

Mining Amendment Bill 2023

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Western Australia

LEGISLATIVE ASSEMBLY/COUNCIL

Mining Amendment Bill 2023

A Bill for

An Act to amend the *Mining Act 1978*.

The Parliament of Western Australia enacts as follows:

Consultation Draft

s. 1

1 **1. Short title**

2 This is the *Mining Amendment Act 2023*.

3 **2. Commencement**

4 This Act comes into operation as follows —

- 5 (a) sections 1 and 2 — on the day on which this Act
6 receives the Royal Assent;
7 (b) the rest of the Act — on a day fixed by proclamation.

8 **3. Act amended**

9 This Act amends the *Mining Act 1978*.

10 **4. Section 8 amended**

11 In section 8(1) insert in alphabetical order:

12 ***offsets project*** means —

- 13 (a) an eligible offsets project as defined in the
14 *Carbon Credits (Carbon Farming Initiative)*
15 *Act 2011* (Commonwealth) section 5; or
16 (b) an offsets project, as defined in the *Carbon*
17 *Credits (Carbon Farming Initiative) Act 2011*
18 (Commonwealth) section 5, if —
19 (i) the offsets project is the subject of an
20 application under section 22 of that Act;
21 and
22 (ii) a decision on the application has not
23 been made;
24
25

1 **5. Section 42 amended**

2 After section 42(1A) insert:

3

4 (1B) A person is not entitled to lodge a notice of objection if
5 the basis for the objection is that the prospecting
6 licence, or activities authorised by it, would affect an
7 offsets project.
8

9 **6. Section 59 amended**

10 After section 59(1A) insert:

11

12 (1B) A person is not entitled to lodge a notice of objection if
13 the basis for the objection is that the exploration
14 licence, or activities authorised by it, would affect an
15 offsets project.
16

17 **7. Section 70D amended**

18 After section 70D(1A) insert:

19

20 (1B) A person is not entitled to lodge a notice of objection if
21 the basis for the objection is that the retention licence,
22 or activities authorised by it, would affect an offsets
23 project.
24

25 **8. Section 75 amended**

26 Delete section 75(1a) and insert:

27

28 (1A) A person is not entitled to lodge a notice of objection if
29 the basis for the objection is that —

s. 9

- 1 (a) there is no significant mineralisation in, on or
2 under the land to which the application relates;
3 or
4 (b) the mining lease, or activities authorised by it,
5 would affect an offsets project.
6

7 **9. Section 97A amended**

8 After section 97A(6A) insert:
9

- 10 (6B) A person is not entitled to lodge a notice of objection if
11 the basis for the objection is that the mining tenement,
12 or activities authorised by it, would affect an offsets
13 project.
14