

DEPARTMENT OF CONSERVATION AND LAND MANAGEMENT

POLICY STATEMENT NO. 2BASIC RAW MATERIALS

(Revised October 1989)

The Departments of Conservation and Land Management and Mines have agreed to a strategy concerning the extraction of certain minerals from land under the control of the Department of Conservation and Land Management (CALM).

The particular minerals involved are gravel, shale (not being oil shale), sand, clay, limestone or rock, i.e. those materials which are not minerals when on private land, but are minerals when on Crown land or reserved land as defined under the Mining Act 1978.

It is proposed that such minerals on CALM land can be used by CALM or its authorised agents for any agricultural, pastoral, household, road making, or building purpose on that land if no mining tenement has been granted over the land, e.g. CALM may authorise gravel to be obtained from one part of a State forest, national park or nature reserve in order to effect road works in other parts of that forest, park or reserve [Section 9(2) of the Mining Act 1978].

In the case of gravel, sand etc., being required by various shires, MRD, SEC or other agencies for services adjacent to, on, or servicing State forests and timber reserves, it is proposed that they be accommodated by the issue by CALM of a Lease. (CALM Act, Section 97). The creation of such a lease on State forest and timber reserves will mean that the land will fall within the Mining Act definition of private land. Accordingly any gravel, shale etc. will no longer be minerals and the provisions of the Mining Act will not apply.

In the case of gravel, sand etc. being required from national parks or nature reserves, requests may be accommodated by the issue by CALM of a lease (CALM Act, Section 100) provided that the use of the gravel is "necessary" for the management of the national park or nature reserve [CALM Act, Section 33(3)], and is used on the Park or the Reserve. Doubtful cases are to be referred to the General Manager.

All operations of a commercial nature involving basic materials will be controlled under the Mining Act, and for this purpose a mining tenement will need to be obtained by the operator. These will be subject to approval by our Minister, to conditions and to the payment of appropriate compensation to CALM, and royalties to the Mines Department.

The CALM Policy and conditions on rehabilitation, compensation and royalties is presented in the table (attached).


Syd Shea
EXECUTIVE DIRECTOR

October 1989

Distribution: Lists A,B,D,E & F.

AGENCY	PROPOSED USE	MINING TENEMENT	CALM LEASE	REHABILITATION PITS	COMPENSATION TO CALM	ROYALTY		APPROVALS	REMARKS
						M.J.D	CALM		
1. CALM	Use on CALM lands	No	No	Yes	No	No	N/A	CALM District	Minimal pits on National Parks, Nature Reserves & flora, fauna landscape conservation areas. All pits to be rehabilitated after use.
2. CALM agents authorised works	Use on CALM lands	No	No	Yes	No	No	N/A	CALM District	Minimal pits on National Parks, Nature Reserves or flora, fauna & landscape conservation priority areas. All pits to be rehabilitated after use.
3. Shires, MRD or other authorised agencies	i)*Roads on or servicing State forest or Timber Reserve or within 5km. ii)*Roads on National Parks or Nature Reserves and "necessary" for management of the reserve.	No	Yes	Yes	No	No	N/A	CALM District	Minimum of new pits on National Parks, Nature Reserves or flora, fauna & landscape conservation priority areas. Existing pits to be phased out and rehabilitated.
4. Shires, MRD or other authorised agencies	*Commercial use or land not servicing or more than 5km from State forest.	Yes	No	Yes	Yes	Yes	No	CALM would oppose mining tenements	No new pits on National Parks, Nature Reserves or flora, fauna & landscape conservation priority areas. Existing pits to be phased out and rehabilitated.
5. Contractors	For use on other tenures or on P.P.	Yes	No	Yes	Yes	Yes	No	CALM would oppose mining tenements	No new pits on National Parks, Nature Reserves or flora, fauna & landscape conservation priority areas. Existing pits to be phased out and rehabilitated.
5. Private Individuals - small lots	For use on P.P.	-	No	-	-	-	-	-	Obtain from contractors.

* Doubtful cases to be referred to General Manager