



28 January 2026

Northern Territory Environment Protection Authority  
Level 1, Arnhemica House  
16 Parap Road  
Parap NT 0820

### **Submission in relation to the Muckaty Solar Precinct – Additional information**

1. The Northern Land Council (NLC) makes the following submissions to the Northern Territory Environment Protection Authority (NT EPA) with respect to the additional information provided by AAPowerLink Australia Assets Pty Ltd (**Proponent**) on 24 December 2025 (**Additional Information**). This Additional Information relates to the size of the footprint of the planned development of a large-scale solar generation and battery energy storage system precinct located on Muckaty Aboriginal Land Trust (ALT) (NT Portion 5173) (the **Proposal**).
2. Due to the timing and duration of the consultation period for the Additional Information, the NLC has not been able to meaningfully consult with the traditional Aboriginal owners for Muckaty ALT about the content of the Proponent's Additional Information, and therefore this submission expresses the views held by the NLC, not the individual traditional Aboriginal owners.
3. In relation to the Proposal, the NLC has made submissions to:
  - (a) the NT EPA on 1 December 2025 (**Initial Submission**); and
  - (b) the Department of Climate Change, Energy, the Environment and Water (DCCEEW) on 3 December 2025 in relation to the Proponent's referral under the *Environmental Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Number: 2025/10357) (**EPBC Submission**).
4. In the EPBC Submission the NLC noted the discrepancies between the description of the 'Project Area' and 'Disturbance Footprint' that was provided to DCCEEW and to the NT EPA. In the Additional Information, the Proponent has clarified that the reason for the discrepancy was due to an omission of the "proposed access and services corridor" when calculating the 'Disturbance Footprint' and the 'Project Area'.
5. The Proponent has now confirmed that the 'Project Area' is 135,857ha. This area represents 61% of the Muckaty ALT (which has a total area of 221,100ha). The Proponent has also confirmed that the 'Disturbance Footprint' is 54,437ha, representing 24.6% of the Muckaty ALT.

6. As set out in the Initial Submission, the NLC has noted the Proposal involves significant land clearing within the Barkly region where there is limited industrial development. With the Additional Information the NLC summarises the recent and upcoming proposed land clearing in the Barkly region and proximate to Muckaty ALT as follows:

Land clearing (ha)	Location	Purpose	Proximity to Muckaty ALT
53,437	Muckaty ALT	'Disturbance Footprint' of the Proposal	-
TBC	Muckaty ALT	According to Additional Information, non-process infrastructure may be located within the 'Project Area' of the Proposal (see page 2 of Additional Information)	-
12,403 <sup>1</sup>	Powell Creek Pastoral Lease	Proponent's Solar Generation Precinct and non-process infrastructure	Powell Creek Pastoral Lease is located immediately north of Muckaty ALT
4,977.42	Helen Springs Pastoral Lease	Pastoral purposes	Helen Springs Pastoral Lease is located immediately east of Muckaty ALT
4,186.99	Powell Creek Pastoral Lease	Pastoral purposes	Powell Creek Pastoral Lease is located immediately north of Muckaty ALT
4,438.1	Tandyidgee Pastoral Lease	Pastoral purposes	The SW boundary of Tandyidgee Pastoral lease is located approximately 40km NE of Muckaty ALT
2,303.3 (Currently under assessment with Pastoral Land Board)	Tandyidgee Pastoral Lease	Pastoral purposes	The SW boundary of Tandyidgee Pastoral lease is located approximately 40km NE of Muckaty ALT
<b>81,745.81ha in total</b>			

7. As shown in the table above, it is anticipated that the total land clearing within the Barkly region is equal to 81,745.81 hectares, without including additional non-process infrastructure required for the Proposal. By contrast, the municipal area of Darwin encompasses 11,200ha – one seventh of the size of this proposed clearing. As our Initial Submission outlines, it is critical that the NT EPA considers the direct, indirect and

<sup>1</sup> See Environmental Approval EP2020/002-001 issued on 14 July 2024, Table 1, page 3.

cumulative impacts caused by large-scale land clearing including the destruction of habitats and the risk of disturbance and/or harm to cultural heritage values.

8. The importance of considering the cumulative impacts of a project has been recently considered in the Samuel Report when reviewing the effectiveness of the EPBC Act's approach to assess environmental impact on a project-by-project basis. As noted in that report:

*Cumulative impacts on and threats to the environment are often not well managed under the current settings. Assessment and approval decisions are largely made on a project-by-project basis, with the assessment of impacts largely done in isolation of other current or anticipated projects. This approach underestimates the broadscale cumulative impacts that development can have on a species, ecosystem or region. Each individual development may have minimal impact on the national environment, but their combined impact can result in significant long-term damage.*<sup>2</sup>

9. The Additional Information states that it is the Proponent's intention that the 'Disturbance Footprint' covers the area where "*direct impacts from land clearing and development could occur,*"<sup>3</sup> and that the "*corrections and clarifications do not result in any new or altered impacts.*"<sup>4</sup> However, the Proponent also notes in the Additional Information that "*it is possible that preferred locations for non-process infrastructure could be outside the preliminary Disturbance Footprint shown in the Referral,*"<sup>5</sup> which means that there may be direct impacts from land clearing and development outside the 'Disturbance Footprint' and outside the scope of the referral.
10. The NLC notes the Proponent's ongoing commitment to engage and consult with the NLC and traditional Aboriginal owners to delineate the location of the infrastructure on Muckaty ALT. For example, there is an existing haulage road and railway siding on the ALT that is located within the Proponent's 'proposed access and services corridor'. It will be a decision for the traditional Aboriginal owners, considering a range of factors (including any existing legal agreements in relation to the area) to determine whether this is an appropriate access and services corridor. This will form part of the negotiations between traditional Aboriginal owners and the Proponent.
11. In relation to the placement on non-process infrastructure, the Proponent states that it "*does not anticipate changes that would constitute a 'significant variation' to the proposal under the NT EP Act.*"<sup>6</sup> It is the NLC's view that whether or not a significant variation will arise should be considered when further information is known. The definition of 'significant variation' includes a variation that "will result in new or additional areas being subject to a potential significant impact on the environment". If the referral is only based on "*the*

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<sup>2</sup> Samuel, G, Interim report on the independent review of the EPBC Act, 24 July 2020, p21

<sup>3</sup> See Additional Information, page 1.

<sup>4</sup> See Additional Information, page 2.

<sup>5</sup> See Additional Information, page 2.

<sup>6</sup> See Additional Information, page 3.

*Disturbance Footprint, not the Project Area*<sup>7</sup> then locating infrastructure outside of that area may indeed be a significant variation.

12. As set out in our Initial Submission, regulation 59 of the *Environmental Protection Regulations 2020* (NT) (**EP Regulations**) require the NT EPA to consider certain criteria when determining the type of assessment that is required. The NLC submits that the Additional Information confirms that, based on the significant land clearing alone, the Proposal:
  - (a) will have significant impact on the Barkly region; and
  - (b) given that there are no known projects within the Northern Territory with comparable land clearing, the existing knowledge on the impacts of land clearing at this scale is limited and the methods for avoiding, mitigating and managing potential significant impacts are untested.
13. The NLC's maintains its position and submits that the Proposal requires an assessment by environmental impact statement in accordance with Division 6 of Part 5 of the EP Regulations.
14. It is also the NLC view that further community engagement is required to explain the details of the Proposal (including the direct, indirect and cumulative impacts) to the traditional Aboriginal owners and the community to ensure that all possible cultural and environmental impacts are well understood. The NLC refers to the submission made by the Aboriginal Areas Protection Authority to the Proposal's referral which notes that "*there has been limited research in the proposal area and consequently knowledge regarding Aboriginal sacred sites is limited and does not cover the whole of the subject land.*"<sup>8</sup> The NLC understand that the Proponent intends to schedule further engagement and looks forward to working with the Proponent to ensure free, prior, informed consent to any Proposal from traditional Aboriginal owners as well as strong protections for all cultural values of Muckaty ALT.
15. Please direct any queries you have in relation to this matter to Sophie McLeod at [McLeoS@nlc.org.au](mailto:McLeoS@nlc.org.au).

Yours sincerely



Catherine McLeish  
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<sup>7</sup> See Additional Information, page 1 and Annexure 2-2

<sup>8</sup> See submission on referral from Aboriginal Areas Protection Authority:

[https://ntepa.nt.gov.au/\\_data/assets/pdf\\_file/0003/1585317/aapa-submission-muckaty-solar-precinct.PDF](https://ntepa.nt.gov.au/_data/assets/pdf_file/0003/1585317/aapa-submission-muckaty-solar-precinct.PDF)