



14 November 2020

Executive Officer

Pastoral Land Board

Via email: [pastorallandboard@nt.gov.au](mailto:pastorallandboard@nt.gov.au)

To Whom it May Concern,

### **Ban Ban Springs (Inyathi Reserve Pty Ltd) Application to Clear Pastoral Land (s3(1)(h))**

The Environment Centre NT (**ECNT**) is the peak community sector environment organisation in the Northern Territory of Australia, raising awareness amongst community, government, business and industry about environmental issues and assisting people to reduce their environmental impact and supporting community members to participate in decision-making processes and action.

Thank you for the opportunity to provide a comment on the application (**Application**) of Inyathi Reserve Pty Ltd for a permit to clear Pastoral Land (**Permit**) under section 38(1)(h) of the *Pastoral Land Act 1992* (NT) in respect of Ban Ban Station PPL 1111.

In summary, ECNT submits that the Application should be refused on the basis that the Application is deficient in key respects. Alternatively, the proposal should be immediately referred for assessment under the *Environment Protection Act* on the basis that it clearly meets the threshold of having the potential to have a significant impact on the environment.

In particular:

- (a) despite the large increase in greenhouse gas emissions from the project (which ECNT estimates to be in the vicinity of 600,000 tones), this impact is not mentioned, nor are any offsets proposed to mitigate these emissions. This clearing proposal alone may represent a 3% annual increase in the NT's greenhouse gas emissions. This is a significant and unacceptable increase in emissions at a time when the NT Government should be reducing emissions. A clearing approval of this magnitude is also directly inconsistent with the NT Government's greenhouse gas emissions target of net zero emissions by 2050;
- (b) the Application contains no assessment of the possible impacts on the water balance from the land clearing application, which might lead to an increase in salinity from the project. Increased salinity is a well-known impact from land clearing, and may destroy habitat for threatened species within and in the vicinity of the Application area;
- (c) there is significant native habitat (significant vegetation) within the Application area, including the Margaret River, channels and permanent water holes, and a number of swamps. These are essential habitat for native animals, including the threatened species identified in the Application. The buffers proposed by the proponent are inadequate to safeguard these areas;

- (d) there is insufficient analysis in the Application of the impacts of erosion and run-off of sediment, nutrients and other pollutants into the Margaret River, channels and permanent waterholes, and swamps in the Application area. No evidence is given that the proposed buffers will be sufficient to safeguard these areas;
- (e) The project will involve the destruction of essential habitat for native animals (including threatened species, and of these animals themselves (through the bulldozing and burning of vegetation). Savanna regions of Northern Australia are in the midst of an unprecedented mammalian extinction, with some of the threatened species within the Application area identified as seriously at risk  
[\(https://www.natureaustralia.org.au/content/dam/tnc/nature/en/documents/australia/Into-Oblivion.pdf\)](https://www.natureaustralia.org.au/content/dam/tnc/nature/en/documents/australia/Into-Oblivion.pdf). As habitats become increasingly fragmented, populations become more vulnerable to other threats, such as predation by feral species and destructive fires, and lose the ability to recolonise suitable habitat. A comprehensive and evidence-based assessment of these impacts is required, not the single sentence answers given in the Application;
- (f) the list of threatened species appeared to be deficient. For example, ECNT understands that the partridge pigeon and the masked owl have been observed in the area and are listed under Commonwealth and Northern Territory legislation. In addition, a referral should be made under the *EPBC Act* before any decision is made by the Pastoral Land Board on the Application;
- (g) There are likely to be sacred sites in the vicinity of the Application area. A registry extract is manifestly inadequate to protect these, and any other sites that may exist in the area. An authority certificate granted under the *Northern Territory Sacred Sites Act* should be a mandatory requirement;
- (h) there is no information to guide the Pastoral Land Board's assessment of the cumulative impacts of the Application together with other impacts in the wider area (eg including but not limited to other land clearing applications, water licence applications, non-pastoral use permits, and feral animal impacts).

ECNT is extremely concerned by the rate of increase in land clearing applications and approvals in the Northern Territory, particularly in the savanna regions.

Approximately 11000 hectares of land has already been approved for clearing in 2020, with another 11,000 hectares under application. If approved, the Pastoral Land Board will authorise the clearing of approximately 22,000 hectares in 2020 alone. This is more than double the amount of land approved for clearing in 2019, and quadruples the area authorised for clearing in 2018. ECNT understands that this is likely to be the start of an avalanche of applications. The NT Farmers Association has revealed plans for 168,000 hectares of farming development across the Northern Territory, which will not only increase the Northern Territory's greenhouse gas emissions significantly, but also require millions of litres of the Northern Territory's groundwater and surface water, as well as exacerbating the impacts of climate change (through increased heat and changes to the water table from clearing and irrigation).

The *Pastoral Land Act* is not fit for purpose to protect the Northern Territory's pastoral estate from habitat fragmentation and damage on the vast scale that is underway, and being proposed. The Northern Territory as a political jurisdiction is completely unprepared to respond to the environmental threats posed by the proposed large-scale agricultural development, with piecemeal regulatory approvals that frustrate any attempts to strategically assess the likely cumulative impacts of these developments instead the norm. Urgent regulatory reform is needed so that landscape scale integrated protection and management of the Northern Territory's unique savannas and freshwater systems can occur.

ECNT calls on the Northern Territory Government to introduce a new regulatory system for deforestation and land clearing that protects remnant and high conservation value regrowth forest and bushland. In the interim, the Northern Territory Government should immediately freeze the granting of any clearing permits.

Yours faithfully,



Kirsty Howey  
Co-Director

