

Senate Standing Committee on Environment and Communications
Legislation Committee
Answers to questions on notice
Environment portfolio

Question No: 40
Hearing: Additional Estimates
Outcome: Outcome 1
Programme: Science
Topic: Ranger Leach Tank Failure
Hansard Page: 12
Question Date: 08 February 2016
Question Type: Spoken

Senator Ludlam asked:

Senator LUDLAM: I have a couple of questions about the investigation into the leach tank failure at Ranger, and then a couple about rehabilitation in the area of the Ranger mine. If you can just quickly bring us up to date about the leach tank failure incident that occurred in December 2013. There is actually still no concrete information on the nature of the incident or specific details on the response by government to that. Can you tell us if you know where the NT government's report or investigation into that accident is up to.

Mr Tayler: The Northern Territory government report remains with their legal counsel. They are unable to release that report until they have determined whether that would advance to a prosecution. At this stage the report is not publicly available.

Senator LUDLAM: So there is nothing stopping them holding onto that for years, is there?

Mr Tayler: That is correct.

Senator LUDLAM: Is there are a statute of limitations on prosecuting ERA?

Mr Tayler: There is under the Northern Territory legislation, but I do not know the number of years off the top of my head. I could take that on notice.

Senator LUDLAM: Yes, if you could. Does the OSS have a copy? Are you in receipt of it?
Mr Tayler: No.

Senator LUDLAM: So you are in the dark, the public is in the dark and the local Aboriginal community is in the dark, and the NT government could sit on this forever if they choose to.

Mr Tayler: As you said, there is a statute of limitations. I would have to get back to you on the exact time frame.

Answer:

On 12 February 2016, the Northern Territory Department of Mines and Energy released a media statement advising the completion of its investigation into the failure of the leach tank at Ranger mine. The Department stated that, based on legal advice, it had decided that it would not be in the public interest to prosecute Energy Resources of Australia Ltd under the *Mining Management Act 2001* (NT) and released a statement of reasons for its decision.

The Northern Territory Department of Mines has advised the statute of limitations for prosecutions under the *Mining Management Act 2001* (NT) is 3 years.