

South Australia

National Parks and Wildlife (Bullock Hill Conservation Park—Mining Rights) Proclamation 2014

under section 43 of the *National Parks and Wildlife Act 1972*

Preamble

- 1 The Crown land described in Schedule 1 is, by another proclamation made on this day, constituted as a conservation park under section 30(1) of the *National Parks and Wildlife Act 1972* and assigned the name *Bullock Hill Conservation Park*.
- 2 It is intended that, by this proclamation, the following rights of entry, prospecting, exploration or mining be preserved and exercised in relation to the land constituting the conservation park:
 - (a) exploration licence EL5356 under the *Mining Act 1971* and any renewal or transfer of that licence after the commencement of this proclamation (but not a subsequent exploration licence);
 - (b) exploration licence EL4936 under the *Mining Act 1971* and any renewal or transfer of that licence after the commencement of this proclamation (but not a subsequent exploration licence).

1—Short title

This proclamation may be cited as the *National Parks and Wildlife (Bullock Hill Conservation Park—Mining Rights) Proclamation 2014*.

2—Commencement

This proclamation comes into operation on the day on which it is made.

3—Interpretation

In this proclamation—

Environment Minister means the Minister responsible for the administration of the *National Parks and Wildlife Act 1972*;

Mining Minister means the Minister responsible for the administration of the *Mining Act 1971*.

4—Specified rights preserved

Subject to clause 5, rights of entry, prospecting, exploration or mining under the *Mining Act 1971* referred to in clause 2 of the preamble may be exercised, or acquired and exercised, after the commencement of this proclamation in respect of the land described in Schedule 1.

5—Conditions for exercise of rights

A person in whom rights of entry, prospecting, exploration or mining under the *Mining Act 1971* referred to in clause 2 of the preamble are vested (whether those rights were acquired before or after the making of this proclamation) must not exercise those rights in respect of the land described in Schedule 1 unless the person complies with the following conditions:

- (a) if work to be carried out in relation to the land in the exercise of those rights has not previously been authorised, the person must give at least 3 months notice of the proposed work to the Mining Minister and the Environment Minister and supply each Minister with such information relating to the proposed work as the Minister may require;
- (b) if directions are agreed between the Mining Minister and the Environment Minister and given to the person in writing in relation to—
 - (i) carrying out work in relation to the land in a manner that minimises damage to the land (including the land's vegetation and wildlife) and the environment generally; or
 - (ii) preserving objects, structures or sites of historical, scientific or cultural interest; or
 - (iii) rehabilitating the land (including the land's vegetation and wildlife) on completion of the work; or
 - (iv) (where the work is being carried out in the exercise of rights acquired after the making of this proclamation) prohibiting or restricting access to any specified area of the land that the Ministers believe would suffer significant detriment as a result of carrying out the work,

the person must comply with those directions in carrying out the work;

- (c) if a plan of management is in operation under section 38 of the *National Parks and Wildlife Act 1972* in respect of the land, the person must have regard to the provisions of the plan of management;
- (d) in addition to complying with the other requirements of this proclamation, the person—
 - (i) must take such steps as are reasonably necessary to ensure that objects, structures and sites of historical, scientific or cultural interest and the land's vegetation and wildlife are not unduly affected by any work; and
 - (ii) must maintain all work areas in a clean and tidy condition; and
 - (iii) must, on the completion of any work, obliterate or remove all installations and structures (other than installations and structures designated by the Mining Minister and the Environment Minister as suitable for retention) used exclusively for the purposes of that work;
- (e) if no direction has been given by the Mining Minister and the Environment Minister under paragraph (b)(iii), the person must rehabilitate the land (including its vegetation and wildlife) on completion of any work to the satisfaction of the Environment Minister.

6—Governor may give directions

If the Mining Minister and the Environment Minister cannot agree as to whether a direction should be given under clause 5(b), the Governor may, with the advice and consent of the Executive Council, give a direction in writing under clause 5(b).

Schedule 1—Description of land

Sections 2082 to 2084 (inclusive) and 2086, Hundred of Kondoparinga, County of Hindmarsh.

Made by the Governor

with the advice and consent of the Executive Council
on 30 January 2014

14MSECCS002