NORTHERN TERRITORY GOVERNMENT
Department of **LANDS, PLANNING AND ENVIRONMENT**

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11 February 2026

Our Ref: DLPE2026/0012

Mr Andrew Scott
Environmental Assessment Unit
Environment and Heritage Division
Department of Lands, Planning and Environment
GPO Box 3675
DARWIN NT 0801 .

Dear Mr Scott

Re: Invitation to Comment on Referral – Bonaparte Carbon Capture and Storage Project (EP Act)

The information submitted for the above Referral has been assessed by the relevant divisions within the department, and the following comments are provided:

Flora and Fauna Division

The Flora and Fauna Division has reviewed the Referral and considers the potential risks to coastal processes, marine ecosystems (including benthic habitats and threatened/migratory species), and marine environmental quality are uncertain based on the available information. The Flora and Fauna Division supports the proponent's commitment to obtaining further information to clarify these uncertainties through the planned future program of investigations to inform a more detailed environmental impact assessment (EIA). The Flora and Fauna Division have provided comments in **Attachment 1**.

Land Resources Division

Land Management Unit

The Land Management Unit has reviewed the Referral and considers the potential risks to Land – terrestrial environmental quality, terrestrial ecosystems, and Sea - coastal processes, marine environmental quality, and marine ecosystems are uncertain based on the available information.

The Bonaparte Carbon Capture and Storage proposal is likely to require a detailed level of erosion and sediment control, as well as independent auditing, due to the environment that it will be impacting. Potential impacts to the environment are likely to include, but are not limited to, significant soil disturbance in and around sensitive vegetation, tidal zones, acid sulfate soils, sloped areas, and the activities associated with dredging and spoil disposal.

The Land Management Unit supports the proponent's commitment to obtaining the information required to clarify these uncertainties through the planned future program of investigations to inform a more detailed EIA.

The Land Management Unit notes that a large volume of data has been collected over many years in relation to Darwin Harbour water quality, and various dredging activities undertaken by numerous proponents. With reference to the CSIRO 2020 '*Guideline on dredge plume modelling for environmental impact assessment'*, and other relevant publications, best practice numerical hydrodynamic and sediment transport models should be applied using realistic assumptions and data.

Environment and Heritage Division

Heritage Branch

The Heritage Branch has reviewed the Referral and provides comment in **Attachment 2**.

Lands and Planning Division

The Lands and Planning Division have reviewed the Referral and provides comment in **Attachment 3**.

Environmental Regulation Division

The proponent should note that all persons are required to comply at all times with the General Environmental Duty under section 12 of the *Waste Management and Pollution Control Act 1998* (NT) (WMPC Act). To help satisfy the General Environmental Duty, the proponent is advised to take notice of the list of environmental considerations below. The list is not exhaustive, and the proponent is responsible for ensuring their activities do not result in non-compliance with NT laws.

A non-exhaustive list of environmental issues that should be considered to meet requirements under NT law are listed below:

1. **Dust**: The proposed activities have the potential to generate dust, particularly during the dry season. The proponent must ensure that nuisance dust and/or nuisance airborne particles are not discharged or emitted beyond the boundaries of the premises.
2. **Noise**: The proponent is to ensure that the noise levels from the proposed premises comply with the latest version of the NT EPA Northern Territory Noise Management Framework Guideline available online[1].
3. **Erosion and Sediment Control (ESC):** The proponent must ensure that pollution and/or environment harm do not result from soil erosion.

   ESC measures should be employed prior to and throughout the construction stage of the development. Larger projects should plan, install and maintain ESC measures in accordance with the current International Erosion and Sediment Control Association (IECA) Australia guidelines and specifications.

   Where sediment basins are required by the development, the NT EPA recommends the use of at least Type B basins, unless prevented by site specific topography or other physical constraints.

   Basic advice for small development projects is provided by the NT EPA document: Guidelines to Prevent Pollution from Building Sites[2] and Keeping Our Stormwater Clean[3]
4. **Storage:** If an Environment Protection Approval or Environment Protection Licence is not required, the proponent should store liquids only in secure bunded areas in accordance with VIC EPA Publication 1698: Liquid storage and handling guidelines, June 2018, as amended. Where these guidelines are not relevant, the storage should be at least 110% of the total capacity of the largest vessel in the area.

   Where an Environment Protection Approval or Environment Protection Licence is required, the proponent must only accept, handle or store at the premises listed waste, including asbestos, as defined by the WMPC Act, in accordance with that authorisation.

[1] https://ntepa.nt.gov.au/__data/assets/pdf_file/0004/566356/noise_management_framework_guideline.pdf
[2] https://ntepa.nt.gov.au/__data/assets/pdf_file/0010/284680/guideline_prevent_pollution_building_sites.pdf
[3] https://ntepa.nt.gov.au/__data/assets/pdf_file/0006/284676/guideline_keeping_stormwater_clean_builders_guide.pdf

5. **Site Contamination**: If the proposal relates to a change of land use or if the site is contaminated, including as a result from historical activities such as cyclones, a contaminated land assessment maybe required in accordance with the National Environment Protection (Assessment for Site Contamination) Measure (ASC NEPM). The proponent is encouraged to refer to the information provided on the NT EPA website[4], and the NT Contaminated Land Guidelines[5].
6. **Waste Management - Import and Export of Fill**: The proposed activities have the potential to generate fill and/or involve the importation of fill for use on-site. Untested fill material may already be present on the site. All fill imported or generated and exported as part of the activity must either be certified virgin excavated natural material (VENM) or be sampled and tested in line with the NSW EPA Guidelines[6]

   All imported fill material must be accompanied by details of its nature, origin, volume, testing and transportation details. All records must be retained and made available to authorised officers, upon request. The proponent should also consider the following NT EPA fact sheets: How to avoid the dangers of accepting illegal fill onto your land[7], and Illegal Dumping - What You Need to Know[8].
7. **Odour or Smoke:** The proposed activities may have the potential to create odours and/or smoke. The proponent must ensure that nuisance odours or smoke are not emitted beyond the boundaries of the premises.

Water Resources Division

There are no issues requiring comment within the responsibilities of the Water Resources Division associated with the proposed carbon capture and storage project.

Should you have any further queries regarding these comments, please contact the Development Coordination Branch by email DevelopmentAssessment.DLPE@nt.gov.au or phone (08) 8999 4446.

Yours sincerely

Maria Wauchope
Executive Director Land Resources

Attachment 1 – Flora and Fauna Division comment
Attachment 2 – Heritage Branch Division comment
Attachment 3 – Lands and Planning Division comment

[4] https://ntepa.nt.gov.au/your-environment/contaminated-land
[5] https://ntepa.nt.gov.au/__data/assets/pdf_file/0020/434540/guideline_contaminated_land.pdf
[6] https://www.epa.nsw.gov.au/your-environment/waste/classifying-waste/virgin-excavated-natural-material
[7] https://ntepa.nt.gov.au/__data/assets/pdf_file/0005/285728/factsheet_avoid_danger_accepting_illegal_fill_to_your_land.pdf
[8] https://ntepa.nt.gov.au/__data/assets/pdf_file/0008/285740/factsheet_illegal_dumping_what_you_need_know.pdf

Attachment 1

Submission on referral information

Inpex – Bonaparte Carbon Capture and Storage

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

Government authority: Department of Lands, Planning and Environment–Flora and Fauna Division

<table>
<tr><th>Theme / issue</th><th>Comment</th></tr>
<tr><td>Marine Ecosystems (Threatened and Migratory Species)</td><td>
Based on a search of the Department of Lands, Planning and the Environment (DLPE) databases within a 3km radius of the project area within Northern Territory (NT) waters, expert knowledge of species' habitat requirements, and information about habitats occurring within the site, species classified as threatened under the *Territory Parks and Wildlife Conservation Act 1976* (TPWC Act) and/or threatened or migratory under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) that may occur within, or immediately adjacent to the project area are listed in **Table 1**. An assessment of the potential impact posed by the project to each species, based on the current available information (including that provided by the applicant) is also provided.

Table 1 – Threatened or migratory species that are known to occur, or have a high potential of occurring, within or adjacent to the proposed project area; their conservation status; and an assessment of the risk of impact posed by the project.

(Conservation status = VU – Vulnerable; EN – Endangered; CR – Critically Endangered; NT – Near Threatened; LC – Least Concern, Mig – Migratory)
<table>
<tr><th>Common Name</th><th>Scientific Name</th><th>TPWC Act</th><th>EPBC Act</th><th>Potential Impact</th></tr>
<tr><td colspan="5">Birds</td></tr>
<tr><td>Asian Dowitcher</td><td>Limnodromus semipalmatus</td><td>NT</td><td>VU/Mig</td><td>Uncertain</td></tr>
<tr><td>Bar-tailed Godwit</td><td>Limosa lapponica</td><td>-</td><td>EN/Mig</td><td>Uncertain</td></tr>
</table>
</td></tr>
</table>

Common Name	Scientific Name	TPWC Act*	EPBC Act**	Potential Impact
Black-naped Tern	*Sterna sumatrana*	LC	Mig	Low
Black-tailed Godwit	*Limosa limosa*	NT	EN/Mig	Uncertain
Bridled Tern	*Onychoprion anaethetus*	LC	Mig	Low
Broad-billed Sandpiper	*Calidris falcinellus*	LC	Mig	Uncertain
Brown Booby	*Sula leucogaster*	LC	Mig	Low
Caspian Plover	*Charadrius asiaticus*	-	Mig	Low
Caspian Tern	*Hydroprogne caspia*	LC	Mig	Low
Christmas Island Frigatebird	*Fregata andrewsi*	EN	EN/Mig	Low
Common Greenshank	*Tringa nebularia*	LC	EN/Mig	Low
Common Noddy	*Anous stolidus*	-	Mig	Low
Common Redshank	*Tringa totanus*	-	Mig	Low
Common Sandpiper	*Actitis hypoleucos*	LC	Mig	Uncertain
Common Tern	*Sterna hirundo*	LC	Mig	Low
Curlew Sandpiper	*Calidris ferruginea*	CR	CR/Mig	Uncertain
Eastern Osprey	*Pandion cristatus*	LC	Mig	Uncertain
Eastern Reef Egret	*Egretta sacra*	LC	Mig	Low
Far Eastern Curlew	*Numenius madagascariensis*	CR	CR/Mig	Uncertain
Great Frigatebird	*Fregata minor*	-	Mig	Low
Great Knot	*Calidris tenuirostris*	CR	VU/Mig	Uncertain
Greater Sand Plover	*Charadrius leschenaultii*	VU	VU/Mig	Uncertain
Grey Plover	*Pluvialis squatarola*	NT	VU/Mig	Uncertain

Common Name	Scientific Name	TPWC Act	EPBC Act	Potential Impact
Grey-tailed Tattler	*Tringa brevipes*	NT	Mig	Uncertain
Lesser Crested Tern	*Thalasseus bengalensis*	LC	Mig	Low
Lesser Frigatebird	*Fregata ariel*	LC	Mig	Low
Lesser Sand Plover	*Charadrius mongolus*	EN	EN/Mig	Uncertain
Little Curlew	*Numenius minutus*	LC	Mig	Uncertain
Little Ringed Plover	*Charadrius dubius*	-	Mig	Uncertain
Little Tern	*Sternula albifrons*	LC	VU/Mig	Uncertain
Marsh Sandpiper	*Tringa stagnatilis*	LC	Mig	Uncertain
Northern Siberian Bar-tailed Godwit	*Limosa lapponica menzbieri*	-	EN/Mig	Uncertain
Pacific Golden Plover	*Pluvialis fulva*	LC	Mig	Uncertain
Red Knot	*Calidris canutus*	EN	VU/Mig	Uncertain
Red-necked Phalarope	*Phalaropus lobatus*	-	Mig	Low
Red-necked Stint	*Calidris ruficollis*	LC	Mig	Uncertain
Ruddy Turnstone	*Arenaria interpres*	NT	VU/Mig	Uncertain
Ruff	*Calidris pugnax*	-	Mig	Low
Sanderling	*Calidris alba*	LC	Mig	Uncertain
Sharp-tailed Sandpiper	*Calidris acuminata*	LC	VU/Mig	Uncertain
Streaked Shearwater	*Calonectris leucomelas*	-	Mig	Low
Swinhoe's Snipe	*Gallinago megala*	-	Mig	Low
Terek Sandpiper	*Xenus cinereus*	LC	VU/Mig	Uncertain
Wandering Tattler	*Tringa incana*		Mig	Uncertain

Common Name	Scientific Name	TPWC Act	EPBC Act	Potential Impact
Whimbrel	*Numenius phaeopus*	NT	Mig	Uncertain
White tailed tropicbird	*Phaethon lepturus*	-	Mig	Low
White-bellied Sea-Eagle	*Haliaeetus leucogaster*	LC	Mig	Low
White-winged Black Tern	*Chlidonias leucopterus*	LC	Mig	Low
Wilson's Storm-Petrel	*Oceanites oceanicus*	-	Mig	Uncertain
Wood Sandpiper	*Tringa glareola*	LC	Mig	Uncertain
Fish, Sharks & Rays				
Dwarf Sawfish	*Pristis clavata*	VU	VU/Mig	Uncertain
Freshwater sawfish	*Pristis pristis*	VU	EN/Mig	Uncertain
Giant Manta Ray	*Mobula birostris*	LC	Mig	Uncertain
Grey Nurse Shark	*Carcharias taurus*	-	VU	Uncertain
Reef Manta Ray	*Mobula alfredi*	-	Mig	Uncertain
Scalloped Hammerhead	*Sphyrna lewini*	LC	VU	Uncertain
Whale Shark	*Rhincodon typus*	-	VU/Mig	Low
Mammals				
Australian Humpback Dolphin	*Sousa sahulensis*	-	VU/Mig	Uncertain
Australian Snubfin Dolphin	*Orcaella heinsohni*	-	VU/Mig	Uncertain
Bryde's Whale	*Balaenoptera edeni*	-	Mig	Low
Cuvier's Beaked Whale	*Ziphius cavirostris*	-	Mig	Low
Dugong	*Dugong dugon*	NT	Mig	Uncertain
Humpback Whale	*Megaptera novaeangliae*	LC	Mig	Low

Common Name	Scientific Name	TPWC Act	EPBC Act	Potential Impact
Indo-Pacific Bottlenose Dolphin	*Tursiops aduncus*	LC	Mig	Low
Killer Whale	*Orcinus orca*	-	Mig	Low
False Killer Whale	*Pseudorca prasidens*	LC	Mig	Low
Pantropical Spotted Dolphin	*Stenella attenuata*	-	Mig	Low
Sperm Whale	*Physeter macrocephalus*	-	Mig	Low
Spinner Dolphin	*Stenella longirostris*	-	Mig	Low
Spotted Bottlenose Dolphin (Arafura/Timor Sea Populations)	*Tursiops aduncus*	LC	Mig	Uncertain
Reptiles				
Flatback Turtle	*Natator depressus*	-	VU/Mig	Uncertain
Green Turtle	*Chelonia mydas*	NT	VU/Mig	Low
Hawksbill Turtle	*Eretmochelys imbricata*	VU	VU/Mig	Low
Leatherback Turtle	*Dermochelys coriacea*	CR	EN/Mig	Low
Loggerhead Turtle	*Caretta caretta*	VU	EN/Mig	Low
Olive Ridley Turtle	*Lepidochelys olivacea*	VU	EN/Mig	Low
Saltwater Crocodile	*Crocodylus porosus*	LC	Mig	Low

** Territory Parks and Wildlife Conservation Act 1976*

**Environment Protection and Biodiversity Conservation Act 1999

The Flora and Fauna Division have reviewed the referral document and considers that the likelihood of significant impacts for some threatened and/or migratory species remains uncertain (as per **Table 1**). The proponent identifies the need for a program of investigations to be undertaken to improve its understanding of the baseline environmental conditions, and the potential impacts associated with the proposal. These investigations are intended to inform a more detailed EIA.

	The program of investigations includes assessment of the dredging and spoil disposal sediment impact, pipeline discharge modelling, CO_2 leak modelling and underwater noise modelling. The Flora and Fauna Division agrees that the risks and potential impact to some threatened/migratory species remain uncertain without this further information. Listed Migratory Pelagic Seabirds and Shorebirds: Darwin Harbour and the Top End provide important foraging habitat for a range of listed threatened/migratory shorebirds and pelagic seabirds. Foraging habitat for migratory shorebirds species is generally associated with intertidal areas within Darwin Harbour with migratory shorebirds using broader marine and coastal areas for foraging. The proposal includes the dredging of marine sediment and the disposal of material at the existing disposal site north of Lee Point. The impacts associated with the dredging, disposal and sediment transport and deposition is uncertain, but may impact or degrade important foraging, roosting and stop-over grounds within the greater Port Darwin Nationally Important Wetland (NIW). It is recommended that further information is requested from the proponent which informs an assessment of the risk to habitat for threatened and migratory avifauna using Darwin Harbour and marine areas within the Greater Darwin Area. Fish, Sharks and Rays: Lower-frequency geophysical survey techniques, such as sub-bottom profiling (SBP), may impact sawfish and other fish/shark/ray species known to occur in reasonable numbers within the nearshore Pipeline Development Area (PDA) that are vulnerable to disturbance from underwater noise. Adult and juvenile sawfish are known to occur in Darwin Harbour with increased frequency of detection in areas such as Shoal Bay. The risk to these species from the proposal remains uncertain, and it is recommended that further information is requested in relation to the methods, timing and avoidance/mitigation measures proposed while using sub-bottom profiler within Darwin Harbour. Mammals: Geophysical survey techniques, such multi-beam echo sounders, side-scan sonar and sub-bottom profiling, proposed within Darwin Harbour may impact High-Frequency (HF) species such as the Australian snubfin, Australian humpback and Spotted bottlenose dolphin whose breeding Biologically Important Areas (BIAs) overlap the nearshore PDA. Unquantified dredge plumes and sedimentation may impact important seagrass habitat (current extent and distribution unconfirmed) within the nearshore PDA, which may cause impact to dugongs within Darwin Harbour. Reptiles: Habitat critical to the survival of nesting marine turtles also overlap the PDA (offshore and nearshore) with the nearest known nesting sites for Flatbacks at Mandorah (500m west of nearshore PDA) and Casuarina Beach (18km north of nearshore PDA). Major seabed disturbance activities like dredging may overlap with the peak nesting period for Flatbacks (June–September) and cause impact to adults and hatchlings in the PDA. The Flora and Fauna Division recommends restricting major seabed disturbance activities like dredging to the wet season (approximately November to

	April) to help avoid the peak flatback nesting period and reduce the risk of impact to adults and hatchlings in the PDA. This mitigation measure aligns with the *Recovery Plan for Marine Turtles in Australia* (CoA 2017) to undertake dredging in important inter-nesting habitat outside peak nesting seasons. Restricting dredging activities to the wet season, when turbidity is naturally elevated (>150 NTU) would also be environmentally preferable, as impacts associated with dredge plumes may be less pronounced or shorter-lived relative to the ambient turbidity levels, thereby also reducing impact to marine environmental quality (discussed below). The proponent has committed to use Marine Fauna Observers (MFOs) during marine seismic surveys within the Infield Development Area (IDA), however, interactions with Australian snubfin, humpback, and spotted bottlenose dolphins (within their breeding biologically important areas) and Flatback turtles will most likely occur during dredging and pipelay in the PDA. Risks to marine fauna would be reduced through commitments by the proponent to use a MFO to monitor cetacean and reptile behaviour within the PDA and ensure obligations from Part 8 of the EPBC regulations (2000) and the *Australian National Guidelines for Whale and Dolphin Watching* (2017) are met.
Marine Ecosystems (Benthic Communities and Habitats)	The benthic habitat data used to predict impact to sensitive receptors within the nearshore PDA (Darwin Harbour) is from 2015 and did not detect the presence of seagrass within the harbour. In addition to plume and sediment transport modelling that must be undertaken to determine the extent, severity and duration of impacts associated with dredging and spoil disposal, the proponent should seek to update seagrass data in the area in order to properly understand the current distribution of important benthic habitat within, and adjacent to, the nearshore PDA. Channel Island reef is situated just 100m south of the nearshore PDA. While these corals are adapted to high natural turbidity, the cumulative impact of project-related dredging plumes and potential maintenance dredging from other projects may exceed their physiological thresholds for recovery and could cause localised mortality of unique genotypes. As the proponent has identified, protection of these reefs during dredging activities will require a Dredging and Spoil Disposal Management Plan (DSDMP) to be informed by hydrodynamic and sediment transport modelling. This information is required to establish the Zone of Influence for operational activities and understand the potential extent, severity and cumulative impact of excess suspended sediment concentrations (turbidity) and sediment deposition that may pose risks to these communities.
Coastal Processes	600,000 - 900,000m^3 of sediment is predicted to be dredged from Darwin Harbour. As the proponent has identified, hydrodynamic and sediment transport modelling must be undertaken to inform assessments of impact to local hydrodynamics through altered seabed topography, and sediment transport and deposition.

	It is requested that the proponent clarify why the excavated hard substrate (phyllite rock) cannot be reused for rock armouring to reduce the quantity of dredge spoil at the disposal site and limit the need for introduction of up to 600 000m^3 (1 000 000 T) of rock from regional quarries to Darwin Harbour.
Marine Environmental Quality	The proponent has identified that 600,000 - 900,000m^3 of dredge spoil plus potential Acid Sulfate Soil (ASS) from terrestrial excavation within the Onshore Development Area (ODA) will be disposed of in the offshore Dredge Spoil Disposal Grounds (DSDG) in the Beagle Gulf, approximately 12km north-west of Lee Point. The proposed spoil disposal sediment impact assessment to be undertaken as part of the future program of investigations should quantify a zone of influence from the DSDG and model the potential impacts to water quality, suspended sediments and sedimentation associated with the disposal of dredge spoil and treated terrestrial soils (including Potential Acid Sulfate Soil) in the area. The proponent has committed to undertaking numerical/quantitative modelling of credible CO_2 leak scenarios to evaluate the fate and effect of plumes as part of the detailed EIA. The Flora and Fauna Division support the commitment to produce this additional information to properly assess the risks associated with leak scenarios, such as seawater acidification, hypoxia, oxygen displacement and associated temperature drops, and benthic toxicity.

References:

- Commonwealth of Australia (2017). Recovery Plan for Marine Turtles in Australia. Department of the Environment and Energy, Canberra
- Commonwealth of Australia (2017). *Australian National Guidelines for Whale and Dolphin Watching 2017*. Department of the Environment and Energy, Canberra.

Attachment 2

Submission on the referral

INPEX Operations Australia Pty Ltd – Bonaparte Carbon Capture and Storage Project

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

Government authority: Department of Lands, Planning and Environment – Heritage Branch Division

Summary: The Heritage Branch are generally satisfied with the application and consider that the proponent has detailed a sound strategy to address their obligations under the NT *Heritage Act 2011* and the *Commonwealth Underwater Cultural Heritage Act 2018*.

Section of Referral	Theme or issue	Comment
Page 129	Additional archaeological surveys.	• The proponent states that '*Additional surveys are planned to be conducted by qualified Larrakia cultural heritage monitors to assist with pipeline design, route selection and geotechnical investigation works*' The Heritage Branch advises that if these additional surveys are intended to meet obligations under the *Heritage Act 2011*, then they will need to be undertaken by a suitably qualified and experienced archaeologist, who is ideally supported by Larrakia cultural heritage monitors. Due to the technical nature of an archaeological survey report, it should be completed by a subject matter expert.

Attachment 3

Submission on the referral

INPEX Operations Australia Pty Ltd – Bonaparte Carbon Capture and Storage Project

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

Government authority: Department of Lands, Planning and Environment–Lands and Planning Division

Section of Referral	Theme or issue	Comment
Main Referral Report – Page 62	Regional Context – Location of the ODA	• Page 62 of the Referral Report suggests the ODA is located within Zone FD (Future Development). However, Figure 3-1 in the report shows the ODA is located adjacent to the Beach Valve Precinct which is in Zone U (Utility) and the ODA area is shown as extending south of here into an area that is currently zoned CN (Conservation). To ensure proper and transparent planning processes are undertaken in accordance with the *Planning Act 1999*, any area of the ODA that extends into Zone CN, should be considered for rezoning to an appropriate zone of the NT Planning Scheme 2020.
Other		• A recent amendment has been made to the Northern Territory Planning Scheme 2020 to amend Overlay 3.2 CNV – Clearing of Native Vegetation, to ensure that the Overlay does not apply if the clearing of native vegetation is required or controlled under any Act in force in the NT. Changes to Overlay 3.2 read as follows: *'This Overlay does not apply to the clearing of native vegetation that:* *(a) is required or controlled under any Act in force in the Territory, including but not limited to:* *i. Environment Protection Act 2019;* *ii. Environment Protection and Biodiversity Conservation Act 1999 (Cth);* *iii. Pastoral Land Act 1992;* *iv. Petroleum (Environment) Regulations 2016;* *v. Territory Parks and Wildlife Conservation Act 1976.'*

		• Dredging of the seabed within Darwin Harbour requires development consent in accordance with the *Planning Act 1999* (lodgement of a Development Application). Overlay 3.9 DHD – Darwin Harbour Dredging, applies to the seabed within Darwin Harbour, being the waters south of and a straight line between Charles Point and Gunn Point. The nearshore PDA is located within this area; however the Dredging Spoil Disposal Ground is potentially located outside this area. • The Darwin Regional Land Use Plan (Strategic Framework of the NT Planning Scheme 2020) is applicable to the proposed ODA and the section of the nearshore PDA located within the waters of Darwin Harbour. The Darwin Regional Land Use Plan identifies the location of the ODA as 'Utility Corridor' or 'Mangrove/Natural Area'. • The NT Planning Scheme can be found online[9]
3.5 2.2	Project area Relevant NT legislation	• Part of the CO_2 transport pipeline and subsea power and fibre optic cables are proposed to be located within the NT Coastal Waters which is Crown land. Construction and operation of a CO_2 pipeline and power and optic cables on Crown land will require a licence under the *Crown Lands Act 1992*. • Figure 3.1 shows the onshore Development area extending in Section 1813 Hundred of Ayers, which is Crown land. Any use of the land during construction will require a licence under the *Crown Lands Act 1992*.

[9] https://nt.gov.au/property/land-planning-and-development/our-planning-system/nt-planning-scheme