



Australian Government

Department of Climate Change, Energy,
the Environment and Water

Kylie Fitzpatrick
Director Environmental Assessment
Department of Lands, Planning and Environment
Northern Territory Government
GPO Box 3675
PARAP NT 0801

Via: eia.consult@nt.gov.au

Dear Ms Fitzpatrick

**Submission on draft terms of reference for environmental impact statements under the
*Environment Protection Act 2019 (NT): EP2025/045, EP2025/048 and EP2025/049***

Thank you for the opportunity to comment on the draft terms of references for environmental impact statements (EIS) for three linked INPEX Operations Australia Pty Ltd carbon capture and storage proposals located on the Middle Arm Peninsula extending to the boundary of the Northern Territory's Coastal Waters. These comments address matters relevant to the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

EP2025/045 – Ichthys LNG AGRU Upgrades and CCS Preparedness Project

On 25 September 2025, the department accepted a valid referral for this proposal under the EPBC Act from INPEX Operations Australia Pty Ltd (EPBC 2025/10273).

On 23 October 2025, a delegate of the Minister for the Environment and Water determined the referral is not a controlled action and therefore did not require assessment or approval by the Minister for the Environment and Water prior to proceeding.

EP2025/049 – Ichthys Carbon Capture and Storage Project, NT

On 28 November 2025, the department accepted a valid referral for this proposal under the EPBC Act from INPEX Operations Australia Pty Ltd (EPBC 2025/10366).

The department determined that the referral did not contain sufficient information to assess the likelihood and significance of impacts on protected matters, particularly in relation to proposed mitigation measures for threatened and migratory shorebird species. Accordingly, on 9 December 2025, the department stopped the referral decision clock under section 76 of the EPBC Act to request further information regarding potential impacts on protected matters. The department is yet to receive the requested information.

EP2025/048 – Bonaparte Carbon Capture and Storage Project

On 20 April 2026, the department accepted a valid referral for a similar proposal under the EPBC Act from INPEX Operations Australia Pty Ltd (EPBC 2026/10480). However, this referral differs to the *Environment Protection Act 2019* referral as it extends beyond NT waters to the injection site in Commonwealth waters.

On 18 May 2026 a delegate for the Minister for the Environment and Water determined the referral is a controlled action and decided that the relevant impacts of the action will be assessed by an

environmental impact statement before a decision can be made on whether approval can be granted under the EPBC Act.

The department has reviewed the three draft EIS Terms of Reference (TOR) and is satisfied that, subject to incorporation of the comments at Attachment A, the TOR adequately address potential impacts on matters of national environmental significance.

If you have any questions about the Commonwealth assessment process or these comments, please contact the Assessment Officer, Sophie Brennan, by email to EADSAandNTSection@dcceew.gov.au, and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely



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

11 June 2026

CC: kylie.fitzpatrick@nt.gov.au; eia.ntepa@nt.gov.au

Attachment A: Submission on draft terms of reference

Attachment A: Submission on draft terms of reference

INPEX Operations Australia Pty Ltd – Ichthys LNG AGRU Upgrades and CCS Preparedness, Bonaparte Carbon Capture and Storage and Ichthys Carbon Capture and Storage Project

This submission is made under regulation 103 of the Environment Protection Regulations 2020

NT EPA reference number: EP 2025/045, EP 2025/048 & EP2025/049

Government authority: Department of Climate Change, Energy, the Environment and Water
– Environment Regulation Division

Section of terms of reference	Theme / issue	Comment
EP2025/048 1.2 Background	Scope	As this section notes, “The project has no clear standalone function...” as submitted under NT legislation. For clarity, the background section could explain why the environmental impact assessment is limited to Northern Territory waters, and how environmental impacts associated with the components of the project located in Commonwealth waters will be assessed by the Commonwealth separately under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act).
EP 2025/045 EP2025/048 EP2025/049 2.2.5 Construction, operation and decommissioning	Construction	The description of construction phase elements should include all temporary ancillary infrastructure to support the proposal and associated activities.
EP 2025/045 EP2025/048 EP2025/049 2.2.5 Construction, operation and decommissioning	Transport and traffic	The description of traffic and transport activities should not be limited to the construction phase; it should also address activities associated with the operation and decommissioning phases.
EP 2025/045 EP2025/048 EP2025/049 2.6.2 Terrestrial ecosystems	EPBC Act reference	To assist the reader, the <i>Environment Protection and Biodiversity Conservation Act 1999</i> could be written in full before it is abbreviated.