

## Referral submission template for government authorities

### Finniss Lithium Project BP33 Underground Mine

#### Core Lithium Limited

This template is provided for use by government authorities making a submission on an accepted referral for consideration under section 48 of the *Environment Protection Act 2019*. Additional comments may be attached separately if required.

At this initial stage of the environmental impact assessment process, feedback is sought on whether or not the NT EPA should assess the proposal and, if so, what level of assessment is considered appropriate.

| Referral Submission Template  |  |
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| Agency Name:  | Aboriginal Areas Protection Authority  |
| Proponent and Action:<br>(NT EPA to complete)   |  |
| Does the action require a statutory approval/ licence/ permit under legislation administered by your agency? If so, please list and/or explain. | No, the attainment of an Authority Certificate for the proposed activities is not mandated by law. However, the activities proposed by the proponent remain subject to the criminal offence provisions for entry onto, work on and/or desecration of a sacred site pursuant to the <i>Northern Territory Aboriginal Sacred Sites Act 1989</i> (NT) (Sacred Sites Act).   |
| Does the proposed action meet relevant legislation, accepted standards, plans or policies administered by your agency? Please explain.          | Yes. On 10 September 2019, the Authority issued an Authority Certificate (C2019/077) to Lithium Developments (Grants NT) Pty Ltd for mining and mineral exploration activities over the project area. This Certificate is a variation to, and supersedes, a previously issued Certificate (C2019/024).<br>As long as Lithium Developments (Grants NT) Pty Ltd undertakes the activities in accordance with the conditions of Authority Certificate C2019/077 then they will have a defence to prosecution under the Sacred Sites Act.<br>Please note: the referral supporting documentation incorrectly references the superseded Certificate and claims there are no sacred sites in the project area. This is not correct. There is one sacred site within the |

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|  | proposed project area for which there are corresponding conditions on work in the Authority Certificate.  |
| <p>Future involvement of the agency if the action proceeds through environmental impact assessment:</p> <ul style="list-style-type: none"> <li>• No further involvement</li> <li>• Provide for information only</li> <li>• Provide for advice</li> </ul> | Provide for information and advice (if required).   |
| Has your agency had prior dealings with the proponent? If so, is there knowledge of the proponent's compliance (or non-compliance) with approvals and legislation?   | Yes, the proponent has previously applied for and obtained an Authority Certificate for the proposed works.   |
| Does the referral provide adequate information for your agency to provide comment on the action?   | Yes - however the information provided contains errors.   |
| Does the referral provide adequate information of surrounding land uses and other potential pressures on the environment?  | It would be useful to understand the extent of road use in proximity to known sacred sites in order to understand possible pressures on these sites and how they might be further impacted by the project's use of these road corridors.  |
| Does the referral present an adequate level of information of the environment likely to be impacted?   | The documentation does not identify the existence of a sacred site in the project area. Any impacts of a sacred site could attract the offence provisions of the Sacred Site Act but would also impact upon the environmental values of the area. More information about how the project plans to protect this site and its associated values is required.  |
| Have all environmental factors with the potential to be significantly impacted by the action been identified in the referral?  | Sacred sites have been identified as a factor impacting on environmental values (re people and community). However the documentation incorrectly states there are no sacred sites in the area.  |
| Is the referral accurate in its preliminary identification and assessment of likely significant impacts?   | As outlined above, the documentation provided incorrectly references a previous Authority Certificate which is no longer valid. It also incorrectly states there are no sacred sites in the project area. Given this, it is difficult to establish how the proponent intends to undertake the work in a manner that sufficiently limits possible impacts on the sacred site and therefore Aboriginal cultural values. |
| Are the claims and findings of the referral supported by adequate information?   | No - statements about sacred sites are incorrect.   |
| Has the referral provided information to support any assumptions/ conclusions made about the cultural and social environments that may be impacted by the action?  | As outlined above, the documentation provided incorrectly references a previous Authority Certificate which is no longer valid. It also incorrectly states there are no sacred sites in the project area. Given this, it is difficult to establish how the proponent intends to   |

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|  | undertake the work in a manner that sufficiently limits possible impacts on the sacred site and therefore Aboriginal cultural values. |
| Does the referral provide adequate information to demonstrate claims about opportunities and impacts to the NT economic environment?   | No comment  |
| Does your agency have additional information about the locality, action or circumstances of the action that has not been provided in the referral that will contribute to the NT EPA's decision on significant impact? | No  |
| Does the action have the potential for significant impact on the environment?  | No comment  |
| If yes, can the action be assessed based on the information in the referral?   | No comment  |
| If no, should the action be assessed as a SER, EIS or by assessment by inquiry?  | No comment  |
| If an SER is recommended please describe the matter that the proponent is required to further investigate  | N/A   |
| If an EIS is recommended, please describe the matters the proponent is required to further investigate (to be included in draft terms of reference for the EIS)  | N/A   |
| If an assessment by inquiry is recommended, please describe the issue to be examined by the inquiry (for inclusion in draft terms of reference)  | N/A   |