

**GENERAL GUIDANCE FOR PROPONENTS PREPARING
AN ENVIRONMENTAL IMPACT STATEMENT**

October 2019

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Terms

Draft EIS	Major component of the EIS; subject to public exhibition
EA Act	Environmental Assessment Act 1982
EAAP	Environmental Assessment Administrative Procedures 1984
EIA	environmental impact assessment
EIS	Environmental Impact Statement; comprising the Draft EIS, Supplement (addressing written comments on the Draft EIS) and any further information requested by the NT EPA
Environment	means all aspects of the surroundings of man including the physical, biological, economic, cultural and social aspects (as defined in the EA Act)
Environmental factors	aspects of the environment, defined by the NT EPA, that provide a framework for EIA in the Northern Territory
EPBC Act	Environment Protection and Biodiversity Conservation Act 1999 (Australian Government)
ESD	ecologically sustainable development as defined in Australia's National Strategy for Ecologically Sustainable Development (1992)
NT EPA	Northern Territory Environment Protection Authority
PER	Public Environmental Report
TOR	Terms of Reference; describing the matters relating to the environment that are to be addressed in the Draft EIS for a specific proposal

PART 1 BACKGROUND

1.1 Introduction

Environmental impact assessment (EIA) in the Northern Territory is governed by the Environmental Assessment Act 1982 (EA Act) and the Environmental Assessment Administrative Procedures 1984 (EAAP)¹ and administered by the Northern Territory Environment Protection Authority (NT EPA).

When the NT EPA has received notification of a proposal, it may decide that the proposal requires assessment under the EA Act. Assessment may be at the level of a Public Environmental Report (PER) or an Environmental Impact Statement (EIS). The PER or EIS informs the public about the nature of the proposal, the risks and potential environmental impacts associated with the proposal, and the measures proposed by the proponent to control the risks and manage impacts.

The NT EPA provides policy and guidance for EIA in the Northern Territory, as described in Table 1.

Table 1: Overview of the guidance and policy framework for EIA

Policy purpose	Legislative context	Policy or guidance ²
Communicate what EIA is and how it is conducted in the NT	EA Act EAAP	Factsheet: What is an EIA Guide to the EIA process in the Northern Territory
Advise how to refer a proposal to the NT EPA, and what information needs to be presented in a notice of intent	EAAP clause 6	Guideline - Referring a proposal to the NT EPA NT EPA Environmental factors and objectives (Appendix A)
Describe how the NT EPA makes a decision about whether an EIS or PER is required	EAAP clause 8	NT EPA Environmental factors and objectives (Appendix A)
Preparing an EIS - required standard and structure of an EIS		NT EPA general guidance for proponents preparing an EIS (this document)
Preparing an EIS - the matters to be addressed in an EIS	EAAP clause 8	Terms of Reference (TOR)
Preparing and exhibiting an EIS - Consultation with stakeholders		Opportunities and timeframes for community engagement in the EIA process Guidance for Proponents – Stakeholder Engagement
Responding to public comments and preparing a Supplement to the Draft EIS	EAAP clause 12	NT EPA general guidance for proponents preparing an EIS (this document)

¹ The Environment Protection Act 2019 and associated regulations will commence in 2020 and this guidance will be revised prior to the implementation of this new legislation.

² Available at <https://ntepa.nt.gov.au/environmental-assessments>

Policy purpose	Legislative context	Policy or guidance ²
Responding to an NT EPA request for further information	EAAP clause 6, 11, 11A & 14	NT EPA general guidance for proponents preparing an EIS (this document)
Notification of changes to a proposal previously presented to the NT EPA	EAAP clause 14A	NT EPA general guidance for proponents preparing an EIS (this document)

1.2 Purpose of this guidance

This guidance provides advice for proponents who are preparing an EIS. It can also inform the public of a proponent's requirements including the expectations around public participation. The primary intent of this guidance is to inform the content and standard of the Draft EIS, to ensure that it is adequate to be published for public comment. Guidance is also given on completing the final EIS by submitting the Supplement (addressing written comments on the Draft EIS), addressing any changes to the Proposal and providing any further information requested by the NT EPA.

For any EIS, this guidance communicates the NT EPA's expectation on the generic information that is required, and the structure, standards and protocols that are expected to be used. In addition to the generic information requirements presented in this guidance, a proponent will be required to address specific information requirements in the EIS that are unique to an individual proposal. The matters to be addressed are described in Terms of Reference (TOR) in accordance with clause 8(4)(b) of the EAAP. A draft of the TOR, informed by the proposal as set out in the proponent's notice of intent, is made available for public comment. Any comments are considered before the TOR are finalised.

In preparing a Draft EIS, a proponent will therefore be required to address the generic matters raised in this document, in addition to the unique proposal-specific matters identified in the TOR.

A proposal may also require assessment in accordance with the Australian Government Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) under the assessment bilateral agreement. In this case, the TOR will outline the matters that are to be addressed in the Draft EIS in accordance with the controlling provisions and Schedule 4 of the Environment Protection and Biodiversity Conservation Regulations 2000.

This NT EPA guidance is structured in four parts:

- Part 1 – Background: An introduction to EIA and the purpose of this guidance
- Part 2 – Information required in the Draft EIS: The proponent is required to address all these generic matters in their Draft EIS in addition to all of the proposal specific matters outlined in the TOR
- Part 3 – General advice on the Draft EIS: Expectations on general content, surveys, modelling, structure, format, spatial data, and how to submit a Draft EIS
- Part 4 – General advice on completing the final EIS: An outline of the process to complete the EIA of a proposal after public exhibition of the Draft EIS

PART 2 INFORMATION REQUIRED IN THE DRAFT EIS

2.1 The proponent

The Draft EIS must include details of the proponent, their environmental performance (and that of their parent company if applicable), including:

- name, Australian business number (ABN) / Australian company number (ACN) and address of the proponent
- contact details for the key contact person or people representing the proponent (and its consultant if applicable) for the proposal
- details of company structure, including any parent companies, relevant subsidiaries, or alternative trading names
- details of any proceedings or actions under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against the proponent; and details of systems and processes that have been subsequently upgraded
- any company environmental policy and planning framework, international or national accreditations (e.g. ISO 14001), environmental awards or other recognition for environmental performance
- an outline of any projects requiring environmental approval undertaken by the proponent elsewhere
- an outline of any proposals referred by the proponent under environmental assessment legislation in other jurisdictions

2.2 The proposal

2.2.1 Overview

The Draft EIS is to provide an overview of the proposal presented in a table and including the following:

- All processes and activities intended for all phases of the proposal and associated ancillary activities. Quantify the extent, size or capacity of each key element, process or activity, and the inputs and outputs.
- The significant environmental interactions of the proposal. Quantify all interactions in the various phases of the proposal, including the area of vegetation clearing, annual and seasonal water use, annual waste generation, volumes of significant chemicals to be used, annual energy use, energy source, annual greenhouse gas emissions, and variability of these with activities and seasons.

This table will be the basis for defining the proposal that the NT EPA is assessing so must include all features of a proposal. In addition to the table, the overview should include a location map.

2.2.2 Description

The Draft EIS is to provide a full description of the proposal, including matters specified in the TOR. This must include detailed maps of the proposal and additional diagrams or descriptive material as relevant (see Section 3.3.3).

2.2.3 Context

Provide an outline of the objectives, benefits and need for the proposal. Describe any related proposals, including those that may involve a potential for expansion or additional development by the proponent, and possible timeframes.

2.2.4 Alternatives

The consideration of alternatives in developing the project proposal is a critical step in the early stages of EIA. The opportunity to avoid potential environmental impacts from a proposal is greatest in the early stages of planning a proposal. It is important to demonstrate that the planning phase of the proposal included the identification of local/regional environmental values and application of the mitigation hierarchy to avoid or minimise potential environmental impacts where possible.

Describe all feasible alternatives considered as part of the process for developing the proposal or specific aspects of the proposal, including, but not limited to, site selection. Justify why the final project proposal was selected. Provide a comparison of the major potential environmental impacts, across all relevant environmental factors (see section 2.6), associated with each alternative. Clearly explain if and how the preferred option(s) assist in avoiding or minimising major potential environmental impacts associated with the proposal.

2.3 Approval and regulatory framework

The Draft EIS must provide a list of all permissions (approvals, conditions permits, certificates or licences) that may be required for the implementation of the proposal. This should be presented in a table that identifies the relevant legislation, the type of permission required, the intended timing of the permission, and any other relevant information.

In addition, provide:

- a list of current or intended agreements between the proponent and the Northern Territory Government, and/or the Australian Government, and/or other stakeholders, including traditional owners and/or land occupiers/managers, and an overview and status of agreements that may be relevant to EIA
- details of any local or Territory Government planning scheme, or plan or policy under any local or Territory Government planning system that would apply to the proposal

2.4 Stakeholder engagement and consultation

Stakeholder engagement and consultation is an important part of the EIA process. Guidance is provided in the NT EPA Guidance for Proponents – Stakeholder Engagement³.

The Draft EIS must include information on any consultation and engagement activities that have been undertaken in regard to the proposal, including:

- identification of affected parties and stakeholders, including Aboriginal stakeholders, for all areas potentially affected by the proposal

³ NT EPA, 2019. Guidance for Proponents – Stakeholder Engagement. Guidance for proponents on best practice stakeholder engagement for environmental impact assessment. Northern Territory Environment Protection Authority, Darwin. Available at <https://ntepa.nt.gov.au/environmental-assessments/env-assessment-guidelines>

- details of any consultation that has taken place such as location, date, methods, approximate number of people present (e.g. during public community consultations) or viewings (e.g. web page)
- details of any people consulted as representatives of specific organisations or agencies (e.g. provide the position and departmental group or division of any representative of a government agency)
- responses and results of the consultation including a summary of key themes and comments received during consultation
- how the proponent has, or plans to, address concerns raised during consultation
- where relevant, a plan and strategy for future consultations, including:
 - timelines and methods e.g. public meetings and social media to update affected stakeholders and the community
 - which and how management plans and monitoring data would be made publicly available throughout the various phases of the proposal

2.5 Regional setting

The Draft EIS is to include a description of the regional setting of the site, including maps showing the location of the proposal in relation to:

- current land use and land use zoning, including adjacent areas, and other relevant town planning policies, including regional, subregional and/ or area plans
- other proposals or actions, of which the proponent should reasonably be aware, that have been or are being taken, or that have been approved in the region (including sites of historical environmental impact)
- existing nearby public and private infrastructure such as roads, railway, pipelines, towns, communities, hotels, tourist routes, pastoral stations
- utilities (power, water, sewerage)
- sites of sacred, cultural, historical or social interest
- landmark features
- sensitive environments such as major waterways (3rd, 4th and 5th order creeks and rivers as defined by the Land Clearing Guidelines), significant groundwater resources (including any water control districts and/or water allocation plan areas), significant natural features such as groundwater dependent ecosystems, conservation reserves, and sites of conservation significance
- climate and atmospheric characteristics relevant to the proposal, including seasonal variation in temperature and rainfall; humidity; wind; evaporation; extreme events such as cyclones and storm surges
- regional predictions associated with a changing climate.

2.6 Key environmental factors

The NT EPA uses environmental factors with defined objectives as a framework for organising information to enable assessment of the various aspects of the environment. These are described in the NT EPA Environmental Factors and Objectives⁴. When the NT EPA decides that a given proposal requires assessment at the level of an EIS, it identifies the preliminary key environmental factors that will require assessment for the proposal.

For each preliminary key environmental factor, the Draft EIS is to include sufficient information on the matters outlined below for all relevant stages of a proposal such as construction, operation, decommissioning, closure and rehabilitation. The specific information requirements for each preliminary key environmental factor for a given proposal are outlined in the proposal-specific TOR.

If further potential environmental impacts are identified through the EIA process, they must also be included in the Draft EIS, even if this requires addressing additional environmental factors not specified in the TOR.

2.6.1 Environmental values

The Draft EIS is to provide a description and quantification of the environmental values, as part of the characterisation of environmental factors, of the proposal's footprint and zone of influence. An environmental value is an aspect of the environment that is important or serves an important function, such as a river that provides beneficial uses to ecological and human communities, a site that is sacred to Aboriginal people, an animal or plant species that is threatened, or an area that is visited by tourists due to its aesthetic beauty. An environmental value may require protection due to its importance, sensitivity, vulnerability and/or worth.

Describing and quantifying the values is likely to involve presenting results obtained from various sources including surveys and/or modelling. Any assumptions, uncertainties or limitations of the information should be clearly identified. The scope and standard of the information should be appropriate to serve as a baseline against which any future impacts may be measured over time.

2.6.1.1 Surveys

Where surveys are required, the Draft EIS should describe the survey design in detail, including the scope, timing (seasons), locations and methods, to demonstrate appropriate and sufficient survey effort. For each survey conducted, the Draft EIS must describe the information and baseline established, any assumptions applied to the analysis of results, and note all comments received from experts. The Draft EIS must explain how the reliability of the results was tested.

At a minimum, surveys should be in accordance with relevant Northern Territory Government⁵ and Australian Government guidelines⁶. Where a survey guideline/s is available for a particular study, state if the survey is in accordance with the guideline/s, or explain any divergence from those guidelines. All surveys should be undertaken by independent experts. Experts are suitably qualified and experienced person/s with

⁴ available at <https://ntepa.nt.gov.au/environmental-assessments/env-assessment-guidelines>

⁵ see Appendix A of https://ntepa.nt.gov.au/_data/assets/pdf_file/0004/287428/guideline_assessment_terrestrial_biodiversity.pdf and https://www.nespnorthern.edu.au/wp-content/uploads/2015/10/5.2.4_a_guide_to_use_of_remote_cameras_for_wildlife_surveys_final_web.pdf

⁶ see survey guidelines for threatened species at <http://www.environment.gov.au/epbc/guidelines-policies.html#threatened>

demonstrated expertise in survey on the subject matter and region. In preparation for the surveys, the proponent should refer to the most current or detailed spatial data available for a study area (i.e. for example land units in preference to land systems) maintained by the Department of Environment and Natural Resources⁷.

2.6.2 Potential impacts and risks

The Draft EIS must identify, describe and evaluate the significance of direct, indirect and cumulative potential impacts and risks to environmental values, where a credible pathway exists, consistent with a 'Source, Pathway, Receptor' model.

The Draft EIS should consider potential impacts and risks from all stages of the proposal. Consideration of the significance of a potential impact should take into account its extent, magnitude and duration; the resilience of the environment to cope with impact or change; and any potential cumulative impacts. Significance should be evaluated in consideration of the NT EPA's advice on this matter⁸.

Information provided should permit the general reader to understand the likelihood and severity of each potential environmental impact presented by the proposal. Consideration of risks presented by the proposal may be guided by undertaking a risk assessment consistent with AS/ISO 31000 risk management series⁹. The Draft EIS must clearly justify the level of analysis and investigation of the potential environmental impact, and this must be commensurate with the severity of the potential impact (i.e. accounting for the environmental value and the significance of the impact). The analysis, including development of likelihood and consequence ratings for risk assessments, is to be based on referenced and relevant actual data and modelled predictions as appropriate. Where applicable, a conceptual site model should be used¹⁰.

2.6.2.1 Modelling

Where modelling has been conducted to assess potential impacts and risks, explain the scope, parameters, assumptions, methodology, limitations and uncertainties of the model. Provide explanation and details of the statistical design of the model, including the data used in its development (e.g. number of samples, procedure for site selection) and how its reliability has been tested. Identify the key factors that influence the sensitivity of the results obtained from the model. Provide assurance that an appropriately qualified and experienced person has supervised the interpretation of test results and development of the model. Provide a schedule for updating and/or validating the modelling with further site-specific monitoring data. In some circumstances, such as where there is high environmental risk, the proposal-specific TOR may require that modelling and the associated results be reviewed by an independent expert.

2.6.3 Mitigation and management

The Draft EIS must outline the proposed measures for mitigating the identified potential impacts and risks to each environmental value associated with the factor, for all phases of the proposal. The Draft EIS should preference mitigation measures in accordance with the mitigation hierarchy¹¹ that is, avoid, minimise, restore and/or offset. These may be incorporated into management plans with performance targets and should identify

⁷ see <https://denr.nt.gov.au/land-resource-management/water/water-information-systems/spatial-data-requests>

⁸ NT EPA 2018. NT EPA Environmental Factors and Objectives. Northern Territory Environment Protection Authority. Available at <https://ntepa.nt.gov.au/environmental-assessments/env-assessment-guidelines>

⁹ Available at: <https://www.iso.org/iso-31000-risk-management.html>

¹⁰ NT EPA 2013. Guidelines on Conceptual Site Models. Northern Territory Environment Protection Authority. Available at <https://ntepa.nt.gov.au/waste-pollution/guidelines/guidelines>

¹¹ See Cross Sector Biodiversity Initiative, 2015. Cross-sector guide for implementing the mitigation hierarchy. <https://www.icmm.com/en-gb/publications/biodiversity/a-cross-sector-guide-for-implementing-the-mitigation-hierarchy>

any uncertainties regarding the effectiveness of proposed measures. For potential impacts that may be significant, and consistent with the NT EPA's objectives for environmental factors, establish performance targets/ threshold values that are expected to be achieved following mitigation. Identify contingency measures that may be implemented if thresholds/ targets are exceeded. All measures outlined in the Draft EIS for mitigating potential environmental impacts will be considered as commitments by the proponent.

2.6.4 Monitoring and reporting

The Draft EIS is to outline why and how the proponent proposes to monitor and report on environmental performance in regard to the identified values, potential impacts and performance targets/thresholds associated with the factor.

This is to include a description of the proposed monitoring methods, with attention to:

- the location, timing, intervals and duration of monitoring programs, and the metrics or parameters that will be measured
- sufficient detail to enable an assessment of the methods' effectiveness to detect any impacts
- any control sites that may be used to compare metrics with sites of potential impact
- clear thresholds or criteria (or outline a process for their definition) for all relevant parameters that will enable early detection of potential negative impact to trigger remedial action, and an explanation of how these were defined, with reference to any appropriate guidelines, standards and baseline data
- where performance targets/ threshold values are not achieved, contingency measures (see Section 2.6.3) that may be implemented to achieve these targets.

The Draft EIS must also describe how and when the results of these monitoring programs would be reported to stakeholders, together with monitoring and reporting on key matters that may have a social, cultural or economic impact on stakeholders.

All measures outlined in the Draft EIS for monitoring and reporting potential environmental impacts and compliance with performance targets/ threshold values will be considered as commitments by the proponent.

2.6.5 Statement of residual impact

The Draft EIS should provide a statement of expected residual impact, i.e. the impact remaining after application of the mitigation hierarchy, on the values associated with the environmental factor. This should be based on the robust identification of values and potential impacts, the local and regional context, and in consideration of the proposed mitigation measures and any uncertainties about their effectiveness. It should also include consideration of whether any impacts may be permanent, or the expected timeframe for recovery. An offset may be required to compensate for any significant residual impacts that remain following application of proposed mitigation measures.

2.7 Cumulative impacts

An overarching assessment of the cumulative environmental impacts of all elements of the Proposal should be provided, including elements considered under different environmental factors. Where possible, the proponent should also consider the overall potential impact of the Proposal in the context of existing developments and reasonably foreseeable future developments. The proponent should engage with Environment Division staff for information on where publically available information may be accessed.

The discussion should account for potential impacts and risks, recognising the following:

- Landscape change originates not only from single proposals and management actions, but also from complex and dynamic interactions of multiple past, present and future management actions.
- Biophysical, social, cultural and economic change accumulates through additive or interactive (or synergistic) processes. The aggregate impact of multiple actions on the environment can be complex and may result in impacts that are more significant because of interactive processes.
- Any given action does not operate in isolation. The most significant changes are often not the result of the direct effects of an individual action, but from the combination of multiple minor effects over time.
- Cumulative impacts may arise from activities conducted over a wider area than the proposed activity requiring an integrated assessment or acknowledgement of potential impacts from any other activities that may occur in or near the proposal area or in the region.

2.8 Ecologically sustainable development

In the Draft EIS the proponent is to provide clear statements that demonstrate how the proposal is consistent with the each of core objectives and guiding principles of ecologically sustainable development, consistent with the National Strategy for Ecologically Sustainable Development¹².

¹² Ecologically Sustainable Development Steering Committee, 1992. *National Strategy for Ecologically Sustainable Development*. Department of the Environment and Energy, Commonwealth of Australia, Canberra. Available at <http://www.environment.gov.au/about-us/esd/publications/national-esd-strategy>

PART 3 ADVICE ON COMPLETING THE DRAFT EIS

3.1 General content

3.1.1 Addressing the Terms of Reference

The proponent is encouraged to have ongoing dialogue with the Department of Environment and Natural Resources (DENR) to clarify information requirements and inform the development of the Draft EIS as relevant to the proposal-specific TOR.

3.1.2 Readability

The Draft EIS should be a complete report in plain English, addressing all aspects of this guidance and the TOR. Technical reports on studies conducted for the EIA of the proposal should be included as appendices.

The Draft EIS should:

- enable interested stakeholders and the NT EPA to understand the environmental consequences of the proposal
- provide objective, clear and succinct information that's easy to understand for the general reader
- include spatially-referenced maps (using an appropriate scale, resolution and clarity), plans, diagrams and other descriptive detail
- avoid unnecessary duplication of text by using cross-referencing

It is an offence under the Northern Territory Environment Protection Authority Act 2012 to give information to the NT EPA that the person knows is misleading or contains misleading information.

3.1.3 Information sources

The NT EPA expects that proponents will engage competent consultants with relevant subject-matter expertise to conduct specialist studies and synthesise information in the EIS documents. The EIS should include a description of the relevant qualifications, experience and independence of each consultant that contributed to the EIS. Each technical study should include a statement that the work has been prepared in accordance with relevant professional standards; and include a description of the scope of works undertaken and any limitations or caveats on the results and / or recommendations.

Conclusions about values and the likelihood of potential environmental impacts must be well justified and supported by existing literature, previous surveys, or studies conducted specifically for this purpose. The source, date and validity of the information must be clearly identified. The extent to which a limitation, if any, of available information may influence the proponent's conclusions regarding residual impacts should be discussed.

The NT EPA expects proponents to refer to NT EPA guidelines on matters that commonly arise in EIA. The guidelines are developed and updated periodically, and should be referenced when addressing the information requirements in appropriate sections of the Draft EIS. The guidelines are available on the following NT EPA webpages:

- <https://ntepa.nt.gov.au/environmental-assessments/assessment-guidelines>
- <https://ntepa.nt.gov.au/waste-pollution/guidelines/guidelines>

The NT EPA also expects proponents, in conducting the EIA, to refer to relevant industry-specific or discipline-specific guidance material, as applicable and in line with relevant legislation. A list of guidance material considered relevant to a given proposal is provided in the TOR.

For a proposal that is being assessed in accordance with the EPBC Act under bilateral assessment, the proponent must refer to the Australian Government Department of Environment and Energy Protected Matters Search Tool¹³ and all relevant conservation advice and recovery plans by that department.

In developing the management measures and monitoring programs for addressing potential impacts of a proposal, the NT EPA expects proponents to draw on best practices, recognised measures and accepted methods. These are to be derived from industry recognised sources and advice from agencies of the Northern Territory Government and Australian Government. The Draft EIS should reference these sources, where applicable, and explain how intended measures and programs may deviate from best practices, standard methods or advice received in relation to the proposal.

3.2 Structure, format and style

3.2.1 Parts of the Draft EIS

The Draft EIS should comprise three main parts as outlined below and using subheadings consistent with Section 3.8:

1. Executive summary

The executive summary must be a stand-alone document that includes a brief outline of the proposal and each chapter of the Draft EIS, allowing the reader to obtain a clear understanding of the proposal, its potential environmental implications and management objectives.

2. Main body of the report

The main text of the Draft EIS should consist of a series of chapters addressing all of the information requirements outlined in Section 2 of this guidance and the TOR. It should also include a list of abbreviations and a glossary to define technical terms, acronyms, abbreviations, and colloquialisms. It should also include an overall conclusion on the residual impacts and residual risks of the proposal.

3. Appendices

The appendices must include detailed technical information, studies or investigations (including data) necessary to support the main text. If supporting documents recommend further work be undertaken, the Draft EIS should address these recommendations. The Draft EIS should also clarify any inconsistencies with the supporting documents, e.g. changes in the proposal scope since studies were undertaken.

The appendices should include at a minimum:

- a table listing how the guidance and TOR have been addressed in the Draft EIS, cross-referenced to chapters, sections/subsections and/or appendices
- spatial coordinates of proposal footprint and site technical studies

¹³ available at <http://www.environment.gov.au/epbc/pmst/>

- the name of, work done by, and the qualifications and experience of, the persons involved in preparing each component of the EIS.
- a table listing commitments made by the proponent in relation to managing potential environmental impacts of the proposal
- detailed technical information, studies or investigations necessary to support the main text

3.2.2 Referencing

All sources of information must be appropriately referenced using the Harvard style. The reference list should include the address of any internet pages used as data sources. All referenced supporting documentation and data (including all spatial data displayed in map products), or documents cited in the EIS must be available upon request.

3.2.3 Maps and figures

Maps and figures included in the Draft EIS should:

- be on A4 or A3 size paper
- be clear and legible; in colour if appropriate
- be of appropriate scale and resolution to enable interpretation of the content
- be consistent throughout the Draft EIS, enabling comparison of features in separate maps – for example, using standard background/s, scales, map extents, and proposal outline/s.
- include a legend or caption describing all symbology
- include a scale bar and north arrow

3.3 Disclaimers and confidential information

Any disclaimers included in the EIS must not prevent the NT EPA from using the EIS for its assessment in accordance with legislated requirements. For example, there should be no limitation on:

- providing copies to decision-making authorities and advisory agencies
- providing copies to members of the public
- reproducing information to prepare any NT EPA reports on the proposal

Where a proponent considers material in the EIS to be of a confidential nature (e.g. commercial in confidence or culturally sensitive) and seeks to withhold that material from the public, the proponent should consult with the NT EPA in accordance with clause 10 of the EAAP before making the EIS publicly available.

3.4 Accompanying information

3.4.1 Spatial data

The proponent is to submit to the NT EPA geo-referenced spatial data that delineate proposal features and physical elements and the extent of technical studies undertaken for the purposes of the EIA. Additional delineation of values, and potential zones of impact may also be appropriate. These data should be provided as importable geographic information system ESRI shape files, conforming to the following parameters:

- spatial data - closed polygons, lines and points that represent the proposal boundary and activity areas for all physical elements of the proposal footprint

- attribute data - meaningful names in the attribute table for each feature in the spatial data
- format - ESRI shapefile¹⁴
- datum - GDA94
- coordinate system - geographic projection in decimal degrees or projection into the appropriate zone of the Map Grid of Australia

3.4.2 Raw data

Where the TOR requests provision of raw data, these should be in csv or excel file format and be accompanied by a data dictionary clearly identifying all variables with relevant units.

3.4.3 Additional presentation of information

The Draft EIS has an important role in informing the public about the proposal. The proponent must provide each stakeholder with sufficient information to make informed contributions and decisions where required. This is likely to require the preparation of information materials on the EIA, in addition to the Draft EIS report, in a culturally appropriate format (e.g. illustrations, graphics) and language for all key stakeholders.

3.5 Submitting a Draft EIS

3.5.1 Pre-lodgement meeting

The proponent is encouraged to meet with staff of the Environment Division of DENR at least one month prior to submission of the Draft EIS. The Draft EIS is to be submitted by a date specified by the NT EPA to the proponent at the time of issuing the TOR or as subsequently revised. The purpose of the pre-lodgement meeting would be to provide an update on the administrative requirements for review of the Draft EIS, including file sizes, transmission of electronic files, number of hard copies to be printed and to identify the start and end date of public exhibition.

3.5.2 Lodgement

The proponent should lodge two bound hardcopies and an electronic copy (Adobe PDF format) of the Draft EIS with the NT EPA, a minimum of five entire business days prior to commencement of public exhibition. The file size, format and style of the Draft EIS document/s should be appropriate for publication on the NT EPA website¹⁵. The electronic copies should be provided both as a single file of the entire document and separate files of the document components. In accordance with section 3.3 regarding confidential information, an electronic copy for publication on the NT EPA website, and hardcopies for public exhibition, should be provided with that information already redacted.

In addition, a Microsoft Word copy of the Draft EIS should be provided to facilitate the assessment process and production of any NT EPA report on the proposal. The NT EPA may also request individual files of maps and figures. The proponent is also to submit spatial data, compliant with Section 3.5.1, defining the extent of all proposed physical elements of the proposal.

The Draft EIS may be submitted to the NT EPA:

¹⁴ Including at a minimum the three mandatory file types (.shp, .shx, .dbf) and a projection file (.prj)

¹⁵ Individual files displayed on the NT EPA website can be no larger than 35 MB. If larger, files should not be password protected so they can be reduced or split.

- In person:
Level 1, Arnhemica House, 16 Parap Road, Parap
- by email:
eia.ntepa@nt.gov.au
- by FTP (File Transfer Protocol):
contact staff of the Environment Division, DENR, for more information
- by post:
NT Environment Protection Authority
GPO Box 3675
Darwin NT 0801

3.5.3 Public exhibition requirements

The Draft EIS must be made available for public comment (clause 9, EAAP). The suggested duration of the public exhibition period for the Draft EIS will be specified in the TOR. The NT EPA will reconsider or confirm the appropriate duration of this period during the pre-lodgement phase. Any variation of the exhibition period would be in consideration of the complexity of the Draft EIS and to allow adequate opportunity for the community and Government to access the Draft EIS (for example, a longer exhibition period may be required at certain times of the year due to public holidays).

The proponent is to ensure the Draft EIS is delivered to and made available to the public at the locations specified in the TOR. It is the proponent's responsibility to ensure that the hard copies are supplied to the identified locations in a timely manner, prior to commencement of public exhibition.

The proponent should take all reasonable steps to engage with Aboriginal stakeholders in relation to the proposal and the EIS, and give them opportunities to discuss and influence the outcomes of actions and decisions that may affect them. Aboriginal stakeholders affected by the proposal may have particular communication needs. Arrangements must be made to ensure that affected people have reasonable opportunity to comment on the EIS and understand why they are commenting and what it is they are commenting on. This will require information to be presented in a manner that clearly articulates what the proposal would entail and its potential impacts and risks. This will require using methods that are culturally appropriate and in language that is understandable to Aboriginal people in the region e.g. Kriol or local languages. The Aboriginal Interpreter Service may be a useful resource.

3.5.4 Advertisement

At the commencement of the public exhibition period the proponent is to advertise that the Draft EIS is available for review and comment. This must include an advertisement in a Saturday edition of the NT News and any other periodicals specified in the TOR.

The following information should be published in the advertisement:

- a brief summary of the proposal including details of the proponent and the location of the proposal
- clear notice that the Draft EIS is available for public comment and the deadline for acceptance of public comments
- the locations and web link where the Draft EIS will be available for viewing

- the method and contact details for interested groups or persons wishing to make comment, including an address (postal and electronic) to which interested persons may send or deliver their written comments
- explanation that all comments may be made publicly available unless the commenter clearly notifies that they are to be anonymous and/or confidential

The proponent must submit a draft of the advertisement/s to the Environment Division of DENR at least one week prior to advertising the Draft EIS, to arrange web upload of the document and review and comment on advertising text.

3.6 Draft EIS indicative table of contents

Title page

Document control

Executive Summary

Table of contents

Terms, phrases and units

1. Introduction

2. The proponent

- General information
- Environmental performance

3. Proposal description (detailed requirements are specified in the TOR)

For example:

- Proposal history (if relevant)
- Overview, including summary table
- Context
- Alternatives
- Detailed description (including rehabilitation and closure, if relevant)

4. Approvals and regulatory framework

5. Stakeholder engagement and consultation

6. Regional setting

7. Key Environmental Factors (Detailed information requirements for assessment of environmental factors are specified in the TOR)

For each environmental factor (a separate chapter for each):

Environmental factor name

- Environmental values
- Potential impacts and risks
- Mitigation and management
- Monitoring and reporting
- Statement of residual impact

8. Environmental offsets (if a controlled action under EPBC Act¹⁶; as specified in the TOR)
 9. Ecologically sustainable development
 10. Conclusion
 11. References
- Appendices (as required)

¹⁶ Australian Government Department of the Environment and Energy website:
<https://www.environment.gov.au/epbc/publications/epbc-act-environmental-offsets-policy>

PART 4 ADVICE ON COMPLETING THE FINAL EIS

4.1 Supplement to the Draft EIS

After the conclusion of the public exhibition period of the Draft EIS, the proponent is required to conduct a revision of the Draft EIS and produce a Supplement to take account of all written comments (from the public and NT government advisory agencies) received during the exhibition period (clause 12, EAAP).

In preparing the Supplement, the proponent is to provide clear, concise and relevant responses to comments received on the Draft EIS. Where issues arise with interpretation of comments, the proponent should contact relevant staff of the Environment Division for clarity. The information requirements outlined in Part 1 and Part 2 of this document should be taken into account when compiling responses. The Supplement should include a consolidated list of commitments by the proponent, consistent with the Draft EIS.

The Supplement will be circulated to NT Government advisory bodies. The Supplement will not be made available for public comment but will be published on the NT EPA website following the conclusion of the EIA process. Comments from NT Government advisory bodies will be considered by the NT EPA in conducting its assessment.

The Supplement should not contain any alterations to the proposal that would change the environmental significance of the proposal. If a proposal is altered in response to public comment, or for any other reason, refer to Section 4.2 below.

4.2 Alterations to a proposal - Clause 14A

If a proposal is altered from that previously presented to the NT EPA, to the extent that the environmental significance may have changed, the proponent is required to submit a notification in accordance with clause 14A of the EAAP. This could occur following an initial referral, a Draft EIS, a Supplement, or a final EIS.

The notification should clearly and concisely identify the alterations from the previous proposal and provide an assessment of how alterations affect the environmental significance of the proposal. Use of a table to compare the original proposal to the changed proposal is recommended. The information requirements outlined in Part 1 and Part 2 of this document should be taken into account when preparing the notification.

4.3 Request for further information

The NT EPA may request further information from the proponent or another organisation following submission of the Supplement in accordance with clause 14(2) of the EAAP. This may occur if the NT EPA considers it has not been provided sufficient information to conduct a complete assessment of the potentially significant environmental impacts and risks associated with the proposal. The extent and subject matter of any information request is dependent on the nature of the proposal or action and the information provided in the Draft EIS and the Supplement.

Further information requests may stop the statutory timeframe of the EIA process and contribute to delays for approval and commencement of the proposal. The NT EPA is committed to assisting proponents through the assessment process and encourages proponents to engage with assessment officers throughout the EIA process to avoid and minimise the need for further information requests. The information requirements outlined in Part 1 and Part 2 of this document should be taken into account when responding to a request for further information.

Appendix A

The NT EPA's Environmental Factors and Objectives.

THEME	FACTOR	OBJECTIVE
LAND	1 Terrestrial Flora and Fauna	Protect the NT's flora and fauna so that biological diversity and ecological integrity are maintained.
	2 Terrestrial Environmental Quality	Maintain the quality of land and soils so that environmental values are protected.
	3 Landforms	Conserve the variety and integrity of distinctive physical landforms so that environmental values are protected.
WATER	1 Aquatic Ecosystems	Protect aquatic ecosystems to maintain the biological diversity of flora and fauna and the ecological functions they perform.
	2 Inland Water Environmental Quality	Maintain the quality of groundwater and surface water so that environmental values including ecological health, land uses, and the welfare and amenity of people are protected.
	3 Hydrological processes	Maintain the hydrological regimes of groundwater and surface water so that environmental values are protected.
SEA	1 Marine Flora and Fauna	Protect marine flora and fauna so that biological diversity and ecological integrity are maintained.
	2 Benthic Habitat and Communities	Protect benthic communities and habitats so that biological and functional diversity and ecological integrity are maintained.
	3 Marine Environmental Quality	Maintain the quality and productivity of water, sediment and biota so that environmental values are protected.
	4 Coastal processes	Maintain the geophysical and hydrological processes that shape coastal morphology so that the environmental values of the coast are protected.
AIR	1 Air quality and Greenhouse Gases	Maintain air quality and minimise emissions and their impact so that environmental values are protected.
PEOPLE AND COMMUNITIES	1 Social, Economic and Cultural Surroundings	Protect the rich social, economic, cultural and heritage values of the Northern Territory.
	2 Human Health	Ensure that the risks to human health are identified, understood and adequately avoided and/or mitigated.