ENVIRONMENT PROTECTION (ALLIGATOR RIVERS REGION) BILL 1978

Date Introduced: 10 April 1978
House: House of Representatives
Presented by: Hon. R.J. Groom, M.P.,
Minister for Environment, Housing
and Community Development

Short Digest of Bill

Purpose

To provide the administrative framework for monitoring, research and control of the effects of uranium mining in the Alligator Rivers Region.

Background

In reviewing the quantity and quality of pollution to be released by uranium mining in the Alligator Rivers Region, the Ranger Commissioners decided that a completely different outlook to mining company proposals was needed. They found that (i) the final type, concentration and chemical form of mine pollutants in the environment, (ii) changes in toxicity with time or place, (iii) sensitivity of the environment to toxic substances, and (iv) effects of other non-toxic factors such as eutrophication were all largely unknown. Yet, as proposed, large amounts of contaminated water were to be placed in the Magela Basin on the strength of a few simple toxicity studies.

In concluding that there is at present no scientific basis for deriving water release standards at the Ranger project site, the Commissioners recommended that all practicable means, using best available technology, be used to reduce pollution of all types from the mine. Meanwhile, our lack of knowledge on the environmental effects of mining could be corrected by means of a local research institute headed by a Supervising Scientist, who would also be chairman of a Co-ordinating Committee of government, aboriginal and mining representatives. The Co-ordinating Committee would help develop the monitoring and research programs for the Region and would review any major changes proposed for the Ranger project.

In setting up the Co-ordinating Committee, the Institute and the position of Supervising Scientist, the Environment Protection (Alligator Rivers Region) Bill 1978 effectively implements the Ranger Inquiry recommendations for such arrangements.
Main Provisions

Clause 4 sets up the position of Supervising Scientist.

Clause 5 defines the functions of the Supervising Scientist in terms of devising and directing environmental research and monitoring programs relating to uranium mining, developing environmental standards for mining and planning methods of rehabilitation in the Alligator Rivers Region. The Supervising Scientist is also required to co-ordinate the various bodies having authority over the Region. He is also required to advise the Minister of the effects on the environment of the Region of mining operations, and of the procedures and measures necessary to preserve or restore the environment (clause 5). There are standard provisions dealing with his powers, appointment and term of office (3 years), remuneration and allowances, etc. Clause 9 prohibits the appointment of anyone whose pecuniary interests are likely to conflict with the duties of the position.

Clause 16 sets up the Co-ordinating Committee which is to be chaired by the Supervising Scientist (sub-clause 22(5)) and also has the Director of National Parks and Wildlife as a member (para.18(1)(b)).

Clause 17 describes the roles of the Co-ordinating Committee as (i) reviewing monitoring and research programs for the Region, and (ii) making recommendations to the Supervising Scientist. Each authority or interested body concerned with the Region nominates not more than 2 persons for inclusion on the Committee, one at least of whom is then appointed by the Minister.

Clause 23 sets up the Alligator Rivers Region Research Institute. Managed by the Supervising Scientist, the Institute would promote, assist and carry out monitoring and research programs examining the environmental effects of uranium mining in the Region (clause 24).

Clause 27 gives the Supervising Scientist power to obtain information and documents necessary to enable performance of his functions or those of the Institute. Where a person fails to comply with a notice to produce such information, the Supervising Scientist may seek an order from the Northern Territory Supreme Court which may make the order if it is satisfied that the information sought is necessary for the purposes of the Supervising Scientist or the Institute.

Clause 29 gives the Supervising Scientist access with the consent of the occupier to buildings and places within the Region. This provision overrides a provision in the Aboriginal Land Rights (Northern Territory) Act which prohibits a person to enter or remain on Aboriginal land except for purposes of that Act. The Supervising Scientist may seek a compliance order from the Northern Territory Supreme Court.
Clause 31 ensures the confidentiality of business information acquired by the Supervising Scientist or his staff in the course of their duties and carries a penalty of $1000 or 6 months imprisonment or both for breach.

Clause 34 determines that the Supervising Scientist shall act according to the national park plan of management or town plan, and not otherwise.

Clause 36 requires the Supervising Scientist to prepare an annual report and any other reports asked for by the Minister on the operations of the Research Institute and Co-ordinating Committee, to be laid before each House of Parliament within 15 sitting days of receipt by the Minister.