



Darwin Harbour Advisory Committee

MINUTES FOR MEETING 28

Thursday 29th January 2009

9am to 12pm

Meeting Room 1, Darwin City Council

1. Welcome And Apologies

Present:

Name	Representing
Bill Stuchbery	Independent Chairperson
Luccio Cercarelli	Local Government Association NT
Bob Wasson	Charles Darwin University, Chair Ecosystem Research Group
Alastair Black	Darwin Port Corporation
Graeme Lewis	Tourism Top End
Stuart Blanch	Environment Centre NT (Proxy)
Lyn Allen	Executive Director, Environment Heritage & the Arts, NRETAS
Robyn Henderson	Project Coordinator, Darwin Harbour Regional Plan of Management, Environment, Heritage and the Arts NRETAS
Mark Meldrum	Director, Strategic Planning, Department of Planning and Infrastructure

Guests

Phil Piper	Department of Planning and Infrastructure
Paul Wharam	Department of Planning and Infrastructure
George Maly	Department of Natural Resources Environment and Heritage
Chris Wicks	Department of Natural Resources Environment and Heritage
Simon Ward	Department of Natural Resources Environment and Heritage

Apologies:

Peter Ebsworth	Greening Australia NT
Chris Makepeace	Amateur Fishermen's Association of the NT
Prue Barnard	Australian Marine Conservation Society
Greg Bicknell	Chamber of Commerce NT

PREVIOUS BUSINESS

2. Acceptance Of Previous Minutes

The Committee agreed that the minutes from the previous meeting be accepted.

Moved: Luccio Cercarelli Seconded: Bob Wasson

3. Action from previous meeting

A media release about DHAC and the new terms of reference was circulated but media coverage was light.

4. Middle Arm Gap Analysis – Phil Piper and Paul Wharam

The Chair stated that DHAC was seeking a briefing to gain an understanding of the big picture for Middle Arm.

Phil Piper and Paul Wharam briefed DHAC and answered questions regarding the process for environmental considerations at Middle Arm in the context of the proposed industrialisation of the area.

Department of Planning and Infrastructure are undertaking a review of environmental information and studies not a strategic environmental assessment of Middle Arm. The first stage of the process is a gap analysis and the consultant URS has been commissioned to establish the current information about the area.

Phil Piper explained that the Strategic Environmental Assessment process had been restructured into the current process because a Strategic Environmental Assessment has no legislative standing in the Northern Territory. Any studies undertaken following the gap analysis could be factored into the studies for individual Environment Impact Statements for the individual proposals.

The outcomes of the gap analysis will be publicly available and it is anticipated that the report will be finalised in February. Terms of reference will be prepared following the gap analysis and these will indicate the next steps.

The gap analysis will identify gaps in the currently available information. Although it is not the intention of the Northern Territory Government to undertake all identified studies, Department of Planning and Infrastructure will be seeking funds from Treasury to undertake some studies. It would not be unreasonable to expect that if industry is seeking to develop the area then they should be responsible for providing funding to undertake some of the studies.

Although the Department of Natural Resources, Environment and Heritage will not have an assessment role in the process, it has reviewed each draft of the gap analysis providing feedback.

The Chair highlighted concern that there is a perception from others including other agencies that the analysis is happening in isolation. Concern was also expressed that the public exhibition requirements of the environmental assessment process may not be applied in this alternative process.

DHAC offered to provide feedback on and input to the Gap Analysis prior to finalisation to contribute knowledge and expertise to the process. DHAC's involvement at an early stage could to reduce the risk to Government.

Members requested to review the next draft of the gap analysis when available and to receive a presentation on the Gap analysis at the next DHAC meeting.

Action

Project Coordinator to liaise with DPI to seek distribution of an executive summary and a copy of the next draft of the gap analysis to DHAC members and to arrange a briefing at the next DHAC meeting.

Members suggested that the benefits of a strategic environmental assessment would be

- to assess cumulative impacts of industry;
- that although individual industries may not be known at that stage, certain industries could be excluded;
- a transparent and consultative process;
- that results would be available to inform individual environmental assessment and therefore streamlining and reducing the workload on both government and the community during the individual assessments.

The idea of a joint NT Government and Australian Government SEA under the *Environment Protection and Biodiversity Act* was discussed.

The review of the Northern Territory Environmental Assessment process being undertaken by the Environment Protection Authority was discussed along with the possibility that this process may recommend Strategic Environmental Assessment to be brought into the NT legislation.

Action

Project Coordinator to seek information about the EPA review of the Assessment process, particularly timelines.

5. Water Allocation Planning – update

Chris Wicks, Water Planner provided an update on the current status of developing a framework to prepare an NT Strategy for allocation of water in the Top End and commencing water allocation on a regional basis. Once prepared water allocation plans will be 10 year plans with a 5 yearly review.

Concern about aquifer recharge was discussed along with the need for community education, changing community behaviour and changing planning and development requirements.

The Chair requested that updates on this topic continue during the regular DHAC meetings.

A collaborative whole of government approach to managing water is underway involving a number of agencies.

Action

An out of session meeting will be organised during April to advise DHAC on:

- The whole of government approach to water; and
- The Water Allocation Planning communication strategy

6. Water Quality Protection Plan/ Report on EMG

George Maly, Water Quality Protection Plan Project Coordinator, provided an update on the current status and next steps of the WQPP project.

Water Quality Protection Plan – Report on Phase 1 activities

Phase 1 of the project has been completed and a summary report is currently being finalised. A copy of the summary report will be provided to DHAC members once finalised.

The outputs of the phase 1 will be:

- technical modelling reports;
- priority research reports;
- water quality objectives which consist of a limited suite of water quality indicators that correspond to beneficial uses and provide important technical references in monitoring and managing the quality of regional waterways.
- pollutant loads report; and
- final report for phase 1.

Water Quality Objectives report on EMG activities

The Department will be seeking DHAC views on the water quality objectives. A copy of the report will be electronically available to DHAC. The final requirement of the WQPP funding brief is to conduct workshops with relevant stakeholders on the outcomes of Phase 1 WQPP outcomes. A workshop will be held with EMG and members of DHAC and ERG will be invited to participate. The workshops will focus on the outcomes of the work and provide background information for the preparation of monitoring and implementation strategies.

Receiving Water Quality Modelling and Pollutant Loads

Receiving water quality modelling for pollutant loads is being undertaken by WRL (Water Resources Laboratory) UNSW

Modelling evaluates water quality based on current levels of pollutant loads delivered to the Harbour and simulates water quality based on future land-use development projections and population increases.

DHAC members discussed speciation of Nitrogen and Phosphorus vs measuring totals, temperature and risk thresholds.

Phase 2 of the project will see the preparation of monitoring, modelling and implementation strategies.

Action

The reports will be emailed to DHAC members when finalised.

7. Current Environmental Impact Assessment matters

Lyn Allen, Executive Director, Environment Heritage and the Arts reported that:

1. the Environmental Impact Statement (EIS) for INPEX is likely to be on public exhibition in April/May 2009.
2. the EIS for the Olympic Dam expansion for transporting concentrate out of Darwin by BHP Billiton is likely to be on public exhibition in April 2009

The Chair advised DHAC members that INPEX representatives had been in touch with him and that he would meet with an INPEX representative.

8. Review of the Darwin Harbour Regional Plan of Management

The Project Coordinator provided an update on the current status and next steps.

The draft Darwin Harbour Regional Strategic Framework (to replace the Plan of Management) has been amended taking into consideration Agency comments and

the feedback provided by the Chair and AFANT representative. No other DHAC members provided feedback on Agencies comments. The Chair approved the revised draft on behalf of DHAC to move forward to design and layout for printing.

The communication strategy and project plan for the public consultation will be updated in coming weeks and is be available to DHAC members. The dates of the public consultation have not been firmed up but it is expected to commence in early March.

During the public consultation public information sessions will be held. The Chair will lead these sessions but other members are invited and encouraged to participate.

The amendments to the Strategic Framework were discussed, particularly the concept of offset programs. The lack of a definition or a clear policy on offsets was discussed. There is a need for a broader discussion with community input on what constitutes an offset or community benefit.

Action

A covering paper will be prepared on the issues and facts on offsets to accompany the Strategic Framework during public consultation.

The Chair advised that he has sent letters to engage the Australian Government, including both Defence and the Department responsible for the *Environmental Protection and Biodiversity Act*, and LGANT in the preparation of the Strategic Framework and in turn seek their support for the Framework.

Action

The Project Coordinator will follow up responses from Australian Government Agencies.

9. Larrakia Harbour Committee

The Larrakia Harbour Committee has not met since before July 2008 and there has been no nomination for a representative on DHAC. Advice has been provided that the Larrakia Harbour Committee will meet towards the end on February and during that meeting they may nominate a representative to participate on DHAC.

10. Correspondence

Discussion was held about Minister Lawrie's response on DHAC concerns relating to the potential industrialisation of Middle Arm and the associated processes. Minister Lawrie's response and the briefing on the Gap Analysis did not address members' concerns. DHAC members were still of the opinion that the Gap Analysis process was not adequate and that a strategic environmental assessment was needed.

Action

The Chair will coordinate the preparation of a letter to Minister Lawrie expressing DHAC's current concerns and suggested solutions.

The need for strategic environmental assessment processes in the Northern Territory should be brought to the attention of the EPA.

There is an expert in environmental legislation at CDU. Bob Wasson suggested that he could ask the expert if he/she were willing to look at the issue.

Action

The Chair will coordinate the preparation of a letter referring the need for strategic environmental assessment in the Northern Territory to the EPA and the letter should be provided to Bob Wasson prior to sending.

11. Financial Report

The Project Coordinator tabled the financial report for the year to date.

12. Sites of Conservation Significance

Simon Ward, Biodiversity Unit, Department of Natural Resources, Environment, the Arts and Sport provided a presentation on sites of conservation significance in the Northern Territory.

Action

Project Coordinator to request a copy of the powerpoint presentation.
Project Coordinator to seek a briefing from the Marine Biodiversity Group on their current projects with regard to Darwin Harbour.

Darwin Harbour has been identified as a site of national significance but it has not been assessed against the Ramsar criteria. If Darwin Harbour were assessed as a site of international significance under Ramsar criteria it would be covered under the *EPBC Act*. This status may be a level of comfort to members of the community.

Action

The Chair will coordinate the preparation of a letter to Minister Anderson requesting that the Darwin Harbour be assessed as a site of significance under Ramsar criteria.

13. Other business

(a) The Chair advised that he met with senior officers from DPI and the CEO of the Port Corporation.

(b) The Chair has been invited to participate on Department of Planning and Infrastructure's Project Advisory Committee for the Greater Darwin 2025 project. The Chair will be attending the first meeting on 30 January.

(c) The Chair and Executive Officer will attend a two day workshop hosted by the EPA on "Fostering Sustainable Behaviour" using the *Community-Based Social Marketing* method in early February.

Action

The Chair will provide feedback following the PAG meeting at the next DHAC meeting.

Next meeting to be held 5th March 2009 9am-12pm

Meeting closed 12.10pm

Action Sheet
Meeting 28 29 January 2009

Agenda Number	Agenda Item Title	Action	Responsibility	Time Frame	Status
4	Middle Arm Gap Analysis	Project Coordinator to liaise with DPI to seek distribution of an executive summary and a copy of the next draft of the gap analysis to DHAC members and to arrange a briefing at the next DHAC meeting.	Project Coordinator	By next DHAC meeting	Gap Analysis is not completed : Outstanding
4	Middle Arm Gap Analysis	Project Coordinator to seek information about the EPA review of the Assessment process, particularly timelines.	Project Coordinator		Information sought 16 Feb
5	Water Allocation Planning	An out of session meeting will be organised during April to advise DHAC on: <ul style="list-style-type: none"> • The whole of government approach to water; and • The Water Allocation Planning communication strategy 	Project Coordinator and Water Management Branch	April 2009	Out standing
6	Water Quality Protection Plan/Report on EMG	The reports will be emailed to DHAC members when finalised.	WQPP Project Officer		First report received 19/02/2009
8	Review of the Darwin Harbour Regional Plan of Management	A covering paper will be prepared on the issues and facts on offsets to accompany the Strategic Framework during public consultation.	Project Coordinator	Prior to consultation	Outstanding
8	Review of the Darwin Harbour Regional Plan of Management	The Project Coordinator will follow up responses from Australian Government Agencies.	Project Coordinator		Completed
10	Correspondence	The Chair will coordinate the preparation of a letter to Minister Lawrie expressing DHAC's current concerns and suggested solutions.	Chair and Environment Centre representative	mid February	12/02/2009 Letter sent
10	Correspondence	The Chair will coordinate the preparation of a letter referring the need for strategic environmental assessment in the Northern Territory to the EPA and the letter should be provided to Bob Wasson prior to sending	Chair and Environment Centre representative		02/2009 Letter sent

12	Sites of Conservation Significance	Project Coordinator to request a copy of the powerpoint presentation.	Project Coordinator		Outstanding Briefing during March meeting
		Project Coordinator to seek a briefing from the Marine Biodiversity Group on their current projects			
12	Sites of Conservation Significance	The Chair will coordinate the preparation of a letter to Minister Anderson requesting that the Darwin Harbour be assessed as a site of significance under Ramsar criteria.	Chair and Environment Centre representative		12/02/2009 Letter sent
13	Other Business	The Chair will provide feedback following the PAG meeting at the next DHAC meeting.	Chair		Briefing during March meeting