



18 February 2022

To

Executive Officer
Pastoral Land Board

By Email

pastoralassessment.depws@nt.gov.au

To Whom it May Concern,

Fortune Agribusiness Funds Management Pty Ltd – Application to Clear Pastoral Land (s38(1)(h)) on Singleton Station

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, 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 Fortune Agribusiness Funds Management Pty Ltd (**'Applicant'**) to the Pastoral Land Board (**PLB**) for a permit to clear Pastoral Land under section 38(1)(h) of the *Pastoral Land Act 1992 (NT)* in respect of Singleton Station Pastoral Lease 1022.

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 2019 (NT)* on the basis that it clearly meets the threshold of having the potential to have a significant impact on the environment.

In particular:

- a. The Applicant has confirmed that the proposed use requires irrigation. The groundwater extraction licence WDCP10358 (**'the water licence'**) is currently subject to judicial review and may be overturned. In accordance with the Northern Territory Pastoral Land Clearing Guidelines 1993 the Pastoral Land Board should not determine this application until these proceedings are concluded.¹
- b. Taylor Creek flood out (which separates the two production blocks) is listed in accordance with Northern Territory Government supplied data as a fifth stream order. In accordance with s 4.4.7 of the Northern Territory Planning Scheme, Land Clearing Guidelines a minimum 250m riparian buffer is required. The applicants are proposing a buffer of 50 metres only, which is inconsistent with the Land Clearing Guidelines and increase the risk of erosion.
- c. The proposed clearing may have a significant impact on important populations of a number of species listed under the *Environment Protection and Biodiversity Act 1999 (Cth)*. A protected matters search is attached. Of note, the Application could destroy vital habitat for the threatened greater bilby, brush-tailed mulgara, marsupial mole and night parrot, among other animals. In a

¹ Northern Territory Pastoral Land Clearing Guidelines, *Pastoral Land Act 1993 (NT)*, p 4.

context of high rates of mammalian extinction in the Arid Zone², it is crucial that this land clearing application, and the project as a whole, be referred for assessment under the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)* before it is considered by the Board. It is also imperative that the proponent undertake biodiversity surveys of the required to understand, assess and manage the impacts of land clearing on local and regional biodiversity (including threatened species), including “edge effects”, of the Application. The Applicant must undertake detailed baseline terrestrial fauna surveys in the project area and surrounding areas that may be directly or indirectly impacted by the proposal. The Applicant must apply the mitigation hierarchy and explain how the Application has been designed to avoid and minimise impacts to fauna and habitats, and explain monitoring, management and mitigation measures to reduce residual impacts.

- d. The proposed clearing will contribute to the continuing collapse of the Western-central arid zone³ as it will involve the destruction of essential habitat for native animals, and of these animals themselves (through the raking and deep ripping of the vegetation and tilling of the soil). The Western Central Arid Zone has been challenged by mass mammalian extinction since 1950.⁴ As habitats become increasingly fragmented, populations become more vulnerable to other threats, such as predation by feral species and changed fire regimes, and lose the ability to recolonise suitable habitat. A comprehensive and evidence-based assessment of the impacts of the proposed clearing on native animals and the ecosystem as a whole is required, not the self-assessed, desktop and tick box answers given in the Application;
- e. There is no information to guide the PLB’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, development applications, water licence applications, non-pastoral use permits, and feral animal impacts in the Western Davenport region).

Land clearing is a fundamental pressure on the environment. Land clearing causes the loss, fragmentation and degradation of native vegetation, and a variety of impacts on soils (eg erosion, salinity, loss of nutrients and acidification) and disrupts essential ecosystem processes.⁵ Threats to biodiversity from land clearing and habitat loss are one of the greatest threats to threatened species in Australia, and to the environment more generally.⁶ Recent research shows that the Western-Central Arid Zone is the 5th most threatened eco-system globally. It is collapsing and the Woinarski et al. points to land clearing as one of the causes of ecosystem collapse.⁷

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

² Fitzsimons, James, Sarah Legge, Barry Traill, and John Woinarski. 2010. *Into oblivion? The disappearing native mammals of northern Australia*. The Nature Conservancy.

³ Bergstrom et al. 2021. "Combating ecosystem collapse from the tropics to the Antarctic." *Global change biology* 27(9):1692-1703.

⁴ Fitzsimons, James, Sarah Legge, Barry Traill, and John Woinarski. 2010. *Into oblivion? The disappearing native mammals of northern Australia*. The Nature Conservancy.

⁵ State of the Environment Australia 2016. "Land Theme: Regional and landscape-scale pressures: Land clearing." <https://soe.environment.gov.au/theme/land/topic/2016/regional-and-landscape-scale-priorities-land-clearing>

⁶ Neldner et al. 2017. *Scientific review of the impacts of land clearing on threatened species in Queensland*. Queensland Government, Brisbane.

https://environment.des.qld.gov.au/data/assets/pdf_file/0020/90272/land-clearing-impacts-threatened-species.pdf

⁷ See above n 3.

The Northern Territory is 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 ecosystems and freshwater systems can occur.

ECNT calls on the Northern Territory Government to introduce a new regulatory system for protecting the Territory's unique biodiversity that will require bioregional planning and management of the Territory's ecosystems, including setting limits for land clearing on an ecosystem scale and the requirement of offsets for all greenhouse gas emissions that result from land clearing. In the interim, the Northern Territory Government should require all land clearing applications, including this one, to be referred for assessment under the Environment Protection Act 2019.

Yours faithfully,



Shar Molloy
Co-Director
Environment Centre NT



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