



Environment
Institute of
Australia and
New Zealand

Mr Higgins

Minister for the Environment

environment.policv@nt.gov.au

Response Summary

- The Howard Springs Sandplain Site of Conservation Significance (hereafter SOC) contains nationally and internationally significant biodiversity values in conflict with an extractive industry, residential expansion and water extraction.
- The NTEPA's recent reports have identified that the SOC's biodiversity values have frequently not been assessed through an environmental approvals process, even though legislation is in place to ensure biodiversity values are considered.

To ensure certainty for land managers and the extractive industry and to restore public faith in the environmental approvals processes we make 3 recommendations:

1. Ensure that new environmental legislation (as recommended in Hawke II) puts rigorous procedures in place to ensure that environmental obligations are achieved.
2. The options outlined in the NTEPA's recommendations paper require further analysis considering economic and other social implications and the viability of SOC.
3. To ensure no further decline of biodiversity values while a suite of issues is resolved, to coordinate the above analysis and to give independent oversight a management committee consisting of representatives of industry and land management is formed and tasked with developing sustainable use of the SOC including no further decline of biodiversity values.

Dear Minister,

The Environment Institute of Australia and New Zealand (EIANZ) represents environmental practitioners across Australia and New Zealand. EIANZ members work across the environmental sector including consultancy, government and mining; in the NT our members develop and implement policy for government and industries including the extractive and residential development industries both of which may be impacted as a result of the Northern Territory Environment Protection Authority (NTEPA) Recommendations paper.

In May 2015 EIANZ NT made a submission regarding the NTEPA's *Environmental Quality Report: Biodiversity of the Howard Sand Plains SOC and Recommendations*. In that submission we argued that the biodiversity issues of the Howard Sand Plains Site of Conservation Significance (hereafter SOC) have been ignored for too long and we applauded the NTEPA for creating a document that highlights these biodiversity values and gives a number of options to achieve conservation outcomes and certainty for industry. Recently, 19th January 2016, you mailed us asking for comments regarding the NTEPA's reports for your consideration as part of the development of the response.

The values of and threats to the SOC and its nationally and internationally significant biodiversity values have been known for a time. What the NTEPA has shown is that decline of the SOC's biodiversity values occurred irrespective of legislation (both Northern Territory and Commonwealth) to protect these values and that there appears to be limited opportunities to rehabilitate the area for these values. Furthermore they show that the extractive resource has only 20 years remaining so we may be left with an area depleted of both biodiversity and economic value.

Nevertheless we are where we are now and we hope that salient lesson from the SOC management will be incorporated into the environmental legislation review currently underway. We will be very interested to see



GPO Box 4832, Darwin NT 0801

Tel: 0409 881 874

Web: www.eianz.org

ABN 39 364 288 752

how this history and oversight is considered and what remedial steps will be implemented into any new legislation.

Recommendation

Ensure that new environmental legislation (as recommended in Hawke II) policy puts rigorous procedures in place to ensure that environmental obligations are achieved.

The NTEPA gives some spatial solutions to advance the debate about how to retain biodiversity values and industry. More specifically it provided five options with differing degrees of risk in not achieving biodiversity objectives. We believe that each of these options requires further analysis along the lines of a cost and benefit type analysis considering, for instance:

- What are the implications for the extractives industry in terms of employment and the availability of sand and gravel?
- To what extent does each of these options allow for the ongoing persistence of the biodiversity values?
- To what extent is the decline of the health of the SOC due to water extraction and what options are/could be available to reduce this impact.

Recommendation

The options outlined in the NTEPA's recommendations paper require further analysis considering economic and other social implications as well as the persistence and viability of SOC biodiversity values.

While this is happening though we need to ensure that the biodiversity values are not further depleted and that the extractive industry continues to provide resources. We are concerned that understanding the options further will be a protracted process during which the biodiversity values will be further impacted. We recommend the forming of an independent management committee with a membership of representatives from the resource and natural management sectors. The intent of this group is to ensure no further decline of the biodiversity values and a transition to sustainable use of the SOC including the determination of an exclusion area. This group may consider:

- Analysing current development footprints to ensure that any high priority areas for biodiversity are immediately protected.
- Ensure existing legislation is implemented for the assessment of impacts.
- Assist industry in locating similar resource elsewhere.
- The impact and control of water extraction from the SOC.

Recommendation

A management committee consisting of representatives of industry and land management is formed and tasked with developing sustainable use of the SOC.

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If you have any questions about my comments please do not hesitate contacting me.

Kind regards,



Jeff Richardson  
President EIANZ NT