



Environment Protection (Alligator Rivers Region) Amendment Act 1987

No. 17 of 1987

An Act to amend the *Environment Protection (Alligator Rivers Region) Act 1978*

[Assented to 18 May 1987]

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

Short title etc.

1. (1) This Act may be cited as the *Environment Protection (Alligator Rivers Region) Amendment Act 1987*.

(2) The *Environment Protection (Alligator Rivers Region) Act 1978*¹ is in this Act referred to as the Principal Act.

Commencement

2. This Act shall come into operation on the commencement of the *National Parks and Wildlife Conservation Amendment Act (No. 2) 1987*.

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Long title

3. The long title of the Principal Act is amended by omitting "uranium".

Interpretation

4. Section 3 of the Principal Act is amended:

(a) by inserting after paragraph (a) of the definition of "Alligator Rivers Region" or "Region" the following paragraphs:

“(aa) so much of the area described as Gimbat on that map (being an area of land that is or was the subject of a pastoral lease) as is outside the area referred to in paragraph (a);

(ab) so much of the area described as Goodparla on that map (being an area of land that is or was the subject of a pastoral lease) as is outside the area referred to in paragraph (a);

(ac) the area bounded on the south by the parallel of latitude 13° 30' south and on all other sides by part of the boundary of the area referred to in paragraph (a);

(ad) the area bounded on the east by the meridian of longitude 133° east, on the south by the parallel of latitude 13° 30' south and on all other sides by part of the boundary of the area referred to in paragraph (a);”;

(b) by inserting after the definition of "appropriate Aboriginal Land Council" the following definition:

“‘conservation zone’ means a conservation zone declared under section 8A of the *National Parks and Wildlife Conservation Act 1975*;”;

(c) by inserting after the definition of "environment" the following definition:

“‘general mining operations’ means mining operations other than uranium mining operations;”;

(d) by inserting after the definition of "member of the committee" or "member" the following definitions:

“‘mineral’ means a naturally occurring substance or mixture of substances;

‘mining operations’ means any operations or activities for or in connection with, or incidental to, the mining (whether by underground or surface working) or recovery of minerals or the production of material from minerals and, in particular, without limiting the generality of the foregoing, includes:

(a) exploring and prospecting for minerals;

(b) milling, refining, treating and processing minerals; and

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- (c) handling, transporting, storing and disposing of minerals and material produced from minerals;
but does not include the construction or use of:
 - (d) towns or camps, or structures connected with the construction or use of towns or camps; or
 - (e) facilities for, or connected with, the supply of water, electricity or gas to towns or camps or to structures connected with the construction or use of towns or camps;”;
- (e) by omitting the definition of “uranium mining operations” and substituting the following definition:

“‘uranium mining operations’ has the meaning it would have if in the definition of ‘mining operations’ the references to minerals were references to uranium-bearing ore;”;
- (f) by adding at the end the following subsection:

“(2) A reference in this Act to the environment in a conservation zone includes a reference to the environment in so much of the Alligator Rivers Region as is adjacent to the zone.”.

Functions of Supervising Scientist in relation to uranium mining in the Region

5. Section 5 of the Principal Act is amended:

- (a) by omitting “The functions of the Supervising Scientist are—” and substituting “The Supervising Scientist has the following functions in relation to uranium mining operations in the Alligator Rivers Region.”; and
- (b) by omitting “Alligator Rivers” (wherever occurring).

6. After section 5 of the Principal Act the following section is inserted:

Functions of Supervising Scientist in relation to general mining in a conservation zone

“5A. (1) The Supervising Scientist has the following functions in relation to general mining operations in a conservation zone:

- (a) to devise and develop programs for research into, and programs for the collection and assessment of information relating to, the effects on the environment in the zone of general mining operations in the zone;
- (b) to co-ordinate, and supervise, the carrying out of programs referred to in paragraph (a);
- (c) to devise and develop, and to promote and assist in the devising and development of:
 - (i) standards, practices and procedures in relation to general mining operations in the zone for the protection of, or in so

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- far as those standards, practices and procedures affect, the environment in the zone; and
- (ii) measures for the protection and restoration of the environment in the zone from the effects of general mining operations in the zone;
 - (d) to consider, and review, the implementation, in relation to general mining operations in the zone, of requirements of or having effect under prescribed instruments in so far as those requirements relate to any matter affecting the environment in the zone;
 - (e) to advise the Minister, or a person designated by the Minister in writing, with respect to:
 - (i) the effects on the environment of general mining operations in the zone;
 - (ii) standards, practices and procedures in relation to general mining operations in the zone for the protection of, or in so far as those standards, practices and procedures affect, the environment in the zone;
 - (iii) measures for the protection and restoration of the environment in the zone from the effects of general mining operations in the zone; and
 - (iv) requirements of or having effect under prescribed instruments in relation to general mining operations in the zone in so far as those requirements relate to any matter affecting the environment in the zone and the implementation of those requirements;
 - (f) to perform such other functions, in relation to general mining operations in the zone, as are conferred on him or her by or under a prescribed instrument (including this Act); and
 - (g) to do anything incidental or conducive to the performance of any of the foregoing functions.
- “(2) Where, whether before or after the commencement of this section:
- (a) a conservation zone is declared under the *National Parks and Wildlife Conservation Act 1975*; and
 - (b) an area is subsequently excised from the zone under that Act;
- then, until the Minister otherwise directs under section 7, the Supervising Scientist continues to have the functions conferred by subsection (1) as if the area had not been excised.”.

Functions of Institute in relation to uranium mining in the Region

7. Section 24 of the Principal Act is amended:

- (a) by omitting “The functions of the Institute are—” and substituting “The Institute has the following functions in relation to uranium mining operations in the Alligator Rivers Region.”; and
- (b) by omitting “Alligator Rivers” (wherever occurring).

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8. After section 24 of the Principal Act the following section is inserted:

Functions of Institute in relation to general mining in a conservation zone

“24A. (1) The Institute has the following functions in relation to general mining operations in a conservation zone:

- (a) to undertake, promote and assist in research into the effects on the environment in the zone of general mining operations in the zone;
- (b) to collect and assess, and to promote and assist in the collection and assessment of, information relating to the effects on the environment in the zone of general mining operations in the zone;
- (c) to perform such other functions, in relation to general mining operations in the zone, as are conferred on it by or under a prescribed instrument; and
- (d) to do anything incidental or conducive to the performance of any of the foregoing functions.

“(2) Where, whether before or after the commencement of this section:

- (a) a conservation zone is declared under the *National Parks and Wildlife Conservation Act 1975*; and
- (b) an area is subsequently excised from the zone under that Act;

then, until the Minister otherwise directs, the Institute continues to have the functions conferred by subsection (1) as if the area had not been excised.”.

Secrecy

9. Section 31 of the Principal Act is amended by inserting in subsection (2) “function or” before “duty”.

Reports

10. Section 36 of the Principal Act is amended by omitting from subsection (2) “uranium” (wherever occurring).

NOTE

1. No. 28, 1978. For previous amendments, see No. 39, 1983; Nos. 63 and 72, 1984; and Nos. 65 and 166, 1985.

[Minister's second reading speech made in—
House of Representatives on 18 March 1987
Senate on 28 April 1987]