

**To: Northern Territory Environmental Protection Authority**

**Re: Review of seabed mining in the NT – Environmental impacts and management**

**9 November 2020**

## Introduction

AMEC appreciates the opportunity to provide comment to the Northern Territory Environmental Protection Authority (NT EPA) review of seabed mining in the Territory, and the associated environmental impacts and management of this potential mining opportunity.

## About AMEC

The Association of Mining and Exploration Companies (AMEC) is a national industry body representing over 345 mining and mineral exploration companies across Australia, with 20 member companies actively exploring, mining and developing projects in the Northern Territory.

The mining and exploration industry make a critical contribution to the Australian economy, employing over 255,000 people. In 2018/19, these companies collectively paid over \$39 billion in royalties and taxation, invested \$36.1 billion in new capital and generated more than \$283 billion in mineral exports. In 2019/20, \$2.8 billion was spent on minerals exploration, representing an 18% increase from the previous year.

## The Review

### Recommendations:

1. **Lift the moratorium;**
2. **Deliver only Recommendation 2, that the Northern Territory Government considers declaring a 'seabed mining' activity trigger under the Environment Protection Act 2019**

## Moratorium on seabed mining

AMEC does not support moratoriums or other avenues of poor economic policy; they are considered a prohibitive resource management measure that undercuts the legitimacy of risk-based approach to resources regulation. The scientific rationale behind all moratorium are questioned, as it is usually a tool of political purpose.

All proposals should be considered through the proper legislative and regulatory processes, which are designed to assess the environmental impacts.

The moratorium on seabed mining in the Territory removes certain property rights, reduces the optionality for investors and taxpayers, and deprives the Territory the opportunity to pursue a new economic growth pathway.

In the short term, the moratorium has the greatest detrimental impact on those directly affected by this subsection of industry. In the longer term, the Territory's investment attractiveness is diminished through this blanket ban, indicating that the Government is not interested in supporting economic developing opportunities. This will deter potential investors from investing in the Territory. Investors will seek alternate jurisdictions perceived to be more welcoming of investment, and this reduction in investment will impact all Territorians.

In 2019, the Northern Territory Government took an important step to encourage further investment and development in the Territory by supporting onshore natural gas exploration. In reaching this decision, the Government accepted the scientific advice and put in place a process for decisions around future projects to be made.

In the case of Seabed mining, industry has questioned why the moratorium is in place in respect to all activities, whether they involve substantial disturbance or not, for 3 years.

### **EPA authority**

The national approach suggested in the paper is not the most appropriate way to manage potential seabed mining applications. The NT EPA and each jurisdiction's relevant Environmental Authority are the most logical regulatory authority to assess the potential impacts of seabed mining, and whether or not each individual application should be approved or not, in their respective jurisdiction.

AMEC strongly opposes any recommendation for the creation of further duplication between Commonwealth and State/Territory jurisdictions.

Each of Australia's States and Territories have very different biospheres. Considering these differences and the authority each EPA or similar already has; trying to create a national approach to seabed mining is not an efficient use of already stretched environmental regulators' capacities across the nation.

### **EPA trigger**

AMEC supports the introduction of Recommendation 2: that the Northern Territory Government considers declaring a 'seabed mining' activity trigger under the *Environment Protection Act 2019*. If implemented, all seabed exploration and mining activities will be referred to the NT EPA to determine whether an environmental impact assessment (EIA) is required.

The introduction of this trigger and the likely requirement for proponents to prepare an EIA, will alleviate the issues addressed in other recommendations.

For that reason, AMEC supports the introduction of a trigger for environmental assessment as only one of two actions out of this review. The other being to lift the moratorium.

The Territory's recently revamped environment protection framework provides a rigorous EIA and approval processes for any potential significant impacts on the environment. This process allows proponents, communities, and Government adequate time in which to consider and comment on the application. Each future application on seabed mining must be assessed according to the risks of their proposal and the available data.

If a proponent believes they can make a proposal that exceeds the Territory's environmental expectations, they should be given the opportunity to do so, and their proposal assessed on its merits.

### **Closing comments**

AMEC appreciates opportunities to work cohesively with the NT EPA and welcomes future consultation as the suite of Northern Territory environmental legislative reforms continues.

### **For further information contact:**

Neil van Drunen

or

Samantha Panickar

Manager, WA, SA, NT & Industrial Policy

Policy & Research Officer

AMEC

AMEC

0407 057 443

08 9320 5150