

Referral form - Environment Protection Act 2019

PART A - Proponent details It is the proponent's responsibility to advise the NT EPA in writing, of changes to consultant and proponent contacts.	
Name of the proponent/s <i>(legal entity)</i>	Aurizon Operations Limited
Proponent details	<p><i>Name: Mr Craig McGrath</i></p> <p><i>Position/responsibility: Head of Strategy and Business Development, Containerised Freight</i></p> <p><i>Physical address: Level 8, 900 Ann Street, Fortitude Valley, Queensland 4006</i></p> <p><i>Postal address: GPO Box 456, Brisbane Queensland 4001</i></p> <p><i>Phone: (07) 3019 9992</i></p> <p><i>Email: craig.mcgrath@aurizon.com.au</i></p>
Proponent Trading Name if relevant	Aurizon
Australian Business Number/s	ABN 47 564 947 264
Australian Company Number/s	ACN 124 649 967
Provide a description of the organisational structure with respect to responsibility of the proposed action, environmental approvals and implementation.	<p>Aurizon is a locally owned, publicly listed company, deriving revenue from the operation of rail freight infrastructure, port stevedoring and commodity/freight transportation.</p> <p>Aurizon is Australia's largest rail freight operator with more than 150 years of experience. Each day we move about 700,000 tonnes of coal, iron ore and other minerals as well as agricultural and general containerised freight.</p> <p>Aurizon's business comprises 4 major business units – Containerised Freight, Bulk, Coal and Network.</p> <p>We are headquartered in Brisbane, Queensland with business operations in Queensland, New South Wales, Victoria, South Australia, the Northern Territory and Western Australia.</p> <p>Our 5,000+ employees live and work in local communities throughout Australia where Aurizon operates.</p> <p>Aurizon has a Board and Executive Committee that oversees all company functions. The Managing Director & CEO is responsible for the conduct of the proposed action, attainment of all required environmental approvals and implementation of all conditions of approval.</p>

Joint-venture partners (if applicable)	<p>Name: N/A</p> <p>Physical address: N/A</p> <p>Postal address: N/A</p> <p>Phone: N/A</p> <p>Email: N/A</p>
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PART B – Outline of the proposal and location	
Outline of the Proposed action or strategic proposal (proposal)	
Title of the proposal	Berrimah Freight Terminal Expansion Project
Provide a brief summary (one or two paragraphs) of the proposal including the activity type/ industry/ duration.	<p>Aurizon proposes the expansion of the existing Berrimah Freight Terminal at East Arm. The expanded terminal will have an integrated logistics focus, which provides an ability to service both bulk and containerised freight, large container storage area and potential areas for warehousing or colocation with incumbent freight forwarders.</p> <p>The construction is anticipated to commence in 2026 and take approximately 3 years to complete. The project is planned to be operational in 2028</p> <p>Works will include:</p> <ul style="list-style-type: none"> • Clearing – approximately 40 ha of mangrove and terrestrial vegetation • Seawall construction – reuse of existing rock with import of approximately 12,000 m³ of quarry rock • Reclaim – import of approximately 600,000 m³ of clean fill • Services – installation of power, communications, water and sewage infrastructure • Hardstand, roads and rail line – installation of transport infrastructure and work surfaces • Buildings and security – construction of security gatehouse, security fencing and CCTV infrastructure
Location	
Provide location details as:	338, 330 and 270 Berrimah Road, East Arm
<ul style="list-style-type: none"> • street address, suburb • tenement, lot/section numbers, town/hundred, NT Portion or pastoral lease numbers, as applicable 	Lot 5411, Lot 5412 and Lot 6082, Hundred of Bagot

<ul style="list-style-type: none"> the nearest town, recognisable feature, and distance and direction from that town/feature to the site of the proposed action. 	<p>Darwin CBD – 7.3km to the west</p> <p>Palmerston – 8.2km to the east</p> <p>Berrimah – 3.4km to the north</p>
Name of the Local Government Area/s in which the proposal is located.	East Arm is located within the unincorporated area known as the Northern Territory Rates Act Area.
What is the land tenure type?	Lot 5411 and Lot 5412 operates under Crown Lease Lot 6082 is Freehold land.
Does the proponent have the legal (land) access required for the implementation of all aspects of the proposal?	<input type="checkbox"/> No If no, provide details of legal access authorisations /agreements / tenure is required and from whom. <input checked="" type="checkbox"/> Yes If yes, provide an indication of legal access authorisations / agreement / tenure.
Is the land zoned under the NT Planning Scheme ?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If yes, what is/are the zoning/s? RW (railway) and DV (Development)
What is the current land use of the proposal site/s?	Current rail terminal (Lot 5411) and undeveloped native vegetation comprising of open woodland and mangrove communities with patches of disturbed land and weed infestations (Lots 5412 and Lot 6082).
What is the approximate distance (direct line) and direction to the closest human sensitive receptor? For example, residence, accommodation, hospital, school, homeland from the proposal.	The nearest sensitive receptors are: <ul style="list-style-type: none"> 7 km to the west (Darwin Waterfront) 2.5 km to the north (Haileybury Rendall School / Northcrest) 5.2 km to the east (Palmerston)
Consultation	
Provide an overview of consultation undertaken specific to the proposal and potential environmental impacts.	Consultation has been held with the following: <ul style="list-style-type: none"> Land Development Corporation (2/3/23 + 2/10/23) DEPWS – Flora and Fauna Division (7/3/23) Amanda Lilleyman (8/3/23 + 5/10/23) DIPL – Lands Planning (9/2/23) DIPL – Infrastructure NT (9/2/23) DEPWS – Environment Division (15/3/23) DCCEEW (20/3/23) DIPL - Transport Planning (22/3/23)

	<ul style="list-style-type: none"> • Powerwater Corporation (22/3/23) • NT Heritage Branch (8/8/23) • Larrakia Development Corporation (30/8/23) • AAPA (11/9/23) • Larrakia Nation (2/10/23) • Darwin Harbour Advisory Committee (2/10/23) • The Planning Action Network (Plan) (2/10/23) • Environment Centre NT (2/10/23) • Amateur Fishermen’s Association of the NT (2/10/23) • Darwin Port (2/10/23) • Northern Land Council (2/10/23) • City of Darwin (2/10/23) • City of Palmerston (2/10/23) • Larrakia Rangers (10/10/23)
<p>List the matters raised in consultation and identify how the proposal has been modified to respond to stakeholder feedback.</p>	<ul style="list-style-type: none"> • Migratory Birds Concerns raised regarding the potential impacts to migratory shorebird habitats in the west of Lot 5412 (saltpan area). The design footprint has been reduced to avoid this area. The works will now not be within 100m of the saltpan and any works close to this area will be undertaken during the Dry Season when migratory shorebirds are less likely to be present. • Coastal Impacts Coastal impacts can be mitigated through construction methodology. An outer seawall will be constructed first with erosion and sediment controls in place. All reclaim works taking place behind the seawall.

PART C – Referral type	
<p>What type of proposal is being referred?</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> proposed action <input type="checkbox"/> strategic proposal <input type="checkbox"/> proponent initiated EIS referral
<p>Provide a brief justification including the reasons why you consider the action may have a significant impact on the environment and is referred to the NT EPA. Refer to section 11 of the EP Act and the NT EPA’s environmental factors and objectives.</p>	<p>Terrestrial Environmental Quality</p> <ul style="list-style-type: none"> • Clearing of 40 ha of mangrove and terrestrial vegetation • Potential acid sulfate soils <p>Terrestrial Ecosystems</p> <ul style="list-style-type: none"> • Presence of listed species

	<p>Hydrological Processes</p> <ul style="list-style-type: none"> • Changes to overland surface flows <p>Coastal Processes</p> <ul style="list-style-type: none"> • Clearing and reclaim of 40 ha of upper intertidal zone. <p>Air Quality/Atmospheric Processes</p> <ul style="list-style-type: none"> • Dust and emissions from construction activities <p>Community and Economy</p> <ul style="list-style-type: none"> • Construction impacts • Positive economic impacts <p>Human Health</p> <ul style="list-style-type: none"> • Biting insects
Does the proposal involve an action that may be or is a controlled action under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has the proposed action been referred?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide the date referred and reference number (EPBC number)? Date: EPBC number:
If referred, has a decision been made on whether the proposed action is a controlled action?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, check the appropriate decision outcome and provide the decision in an attachment. <input type="checkbox"/> Decision – controlled action <input type="checkbox"/> Decision – not a controlled action

<p>PART D – Proponent referrer details and declaration *The referral form must include the declaration signed by the proponent, or where the proponent is an organisation or business, the Chief Executive Officer (CEO) or duly authorised delegate within the proponent company.</p>	
Who is referring this proposal?	<input type="checkbox"/> Proponent <input checked="" type="checkbox"/> Authorised representative within proponent entity
Does the proponent request that the NT EPA treat any part of the information in the referral as confidential under section 281(2) of the EP Act?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, provide an application in accordance with regulation 271 of the Environment Protection Regulations 2020 and submit the confidential information as a separate attachment

PART D – Proponent referrer details and declaration


*The referral form must include the declaration signed by the proponent, or where the proponent is an organisation or business, the Chief Executive Officer (CEO) or duly authorised delegate within the proponent company.

Referral declaration by proponent:

I, [Craig McGrath](#), declare that I am authorised to refer this proposed action on behalf of [Aurizon Operations Limited](#), and further declare that:

- the attached environmental impact assessment documents have been prepared in accordance with the EP Act and EP Regulations; and
- the attached environmental impact assessment documents (including attachments) are true; and
- the attached environmental impact assessment documents do not provide false or misleading information and I know it is an offence to provide false and misleading information, noting the penalties under section 260 of the EP Act, and section 119 of the *Criminal Code Act 1983*; and
- the proponent fully understands that referral under the EP Act does not limit, in any way, the requirements of the proponent to ensure approvals under any other regulatory regime are applied for, and adhered to; and
- the proponent has fulfilled its general duty in accordance with section 43 of the EP Act.

Note: if the NT EPA determine that an environmental approval is required, the proponent will be requested to provide supporting documents during the assessment process such as details to support that the person is a fit and proper person to hold an environmental approval in accordance with section 62 of the EP Act

Name (print) Craig McGrath		Signature*	
			
Date			
Position	Head of Strategy and Business Development, Containerised Freight	Organisation (if a business or organisation)	Aurizon Operations Limited
Email	craig.mcgrath@aurizon.com.au		
Address	Level 8, 900 Ann Street		
	Fortitude Valley	Queensland	4006

PART E – Nominated contact

<p>Contact details for proponent contact (provide the details for the person who will be corresponding with the NT EPA on the proposal)</p>	<p><i>Business name: Aurizon Operations Limited</i> <i>Name of primary contact: Karl Boron, Manager Real Estate Development</i> <i>Physical address: Level 8, 900 Ann Street, Fortitude Valley, Queensland 4006</i> <i>Postal address: GPO Box 456, Brisbane Queensland 4001</i> <i>Phone: 0408 772 530</i> <i>Email: karl.boron@aurizon.com.au</i></p>
<p>Contact details of consultant (if relevant, provide the details for the person who will be corresponding with the NT EPA on the proposal on behalf of the proponent)</p>	<p><i>Business name: SLR Consulting Australia Pty Ltd</i> <i>Name of primary contact: Craig Smith</i> <i>Physical address: 21, Parap Rd, Parap NT 0820</i> <i>Postal address: Same as above</i> <i>Phone: 0433 065 777</i> <i>Email: csmith@slrconsulting.com</i></p>

Checklist 1 – Cross reference of matters addressed in the referral report (for more detail see Table 1 in section 3.3.1 and section 4 of the Referring a proposal to the NT EPA guidance)

Item	See Referral guidance for complete information requirements	Report section/page
<i>Publication statement</i>	Provide name and qualifications of relevant contributors to the referral.	Appendix Q
<i>Executive summary</i>	Overview of the proposal, its potential for significant impact and key conclusions.	Page ii
<i>Introduction</i>	Include a brief introduction to the proposal and the proponent (noting proponent details are also to be included in the referral form).	Section 1
<i>Proposal description - Key components</i>	<p>Provide a clear and detailed description of the proposal, referencing maps and spatial information.</p> <p>Provide a key components summary table.</p> <p>Identify uncertainty / likely changes if particular elements of a proposal require further design at the time of referral.</p> <p>Provide an account of past, present and reasonably foreseeable future development, operations, or industries that are related the current proposal.</p>	Section 3
<i>Proposal description - Location and regional context</i>	Location and regional context.	Section 2
<i>Proposal description - Alternatives (options)</i>	<p>Describe any alternatives (location, timeframes, activities) considered or are under consideration in scoping and developing the proposal.</p> <p>Describe how the analysis of alternatives accounted for the <i>principles of environment protection and management</i> (Part 2 of the EP Act).</p> <p>Justification for the preferred/selected option.</p> <p>Describe any assumptions critical to your assessment.</p>	Section 6
<p><i>Proposal description - Application of the:</i></p> <ul style="list-style-type: none"> - <i>Principles of environment protection and management (Part 2)</i> - <i>General duty of proponents (s43)</i> 	<p>Discuss how the proposal accounts for the <i>principles of environment protection and management</i> (Part 2 of the EP Act) and the general duty of proponents provided for under section 43 of the EP Act:</p> <ul style="list-style-type: none"> • Principles of ecologically sustainable development • Environmental decision-making hierarchy • Waste management hierarchy. 	Section 16
<p><i>Consultation</i></p> <p>Refer to NT EPA Stakeholder Engagement guidance 2020</p>	<p>The EP Act (section 3 and section 43) puts an obligation on the proponent to consult with stakeholders and the community in the development of the proposal.</p> <p>As an example, the referral should include:</p> <ul style="list-style-type: none"> • a description of stakeholder engagement and community consultation undertaken • an outline of the method and process of consultation with stakeholders • a summary of the key matters raised during consultation • any changes made as a result of consultation • the ongoing consultation, and options for feedback • whether the consultation has or has not been undertaken in accordance with NT EPA guidance on Stakeholder Engagement 2020 	Section 7

Item	See Referral guidance for complete information requirements	Report section/page
	<ul style="list-style-type: none"> whether the consultation has or hasn't been undertaken in accordance with the section 43 (EP Act) general duty of proponents (see Checklist 2). 	
<i>Strategic and statutory context</i>	Table discussing proposal specific legislation, policies, and guidelines that are and may be applicable to the proposal and the sequencing and status of those, is provided.	Section 4
<i>Environmental Factors</i>	<p>The remaining sections below relate to information that describes the potential impacts of the proposal on the NT EPA's Environmental factors.</p> <p>Information requirements for each environmental factor identified by the pre-referral screening tool are provided (any technical studies and surveys included).</p>	Section 9-13
<i>Environmental Factors and objectives</i> Presence/absence of environmental values	<p><i>Repeat for each NT EPA Factor being considered for your proposal/referral</i></p> <p>The presence or absence of relevant environmental values and sensitivities are verified.</p> <p>Specify the source of information (e.g. desktop assessments, and/or field surveys, the methods used, dates, sources, and whether the approach is conducted in accordance with relevant regulatory and industry guideline.</p>	Section 9-13
<i>Environmental Factors and objectives</i> Potential impacts and consistency with relevant policy/guidance	<p><i>Repeat for each NT EPA Factor being considered for your proposal/referral</i></p> <p>Assessment of potential impacts (positive, negative, direct, indirect, cumulative, short and long-term) of the proposal.</p> <p>Relevant policy and guidance described.</p> <p>Residual / remaining impact to the environmental factor described.</p>	Section 9-13
<i>Environmental Factors and objectives</i> Environment protection and management	<p><i>Repeat for each NT EPA Factor being considered for your proposal/referral</i></p> <p>Describe in terms of management hierarchies:</p> <ul style="list-style-type: none"> measures proposed to avoid, mitigate or offset (if appropriate) effectiveness of proposed measures and the level of confidence of implementation whether the NT EPA's objective for the environmental factor is likely to be met. 	Section 9-13
<i>Environmental Factors and objectives</i> Cumulative impacts	<p><i>Repeat for each NT EPA Factor being considered for your proposal/referral</i></p> <p>Describe potential cumulative impacts.</p>	Section 15

Checklist 2 – Consideration of the Proponent’s general duty (in accordance with section 43 of the EP Act)

Section 43 General duty	Done	Comment
The following principles of ecologically sustainable development must be taken into consideration in the design of the proposed action.		Provide comment here
<ul style="list-style-type: none"> Decision-making principle 	<input checked="" type="checkbox"/>	Refer to Table 35
<ul style="list-style-type: none"> Precautionary principle 	<input checked="" type="checkbox"/>	Refer to Table 35
<ul style="list-style-type: none"> Principle of evidence-based decision-making 	<input checked="" type="checkbox"/>	Refer to Table 35
<ul style="list-style-type: none"> Principle of intergenerational and intergenerational equity 	<input checked="" type="checkbox"/>	Refer to Table 35
<ul style="list-style-type: none"> Principle of sustainable use 	<input checked="" type="checkbox"/>	Refer to Table 35
<ul style="list-style-type: none"> Principle of conservation of biological diversity and ecological integrity 	<input checked="" type="checkbox"/>	Refer to Table 35
<ul style="list-style-type: none"> Principle of improved valuation, pricing and incentive mechanisms 	<input checked="" type="checkbox"/>	Refer to Appendix B
The following management hierarchies must be taken into consideration in the design of the proposed action.		Provide comment here
<ul style="list-style-type: none"> Environmental decision-making hierarchy 	<input checked="" type="checkbox"/>	Refer to Section 16.2
<ul style="list-style-type: none"> Waste management hierarchy 	<input checked="" type="checkbox"/>	Refer to Section 16.2
Other section 43 considerations		
<ul style="list-style-type: none"> Have communities that may be affected by the proposed action been provided with information and opportunities for consultation? 	<input checked="" type="checkbox"/>	Refer to Table 36
<ul style="list-style-type: none"> Has consultation with affected communities, including Aboriginal communities’ been undertaken in a culturally appropriate manner? 	<input checked="" type="checkbox"/>	Refer to Table 36
<ul style="list-style-type: none"> Has community knowledge and understanding (including scientific and traditional knowledge and understanding) of the natural and cultural values of areas that may be impacted by the proposed action been sought and documented? 	<input checked="" type="checkbox"/>	Refer to Table 36
<ul style="list-style-type: none"> Have Aboriginal values and the rights and interests of Aboriginal communities’ been addressed in relation to areas that may be impacted by the proposed action? 	<input checked="" type="checkbox"/>	Refer to Table 36