

30 October 2023

Committee Secretary
Senate Standing Committees on Environment and Communications
PO Box 6100
Parliament House
Canberra ACT 2600



Environment Institute
of Australia and
New Zealand Inc.

Re: Senate Inquiry into the Middle Arm Industrial Precinct

The Environment Institute of Australia and New Zealand (EIANZ) is a not for profit, professional association for environmental practitioners from across Australia and Aotearoa New Zealand. The EIANZ has a certification scheme that recognises ethical and professional practice which assures government, industry, and the community of practitioners' professional standing. EIANZ is represented by jurisdictional Divisions, a New Zealand Chapter and supported by Special Interest Sections covering climate change, heritage, ecology, environmental accounting, and impact assessment. Its membership is drawn from all areas of environmental practice, and includes practitioners with industry, government, community, and academic careers.

This submission addresses the interests of environmental professionals as outlined in the [EIANZ Strategic Plan 2024 – 2027](#) and reflects EIANZ's [Position Statement on Biodiversity Policy and Action](#). A specific focus of EIANZ in impact assessment is strategic assessments. The EIANZ Strategic Environmental Assessment Community of Practice has prepared a [fact sheet](#) that outlines the role and potential for this type of assessment of plans, programs, or policies (PPP).

EIANZ notes that several of its members are working as environmental professionals on the Middle Arm strategic environmental assessment. To avoid any conflict of interest:

- These members have not been involved in preparing this submission nor have their views been sought.
- The submission focuses on good practice policy positions promoted by EIANZ rather than commenting on the specifics of the proposed development.

Context

The Middle Arm Industrial Precinct is located within the Darwin Harbour region, which has a catchment of approximately 3,230 km². Significant industrial developments have occurred in and around the Harbour over the past two decades. This trend is expected to accelerate and a Darwin Harbour 2020-2025 strategy is available. Unfortunately details on actions and priority projects to support the strategy have not been published. The proposed precinct involves the development of approximately 1,500 ha of land on the Middle Arm Peninsula.

Darwin Harbour has significant environmental attributes and a range of anthropogenic pressures.ⁱ 269 ha (1.3%) of mangroves have been cleared for infrastructure since 1996, and 51 ha (0.3%) of Samphire (succulent salt-tolerant plants).ⁱⁱ However, there may have been a past perception of limited need to undertake active management. For example, megafauna monitoring (dolphins, dugongs, and turtles) was scheduled to cease in 2019.

EIANZ considers that the following matters should be explicitly addressed during the Precinct's assessment.

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Nature Positive

1. *The Precinct's PPP should demonstrate how it will contribute to a long-term Nature Positive outcome.*
2. *If the proposal proceeds, monitoring must be undertaken to confirm that Nature Positive outcomes are being achieved.*

The Australia Government's *Nature Positive Plan – better for the environment, better for business* (December 2022) notes the need to move 'from being nature negative, where we oversee an overall decline in our environment, to nature positive, where we protect our land and leave it in a better state than we found it'. EIANZ supports the intent of the Nature Positive Plan and the need to achieve nature positive outcomes in development. Consistent with the plan, developments should contribute to the repair and regeneration of nature. Such improvements may take various forms, such as adding to conservation reserves, removing threatening processes and rehabilitating ecosystems. The Precinct should be required to demonstrate Nature Positive outcomes.

Offsetting

3. *To meet the goal of Nature Positive, the PPP should consider robust offsetting solutions where there will be unavoidable impacts in the harbour, on land and from greenhouse gas emissions.*

Both the Australian and Northern Territory Governments have offsetting policies to address impacts. Offsetting may include creating new conservation reserves, rehabilitating degraded sites, and reducing the impacts of threatening processes or eliminating them altogether. However, whatever offsetting steps are taken, there must be clear evidence that they will have long-term benefits and only be used after all other protection and conservation measures have been considered.

Please refer to the EIANZ [Position Statement on Biodiversity Offsets](#) for more information.

National Reserve System

4. *The Precinct's PPP should consider the need to improve conservation management of Australia's landscapes, waterways, wetlands and seascapes as detailed in Objective 5 of Australia's Strategy for Nature 2019-2030.*

Australia's Strategy for Nature 2019-2030 notes:

Conservation management of landscapes, waterways, wetlands and seascapes can be improved in a number of ways. These include through enhancing the representativeness, extent, connectivity and condition of government- and non-government managed protected areas and conservation reserves, Indigenous protected areas and marine protected areas.

The Precinct's PPP should ensure secure protected areas are sufficiently representative to adequately protect the important environmental attributes of Darwin Harbour consistent with *Australia's Strategy for Nature 2019-2030*.

Traditional ecological knowledge

5. *The Precinct's PPP should recognize and respect traditional ecological knowledge and stewardship of nature.*

As noted in Objective 4 of *Australia's Strategy for Nature 2019-2030*:

Traditional ecological knowledge can be a valuable tool for assessing changes to the environment and identifying appropriate management strategies.

Traditional stewardship of land and sea country can be supported and promoted through programs and initiatives to increase participation and engagement under the guidance of Aboriginal and Torres Strait Islander people.

As detailed in the EIANZ [Position Statement on Indigenous Peoples' Knowledge and Engagement](#), EIANZ encourages governments to adopt legislative, policy and program measures that enable Indigenous peoples to fully contribute to environmental management decisions and practices, especially when these decisions and practices may impact on Indigenous peoples' wellbeing, their places or natural resources.

Environmental Accounting

6. *Monitoring within the PPP must be sufficient to allow establishment of clear cause and effect relationships of the various environmental stressors. Failure to do so will see the assessment based upon qualitative judgements.*

In 2018, the Australian Government published '*Environmental Economic Accounting: A Common National Approach Strategy and Action Plan*' (2018). This outlines the rationale for a robust statistical framework for decision making which should be reflected in the proposed monitoring program within the PPP. Noting that, as the Precinct develops, dredging and noise will increase from increases in shipping and this will affect the megafauna in Darwin Harbour, monitoring in the PPP or related programs should address marine megafauna. Empirical research on the types of habitats they require for their continued presence would also be beneficial.

ⁱ Darwin Regional Land Use Plan (2015) and the Darwin Harbour Strategy (2020 – 2025).

ⁱⁱ *Anthropogenic Pressures on Darwin Harbour: An IMMRRP Monitoring Plan* (Radke and Fortune).

