

# Environmental Protection and Other Legislation Amendment Bill 2008

## Amendments agreed to during Consideration

**1 Clause 7 (Amendment of s 614 (Existing Act continues to apply for special agreement Acts))—**

At page 7, line 25, after ‘616D’—

*insert—*

‘or 616K(2B)’.

**2 Clause 9 (Insertion of new ch 13, pt 2, div 7 and div 8 hdg)—**

At page 18, after line 7—

*insert—*

‘(2A) Subsection (2)(a) is subject to subsection (2B) and the Mineral Resources Act, section 735(4A).

‘(2B) The special agreement Act to which the authority relates and the existing Act continue to apply for amending the plan of operations as if the amending Act, other than for the insertion of section 584, had not been enacted.’.

**3 Clause 9 (Insertion of new ch 13, pt 2, div 7 and div 8 hdg)—**

At page 20, line 22, ‘This section’—

*omit, insert—*

‘Subsection (2)’.

**4 Clause 9 (Insertion of new ch 13, pt 2, div 7 and div 8 hdg)—**

At page 20, after line 25—

*insert—*

- ‘(1A) If there is a current objection relating to the new authority application, subsection (2) also applies to the Land Court for considering the standard criteria under section 223 in making the objections decision for the application.’

**5 Clause 9 (Insertion of new ch 13, pt 2, div 7 and div 8 hdg)—**

At page 27, after line 21—

*insert—*

**‘Subdivision 9 Other matters**

**‘616ZCA Continuing effect of particular environmental authorities**

- ‘(1) This section applies to an environmental authority that—
- (a) is for a chapter 4 activity to which a special agreement Act applies; and
  - (b) was a constituent part of an integrated authority under the pre-2005 Act; and
  - (c) was in force immediately before the commencement.
- ‘(2) To remove any doubt, it is declared that sections 619 to 621 apply, and have always applied, to the environmental authority.
- ‘(3) In this section—
- pre-2005 Act* means this Act as it was in force immediately before 1 January 2005.

**‘616ZCB Validation of particular development approvals and registration certificates**

- ‘(1) This section applies if, before the commencement, a development approval was issued or a registration certificate was granted for a chapter 4 activity to which a special agreement Act applies.

‘(2) The development approval or registration certificate is, and always has been, as valid as it would have been if section 614(1) had not been enacted.’.

**6 Clause 21 (Amendment of s 735 (Existing Act continues to apply for special agreement Acts))—**

At page 30, line 20, ‘subsection (3)’—

*omit, insert—*

‘subsections (3) and (4A)’.

**7 Clause 21 (Amendment of s 735 (Existing Act continues to apply for special agreement Acts))—**

At page 31, after line 22—

*insert—*

‘(4A) Section 292(1) and (2) of the existing Act continues to apply for amending a plan of operations under the existing Act for a relevant mining lease for a transitional authority (SAA) as if the amending Act had not been enacted.’.