



# Darwin Harbour Advisory Committee

## MINUTES FOR MEETING 29

Thursday 5 March 2008  
9am to 12pm  
Meeting Room 1 Darwin City Council

### 1. Welcome and Apologies

#### Present

<b>Name</b>	<b>Representing</b>
Bill Stuchbery	Independent Chairperson
Chris Makepeace	Amateur Fishermen's Association of the NT
Prue Barnard	Australian Marine Conservation Society
Greg Bicknell	Chamber of Commerce NT
Graeme Lewis	Tourism Top End
Tom Harris	Northern Territory Horticultural Association
David Jan	Greening Australia (NT)
Rosanne Lague	Acting Regional Manager, Defence Support NT/K
Robyn Henderson	Project Co-ordinator, Darwin Harbour Regional Plan of Management, Environment, Heritage and the Arts NRETAS
Alison Anderson	Minister for Natural Resources, Environment and Heritage
Matthew Fagan	Senior Advisor to Minister Anderson
Michael Voukolos	Graduate Trainee/Scientist, Environment Heritage and the Arts, NRETAS

#### Guests

Juanita Croft	Environmental Protection Agency
Roger Bluett	Environmental Protection Agency
Phill Piper	Department of Planning and Infrastructure
Gerhard Visser	Department of Planning and Infrastructure
Professor Karen Edyvane	Principal Scientist, Marine Biodiversity, Environment, Heritage and the Arts NRETAS
George Maly	Aquatic Health, Environment, Heritage and the Arts NRETAS

#### Apologies



Bob Wasson	Charles Darwin University, Chair Ecosystem Research Group
Luccio Cercarelli	Local Government Association, NT
Alistair Black	Darwin Port Corporation
Lyn Allen	Executive Director, Environment Heritage and the Arts, NRETAS

## Previous business

### 2. Acceptance of Previous Minutes

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

Moved Graeme Lewis      Seconded Bill Stuchbery

### 3. Action sheet from previous meeting

- Middle Arm Gap analysis still ongoing
- EPA Review of EIA Procedures currently going out
- Review of Plan of Management still ongoing
- Letters sent to Lawrie, Anderson Re: RAMSER for Darwin Harbour

### 4. Water Sensitive Urban Design project – Phil Piper

Phil Piper provided a presentation to DHAC about Water Sensitive Urban Design (WSUD) initiatives in the Darwin Harbour and catchments area.

New subdivisions like Bellamack have WSUD principles in the design; future developments like Weddell have potential to incorporate even more advanced WSUD principles. The NT Government currently has consultants working on two projects incorporating WSUD.

With the NT population predicted to continue to grow in the future, and with water usage already a major issue in the Darwin Harbour region, WSUD has the potential to reduce water usage in the region by up to 25%. As the cost and logistics of retrofitting are significant, both DPI and the Federal Government are encouraging WSUD to be implemented in all new developments.

#### Action

**Distribute Information to public about WSUD Principles. Phil to send information.**

#### Minister Introduction

- No Questions
- Passed out Minister's Message

DHAC raised the issue of the Kembi Land Claim settlement, with freehold on Cox Peninsular for development; indication given that issue may be on the DHAC agenda in the near future.

Matthew Fagan and Minister Anderson informed DHAC on the current status of the Catalina 6 wreck in the harbour. Reports have been confirmed that an object was taken from the wreck. The Catalina 6



is now under an interim conservation order, unlike the other five Catalina wrecks it is still largely intact.

The looting has created a diplomatic incident as these Catalina's are an important part of US history as well. The possibility of raising the wreck has been discussed, its close proximity to the Impex loading bay is also noted.

#### **5. EPA's review of the Northern Territory environmental impact assessment processes – Juanita Croft and Roger Bluett**

Juanita Croft and Roger Bluett provided a presentation to DHAC about the Environmental Protection Authority's review that began when the EPA was formed in early 2008. The EPA released Terms of Reference on the subject on February 2, 2009.

The EPA has made the decision to go beyond the initial scope referred to the Authority by the Minister for Natural Resources, Environment and Heritage. This was how ecologically sustainable development can be built into environmental impact assessment procedures; the scope will now consider all aspects of Government decision making under the *Environmental Assessment Act* as well as links to federal legislation.

The *Environmental Assessment Act* which governs the environmental impact assessment processes in the NT goes beyond major developments, and can't be reviewed in isolation as it intertwined with various other acts.

As part of this process the EPA conducted a comparative analysis with other EIA regimes both nationally (NSW, WA, Commonwealth) and internationally (Canada and UK). Relevant NT case studies will be used to evaluate existing environmental impact assessment processes. These case studies include

- **McArthur River Mine** (how assessment process interacts with approval process?)
- **Middle Arm** (why can't current processes allow for Strategic Environmental Assessment?) and
- **Minmarama Soil Stockpile** (what happens when activity falls between legislative gaps?).

The EPA is planning to release a discussion paper on the issue in April 2009. Input from business, peak environment groups and the public is invited is encouraged prior to and after the release of this paper.

#### **Action-**

**DHAC to keep in contact with EPA regarding the Terms of Reference, as well as Middle Arm land usage. DHAC to wait for Discussion Paper release before making comment.**

- #### **6. Coastal-Marine Sites of Significance Project (incl. Marxan and Marzone software). Update on the Coastal-Marine Monitoring and Reporting Framework (incl. VPISSR software) – Karen Edyvane**



Karen Edyvane from NRETAS Marine Biodiversity provided a presentation on the Coastal-Marine Sites of Significance Project, and the opportunity it may provide to integrate all the information on the harbour into one resource. To do this may require Caring for Country funding with DHAC as the major supporter.

- Project is similar to that presented by Simon Ward, of terrestrial Biodiversity Unit at the last meeting (Meeting 28) but analysis will be qualitative as well as quantitative using the software programs to indicate “Hotspots for Biodiversity”
- From these hotspots we can determine sites of significance
- Gives the possibility of national framework for Natural Resource Management (NRM) Monitoring, nationally there have been 19 key indicators agreed upon for NRM monitoring and evaluation purposes
- Underpinned by an extensive database.

Karen indicates her wish to have Darwin Harbour Estuarine, Coastal and Marine (ECM) Monitoring and Evaluation integrated within current NT NRM ECM monitoring and evaluation projects, with Darwin Harbour as the pilot for this particular project.

As an advisory committee to the government DHAC does not believe it is in a position to lead the project and suggested the initiative would be better suited to a body like CDU or TRaCK that would be in a better position to lead and lobby for funding of the project. It was also noted that the timing of the request, four weeks before close of Caring for Country submissions may not allow a project of this size to be assembled before the deadline of April 3<sup>rd</sup> 2009.

DHAC however, is still fully supportive of the proposal and willing to provide support where it can, possibly as a Steering Committee.

Karen Edyvane is willing to put together a feasibility study and draft proposal

**Action-**

**DHAC to draft letter to NRM Board and look at other Caring for Country funding proposals for Darwin Harbour.**

**The DHAC Chair to Co-ordinate draft response to department/agency regarding this proposal.**

**7. Department of Planning and Infrastructure’s Strategic Plan for the growth of Greater Darwin Region – Project Advisory Group Feedback – Bill Stuchbery and Gerhard Visser**

Gerhard Visser, DPI provided a presentation on the Status of the Strategic plan for the growth of the Greater Darwin Region.

The Current Structure Plan (1990) is currently being reviewed. The plan was originally to be reviewed after 10 years, however this didn’t occur. This review didn’t account for the increase in development of Cox Peninsular as well as changes in growth trends and community expectations over time. Elton Consulting began a Gap Analysis in December 2008.



This scope of this current review goes as far south as Darwin River Dam including Cox Peninsular. Some of the future issues the plan will address include

- The effect of major development like Inpex and Weddell
- Where Weddell will sit in the hierarchy of Northern Territory cities
- As well as environmental goals like reduction of carbon footprint.

Expected timeframe for plan is that

- a draft will be completed for discussion in April
- To Cabinet in May, once Cabinet Ministers are briefed then public to be informed
- Public consultation in August, Possibility for further DHAC comment (*DHAC will have prior input from Chairperson*)
- If all parties involved satisfied with the process the new plan can be implemented in NT Planning Scheme as soon as October or November 2009.

#### Action

### **8. Water Quality Protection Plan Project discussion/comments on draft website- George Maly**

George Maly provided a presentation on the Water Quality Protection Plan (WQPP) website.

Currently the WQPP is being assessed by the federal government, and workshops are being facilitated for Phase 1 of the plan, Water Quality Objectives (WQO) -specifically how to implement them. The WQO are also to be reviewed by Ecosystem Monitoring Group in the near future.

The website itself needs updating, and it is not for official public release but more as an education tool providing beneficial uses and Water Quality Objectives. The site will also provide outcomes of public consultation and Beneficial Uses Declaration as well as links to complimentary sites from both NT & Federal Government. There is also a possibility for emails to be sent out from the website to interested parties requesting comment on issues or providing informative content.

If DHAC are satisfied with the website, George will instruct the NRETAS Media and Communications to fine tune the site ready for public inspection and use.

#### Action

**DHAC members to provide any comments on website or WQO to Robyn Henderson by early next week.**

**Suggestion of a FAQ section to be added to WQPP website, either as a PDF document or on the site itself.**

### **9. Current Environmental Impact Assessment matters – Robyn Henderson**



Robyn Henderson reported:

Paul Purdon recently took over the position as Acting Manager for Environmental Assessments in addition to the position of Manager of Environment and Greenhouse Policy that he holds. In relation to matters raised at the last meeting

1. Inpex EIS currently expected in July
2. BHP Billiton Olympic Dam expansion (for transporting concentrate out of Darwin) EIS is expected to be out in April for public display.

**Action**

**10. Review of the Plan of Management – Robyn Henderson**

The Review of the Plan of Management has gone through Government and is now ready for public consultation. The Public Consultation for the Review and the draft Strategic Framework is to be launched on March 24, 2009. The Minister approves a press release for this date.

Public Meetings are to be held from 20<sup>th</sup>-23<sup>rd</sup> of April, Bill Stuchbery will be addressing each of these public meetings with DHAC Committee Members are encouraged to make themselves available to attend where possible.

The Public consultation period will end on May 15 2009.

The Committee made note of the wording for Goal 3 of the plan “to encourage ecologically sustainable development”, quantifying to what extent development must be ecologically sustainable may cause tension between framework and development processes.

It is also noted that the language of these documents must be carefully constructed, as an advisory body DHAC can only guide government.

**Action**

**Committee Members to comment on the lay out of Review in the upcoming days.**

**Commitment from Minister is given to ensure documents are taken up to Cabinet, the Chair requests that the Minister take on the role to get Strategic Framework endorsed after Public Consultation.**

**11. Correspondence – Robyn Henderson**

- Correspondence tabled
- No questions

**Action**

**12. Financial Report – Robyn Henderson**



- Financial report tabled
- No Questions

#### Action

### 13. Other Business- Bill Stuchbery

*Dredging in Darwin Harbour*- DHAC wish to address the issue of dredging in Darwin Harbour, there appears to be no policy and looks to be carried out in an ad hoc fashion. In the current climate of development in the Darwin Harbour, dredging will continue to be an issue. DHAC would like a wish to pursue an appropriate Dredging policy for Darwin Harbour that addresses issues such as how and where dredging occurs as well as use of dredge spoil.

Possibility raised of action in DHAC Plan of Management for Dredging Policy

*Department of Defence representation on DHAC*- The DHAC Chair notifies the committee of his and the Minister's wish to have the Department of Defence interests represented on DHAC.

Rosanne Lague, Acting Regional Manager, Defence Support NT/Kimberly discussed the Department of Defence's role in the Darwin Harbour and Catchment region

- Defence has major land holdings in the area (including Lee Point and Shoal Bay)
- 9 of 15 current defence operations occur in the NT/K region, the Darwin region is of significant strategic importance.
- Provide Border and Fisheries protection
- As a federal body, Defence's environmental procedures are governed by the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act)
- As part of the environmental stewardship in the region the Dept. of Defence undertake procedures like water testing as well as weed, fire and feral animal management

#### Action

- **Robyn Henderson to check on the status of Dredging Plan**
- **Bill Stuchbery, Graeme Lewis and Chris Makepeace to draft a letter to Planning Minister regarding dredging policy**
- **With Minister's approval, a representative from the Department of Defence will be added to the Darwin Harbour Advisory Committee**

**Next regular Meeting will be Friday May 15, 2009.**

#### Action Summary:

- Distribute Information to public about WSUD Principles. Phill to send information.



- DHAC to keep in contact with EPA regarding the Terms of Reference, as well as Middle Arm land usage. DHAC to wait for Discussion Paper release before making comment.
- DHAC to draft letter to NRM Board and look at other Caring for Country funding proposals for Darwin Harbour.
- The DHAC Chair to Co-ordinate draft response to department/agency regarding the other Caring for Country funding proposal.
- DHAC members to provide any comments on website or WQO to Robyn Henderson by early next week.
- Suggestion of a FAQ section to be added to WQPP website, either as a PDF document or on the site itself.
- Committee Members to comment on the layout of Review in the upcoming days.
- Commitment from Minister is given to ensure documents are taken up to Cabinet, the Chair requests that the Minister take on the role to get Strategic Framework endorsed after Public Consultation.
- Robyn Henderson to check on the status of Dredging Plan
- Bill Stuchbery, Graeme Lewis and Chris Makepeace to draft a letter to Planning Minister regarding dredging policy
- With Minister's approval, a representative from the Department of Defence will be added to the Darwin Harbour Advisory Committee



No.	Action (Defined 05.03.09)	Status (As of 06.05.09)
1	Obtain background information on WSUD Principles.	Accessible information on WSUD available at <a href="http://healthywaterways.org">http://healthywaterways.org</a> and <a href="http://www.waterbydesign.com.au">www.waterbydesign.com.au</a> , both based on Southeast Queensland, among others.
2	DHAC to keep in contact with EPA regarding the Terms of Reference, as well as Middle Arm land usage. DHAC to wait for Discussion Paper release before making comment.	EPA TOR for harbour review has been released for comment; discussions with the EPA are ongoing
3	DHAC to draft letter to NRM Board and look at other Caring for Country funding proposals for Darwin Harbour.	This item has been superseded by the AIMES/NRETAS bid for Caring for Country funding, as discussed 15 May 2009.
4	The DHAC Chair to Co-ordinate draft response to department/agency regarding the other Caring for Country funding proposal.	See above.
5	DHAC members to provide any comments on website or WQO to Robyn Henderson by early next week	WQPP continues to progress, as discussed 15 May 2009.
6	Suggestion of a FAQ section to be added to WQPP website, either as a PDF document or on the site itself.	Discussed with Julia Fortune of Aquatic Health; ongoing.
7	Committee Members to comment on the layout of Review in the upcoming days.	Public consultation period concludes 15 May 2009.
8	Commitment from Minister is given to ensure documents are taken up to Cabinet, the Chair requests that the Minister take on the role to get Strategic Framework endorsed after Public Consultation.	Ongoing.
9	Robyn Henderson to check on the status of Dredging Plan	Completed: the dredging plan is defunct.
10	Bill Stuchbery, Graeme Lewis and Chris Makepeace to draft a letter to Planning Minister regarding dredging policy.	Completed: awaiting response from Minister Lawrie.
11	With Minister's approval, a representative from the Department of Defence will be added to the Darwin Harbour Advisory Committee.	Completed: awaiting response from the Department of Defence.