

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Budget Estimates Hearing 25-29 May 2015

Prime Minister and Cabinet Portfolio

Department/Agency: Tiwi Land Council

Outcome/Program: Outcome 2: Indigenous

Topic: Environmental impacts of the new Port Melville development

Senator: Senator Nova Peris OAM

Question reference number: 133

Type of question: Written

Date set by the committee for the return of answer: 10 July 2015

Number of pages: 3

Question:

1. Has the Tiwi Land Council or its executives received a briefing by either the developer or the Northern Territory Government on any potential environmental impacts of the new Port Melville development? If yes, what are those potential environmental impacts?
2. What are the environmental concerns regarding this project amongst Tiwi Islanders in general?

Answer:

1. 13/2/2013 Tiwi Land Council Executive Managers were briefed by Ezion Offshore Logistics Hub (Tiwi) Pty Ltd (EOLHT) on proposed development of the port, and on 6/3/13 by EOLHT and the General Manager TPC on AQIS requirements for the importation of pontoons which were to provide a floating wharf.

On 9/7/13 the CEO and Environment Manager of the Tiwi Land Council (TLC) were advised that the imported pontoons had been inspected by experts from NT Fisheries and NT Museums and "pose no biosecurity risk to the Australian environment". Installation of the pontoons and completion of the floating pontoon wharf proceeded with close liaison with the TLC Environment Manager who was provided with and commented on construction documents prepared by Marine and Civil, contractors to EOLHT, sublessees and developers of the port.

On 26/11/2014 the TLC Environment Manager and the General Manager of Port Melville Pty Ltd were briefed by email by EOLHT that:

- a) The proposed further development of the port had not been formally referred to the Federal Environment Minister under the Environment Protection and Biodiversity Conservation Act because at that time the environment consultants to EOLHT considered the development not to have a significant impact on any matter of National Environmental Significance.
- b) A Notice of Intent had been submitted to the NTEPA on 17/3/2014. NTEPA responded on 13/5/2014 stating that their preliminary view was that assessment of the development at the level of a Public Environment Report or an Environmental Impact Statement would not be required subject to the provision of additional information. The additional information was provided to the NTEPA on 2/9/2014. NTEPA responded on 27/10/2014 that assessment of the proposed action was not required subject to additional information which addressed the project's risks to the environment.

This included:

- Potential impacts of groundwater extraction on existing groundwater users and/or the environment.
- Additional information on the transport, storage and handling of fuel at the site and protocols for spill response, containment and cleanup.
- Details of vessel numbers using the port.
- Details of wastewater treatment on site and any licences required.
- Details of a protocol for managing marine pest species.
- Details of any changes to the scope of the developments on submission of the NOI in March 2014.

On 21/1/15 TLC Executive Managers were briefed on the preparation of the EOLHT Operational Environmental Management Plan (OEMP) by the GM of Port Melville Pty Ltd. The OEMP was prepared by environmental consultants EcOz and provided responses to the matters requiring further information by the NTEPA.

On 11/2/2015 a meeting of the full Tiwi Land Council (number 287) was briefed by the GM Port Melville Pty Ltd on the preparation of the OEMP by consultants working for EOLHT.

On 18/2/15 TLC Executive Managers received a detailed briefing and provided feedback on the OEMP by EOLHT including the matters requiring further information by the NTEPA.

Tiwi Land Council Delegates and staff have been invited at all relevant times to inspect work at Port Melville, and have done so on numerous occasions.

2. Tiwi have a long held vision of developing a commercial economy which provides real jobs for their people and removes them from dependency on welfare. In 2003 Tiwi produced the Tiwi Islands Regional Natural Resource Management Strategy. The Strategy is determined to create an independent Tiwi economy not reliant on welfare, and to provide long-term protection of Tiwi natural resource and cultural values. Tiwi Islanders are always concerned that the environmental values of their islands, including the marine environment in relation to port operations, are adequately protected during the course of any economic developments. Tiwi Islanders demand the development of appropriate environmental plans and controls for all economic development, and support the processes adopted by EOLHT, including but not limited to the preparation and implementation of an Operational Environmental Management Plan under the guidance of credible environmental consultants and approved by the relevant authorities, and the formal referral of port developments for assessment under the Commonwealth *Environment Protection and Biodiversity Conservation Act* as advised by the Australian Government Minister for the Environment.