



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY
14th Assembly

Petition

Registration No.	21
Title	Protect the Litchfield-Finniss region from uranium and lithium mining
Presented on	13 October 2022
Presented by	Member for Daly
Referred to	Minister for Mining and Industry; and Public Accounts Committee
Assembly debate	If the Committee recommends the Petition be debated it will appear on the Notice Paper
Date referred	14 October 2022
Response due	23 March 2023
Response received	
Response presented	

Petition

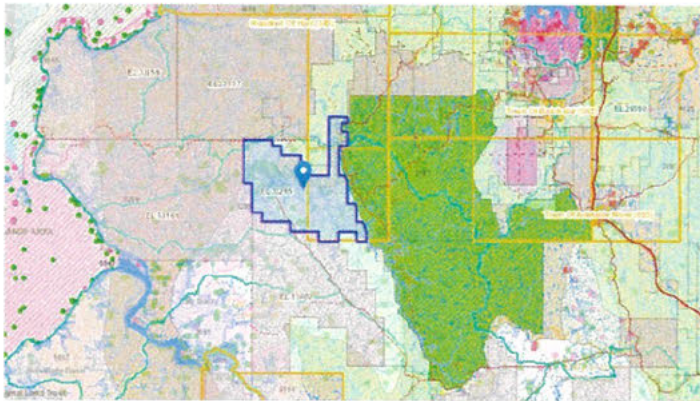
See attached.

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Office of the Clerk

Protect the Litchfield-Finniss region from uranium & lithium mining



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Protect the Litchfield-Finniss region
from uranium & lithium mining

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PETITION

To the Speaker and the Members of the Legislative Assembly of the Northern Territory

Dear Madam Speaker, Chief Minister, and members of the Legislative Assembly

We, the undersigned, are writing to object to the granting of mining exploration licence EL33285 to URO Corporation Pty Ltd, advertised in the NT News on 7 September 2022.

URO Corporation Pty Ltd has applied for a mining exploration licence for uranium, lithium and other minerals across 298 Km² of freehold land adjacent to and surrounding our treasured Litchfield National Park, the traditional lands of, among others, the Marrathiel, Marranunggu, Werat, Warray and Koongurrukun peoples.

This petition posits that if the proposed licence is approved, there would be too many possible substantial disturbances caused by any mineral exploration, especially for uranium and lithium, including substantial disturbances that fall outside the scope of a mining management plan (MMP), under the Mining Management Act.

We are totally opposed to the grant of EL33285 on the following grounds and request the Minister reject the request for the licence:

a) URO Company and any company wanting to explore for minerals in the Northern Territory are under no obligation under Northern Territory or Australian federal law to conduct environmental impact assessments, cultural site assessments or water impact assessments prior to mineral exploration unless "proposed work involves 'substantial disturbance' as defined under the MMA (Mineral Mining Act 2001)" (Date unknown, NT Government, Rights and obligations of a pastoral lease holder and an exploration licence applicant or title holder, p2) only then "must the title holder submit a mining management plan (MMP) for assessment and approval prior to commencing any such activity" (2001 NT Government, Mining Management Act, p20).

b) The term 'substantial disturbance' under the Mineral Mining Act relates to certain impact on threatened flora, fauna, habitats of significance, declared weed in the area, bore water usage, Aboriginal sacred sites and archeological and heritage sites within the licenced exploration area. A mining management plan does not need to cover impact on water that is not from a bore water source, nor on the impact of local businesses, tourism, local resident food sources such as food gardens/crops or landowner assets in the proposed exploration area. Nor does a mining management plan need to consider the impact on any flora, fauna, habitats of significance, cultural sites, tourism, water sources, or parks and conservation areas adjacent to the proposed exploration licence area nor for areas connected to the proposed exploration licence area through waterways and seasonal flooding.

c) Mineral exploration, especially drilling for uranium which URO Corporation states will be their significant target, could negatively impact the environment and the creek and river systems in the area which are water sources for local flora and fauna as well as the only water source for residents who live in the area. The University of New South Wales' Global Water Institute and the Environment Centre of the Northern Territory (ECNT) undertook a longitudinal assessment of the publicly available information on water related issues at Glencore's McArthur River Mine over the period 2007 - 2018. The study analysis shows repeated failures on behalf of the mine site Operator and Mining Regulator to act in a timely manner to address risks to sensitive aquatic environments and has resulted in unacceptable risks to the Northern Territory environment and the downstream community of Borroloola. In 2014 the mine's leaky tailings dam was found to be at risk of collapse and due to the leakage, high levels of lead were found in local fish stocks and 400 cattle had to be destroyed after the Department of Mines and Energy found cattle contaminated with lead after they drank from a contaminated creek (ECNT, date unknown). The water related issue at the McArthur River Mine is just one example of how the Northern Territory Government and mining companies are unable to

respond adequately to protect water sources from contamination by uranium. The Rum Jungle tailing dam leakage and dam wall collapse, is another example where the Finnis river was contaminated with devastating results. We do not want to see this devastating environmental, water and business damage to occur again in the Litchfield-Finniss region.

d) The proposed mineral exploration area is dangerously close to Litchfield Park's Wangi and Cascade Falls, situated within the Litchfield National Park tourist precinct, which are Koongurrukun people's cultural sites that require respecting and protecting by the Northern Territory Government.

e) Litchfield National Park and the proposed exploration area have also been identified as home to 21 threatened species including the critically endangered Curlew Sandpiper, Eastern Curlew and Far Eastern Curlew as well as the endangered Australian Painted Snipe, Black-footed Tree-rat, Northern Quoll, and the Gouldian Finch. Allowing mineral exploration, especially for uranium, in the area will disturb and potentially destroy the habitat of these threatened species.

f) There is also the prevalence of Gamba grass (*Andropogon gayanus*) in the proposed exploration area. Gamba grass is a highly invasive weed that is extremely harmful to the Northern Territory's natural environment. The grass seed is spread many ways including on the wheels of vehicles. Recent news reports have stated the large number of fires in the Litchfield and nearby Adelaide River areas over the recent months have been fueled by the prevalence of Gamba grass. There is grave concern that mineral exploration and mining in the proposed exploration area would create potential spread of Gamba grass through Litchfield National Park and other areas in the region via heavy vehicle movement between properties in the area, Aboriginal land, Litchfield National Park and sale destination.

g) Landowners in the proposed area operate tourism and accommodation businesses as well as cattle stations that could be negatively impacted by the approval of the exploration licence for uranium and lithium, in particular. Landowners and residents also grow their own food crops. URO Corporation and any company granted a mining exploration licence in the Northern Territory is under no obligation to assess any possible impact or substantial disturbance to landowners and residents' income, livestock, business, assets or ability to grow food on the land which may have taken many years and significant investment to establish.

h) There are also the more severe environmental risks that occur during the wet season that need to be considered, including the risks of flooding and any potential wastewater overflow and contamination in the proposed exploration area, especially through exploratory drilling for uranium and lithium. Both are minerals that can have a devastating impact on flora, fauna, the environment, and humans if they enter water sources used for drinking or soil used for food crops. As the proposed exploration area borders Litchfield National Park and major river systems and floodplains within the proposed exploration area and Litchfield National Park are connected in the wet season, there is considerable concern for contamination of biodiverse areas, waterways, and flora and fauna within the proposed exploration area and Litchfield National Park.

i) Just one example within the proposed exploration area is Welltree Cattle Station which borders Litchfield National Park, and comprises the majority of the land in the proposed licence area. The property is approximately 391 km² and the land the station occupies consists of more than 60 percent floodplain country. The floodplains on the property support a mixture of olive hymenachne, para and rice grasses. Other varieties of grasses and legumes are also grown on the property. The property obtains its water for crops, cattle and human consumption via two large permanent lagoons and six bores on the property. Part of the Anson Bay, Daly and Reynolds River Floodplains, run through the property. The land the station occupies is also an important bird and biodiversity area. Any contamination from wastewater overflow on this land would have dangerous effects for Welltree Station, neighbouring properties, Litchfield National Park and the lands of the Wadjigan and Kiuk people, and the Channel Point Coastal Reserve.

j) The proposed exploration area borders Litchfield National Park on one side and the Aboriginal lands of the Wadjigan and Kiuk people, and the Channel Point Coastal Reserve on the other. The Channel Point region is home to the Peron Island, Bulgul community and Channel Point community. The area, including the Peron Islands, is a protected coastal habitat that is an identified area of international conservation significance and home to threatened and significant fauna. The area is also an important tourism area via a permit system as well as facilitating numerous fishing charters. The proposed exploration area is home to a network of river systems that are a part of the Daly Basin, including the Anton Bay and associated coastal floodplains which connect with the mouth of the Daly River and flows into Wadjigan and Kiuk lands and the Channel Point area. Any contamination from wastewater overflow in the proposed exploration area could spill into these interconnected river systems via floodplains in the wet season and have a potentially devastating

effect on a pristine environment in the Channel Point area, one of the most fertile fishing grounds in the Northern Territory.

k) There is no provision under the Mineral Mining Act to ensure an impact assessment is carried out prior to any activity that may cause 'substantial disturbance' that relates to seasonal conditions, nor any requirement to complete impact assessments on land adjacent or connected to the proposed exploration area, nor as mentioned above, the possible impact on any water sources in the proposed exploration area other than bore water sources. Nor on waterways that travel through the proposed exploration area to connecting waterways. We believe this lack of a requirement for impact assessments to be carried out beyond the requirement of the Mineral Mining Act creates substantial risk to multiple areas adjacent to and connected to the proposed exploration area, if the exploration licence is granted.

l) With local waterways so interconnected and multiple biodiverse areas, protected habitat, flora and fauna connected to these waterways as well as these waterways providing the only accessible drinking and crop water in the area, this is a situational context that should be seriously considered in assessing this mineral exploration application.

m) We are very concerned by the prospect of increased heavy vehicle movements between properties in the area, Aboriginal land, Litchfield National Park and sale destination due to the damage these vehicles can cause.

n) We also note that Litchfield Minerals Pty Ltd surrendered their tenements for lithium exploration in Litchfield National Park in 2019 on the basis that the environmental values of the park were such that it would be difficult to proceed to viable operations due to the environmental values limiting funding opportunities. The same logic should also apply to exploration in the proposed licence area under URO Corporation's EL33285 application where they cannot conceivably obtain a social licence for mining due to the proposed licence area's proximity and interconnectedness to Litchfield National Park, the Aboriginal land of the Wadjigan and Kiuk people, the Channel Point Coastal Reserve and the broader Channel Point region including the Peron Islands and Bulgul community.

o) We are extremely concerned about the methods involved in uranium and lithium exploration and mining and their environmental impacts. We understand that the methods used can be extremely damaging to the environment, water intensive with billions of litres of contaminated water to dispose of and involve a form of strip mining for pegmatite which occurs

throughout the region, as well as blasting, crushing and processing using toxic chemicals. We need look no further than the legacy of the Rum Jungle mine in the Litchfield/Bachelor area for evidence of the damage of government approved uranium mining. Following the collapse of the mine's tailing's dam, 100 km² of the Finniss River system was polluted killing all plant and animal life for a 10 kilometre stretch of the river (Senate Select Committee on Uranium Mining and Milling, 1997). To this day, 50 years since it closed, the Rum Jungle mine site continues to leave a legacy of environmental damage so severe that it will cost hundreds of millions of tax payers' dollars to rehabilitate the site over decades (ABC News, 2021). The Northern Territory Government has an obligation to never allow this gross environmental destruction to occur again in the region.

p) The Senate Select Committee on Uranium Mining and Milling report published by the Australian Government in 1997 found that uranium mines, including Rum Jungle, cause serious environmental damage through acid mine drainage in terms of tailings waste, production and mining processes. Tailings from uranium mining contain 80% of the level of radioactivity of the original ore as a result of the presence of uranium decay products such as Thorium 230, Thorium 234 and Radium 226. The environmental impacts of tailings have been well documented for uranium mines including the Roxby Downs and Ranger uranium mines, as well as Radium Hill and Rum Jungle. (Senate Select Committee, 1997).

q) The Australia State of the Environment 2021 report (the report) released in July 2022 has identified that most indicators of the state and trend of plants and animals show decline, and the number of terrestrial and marine threatened species has risen. The report also states we can expect further extinctions of Australian species over the next two decades unless current management effort and investment are substantially increased. Conservation actions are linked to reduced rates of decline for threatened Australian plants, mammals and birds, however current efforts have not been sufficient to reverse declines overall. Approval of this exploration licence will involve land clearing and destruction of habitat as URO Corporation have stated they will conduct exploratory drilling in year two of exploration. Conserving the environmentally sensitive areas of the Litchfield-Finniss region should therefore be a priority of the Northern Territory Government.

r) The report has also identified that localised impacts from extractive industries, including mining, have detrimental effects on the environment. Negative effects that can occur from direct impacts include ground disturbance and indirect impacts such as pollution. Localised impacts include loss of

habitats and species, and damage to, or destruction of, geoheritage and cultural heritage sites. Extractive industries, including mining, can also cause landscape-scale heritage impacts through a loss of key elements or landscape integrity, system degradation, introduction of exotic species and disease, or loss of other conservation values. The report goes on to state that some forms of geoheritage are particularly at risk from mining and mining exploration, since mine exploration and mining can occur at rare or otherwise significant geoheritage sites (Commonwealth of Australia, 2021).

s) The report found that mining exploration, can result in more extensive disturbance than the actual mining and development of mining infrastructure, including the potential for significant indirect risks, particularly from mine tailings wash and acid water run-off. (Commonwealth of Australia, 2021).

t) The report also found that Indigenous heritage has been shown to be particularly at risk from mining-related activities. An extremely relevant point as Litchfield National Park adjoining the proposed exploration area contains cultural sites. (Commonwealth of Australia, 2021).

u) We are also concerned about the way that the Department of Industry, Tourism and Trade is allowing uranium and lithium exploration and mining in general to proceed in the Litchfield-Finiss region. This is occurring in a piecemeal manner and in 2022 at an advanced rate, with 17 applications and granted licences currently covering over 3,370 km² of land in the region, slightly more land coverage than the city of Adelaide which covers 3,260km² of land. This number of applications submitted and licences granted does not take into consideration the petroleum and geothermal exploration applications in the area. Under this piecemeal and uncoordinated process it is not possible for government, the companies who hold the 17 mineral applications and licences in the region, landholders and stakeholders in the region to properly understand the risks and scale of proposed mining in the region.

v) We have no faith that the Department of Industry, Trade and Tourism (the Department) will appropriately monitor and regulate the activities of URO Corporation. Section 66 (2) under the Mineral Titles Act states that “no later than 14 days after lodging an application for the grant of a mineral title, the applicant must serve a notice of the making of the application on each landowner listed in the application.” In the case of EL33285, URO Corporation did not serve notice to landowners in the area within this timeframe. Notices were served by URO Corporation to landowners nine months after the application was submitted, two weeks before URO Corporation advertised the

application for the granting of a mineral exploration licence. Notifying landowners so late after the application was submitted left landowners in the area very little time to prepare submissions which are due, under the Mineral Titles Act, within 30 days of the application being advertised. Landowners and other stakeholders in the area have been severely disadvantaged by this action undertaken by URO Corporation. When the Mineral Titles Office (the Office) were contacted by phone about the notification timeframe they stated that they have no way of knowing if applicants have actually served notifications to landholders within the requirement of the Mineral Titles Act. It appears the Office does not have appropriate processes in place to ensure applicants are following the required regulations. This becomes increasingly important given that under section 58 (2)(b) of the Mineral Titles Act “the applicant must have complied with requirements under this Act” and under section 70 (2) “If the Minister is satisfied the applicant has not met the necessary criteria for the application, the Minister may refuse the application.”

w) We understand a similar situation occurred with the Ragusa Minerals Limited application for a mineral exploration licence, ELA 33150, on neighbouring land in the area, earlier in 2022. The application was advertised in the NT News on 13 April 2022, however landowners in the area have stated they did not receive notifications regarding the application for the granting of the minerals title. The first they were aware of the application was upon reading about it in the NT News. The Mineral Titles Office was advised of this by a landowner however, the Ragusa Minerals Limited application for a mineral licence, EL33150, was approved by the Minister.

x) Local residents are already seeing recently approved mining licences in the region, in particular the Core Lithium Mine, creating environmental damage. One local resident has seen the pit at the Core Lithium Mine and has observed that the mine is already polluting a waterway going straight into the Darwin Harbour.

y) We are also concerned that even though there is evidence of existing environmental damage in the region due to uranium and lithium mining, that another exploratory licence in the area is being considered by the Department, especially so close to Litchfield National Park.

z) We are concerned that the Department is both a promoter and regulator of the mining industry, as well as the Northern Territory Government being the recipient of royalties from mining. All of which creates a fundamental and insurmountable conflict of interest. There appears to be a number of growing examples of mining creating serious damage in the Litchfield-Finiss

region and government not appropriately monitoring and regulating the mining activities that are creating the damage. As the NT Law Handbook states the “Northern Territory mining laws are designed to encourage mining companies to explore and mine. This is because resources on and under the ground in the Northern Territory are owned by the Crown (meaning the Northern Territory Government) not the people who own or occupy land. The Northern Territory Government receives money in the form of royalties from mining companies who mine resources” (Chapter 3, Sub Section Environmental Controls Over Mining, Northern Territory Government, 2018). It appears as owners of the minerals on and under the ground the Northern Territory Government is custodian of these minerals and therefore has a very key responsibility in ensuring the appropriate monitoring and regulating of mining and exploration for minerals. Otherwise, the Northern Territory Government’s designing of laws that encourage mining with little to no monitoring or appropriate regulations and penalties for mining companies could be seen as a money grab by the Northern Territory Government with no thought or care for Northern Territory landholders and the Northern Territory environment, water, flora and fauna.

The Australian people expect their state, territory and federal governments to have safeguards in place at all stages of mining and exploratory processes to ensure state, territory and federal governments carry out their duty of care, legal and ethical obligations toward Traditional Owners, the environment, Australian native flora and fauna, our national and state parks, conservation areas, and the Australia people.

The Northern Territory Government has the power to decline URO Company's application for the exploration licence EL33285 and protect endangered, threatened and vulnerable species, culturally significant sites, conservation areas, as well as protecting all water sources, local businesses, residents and tourism in the proposed exploration area, and land adjacent to and connected to the proposed exploration area, from the damage, that has been shown could and is likely to occur in the region due to mining.

Based on the above grounds, we ask the Northern Territory Government reject URO Company's application for the exploration licence, EL33285.

And your petitioners, as in duty bound, will ever pray.

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[government-abandons-parts-of-environment-laws/101316442?fbclid=IwAR1hIWmMmOWQgxqOp6Z80itQUTz0jXH3wDuUuL4giljg9WaDYw56xI8jsw](https://www.ecnt.org.au/mining_rehabilitation?fbclid=IwAR1hIWmMmOWQgxqOp6Z80itQUTz0jXH3wDuUuL4giljg9WaDYw56xI8jsw)

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