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NT 0870

3 January, 2025

Pastoral Land Board
Via 'Development Applications Online'

To the Pastoral Land Board,

RE: Pastoral Land Clearing Application – Douglas South Station, NT Portion 7123, PPL 1219 Daly District, 1145 ha

We object to the application by Graeme Owen, representing John and Rae Boland to clear 1145 ha hectares of native vegetation for the purpose of improved pasture.

This large application will contribute to habitat loss and fragmentation in a part of the Douglas Daly which is already heavily cleared. It threatens the habitat for numerous listed species.

There have been recent significant public outcries from Wagiman Traditional Owners about clearing in the region[1]. Yet no consultation on the acceptability of the clearing with Wagiman Traditional Owners has been undertaken. Adrian has had first hand of the concern from Traditional Owners in this area. We are firmly of the view that any decision on the clearing without consultation with the Traditional owners would be an absolute disgrace and a dereliction of duty on the part of decision maker.

We are concerned that applicant seems deaf to the regional context. It is claimed in section 9 of the application that the region is an agricultural precinct and does not acknowledge the international and national significance of its ecosystems and important cultural, tourism, environmental and recreational values. This and the apparent poor state of environmental assets on the Boland's property (the application reports the poor state of aquatic ecosystems (sinkhole) and failure to manage feral pigs, which is leveraged to justify this clearing) calls into question the fitness of the lessee to manage the land let alone be permitted to further degrade this land leased from the public.

Timing

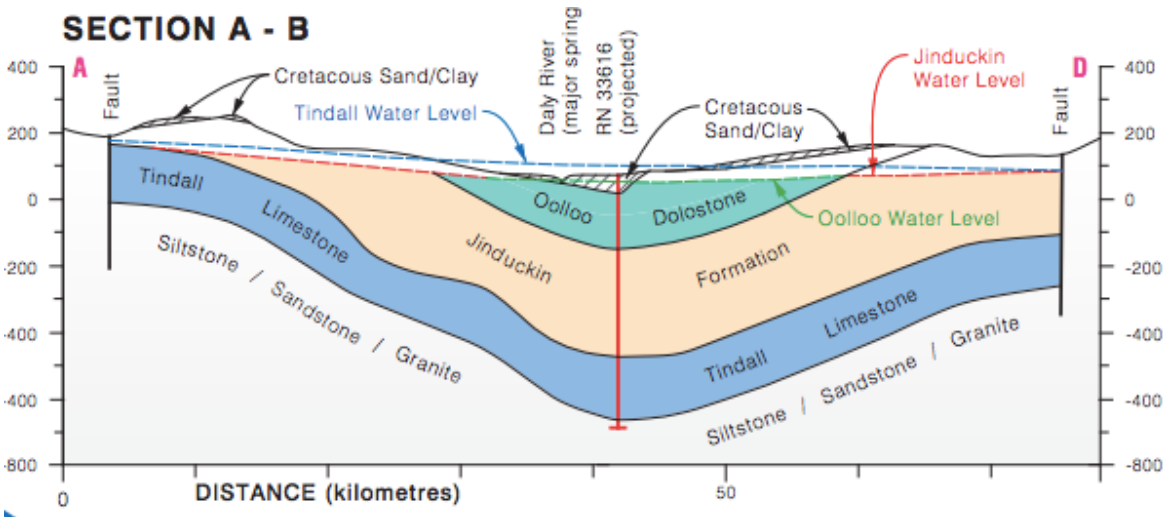
The application has been released for comment over the Christmas period. This appears to be a cynical strategy designed to avoid scrutiny. It has clearly has reduced the opportunity for informed comment. Indeed the NTG offices were closed for the Christmas - New Year period reducing the opportunity for support during the comment period and the number of business days over which the comment period occurred.

We elaborate on the reasons for our objections below.

[1] https://www.abc.net.au/news/2023-01-11/land-cleared-for-cotton-farming-northern-territory/101651092

Water resources

The clearing applications overlie aquifers in the Oolloo Dolostone (west only) and Jinduckin Formation and Tindall Limestone (throughout). A sinkhole supporting an aquatic ecosystem occurs at the site with numerous more evident in the region.



Water from the site recharges groundwater and tributaries of the Daly River, a river of immense importance culturally and environmentally. Water resources support a variety of established economic uses including tourism and agriculture and EPBC Act listed species, including the longtooth sawfish and pig-nosed turtle.

Groundwater in the Northern Management Zone of Oolloo Dolostone Water Allocation Plan (of which Adrian was the author) is fully allocated. Land use in the area is already impacting water quality in the Daly as reported by Shultz[2], which includes the statements:

1. *[N]itrate concentrations were significantly higher under agricultural land uses compared to land used for conservation, indicating that land use is having an impact on groundwater quality.*

2. *The survey detected nine different pesticides, with the most widespread contaminant, the herbicide atrazine and its breakdown products, being found in 60% of samples. Contamination was more localised for the other pesticides (simazine, tebuthiuron, imidacloprid, clothianidin, metolachlor, acifluorfen, metsulfuron methyl and fluroxypyr) with detections of each chemical at only 1-4 sites.*

Additional contamination will occur from pesticide use in controlling weeds, plus nutrients from fertilisers, sediments from erosion and additional nutrients and faecal contaminants from additional cattle. The presence of sinkholes and tributaries within the clearing footprint provide rapid conduits of contaminants to groundwater and the Daly River. These impacts would unacceptably add to the cumulative impacts that are already occurring.

In summary this is an important region which is at risk of over-exploitation. It needs responsible management so as to not jeopardise established important uses and values. Based on these contextual considerations we consider this proposal is poorly suited because of the additional risks it poses to water resources and the values water resources sustain.

[2] https://digitalntl.nt.gov.au/10070/378764

4. Weeds including weeds that could impact downstream wetlands and biodiversity

Introducing pasture grasses and removal of native plants risks introduction of weeds. Control of weeds also risks spray drift into riparian areas, with associated impacts on ecosystems in addition to the regional cumulative impacts.

5. Biodiversity risks

The application highlights that numerous EPBC Act listed species including the Largetooth sawfish, Partridge pigeon (eastern), Black-footed Tree rat, Northern Quoll, common brushtail, Pig-nosed turtle and Victoria river squat snail occur in the area. However it repeatedly reports the species have not having been recorded in recent decades but notes the species or species habitat may occur (see table reproduced below). Numerous other species like the ghost bat, which are not observed in the records from which this application draws may also occur, especially given the numerous sinkholes in the vicinity.

The above record of many species but uncertainty about their presence creates an untenable bind for this application. Either the respective species are in severe decline, in which case no further clearing of habitat is acceptable; or the data upon which this application is meaningless due to inadequate monitoring meaning the application cannot be assessed, or both of these scenarios.

We think the case is both. Clearly the Douglas Daly region is heavily cleared, and nationally the decline of listed species is well established so species decline should be expected. For example the most recent State of the Environment reports: "*Overall, the state and trend of the environment of Australia is poor and deteriorating because of increasing pressures from climate change, habitat loss, invasive species, pollution and resource extraction*.[3] But also the data presented is clearly incomplete to the point of being meaningless - for example sawfish and pig-nosed turtle both still occur in the region.

Thus this application cannot be reliably assessed. In the absence of data, the historical presence of listed species and general decline of these species this site should be treated is an important uncleared bastion close to the Daly that must not be cleared.

More broadly we contend that the NTg needs to urgently improve its monitoring and develop a plan to protect the region's biodiversity.

[3] https://www.dcceew.gov.au/sites/default/files/documents/0.%20DCCEEW-SOE_factsheet_Overview.pdf

Common name	Species	TPWC	EPBC	Location
Largetooth Sawfish	*Pristis pristis*	VU	VU	Last recorded within 30kms in 2004 Species or species habitat may occur in area.
Partridge Pigeon (eastern)	*Geophaps smithii smithii*	VU	VU	Last recorded within 30kms in 1997 Species or species habitat may occur in area.
Black-footed Tree-rat (Kimberley and mainland Northern Territory)	*Mesembriomys gouldii gouldii*	EN	EN	Last recorded within 10kms in 1997 Species or species habitat may occur in area.
Pale Field-rat	*Rattus tunneyi*	VU	not listed	Last recorded within 10kms in 1997 Species or species habitat may occur in area.
Mertens' Water Monitor	*Varanus mertensi*	VU	not listed	Last recorded within 10kms in 2011 Species or species habitat may occur in area.
Northern Quoll	*Dasyurus hallucatus*	CR	EN	No record within 30kms since 1990 Species or species habitat may occur in area.
Common brushtail possum	*Trichosurus vulpecula*	VU	not listed	No record within 10kms since 1997 Species or species habitat may occur in area.
Pig-nosed Turtle	*Carettochelys insculpta*	NT	VU	Last recorded within 10kms in 2007 Species or species habitat may occur in area.
Victoria River Squat Snail	*Trachiopsis victoriana*	VU	not listed	Last recorded within 10kms in 2012 in leaf litter in closed canopy riverine vine thicket. Species or species habitat may occur in area.

6. Culture, tourism and recreation

We are concerned that Section 9.3 is inadequate and fails to respect or protect the many important values the region supports.

6a. It describes the impacts to recreation as Nil stating "*the Douglas - Daly is an agricultural and primary production area with limited recreation opportunities other than fishing. The proposed clearing will have impact on recreation. Other than retained native vegetation buffers along boundaries, nil other mitigation proposed".*

While fishing is at risk from clearing and intensification of grazing the area supports a range of nature based recreation activities (eg sightseeing, walking, boating and enjoying the regions environment) all of which depends on healthy in-tact environments.

6b It describes the impacts to Tourism as Nil stating "*the Douglas - Daly is an agricultural and primary production area with limited tourism opportunities other than fishing. The proposed clearing will have impact on tourism. The main tourist attraction of Douglas Hot Springs is >10kms northeast east of proposed clearing. This facility has been closed to public for 3+ years and may or may not reopen sometime in the future."*

Tourism is clearly established in the region with nearby caravan parks etc. Tjuwaliyn(Douglas hot springs) is a place of immense significance which needs to be treated with the utmost care for all of time.

6c. It describes the impacts to Parks and Reserves as Nil *stating,"none within 3.5km of proposed clearing".*

We contend that 3.5 km is very close in relation to the size of the footprint of this clearing proposal.

6. Cultural Heritage and Traditional Owner consultation

Advice from the Heritage Branch of the Department of Territory Families, Housing and Communities is reported but not followed. It appears that no consultation with Traditional Owners has occurred.

The Heritage Branch advice states:
"The Heritage Branch recommends that an archaeological survey and cultural heritage management plan are required to identify and mitigate the impact to Aboriginal or Macassan archaeological places and objects. 1. The Heritage Branch can provide a list of qualified archaeologists on request. 2. The Heritage Branch can provide advice in regard to the scope of the survey and plan on request. 3. The Heritage Branch must receive a copy of the final report for our records."

We are strongly of the view that this work is needed before this application can be assessed. This has not been undertaken.

As noted in the introduction the Wagiman Traditional Owners have expressed deep concern about degradation to these lands from clearing and other uses. It is absolutely imperative that these views are given the utmost importance, especially in the context of recent clearing at Claravale and the extensive clearing that has already occurred in the region. ***The failure of application to report any consultation with Traditional Owners and Native Title Holders about impacts on cultural values or how the application may impinge on the rights of the Native Title Holders is unacceptable.***

7. Atmospheric emissions

The proponent states the estimated emissions from the clearing are 128,783 tCO2-e.

We object to this proposal on grounds of its fundamental non-compliance with the NTG carbon offsets framework. The offsets framework makes clear offsets *cannot be used to make an unacceptable impact acceptable.* This proposal has unacceptable climate change impacts (i.e. carbon emissions), which are very large and avoidable. Under the policy this proposal should therefore be illegal.

We also object to the proponent not being required to offset the atmospheric emissions.

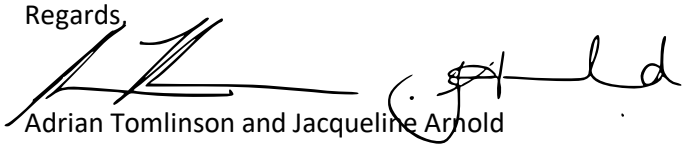
9. Environmental impact statement needed

We disagree with the applicant's assessment that referral to the NTEPA is not warranted. This is a very large application with a variety of impacts in an environmentally significant location close to the Daly River.

Conclusion

For the reasons outline we object to this pastoral clearing application. ***We request that the Pastoral Land Board refuse this application. The application should first by referred to the Environment Protection Agency under the Environment Protection act for a full and thorough assessment***.

Regards,



Adrian Tomlinson and Jacqueline Arnold

Copies to:

- Chairman NT EPA: Dr Paul Vogel
- Environment Centre NT: Dr Kirsty Howey
- Northern Land Council: Attention: Diane Brodie,