1. The Land Access Ombudsman Bill 2017 sets out the legislative framework to enable the establishment of an independent Land Access Ombudsman by setting out the functions, powers and administrative arrangements of the Office of the Land Access Ombudsman. It also migrates existing provisions contained in the *Mineral and Energy Resources (Common Provisions) Transitional Regulation 2016* related to land access and the overlapping tenure framework to the *Mineral and Energy Resources (Common Provisions) Act 2014* prior to the expiry of the transitional regulation on 27 September 2017.
2. Currently, there are limited avenues through which a private landholder and a resource authority holder, who are party to a conduct and compensation agreement (CCA) or a make good agreement (MGA), can resolve disputes relating to alleged breaches of these agreements. The use of alternate dispute resolution measures or taking legal action through the court system can be both a time consuming and costly exercise.
3. To facilitate the timely resolution of disputes regarding alleged breaches of a CCA or an MGA, a Land Access Ombudsman (LAO) is to be established. The LAO service will be a free service available to:
* the owner or occupier of private land and resource authority holder who are party to a CCA; and
* the owner of an impaired bore and a resource tenure holder who are party to an MGA.
1. The LAO will be able to:
* receive, investigate and facilitate the timely resolution of referred disputes that are within the Ombudsman’s jurisdiction;
* give advice or make non-binding recommendations as to how the dispute could or should be resolved;
* refer matters to the relevant regulator where an alleged breach of a CCA or an MGA is also an offence or a breach of a statutory requirement relating to land access; and
* provide advice about general or systemic issues arising out of an investigation to the relevant chief executive of the department to which the matter relates.
1. Cabinet approved that the Land Access Ombudsman Bill 2017 be introduced into the Legislative Assembly.
2. *Attachments*
* [Land Access Ombudsman Bill 2017](Attachments/Bill.pdf)
* [Explanatory Notes](Attachments/ExNotes.pdf)