

Legislative Council—No 12

As introduced and read a first time, 24 September 2008

South Australia

**National Parks and Wildlife (Arkaroola—
Mt. Painter Sanctuary Mining Prohibition)
Amendment Bill 2008**

A BILL FOR

An Act to amend the *National Parks and Wildlife Act 1972*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *National Parks and Wildlife (Arkaroola—Mt. Painter Sanctuary Mining Prohibition) Amendment Act 2008*.

5 2—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *National Parks and Wildlife Act 1972*

3—Insertion of section 44A

10 After section 44 insert:

44A—Prohibition of prospecting and mining in Arkaroola— Mt. Painter Sanctuary

- 15 (1) Subject to this section, rights of entry, prospecting, exploration or mining cannot be acquired or exercised pursuant to a mining Act in respect of the land declared to be a sanctuary under the name *Arkaroola—Mt. Painter Sanctuary* on 15 February 1996 (*Gazette 15.2.1996 p1144*).
- 20 (2) Subsection (1) applies—
 - (a) to the acquisition of rights after the commencement of this section; and
 - (b) to the exercise of rights whenever acquired or purported to be acquired; and
 - (c) to the land referred to in subsection (1)—
 - 25 (i) whatever interests exist in relation to the land (or any part of it) at or after the commencement of this section; and

(ii) whether or not the land (or any part of it) remains a sanctuary at or after the commencement of this section.

(3) This section does not apply—

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(a) to the acquisition (by grant, transfer, renewal or otherwise) of—

(i) a mining lease under the *Mining Act 1971* granted pursuant to an application for a lease made under that Act on or before 3 September 2008; or

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(ii) a miscellaneous purposes licence under the *Mining Act 1971* granted for purposes ancillary to the conduct of mining operations under such a lease; or

(b) to the exercise of rights conferred by a lease or licence referred to in paragraph (a).