National Parks and Wildlife Conservation Amendment Bill 1987

Date Introduced: 18 March 1987
House: House of Representatives
Presented by: Hon. Barry Cohen, M.P., Minister for Arts, Heritage and Environment

Digests of Bill

Purpose
To allow for the declaration of conservation zones in the proposed extension of Kakadu National Park.

Background
The Ranger Uranium Environmental Inquiry recommended, in 1977, that a major national park be established in the Alligator Rivers region of the Northern Territory to provide protection for rare species of flora and fauna, rare habitats and important Aboriginal art and archaeological sites of importance. The Commonwealth implemented the recommendation in April 1979 by declaring Stage I of the Kakadu National Park under the National Parks and Wildlife Conservation Act 1975. This area, covering 6144 sq km, incorporates the former Woolwonga and Alligator Rivers Wildlife Sanctuaries.\(^1\) Stage II of the Park, covering 6929 sq km, was declared in 1984.

Under the terms of the Convention for the Protection of the World Cultural and Natural Heritage, adopted by the General Conference of UNESCO in 1972, the World Heritage Committee has established a list of properties forming part of the cultural and natural heritage which it considers as having outstanding 'universal value', the destruction of which would constitute a 'harmful impoverishment of the heritage of all nations of the world'.\(^2\) Stage I of the Park was listed as a World Heritage Site in 1981.

Kakadu National Park is administered by the Australian National Parks and Wildlife Service which, in June 1986, called for submissions on the second plan of management to ensure the conservation and appropriate use of the Park. The original five year plan expired in December 1985. On 16 September 1986, the Minister for Arts, Heritage and Environment, in a joint statement with the Minister for Resources and Energy, announced that the Government had agreed to a plan of management that would exclude mining in Stages I and II and that Stage II would be nominated for World Heritage listing. It was also announced that Stage III, consisting of the Gimbat and Goodparla pastoral leases which cover 6726 sq km and include a large area
of the South Alligator Rivers catchment area, would be created. The Coronation Hill mineral lease, located within the Gimbat pastoral lease, would be excluded from the Park extension, allowing development of gold and platinum resources subject to the usual environmental, Aboriginal heritage and related clearances.3

The measures announced are to be implemented by a number of Bills. The proposed ban on mining will be implemented by the National Parks and Wildlife Conservation Amendment Bill 1986, the Park will be extended by the Environmental Protection (Alligator Rivers Region) Bill 1987, this Bill will create conservation zones within Stage III where mining will be allowed while the Lands Acquisition Amendment Bill 1987 and the Aboriginal Land Rights (Northern Territory) Amendment Bill (No. 2) 1987 are also related to the package.

Main Provisions

Section 8A of the National Parks and Wildlife Conservation Act 1975 (the Principal Act) will be amended by clause 4. A new sub-section 8A(6) will be substituted into the Principal Act to extend the regulation making power, other than that relating to plans of management for parks and reserves, to conservation zones.

A new paragraph 8(a) will be substituted to allow regulations to be made for the regulation or prohibition of mining. Where regulations are made concerning a conservation zone and an area is subsequently excised from the zone (e.g. for mining) the regulations will continue to apply (proposed sub-section 8A(10)).

Regulations made under proposed paragraph 8(a) will have effect notwithstanding inconsistent regulations or laws (proposed sub-section 8A(11)).

No compensation will be payable due to the commencement of this Bill (clause 7).

References

2. Ibid.

For further information, if required, contact the Science, Technology and Environment Group.

This Digest does not have any official legal status. Other sources should be consulted to determine the subsequent official status of the Bill.

23 March 1987
Legislative Research Service

-2-