Part 3A into the Bill.

Part 3A of the Bill amends the Environmental Protection Act 1994 by inserting a new Chapter 12, Part 4A into that Act.

The new Part 4A of the Environmental Protection Act 1994 validates the amendment of environmental authority (mining lease) number MIM800098402 made by the Minister for the Environment on 8 March 2007.

### **Amendment 3**

This amendment inserts a new clause 91A into the Bill.

Clause 91A inserts a new section 418AA into the Mineral Resources Act 1989.

The new section 418AA of the Mineral Resources Act 1989 validates the grant made by the Governor in Council on 29 March 2007 to include additional surface area number 2 in mining lease number 4761.