

REPORT TO THE ALP STATE EXECUTIVE ON A  
NEW POLICY ON EXPLORATION AND MINING IN  
NATIONAL PARKS AND NATURE RESERVES

In October, 1985, the Government established a committee to receive submissions and make recommendations on exploration and mining in national parks and nature reserves. The committee was established as a response by Government to public concern about a proposal to establish an alluvial gold mine in the Hamersley Range National Park.

The government consulted extensively with the ALP's Conservation and Environment Committee. As a result the Committee presented a report to State Executive in September this year outlining the Committee's stance on mining in national parks and recommending changes to some of the policies put forward in the Bailey report.

Ministers Parker and Hodge reviewed the Committee's report and adopted most of the committee's suggested recommendations.

The result is a new policy which takes account of the Committee's recommendations as well as public comment, and deals rationally and sensibly with the difficult question of exploration and mining in national parks and reserves.

## POLICY ON EXPLORATION AND MINING IN NATIONAL PARKS AND NATURE RESERVES

### Policy 1

National parks and nature reserves will be closed to exploration and mining activities. This situation will remain unless a specific park or reserve has been either individually opened for the granting of an exploration licence by the process described in this document or reclassified as provided for in Policy 5.

### Policy 2

Areas of the highest biological or landscape value should remain closed.

### Policy 3

Geoscientific survey work should be permitted without holding an exploration licence in national parks and reserves under permit issued by the Minister for Mines. The Minister must seek and obtain the agreement of the Minister for Conservation and Land Management. The Minister for Mines may attach appropriate conditions to a permit, or, in exceptional circumstances, refuse to issue a permit. Appropriate reports on the results of the survey should be prepared by the permit holder for the Departments of Mines, and Conservation and Land Management.

### Policy 4

If the Mines Department believes that a particular national park or nature reserve or part thereof is of sufficient prospectivity, then it should formally refer the proposal to open the area for the granting of exploration licences to the Environmental Protection Authority. A programme of non-destructive research should then be carried out with an inter-departmental committee, convened by the Environmental Protection Authority and including representatives of the Department of Conservation and Land Management, and Mines Department. The committee would assess the results of the research and report to the Environmental Protection Authority, which would then recommend to Government. Where a company has lodged a tenement application over a closed area, it should be required to meet the cost of the necessary research.

### Policy 5

In reporting to Government the Environmental Protection Authority will recommend:

- that the area in question not be declared open for the granting of exploration licences if it is considered to be of the highest biological or landscape value; or
- that the area in question be declared open for the granting of exploration licences subject to appropriate conditions but remain part of the national park or nature reserve if it is considered to be of intermediate biological and landscape value; or
- that the area in question be removed from the national park and nature reserve system if it is considered to be of low biological and landscape value..

### Policy 6

The following matters will be taken into account by the Environmental Protection Authority, when assessing whether or not to recommend that a national park or nature reserve or part thereof be declared open for the granting of exploration licences:

- the presence of rare or endangered species of fauna and flora, communities or habitats;
- the presence of areas of outstanding scenic or landscape value;
- the presence of significant wilderness or important wetlands;
- the presence of sites of archaeological, cultural, historic, or scientific value, or a geological monument;
- the importance of the area in terms of its role in protecting representative ecosystems;
- the particular importance of islands to nature conservation; and
- any other matter that the Environmental Protection Authority considers relevant;

#### Policy 7

If, after receiving the advice from the Environmental Protection Authority, the Government wishes to open a national park or reserve or part thereof, then it must seek and receive the agreement of both Houses of Parliament.

#### Policy 8

Mining leases will only be granted over national parks or nature reserves if the area concerned has previously been declared open for the granting of exploration licences or the mining lease application covers an area subject to a pre-existing exploration licence or prospecting licence.

#### Policy 9

Existing tenements over national parks or nature reserves which were granted with a no mining condition (or those not granted) should not be considered for mining until the procedures outlined in this policy document (policies 1-8) have been completed.

#### Policy 10

Once a park or reserve has been assessed and refused opening, a new application over the same area will not be considered within five years of the date of refusal. Provision will be made in special circumstances for an appeal to be heard against this recommendation which would require the approval of both the Mines Minister and the Minister for Conservation and Land Management, to be successful.

#### Policy 11

Areas vested in the National Parks and Nature Conservation Authority as B or C class reserves will be individually reviewed and either:

- reclassified as a national park or nature reserve;
- or
- have its NPNCA vesting status removed.

#### Policy 12

If an exploration licence application was lodged over a B or C class reserve before the completion of the Policy 11 review, then the reserve would need to be reviewed before the application was granted.

### Policy 13

Areas proposed for reservation as national parks or nature reserves and fully approved by Government will be treated administratively as if they were so reserved.

### Policy 14

The Government will initiate a public review of the national park and nature reserve boundaries, with a view to rationalisation. The primary objective of this process will be to set ecologically sensible and manageable boundaries while maintaining the values and area of the reserve system. A secondary objective will be to avoid areas of high prospectivity wherever this can be accomplished without prejudice to the primary objective.

The Review will be undertaken by the Department of Conservation and Land Management in liaison with the Mines Department and the Environmental Protection Authority. The Review could be carried out as part of the preparation by the Department of Conservation and Land Management of a management plan for each park or reserve.

### Policy 15

Insofar as it relates to national parks and nature reserves the Mining Act 1978 will be amended to:

- . require that exploration licences and mining leases are only granted subject to the condition that damage to the surface of the land and anything on the surface of the land (eg flora and fauna) is prevented or minimised and repaired; and
- . enable the Minister for Mines to impose additional environmental conditions at any time.

### Policy 16

Applications for exploration licences over national parks and nature reserves and the assessment of exploration programmes will be processed according to the procedures illustrated in Figure 1.

#### Policy 17

Applications for mining leases over national parks and nature reserves and the assessment of mining proposals will be processed according to the procedures illustrated in Figure 2.

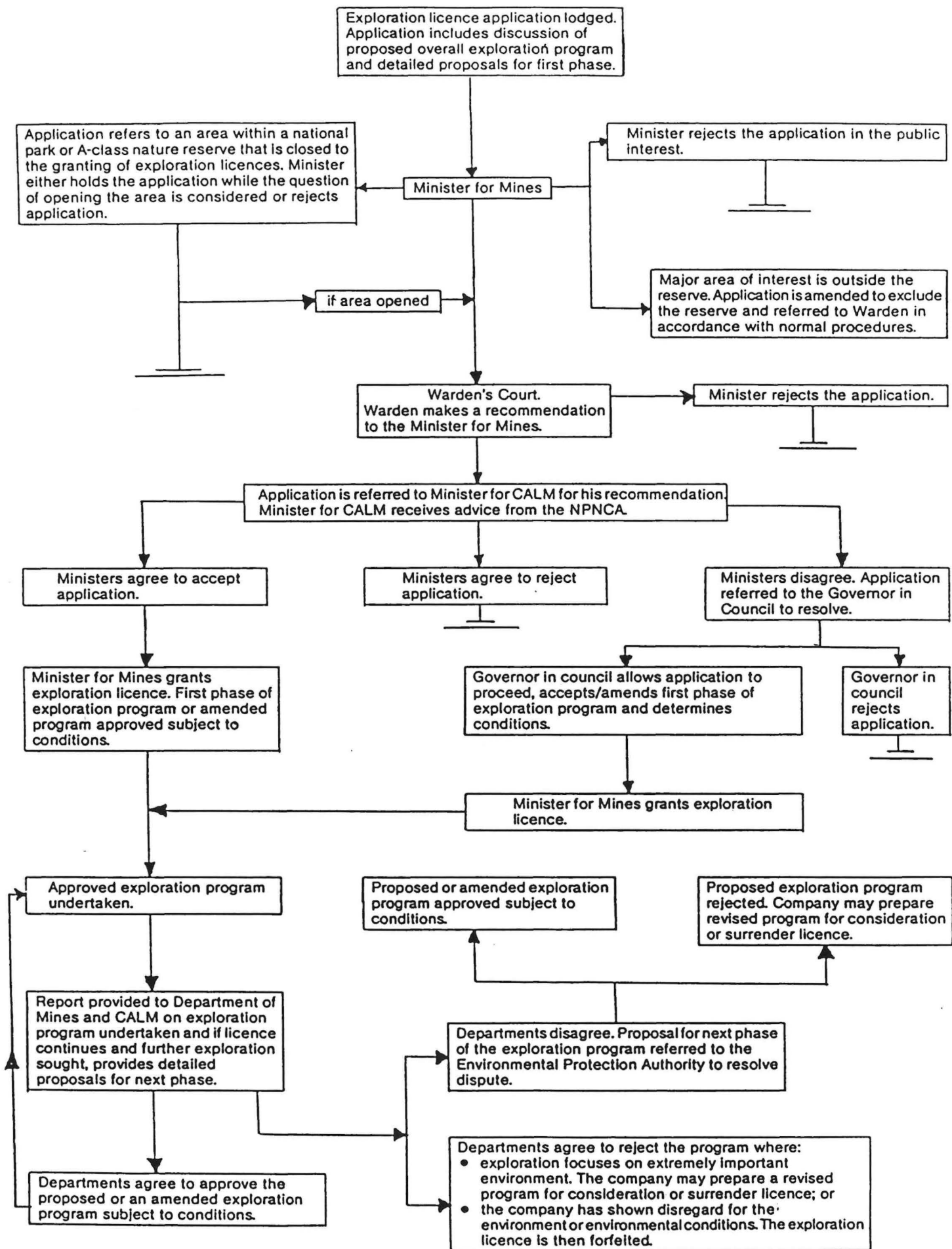
#### Policy 18

Reports will be prepared by the holders of mining tenements over national parks and nature reserves at appropriate intervals describing the environmental management of their activities. Such reports should be forwarded to the Mines Department, Department of Conservation and Land Management and other departments and authorities where appropriate.

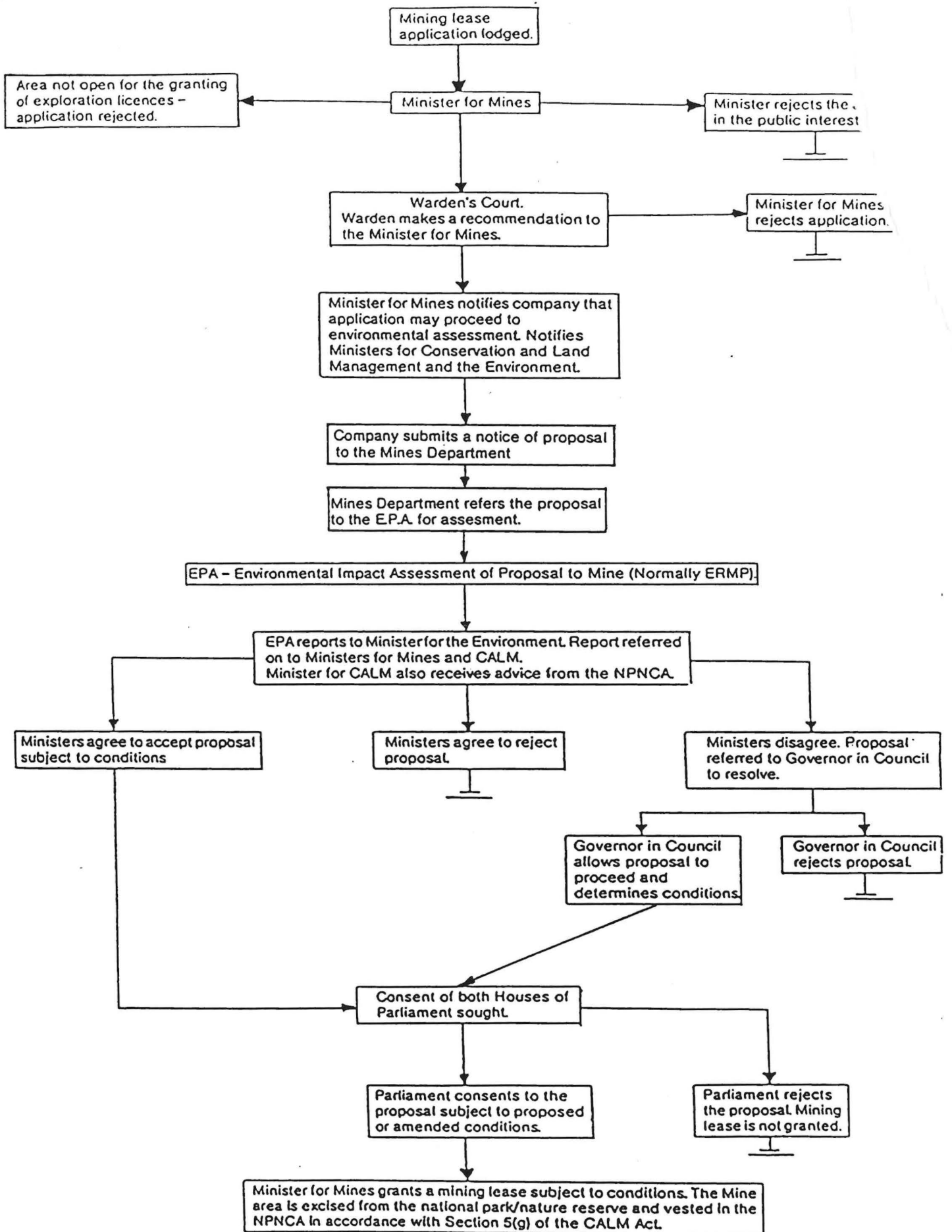
#### Policy 19

Access to national parks and nature reserves for exploration and mining activities including access for the purpose of marking out a tenement should occur under only three circumstances:

- as authorised by a geoscientific survey permit; or
- in accordance with the terms and conditions of an exploration licence; or
- in accordance with the terms and conditions of a mining lease.



Procedure for reviewing exploration licence applications and exploration programs over national parks and nature reserves



Procedure for reviewing mining lease applications over national parks and nature reserves