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Ms Kylie Fitzpatrick  
Manager, Environmental Assessment  
NT Department of Environment, Parks and Water Security  
PO Box 3675  
PARAP NT 0820

Via: [Kylie.Fitzpatrick@nt.gov.au](mailto:Kylie.Fitzpatrick@nt.gov.au); CC: [Lisa.Bradley@nt.gov.au](mailto:Lisa.Bradley@nt.gov.au); [Sarah.Smith3@nt.gov.au](mailto:Sarah.Smith3@nt.gov.au)

**Additional information to the Draft Environmental Impact Statement (EIS) for the Australia-Asia Power Link Project**

Dear Ms Fitzpatrick

Thank you for the opportunity to comment on the additional information to the Draft EIS for the Australia-Asia Power Link Project, NT.

I note that the project is being assessed under the *Environment Protection Act 2019 (NT)* and as an Accredited Assessment under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The relevant EPBC controlling provisions for this project being listed threatened species and communities (s.18 & 18A); listed migratory species (s.20 & 20A); and Commonwealth marine areas (s.23 & 24A).

I also note that the direction to provide additional information, issued 19 March 2023, included information requests relating to EPBC protected matters, as informed by comments provided by the DCCEEW on 31 January 2023. The department has reviewed the additional information and have provided comments at [Attachment A](#).

Should you or your team wish to discuss this matter further please contact Alex Santiago (a/g Assistant Director) on 02 6272 3865 or myself. On behalf of my team we appreciate our collaborative working relationship.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tanya Stacpoole'.

Tanya Stacpoole  
Director, SA and NT Section  
Environmental Assessments West Branch  
7 December 2023

Enclosed: DCCEEW comments on additional information



**DCCEEW comments on additional information request**

Direction Item number	Subject	Review comments
4	Terrestrial ecosystems – Potential impacts to Sandsheet Heath habitat	<ul style="list-style-type: none"> <li>The Additional Information Response to NT EPA Direction (additional information report) lists <i>Utricularia dunstaniae</i> as Endangered under the EPBC Act and <i>Typhonium taylori</i> as Vulnerable. The department notes that <i>U. dunstaniae</i> is not currently listed under the EPBC Act and <i>T. taylori</i> is listed as Endangered.</li> <li>Paragraph 3 of section 4.3.5 of the additional information report appears to be missing text relevant to indirect impacts to MNES Sandsheet Heath habitat “<i>This constitutes a very small proportion of the catchment supplying each patch. As such, there is an inherently low likely of indirect impacts to sandsheet heath hydrology because.</i>”</li> </ul>
5	Terrestrial ecosystems – <i>Stylidium ensatum</i>	<ul style="list-style-type: none"> <li>The department notes that direct and indirect impacts to <i>Stylidium ensatum</i> may be avoided through OHTL tower spanning design. However, the department notes that further targeted surveys are required to determine to the presence and extent of <i>S. ensatum</i> within and surrounding the proposed action. Avoidance of direct disturbance through design may not be feasible in all areas (e.g. Section 572). The department considers that, where direct or indirect impacts to <i>S. ensatum</i> cannot be avoided through design, further mitigation measures and/or offsets may be required by approval conditions.</li> </ul>
6	Terrestrial ecosystems – <i>Helicteres macrothrix</i>	<ul style="list-style-type: none"> <li>The department notes that further surveys are proposed to determine the presence and extent of <i>Helicteres macrothrix</i> within the disturbance footprint. The department notes that, where direct or indirect impacts to <i>H. macrothrix</i> cannot be avoided through OHTL spanning design, further mitigation measures and/or offsets may be required by approval conditions.</li> </ul>
7	Terrestrial ecosystems – Gouldian Finch	<ul style="list-style-type: none"> <li>The department notes that ground truthing of important habitat features for Gouldian Finch, specifically breeding and foraging habitat values, is yet to be undertaken across the disturbance footprint. Disturbance of these habitat features may constitute a significant impact on Gouldian Finch and require offsetting. The department notes that, where breeding or foraging habitat is confirmed to be present within the OHTL footprint, OHTL towers will be placed to ensure these features are spanned “<i>as much as possible</i>”. The department notes that additional avoidance, mitigation, and/or offset requirement may be required through approval conditions where avoidance of important habitat is not feasible.</li> </ul>

		<ul style="list-style-type: none"> <li>Paragraph 9 and 10 of Section 7.3.1 appears to be contradictory or contain a typographical error. Paragraph 9 states “Across the 200 km section of the OHTL corridor that traverses the Yinberrie Hills, <u>four patches of Gouldian Finch breeding habitat are intersected</u>. Those patches total <u>134.44 ha</u>, of which only <u>5.74 ha (4.3%)</u> are within the OHTL corridor” while paragraph 10 states: “Across the 200 km section of the OHTL corridor within Yinberrie Hills, <u>three patches of Gouldian Finch breeding habitat are intersected</u>. Those patches total <u>1,057.3 ha</u>, of which only <u>13.04 ha (1.2%)</u> are within the OHTL corridor”.</li> </ul>
8	Terrestrial ecosystems – Ghost Bat	<ul style="list-style-type: none"> <li>The department notes that, although additional information has been provided to address DCCEEW’s comments 9 and 10, uncertainty regarding the likelihood of impacts to Ghost Bat associated with the proposed action remain. For example, modelling provided in the additional information report indicates static magnetic fields (SMF) will be 200% that of background SMF underneath the OHTL. The department considers uncertainty remains as to whether SMF increases from the OHTL will result in a Ghost Bat behavioural response.</li> <li>The department recommends a precautionary approach be taken to address scientific uncertainty regarding impacts to Ghost Bat. Precautionary measures may include further avoidance through design, in addition to monitoring and adaptive management required through approval conditions to ensure no long-term behavioural impacts to Ghost Bat occur.</li> </ul>
10, 11	Matters of National Environmental Significance - Migratory species	<ul style="list-style-type: none"> <li>Section 10.3.1 of the additional information report details the impact footprint as 1.9 ha, noting that the reported 25 ha area is “the maximum area within which some Project construction activity may occur in the inter-tidal area (e.g. machinery operating, temporary laydowns, spoil stock-piling etc)”. The department considers that, although primary impacts will be within a 1.9 ha area, the impact footprint should include consideration of all potential impacts, including from ancillary actions such as spoil stock-piling.</li> <li>Section 11 of the additional information report provides an assessment of impacts to migratory under the department’s <i>Significant Impact Guidelines 1.1</i> (Significant Impact Guidelines) and <i>EPBC Act Policy Statement 3.21</i> (Policy Statement). The department notes that Section 11.3.2 details the definition of important habitat as defined in the Significant Impact Guidelines, but only uses the definition from the Policy Statement to define important habitats for migratory birds in the significant impact assessment. That is, important habitat is taken only as those that are recognised as nationally or internationally important. The department notes that <i>Significant Impact Guidelines 1.1</i> should also be considered in assessing significant impacts. Specially, an area of ‘important habitat’ for a migratory species also includes: <ul style="list-style-type: none"> <li>habitat utilised by a migratory species occasionally or periodically within a region that supports an ecologically significant proportion of the population of the species; and/or</li> <li>habitat that is of critical importance to the species at particular life-cycle stages; and/or</li> <li>habitat utilised by a migratory species which is at the limit of the species range; and/or</li> <li>habitat within an area where the species is declining.</li> </ul> </li> </ul>

<p>12</p>	<p>Matters of National Environmental Significance - Commonwealth marine areas</p>	<ul style="list-style-type: none"> <li>• The department considers the values of the Oceanic Shoals Marine Park (OSMP) and potential impacts pathways to values of the OSMP have been adequately described.</li> <li>• The department considers avoidance, mitigation, and monitoring measures have been sufficiently described to allow assessment of potential residual significant impacts to values of the Commonwealth marine environment. The department notes that implementation of avoidance, mitigation and monitoring measures, including but not limited to those described in the additional information report, may be required through approval conditions.</li> <li>• All actions involving seabed contact, and most actions undertaken in proximity to the seabed, have potential to cause adverse impact to underwater cultural heritage (UCH). As noted in Table 22 of the additional information report, consideration must be given to obligations under the <i>Underwater Cultural Heritage Act 2018</i>, including:             <ul style="list-style-type: none"> <li>○ No adverse impact to UCH without a permit;</li> <li>○ Notification of the discovery of all suspected UCH exposed through the proposed action within 21 days of discovery; and</li> <li>○ Adhere to requirements of protected zones and obtain a permit to enter a Protected Zone should entry into a Protected Zone be required.</li> </ul> </li> </ul> <p>The department notes that adaptive management measures, including an unexpected finds protocol, may be required through approval conditions to address uncertainty regarding impacts to underwater cultural heritage in the Commonwealth marine environment.</p> <ul style="list-style-type: none"> <li>• The department considers there remains scientific uncertainty regarding behavioural impacts resulting from EMF to values of the Commonwealth marine environment. These uncertainties may be managed through approval conditions requiring monitoring and adaptive management.</li> </ul>
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