

Referring a proposed action to the NT EPA

Environmental impact assessment
guidance for proponents

This document has been developed as general guidance only. It is subject to, and does not substitute, replace or amend, the requirements of the EP Act and associated EP Regulations, which should be read in conjunction with this guidance. This guidance is made available by the NT EPA for information only. Before relying on this material, users should carefully evaluate the accuracy, currency, completeness and relevance of the information and obtain independent legal or other professional advice relevant to their circumstances.

Proponents planning to undertake a proposed action or strategic proposal in the NT should obtain copies of the EP Act and EP Regulations and contact the Environment Division of the Department of Environment and Natural Resources (DENR) before beginning an environmental impact assessment.

Further information and guidance on the environmental impact assessment process is available on the NT EPA website at: www.ntepa.nt.gov.au

Comments on this guidance are welcomed and should be directed to the NT EPA through one of the following methods:

Post: PO Box 3675, Darwin, NT 0801

Email: ntepa.consult@nt.gov.au

Tel: (08) 8924 4218

Document title	Referring a proposed action to the NT EPA
Document type	Environmental impact assessment guidance for proponents
Version	Draft for consultation
Date approved	
TRM number	NTEPA2020/0141

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Introduction

The *Environment Protection Act 2019* (EP Act) requires the proponent of a proposed action, or a strategic proposal, that has the potential to have a significant impact on the environment, or meets a referral trigger¹, to be referred to the Northern Territory Environment Protection Authority (NT EPA).

After considering the referral, and any comments provided through consultation with the community, the NT EPA must determine whether the action has the potential to have a significant impact on the environment and, if so, the method of environmental impact assessment appropriate for the referred action or strategic proposal in accordance with the *Environment Protection Regulations 2020* (EP Regulations). The referral must contain sufficient information for the NT EPA to make its determination.

Where a proposed action or strategic proposal undergoes environmental impact assessment by the NT EPA, an environmental approval must be granted by the Minister for Environment and Natural Resources (the Minister) and the proposed action must not commence until the environmental approval has been granted.

Purpose of the guidance

This document provides guidance to proponents, statutory decision makers and the community about:

1. when a referral to the NT EPA is likely to be required for a proposed action or strategic proposal
2. the information that must be included when referring a proposed action or strategic proposal, to ensure that the NT EPA can determine whether the action has the potential to have a significant impact on the environment and, if so, the appropriate method of assessment
3. the accepted methods of submitting a referral to the NT EPA.

This document will also provide guidance on the referral process; the outcomes of the referral process; and matters the NT EPA considers when making a determination on a referred action or referred strategic proposal.

This document communicates the NT EPA's expectations on the presentation of environmental information in referral documents in a manner that follows the NT EPA's Environmental factors and objectives guidance ([Ref/Link](#)). The NT EPA's environmental factors and objectives provide a systematic approach to organising environmental information for the purpose of environmental impact assessment; and allow for the identification of values (the important components of a factor); the assessment of the significance of potential impacts to those values, and the setting of benchmarks to protect those values. The factors and objectives will apply to all proposals and facilitate consistent assessment, approval and reporting. This will ensure that the NT EPA is able to conduct environmental impact assessment consistently across different types of industries, and that each proposal's environmental impact assessment is commensurate with the level of impact and/or risk to the environment.

This guidance document communicates the referral process and is part of the guidance series targeted at communicating the environmental impact assessment process to proponents. For more general information

¹ As of 2020, no referral triggers have been declared under the Act

about environmental impact assessment in the NT, please refer to the Guide to Environmental Impact Assessment and Environmental Approval in the Northern Territory ([LINK/ref](#)).

Trigger for referral

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

- a) has the potential to have a significant impact on the environment; or
- b) meets a referral trigger².

An action is defined in the EP Act as a project, a development, an undertaking, an activity or series of activities, works, or a material alteration of any of these.

Alternatively, under section 49 of the EP Act, a proponent may refer a strategic proposal to the NT EPA. A strategic proposal is defined in the EP Act as a policy, program, plan or methodology. A strategic proposal may include a proposed action or group of proposed actions 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.

Other referral triggers

A number of other referral triggers are also incorporated into the EP Act. In relation to significant variations and call-in notices, four provisions are provided for:

1. Section 51(3) allows a proponent to refer an amended action or strategic proposal instead of giving notice of a proposed significant variation for the action or strategic proposal.
2. For actions that have already been assessed by the NT EPA and for which the Minister has issued an environmental approval, section 52 requires an approval holder to refer a proposed significant variation of an action to the NT EPA.
3. Section 53 (1) relates to call-in notices by the NT EPA. The proponent must refer a proposed action if the NT EPA requests it.
4. Section 53 (3) requires that an approval holder refer a significant variation to an action under section 52 if the NT EPA requests it.

Further guidance on significant variations is located at [Link](#).

Method for determining whether a referral is necessary

A proposed action or strategic proposal may have a significant impact on the environment as a result of:

- a) the type of industry or activity proposed

² Sections 29 and 30 of the EP Act also allow for the declaration of referral triggers by the Minister, which can be activity-based or location-based. No referral triggers have been declared to date.

- b) its location and extent
- c) the methods and timing of the action
- d) inputs, emissions, discharges or wastes from the action that cause pollution or harm
- e) the final fate of the action.

In considering each of the above aspects of a proposed action, it is important for proponents to examine all potential impact sources that relate to the action, and the potential impact pathways between the source of an impact and sensitive receptors and environmental values that may be impacted. These need to be considered for the life of the proposed action, both in isolation and cumulatively with other reasonably foreseeable proposals and approved actions.

The following terms are introduced by the NT EPA for use in the environmental impact assessment process:

Impact sources are activities or components of a proposed action that give rise to a stressor/s. The interaction of a stressor with an environmental value may lead to an environmental impact. For example, discharge of waste water from an industrial process (the source) may pollute or alter the hydrology of a river.

Impact pathways are the routes that a physical stressor follows from its source to the environmental value that is impacted. For example, pollution from an industrial waste water discharge may reach the river directly via the discharge outlet, or via drainage systems and groundwater.

Environmental values are aspects of the environment that are important or serve an important function, such as a river that provides beneficial uses to ecological and human communities, a site that is sacred to Aboriginal people, an animal or plant species that is threatened, or an area that is visited by tourists due to its aesthetic beauty. Indicative environmental values are identified in Table 3 (Appendix A).

Significant residual impacts are significant environmental impacts that remain after impact mitigation has been implemented and assumed to be successful.

Cumulative impacts are impacts that can accumulate as a result of additive or interactive processes and actions, interactions among multiple management measures (past, present and future), a combination of multiple minor impacts over time, and activities conducted over a wider area than the proposed action.

The method for determining whether a referral is required involves the following steps:

1. Determine whether the industry type or activity proposed is inherently hazardous and may give rise to multiple or major environmental stressors or impact sources with the potential to have significant impact on the environment. If so, and the nature of the industry precludes impact sources being substantively reduced, referral may be required. If not, continue with step 2 below.
2. Investigate the extent of the footprint of the proposed action and determine whether any environmental values are likely to be present. If the proposed footprint may significantly impact on an environmental value, and alternative locations or designs for the action to avoid the environmental value are not practicable, referral may be required. If environmental values are unlikely to be significantly impacted by the footprint of the action, continue with step 3 below.

3. Investigate whether environmental values are likely to be significantly impacted by methods of construction and operation, timing, or inputs (water, raw materials, machinery, chemicals, staff) and outputs (product, emissions, discharges, wastes) of the proposed action. If impact pathways exist and environmental values could be significantly impacted by the action, referral may be required. If environmental values are unlikely to be impacted by constructing or operating the action, continue with step 4 below.
4. Investigate whether any environmental values are likely to be significantly impacted when the proposed action finishes its functional life and closes. If present, examine alternative end-of-life options or designs for the action to avoid impacts to environmental values. If the action has any potential legacy or ongoing environmental impacts, or significant residual impacts, referral may be required. If environmental values are unlikely to be significantly impacted by the closure of the action continue with step 5 below.
5. Investigate whether at any stage of the life of the proposed action, on its own and cumulatively with other proposals and actions, an environmental value is likely to be significantly impacted. If cumulative impacts that have the potential to significantly impact on an environmental value are identified, referral may be required.

The decision about whether the potential impact is considered 'significant' is one for the NT EPA, and is explained below. Previous decisions of the NT EPA on the significance of impacts could be considered indicative for future decisions about 'significance' and may provide guidance for proponents. However where the NT EPA's likely decision on 'significant impact' is not clear, a proposed action should be referred to the NT EPA.

The above indications are a guide only, and where there is uncertainty about the responses due to lack of scientific knowledge, it is recommended that proponents engage professional advice from an appropriately accredited environmental consultant.

Table 3 in Appendix A provides a checklist of indicative environmental values for each of the NT EPA's factors and objectives to assist proponents to apply the above method.

How the NT EPA determines 'significant impact'

The NT EPA assesses proposals that are likely to have a significant impact on the environment. The EP Act defines a significant impact of an action as an impact of major consequence having regard to: the context and intensity of the impact; the sensitivity, value and quality of the environment impacted on; and the duration, magnitude and geographic extent of the impact.

In determining whether a proposed action is capable of having a significant impact on the environment the NT EPA may have regard to various matters, including the following:

1. objects of the EP Act or other NT environmental legislation
2. values (e.g. effects to environmental factors and objectives), sensitivity and quality of the environment which is likely to be impacted
3. extent (intensity, duration, magnitude, frequency and geographic footprint) of likely impacts
4. consequence of likely impacts (or change)

5. resilience of the environment to cope with the impacts or change
6. cumulative impact with other actions
7. connections and interactions between parts of the environment to inform a holistic view of impacts to the environment
8. level of confidence in the prediction of impacts and the success of proposed mitigation.

The NT EPA may also consider:

- NT EPA guidance on particular matters or standards endorsed by the NT EPA
- relevant definitions of significance under the *Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth; EPBC Act) and national standards, e.g. National Environment Protection Measures (NEPM), against which a proposed action can be assessed
- the presence of planning or policy frameworks and/or other statutory decision-making processes that can regulate the mitigation of the potential effects of a proposed action on the environment.

Process of referral

Pre-referral

A proponent should undertake a self-assessment of its proposed action to determine the need for a referral. If a referral is required, the proponent should consider the type of referral that would be appropriate (e.g. a referral of a proposed action, a strategic proposal, or referral of a proponent-initiated environmental impact statement).

During formulation of the proposed action, a proponent needs to commence engaging with potentially impacted or interested members of the NT community about its proposed action. Environmental values should be defined for the area in which the action is proposed and these values should be taken into account in the site selection and preliminary designs to avoid impacts if possible.

The proponent may also elect to meet with the Environment Division of the Department of Environment and Natural Resources (DENR) to discuss the proposed action and the environmental impact assessment process. Appointments with relevant staff can be made by emailing eia.ntepa@nt.gov.au or contacting (08) 8924 4218.

A checklist has been provided in Appendix A to assist in a proponent's self-assessment.

Referral

A proposed action may be referred by a proponent or by a statutory decision-maker (a person or a government authority authorised under an Act to make a decision in relation to that action). The NT EPA may call in an action if the NT EPA believes that it should be referred and hasn't been.

The NT EPA must accept or refuse a referral within (the period specified in the Regulations) after the referral is made. The NT EPA may, within (the period specified in the Regulations) of receiving the referral, request further information from the proponent, if that information is necessary to inform its consideration of the referral. Once the NT EPA accepts a referral it will be placed on public exhibition for (the period specified in the Regulations), or longer for referral of a proponent-initiated environmental impact statement. At the conclusion of the public

consultation process the NT EPA must determine if the proposed action or strategic proposal has the potential to have a significant impact on the environment and, if so, that an environmental impact assessment is required.

NT EPA decision on referral

If environmental impact assessment is required, the Environment Protection Regulations provide for a number of assessment methods: assessment by referral information; by supplementary environmental report; by environmental impact statement; or by inquiry. These methods differ in the level of information and public consultation required.

Assessment by referral information

The NT EPA may require an assessment by referral information where a proposed action has the potential for significant impact (and therefore requires an environmental approval) and the referral document provides the necessary information for the NT EPA to advise the Minister (and prepare an associated draft approval or statement of unacceptable impact). This is the quickest method of assessment with one opportunity for public consultation.

Assessment by supplementary environmental report

The NT EPA may require an assessment by supplementary environmental report where a proposed action has the potential for significant impact and the NT EPA requires limited information additional to the referral document in relation to specific aspects of potential significance.

Assessment by environmental impact statement

The NT EPA may require assessment by EIS for actions that have the potential for significant impact on the environment and where there are a number of matters and/or increased complexity, and/or increased uncertainty requiring further investigation, assessment and review. This is the most intensive level of assessment with additional opportunities for public consultation.

Assessment by inquiry

An assessment by inquiry can be used when a traditional, paper-based environmental assessment approach will not produce the best assessment outcome for an action. For example, cultural or language issues may prohibit potentially impacted communities from easily engaging in a paper-based environmental impact assessment approach. For some actions the NT EPA may decide that an assessment by inquiry methodology is used for just one element of the action coupled with another assessment methodology for the remainder of the action.

Minimum information requirements

The NT EPA requires proponents to complete a referral form for a proposed action or strategic proposal referred to the NT EPA under subdivision 1 of the EP Act, to ensure the information provided is sufficient to inform the NT EPA's decision on whether the referral should be accepted and whether or not to assess the proposed action. The form can be downloaded from the NT EPA's website: www.ntepa.ny.gov.au. Proponents can contact the Environment Division of DENR if they require assistance.

How to complete the referral form at Attachment B

Referrer details

- Check the relevant box indicating whether you are the proponent or statutory decision-maker (in the event the proponent does not refer the action).
- Indicate whether any of the information in the referral should be treated as confidential. Provide any confidential information as a separate attachment to the form to ensure it is not published.
- Provide relevant details of the referrer and a referral declaration in the spaces provided.
- The declaration includes acknowledgement that:
 - the referral has been prepared in accordance with the EP Act and EP Regulations
 - the referral does not provide false or misleading information in accordance with section 260 of the EP Act
 - the proponent is a fit and proper person to hold an environmental approval in accordance with section 62 of the EP Act
 - the proponent has fulfilled its general duty in accordance with section 43 of the EP Act
- Provide reference in the form to a part of, or appendix to, the referral that demonstrates in explicit detail how section 43(a) to (g) general duty requirements have been met.

Referral type

- Check the box to indicate the type of referral (if this referral is for a proposed action; a strategic proposal, or referral of a proponent initiated EIS).
- Provide a brief justification for the referral including the reasons why the action has the potential to have a significant impact on the environment. Refer to section 11 of the EP Act and the NT EPA's environmental factors and objectives.
- If the referral is for a proponent-initiated EIS, indicate if there are draft terms of reference for the matters proposed to be addressed in the EIS included with the referral. Include detailed reasons why an EIS is required and why the included draft terms of reference for the EIS are appropriate.

Proponent and proposed action description

Proponent details

If the Proponent is different from the referrer, provide the following details:

- proponent (business name, primary contact person, postal address, phone, email, organisational structure and responsibility); name of parent company/companies if applicable and an Australian Company Number (or Australian Business Number for a government proponent)
- consultants (if acting on behalf of the proponent): (business name, primary contact person, postal address, phone, email)
- joint-venture partners (if applicable) (name(s), contact details).

Northern Territory Approvals and Regulations

Briefly outline Northern Territory legislation applicable to the proposed action, and any approvals, licences or permits received and/or required for the action to proceed, for example:

- development permit under the *Planning Act 1999*
- environment protection approval or licence under the *Waste Management and Pollution Control Act 1998*
- authorisation under the *Mining Management Act 2001* or approval under the *Petroleum Act 1984*.

Location

Provide maps showing the proposed action's location that include:

- latitude and longitude
- regional context, including any features that may be recognisable by stakeholders (e.g. nearest towns/communities, other developments, waterways, major roads, conservation reserves)
- an outline of the proposed footprint.

Maps should be clear and readable, of good resolution and of appropriate scale. Provide location details including:

- street address, tenement details, lot/section numbers, town/hundred, NT Portion or pastoral lease numbers, as applicable
- zoning/ land tenure and ownership over the footprint and adjacent areas
- planning context (e.g. is the site subject to any planning scheme, land use plans or development corridors?)

Provide details of land-use history of the proposed footprint, where possible from available information, including the extent and nature of previous activities that may have caused soil, surface water and/or groundwater contamination or degradation.

Where applicable:

- 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
- advise if the site has been [registered as a contaminated site under the Waste Management and Pollution Control Act 1998](#).

Description of proposed action

Provide a clear description of the proposed action, including maps and spatial information. The description should address key physical (mine, road, port, dam, pipeline) and operational (water abstraction, tailings disposal, dredging, emissions) components of the proposed action and their purpose. Where applicable, describe:

- product/s, intended outcome or overall purpose of the proposed action
- transport requirements, such as transport mode, route(s); frequency; and use of public roads and shipping channels

- social and economic details (e.g. workforce and workforce accommodation requirements, proposed use of existing local services)
- water and energy (source(s) and use)
- hazardous substances requirements and handling (storage and transport)
- waste water and solid waste streams including quantities and management
- decommissioning and site rehabilitation measures.

Alternatives

Describe any alternatives under consideration for the proposed action, such as:

- location/s (of the action or its components)
- timeframes (e.g. short timeframe might result in greater intensity but shorter duration of impact; long timeframe may have more social and economic benefits)
- activities (e.g. ore processing vs direct shipping ore; new port facilities vs use of existing port facilities)

Alternatives should be described in the context of environmental impacts e.g. avoiding or minimising impacts to sensitive values, or maximising benefits to communities. The preferred/selected alternative should be justified.

Existing Environment

Information on the existing environment should be relevant to the potential for significant environmental impacts from the proposed action, including aspects of the environment:

- where the action is proposed
- with the potential to be impacted (negatively and positively) by the action, either by particular components of the action or the action as a whole, or cumulatively with other actions
- that are sensitive to stressors likely to arise from the action
- that are likely to influence the significance of environmental impacts.

Natural environment

Provide a description of the general characteristics of the proposed site(s) and the surrounding area that may be impacted by the action (e.g. flora and fauna habitats, waterways, landforms) or that may impact on the proposed action (thereby resulting in environmental impacts e.g. climate variability, occurrence of extreme weather events).

Sufficient information should be provided to allow the NT EPA to assess the significance of potential impacts and suitability of the proposed area to support the action.

Important sites or features

Describe the proximity of the proposed action to any important sites or features such as human communities, landforms, culturally important or sacred sites, National parks or high conservation value waterways or land systems.

Demography and economy

Describe the social structure and the economy of the local community or region in which the action is proposed including population and trends, income sources and employment (and availability of opportunities), existing services (e.g. medical and emergency, government, education, sewerage and water, grocery) and community infrastructure, if applicable.

Environmental Factors

The referral should identify which of the NT EPA's environmental factors (outlined below) are likely to be impacted by the proposed action.

Land:

- Landforms
- Terrestrial Environmental Quality
- Terrestrial Ecosystems

Water:

- Hydrological processes
- Inland water environmental quality
- Aquatic ecosystems

Sea

- Coastal processes
- Marine environmental quality
- Marine ecosystems

Air

- Air quality
- Atmospheric processes

People

- Society and economy
- Heritage and culture
- Human health.

The NT EPA's environmental objectives considered for each factor are described in the Environmental Impact Assessment Guidance – NT EPA's Environmental Factors and Objectives that can be viewed [at link](#).

Potential Environmental Impacts

For each proposal-specific environmental factor identified, address the following in the referral form, referencing /attaching any supporting information.

1. Receiving environment – describe the current condition of the environment in relation to the environmental factor, specifying any identified values likely to be impacted.
2. Potential impacts – assess the potential impacts (direct and indirect) of the proposed action, the significance of the impacts, and how the impacts might affect the NT EPA’s objective for the environmental factor (see Appendix A).
3. Mitigation – describe in terms of management hierarchies³, measures proposed to avoid, mitigate or offset (if appropriate) the potential impacts, the effectiveness of proposed measure(s) and the level of confidence that the measure will be implemented, and whether by implementing the measure(s) the NT EPA’s objective for the environmental factor is likely to be met.
4. Assumptions – describe any assumptions critical to your assessment, e.g. risk appropriately identified, particular mitigation measures or regulatory conditions implemented, measures proven and likely to succeed.
5. Relevant policy and guidance – what have you considered and how have you applied it in relation to this factor? Include any relevant National or Territory standards, codes of practice and guidelines.
6. Consultation – outline any outcomes of consultation with stakeholders.
7. Describe any potential cumulative impacts (successive, incremental and combined impacts of past, present and reasonably foreseeable actions within the area of influence of the proposed action).
8. Ecologically sustainable development (ESD)⁴ – describe how the principle/s of ESD applicable to the environmental factor have been considered in formulating the proposed action.
9. Provide a statement of expected residual impact for the environmental factor. Residual impact is the impact remaining on that factor assuming the management hierarchies have been successfully implemented.

Please use Appendix A in this guidance to assist you in completing Sections 5 and 6 of the referral form.

Commonwealth Government approvals/Matters of National Environmental Significance (MNES)

Check the relevant box to indicate whether the proposed action may be or is a controlled action and requires approval from the Commonwealth Government under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) for matters of national environmental significance (MNES).

Check the relevant box to indicate whether or not a referral has or will be submitted to the Australian Government for potentially significant impacts to MNES under the EPBC Act. The proponent should consult the significant impact guidelines on the Australian Government’s website.

If the proposed action has been referred, indicate whether a decision has been made and, if so, attach the decision to the referral form.

³ the environmental decision-making hierarchy and the waste hierarchy as set out in sections 26 and 27 respectively of the *Environment Protection Act 2019*

⁴ The principles of ESD are set out in Part 2 Division 1 of the *Environment Protection Act 2019*

Briefly outline any other Commonwealth Government legislation applicable to the proposed action, and any approvals, licenses or permits received and/or required for the action to proceed.

References and data

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

Spatial data included in the referral should 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 elements of the proposed action (footprint);
- Attribution: Name the development footprint and each activity area in the attribute table of the spatial data;
- Format: ESRI geodatabase or shapefile;
- Coordinate System: GDA94 (datum) and projected into the appropriate Map Grid of Australia (MGA) zone.

All maps and figures contained in the referral should be clear and readable, of appropriate scale, in either jpeg or pdf format and of good resolution (> 300 dpi). 'Flatten' figures to reduce the size of the referral.

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

Where to submit the form

The referral form and any accompanying documentation may be submitted to the NT EPA in a number of ways, by:

- email: referrals.ntepa@nt.gov.au
- FTP: contact the NT EPA for more information
- post: NT Environment Protection Authority, GPO Box 3675, Darwin NT 0801
- hand: Level 1, Arnhemica House, 16 Parap Road, Parap

Referral documents should be provided in electronic format if possible and should be less than 35MB to allow for web upload.

Further information

If you require assistance in applying this guidance to your circumstances or you are unsure whether a referral is required for your proposed action, please contact the NT EPA.

Email: ntepa@nt.gov.au

Tel: 08 8924 4218

APPENDIX A: Pre-Referral Checklist

TABLE 1: ENVIRONMENTAL FACTORS, OBJECTIVES AND INDICATIVE ENVIRONMENTAL VALUES AND SENSITIVITIES POTENTIALLY RELEVANT TO THE PROPOSED ACTION

Theme	Environmental factor and objective	Indicative environment values and sensitivities	Does your proposed action have the potential to significantly impact on environmental values or sensitivities?
LAND	1) Landforms <u>Objective:</u> Conserve the variety and integrity of distinctive physical landforms so that environmental values are protected.	<ul style="list-style-type: none"> • distinctive features in the landscape, either geological or anthropogenic • subterranean karstic terrain and faults • craters, gorges, ranges, caves, massifs, escarpments, plateaus • monuments • culturally important features • tourism related to landforms 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Uncertain <input type="checkbox"/> Not Applicable
	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"> • characteristics of soils, including chemical, physical, biological and aesthetic qualities 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Uncertain <input type="checkbox"/> Not Applicable
	3) Terrestrial ecosystems <u>Objective:</u> Protect the NT's flora and fauna so that environmental values including biological diversity and ecological integrity are maintained.	<ul style="list-style-type: none"> • 'sensitive or significant' vegetation • vegetation that provides an important ecological function • listed threatened species and their habitat (NT and Commonwealth) • listed migratory species and their habitat (Commonwealth) • locally endemic species or species with restricted habitat • 'iconic' or culturally important animals, plants and vegetation 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Uncertain <input type="checkbox"/> Not Applicable

Theme	Environmental factor and objective	Indicative environment values and sensitivities	Does your proposed action have the potential to significantly impact on environmental values or sensitivities?
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">WATER</p>	<p>1) Hydrological processes</p> <p><u>Objective:</u> Protect the hydrological regimes of groundwater and surface water so that environmental values are maintained.</p>	<ul style="list-style-type: none"> • the supply and quantity of water in surface water features including rivers, lakes, wetlands, swamps, creeks, billabongs, intermittent streams, floodplains, mangroves and drainage lines • the supply and quantity of water in groundwater features including aquifers, aquitards and water tables • declared beneficial uses • present and future uses, and users of water • current or potential water supplies, including regional scale aquifers • culturally important water features 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Uncertain <input type="checkbox"/> Not Applicable
	<p>2) Inland water environmental quality</p> <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"> • the quality of water in surface water features including rivers, lakes, wetlands, swamps, creeks, billabongs, intermittent streams, floodplains, mangroves and drainage lines • the quality of water in groundwater features including aquifers and water tables • declared beneficial uses • present and future uses and users of water • current or potential water supplies, including regional scale aquifers • culturally important water features • RAMSAR wetlands 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Uncertain <input type="checkbox"/> Not Applicable
	<p>3) Aquatic ecosystems</p> <p><u>Objective:</u> Protect aquatic habitats and flora and fauna to maintain environmental values including biological diversity of flora and fauna and the ecological functions they perform.</p>	<ul style="list-style-type: none"> • the health of the biota in inland waterways • the habitats that support the lifecycle of aquatic biota • groundwater dependent ecosystems 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Uncertain <input type="checkbox"/> Not Applicable

Theme	Environmental factor and objective	Indicative environment values and sensitivities	Does your proposed action have the potential to significantly impact on environmental values or sensitivities?
SEA	<p>1) Coastal processes</p> <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"> • processes that support coastal benthic communities and habitats such as coral reefs, mangroves, salt marshes, seagrass meadows and sponge gardens • conservation significant low lying areas including tidal creeks, deltas and river mouths • unique coastal landforms • significant cultural and aesthetic values • active or passive recreation 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Uncertain <input type="checkbox"/> Not Applicable
	<p>2) Marine Environmental Quality</p> <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"> • quality of the water, sediment and biota • ecosystem health condition • fishing and aquaculture • recreation and aesthetics • industrial water supply • cultural and spiritual values 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Uncertain <input type="checkbox"/> Not Applicable
	<p>3) Marine ecosystems</p> <p><u>Objective:</u> Protect marine habitats and flora and fauna so that biological and functional diversity and ecological integrity are maintained.</p>	<ul style="list-style-type: none"> • conservation significant marine and coastal fauna and critical habitat such as nesting, breeding or foraging habitat • conservation significant marine and coastal flora and vegetation • groups of species (species richness and assemblages of species) • ecological functions and processes • species of social, cultural and/or economic significance. • integrity of marine ecosystems and the ecological services they supply • biological diversity • functional diversity • provision of refuge • food supply 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Uncertain <input type="checkbox"/> Not Applicable

Theme	Environmental factor and objective	Indicative environment values and sensitivities	Does your proposed action have the potential to significantly impact on environmental values or sensitivities?
AIR	1) Air quality <u>Objective:</u> Protect air quality and minimise emissions and their impact so that environmental values are maintained.	<ul style="list-style-type: none"> the chemical, physical and biological characteristics of air the biological processes that depend on the air quality 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Uncertain <input type="checkbox"/> Not Applicable
	2) Atmospheric processes <u>Objective:</u> Minimise greenhouse gas emissions so as to contribute to the NT Government's aspirational target of achieving net zero greenhouse gas emissions by 2050, and adapt to a changing climate to protect ecological integrity and maintain the welfare and amenity of people.	<ul style="list-style-type: none"> A contribution to the NT's greenhouse gas emissions Adaptation to a changing climate 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Uncertain <input type="checkbox"/> Not Applicable
PEOPLE	1) Society and economy <u>Objective:</u> Maintain or enhance the social and economic values for current and future generations of Territorians.	<ul style="list-style-type: none"> communities, towns, private properties and dwellings where people reside aesthetics and recreation resources including water supply and food sources jobs and businesses agriculture, fisheries and industry 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Uncertain <input type="checkbox"/> Not Applicable
	2) Culture and heritage <u>Objective:</u> Protect the rich cultural and heritage values of the Northern Territory. <ul style="list-style-type: none"> cultural heritage items and places sacred sites 	<ul style="list-style-type: none"> bush foods totemic flora and fauna important or significant country 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Uncertain <input type="checkbox"/> Not Applicable

Theme	Environmental factor and objective	Indicative environment values and sensitivities	Does your proposed action have the potential to significantly impact on environmental values or sensitivities?
	3) Human health <u>Objective:</u> Ensure that the risks to human health are identified, understood and adequately avoided and/or mitigated	<ul style="list-style-type: none"> • drinking water • recreational water • air quality • bush tucker • radiological limits 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Uncertain <input type="checkbox"/> Not Applicable

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APPENDIX B: Form for the referral of a proposed action or strategic proposal to the NT EPA

Under sections 48 to 50 of the *Environment Protection Act 2019*.

For instructions on how to complete this form, see the Environmental Impact Assessment Guidance for Proponents - Referring a Proposed Action to the NT EPA at [LINK](#).

a) Referrer details				
Proponent <input type="checkbox"/>		Statutory decision-maker <input type="checkbox"/>		
Name (print)		Signature		
Position		Organisation		
Email				
Address	Street No.	Street Name		
	Suburb	State/Territory	Postcode	
Does the referrer request that the NT EPA treat any part of the information in the referral as confidential?		<input type="checkbox"/> Yes <input type="checkbox"/> No		
<i>Provide confidential information in a separate attachment.</i>				
Referral declaration for proponent and statutory decision-maker:				
I,, (full name) declare that I am authorised to refer this proposal on behalf of....., and further declare that:				
<ul style="list-style-type: none"> the referral has been prepared in accordance with the EP Act and EP Regulations; and the referral does not provide false or misleading information; and the proponent is a fit and proper person to hold an environmental approval in accordance with section 62 of the EP Act; and the proponent has fulfilled its general duty in accordance with section 43 of the EP Act. 				
Provide details of how the general duties have been met by referencing a part of, or appendix to, the referral that provides the explicit details of how section 43(a) to (g) of the EP Act requirements have been met.				

b) Referral type	
What type of proposal is being referred?	<input type="checkbox"/> proposed action <input type="checkbox"/> strategic proposal <input type="checkbox"/> proponent initiated EIS*
Provide a brief justification for why you consider the action may have a significant impact on the environment and warrants referral to the NT EPA. *If the referral is for a proponent initiated EIS, please include reasons for why an EIS is necessary.	
If the referral is for a proponent initiated EIS, are there draft terms of reference included?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, ensure the draft terms of reference are attached to this referral.
c) Proponent and proposal description	
3.1 Proponent details	
Title of the proposed action	
Name of the proponent/s (including Trading Name if relevant)	
Australian Company Number(s) <input type="checkbox"/> OR Australian Business Number(s) <input type="checkbox"/>	ACN: _____ ABN: _____
Contact for the proposed action (if different from the referrer) <i>Please include: name, physical address, phone, and email.</i>	
3.2 Northern Territory approvals and regulation	

<p>Is rezoning of any land required before the proposal can be implemented?</p> <p>If yes, please provide details.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
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Please identify other approvals required for the proposal:

Proposal activities	Land tenure/access	Type of approval	Legislation regulating the activity
e.g. clearing, dewatering, mining, processing, dredging	e.g. Crown land, Mining lease, specify legislation for access if relevant	e.g. Vegetation Clearing Permit, licence, mining authorisation	

3.3 Location

Provide map/s showing the proposed action's location and footprint.

Location:

a) street address, suburb, tenement details, lot/section numbers, town/hundred, NT Portion or pastoral lease numbers, as applicable; or

b) if remote, the nearest town or recognisable feature and distance and direction from that town/feature to the proposal site.

Provide land tenure and zoning details.

What is the current land use of the proposed footprint?

If known, detail the land use history within the proposed footprint.

3.4 Description of proposal	
Describe the key characteristics of the proposed action (see Environmental Impact Assessment Guidance - Referring a Proposed Action to the NT EPA) <i>Provide as an attachment to the form</i>	
Have you provided electronic spatial data, maps and figures in the appropriate format? <i>Refer to instructions in the Guidance for referral to the NT EPA.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
3.5 Alternatives	
Describe alternative location/s of the action or its components and justify the selection.	
List alternative timeframes considered and their effects on duration and intensity of impacts/benefits.	
List alternative activities considered (e.g. ore processing vs direct shipping ore; new port facilities vs use of existing port facilities)	
4 Existing environment	
Describe the existing natural environment within and in proximity to the proposed footprint.	
Describe any important sites or features within or near the proposed action.	
Describe the demography and economy of the region.	
5 Environmental factors	
What are the environmental factors that could be significantly impacted by this proposal?	<input type="checkbox"/> Landforms <input type="checkbox"/> Terrestrial environmental quality

	<input type="checkbox"/> Terrestrial ecosystems <input type="checkbox"/> Hydrological processes <input type="checkbox"/> Inland water environmental quality <input type="checkbox"/> Aquatic ecosystems <input type="checkbox"/> Coastal processes <input type="checkbox"/> Marine environmental quality <input type="checkbox"/> Marine ecosystems <input type="checkbox"/> Atmospheric processes <input type="checkbox"/> Air quality <input type="checkbox"/> Society and economy <input type="checkbox"/> Culture and heritage <input type="checkbox"/> Human Health
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For **each** of the environmental factors identified above, complete the table at 6 below, or provide the information in a supplementary report

6 Potential environmental impacts

Please see Appendix A to the referral guidance to assist in filling out this section.

1	Receiving environment - Describe the current condition of the receiving environment in relation to this factor.	
2	Potential impacts - Identify and assess the potential impacts of the action against the NT EPA objective for the environmental factor.	
3	Mitigation - Describe the measures proposed to avoid, mitigate or offset the potential environmental impacts.	
4	Assumptions - Describe any assumptions critical to your assessment.	

5	Relevant policy and guidance / industry standards used in applying mitigation measures.	
6	Consultation – Outline the outcomes of consultation in relation to the potential environmental impacts and proposed mitigation.	
7	Cumulative impact – of this action with other actions in the area.	
8	<p>Ecologically sustainable development – how have the following principles been considered/applied?</p> <ul style="list-style-type: none"> a) Decision-making principle b) Precautionary principle c) Principle of evidence-based decision-making d) Principle of intergenerational and intragenerational equity e) Principle of sustainable use f) Principle of conservation of biological diversity and ecological integrity g) Principle of improved valuation, pricing and incentive mechanisms 	
9	Residual impact – provide a statement of the expected residual impact to the environmental factor.	

7 Commonwealth Government approvals

Does the proposal involve an action that may be or is a controlled action under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Has the proposed action been referred? If yes, when was it referred and what is the reference number (EPBC No.)?	<input type="checkbox"/> Yes <input type="checkbox"/> No Date: _____ EPBC No.: _____
If the proposed action has not been referred, does the referrer intend to refer it?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If referred, has a decision been made on whether the proposed action is a controlled action? If 'yes', check the	<input type="checkbox"/> Yes <input type="checkbox"/> No

appropriate box and provide the decision in an attachment.	<input type="checkbox"/> Decision – controlled action <input type="checkbox"/> Decision – not a controlled action
Is approval required from other Commonwealth Government/s for any part of the proposal? <i>If yes, describe.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No Approval:

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