

# Referring a proposal to the NT EPA

**Environmental impact assessment  
Guidance for proponents**

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2.0	24 August 2022	NT EPA	NT EPA review updates
3.0	17 March 2025	NT EPA	Updated to reflect amendments to EP Act and EP Regulations

### Further information

Further information and guidance on the environmental impact assessment process is available on the NT EPA website at: [www.ntepa.nt.gov.au](http://www.ntepa.nt.gov.au)

If you require assistance in applying this guidance to your circumstances or you are unsure whether a referral is required for your proposal, please contact the Environment Division of the Department of Lands, Planning and Environment. Appointments with relevant staff can be made through the contacts below:

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# 1. Introduction

## 1.1. Overview

A proposed action or strategic proposal<sup>1</sup> (hereafter collectively referred to as a **proposal**) that has the potential to have a significant impact on the environment requires referral to the Northern Territory Environment Protection Authority (**NT EPA**) in accordance with the [Environment Protection Act 2019 \(EP Act\)](#) and [Environment Protection Regulations 2020 \(EP Regulations\)](#).

The NT EPA is an independent statutory authority responsible for conducting the environmental impact assessment process under the EP Act. On completion of an environmental impact assessment (if one is required) the NT EPA provides advice to the Minister for Lands, Planning and Environment (**Minister**) about the environmental acceptability of a proposal and makes its recommendation to grant, or refuse to grant, an environmental approval.

If a proposal is referred, and the proponent's referral information is accepted, the NT EPA uses the information to:

- decide that environmental impact assessment of a proposal IS NOT required; or
- decide that environmental impact assessment of a proposal IS required, and the method of assessment; or
- make a recommendation to the Minister to refuse to grant an environmental approval.

This guidance document is part of a range of guidance prepared by the NT EPA to provide advice on environmental impact assessment under the EP Act. It should be read in conjunction with other guidance documents that provide advice in relation to the environmental impact assessment process and requirements, as shown in **Error! Reference source not found.**

## 1.2. Purpose of the guidance

This document provides guidance to proponents about:

- when a proponent should submit a referral to the NT EPA for consideration
- the matters that must be addressed in the referral (form and report) to allow decision making by the NT EPA and Minister
- expectations for the structure and quality of information in the referral report so that the proposal and its potential significant environmental impacts (direct, indirect and cumulative) can be well understood by all stakeholders
- where to submit the referral documents
- the environmental impact assessment process for a referral, including opportunities for public comment, decision points and timeframes
- how a referral may be considered by the NT EPA to inform its decision about whether assessment is required and the method (tier) of assessment.

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<sup>1</sup> See sections 5, 12 and 13 of the EP Act

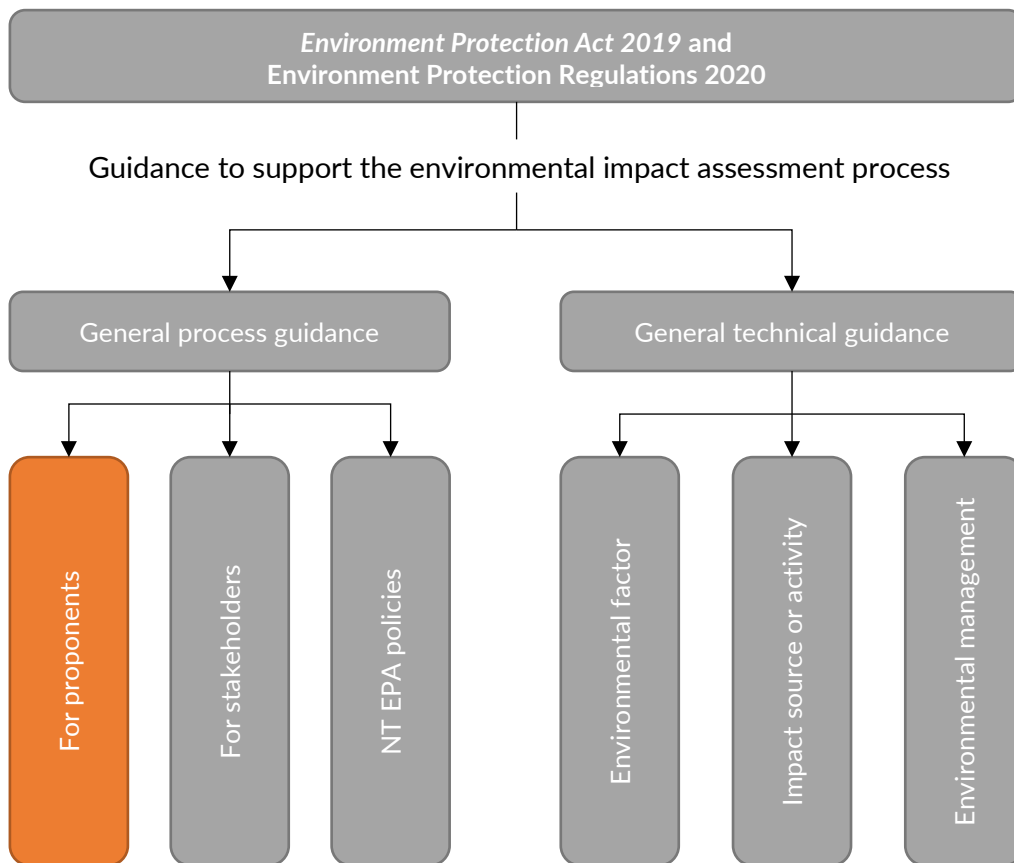


Figure 1 Environmental impact assessment guidance framework

## 2. When a referral is required

### 2.1. Legislative requirement

#### 2.1.1. Section 48 of EP Act – standard assessment

Section 48 of the EP Act (for a standard assessment) states that a proponent must refer to the NT EPA a proposal that:

- has the potential to have a significant impact on the environment, or
- meets a referral trigger.

A majority of proposals are likely to be referred under this section.

It is the responsibility of a proponent to satisfy its obligations under the EP Act and EP Regulations. A proponent's consideration will need to include (but not be limited to):

- definitions of **impact** (including direct, indirect and cumulative) and **significant impact**<sup>2</sup>
- any environmental objectives<sup>3</sup> the Minister has declared by *Gazette* notice

<sup>2</sup> See definitions of **impact** and **significant impact** under sections 10 and 11 of EP Act.

<sup>3</sup> Note there are currently no environmental objectives declared by *Gazette* notice under Part 3 of the EP Act.

- [NT EPA's Environmental Factors and Objectives guidance](#)
- the pre-referral screening tool in Appendix 1 of this document.

A proponent also has general duties under an environmental impact assessment process (section 43 of the EP Act).

### 2.1.2. Section 49 of EP Act – strategic proposal

Alternatively, under section 49 of the EP Act, a proponent may refer a strategic proposal to the NT EPA. A strategic proposal can include a policy, program, plan or methodology, and may be a proposal or group of proposals which either individually or in combination with each other:

- will have the potential to have a significant impact on the environment, or
- will meet a referral trigger.

An example of a strategic proposal is a masterplan to facilitate development of a new multi-user area with a range of industry types. The strategic proposal might include site preparation, construction of headworks (utilities and services) and cumulative impact assessment of the masterplan, for example, potential impacts to flora and fauna.

### 2.1.3. Section 50 of EP Act – statutory decision-maker

Under section 50(2)(c) of the EP Act, if an application has been made to a statutory decision-maker who considers that a proposal should be referred to the NT EPA, and it has not been referred by the proponent, the statutory decision-maker may refer it.

### 2.1.4. Sections 51 to 52 of EP Act – significant variations

Under section 51 of the EP Act, a proponent must give the NT EPA notice of any variation that has the potential to have a significant impact on the environment (including on any new or additional areas), or that will alter the proposal to the extent that a referral trigger that did not apply would now apply (a **significant variation**<sup>4</sup>).

Alternatively, a proponent may refer an amended action to the NT EPA. If an amended action is referred, the original referral is taken to be withdrawn to the extent that it is modified by the significant variation.

In line with section 51A of the EP Act, a proposed significant variation to a proposal that has never been referred for environmental impact assessment under the EP Act or repealed *Environmental Assessment Act 1982* will be treated as a new referral.

Under section 52 of the EP Act, if an environmental approval holder submits to the NT EPA a significant variation of the proposal to which the environmental approval applies, the significant variation will be treated as a new referral.

### 2.1.5. Section 53 of the EP Act – call-in notice

Section 53 enables the NT EPA to call-in via written notice (a **call-in notice**):

- a proposal that should be referred
- a significant variation of proposal that should be referred/notified

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<sup>4</sup> See definition of **significant variation** under section 12 of the EP Act.

- a significant variation of an action for which an environmental approval is in force.

Call-in notices are required to be published on the EP Act public register.

## 2.2. Pre-referral screening tool

The NT EPA has developed a screening tool (**Appendix 1**) to assist proponents and their suitably qualified and experienced persons to predict the potential for significant environmental impact from a proposal and understand their duties under an environmental impact assessment process.

Environmental impact can result from:

- the type of industry or activity proposed
- the location and extent of the proposal or activities associated with the proposal
- the methods and timing of the proposal or activities associated with the proposal
- inputs, emissions, discharges or wastes from the proposal that cause pollution or harm
- the residual or long-term impacts after decommissioning, closure or the end of life of the proposal.

The proponent must examine the potential for environmental impacts within the context of the [NT EPA's environmental factors and objectives](#), which provide the framework for the identification of environmental values, the assessment of the significance of potential impacts to those values, and the setting of benchmarks to protect those values.

It is important for proponents to examine all potential impact sources that relate to the proposal, and the potential impact pathways between the source of an impact and environmental values and sensitivities that may be impacted. These need to be considered for the life of the proposal and after the proposal ceases, both in isolation and cumulatively.

The screening tool applies the above method to self-assess whether a proposal is required to be referred and comprises two parts:

- **Part 1** provides a series of questions about the proposal, environmental values and likelihood of impacts
- **Part 2** is a checklist to prompt a proponent to consider and justify answers in the context of whether the proposal is likely to impact on environmental values.

The screening tool is a guide only and may not cover the full range of environmental values or impacting activities. The NT EPA recommends the screening tool be completed by a suitably qualified and experienced person, particularly where there is uncertainty, and a lack of information or scientific knowledge.

The public register of environmental impact assessment processes on the NT EPA's website, is also a useful source of information to consider previous NT EPA decisions made in relation to similar proposals or industries. In the case of a unique or novel industry, or future industry sector, proponents can engage with Environment Division staff of DLPE to discuss the required approach.

Where the checklist records:

- 'yes' or 'uncertain' responses, the proposal is likely to require referral to the NT EPA
- 'no', referral to the NT EPA may not be required.

The NT EPA and Environment Division of DLPE do not routinely require the completed checklist to be submitted; however, proponents are advised to retain a copy of the completed screening tool including:

- the scope of the proposal that was considered
- supporting information relied on to inform the answers checked in the form (justification of the evidence and scientific knowledge available)
- the name, qualifications and contact details of the suitably qualified and experienced persons who conducted the screening.

Outputs from the screening tool may be used to communicate environmental impacts under other environmental regulatory regimes (for example, pastoral land clearing applications). Keeping a copy of the completed screening tool is recommended to demonstrate the proponent's process and support the proponent's decision to refer, or to not refer, its proposal. The screening tool output may also assist the proponent and NT EPA regarding proposals which may be considered with regard to a call-in (see 2.1.5).

## 3. Structure and information to provide in a referral

### 3.1. Introduction

Information provided in the referral report must be sufficient to address information required under the EP Act and EP Regulations, inform the NT EPA's decision on whether the referral should be accepted and whether the proposal has the potential to have significant impact on the environment.

The proponent is encouraged to provide scientifically valid referral information that clearly describes the proposal, existing environmental values, potential impacts and avoidance and mitigation measures – all substantiated with reliable, scientifically robust information. Early community and stakeholder engagement and consultation is strongly encouraged and outcomes should be incorporated into the development of the proposal and documented in the referral (as relevant to the environment).

The NT EPA may decide that no assessment is required or that assessment can be made based on the referral information (the most efficient assessment methods) if sufficient information is provided in the referral report. In this case, the NT EPA must be satisfied that further information is not required to complete the assessment process, meet the requirements of the EP Act, and provide advice to the Minister.

A referral may comprise several parts, and include:

- a completed referral form - for the NT EPA to accept a referral from a proponent or a decision-making authority, it must be signed by an authorised person – either a CEO or a person with evidence to act on behalf of the organisation
- a referral report including legible maps and figures
- supporting technical appendices
- spatial information and raw data files
- statement of reasons (if a proponent initiated EIS referral)
- draft terms of reference (if a proponent initiated EIS referral).

The referral form can be downloaded from the NT EPA [website](#). The NT EPA requires supporting information in the form of a referral report and spatial files, to be submitted with the completed referral form. The completed referral form will be published following the NT EPA's decision to accept a referral.

Guidance on information to be included in the referral form and report is provided below. In addition, the checklists to be completed in the referral form can be used to assist in taking into account the legislative requirements of the EP Act and EP Regulations in designing the proposal and providing information in the referral report. The Environmental Assessment Unit of the Environment Division of DLPE can also be contacted for further assistance.



## 3.2. Information to be included in the referral form

The information recorded in the referral form is to provide a standalone summary of the proposal. This information is used by the NT EPA for administration of the environmental impact process. The information is required to be accurate and current throughout the environmental impact process.

Forms and guidance are available on the NT EPA's [Environmental management](#) webpage. The referral form must be submitted for referral of any proposal and notification of any significant variation.

## 3.3. Information to be included in a referral report

### 3.3.1. Matters to be addressed and structure of referral report

Information required to be addressed in the referral report and a suggested structure is provided in .

An example proposal components table template for a new proposal is provided at Appendix 2.

#### Table 1.

The pre-referral screening tool in Appendix 1 provides detail on the NT EPA environmental factors and objectives and matters for consideration in the referral. The matters provided in Appendix 1 are not exhaustive and other environmental considerations should be discussed as relevant to the EP Act, EP Regulations, and the proposal.

An example proposal components table template for a new proposal is provided at Appendix 2.

**Table 1 Information requirements and suggested item structure**

Item	Information to be addressed in the referral
<i>Publication statement</i>	Provide name and qualifications of the suitably qualified and experienced person who has undertaken the environmental impact assessment, prepared the referral, and information on any peer review undertaken.
<i>Executive summary</i>	<p>Overview of the proposal</p> <ul style="list-style-type: none"> <li>Brief description of the land tenure and location including a list of section numbers / NT Portion numbers, proximity of the proposal to the nearest resident, community / town and to Darwin</li> <li>Summary table of the environmental factors potentially significantly impacted</li> <li>Summary of how the proposal has accounted for key <i>principles of environment protection and management</i> (Part 2 of the EP Act) including avoidance, mitigation measures proposed, and a changing climate</li> <li>Statement about any residual significant environmental impact and offsets proposed</li> <li>Key conclusions.</li> </ul>
<i>Table of contents</i>	Include a clear table of contents (TOC) in the referral to allow the reader to easily find information. Electronic pdf document files should have the TOC bookmarked to allow for ease of navigation. The TOC headings will vary for each type of document and for individual proposals.

Item	Information to be addressed in the referral
<i>Introduction</i>	Include a brief introduction to the proposal and the proponent (noting proponent details are to be included in the referral form).
<i>Proposal description - Key components</i>	<p>Provide a clear and detailed description of the proposal, referencing maps and spatial information. The description should address key physical (for example mine, road, port, dam, pipeline), construction and operational (for example water abstraction, tailings disposal, dredging, emissions) components of the proposal and their purpose.</p> <p>Provide a key components summary table – an example for mining proposals, which can be used as an indication of what is required for other proposals, is provided in Appendix 2.</p> <p>Where applicable, describe:</p> <ul style="list-style-type: none"> <li>• what the proposal is, and its purpose</li> <li>• physical components and infrastructure, for example vegetation clearing, groundwater extraction, roads, drainage, pipelines, water storage</li> <li>• stages of the proposal and timeframes for example construction, operation, decommissioning, rehabilitation</li> <li>• construction components, activities and aspects for example temporary laydown areas, concrete batching, dredging, tunnelling, pipe laying, trenching, dust management, erosion control, water requirements, materials transport modes, routes, and movements</li> <li>• operational components, activities and aspects for example air emissions, greenhouse gas emissions, marine outfall, discharges, tailings disposal, water extraction, energy requirements, chemical use, waste management, product transport modes, routes, and movements</li> <li>• social and economic details (for example workforce and workforce accommodation requirements, proposed use of existing local services and businesses)</li> <li>• decommissioning, closure, and site rehabilitation components.</li> </ul> <p>The NT EPA notes that in some cases, referral information is based on concept designs and detailed design may still need to be completed. In circumstances where proposal components require further refinement or design at the time the referral is submitted, proponents should identify the uncertainties, describe how and when these would be resolved and whether the maximum (or range of) capacity and extent of the component may change as a result, for example area of disturbance, water demand, emissions to air, ore processing capacity.</p>
<i>Proposal description - Location and regional context</i>	<p>Location and regional context</p> <ul style="list-style-type: none"> <li>• Land tenure type, NT Portion number/lot number and zoning (if applicable)</li> <li>• Street address</li> <li>• Nearest resident/community/town, and distance and direction from Darwin</li> </ul>

Item	Information to be addressed in the referral
	<ul style="list-style-type: none"> <li>• Maps</li> <li>• Regional context</li> <li>• Topographic map/base overlain with proposal infrastructure</li> <li>• Aerial/satellite imagery overlain with proposal infrastructure</li> <li>• Vegetation units overlain with clearing footprint</li> <li>• Latitude/longitude (or other acceptable coordinate system – see s0).</li> </ul> <p>Land use, if known, describe the land use history within the proposed footprint and area of impact.</p> <p>The referral information must provide details of land-use history of the proposed footprint, referencing maps and spatial information. Where a site has been developed previously (brownfield site), include the extent and nature of previous activities and whether any soil, surface water and/or groundwater contamination or degradation is present.</p> <p>Where applicable:</p> <ul style="list-style-type: none"> <li>• discuss the scope and extent of any previous or current investigations into or activities involving, the remediation of soil, surface water or groundwater contamination on site.</li> <li>• advise if the site has been <a href="#">registered as a contaminated site under the Waste Management and Pollution Control Act 1998</a>.</li> </ul>
<p><i>Proposal description – Alternatives (options)</i></p>	<p>Describe any alternatives that were considered or are under consideration in scoping and developing the proposal such as:</p> <ul style="list-style-type: none"> <li>• location/s (of the site, proposal, or its components)</li> <li>• timeframes and their effects on duration and intensity of impacts/benefits, for example short timeframe might result in greater intensity but shorter duration of impact; long timeframe may have more social and economic benefits</li> <li>• activities for example ore processing vs direct shipping ore; new port facilities vs use of existing port facilities.</li> </ul> <p>Describe how the analysis of alternatives accounted for the <i>Principles of environment protection and management</i> (Part 2 of the EP Act). For example, discuss the considerations that were undertaken to avoid or mitigate potential environmental impacts and how that influenced the site selection process.</p> <p>The preferred/selected option should be justified. In the case the proponent does not have a preferred option and two options are proposed, the referral must include assessment of both options.</p> <p>Describe any assumptions critical to your assessment, for example risk appropriately identified, mitigation measures or regulatory conditions to be implemented, measures proven and likely to succeed.</p>

Item	Information to be addressed in the referral
<p><i>Proposal description – Application of the:</i></p> <ul style="list-style-type: none"> <li>– Principles of environment protection and management (Part 2 of the EP Act)</li> <li>– General duty of proponents (s 43 of the EP Act)</li> </ul>	<p>Discuss how the design and subsequent phases of the proposal accounts for the <i>Principles of environment protection and management</i> (Part 2 of the EP Act) and for the <i>General duty of proponents</i> under section 43 of the EP Act.</p> <p>For example, discuss how renewable energy sources are proposed to be used rather than fossil fuels, how water will be reused to avoid wastewater discharge and minimise raw water demand, long-term and short-term environmental considerations, that threatened species surveys were conducted within 12 months of submitting the referral to contribute to evidence-based decision making.</p> <p>Discuss how the proposal has accounted for a changing climate or adapting to a changing climate. For example, the siting of the chemical storage facility is above storm surge inundation areas that include projected seal level rise.</p> <p>Describe to what extent the subsections of section 43 <i>General duty of proponents</i> have been considered and addressed prior to the referral being submitted (refer to <b>Referral form</b>).</p>
<p><i>Consultation</i> <b>Refer to NT EPA Stakeholder Engagement and Consultation guidance</b></p>	<p>The EP Act (sections 3 and 43) puts an obligation on a proponent to consult with stakeholders and the community in the development of the proposal. The referral should describe the stakeholder engagement conducted, noting the depth of such engagement should be proportionate to the impact of the proposal. As an example, the referral should include:</p> <ul style="list-style-type: none"> <li>• a description of stakeholder engagement and community consultation undertaken regarding the proposal</li> <li>• an outline of the method and process of consultation with stakeholders</li> <li>• a summary of the key matters raised during consultation, how the proponent has taken those into consideration and what action was taken to address the matters raised, for example any changes made because of consultation, alignment of road moved away from residents, pipeline moved to avoid sacred site</li> <li>• the ongoing consultation, and options for stakeholders and the community to provide feedback, throughout various phases of the proposal such as during detailed design, construction, operation, decommissioning, closure</li> <li>• whether the consultation has or hasn't been undertaken in accordance with NT EPA's guidance on <i>Stakeholder Engagement and Consultation</i> and address the matters provided in the guidance</li> <li>• whether the consultation has or hasn't been undertaken in accordance with the general duty of proponents (<b>see Referral form</b>).</li> </ul>
<p><i>Strategic and statutory context</i></p>	<p>Provide a table describing the legislation, policies, and guidelines that are or may be applicable to the proposal, and the sequencing and status of those. The information must be specific to your proposal rather than a list of Acts and the objects of those Acts.</p> <p>Describe the strategic and statutory context of the proposal, and identify:</p>

Item	Information to be addressed in the referral
	<ul style="list-style-type: none"> <li>• any local, regional, Territory or Australian policies, plans, planning schemes or systems that apply or demonstrate the need for the proposal in a strategic planning context</li> <li>• any related proposals, including those that may involve a potential for expansion or additional development by the proponent, and timeframes</li> <li>• details of how the proposal complies (or does not comply) with the relevant policies and plans</li> <li>• any contribution to net zero emissions by 2050 in accordance with the Northern Territory’s Climate Change Response and Large Emitters policies</li> <li>• the requirements related to section 45 (Bilateral Agreement) or section 87 (Accredited process) of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (where relevant)</li> <li>• any approval, licence or authorisation under another regulatory regime that would be required</li> <li>• the status of any application or granted approval, licence or authorisation under another regulatory regime that would be required</li> <li>• whether an approval, licence or authorisation decision by another statutory decision-maker may mitigate the potential significant impacts of the referred proposal.</li> </ul>
<i>Environmental Factors</i>	<p>The remaining sections of this table (below) relate to information that describes the potential significant impacts of the proposal on the NT EPA’s Environmental factors.</p> <p>The referral report must address the information requirements below, for each environmental factor identified as being relevant to the proposal (i.e. the environmental factors identified by the pre-referral screening tool). The referral information should be supported by evidence such as technical studies and surveys.</p>
<i>Environmental Factors and objectives - Presence/absence of environmental values (repeat this for each NT EPA Factor and Objective that is being considered for a proposal)</i>	<p>Verify the presence or absence of environmental values and sensitivities that have the potential to be significantly impacted by the proposal, including aspects of the environment:</p> <ul style="list-style-type: none"> <li>• where the proposal is located</li> <li>• with the potential to be impacted (negatively and positively) by components of the proposal, or the proposal as a whole, or cumulatively with other proposals</li> <li>• that are sensitive to stressors likely to arise from the proposal</li> <li>• that are likely to influence the significance of environmental impacts.</li> </ul> <p>The method of verifying the information should be included to assist in evidence-based decision making and to gain an understanding of currency and certainty of information. For example, specify if the information is based on desktop assessments, and/or field surveys, the methods used, dates, sources,</p>

Item	Information to be addressed in the referral
	and whether the approach is conducted in accordance with relevant regulatory and industry guideline.
<i>Environmental Factors and objectives</i> - Potential impacts and consistency with relevant policy and guidance	<p>Assess the potential impacts (positive, negative, direct, indirect, cumulative, short and long-term) of the proposal, the significance of the impacts, and how the impacts might affect the NT EPA's objective for the environmental factor.</p> <p>Describe relevant policy and guidance that has been considered and applied it in relation to this factor. Include any relevant National or Territory standards, codes of practice and guidelines.</p> <p>Describe any expected residual / remaining impact to the environmental factor that may result after the completion of the proposal including after the management hierarchies<sup>5</sup>, have been successfully implemented.</p>
<i>Environmental Factors and objectives</i> - Environment protection and management	<p>Describe in terms of the management hierarchies (sections 26-27 of EP Act):</p> <ul style="list-style-type: none"> <li>• measures proposed to avoid, mitigate, or offset (if appropriate) the potential adverse impacts</li> <li>• the anticipated effectiveness of proposed measure(s) and the level of confidence that the measure will be implemented</li> <li>• whether by implementing the measure(s) the NT EPA's objective for the environmental factor is likely to be met.</li> </ul>
<i>Environmental factors and objectives</i> - Cumulative impacts	<p>The EP Regulations (regulation 79) defines matters that may be included in an environmental impact assessment, including a cumulative impact assessment that considers the combined impact of the action or proposal and other actions.</p> <p>Describe potential cumulative impacts of the proposal taking into account the combined impact of the action or proposal and other actions:</p> <ul style="list-style-type: none"> <li>• for which environmental approval has been granted; or</li> <li>• that are the subject of environmental impact assessment; or</li> <li>• for which an approval (however described) has been given under another enactment; or</li> <li>• for which an application for approval (however described) is being assessed under another enactment; or</li> <li>• that are occurring or proposed in or near the area of the proposal.</li> </ul> <p>Provide an account of past, present and reasonably foreseeable future development, operations, or industries that are related directly (expansion of proposal) or indirectly (with other actions or proposals in the region or due to the operation/presence of the current proposal) to the proposal.</p>

<sup>5</sup> the environmental decision-making hierarchy and the waste hierarchy as set out in sections 26 and 27 respectively of the *Environment Protection Act 2019*

### 3.3.2. References, maps, and raw data

All sources of information in the referral must be appropriately referenced, preferably using the Harvard Standard. A reference list must include the address of any internet pages used as data sources and the date accessed. Referenced supporting documentation and data, or documents cited in the referral, must be available upon request.

Spatial data included in the referral must be provided in GIS format, geo-referenced and conform to the following parameters:

- Data type: closed polygons that represent the proposed boundary and the activity areas for all physical components of the proposal (such as the footprint and threatened species survey areas), line and point data as relevant for surveys (for example, water sampling locations and threatened species records).
- Attribution: name each polygon (development footprint and each activity area) and provide labels for point data in the attribute table of the spatial data.
- Format: ESRI geodatabase or shapefile.
- Coordinate System: Geocentric Datum of Australia (GDA) 2020 (datum) (or as updated) and projected into the appropriate Map Grid of Australia (MGA) zone.

All maps and figures contained in the referral must be clear and readable, of appropriate scale, in either jpg or pdf format and of good resolution (> 300 dpi) to enable interpretation of the content. A scale bar, north arrow and legend or caption to describe all symbols used must be included for all maps. 'Flatten' figures to reduce the size of the referral.

Any raw data collected or generated to support development of the referral must be provided in csv or excel file formats. Data columns must be clearly titled for variables with relevant units.

Any disclaimers included in the referral information must not prevent the NT EPA from using the referral for its assessment in accordance with legislated requirements. For example, there must be no limitation on providing copies of the referral or supporting documents to government authorities, members of the public, or reproducing information to prepare any NT EPA reports on the proposal.

## 3.4. Confidential information

If a proponent or approval holder does not wish information to be made public, it must apply to the NT EPA for approval to withhold confidential information. This includes information that is commercial-in-confidence; cultural-in-confidence (e.g. matters required to be kept secret according to Aboriginal tradition such as an Aboriginal Areas Protection Authority (AAPA) certificate); subject to legal professional privilege; or otherwise required by law to be withheld from publication, or in the public interest to withhold. An application must be submitted in an approved form (in accordance with sections 281 to 283 of the EP Act and EP Regulation 271). The [application form](#) should be accompanied by a stand-alone confidential addendum to the public referral report containing the sensitive information. If approved by the NT EPA, the confidential addendum will not be published during public consultation periods and will not be recorded on the public register. The confidential addendum will be provided to government authorities during submission periods, the NT EPA and the Minister.

An application to withhold information during consultation will stop the statutory timeframe for the NT EPA to consider the referral until the Minister or the NT EPA makes a decision. Please contact the DLPE Environmental Assessment Unit for advice.

### 3.5. Other information for a significant variation referral

If the referred proposal is a significant variation, this must be identified in the referral form.

In addition to the requirements listed above, a significant variation referral must include the following information:

- Type of significant variation - Identify whether the significant variation relates to a variation to a proposal that is currently undergoing impact assessment or an approved proposal.
- Information of the proposal to be varied - Provide information on the proposal to be varied, so that the NT EPA can consider the environmental impact of the significant variation in the context of the original proposal.
- Combined impacts - Outline the combined effects which the implementation of the original proposal and the significant variation would potentially have on the environment.
- Existing and additional proposed avoidance and mitigation measures, and any approval conditions - Provide an analysis of the existing proposed avoidance and mitigation measures, or approval conditions and whether the proponent considers any changes or additions are required. This should include consideration of whether the existing measures or conditions are adequate to ensure consistency of the ongoing components of the proposal with the NT EPA's environmental factor objectives.

An example of a proposal components table template for a significant variation proposal is provided at Appendix 2.

## 4. How and where to submit the referral

The referral form and accompanying documentation may be submitted to the NT EPA:

- by email: [eia.ntepa@nt.gov.au](mailto:eia.ntepa@nt.gov.au) (if the referral and supporting documents are less than 20 MB)
- by electronic file upload (all files must be 20 MB or less) - contact staff of the Environment Division **at least five business days prior** to submitting the referral for more information

Referral document files must be less than 20 MB, optimised for web use, and unsecured/not password protected to allow for web upload.

Electronic copies (pdf format) must be provided both as a single file of the entire document (may be greater than 20MB) and separate files of the referral information (less than 20MB, referral form and relevant supporting documentation).

The following separate pdf files should be provided as relevant:

- Referral-form (completed and signed by the proponent)
- Referral-report (split into Executive Summary, table of contents and chapters if it is a large document)
- Appendix-A
- Appendix-B
- Appendix-C (repeat appendices as necessary)
- Proponent-statement-of-reasons (if submitting a proponent initiated EIS)
- Proponent-draft-terms-of-reference (if submitting a proponent initiated EIS).

Files names are to follow web naming protocols as follows:



- labelled according to the chapter number and name, or appendix number and name
- words separated by hyphens (-), **do not** use spaces or underscores.

Refer above to section 0 regarding spatial and raw data files.

Once documents have been submitted, a completeness check will be conducted to ensure that the file sizes are less than 20 MB, appendices are attached, figures are readable etc. The completeness check is prior to commencement of statutory timeframes.

## 5. Decision to accept or refuse a referral

When a referral is first received, an initial consideration of all documentation will be conducted to determine whether:

- the referral is required (only actions with the potential to have a significant impact on the environment are required to be referred to the NT EPA)
- the referral describes an action that is clearly one element of a larger action which should be considered more holistically to appropriately assess the project impacts in their entirety
- the referral contains sufficient information for the NT EPA to consider the referral and to inform stakeholders about the proposal and its potential to have a significant impact on the environment
- additional information is required to address a material omission.

The NT EPA may give a direction requiring additional information within 10 business days after the NT EPA receives the referral. If a direction is made, it will stop the statutory timeframe for the NT EPA to consider the referral until the proponent provides the additional information.

Based on this initial consideration the NT EPA will either accept or refuse to accept the referral, noting that a refusal to accept the referral is not a refusal of an environmental approval. The only basis on which the NT EPA may refuse to accept a referral is:

- If it was not required.

[If the NT EPA receives a referral for an action that clearly will not have a significant impact, it can refuse to accept the referral. For example, a referral to build a new house in an existing subdivision would not be required and would be refused on the basis that the referral was not required.]

The proponent will then need to seek other relevant approvals for the action.

- It did not provide sufficient information about the action.

[The NT EPA would only be able to refuse to accept a referral on this basis if the information required related to a material omission from the referral. An example of a material omission is where a referral is received for a marina and shopping centre development and the referral omits information on the potential impacts to the marine environment.]

- It only provides information about part of a larger action and information on the whole action is required.

[For example, a referral for a new water treatment facility associated with a new dam that only provides information relating to the treatment facility (either because the proponent failed to recognise that information on the dam component was necessary for the NT EPA or because of an intent of making a separate referral for the dam at a later date).]

- Relates to an area that is covered by a strategic proposal that has been referred for assessment

[this may include a proposed action of a kind that will be assessed through the strategic proposal or a proposed action that has been assessed as part of a strategic proposal]

- It was not prepared or certified in accordance with requirements of EP Regulation 263 regarding document and information requirements  
[For example, if following *Gazette* notice, a referral was submitted to the NT EPA that had not prepared by a registered environmental practitioner and was not in the form and manner the NT EPA gazetted.]

The NT EPA will prepare a notice of its decision which will be provided to the proponent and published. If the NT EPA refuses a referral, it will prepare and publish a supporting statement of reasons.

## 6. Decision on accepted referral

### 6.1. Overview

After a proponent refers a proposal to the NT EPA and the NT EPA accepts the referral, the referral form, referral report and supporting information will be made available for public comment. After considering the referral and comments, the NT EPA, (or Minister in the case of a strategic proposal) must decide either:

- the proposal will **not** have a significant impact on the environment, and environmental impact assessment is not required (therefore no requirement for any method of assessment and no requirement for an environmental approval under the EP Act), OR
- the proposal **will** have a significant impact on the environment and environmental impact assessment is required. If so, the method of assessment must be decided.

If the NT EPA decides that a proposal must undergo environmental impact assessment, an environmental approval, from the Minister is required before it can proceed. If the NT EPA decides that a proposal is unacceptable, it will recommend to the Minister that the Minister refuse to grant an environmental approval for the referred action or strategic proposal.

Indicative steps and timeframes for decisions are included in the [environmental impact assessment flowchart](#).

### 6.2. How the NT EPA determines significant impact

Before making a decision about whether an accepted referral requires environmental impact assessment, the NT EPA will consider the accepted referral information, any additional information given to the NT EPA, and the submissions received in relation to the referral information.

In determining whether a proposal has the potential for a significant impact on the environment the NT EPA may consider various matters, including the following:

- objects of the EP Act and other NT environmental legislation
- the context and intensity of the impact
- the sensitivity, value and quality of the environment which is likely to be impacted (for example, the existing environment as defined by the NT EPA's environmental factors and objectives)
- duration, magnitude and geographic extent of the impact
- consequence of likely impacts (or change)
- resilience of the environment to cope with the impacts or change
- connections and interactions between parts of the environment to inform a holistic view of impacts to the environment (for example, closure and rehabilitation, adaptive management, cumulative impacts)

- level of confidence in the prediction of impacts and the effectiveness of proposed mitigation measures.

The NT EPA may also consider:

- relevant definitions of significance under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) and national standards, for example National Environment Protection Measures (NEPM), against which a proposal can be assessed
- other statutory decision-making processes that may mitigate the potential environmental impact of a proposal
- previous decisions of the NT EPA on the significance of impacts.

Where the NT EPA determines that a proposal does not have the potential for a significant impact on the environment, an environmental impact assessment will not be required.

### 6.3. How the NT EPA determines the method of environmental impact assessment

If the NT EPA decides that a proposal has the potential to have a significant impact on the environment, environmental impact assessment is required. The EP Regulations provide for a number of assessment methods:

- assessment by referral information
- assessment by supplementary environmental report (SER)
- assessment by environmental impact statement (EIS)
- assessment by inquiry (either on its own or in combination with one of the above methods).

Indicative steps and timeframes for decisions are included in the [environmental impact assessment flowchart](#).

In accordance with regulation 59, when deciding or recommending a method of environmental impact assessment, the NT EPA must consider the following criteria:

- the significance of the potential impact of the proposal
- the level of confidence in predicting potential significant impacts of the proposal taking into account the extent and currency of existing knowledge
- the level of confidence in the effectiveness of any proposed measures identified in the referral to avoid, mitigate or manage potential significant impacts of the proposal
- the extent of community engagement that has occurred in relation to the proposal
- the capacity of communities and individuals likely to be affected to access and understand information about the proposal and its potential significant impacts.

### 6.4. Assessment by referral information

The NT EPA may undertake an assessment by referral information method where a proposal has the potential for significant impact (and therefore requires an environmental approval/refusal) and sufficient information has been provided in the referral. This is the quickest method of assessment and provides one opportunity for public consultation (referral documentation).

The NT EPA may decide on assessment by referral information if the referral provides the necessary information to prepare its assessment report, advise the Minister and prepare a draft environmental approval or statement of unacceptable impact. The necessary information for this to occur includes:

- providing sufficient information as outlined in this guidance
- demonstrating that relevant stakeholders have been identified and engaged, and the outcomes of the engagement are reported, in accordance with the NT EPA's guidance on stakeholder engagement and consultation
- assessment of any environmental factor that has the potential to be significantly impacted, in accordance with the NT EPA's guidance on that factor (if available).

## 6.5. Assessment by supplementary environmental report (SER)

The NT EPA may undertake an assessment by SER method where a proposal has the potential for significant impact and the NT EPA requires public submissions to be addressed by the proponent and any additional information as directed by the NT EPA. SER assessment method provides the public a minimum of two opportunities for consultation; to comment on the referral documentation and on the SER. Separate NT EPA guidance about [preparing an SER](#) is available.

## 6.6. Assessment by environmental impact statement (EIS)

The NT EPA may undertake assessment by EIS method for proposals that have the potential for significant impact on the environment and are considered to be highest risk, where there are a number of matters and/or increased complexity, and/or increased uncertainty requiring further investigation, assessment and review. EIS assessment method is the most intensive level of assessment with four opportunities for public consultation: to comment on the referral documentation, the draft terms of reference, the Draft EIS, and the supplement to the Draft EIS (if applicable). See NT EPA guidance on [preparing an EIS](#).

## 6.7. Assessment by inquiry

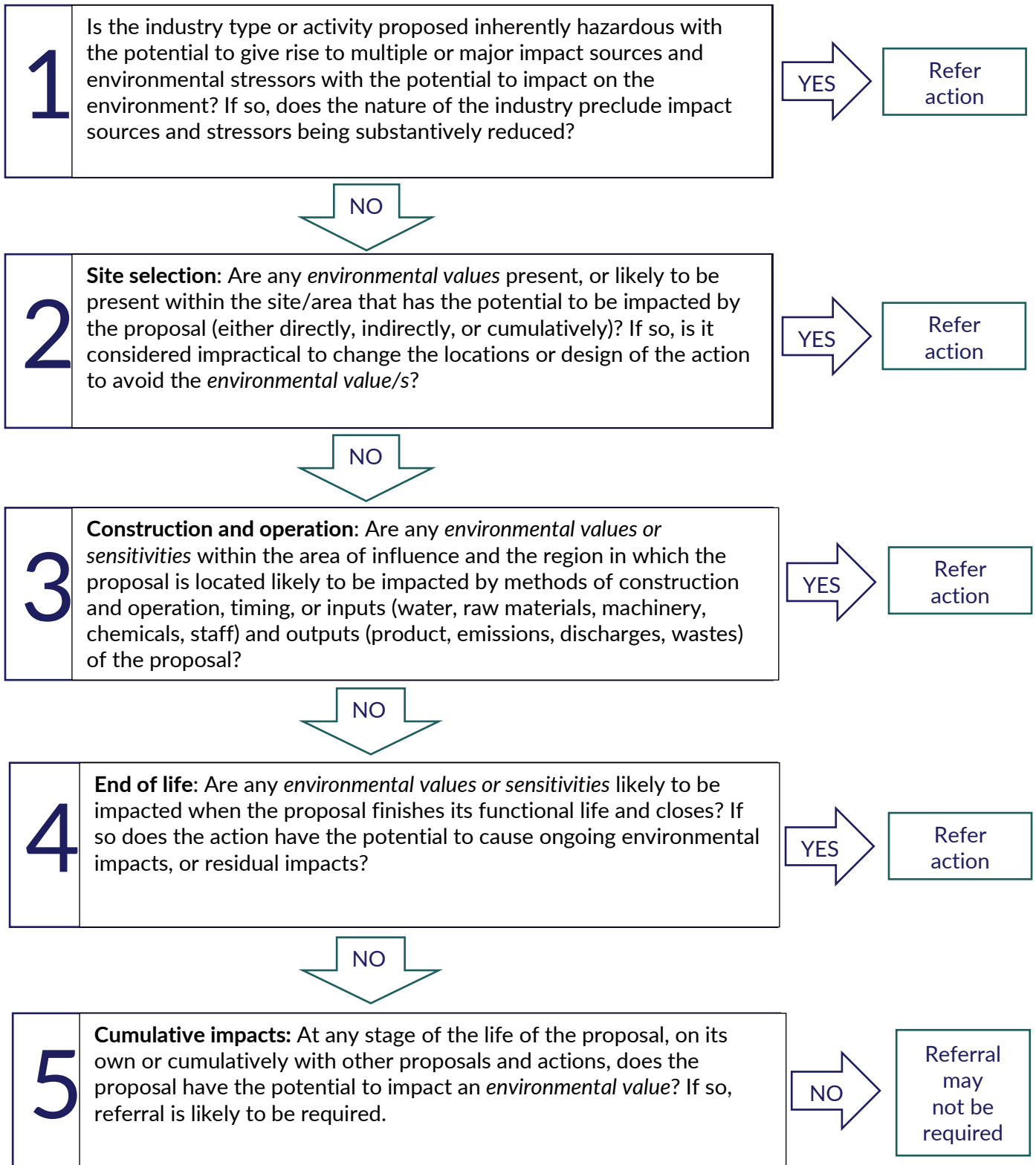
An assessment by inquiry can be used where it is considered to be more appropriate for the stakeholder audience than another environmental assessment approach. For example, cultural or language issues may prohibit potentially impacted communities from easily engaging in a paper-based environmental impact assessment approach.

For some proposals the NT EPA may decide that an assessment by inquiry method is used, combined with another assessment method.

## Appendix 1: Pre-referral screening tool

This appendix provides the tools to assist proponents in conducting a pre-referral screening of a new proposal and should be completed after reading all information in the referral guidance.

### Part 1 – General screening questions



## Guidance for answering screening questions:

### Environmental values and sensitivities

While a proponent may exercise a degree of judgement about whether a proposal has the potential to have a significant impact on the environment, **it is for the NT EPA to decide an impact's significance**. Therefore, the screening tool requires the identification of whether the proposal activity/industry type inherently has the potential to impact the environment and has the potential to impact aspects of the environment that are rare, sensitive to stress or important (environmental values and sensitivities). The premise for this approach is that any impacts (including impacts perceived to be minor) to environmental values and sensitivities, have the potential to be significant.

### Question 1 – inherent hazardous nature of proposal

If the proposal could be considered inherently hazardous (checkbox = yes), it must be referred to the NT EPA.

Examples of inherently hazardous developments or activities could include (but are not limited to) a uranium mine, aluminium smelter, Liquefied Natural Gas (LNG) plant or gas processing facility. As this question is about the proposal or activity without reference to the receiving environment or environmental values, check boxes for this question, corresponding to environmental factors, have been removed from the checklist at Part B.

### Question 2 – site selection

Appropriate site selection is used to avoid environmental impacts by not locating a proposal where environmental values (such as sensitive environments) are present or can be impacted.

The checklist at Appendix 1 – Part 2 indicates the potential environmental values and sensitivities that are associated with each environmental factor to encourage consideration of whether an environmental value or sensitivity is present or absent within the footprint or surrounding environment of the proposal.

If present, a proponent must consider whether the proposal could have a direct, indirect or cumulative impact on it. If an impact to an environmental value or sensitivity has the potential to occur (checkbox = yes or uncertain), the proponent should consider, justify, and/or assess the significance of the impact. If there is potential for significant impact the proponent must refer the proposal to the NT EPA. Alternatively, the proponent could change the location or design of the proposal to avoid the impact (if this occurs, checkbox = no and provide a brief justification for the changes made and residual impact).

### Question 3 – construction and operation

The methods of construction and operation may give rise to impact sources and pathways for impacts to environmental values and sensitivities outside the development footprint, in the surrounding environment.

For example, constructing an earthen barge landing or dredging a shipping channel in coastal waters could lead to poor water quality and impacts to marine ecosystems distant from the development; a polymetallic mine that includes processing and therefore a tailings stream, may pose a risk to beneficial uses downstream of the mine through seepage of contaminants to groundwater aquifers.

If the method of construction or operation of a proposal is likely to create impact sources and pathways to environmental values and sensitivities within the area of influence outside the development footprint (checkbox = yes or uncertain), the proponent must refer the proposal to the NT EPA. Alternatively, the proponent may alter the method to avoid the impact (if this occurs, checkbox = no and provide a brief justification for the changes made and residual impact).

## Question 4 – residual or ongoing impacts

The state of the impacted area at the end of life of the proposal may give rise to ongoing impacts (legacy issues) that may not be possible to manage actively or effectively.

For example, in the mining industry where resources are finite and physical disturbance of the site is difficult and/or prohibitively expensive to repair.

If at the end of the proposal's life, the proposal footprint is unlikely to be restored, or adverse impacts to environmental values and sensitivities are likely to occur and be ongoing into the longer term (checkbox = yes or uncertain), the proponent must refer the proposal to the NT EPA. Alternatively, the proponent could demonstrate that adverse impacts would be avoided at the end of life of the proposal and into the future (if this occurs, checkbox = no and provide a brief justification for the changes made and residual impact).

## Question 5 – cumulative impacts

It is a requirement to consider how the proposal could contribute to impacts to environmental values and sensitivities as a result of a combination of smaller impacts arising from the proposal, and/or that accumulate in conjunction with other developments, or natural events.

If cumulatively, the activities associated with a single proposal, and/or in combination with other proposals or actions or events in the region, impacts to environmental values and sensitivities are likely (checkbox = yes or uncertain), the proponent should consider, justify, and/or assess the significance of the impact, which may lead to referral of the proposal to the NT EPA. Alternatively, the proponent could demonstrate that cumulative impacts resulting from the proposal can be avoided (if this occurs, checkbox = no and provide a brief justification for the changes made and residual impact).

## Part 2 – Answer checklist

**How to complete the answer checklist:** Use questions 1-5 from Part 1 of the screening tool. Indicate answer to questions 1-5 in corresponding checkbox.

The table below gives an indication of possible *environmental values* and sensitivities for each environmental factor that should be addressed when considering each question. If the answer to a question is 'yes' or 'uncertain', it is possible that the proposal may have the potential to have a significant impact on the environment and the proposal should be referred to the NT EPA. If you answer 'no' to any question, provide a justification why there is no likely impact to that factor.

Theme	Environmental factor and objective	Indicative environmental values and sensitivities relevant to each environmental factor	Proponent's answer to screening questions 1-5				
			Q2	Q3	Q4	Q5	
		<p>Is the industry type or activity proposed inherently hazardous with the potential to give rise to multiple or major impact sources and environmental stressors with the potential to impact on the environment?</p> <p>If so, does the nature of the industry preclude impact sources and stressors being substantively reduced?</p>	No <input type="checkbox"/> Yes <input type="checkbox"/>				
LAND	1) Landforms  <u>Objective:</u> Conserve the variety and integrity of distinctive physical landforms.	<ul style="list-style-type: none"> <li>○ distinctive features in the landscape, either geological or anthropogenic</li> <li>○ subterranean karstic terrain and faults</li> <li>○ craters, gorges, ranges, caves, massifs, escarpments, plateaus</li> <li>○ monuments</li> <li>○ tourism related to landforms</li> </ul>	Yes <input type="checkbox"/>  No <input type="checkbox"/>  Uncertain <input type="checkbox"/>  Not Applicable <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<p><b>If you answered No to any screening questions for Landforms, provide justification here:</b></p>						
	2) Terrestrial environmental quality  <u>Objective:</u> Protect the quality and integrity of land and soils so that environmental values are supported and maintained.	<ul style="list-style-type: none"> <li>○ high quality soils, including chemical, physical, biological, and aesthetic qualities that support life</li> <li>○ the biological processes that depend on soil quality</li> </ul>	Yes <input type="checkbox"/>  No <input type="checkbox"/>  Uncertain <input type="checkbox"/>  Not Applicable <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Theme	Environmental factor and objective	Indicative environmental values and sensitivities relevant to each environmental factor	Proponent's answer to screening questions 1-5				
			Q2	Q3	Q4	Q5	
<b>If you answered No to any screening questions for Terrestrial environmental quality, provide justification here:</b>							
	3) Terrestrial ecosystems <u>Objective:</u> Protect terrestrial habitats to maintain environmental values including biodiversity, ecological integrity, and ecological functioning.	<ul style="list-style-type: none"> <li>o 'sensitive or significant' vegetation or buffers (as defined in the NT Land Clearing Guidelines)</li> <li>o listed threatened species and their habitat (NT and Commonwealth)</li> <li>o listed migratory species and their habitat (Commonwealth)</li> <li>o listed threatened ecological communities (Commonwealth)</li> <li>o locally endemic or restricted species and their habitat</li> <li>o species that are data deficient with unknown protection status</li> <li>o protected area or reserve, including Indigenous Protected Area</li> <li>o biosecurity</li> <li>o high quality biological and functional diversity, integrity, and services</li> </ul>	Yes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	No	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
			Uncertain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Not Applicable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>If you answered No to any screening questions for Terrestrial ecosystems, provide justification here:</b>							
WATER	1) Hydrological processes <u>Objective:</u> Protect the hydrological regimes of groundwater and surface water so that environmental values including ecological health, land uses and the welfare and amenity of people are maintained.	<ul style="list-style-type: none"> <li>o the supply and quantity of water in surface water features including rivers, lakes, wetlands, swamps, creeks, billabongs, intermittent streams, floodplains, mangroves, and drainage lines</li> <li>o the supply and quantity of water in groundwater features including aquifers, aquitards, water tables and the ecosystems they support (stygo fauna, vegetation, and groundwater dependent ecosystems)</li> <li>o declared beneficial uses</li> <li>o present and future uses, and users of water</li> <li>o current or potential water supplies, including regional scale aquifers</li> <li>o culturally important water features or other features affected by water level</li> </ul>	Yes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	No	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
			Uncertain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Not Applicable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>If you answered No to any screening questions for Hydrological processes, provide justification here:</b>							
	2) Inland water environmental quality	<ul style="list-style-type: none"> <li>o the quality of water in surface water features including rivers, lakes, wetlands, swamps, creeks, billabongs, intermittent streams, floodplains, mangroves, and drainage lines</li> </ul>	Yes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	No	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

Theme	Environmental factor and objective	Indicative environmental values and sensitivities relevant to each environmental factor	Proponent's answer to screening questions 1-5				
			Q2	Q3	Q4	Q5	
SEA	<p><u>Objective:</u> Protect the quality of groundwater and surface water so that environmental values including ecological health, land uses and the welfare and amenity of people are maintained.</p>	<ul style="list-style-type: none"> <li>o the quality of water in groundwater features including aquifers and water tables</li> <li>o declared beneficial uses</li> <li>o present and future uses and users of water</li> <li>o current or potential water supplies, including regional scale aquifers</li> <li>o potability / drinkability</li> <li>o culturally important water features</li> </ul>	Uncertain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Not Applicable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<b>If you answered No to any screening questions for Inland water environmental quality, provide justification here:</b>						
	3) Aquatic ecosystems	<ul style="list-style-type: none"> <li>o threatened species</li> <li>o the health of the biota in inland waterways</li> <li>o the habitats that support the lifecycle of aquatic biota</li> <li>o groundwater dependent ecosystems</li> <li>o Ramsar wetlands</li> <li>o high quality biological and functional diversity, integrity, and services</li> </ul>	Yes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<p><u>Objective:</u> Protect aquatic habitats to maintain environmental values including biodiversity, ecological integrity, and ecological functioning.</p>		No	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Uncertain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
			Not Applicable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>If you answered No to any screening questions for Aquatic ecosystems, provide justification here:</b>							
1) Coastal processes	<p><u>Objective:</u> Protect the geophysical and hydrological processes that shape coastal morphology so that the environmental values of the coast are maintained.</p>	<ul style="list-style-type: none"> <li>o processes that support marine ecosystems such as coral reefs and mangroves</li> <li>o processes that support coastal morphology such as beaches, rock bars, and sandbars</li> <li>o tidal creeks, deltas, and river mouths</li> <li>o storm surge protection</li> <li>o unique coastal landforms</li> </ul>	Yes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			No	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Uncertain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Not Applicable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>If you answered No to any screening questions for Coastal processes, provide justification here:</b>							
2) Marine environmental quality		<ul style="list-style-type: none"> <li>o quality of the water, sediment, and biota</li> <li>o physical parameters that support fishing and aquaculture</li> <li>o physical parameters that support recreation and aesthetics</li> </ul>	Yes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Theme	Environmental factor and objective	Indicative environmental values and sensitivities relevant to each environmental factor	Proponent's answer to screening questions 1-5				
			Q2	Q3	Q4	Q5	
	<p><u>Objective:</u> Protect the quality and productivity of water, sediment, and biota so that environmental values are maintained.</p>	<ul style="list-style-type: none"> <li>o industrial water supply</li> <li>o cultural and spiritual values</li> </ul>	No	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Uncertain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Not Applicable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<p><b>If you answered No to any screening questions for Marine environmental quality, provide justification here:</b></p>						
	<p>3) Marine ecosystems</p> <p><u>Objective:</u> Protect marine habitats to maintain environmental values including biodiversity, ecological integrity, and ecological functioning.</p>	<ul style="list-style-type: none"> <li>o conservation significant marine and coastal fauna and critical habitat such as nesting, breeding or foraging habitat</li> <li>o conservation significant marine and coastal benthos (seagrass meadows, sponge gardens, coral reefs, mangrove communities and salt marshes)</li> <li>o groups of species (species richness and assemblages of species)</li> <li>o ecological functions and processes</li> <li>o high quality biological and functional diversity, integrity and services</li> </ul>	Yes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			No	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Uncertain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Not Applicable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>If you answered No to any screening questions for Marine ecosystems, provide justification here:</b></p>							
AIR	<p>1) Air quality</p> <p><u>Objective:</u> Protect air quality and minimise emissions and their impact so that environmental values are maintained.</p>	<ul style="list-style-type: none"> <li>o ambient air quality in the local airshed</li> <li>o the chemical, physical and biological characteristics of quality air</li> <li>o the biological processes that depend on the air quality</li> </ul>	Yes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			No	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Uncertain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Not Applicable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>If you answered No to any screening questions for Air quality, provide justification here:</b></p>							
	<p>2) Atmospheric processes</p> <p><u>Objective:</u> Minimise greenhouse gas emissions so as to contribute to the</p>	<ul style="list-style-type: none"> <li>o a contribution to the NT's greenhouse gas emissions through nearing or reaching emission thresholds for:                             <ul style="list-style-type: none"> <li>o industrial projects of 100 000 tCO<sub>2-e</sub> scope 1 emissions per financial year (not counting emissions generated from land clearing)</li> </ul> </li> </ul>	Yes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			No	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Theme	Environmental factor and objective	Indicative environmental values and sensitivities relevant to each environmental factor	Proponent's answer to screening questions 1-5				
			Q2	Q3	Q4	Q5	
	NT Government's goal of achieving net zero greenhouse gas emissions by 2050.	<ul style="list-style-type: none"> <li>land use project/s of 500 000 tCO<sub>2-e</sub> scope 1 emissions from single or cumulative land clearing actions.</li> </ul>	Uncertain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Not Applicable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If you answered No to any screening questions for Atmospheric processes, provide justification here:							
PEOPLE	1) Community and economy <u>Objective:</u> Enhance communities and the economy for the welfare, amenity and benefit of current and future generations of Territorians.	<ul style="list-style-type: none"> <li>communities, towns and suburbs where people live</li> <li>community aspirations for liveable environment and healthy lifestyles,                             <ul style="list-style-type: none"> <li>affordable access to food, water, electricity, transport and communication networks.</li> <li>good amenity – air quality, noise, aesthetics</li> <li>access to social infrastructure and services including transport and logistics</li> <li>access to natural resources including bush food</li> <li>recreational use of the natural or built environment (for example fishing, cycling, sports, picnics)</li> <li>species of social, , livelihood and or economic importance (terrestrial, aquatic and marine biota)</li> </ul> </li> <li>participation in jobs, businesses and education</li> <li>existing industries such as agriculture, pastoralism, tourism, fisheries</li> <li>vulnerable sectors of the community.</li> </ul>	Yes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			No	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				Uncertain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Not Applicable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If you answered No to any screening questions for Community and economy, provide justification here:							
	2) Culture and heritage <u>Objective:</u> Protect culture and heritage.	<ul style="list-style-type: none"> <li>Aboriginal cultural values</li> <li>sacred sites</li> <li>the Territory's natural and built heritage</li> <li>declared heritage places and objects protected under the <i>Heritage Act 2011</i> (NT) such as:                             <ul style="list-style-type: none"> <li>any Aboriginal or Macassan archaeological place or object (coastal mounds and middens, rock art, stone arrangements, quarries, artefacts, graves, burial sites and ancestral remains)</li> </ul> </li> </ul>	Yes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			No	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Uncertain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			Not Applicable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Theme	Environmental factor and objective	Indicative environmental values and sensitivities relevant to each environmental factor	Proponent's answer to screening questions 1-5			
			Q2	Q3	Q4	Q5
		<ul style="list-style-type: none"> <li>○ underwater cultural heritage (isolated objects, shipwrecks, plane wrecks, underwater cables and evidence of Aboriginal occupation prior to sea level rise)</li> <li>○ built heritage (colonial buildings and other historic buildings)</li> <li>○ defence structures (defensive positions and airfields)</li> <li>○ natural features (meteorite impact sites, palaeontological sites, springs, trees)</li> <li>○ world heritage</li> <li>○ heritage protected under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth)</li> <li>○ underwater cultural heritage protected under the <i>Underwater Cultural Heritage Act 2018</i> (Cth)</li> <li>○ Aboriginal rights and interests, including right of access</li> </ul>				
	<b>If you answered No to any screening questions for Culture and heritage, provide justification here:</b>					
	3) Human health <u>Objective:</u> Protect the health of the Northern Territory population.	<ul style="list-style-type: none"> <li>○ drinking water</li> <li>○ air quality</li> <li>○ bush foods</li> <li>○ radiological limits (associated with electromagnetic and particulate radiation)</li> <li>○ biting insects</li> </ul>	Yes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		No	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Uncertain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Not Applicable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>If you answered No to any screening questions for Human health, provide justification here:</b>						

Where the screening has been undertaken by a suitably qualified and experienced person and all responses in the checklist are 'no', a referral to the NT EPA is not likely required. The NT EPA and DLPE does not require the completed checklist to be submitted in this case. However, the checklist and its justifications for no likely impact should be retained by the proponent to demonstrate the screening has been conducted. The proponent should also retain the scope of the proposal that was considered in conducting the screening, the name, qualifications and contact details of the suitably qualified and experienced person(s) who conducted the screening using the table below.

The NT EPA retains to power to “call-in” a proposal under section 53 of the EP Act.

**Recommended record keeping:** Where a proponent intends to retain this checklist to demonstrate it has given consideration to whether a referral is required, it is recommended that the following details are recorded.

	Details
Proponent name	
Propose action name	
Description of proposed action	

Pre-referral screening has been conducted by: names, qualifications and date of works by suitably qualified and experienced persons<sup>6</sup> engaged by the proponent.

Environmental factor	Name	Qualification / Experience	Signature	Date

Proponent’s declaration that the pre-referral screening has been conducted.

**Screening declaration by proponent:**

I, ....., (full name) declare that I am authorised to verify the pre-referral screening of this proposed action/strategic proposal on behalf of.....name of legal entity organisation....., and further declare that:

- 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*.

<sup>6</sup> Section 4 of the EP Act provides the meaning of a qualified person. Experience may be provided in years and/or a description of relevant experience.

## APPENDIX 2: Key components of proposal in referral report

The following tables provide examples of the detail and structure required to quantify the scope of the proposal in your referral. For industrial, residential and agricultural proposals provide equivalent dimensions for relevant components.

### Example template 1 - New proposal

General proposal content description

<b>Proposal title</b>	
<b>Proponent name</b>	
<b>Short description</b>	

Proposal content components

<b>Proposal component</b>	<b>Location / description</b>	<b>Maximum extent, capacity or range</b>
<b>Physical components</b>		
Physical component 1	Figure X	
Physical component 2	Figure X	
<b>Construction components</b>		
Construction component 1	Figure X	
Construction component 2	Figure X	
<b>Operational components</b>		
Operational component 1	Figure X	
Operational component 2	Figure X	
<b>Proposal components with greenhouse gas emissions</b>		
Construction components:		
	Scope 1	
	Scope 2	

	Scope 3
<b>Operation components:</b>	
	Scope 1
	Scope 2
	Scope 3
<b>Rehabilitation</b>	
<i>details</i>	
<b>Commissioning</b>	
<i>details</i>	
<b>Decommissioning</b>	
<i>details</i>	
<b>Other components which affect extent of effects on the environment</b>	
Proposal time*	Maximum project life
	Construction phase
	Operations phase
	Decommissioning phase

**Example template 2 - Significant variation proposal**

General proposal content description

<b>Proposal title</b>	
<b>Proponent name</b>	
<b>Short description</b>	



Proposal content components

Proposal component	Location / description	Existing proposal extent, capacity or range	Proposed maximum extent, capacity or range	Combined maximum extent, capacity or range
<b>Physical components</b>				
Physical component 1	Figure X			
Physical component 2	Figure X			
<b>Construction components</b>				
Construction component 1	Figure X			
Construction component 2	Figure X			
<b>Operational components</b>				
Operational component 1	Figure X			
Operational component 2	Figure X			
<b>Proposal components with greenhouse gas emissions</b>				
Construction components:				
	Scope 1			
	Scope 2			
	Scope 3			
Operation components:				
	Scope 1			
	Scope 2			
	Scope 3			
<b>Rehabilitation</b>				
<i>details</i>				

<b>Commissioning</b>			
<i>details</i>			
<b>Decommissioning</b>			
<i>details</i>			
<b>Other components which affect extent of effects on the environment</b>			
Proposal time*	Maximum project life		
	Construction phase		
	Operations phase		
	Decommissioning phase		

<b>Key proposal infrastructure</b>	<b>Component</b>	<b>Size/capacity</b>
<b>Proposal infrastructure</b>	Pits	X.X ha / X.X ML
	Processing plant	X ha / X Mtpa
	Haul road	X km
	Truck workshop	X ha
	Fuel bay	X ha
	Laydown area	X ha
	Landfill	X ha
	Explosives magazine (ANFO facility)	X ha
	Office and workshop complex	X ha
	Power – non-renewable e.g. existing power lines and substation	X MW
	Power – renewable (e.g. solar or hybrid systems)	X MW

<b>Mine water dams</b>	Dam A	X ha / X ML
	Dam B	X ha / X ML
<b>Total area of existing disturbance</b>		<b>X ha</b>
<b>Total area that will be rehabilitated</b>		<b>X ha</b>

<b>Key proposal features</b>	<b>Component</b>	<b>Size/capacity</b>
<b>Whole of Proposal</b>	Proposal area	X ha
	Timing (e.g. Life of mine , construction)	X years
	Workforce (full time equivalentents)	X people (construction) X people (operation)
	Closure period	X year
<b>Mining</b>	Mining method	
	Mining rate	XX t/year
	Ore to be extracted	XX t over LOM
	Waste rock extracted from underground	XX t over LOM
<b>Waste rock management</b>	Description	
<b>Processing</b>	Ore type and volume to be extracted	
	Tailings generated and placement	
<b>Water Management</b>	Water requirement for mining, drilling and dust suppression.	XX ML/year
	Process water: <ul style="list-style-type: none"> <li>source</li> <li>wastewater to discharge location</li> </ul>	XX ML/year Total XX ML over LOM
	Operational water discharge	XX ML over LOM
	Proposed WDL compliance points	Insert location