

TASMANIA

**MINING (STRATEGIC PROSPECTIVITY
ZONES) AMENDMENT BILL 2002**

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MINING (STRATEGIC PROSPECTIVITY ZONES) AMENDMENT BILL 2002

(Brought in by the Minister for Economic Development, Energy and Resources, the Honourable Paul Anthony Lennon)

A BILL FOR

An Act to amend the *Mining (Strategic Prospectivity Zones) Act 1993*

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

Short title

1. This Act may be cited as the *Mining (Strategic Prospectivity Zones) Amendment Act 2002*.

Commencement

2. This Act commences on the day on which this Act receives the Royal Assent.

Principal Act

3. In this Act, the *Mining (Strategic Prospectivity Zones) Act 1993** is referred to as the Principal Act.

*No. 26 of 1993

Section 4 amended (Objects of Act)

4. Section 4 of the Principal Act is amended by omitting “mining products” and substituting “minerals”.

Section 6 amended (Strategic prospectivity zones)

5. Section 6(1) of the Principal Act is amended by omitting “2687” and substituting “5132”.

Section 7 amended (Status of Crown land in strategic prospectivity zones)

6. Section 7(5)(a) of the Principal Act is amended by omitting “a proclamation under section 6 (1) (a) of the *Mining Act 1929*” and substituting “an order under section 5(3) of the *Mineral Resources Development Act 1995*”.

Section 9 amended (Reimbursement of exploration costs)

7. Section 9 of the Principal Act is amended by omitting subsection (1) and substituting the following subsection:

(1) The holder of a licence under the *Mineral Resources Development Act 1995* may be reimbursed the reasonable cost of any work conducted under that licence if –

- (a) the licence authorises the holder to explore for minerals on any Crown land in a strategic prospectivity zone; and
- (b) the use of any part of that land is changed under any law of the State resulting in the licence being revoked.

Section 10 amended (Compensation on revocation of lease)**8. Section 10 of the Principal Act is amended as follows:**

- (a) by omitting subsection (1) and substituting the following subsection:

(1) The holder of a lease under the *Mineral Resources Development Act 1995* may be reimbursed for any reasonable loss or reasonable damage if –

- (a) the lease authorises the holder to carry out mining operations on any Crown land in a strategic prospectivity zone; and
- (b) the use of any part of that land is changed under any law of the State resulting in the lease being revoked.
- (b) by omitting from subsection (2) “warden’s court” and substituting “Mining Tribunal”;
- (c) by omitting from subsection (3) “mining tenement” and substituting “mineral tenement”;
- (d) by omitting from subsection (4) “warden’s court” and substituting “Mining Tribunal”;
- (e) by omitting from subsection (5) “court” first occurring and substituting “Mining Tribunal”;
- (f) by omitting from subsection (5)(a) “court” and substituting “Mining Tribunal”.

Section 11 substituted

9. Section 11 of the Principal Act is repealed and the following section is substituted:

Application of Part 7 of Mineral Resources Development Act 1995

11. Part 7 of the *Mineral Resources Development Act 1995* applies to a claim for compensation under section 10.

Schedule 1 amended (Strategic Prospectivity Zones)

10. Schedule 1 to the Principal Act is amended as follows:

- (a) by omitting the item relating to Beaconsfield and substituting the following item:

BEACONSFIELD

Commencing at the southeast corner of the area at AMG 490 000 metres E. 5 417 000 metres N. thence grid west to AMG 480 000 metres E. northwesterly to AMG 470 000 metres E. 5 424 000 metres N. again northwesterly to AMG 464 210 metres E. 5 434 131 metres N. being a point on the low water mark at Port Sorell by that low water mark in a general northwesterly direction to AMG 461 462 metres E. 5 444 000 metres N. grid east to AMG 463 223 metres E. being a point on the western boundary of the Narawntapu National Park by that National Park boundary in a general southerly then northeasterly direction to its intersection with the low water mark at Port Dalrymple by that low water mark in a general southeasterly direction to AMG 490 000 metres E. 5 444 316 metres N. thence grid south to the point of commencement.

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 Amendment

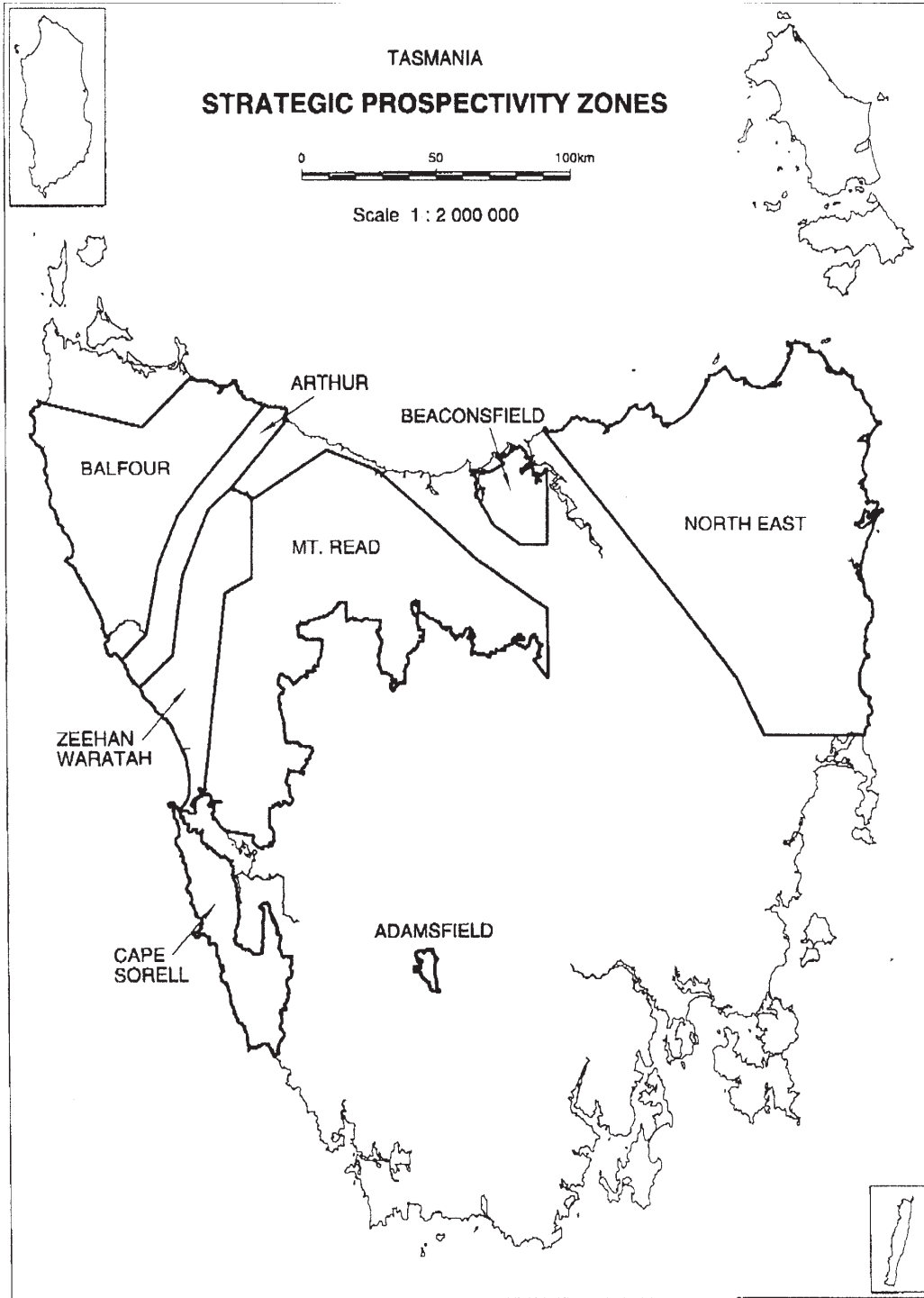
- (b) by inserting “**WARATAH**” after “**ZEEHAN**” in the item relating to Zeehan.

Schedule 2 substituted

11. Schedule 2 to the Principal Act is repealed and the following Schedule is substituted:

**SCHEDULE 2 - MAP OF STRATEGIC
PROSPECTIVITY ZONES**

Section 6(2)



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s. 12

Substitutions

12. Each of the provisions of the Principal Act specified in Column 1 of Schedule 1 is amended by omitting “*Mining Act 1929*” on the number of occurrences specified in Column 2 of that Schedule and substituting “*Mineral Resources Development Act 1995*”.

sch. 1

No.

*Mining (Strategic Prospectivity Zones)
Amendment*

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SCHEDULE 1 - SUBSTITUTIONS

Section 12

Column 1	Column 2
Provision amended	Number of occurrences
Section 3	1
Section 7(4)(c)	1
Section 7(5)(d)	1
Section 7(5)(e)	1
Section 7(6)(a)	1
Section 7(6)(c)	1