

ENVIRONMENT

The Newsletter of the Environment Centre NT
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Rio Tinto and Jabiluka Company rhetoric or campaign victory?

Background

In August 2000 British-based mining giant Rio Tinto acquired North Ltd and gained a 68.4% controlling share of the controversial Jabiluka uranium project at Kakadu. At Rio Tinto's 2001 AGM, Chairman Sir Robert Wilson announced that the company would postpone development of Jabiluka stating "We don't believe that Jabiluka can be developed without the consent of both the Northern Land Council and, through the Northern Land Council, the traditional owners of the area".

Since Rio Tinto assumed control of mine operator Energy Resources of Australia (ERA) the Mirrar traditional owners and environmental groups have challenged Rio Tinto to live up to their rhetoric about sustainable development. Traditional owners and environmental groups have consistently argued that Rio must rehabilitate the Jabiluka mine site and work with the NT and Federal Governments to incorporate the lease area into Kakadu National Park. In August 2002 in an interview on BBC television Rio Tinto gave the strongest indication yet that it was beginning to hear traditional owners and that it may consider not developing the Jabiluka mine.

What did Rio Tinto say in the BBC interview?

In the lead up to the World Summit on Sustainable Development in Johannesburg in August/September Rio Tinto Chairman Sir Robert Wilson, was interviewed on the BBC World television program HARD-talk about a range of issues related to sustainable development. Controversially, Rio Tinto were part of the British Government's official delegation at the Johannesburg meeting. In particular Rio was challenged over its involvement in the Jabiluka project and the contradictions between the reality and the impacts of this project and Rio Tinto's sustainability rhetoric.

Tim Sebastian: Friends of the Earth say you appear to be deaf when it comes to the clear opposition of the Mirrar Aboriginal community against the plan to Jabiluka uranium mine in Australia's Kakadu National Park. Now, this is—I don't need to tell you—Australia's highest profile environmental row, isn't it, over the future of this mine? Why would they accuse you of not listening to the community there?

Sir Robert Wilson: Perhaps they're not listening. Because we acquired this as part of a company called North two years ago. Within months of acquiring it, I announced publicly that there would be no development of that project without the consent of the traditional landowners, the Mirrar people. I repeated that statement at the AGM this year, so.

Tim Sebastian But you haven't said you won't develop the mine in the future.

Sir Robert Wilson: I'm responding to the point about not being deaf, about being deaf to the voice of the local people. And I'm saying we won't develop it without their consent, full stop.

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Tim Sebastian Full Stop?

Sir Robert Wilson: Full Stop

Tim Sebastian Nothing will happen at all?

Sir Robert Wilson: Nothing will happen.

Tim Sebastian So it is a question of this hanging over them, the future of the mine hanging over them?

Sir Robert Wilson: No development without their consent. And that's why I've said repeatedly for two years. I'm not saying anything new to you now.

Tim Sebastian And damage to the site that's already taken place, damage. They say that their sites, sacred sites, have been desecrated. What will happen to those?

Sir Robert Wilson: I don't actually think that's the case.

Tim Sebastian Well, that's what they're saying. This is a continuing concern. Continuing concerns about contamination in the area as well. What about the clean up from contamination?

Sir Robert Wilson: There is on this project site no more than a tiny, a tiny hole, an adit — technical terms — an adit of the development. What we will do is rehabilitate that area, we'll block off the adit. But, I mean, this is not a very large area, nor is it in any way a threat to the environment.

HARDtalk with Tim Sebastian, BBC World television

Nothing new or significant development?

Sir Robert Wilson's words are a significant development for a number of reasons. Firstly, this is the strongest commitment yet from Rio Tinto that the mine would never be developed without the consent of Mirrar. Secondly Rio Tinto for the first time commits to rehabilitating the Jabiluka mine site. Traditional owners and environment groups have been calling for the rehabilitation of the Jabiluka site since September 1999, when construction at the Jabiluka site was halted. Therefore the rehabilitation commitment is a significant victory for the campaign. The Mirrar and the environment groups are now working to press home this victory and ensure Rio speedily and fully rehabilitates the Jabiluka mine site.

Where to from here?

Following the statements from Sir Robert Wilson, Mirrar Senior Traditional Owner Yvonne Margarula again outlined the Mirrar position very clearly:

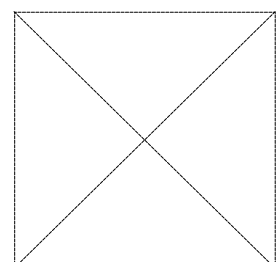
"It doesn't matter how many times they ask, I'm not going to agree to the Djabulukgu [Jabiluka] mine, for whatever reason they want from it, money or whatever else. Mining ruins the land. Just like the way the Ranger mine has destroyed the land. My Mind is firmly set. I'm not going to allow them to destroy any more of my land,"

Yvonne Margarula
September 4 2002

The message is very clear. As well as rehabilitating the Jabiluka mine site, Rio Tinto must accept that the project is now dead and work actively with the Commonwealth and NT Governments to retire the mineral lease and incorporate the area into Kakadu National Park. Jabiluka remains a key test of Rio Tinto's stated commitments to corporate social responsibility.

The campaign to stop Jabiluka is being won incrementally. First a huge campaign was waged, then construction was stopped, and now we have a commitment that the mine site will be rehabilitated. Full rehabilitation of the site and the final step, that of incorporation of the lease into Kakadu National Park, may take some time and will require the continued work and support of many of the thousands of activists who have been involved in the campaign to date. However according to Energy Resources of Australia's 1997 plans, Jabiluka was to have been in full-scale production by now. That the ore looks like going back down the decline at Jabiluka, rather than being extracted, processed, exported and creating radioactive waste is a major vindication of the efforts of all those who have been involved in the campaign to stop Jabiluka to date.

- Mark Wakeham
& Kirsten Blair



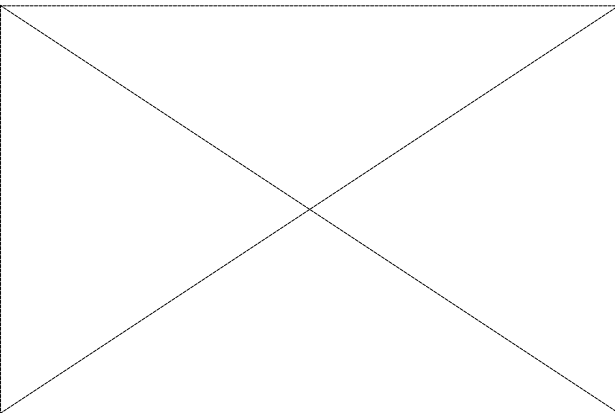
World Summit on Sustainable Development

Some gains, but mostly missed opportunities

In last month's newsletter before leaving for the World Summit I asked whether the Summit would be a turning point or a talk-fest. Reflecting on the Summit's official outcomes it is difficult to regard the official summit as anything but disappointing. At a time when we needed Government's to lead on environment and poverty issues we saw the views of a few environmental renegades (Australia included) win the day on most issues.

What were the official outcomes?

The official outcomes of the Summit are documented in the 'Implementation Strategy'. Over the 10 days of the WSSD meeting Government delegations, Industry and NGO's argued over



Friends of the Earth 'Hear our Voices' action outside Summit

the text of this document. In most cases agreement by Government delegations on the text could only be achieved by weakening the text to the point where it meant little and entailed no measurable target or obligations. Therefore countries like the US and Australia who argued fiercely against setting renewable energy targets were successful in scuttling a renewable energy target of 15% globally which was supported by Brazil and, until they buckled, the European Union countries. Similarly international biodiversity protection mechanisms were probably weakened as a result of the Summit, and there was an over-reliance on voluntary agreements to deliver environmental protection and poverty alleviation at the expense of enforceable and binding rules and agreements.

There was however some progress on a few issues. Agreed targets for delivery of clean water and sanitation services and infrastructure for the 3 billion people without access to these services

will, if met, make a tremendous difference to the lives of many. There is also some hope that in the next few years there could be support for an international agreement on corporate responsibility which could regulate the behaviour of multinational corporations globally.

What about the unofficial outcomes?

Outside and around the main Summit there was an extraordinary range of really inspiring events. Of the 60,000 people attending the WSSD, only about 15,000 of those had access to the official summit. Many were there to participate in the side events and to share stories and experiences about local, national and global community driven sustainability projects and campaigns. The range of events that was taking place was amazing—often I wanted to be in 5 different places and events at once. Most delegates at the Summit were very aware that we can't afford to wit for our governments to act to safeguard the future of the planet and to address poverty, but that our so called 'leaders' will in all likelihood only act if led by community action.

One really heartening outcome from Johannesburg was that, despite being largely ignored by the official Summit, the Kyoto protocol on climate change gained enormous momentum and now is set for implementation. Prior to the WSSD meeting Kyoto was looking very shaky. In the lead up to or at Johannesburg Canada, Japan and Russia all committed to ratifying Kyoto, leaving Australia and US as the only industrialised 'western' countries out of the Kyoto framework. Additionally China and India also agreed to ratify Kyoto,

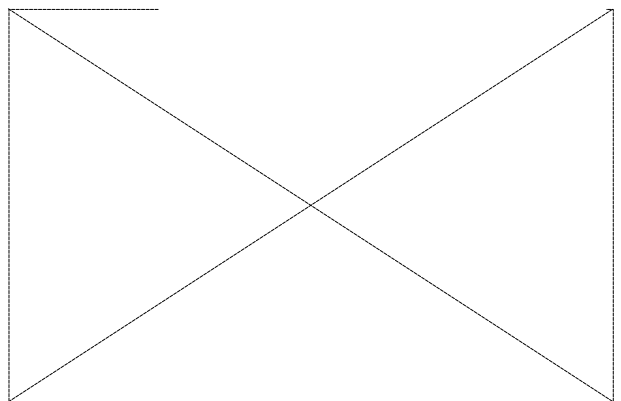
thereby blasting the arguments of Australia and the US that "Kyoto would fail because it didn't limit CO² emissions from developing countries" out of the water.

As countries start to take up the enormous opportunities for economic activity associated with emissions trading and carbon sinks, Australia's recalcitrance and isolation is going to look increasingly foolish.

Huge protests in Johannesburg about impacts of poverty and corporate globalisation were really successful in galvanising and publicising community concern about the summit's lack of progress on some of the really big issues. Elsewhere at a mind-boggling array of events activists from around the planet discussed these issues in detail and developed campaign plans.

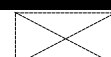
As ECNT members may be aware, I was at the WSSD mainly working on Jabiluka, and more broadly mining and corporate responsibility issues. I attended mainly mining industry and NGO events raising the contradictions between Rio Tinto's sustainability rhetoric and their action on Jabiluka. The comments from Rio's Director Sir Robert Wilson (page 1 -2) demonstrate that Rio is feeling the pressure of this sort of campaigning. Hopefully as a result of meeting with lost of mining, indigenous rights and anti-nuclear campaigners Rio Tinto will continue to feel this pressure until they relinquish the Jabiluka lease and the area is back in the control of traditional owners.

-Mark Wakeham



Mark attended the WSSD on behalf of ECNT, Friends of the Earth and the Australian Conservation Foundation.

He will be giving a talk in the FATSIS/CINCRM seminar room, (Building 30 on Wednesday the 9th of September at 12:15 pm) about his experiences and reflections on the WSSD meeting. All Welcome.



Darwin Harbour update

As usual, things are far from dull on the Darwin Harbour front.

Exceptional Development Permit and subdivisions for Wickham Point

The last stage of Governments approvals for Wickham Point LNG facility was initiated in mid September with Phillips Petroleum lodging and application for an Exceptional Development Permit to gain final planning approval for the 10 million tonnes per annum gas plant. An Exceptional Development Permit is one of the quirks of the current Planning Act which ECNT raised concerns about back in 1999, when the review of the Act took place. According to the Act, these Permits can be applied for under any of four sets of circumstances. In this case the clause: *'the use or development would otherwise not be lawful under development provisions'* applies. The company has had to apply for this permit because the Litchfield Shire Land Use Objectives have not yet been declared, making gas development inconsistent with the current zoning for the area.

Minister Vatskalis has chosen to seek public comment on his application as part of the process and we encourage everyone to make their thoughts known on this matter. While we see it as extremely unlikely that the approving body (which consists of just the Minister in this case) will knock the application back, making a submission on the application entitles you to give evidence at the meeting of the Litchfield Development Consent Authority, another good opportunity to have your say. Meanwhile, there has been an application lodged by the Development of Infrastructure, Planning and Environment to subdivide the Wickham Point area into six lots as part of the LNG facility development. This is the first stage of setting in place the proposed \$11 million publicly-funded infrastructure (roads, electricity and water) to support the development. Again, we encourage as many public submissions to this application as possible.

Enclosed in this newsletter are form submissions which you can sign and post in as is or use as a starting point for your own submissions. Comments on both of these applications are due to the Development Assessment branch by Friday October 4th.

Open Space Conservation zoning opportunity

The Environment Centre is about to lodge an application of our own with the Development Assessment Branch. We will apply to rezone the entire Ware Peninsula (Which Wickham Point is at the end of) from 'Future Uses' to 'Open Space Conservation' under the NT Control Plan. The aim of this activity is two-fold. Firstly along with the rest of the Harbour, we believe such zoning should be applied to that area to ensure it's long term protection, rather than the industrial zoning that is imminent (pending the declaration of the Litchfield Shire Land Use Objectives). If the majority of the high ground on Ware Peninsula is zoned industrial, this will have dramatic negative impacts on the long-term future of the whole of Darwin Harbour. Secondly, given this Government's interest in open and transparent processes as well as its stated commitment to listening to the community, we believe we need to utilise every avenue available to try and get the message through that this path of industrialisation of Darwin Harbour is not acceptable and that another future is still possible.

We encourage you to join us in making a rezoning application for this important area, please contact us in the ECNT office for assistance and send your application to the Development Assessment Branch of the Department of Infrastructure, Planning and Environment at GPO Box 1680, Darwin 0801

STOP PRESS: Note that a recent announcement from the Chief Minister about conservation of a part of the Ware Peninsula does not provide adequate protection for Darwin Harbour. This plan is a far cry from the kind of long-term vision we had hoped to see from this Government and shows that the short-term develop-at-all-costs attitude is alive and well. There is very little new protection in the 'new' announcement and is in fact largely a reiteration of the mangrove conservation plan which we welcomed but as yet has no legal status. Future generations will not thank us if this is the best protection we can manage.

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NO BRAINER: GM COTTON REJECTED FOR THE NORTH

All us mob at the Environment Centre were pretty excited with the recent decision by the Federal Gene Technology Regulator rejecting an application by Monsanto for the commercial release of double Bt gene cotton, Bollgard 11 (and Bollgard 11/Roundup Ready).

Why is this a good thing?

The decision means that we won't have commercial quantities of genetically modified cotton being grown in the Territory where.....

- It can't be contained because of our big wet seasons
- It could become a superweed resistant to the key herbicide (Roundup);
- It could outcross with our native cotton species
- It's impact on non-target species such as the Northern Quoll, birds, amphibians, non-pest insects etc are unknown
- It would still require chemicals such as herbicides, pesticides (for those insects not controlled by the Bt toxin), fertiliser and defoliants;
- It would take water from natural systems during the dry season when the pressure for environmental flows is greatest;
- And of course; it would require broad-scale land-clearing (10,000 hectares is required to support one cotton gin).

The opposition to this application has come from many different quarters of the community including local government, farmers, green groups and individuals. The public forum in Katherine was critical in providing information to the community and galvanising opposition to this application. A perfect example of people power—something we need a lot more of in the Territory.

There was also considerable co-ordinated action across Australia in opposition to this application. Unfortunately the licence for commercial release of the double Bt gene cotton was approved for locations in southern Queensland and northern NSW. We need to get GM out of all of Australia but unfortunately with the resources we have it's hard enough on keeping it out of the North.

So What Happens now?

The Territory is not protected from future applications for commercial GM crops. Another application could be lodged tomorrow. So what we need now is legislation to prohibit the release of genetically modified organisms in the Territory. We have written to the Minister for Primary Industries and Fisheries seeking such legislation and will let you know what his response is.

Take Action!

Contact Paul Henderson, Minister for Primary Industries and Fisheries (GPO Box 3146, Darwin, 0801, minister.henderson@nt.gov.au or 89014073) asking for an NT Government commitment to keep the Territory free of genetically modified organisms and legislation to ensure none are released. You might like to cite this most recent decision on cotton as well as some of the reasons listed above to support your argument. Please contact Jann if you would like assistance preparing your letter.

Jann Crase, Northern Woodlands
and Wetlands Campaigner
89417439
northernwoodlands@octa4.net.au

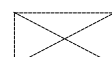
Darwin Harbour update continued....

The Chief Minister's plans show that the vast majority of land which has been earmarked for industrial zoning on Ware Peninsula maintains that status. This means that we are still faced with the prospect of a major industrialised area within the bounds of our precious Harbour—this continues to be completely unacceptable. We urge you to write to Clare Martin and Kon Vatskalis telling them that you are not satisfied with their cheap attempt to placate concerned Territorians. Tell them that you want to see adequate protection for the whole of Darwin Harbour, once and for all.

Inaugural Darwin Harbour Advisory Committee meeting

While all of these Harbour and planning-related things have been going on, the first meeting of the Darwin Harbour Advisory Committee, which is charged with developing the Plan of Management for Darwin Harbour was also held this month. ECNT Coordinator Kirsten Blair attended the meeting which was primarily concerned with establishing the group and setting dates for site visits. The substance of developing a Plan of Management will begin at the next meeting, scheduled for late October. If you would like more information about this process as it progresses, please feel free to contact Kirsten in the office.

- Kirsten Blair and Mark Wakeham



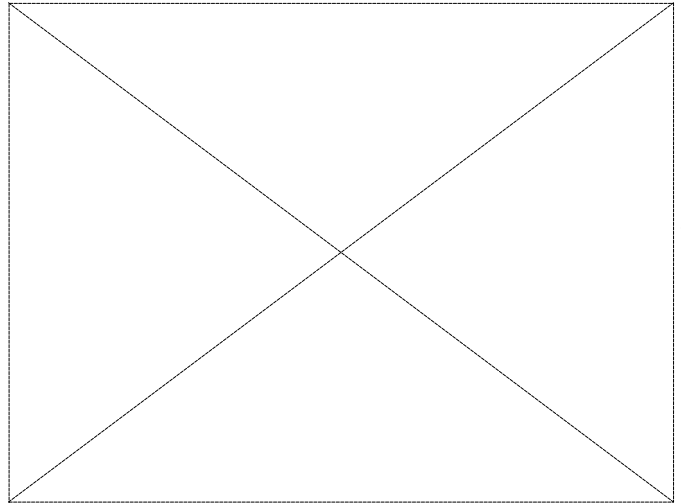
Something fishy going on in the Daly River?

Amongst the devastation of landclearing and destructive development plans, a small ray of re-search sunshine breaks through....

An opportunity for a day out of the office was eagerly seized with a fantastic trip to the Daly River to meet up with researcher Dean Thorburne and his sidekick Drew from Murdoch University Perth. Dean and Drew are undertaking a survey of a number of northern rivers in the NT and the Kimberley seeking catch and understand more about the freshwater sawfish, the freshwater whip ray and bull sharks. Research in Cape York is being undertaken by an associate with a view to providing an indication of where these elasmobranchs (animals with cartilage instead of bone) live.

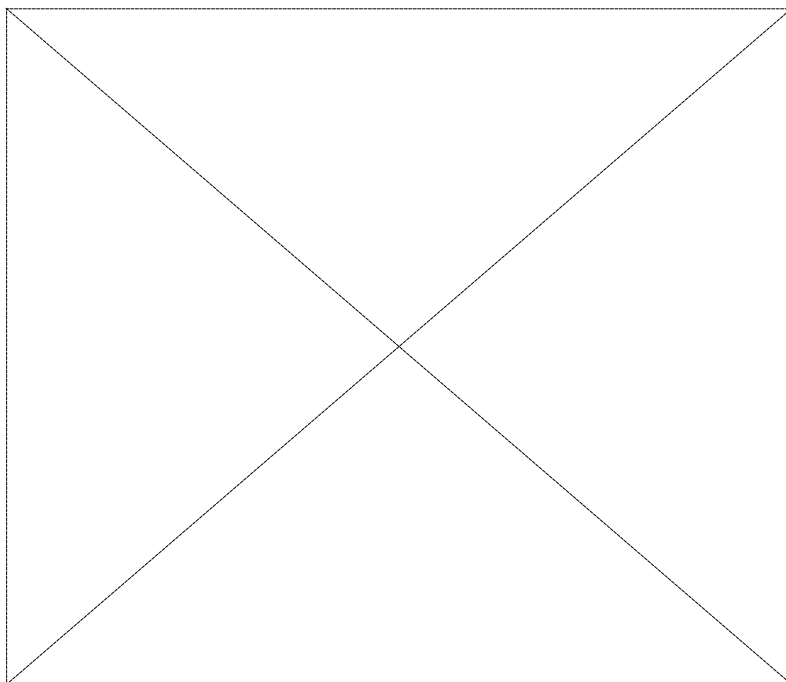
Although we were unable to see any of these creatures that day, we had a great cruise down the river spotting pig nosed turtles and juvenile freshwater crocs and getting a feel for the river, the aquatic vegetation and it's amazing flow, even in the dry after a very poor wet.

In three months of survey work Dean and Drew have only caught five freshwater sawfish indicating how rare and cryptic these creatures are. A great deal more research effort will be required to uncover the ecology of these species—work which all conservationists should support.



to

Photo: Jann Crase



Currently listed as vulnerable under Federal threatened species legislation, the freshwater sawfish is the largest freshwater fish in Australia! While our level of knowledge about their ecology is very poor, it is pretty safe to say that any broad-scale development of river catchments involving landclearing and water use, will alter the flow of the river and the quality of the water. A change in land use, for example conversion to irrigated agriculture, will significantly affect sawfish habitat which can only lead to negative impacts on sawfish populations .

Rivers in the Gulf, Arnhemland, the Daly and the Katherine have been surveyed and the researchers are now making their way to the Kimberley where they aim to survey the Keep, Ord, Dunham, Fitzroy and many other rivers. The project should be completed by

From Left to Right: Drew and Dean
Photo: Jann Crase

the end of the year while even a basic understanding of these species will remain elusive without further research.

There is still no appropriate landclearing legislation in the Territory and with clearing continuing unabated in the Daly Basin the fate of these incredible species remains uncertain.

Jann Crase. Northern Woodlands and Wetlands Campaigner
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Bits and Pieces

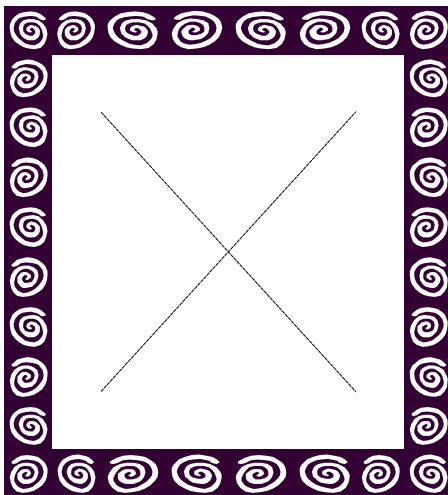
DARWIN RESIDENTS JOIN PINE GAP ACTION

A diverse mix of Darwin residents will be leaving the top end this week to make their way to the gates of Pine Gap, one of the US military's most important bases, which is 20 kms south of Alice Springs. On October 5-7 they will join with other workers, Students, families and pensioners who have come from all over Australia to meet at the gates to protest Pine Gaps role in US global domination and war mongering. Pine Gap is one of the US militarys most important bases, controlling satellites spanning a strategically important third of the globe, encompassing motet that half of Bushs axis of evil as well as China, southern Russia and the Middle East Oil fields.

Pine Gap provides targets for US missiles and bombs, intelligence for US economic and military activities, military command and control functions and early warning of missile launches. It is an essential part of a war machine that values fossil fuels more than humanity and the planet. Australian Defence Minister Hill has confirmed that Pine Gap will be used in any war on Iraq. Pine Gap will play a pivotal role in the imminent second Gulf War, being used for monitoring, communications and target selection. It also helps to co-ordinate the sanctions against Iraq which were estimated by UNICEF in 1999 to have been directly responsible for the deaths of half a million children since 1991.

The US is developing its missile Defence program in order to militarise and dominate space, taking corporate globalisation to a new and more terrifying level. Pine Gap is essential for US plans to control space in order to protect its economic interests and to dominate the rest of the world. The base makes Australia complicit in US plans to put weapons of mass destruction into space.

- Ally Richmond



Welcome to Marie!

Following an exhaustive recruitment process which attracted many excellent applicants, it is with great pleasure that Management committee and staff welcome Marie Munkara to the Environment Centre NT. Marie began

work as the part time Office Administration Manager early in September and has already made amazing inroads to the long neglected information sorting, systems establishment and general organising tasks that she has taken on.

Marie is in the office from 9—2 each day and some days we are lucky enough to be joined by her daughter Amber as well (extra volunteer hands!). Please feel free to drop in, phone or email to say g'day and welcome to Marie to ECNT. Marie can be contacted on the main line: 89811984 or email: ecntadmin@octa4.net.au

NATURAL CORK RECYCLING

Why recycle corks?

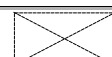
It takes 43 years for a cork oak tree to yield it's first wine cork, but just seconds to turn it into a throw-away item.

Produced from the premium bark of the cork oak tree, wine corks are a quality natural material—and far too valuable a resource to be discarded as a house-hold waste. In fact, cork is one of the few forms of product packaging that is completely and environmentally friendly—natural, renewable, fully recyclable and biodegradable.

Guides Australia began it's Cork Recycling Program in 1990 with groups throughout the country collecting natural corks from their local community as an environmental fundraising effect. Since then approximately 75 million corks (250 tonnes) have been recycled. Recycled natural corks are used to produce items such as engine gaskets, cricket and hockey ball inners, industrial safety mats, boat decking and horse float floors.

Funds raised through the collection of natural corks help Guides Australia to develop its outdoor activities, resources and facilities.

Corks can be left any time in a wire crate situated outside the Guides NT Office at 55 Ross Smith Ave. Parap. Guides NT phone no. is 89813628.



Dates to remember in October

- Thurs 3rd 'Double Jeopardy' problems with Timor Gas at both ends. Browns Mart 7pm
- Fri 4 Mon 7th Close Pine Gap, Stop Star Wars camp and actions, Alice Springs
- Tues 8th Environmental Defenders Office AGM, 8 Manton Street, 5.30pm
- Wed 9th ECNT Coordinator Mark Wakeham talks about the WSSD meeting in Johannesburg. Building 30, NTU, 12.15 pm

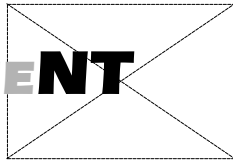
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