

1987

PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

THE SENATE

NATIONAL PARKS AND WILDLIFE CONSERVATION AMENDMENT BILL 1987

EXPLANATORY MEMORANDUM

(Circulated by authority of the Minister representing the  
Minister for Arts, Heritage and Environment)

This memorandum takes account of amendments made by the House of  
Representatives to the Bill as introduced

### OUTLINE

This is a Bill for an Act to amend the National Parks and Wildlife Conservation Act 1975.

The purpose of the Bill is to provide that no operation for the recovery of minerals can or will take place anywhere in the existing Kakadu National Park

The amendments essentially:

- (a) prevent exploration and mining on land proclaimed as the Kakadu National Park, including mineral interests which existed prior to the proclamation; and
- (b) provide that no compensation is to be payable by the Commonwealth as a result of the amendments.

### FINANCIAL IMPLICATIONS

There are no direct cost implications arising from these amendments. Potential economic benefits from the prohibition of mining on existing interests may be foregone.

## NOTES ON CLAUSES

### Clause 1 - Short Title etc

Formal. Provides for citation.

### Clause 2 - Commencement

This clause provides that the legislation will come into operation on the day on which it receives the Royal Assent.

### Clause 3 - Interpretation

This clause amends section 3 of the Principal Act which deals with interpretation. It inserts a definition of Kakadu National Park and omits the definition of "operations for the recovery of minerals". The latter term is defined in a new section 3A.

### Clause 4 - Operations for the recovery of minerals

This clause inserts a new section 3A into the Principal Act to define "operations for the recovery of minerals". Sub-section 3A(2) excludes from the definition -

- (a) anything done for the purposes of building or construction, or the supply of water, in a park or reserve, which is not connected with or incidental to operations for the recovery of minerals;
- (b) the transportation of anything in Kakadu National Park along prescribed routes;
- (c) the construction and use of pipelines and power lines in Kakadu National Park along prescribed routes; or
- (d) prescribed activities carried on in relation to operations for the recovery of minerals carried on outside Kakadu National Park.

### Clause 5 - Existing interests, etc., in parks, reserves and conservation zones

This clause amends section 8B of the Principal Act, which preserves existing mineral interests, to preclude its application to any interest in respect of any minerals within Kakadu National Park. Similarly the clause precludes the application of section 8B to any other interests related to operations for the recovery of minerals in Kakadu National Park. Interests other than those referred to above will remain preserved.

Clause 6 - Mining, works, forestry, etc., in parks, reserves and wilderness zones

This clause amends section 10 of the Principal Act to prohibit the carrying out of operations for the recovery of minerals in Kakadu National Park. The clause will not prevent use, development or reconstruction of Jabiru township which was established to service the Ranger Uranium Mine. Operations for the recovery of minerals in a park or reserve other than Kakadu National Park remain unaffected provided that they are carried on with the approval of the Governor-General and in accordance with the plan of management relating to that park or reserve.

Clause 7 - No compensation payable

This clause provides that the Commonwealth is not liable to pay compensation to any person by reason of the enactment of this Bill.