Australian Government
National Environmental Protection Agency

Northern Territory Department of Lands, Planning and Environment
GPO Box 3675
PARAP NT 0801

Attention: Kylie Fitzpatrick - Director, Environmental Assessment
Via: eia.consult@nt.gov.au CC: kylie.fitzpatrick@nt.gov.au; eia.ntepa@nt.gov.au

Dear Ms Fitzpatrick

Submission on referral Darwin Port Maintenance Dredging Campaign, Northern Territory

Thank you for the opportunity to comment on the referral for Landbridge Port Pty Ltd to undertake one-off maintenance dredging activities and bed levelling in Darwin Harbour to remove unconsolidated sediment from existing berth pockets, channels and turning basin near Fort Hill Wharf, East Arm Wharf and the Marine Supply Base. The following comments relate to matters relevant to the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The National Environmental Protection Agency (National EPA) has reviewed the proposal and notes the occurrence of the following EPBC protected matters within the project footprint:

- Threatened species (Sections 18 and 18A)
- Migratory Species (Sections 20 and 20A).

Specifically, the agency notes that the proposed dredging occurs within a Biologically Important Area for Australian Snubfin Dolphin (*Orcaella heinsohni*) (Vulnerable, Migratory) which was EPBC listed in 2025.

The referral report states that the maintenance dredging program has not been referred to the National EPA for assessment under the EPBC Act as the previous Darwin port maintenance dredging activity referred under the EPBC Act in 2017 (2017/8122) was "deemed not a controlled action". The agency recommends that the proponent assess this current proposal separately and does not rely on the outcomes of previous assessments, particularly those greater than five years old, as a basis for determining whether assessment and approval is currently required under the EPBC Act, particularly as additional species have been listed under the EPBC Act in the project area.

A person proposing to take an action that is likely to have a significant impact on a matter of national environmental significance must refer their proposal for assessment under the EPBC Act. In the absence of a referral the agency is unable to comment further on the likelihood of a significant impact on a protected matter

If you have any questions about the Commonwealth assessment process or these comments, please contact the Assessment Officer, Sophie Brennan, by email to SANTassessments@nationalepa.gov.au .

Yours sincerely

Bray

Dr Josh Bray
A/g Director, SA and NT Section
Environment Assessments West Branch
6 November 2026