

Western Australia

Petroleum and Geothermal Energy Resources Amendment (Veto Powers) Bill 2017

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Western Australia

LEGISLATIVE COUNCIL

(Introduced by Mr Rick Mazza, MLC)

**Petroleum and Geothermal Energy Resources
Amendment (Veto Powers) Bill 2017**

A Bill for

**An Act to amend the *Petroleum and Geothermal Energy Resources
Act 1967*.**

The Parliament of Western Australia enacts as follows:

s. 1

1 **1. Short title**

2 This is the *Petroleum and Geothermal Energy Resources*
3 *Amendment (Veto Powers) Act 2017*.

4 **2. Commencement**

5 This Act comes into operation as follows —

- 6 (a) sections 1 and 2 — on the day on which this Act
7 receives the Royal Assent;
8 (b) the rest of the Act — on the 28th day after that day.

9 **3. Act amended**

10 This Act amends the *Petroleum and Geothermal Energy*
11 *Resources Act 1967*.

12 **4. Section 16 replaced**

13 Delete section 16 and insert:
14

15 **16. Consent of owner of certain land required before**
16 **authority exercised under Act**

- 17 (1) In this section —
18 *agricultural purposes* includes the grazing of stock on
19 uncleared land;
20 *reservoir* includes any natural or artificial storage or
21 accumulation of water, spring, dam, bore, and artesian
22 well.
23 (2) For the purposes of this section, the Minister is the sole
24 judge of whether any improvement is substantial.

- 1 (3) This section applies to land that is comprised in a
2 permit, drilling reservation, lease, licence, special
3 prospecting authority or access authority and is —
- 4 (a) private land that is a separate parcel of land not
5 exceeding 2 000 m² in area; or
- 6 (b) private land, of no matter what area, any part of
7 which is in bona fide and regular use for
8 agricultural purposes or horticultural purposes
9 or as a garden, orchard, plant nursery,
10 plantation, stockyard, vineyard or yard; or
- 11 (c) land within 150 m horizontally of —
- 12 (i) a cemetery or burial place; or
- 13 (ii) a reservoir; or
- 14 (iii) a substantial improvement.
- 15 (4) A permittee, holder of a drilling reservation, lessee,
16 licensee, holder of a special prospecting authority, or
17 holder of an access authority, must not —
- 18 (a) exercise the authority conferred by section 38,
19 43D, 48C, 62, 105 or 106 on land to which this
20 section applies without the prior written
21 consent of the owner of the land; or
- 22 (b) enter land to which this section applies for the
23 purpose of exercising that authority without the
24 prior written consent of the owner of the land.
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