



2 September 2022

Ms Joanne Townsend
Controller of Water Resources
Department of Environment, Parks and Water Security

By email: water.licensing@nt.gov.au

Dear Ms Townsend,

Territory Sands Pty Ltd – application for a water extraction licence - comments

We refer to the above groundwater extraction licence application, lodged by Territory Sands **(Application)**.

ECNT submits that the licence should be rejected. If granted, the licence would permit unsustainable water extraction from the Tindall aquifer. This could have unacceptable impacts on the Bitter Springs complex, the Roper River and users downstream (including pastoralists and Indigenous communities).

You should reject the licence for the following reasons:

- (a) You should not apply the “Arid Zone contingent allocation rules” in the NT Water Allocation Planning Framework to assess the consumptive pool available for extraction in the Larrimah zone of the Mataranka Tindall Limestone Aquifer. Using these rules would permit unsustainable “mining” of the aquifer, and could have significant and irreversible cumulative impacts on Bitter Springs and the Roper River.

- (b) applying the Arid Zone rules would be contrary to the recent decision of Minister Fyles (and the Water Resources Review Panel) with respect to a groundwater licence granted to NT Land Corporation in the same management zone. Minister Fyles overturned the licence on the basis that the Arid Zone rules had been incorrectly used, and that (appropriately utilising the “Top End” contingent allocation rules), the aquifer was close to full allocation. Applying the same reasoning, Territory Sands licence application should be rejected. If you properly apply the “Top End” contingent allocation rules to determine the consumptive pool available, it is clear there is insufficient water available in the Larrimah zone of the Mataranka Tindall Limestone Aquifer.



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- (c) The application relies on unreliable modelling undertaken for another licence application (the NT Land Corporation licence referred to above), which was overturned.
 - (d) Applying the Arid Zone rules would be contrary to the findings and recommendations of the Scientific Inquiry into Hydraulic Fracturing in the Northern Territory, which found that use of the arid zone rules permitted ecologically unsustainable “water mining”.
 - (e) The application does not address the cumulative impacts of the proposed water licence together with other water licences (granted and applied for) authorising extraction from the Tindall aquifer, nor the cumulative impacts of utilising the Arid Zone rules in the Larrimah zone (including on Bitter Springs and other groundwater dependent ecosystems, the Roper River, and downstream communities such as Ngukurr).
 - (f) Recent research undertaken by the Commonwealth indicates that there is a high degree of horizontal and vertical connectivity between aquifers in the Beetaloo Basin. This research suggests that these aquifers should be considered as an interconnected system, and that there may be risks to other parts of the groundwater system and the Roper River itself if water is over-extracted in one location. A precautionary approach is therefore required.
 - (g) The Fracking Inquiry recommended that water allocation plans be declared across the Beetaloo Basin (recommendation 7.7), and that “sustainable extraction limits should be set on the basis of the outputs from a regional numerical groundwater model developed as part of the strategic regional environmental baseline assessment (SREBA)”. The SREBA is currently incomplete (including the calibrated groundwater model). Until the SREBA is completed, the calibrated groundwater model finalised, and a water allocation plan declared for the resource, no water licences should be granted from the resource.
 - (h) Territory Sands’ water licence application reveals their plans for a very significant (up to 100 million tonne) sand mining operation. It is inappropriate to grant a water licence until the environmental impacts of the sand mining proposal have been referred and assessed under the Environment Protection Act, and potentially the Environment Protection and Biodiversity Conservation Act.

I therefore request that you reject the licence. Alternatively, Territory Sands’ project as a whole should be referred for assessment under the Environment Protection Act.

Yours faithfully,

Kirsty Howey
Co-Director

Environment Centre NT

protecting nature | living sustainably | creating a climate for change



Environment Centre NT

A handwritten signature in black ink, appearing to read 'Shar Molloy'.

Shar Molloy
Co-Director
Environment Centre NT