

To: Hon. Eva Lawler MLA, Minister for Environment

Re: Draft Declaration to Prohibit Seabed Mining

28 May 2021

Introduction

AMEC appreciates the opportunity to provide comment on the Northern Territory Government's proposal to prohibit seabed mining in the Territory. AMEC provided a submission to the Northern Territory Environmental Protection Authority (NT EPA) on the Review of seabed mining in the Northern Territory – Environmental impacts and management (The Review) in 2020. We are disappointed with the outcome of this Review. AMEC questions the priority this prohibition has been given over other reforms as there have been so few applications for seabed mining.

About AMEC

The Association of Mining and Exploration Companies (AMEC) is a national industry body representing over 375 companies across Australia. Our members are explorers, emerging miners, producers, and a wide range of businesses working in and for the industry, with 30 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

Following the release of the NT EPA's draft review on the impacts of seabed mining to the Northern Territory Government in September 2020, AMEC provided feedback on the review's key findings and recommendations. AMEC made the following two recommendations to the EPA:

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

This NT Government has undertaken substantial environmental legislation reforms. The Government should trust their regulators to regulate.

The Draft Declaration

AMEC does not support the proposed draft declarations to prohibit seabed mining. A permanent ban on these activities, in the same way as a moratorium, has a great detrimental impact on this subsection of industry. Prohibiting these activities diminishes investment attractiveness and indicates that the Government is not interested in supporting economic development 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.

EPA trigger

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

The introduction of this trigger and the requirement for proponents to prepare an EIA, would have alleviated the issues addressed in other recommendations and the concerns raised by Government.

The Government's decision to implement a complete ban on seabed mining, will have adverse impacts on the Territory. The Government should instead introduce a trigger for environmental assessment, that would allow proponents to continue to submit applications for these activities, with each application assessed according to the risks of the proposal and available data, as proposed in the EPA Review.

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. 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.

AMEC recommends that the Government revisit this recommendation as an alternative to manage the environmental impacts of seabed mining, rather than prohibiting these activities all together.

The TERC Report

In November 2020, the Territory Economic Reconstruction Commission (TERC) published its final report highlighting the rapid development that is required to achieve the Government's stated goal of a \$40 billion economy by 2030. The TERC report acknowledges the economic importance of increasing exploration to discover new resources and help prove up existing ones.

To attract investment into the Northern Territory in line with achieving the TERC Report's aspirational goals, it is important that industry is supported and encouraged through stable and consistent regulation. Imposing a ban on seabed mining activities will only be seen as a further barrier to investment, in opposition to the goals of the Governments TERC Report.

Closing comments

AMEC appreciates opportunities to consult as the suite of Northern Territory environmental legislative reforms continues.

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