



Ms Lisa Bradley
Director Environmental Assessment
Department of Environment, Parks and Water Security
Northern Territory Government
PO Box 3675
PARAP NT 0820

Via: Lisa.Bradley@nt.gov.au Cc: eia.NTEPA@nt.gov.au

Re: Invitation to Comment – Referral of Little Paradise Development to the NT EPA

Dear Ms Bradley

Thank you for inviting comment on the referral of the Little Paradise Development to the NT EPA. The department's comments relate to matters relevant to the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and are provided at Attachment A.

In brief, the Department notes that the project intersects with a known occurrence of the following EPBC protected matters:

- Listed threatened species and communities (relevant to s18 and s18A of the EPBC Act)
- Listed migratory species (relevant to s20 & s20A)

While we have engaged with the proponent of the action, the department is yet to receive an associated referral, and notes conflicting statements in the available documentation as to whether a referral under the EPBC Act will be made. Anyone proposing to take an action with the potential to impact matters of national environmental significance must refer the action to DCCEEW for consideration under the EPBC Act.

If you have any questions about the assessment process or the further information required, please contact Sophie Brennan Assessment Officer by email Sophie.Brennan@dcceew.gov.au and cc in EADSAandNTSection@dcceew.gov.au.

Yours sincerely

Tanya Stacpoole
Director
SA & NT Assessments Section
Environment Assessment West Branch (WA, SA, NT)
19 September 2024

Attachment A: DCCEEW comments on referral of Little Paradise Development to the NT EPA

Submission on the referral

Groote Holdings Aboriginal Corporation - Little Paradise Development

This submission is made under regulation 53 of the Environment Protection Regulations 2020

Government authority: Department of Climate Change, Energy, the Environment and Water (DCCEEW, the department)

Summary: Groote Holdings Aboriginal Corporation (GHAC) proposes to construct and operate infrastructure and facilities on Groote Eylandt, about 4 km north-east of the main township of Alyangula. The proposal includes a marina and wharf; biosecurity facilities; logistics hub and base camp; and aquaculture facilities for research and development. While the department has engaged with the proponent about their proposal in pre-referral meetings, the department has not received a valid referral under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The referral provided to the Northern Territory Environmental Protection Authority (NT EPA) confirms that the project intersects with known occurrence of nationally listed threatened and migratory species.

Please note the following comments are not a reflection of whether the department endorses the conclusions that have been drawn by the proponent. The department can only provide a formal view on these conclusions if a referral under the EPBC Act is received. Anyone proposing to take an action with the potential to significantly impact matters of national environmental significance must refer the action to DCCEEW for consideration under the EPBC Act.

Section of Referral	Theme or issue	Comment																									
Referral Document – Section 4	General	The referral document notes “ <i>actions that are likely to cause a significant impact on a [matter of national environmental significance under the EPBC Act] require referral to the Commonwealth Government Minister for the Environment for consideration</i> ”. However, the test for referral under the EPBC Act is an action the person thinks <i>may be</i> [emphasis added] or is a controlled action.																									
Referral Document – Section 7	Significant impact	The final row of Table 7-3 makes conflicting statements about the potential for residual significant impacts of the project on the Northern Masked Owl and Northern Quoll. Any action with the potential for significant impact on a Listed Threatened Species must be referred under the EPBC Act.																									
Appendix D – Ecological Report	Section 6 Threatened Birds	The department’s PMST identifies that the proposed action is likely to intersect with the occurrence of the following listed threatened species under the EPBC Act:																									
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Environmental impact assessment under the Environment Protection Act 2019

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<i>Charadrius leschenaultii</i>	Greater Sand Plover, Large Sand Plover	Bird	Vulnerable	Migratory											
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Appendix D – Ecological Report	Section 6 Threatened Mammals	<p>The department's PMST identifies that the proposed action is likely to intersect with the occurrence of the following listed threatened species under the EPBC Act:</p>				<p>A likelihood of occurrence was discussed for all species excluding the Black-Footed Tree Rat. Surveys conducted in 2021-2022 confirmed the occurrence of Ghost Bat and Northern Quoll species. The department's profile and threat advice for both species identifies relevant key threats as habitat modification, loss and disturbance. The department's species profile and threats database identifies the Northern Quoll is particularly vulnerable to cane toads. The National Recovery Plan for the Northern Quoll specifically discusses quarantine measurements required to mitigate the risk of cane toads to Northern Quoll.</p> <p>The proposal will expand an entry point onto Groote Eylandt, which is largely unaffected by cane toads. While the proponent has prepared a biosecurity management plan, and has considered the proposed action against the department's <i>Significant Impact Guidelines 1.1</i>, the department is unable to comment on the adequacy of the plan or self-assessment in the absence of a referral under the EPBC Act.</p>									
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Environmental impact assessment under *the Environment Protection Act 2019*

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