



Australian Government

Department of Climate Change, Energy,
the Environment and Water

Ms Juanita Croft
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Department of Lands, Planning and Environment
16 Parap Road, Parap
Darwin NT 0820

Via: eia.consult@nt.gov.au

Comments on EP Act (NT) Referral – Finniss Lithium Project BP33 Underground Mine Proposed Variations

Dear Ms Croft

Thank you for the opportunity to comment on the proposed Finniss Lithium Project BP33 Underground Mine Proposed Variations (the Proposal) under the *Environment Protection Act 2019* (NT) (EP Act).

The following comments are provided in relation to matters protected under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Matters of National Environmental Significance

The department notes that the project area intersects with protected matters listed under the EPBC Act, in particular:

- Listed threatened species and ecological communities (sections 18 and 18A); and
- Listed migratory species (sections 20 and 20A).

The referral documentation identifies a number of threatened fauna species with potential to occur in the project area, including the Bare-rumped Sheath-tail Bat, Black-footed Tree-rat, Northern Brushtail Possum, and Partridge Pigeon.

EPBC Act Self-Assessment

The department notes that the proponent has undertaken a self-assessment of the Proposal in accordance with the *Significant Impact Guidelines 1.1 – Matters of National Environmental Significance* (Commonwealth of Australia, 2013), as outlined in Sections 7.2 and 7.6 of the referral report.

The referral report indicates that:

- The Proposal is largely confined to previously approved disturbance footprint,
- Potential impacts to threatened species, migratory species, and associated habitats are expected to be localised and low risk, with mitigation measures applied, and
- Based on the nature, scale and location of the activity, the Proposal is not expected to result in a significant impact on protected matters, and therefore referral under the EPBC Act is not proposed.



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Observations

Based on the information provided:

- The Proposal represents a variation to an existing mining operation, extending mine depth and life of mine while remaining within existing disturbance envelopes,
- Key potential risks relevant to protected matters relate to:
 - groundwater drawdown and hydrological processes,
 - potential indirect impacts on riparian vegetation and groundwater dependent ecosystems, and
 - cumulative impacts in the region, and
- The proponent has identified mitigation and management measures and concludes that no significant impacts to protected matters are expected.

The department notes the conclusions of the self-assessment. However, the department notes that a formal decision as to whether the action is a controlled action can only be made following referral under the EPBC Act. Accordingly, proponents are expected to carefully consider all potential direct, indirect and cumulative impacts on protected matters.

Conclusion

Based on the information provided in the referral documentation, the department notes the proponent's conclusion that the Proposal is unlikely to have a significant impact on protected matters, and that a referral is not proposed, under the EPBC Act.

Should further information become available indicating the potential for significant impacts on protected matters, reconsideration of referral under the EPBC Act would be warranted.

If you have any questions about these comments, please contact Michael Weiss at EADSAandNTSection@dcceew.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Bray'.

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

10 June 2025

cc: Juanita.Croft@nt.gov.au

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