

---

**From:** Russell Churchett  
**Sent:** Monday, 3 December 2018 5:11 PM  
**To:** environment policy <environment.policy@nt.gov.au>  
**Subject:** NT EPA Legislation Reform - Landbridge Comments / Submission  
**Importance:** High

Good afternoon,

The comments provided in this email form the Landbridge submission in response to the draft Environment Protection Bill and draft Environment Protection Regulations previously released for public consultation, and the call for comments to be submitted by the 3rd December 2018.

**Landbridge is supportive of the following key points:**

- supportive of the need for environmentally sustainable development
- aware and supportive that the Merits review process is expected to be removed of the proposed reform
- aware and supportive that the Judicial review is tabled for simplification i.e. restriction or limitations on what criteria could trigger a judicial review

Landbridge will remain deeply concerned with the proposed Merits and Judicial review processes as drafted until they are formally addressed (i.e. removed and simplified respectively) due to the broad definition indicating that persons could appeal whether they are affected or not, without any limitation on reasons for appeal and with a low cost of appeal, providing no protection against appeals that are vexatious or without merit.

**Landbridge remains concerned of the following key points:**

- that EPA resourcing will not match the approval application review and approval process, with the potential to cause extensive approval delays
- with the lack of clarity around the proposed environmental offsets framework
- with the definition for an offence being committed if an act has the potential to cause significant environmental impact; this definition broad and ought to be refined to relate to acts that are reasonable likely to cause significant impacts

- that the draft bill and regulations require updating to clearly show the final environmental objectives and triggers to have been determined
- that statutory timeframes need to be determined for the different elements of the Assessment process to provide clarity and set expectations around the assessment process duration
- that the draft bill and regulations require updating to show clear definition as to which project types are proposed to be subject to environmental bonds/levies with further definition showing the proposed bond/levy calculation method.

Additionally Landbridge requests for industry sector specific consultation workshops to be arranged to provide further consultation and specifically discussion with regard to how these reforms are proposed to be effectively and efficiently implemented.

It is Landbridge's view that the concerns outlined will result in increased levels of uncertainty in regard to the cost and duration of the approvals process, coupled with uncertainty of cost and risk of permit operating conditions, ultimately resulting in major increase in risk, potential timeframes and cost for investors in the NT, which is highly undesirable in the any economic climate.

Landbridge is very keen to participate further in the consultation phase of this draft legislation, as such please do not hesitate to contact me for further clarification or discussion on the content of this submission.

Regards,

Russell Churchett | [Landbridge Group \(& Acting Darwin Port\) Health, Safety, Environment & Risk Manager](#)



**If you have received this message in error please advise the sender**  
**If you are not the intended recipient any use, copying or disclosure is unauthorised**

[View Darwin Port's Privacy Collection Statement](#)