



**MINING AMENDMENT (BEACONSFIELD GOLD MINE)
ACT 1988**

No. 56 of 1988

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**THE THIRD SCHEDULE
AREA OF LAND IN THE VICINITY OF THE
TOWN OF BEACONSFIELD**

AN ACT to amend the Mining Act 1929.

[Royal Assent 14 December 1988]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—This Act may be cited as the *Mining Amendment* Short title.
(Beaconsfield Gold Mine) Act 1988.

Commencement. 2—This Act shall commence on the day on which it receives the Royal assent.

Principal Act. 3—In this Act, the *Mining Act 1929** is referred to as the Principal Act.

Amendment of section 73 of Principal Act (Conditions precedent to granting of leases of private lands).

4—Section 73 of the Principal Act is amended as follows:—

(a) by omitting from subsection (3) “No” and substituting “Subject to section 73A, no”;

(b) by omitting from subsection (4) “No” and substituting “Subject to section 73A, no”.

Insertion in Principal Act of new section 73A.

5—After section 73 of the Principal Act, the following section is inserted:—

Grant of leases of, or including, certain private land in the vicinity of the town of Beaconsfield not subject to the provisions of section 73.

73A—(1) For the purposes of this section, “the prescribed area” means the area of land in respect of which applications may be made for leases for mining for gold and other purposes in the vicinity of the town of Beaconsfield that is shown by cross-hatching on plan 634 filed and registered in the Office of the Director, a copy of which is set out in the third Schedule.

(2) The provisions of section 73 do not apply to the grant of a lease of, or including, private land that is below the surface of the prescribed area and that does not come closer than a depth of 15 metres to that surface or such other depth as is determined by the Minister.

(3) In determining a depth for the purposes of subsection (2), the Minister shall take into account—

(a) the nature of the mining operations proposed to be carried out under the relevant lease;

(b) the nature of the private land to which that lease relates;

(c) the nature of the use of the surface of that private land; and

(d) the likely effect on the surface of that private land of the carrying out of those mining operations.

* 20 Geo. V No. 71. For this Act, as amended to 1968, see Appendix B to the Annual Volume of Statutes for 1970. Subsequently amended by No. 47 of 1970, Nos. 35 and 75 of 1973, No. 28 of 1976, No. 18 of 1978, No. 23 of 1979, No. 3 of 1981, Nos. 9, 10, 85, and 99 of 1982, No. 29 of 1984, and No. 23 of 1986.

6—After the second Schedule to the Principal Act, the following Schedule is added:—

Addition of new third Schedule to Principal Act.

THE THIRD SCHEDULE

Section 73A (1)

AREA OF LAND IN THE VICINITY OF THE TOWN OF BEACONSFIELD



