



Ms Lisa Bradley
Director Environmental Assessment
Department of Environment, Parks and Water Security
Northern Territory Government
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PARAP NT 0820

Via: Lisa.Bradley@nt.gov.au Cc: eia.NTEPA@nt.gov.au

Submission on referral: Wurrumiyanga Residential Subdivision

Dear Ms Bradley

Thank you for inviting comment on the Wurrumiyanga Residential Subdivision project proposal, referred to the NT EPA by the NT Department of Infrastructure, Planning and Logistics (DIPL). The department's comments relate to matters relevant to the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and are provided in the submission form at Attachment A.

In brief, the department notes that the project intersects with a known occurrence of the following EPBC protected matters:

- Masked Owl (*Tyto novaehollandiae melvillensis*),
- Partridge Pigeon (*Geophaps smithii smithii*),
- *Typhonium jonesii* or *Typhonium mirabile*
- Eastern Curlew (*Numenius madagascariensis*)

The department notes that DIPL has not referred this proposed action to the department. Therefore, the proponent will be contacted to advise them of their responsibilities under the EPBC Act.

If you have any questions about the assessment process or the further information required, please contact Sophie Brennan by email Sophie.Brennan@dcceew.gov.au and cc in EADSAandNTSection@dcceew.gov.au.

Yours sincerely

Tanya Stacpoole
Director
SA & NT Assessments Section
Environment Assessment West Branch (WA, SA, NT)
10 September 2024

Attachment A: DCCEEW submission form

Submission on the referral

Department of Infrastructure, Planning and Logistics – Wurrumiyanga Residential Subdivision

This submission is made under regulation 53 of the Environment Protection Regulations 2020

Government authority: Department of Climate Change, Energy, the Environment and Water (DCCEEW, the department)

Summary: DCCEEW have not received a referral for the proposed action by the proponent, the Department of Infrastructure, Planning and Logistics. The referral provided to the Northern Territory Environmental Protection Authority (NT EPA) notes that the project intersects with known occurrence of Masked Owl (*Tyto novaehollandiae melvillensis*), Partridge Pigeon (*Geophaps smithii smithii*), *Typhonium jonesii* or *Typhonium mirabile* and, potentially, the Eastern Curlew (*Numenius madagascariensis*).

Anyone proposing to take an action with the potential to significantly impact matters of national environmental significance must refer the action to DCCEEW for consideration under the *Environment Protection and Biodiversity Conservation Act 1999*.

Section of Referral	Theme or issue	Comment
Appendix B – Ecological Assessment	Section 3 Eastern Curlew	<p>The department’s PMST identifies that the proposed action is likely to intersect with a known occurrence of the critically endangered Eastern Curlew. A likelihood of occurrence was not discussed within the Ecological Assessment (Appendix B) document. The proposed action area fulfills the habitat critical for the survival of the Eastern Curlew according to the relevant Conservation Advice, as it contains an area that is necessary for activities such as foraging, breeding, roosting, or dispersal.</p> <p>The Conservation Advice identifies key threats to the species including the loss or degradation of important staging sites due to urban expansion. The Conservation Advice notes that the notion that migratory shorebirds can move to other habitats as their feeding, staging or roosting areas become unusable, is erroneous. As areas become unsuitable to support migratory shorebirds, the remaining areas will likely attract displaced birds, in turn creating overcrowding, competition for food, depletion of food resources, and increased risk of disease transmission.</p> <p>The department also notes the need for surveys to be conducted during periods where this migratory species is likely to be present (i.e. between July and August), as per the department’s <i>Guidelines for detecting birds listed as threatened under the EPBC Act 1999</i>.</p> <p>The proponent should consider the proposed action against the department’s <i>Significant Impact Guidelines 1.1</i> for this listed Threatened species.</p>

Environmental impact assessment under *the Environment Protection Act 2019*

Appendix B – Ecological Assessment	Section 3.3 Partridge Pigeon	<p>The department’s PMST identifies that the proposed action is likely to intersect with the occurrence of the vulnerable Partridge Pigeon, a Listed Threatened species under the EPBC Act. The eastern subspecies of partridge pigeon is now recorded only in sub-coastal Northern Territory, with a separate subpopulation on Melville and Bathurst Islands in the Tiwi Island group. The Partridge Pigeon nests on the ground, preferentially in lowland eucalypt open forests and woodlands at sites with relatively dense grass cover. This contrasts with the relatively open (often burnt) areas the species prefers for feeding. Field surveys in March 2022 identified high likelihood of presence across the entire project area, including of nesting pairs.</p> <p>The Conservation Advice identifies key threats as altered fire regimes, resulting in the loss of landscape scale mosaic habitat patches with varying fire histories. The Partridge Pigeon is vulnerable to predation by feral cats, and habitat loss through exotic/invasive grass species encroachment.</p> <p>The proponent should consider the proposed action against the department’s <i>Significant Impact Guidelines 1.1</i> for this listed Threatened species.</p>
Appendix B – Ecological Assessment	Section 3.4 Masked Owl	<p>The department’s PMST identifies that the proposed action is likely to intersect with a known occurrence of endangered Masked Owl (Tiwi Islands) species. The Masked Owl (Tiwi Islands) is an endemic species known only from the Bathurst and Melville Islands within the Tiwi Island archipelago. The department notes targeted presence/absence field surveys in March 2022 identified 5.4 ha of high-quality habitat likely to support large hollow bearing trees that Tiwi Masked Owls could use for breeding suitable habitat for the species within the project area. A call-back survey identified one Masked Owl, indicating that the project area is within the home range of Tiwi Masked Owl.</p> <p>The Conservation Advice identifies that there are a limited number of mature individuals (<2500) in a single subpopulation, and that there is likely to be an ongoing decline in numbers due to habitat loss and degradation. Key threats have been listed as loss of tall open eucalypt forests, supporting large hollow bearing trees that are likely to be used for nesting. Other threats include change in vegetation structure caused by invasive species and a shift from historic fire regimes that support tall open eucalypt forests.</p> <p>The proponent should consider the proposed action against the department’s <i>Significant Impact Guidelines 1.1</i> for this listed Threatened species.</p>
Appendix B – Ecological Assessment	Section 3.9 <i>Typhonium honesii</i> and <i>T. mirabile</i>	<p>The department’s PMST (28 August) identifies that the proposed action is likely to intersect with endangered species <i>Typhonium honesii</i> and <i>T. mirabile</i>. <i>T. mirabile</i> is endemic to the Tiwi Islands in the Northern Territory and occurs within the Tiwi Cobourg IBRA Bioregion. Abundance and density survey field surveys conducted in March 2022 identified 730 plants within the project area and the referral supporting documentation notes that there are likely to be more plants undetected within the project area.</p> <p>The Conservation Advice identifies the key threats to <i>T. mirabile</i> include (but are not limited to) clearing for forestry, weed invasion by mission grass (<i>Pennisetum polystachion</i>, detected during field surveys) and gamba grass (<i>Andropogon gayanus</i>) and inappropriate fire regimes.</p>

Environmental impact assessment under the Environment Protection Act 2019

		The proponent should consider the proposed action against the department's <i>Significant Impact Guidelines 1.1</i> for this listed Threatened species.
Appendix J – Impact Assessment Register	EPBC Act Significant Impact Assessment	An assessment of EPBC protected matters under the department's <i>Significant Impact Guidelines 1.1</i> was not provided with the NT EPA referral's supporting documentation.