

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 (legal entity)	INPEX Operations Australia Pty Ltd (for and on behalf of Ichthys LNG Pty Ltd).
Proponent details	<p>Name: Shinichi Takada</p> <p>Position/responsibility: Director</p> <p>Physical address: L22/100 St Georges Terrace, WA 6000</p> <p>Postal address: As above</p> <p>Phone: 6213 6000</p> <p>Email: Shinichi.Takada@Inpex.com.au</p>
Proponent Trading Name if relevant	Not relevant
Australian Business Number/s Australian Company Number/s	ACN: 150 217 262 ABN: 48 150 217 262
Provide a description of the organisational structure with respect to responsibility of the proposed action, environmental approvals and implementation.	INPEX Operations Australia Pty Ltd is the Operator of Ichthys LNG Pty Ltd.
Joint-venture partners (if applicable)	<p>Name: Ichthys LNG Pty Ltd</p> <p>Physical address: Level 22, 100 St Georges Terrace, PERTH WA 6000</p> <p>Postal address: As above.</p> <p>Phone: 08 6213 6000</p> <p>Email: enquiries@inpex.com.au</p>

PART B - Outline of the proposal and location	
Outline of the Proposed action or strategic proposal (proposal)	
Title of the proposal	Ichthys LNG Maintenance Dredging Program 2023-2027
Provide a brief summary (one or two paragraphs) of the proposal including the activity type/ industry/ duration.	In 2018 INPEX Operations Australia Pty Ltd obtained relevant approvals to undertake maintenance dredging activities, as required, within the existing dredged footprint in Darwin Harbour over a five-year period. To date no maintenance dredging activities have been required to be undertaken; however, it is anticipated

	<p>that at some stage during the next five-years such activities would be required.</p> <p>The proposal allows for a maximum of 1.5 Mm³ of material to be dredged during the life of the approval (i.e. nominally five years), with no single campaign to exceed 0.75 Mm³. The total volume of 1.5 Mm³ is considered worst-case and includes a planned maintenance dredging campaign and up to four contingency campaigns. These campaigns may be undertaken at any time within the five-year period.</p>
Location	
<p>Provide location details as:</p> <ul style="list-style-type: none"> street address, suburb tenement, lot/section numbers, town/hundred, NT Portion or pastoral lease numbers, as applicable the nearest town, recognisable feature, and distance and direction from that town/feature to the site of the proposed action. <p>If the proposal includes several locations, provide location details for each location. For example, a mine at location 1 and a processing site at location 2.</p>	<p>N/A</p> <p>Dredge area – NT Portion 7168</p> <p>Dredge spoil disposal area (DSDA) – NT Portion 7634 (A) Beagle Gulf</p> <p>The dredge area lies within East Arm, Darwin Harbour, adjacent to the onshore Ichthys LNG facility and East Arm Wharf. The nearest sensitive human receptors include Marlow Lagoon residents (~6.5km) and Darwin Wharf Precinct (~3.5km).</p> <p>The DSDA is located to the north of Darwin Harbour, within the Beagle Gulf, approximately 12 km north-west of Lee Point.</p>
<p>Name of the Local Government Area/s in which the proposal is located.</p>	<p>Not applicable. All works are located in either Darwin Harbour or Beagle Gulf.</p>
<p>What is the land tenure type?</p>	<p>Dredge area - Vacant Crown Land</p> <p>DSDA – Vacant Crown Land</p>
<p>Does the proponent have the legal (land) access required for the implementation of all aspects of the proposal?</p>	<p><input checked="" type="checkbox"/> No</p> <p>If no, provide details of legal access authorisations /agreements / tenure is required and from whom.</p> <p>However, INPEX is in the process of renewing its Occupation Licence of the DSDA and obtaining/renewing the Development Permit for maintenance dredging activity in Darwin Harbour.</p> <p><input type="checkbox"/> Yes</p> <p>If yes, provide an indication of legal access authorisations / agreement / tenure.</p>
<p>Is the land zoned under the NT Planning Scheme?</p>	<p><input checked="" type="checkbox"/> No</p>

	<p>The proposed dredge area does not fall under any planning zone; however, it is located wholly within the NT Planning Scheme 2020 “Darwin Harbour Dredging Overlay”.</p> <p>The DSDA is located outside of the NT Planning Scheme boundaries and Darwin Harbour, in the Beagle Gulf.</p> <p><input type="checkbox"/> Yes</p> <p>If yes, what is/are the zoning/s?</p>
<p>What is the current land use of the proposal site/s?</p>	<p>The dredge area is a previously disturbed area, which was dredged during the INPEX capital dredging program. Current uses of the area include commercial shipping (predominantly product tankers associated with Ichthys LNG) and recreational boating. In addition, fishing and scuba-diving are likely to be undertaken on wreck/sunken aircraft sites located adjacent to the dredge area.</p> <p>The proposed DSDA was previously used as a spoil disposal area during the INPEX capital dredging program. No other spoil disposal activities have been undertaken in the area since the completion of the capital program. Uses of the area include commercial shipping and recreational boating.</p>
<p>What is the approximate distance (direct line) and direction to the closest human sensitive receptor?</p> <p>For example, residence, accommodation, hospital, school, homeland from the proposal.</p>	<p>The dredge area lies within East Arm, Darwin Harbour, adjacent to the onshore Ichthys LNG facility and East Arm Wharf. The nearest sensitive human receptors include Marlow Lagoon residents (~6.5km) and Darwin Wharf Precinct (~3.5km).</p> <p>The DSDA is located to the north of Darwin Harbour, within the Beagle Gulf, approximately 12 km north-west of Lee Point.</p>
<p>Consultation</p>	
<p>Provide an overview of consultation undertaken specific to the proposal and potential environmental impacts.</p>	<p>Stakeholder consultation for the proposed maintenance dredging activity was undertaken to inform the development of the Maintenance Dredging and Spoil Disposal Management Plan (Maintenance DSDMP) and applicable approval documentation (referral and waste discharge licence application).</p> <p>As part of the pre-referral engagement both broad and targeted (key aspects/issues) engagement was undertaken. Targeted engagement was undertaken in relation to the following aspects/issues:</p> <ul style="list-style-type: none"> • heritage management • biosecurity management • protected marine megafauna management

	<ul style="list-style-type: none"> • cumulative impact assessment (i.e. request for details of other planned dredging programs). <p>The complete stakeholder register, outlining stakeholders who were consulted during the pre-referral stage and any relevant information that was provided to them for consideration, is presented in Appendix D of the Referral Report.</p> <p>Further, the Maintenance DSDMP (including impact assessment supporting the Referral Report) were reviewed by third-party independent experts (benthic ecologist, coral and dredging specialists). Refer to Section 1.2, Table 1-2 of the Referral Report.</p>
<p>List the matters raised in consultation and identify how the proposal has been modified to respond to stakeholder feedback.</p>	<p>A summary of matters raised by stakeholders and where changes/updates have been made to management documents or considered in the assessment are provided in Section 7.2 of the Referral Report.</p> <p>Matters raised by third-party reviewers and how these were addressed is provided in Appendix B of the Referral Report.</p>

PART C – Referral type	
<p>What type of proposal is being referred?</p>	<p><input checked="" type="checkbox"/> proposed action</p> <p><input type="checkbox"/> strategic proposal</p> <p><input type="checkbox"/> proponent initiated EIS referral</p>
<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.</p> <p>Refer to section 11 of the EP Act and the NT EPA's environmental factors and objectives.</p>	<p>The proposal has the potential to impact on the following environmental factors:</p> <ul style="list-style-type: none"> • marine environmental quality • marine ecosystems • culture and heritage. <p>Refer to Section 4 (NT EPA environmental factors and values assessment) of the Referral Report. Further, the proposal has the potential for cumulative impacts in the event that concurrent dredging operations are occurring in Darwin Harbour.</p>
<p>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)?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Maintenance dredging was considered as part of the broader Ichthys Project Approval (EPBC 2008/4208; refer to Section 1.5.1 of the</p>

	<p>Maintenance Dredging and Spoil Disposal Management Plan for further information).</p> <p>As per EPBC 2008/4208 Condition 10, the Maintenance Dredging and Spoil Disposal Management Plan associated with the proposal will be submitted to the Department of Climate Change, Energy, the Environment and Water for approval.</p>
Has the proposed action been referred?	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, provide the date referred and reference number (EPBC number)?</p> <p>Date: EPBC number:</p> <p>Refer above.</p>
If referred, has a decision been made on whether the proposed action is a controlled action?	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, check the appropriate decision outcome and provide the decision in an attachment.</p> <p><input type="checkbox"/> Decision – controlled action</p> <p><input type="checkbox"/> Decision – not a controlled action</p> <p>Refer above.</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.

Who is referring this proposal?	<p><input checked="" type="checkbox"/> Proponent</p> <p><input type="checkbox"/> Authorised representative within proponent entity</p>
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?	<p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes</p> <p>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</p>

Referral declaration by proponent:

I,**Shinichi Takada**....., (full name) declare that I am authorised to refer this proposed action/strategic proposal on behalf of INPEX Operations Australia Pty Ltd, 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) Shinichi Takada		Signature*	
Date 17 August 2022			
Position	Director	Organisation (if a business or organisation)	INPEX Operations Australia Pty Ltd
Email	enquiries@inpex.com.au		
Address	Level 22, 100	St Georges Terrace	
Perth		WA	6000
PART E – Nominated contact			
Contact details for proponent contact (provide the details for the person who will be corresponding with the NT EPA on the proposal)	<i>Business name:</i> INPEX <i>Name of primary contact:</i> Obelia Akerman <i>Physical address:</i> Level 22, 100 St Georges Terrace, PERTH WA 6000 <i>Postal address:</i> As above <i>Phone:</i> 08 6213 6000 <i>Email:</i> obelia.akerman@inpex.com.au		
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)	N/A		

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.	Section 1.2/page 21-22
<i>Executive summary</i>	Overview of the proposal, its potential for significant impact and key conclusions.	Executive Summary/xiii-xix
<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/page 20
<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 2/pages 23-33
<i>Proposal description - Location and regional context</i>	Location and regional context.	Section 2.2/pages 24-27
<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 2.5/pages 31-33
<i>Proposal description - Application of the:</i> <ul style="list-style-type: none"> - <i>Principles of environment protection and management</i> (Part 2) - <i>General duty of proponents</i> (s43) 	<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 2.3/pages 27-30 Section 6/ 90-129
<i>Consultation</i> Refer to NT EPA Stakeholder Engagement guidance 2020	<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 	Section 7/pages 130-134 Appendix D & E

Item	See Referral guidance for complete information requirements	Report section/page
	<ul style="list-style-type: none"> 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 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 6/pages 90-129
<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 4
<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 4/pages 73-74
<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 6/pages 90-129
<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 6/pages 90-129
<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 6/pages 90-129

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.		
<ul style="list-style-type: none"> Decision-making principle 	✓	
<ul style="list-style-type: none"> Precautionary principle 	✓	
<ul style="list-style-type: none"> Principle of evidence-based decision-making 	✓	
<ul style="list-style-type: none"> Principle of intergenerational and intergenerational equity 	✓	
<ul style="list-style-type: none"> Principle of sustainable use 	✓	
<ul style="list-style-type: none"> Principle of conservation of biological diversity and ecological integrity 	✓	
<ul style="list-style-type: none"> Principle of improved valuation, pricing and incentive mechanisms 	✓	
The following management hierarchies must be taken into consideration in the design of the proposed action.		
<ul style="list-style-type: none"> Environmental decision-making hierarchy 	✓	
<ul style="list-style-type: none"> Waste management hierarchy 	✓	
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? 	✓	
<ul style="list-style-type: none"> Has consultation with affected communities, including Aboriginal communities’ been undertaken in a culturally appropriate manner? 	✓	
<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? 	✓	
<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? 	✓	