

ORIGINAL PAPER

No. 246

Laid upon the Table

Comment provided to NT EPA by the
Minister for Environment and Natural Resources
on 16 February 2017

MOSS

PAPER TABLED

16/3/17

CLERK:

Notice of comment provided on the Northern Territory Environment Protection Authority's (NT EPA) Assessment Report 79: Jemena Northern Gas Pipeline.

In accordance with section 8B of the *Environmental Assessment Act* I am required to provide the NT EPA notice of my above comments within seven days after making this comment. As my comments are, in part, contrary to the assessment report I will table the notice of comments in the Legislative Assembly within six sitting days after providing the NT EPA with the notice.

The below comments were provided to the Minister for Primary Industry and Resources on 13 February 2017.

"After careful consideration of the NT EPA's assessment report and in the context of our Government's clear commitment to environmental regulatory reform, including the need for robust environmental assessment of major projects, I have a number of pressing issues to urgently bring to your attention ahead of you making a decision on licensing the construction and operation of the Northern Gas Pipeline.

I am strongly recommending that all of the EPA's recommendations in the assessment report be implemented and ask that you note my comments below.

In relation to the Weed Management Plan for the control and management of weeds (Recommendation 3) and the Traffic Impact Assessment and Traffic Management Report (Recommendation 6), it is critical for these documents to be completed prior to the commencement of any works by the proponent and incorporated into the Pipeline Management Plan.

In line with our Government's commitments to transparency and accountability in environmental management, I ask that that all environmental management components of the Pipeline Management Plan for the construction and operation of the Northern Gas Pipeline, if approved, be made publicly available and that this is a condition of approval.

Alongside this, I also recommend that you provide updates to my Department on compliance with, and enforcement of, the Environmental Management components of the Pipeline Management Plan and associated conditions of approval, as the project progresses.

Also of particular note is Recommendation 5 which proposes a condition that "impacts to all semi-permanent and permanent pools in the Ranken, James and Georgina Rivers that intersect or are proximate to the area of disturbance by the Northern Gas Pipeline be avoided¹".

In addition to this, the NT EPA stated that "It is highly likely that semi-permanent and permanent pools are present in these systems and that it is reasonable for the Proponent to implement measures to ensure that these pools are avoided by deviating the ROW

¹ Northern Territory Environment Protection Authority (2017), *Assessment Report 79: Northern Gas Pipeline: Jemena Northern Gas Pipeline Pty Ltd, January 2017*, p32.

(right of way) around the pools or implementing alternative construction techniques, such as horizontal directional drilling, if pools are identified².

I note that this is a particularly critical condition given that the NT EPA was “unable to assess the potential impacts and risks to the environment from watercourse crossing activities with a high level of certainty³”, as the “environmental values of the system were not evaluated adequately, particularly where they were co-located with cultural values⁴”.

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² Ibid: p33.

³ Ibid: p32.

⁴ Ibid.