

**APPROVALS AND RELATED REFORMS (NO. 2) (MINING) BILL 2009**

*First Reading*

Bill read a first time, on motion by **Mr W.R. Marmion (Parliamentary Secretary)**.

Explanatory memorandum presented by the parliamentary secretary.

*Second Reading*

**MR W.R. MARMION (Nedlands — Parliamentary Secretary)** [12.28 pm]: I move —

That the bill be now read a second time.

This bill is one of four bills being put forward by the government as part of its strategy to streamline and improve the approvals process for resource, infrastructure, land, heritage, housing and transport developments across Western Australia. The four bills are: Approvals and Related Reforms (No. 1) (Environment) Bill 2009; Approvals and Related Reforms (No. 2) (Mining) Bill 2009; Approvals and Related Reforms (No. 3) (Crown Land) Bill 2009; and Approvals and Related Reforms (No. 4) (Planning) Bill 2009. The proposed changes contained in these four bills were considered through the directors general working group and reviewed by the Ministerial Taskforce on Approvals, Development and Sustainability.

This bill amends the Mining Act 1978 and contains three parts. Part 1 provides the usual preliminaries to the bill; namely, the title for the bill and the commencement details. The main provisions of the bill will commence on a day or days fixed by proclamation. It should be noted that extensive supporting regulations will be required.

Part 2 makes it clear that mining operators are required to complete a mine closure plan in conjunction with their mining proposal. Further, this mine closure plan is required to be reviewed regularly to ensure that it is up to date. The costs of mine closure and rehabilitation of mine sites can vary considerably as a result of technical, environmental and social factors. Typically, mine closure costs are underestimated by industry, which can have negative social, economic and environmental consequences. This amendment will raise the level of compliance with mine closure planning requirements and reduce the state's financial risk associated with companies failing to fulfil mine rehabilitation and closure obligations. To ensure that mine closure plans are reviewed regularly, clause 10 of the bill inserts new section 84AA, which requires the lessee of a mining lease to review the mine closure plan no later than three years after the lease is granted, or after the mining proposal is approved, or within such other time as may be approved in writing. The period of three years is considered appropriate as it is acknowledged that many projects defined within mining proposals are for a period of less than five years.

Part 3 makes provision for mining tenement applications and Mining Act 1978 forms to be lodged at any office of the mining registrar, including by electronic means. There are 10 mining registrar's offices, including Perth, and each office administers a number of mineral fields and districts. Currently, mining tenement applications and associated forms must be lodged with the mining registrar of the mineral field or district in which the largest portion of the land to which the application applies is situated.

These amendments will allow applicants to simply attend at the nearest mining registrar's office and lodge the application or form, where it will be recorded. The documents will then be transmitted to the relevant mining registrar for further processing. An important part of this lodgement anywhere is the ability to lodge an application or document electronically through a nominated departmental single online portal. Intended users will be required to be registered and have their own unique logon identification. As part of this process, the intended user will then be required to consent to the rules of electronic lodgement to enable forms and fees to be submitted in this manner. Any document lodged through the online portal outside normal office hours will be deemed to be lodged at a prescribed time on the next working day. This initiative will streamline the process for the lodgement of documents and allow lodgement from essentially anywhere in the world through this single online portal.

It was also intended to incorporate in this bill provisions for a new railway licence regime to support mining projects. However, this has not been possible as there remain a number of issues requiring coordination and further clarification across agencies. These issues are presently being examined, and it is anticipated that a further bill will be introduced into Parliament in 2010.

I commend the bill to the house.

Debate adjourned, on motion by **Mr D.A. Templeman**.