

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>	Blue Carbon S2C Pty Ltd (BC-S2C)
Proponent details	<i>Name:</i> Mr Richard Phillips <i>Position/responsibility:</i> Chief Scientist & Chief Development Officer <i>Physical address:</i> Level 29, Chifley Tower, 2 Chifley Plaza Sydney, NSW, 2000 <i>Postal address:</i> As above <i>Phone:</i> +61 2 9231 8667 <i>Email:</i> richie@bluecarbons2c.com
Proponent Trading Name if relevant	BC-S2C
Australian Business Number/s	ABN 58 657 919 330
Australian Company Number/s	ACN 657 919 330
Provide a description of the organisational structure with respect to responsibility of the proposed action, environmental approvals and implementation.	The BC-S2C organisational structure can be summarised as: <ol style="list-style-type: none"> 1. Head company - Blue Carbon S2C Pty Ltd with several subsidiary companies relevant to this referral. 2. Project operating companies: <ol style="list-style-type: none"> a. BlueCarbon OnCountry P/L (BC-OC) – BC-OC will be the primary provider of operation and maintenance (O&M) services at the Blue Carbon Institute and will provide most of the labour, equipment and services . BC-OC is jointly owned by BC-S2C and Indigenous shareholders (49% owned by BC-S2C and 51% Indigenous – in stages). There are several Aboriginal Directors on BC-OC board who are traditional owners within the proposed Blue Carbon Ecosystem Restoration (BCER) Project sites. Their role is to ensure social, economic, cultural and environmental benefits flow to Aboriginal people from the BCER projects. b. The Blue Carbon Institute will provide the project with research, trained teams, equipment, labs and plants required for the restoration projects. It will provide the following: Research Facility and Carbon MRV Lab for GHG measurement, reporting and verification, Training Facility, Nursery Facility, Nursery Lab and Community Nurseries support, Mobile Camps and Marine Services (100% owned by BC-S2C, incorporation pending). c. BlueCarbon Operations (BC-O) (100% owned by BC-S2C, incorporation pending) and BC-O GOC South – this will be the operating company that manages the project delivery. d. BC-TRADE (Oz Trading Co -AFSL Licence [ACCU's] (100% owned by BC-S2C, incorporation pending).

	<p>e. Other entities involved will be linked to the projects finance and technology use (100% owned by BC-S2C, incorporation pending).</p> <p>The BC-O team is responsible for all environmental approvals, program & project development. BC-OC is responsible for implementing each BC-S2C Program and Project. The BC-S2C Chief Scientist and CDO leads the BC-O Team & answers to the BC-S2C CEO who answers to the BC-S2C board.</p>
Joint-venture partners (if applicable)	<p><i>Name:</i> <i>The entity</i> BlueCarbon OnCountry (BC-OC) – BC-OC is not a legally defined JV, but is jointly owned by BC-S2C and Indigenous shareholders (49% owned by BC-S2C and 51% Indigenous – in stages) and will jointly work with local ranger groups etc.</p> <p><i>Physical address:</i> <i>Level 29, Chifley Tower, 2 Chifley Plaza Sydney, NSW, 2000</i></p> <p><i>Postal address:</i> <i>As above</i></p> <p><i>Phone:</i> <i>+61 2 9231 8667</i></p> <p><i>Email:</i> <i>info@bluecarbons2c.com</i></p>

PART B – Outline of the proposal and location

Outline of the Proposed action or strategic proposal (proposal)

Title of the proposal	Blue Carbon Ecosystem Restoration Research Pilot Project
Provide a brief summary (one or two paragraphs) of the proposal including the activity type/ industry/ duration.	<p>The activity type is Blue Carbon Ecosystem Restoration (BCER). The five main activity steps of a restoration project include: 1. Site identification of mangrove, saltmarsh, and supratidal forest habitats (i.e., Blue Carbon Ecosystems (BCE)) that are degraded or, at risk of further decline from either human, or natural causes. 2. Eco-hydrology and feasibility studies 3. Restoration actions where specific restoration action or actions are carried out like hydrological rehabilitation that restores the hydrology by reconnecting water flows like de-silting natural canals and creating new canals, topographical rehabilitation, preventative management restoration and reforestation. 4. Project MRV - monitoring, reporting and verification. 5. Claim and trade carbon credits and pay royalties to landowners, taxes, suppliers, wages etc.</p> <p>The proposal will deliver a research study of BCER techniques across six (6) hectares (ha) on Kangaroo Island (NT Portion 2433).</p>

Location	
Provide location details as: <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. 	The NT Gulf of Carpentaria Kangaroo Island on NT Portion 2433. Refer to Figure 1-1 in the Referral report.
	NT Portion 2433 which s administered by the NT Commissioner of Consumer Affairs. A high level overview of land tenure is provided in Table 3-1 of the Referral report.
	The nearest towns or places of interest pertinent to the proposal include: <ul style="list-style-type: none"> • King Ash Bay. • Borroloola.
Name of the Local Government Area/s in which the proposal is located.	Roper Gulf Regional Council
What is the land tenure type?	NT 2433 is currently administered by the NT Commissioner of Consumer Affairs and covered by a Crown Lease.
Does the proponent have the legal (land) access required for the implementation of all aspects of the proposal?	<input type="checkbox"/> <input checked="" type="checkbox"/> Yes for initial project assessment. The proponent has obtained a signed land access agreement with the Ngimirringki and jungkayi permitting initial site assessments and baseline. A Crown Lease Permit may be required from Crown Lands Estate under the NT <i>Crown Lands Act 1992</i> to complete the research pilot project on Kangaroo Island.

Is the land zoned under the NT Planning Scheme ?	<input type="checkbox"/> No - but does fall under an Indigenous Protected Area.
What is the current land use of the proposal site/s?	The site is not subject to any commercial grazing or pastoral activity. No other land use exists at the site.
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 human sensitive receptor is a property belonging to a traditional custodian. It is located about 10km to the south of the proposed research pilot project site (on Kangaroo Island). According to consultation with the owner of that property, it is not inhabited on a full time basis.
Consultation	
Provide an overview of consultation undertaken specific to the proposal and potential environmental impacts.	<p>BC-S2C began engaging its key stakeholders on June 1, 2022. Since then, we have proactively met with several Commonwealth, Territory government departments, traditional owners, landowners (who are also traditional owners), non-government organisations and research institutions. Our focus has been to educate and raise awareness on “what is blue carbon”, “who are BC-S2C” and, “what we are proposing to do regarding the projects and the proposed Institute at Black Rock Landing.</p> <p>The Proponent follow’s its internal Communication Policy and Corporate Stakeholder Engagement and Communication Plan to identify key stakeholders. The SECP is a tool to identify stakeholders, first those most impacted and then second those further afield at the following levels:</p> <ul style="list-style-type: none"> • Traditional Owners. • Landowners (who include Traditional Owners). • Local Government. • State / Territory Government. • Commonwealth Government. • Neighbouring communities. • Suppliers / contractors.

	<ul style="list-style-type: none"> • Industry groups. • Clients. • NGO's. • Politicians. • Media. • Potential employees.
<p>List the matters raised in consultation and identify how the proposal has been modified to respond to stakeholder feedback.</p>	<p>The main questions and levels of interest raised during several face to face and virtual meetings from all stakeholders are:</p> <ul style="list-style-type: none"> • What is blue carbon and what is involved? • What is the expected duration of the projects? • What do project co-benefits mean? • What are the potential jobs & businesses opportunities for local people? • What skills are needed to work for BC-S2C? • How long will the different stages of the project take? <p>The Proponent has utilised its factsheets, website, and a short video to communicate answers to the above questions. At this stage, there is neutral to broad support for the proposal and, a recognition that it is “creating jobs, business opportunities, royalties and giving back to the environment instead of taking from it” (pers comm, Traditional Owner August, 2022).</p>

PART C – Referral type	
<p>What type of proposal is being referred?</p>	<input type="checkbox"/> proposed action
<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>For this Referral, the impact described below responds to the NT EPA question which is interpreted by the proponent as having a “negative” significant impact on the environment. In the proponent’s considered opinion, the proposal has the potential to result in several “positive” significant environmental impacts which outweigh negative impacts. The potential for net-positive environmental and socio-economic impacts are discussed within the Referral report.</p> <p>Potential significant “negative” environmental impact</p> <p>The proposed hydrological rehabilitation that restores the hydrology by reconnecting water flows like desilting natural canals and creating new canals will potentially occur in areas that are mapped as having Potential Acid Sulphate Soils or Actual Acid Sulphate Soils. This activity has inherent environmental risks which require careful planning and operational management to prevent acidification of sediments and water within blue carbon ecosystems it proposes to restore.</p>

	<p>The proponent has mapped the location of known fauna species that are either protected, rare, threatened or endangered. These species and their habitats will be avoided because the proposal's objectives are to conserve and enhance local and regional biodiversity making this aspect a significant long-term co-benefit for each project site. To manage any potential adverse impacts on local biodiversity, the proponent will append a Biodiversity Management Plan to the project's EAR.</p> <p>BCER projects by their actions are known to improve biodiversity.</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"/> No</p>
<p>Has the proposed action been referred?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, provide the date referred and reference number (EPBC number)?</p> <p>Date: <i>A referral will be issued to the Department of Climate Change Energy Environment and Water in May 2023</i></p>
<p>If referred, has a decision been made on whether the proposed action is a controlled action?</p>	<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>

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?</p>	<p><input checked="" type="checkbox"/> Proponent</p> <p><input type="checkbox"/> Authorised representative within proponent entity</p>
<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>	<p><input type="checkbox"/> No</p>

Referral declaration by proponent:

I, Richard Phillips declare that I am authorised to refer this proposed action/strategic proposal on behalf of Blue Carbon S2C, and further declare that:

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.

- 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: Mr Richard Phillips		Signature* 	
Date: 9 May 2023			
Position	Chief Scientist & Chief Development Officer	Organisation (if a business or organisation)	Blue Carbon S2C Pty Ltd
Email	richie@bluecarbons2c.com		
Address	Level 29, Chifley Tower,	2 Chifley Plaza	
Sydney		NSW	2000

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>	<i>Blue Carbon S2C Pty Ltd</i>
	<i>Name of primary contact:</i>	<i>Mr Richard Phillips</i>
	<i>Physical address:</i>	<i>Level 29, Chifley Tower, 2 Chifley Plaza, Sydney NSW 2000</i>
	<i>Postal address:</i>	<i>As above</i>
	<i>Phone:</i>	
	<i>Email:</i>	
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)	<i>Business name:</i>	<i>As above</i>
	<i>Name of primary contact:</i>	
	<i>Physical address:</i>	
	<i>Postal address:</i>	
	<i>Phone:</i>	
	<i>Email:</i>	

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.	Page 10
<i>Executive summary</i>	Overview of the proposal, its potential for significant impact and key conclusions.	Pages 11-17
<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>	<p>Section 3</p> <p>Table 3-1</p> <p>Section 3.9</p> <p>Section 1</p>
<i>Proposal description - Location and regional context</i>	Location and regional context.	Section 3.2, Section 4.1 & 4.2
<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>	<p>Section 5.2</p> <p>Section 6</p> <p>Section 5.2</p> <p>Section 6.2</p>
<i>Proposal description – Application of the:</i> – <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 8
<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 because 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 ● whether the consultation has or hasn't been undertaken in accordance with the section 43 (EP Act) general duty of proponents (see Checklist 2). 	Section 7

Item	See Referral guidance for complete information requirements	Report section/page
<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 2
<i>Environmental Factors</i>	The remaining sections below relate to information that describes the potential impacts of the proposal on the NT EPA's Environmental factors. Information requirements for each environmental factor identified by the pre-referral screening tool are provided (any technical studies and surveys included).	Section 8
<i>Environmental Factors and objectives</i> Presence/absence of environmental values	<i>Repeat for each NT EPA Factor being considered for your proposal/referral</i> The presence or absence of relevant environmental values and sensitivities are verified. 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.	Section 8 and Table 8-2 and Table 8-3
<i>Environmental Factors and objectives</i> Potential impacts and consistency with relevant policy/guidance	<i>Repeat for each NT EPA Factor being considered for your proposal/referral</i> Assessment of potential impacts (positive, negative, direct, indirect, cumulative, short and long-term) of the proposal. Relevant policy and guidance described. Residual/ remaining impact to the environmental factor described.	Section 8 Table 8-4 Table 8-5 Table 8-6
<i>Environmental Factors and objectives</i> Environment protection and management	<i>Repeat for each NT EPA Factor being considered for your proposal/referral</i> Describe in terms of management hierarchies: <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 8 Section 8.4 & Table 8-7
<i>Environmental Factors and objectives</i> Cumulative impacts	<i>Repeat for each NT EPA Factor being considered for your proposal/referral</i> Describe potential cumulative impacts.	Section 8.5

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.	✓	Comments are provided against each principle.
<ul style="list-style-type: none"> Decision-making principle 	✓	The Proponent has undertaken consultation with Traditional Owners (ongoing process) and appointed key personal to fully understand the importance of decision making and cultural heritage practices where land and sea meet. Furthermore, it has completed significant desktop environmental screening and scoping work that has included the assessment of alternative sites against key restoration requirements and criteria that will lead to a final Carbon Estimation Area. This process has allowed the proponent to identify positive and negative impacts associated with implementing the Proposal. Combined, these steps are the foundation of the proponent’s decision-making principle for the Proposal.
<ul style="list-style-type: none"> Precautionary principle 	✓	At this stage of the proposal, there remains some uncertainty as to the extent of acid sulphate soils. In the face of this uncertainty and using the precautionary principle, the proponent has included an Acid Sulphate Soils Plan of Management that will be implemented for the research pilot project.
<ul style="list-style-type: none"> Principle of evidence-based decision-making 	✓	The proposed research eco-hydrology and feasibility studies will define the research pilot project, especially mangroves and their topography, hydrology, physiochemical properties, soil, vegetation etc support evidence based decisions as do the ongoing project monitoring, reporting and verification. <ol style="list-style-type: none"> Phase I– Research study 6 hectares (ha). Phase II– Pilot project. The results of Phase I will be incorporated into Phase II which will cover 1,000 ha on Kangaroo Island. Phase III– landscape scale BCER commencing in GoC South (15,000 ha), followed by GoC Central (500 ha) and GOC North (23,500 ha) with a combined total of 39,000 ha. The results of Phases I and II will be incorporated into Phase III to refine and improve BCER design assumptions and operational performance.
<ul style="list-style-type: none"> Principle of intergenerational and intergenerational equity 	✓	The Proposal would facilitate community connection and capacity building between many local and regional stakeholders. The potential for intergenerational capacity building is a major benefit that will be investigated whilst undertaking the research pilot project and proposed Institute.
<ul style="list-style-type: none"> Principle of sustainable use 	✓	The Proposal would not involve exploiting natural resources.

<ul style="list-style-type: none"> Principle of conservation of biological diversity and ecological integrity 	✓	<p>The very nature of the proposal's objectives and wishes from traditional landowners is to conserve and enhance wetland biological diversity and ecological integrity. If this is achieved, this will lead to intergenerational capacity building and equity.</p>
<ul style="list-style-type: none"> Principle of improved valuation, pricing and incentive mechanisms 	✓	<p>The ongoing project monitoring, reporting and verification (MRV) underpins improved valuation. The ongoing MRV provides the validation and verification of GHG emission reductions or removals used by carbon credit certifiers allowing for them to issue credits. By using our proprietary project platform using block-chain technology, we facilitate increased transparency, accountability, integrity, and pricing.</p> <p>BC-S2C plans to introduce a range of incentive mechanisms (royalties, local jobs, and business opportunities etc) that will be monitored by the relevant project steering committee.</p>
<p>The following management hierarchies must be taken into consideration in the design of the proposed action.</p>		
<ul style="list-style-type: none"> Environmental decision-making hierarchy 	✓	<p>In line with Section 26 of the NT EP Act, the Proponent has considered the design and implementation of the Proposal to avoid adverse impacts on the environment. Where impacts have been identified management measures have been identified in section 7 of the Referral report.</p>
<ul style="list-style-type: none"> Waste management hierarchy 	✓	<p>The proposal is not anticipated to generate any material volumes of waste. Where hydrological restoration generates spoil waste, it will, where technically possible, be re-used onsite during topographical restoration activities. The proponent is experienced in the management of waste and the waste hierarchy. Accordingly, it will follow its internal principles of prevention, minimisation, reuse, recycling and finally disposal across all aspects of its programs and projects.</p>
<p>Other section 43 considerations</p>		
<ul style="list-style-type: none"> Have communities that may be affected by the proposed action been provided with information and opportunities for consultation? 	✓	<p>Yes – the proponent has undertaken face to face meetings in Country with senior representatives who speak for Country with the use of fact sheets, maps, showing examples of the equipment to be used. Follow up meetings via virtual means has also been regular where maps, photos and restoration techniques across the globe have been explained. Information has also been provided via a 4 minute introduction video. That has been supported by project Fact Sheets and the proponent's website and working with local traditional owners and influential local stakeholders to ensure the information is presented in a culturally appropriate way.</p>
<ul style="list-style-type: none"> Has consultation with affected communities, including Aboriginal communities' been undertaken in a culturally appropriate manner? 	✓	<p>Extensive consultation with Aboriginal communities spanning the entire region commenced in June 2022. The most recent engagement occurred in April 2023.</p> <p>Their feedback is important for developing a better understandings of cultural, social, economic and environmental importance where sea and land converge.</p>

		<p>In addition, BC-S2C has engaged a highly experienced Aboriginal Liaison Officer who has a long history and is well known and respected in the project area. The Officer has also worked for the Northern Land Council and is a highly qualified Anthropologist.</p>
<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? 	<p>✓</p>	<p>Cultural knowledge and understanding are regularly passed on to BC-S2C's CEO and CDO from the BC-OC Directors and the Project Aboriginal Liaison Officer. This structure allows for a broad understanding of the community's needs, desires and opportunities that could be realised with the proposal. The proponent will utilise such information in developing project co-benefits that, if implemented correctly, could have inter-generational socio-economic benefits to the communities within the regional area.</p>
<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? 	<p>✓</p>	<p>Yes – Registration under either Australian or international methods requires mandatory legal tenure to be in place and evidence of free, prior and informed consent.</p> <p>The proponent's Carbon Project Indigenous Land Use Agreement required under Commonwealth legislation and, Section 11A and 19 Agreements required under NT legislation both acknowledge Aboriginal values and rights. Traditional values and rights are regarded, by the proponent and key stakeholders consulted to date, as positive opportunities for broader project environmental and socio-economic capacity building and co-benefits over the life of its registered projects (i.e., 100 years).</p>