

Preparing an environmental impact statement

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 *Environment Protection Act 2019* and subordinate 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.

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

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Introduction

This guideline provides general guidance to proponents preparing an environmental impact statement (EIS) for environmental impact assessment by the Northern Territory Environment Protection Authority (NT EPA) in accordance with the *Environment Protection Act 2019* (EP Act) and the Environment Protection Regulations 2020 (EP Regulations)¹.

Where the NT EPA decides that environmental impact assessment is required for an accepted referral of a proposed action or strategic proposal under regulation 57 or regulation 58 it may decide on one of four methods of environmental impact assessment, as listed in regulation 5:

- Assessment by referral information (not discussed in this guidance)²
- Assessment by supplementary environmental report (SER) (not discussed in this guidance)³
- **Assessment by environmental impact statement (EIS) (this guidance)**
- Assessment by inquiry (not discussed in this guidance).

Where the environmental impact assessment method is assessment by EIS, the NT EPA must prepare and publish a terms of reference (TOR) for the EIS⁴ under Part 5 Division 3 of the EP Regulations. The proponent must comply with the TOR in preparing the EIS.

An EIS is a publicly available document that informs the NT EPA, NT government authorities, stakeholders and the public about the potentially significant environmental impacts of the proposed action, and the measures proposed by the proponent to avoid, mitigate and/or offset those impacts. The EIS is prepared by the proponent and submitted to the NT EPA, to meet the requirements of Part 5 Division 6 (Assessment by environmental impact statement process) of the EP Regulations. The EIS is also used to inform environmental approval decisions by the Minister for Environment and Natural Resources (the Minister).

Purpose of the guidance

The purpose of this guidance document is to provide general guidance to proponents, statutory decision makers and the community about the EIS method of environmental impact assessment, including:

- when an EIS is required
- the EIS assessment process
- the NT EPA expectations regarding the information requirements of an EIS
- the submission of the EIS to the NT EPA

The aim of this guidance document is to promote consistency and quality in the preparation of an EIS, to ensure proponents and their consultants include all relevant information required by statutory decision-makers. A well

¹ EP Act and EP Regulations available at: [Link](#)

² Refer to NT EPA Environmental Assessment Guideline - Referring a proposed action to the NT EPA. Available at: [Link](#)

³ Refer to NT EPA Environmental Assessment Guideline - Preparing a supplementary environmental report. Available at: [Link](#)

⁴ This guidance does not provide specific guidance for a proponent initiated EIS. Refer to the NT EPA Environmental Assessment Guideline – Proponent initiated environmental impact statement.

written and structured EIS will allow the reader to clearly understand the proposed action and its potential significant environmental impacts (direct, indirect and cumulative).

This guidance document is part of the series of guidelines targeted at communicating the various components and stages of the environmental impact assessment process to proponents. This document should be read in conjunction with other guidance documents that provide detail on the environmental impact assessment process, as shown in Figure 1.

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.

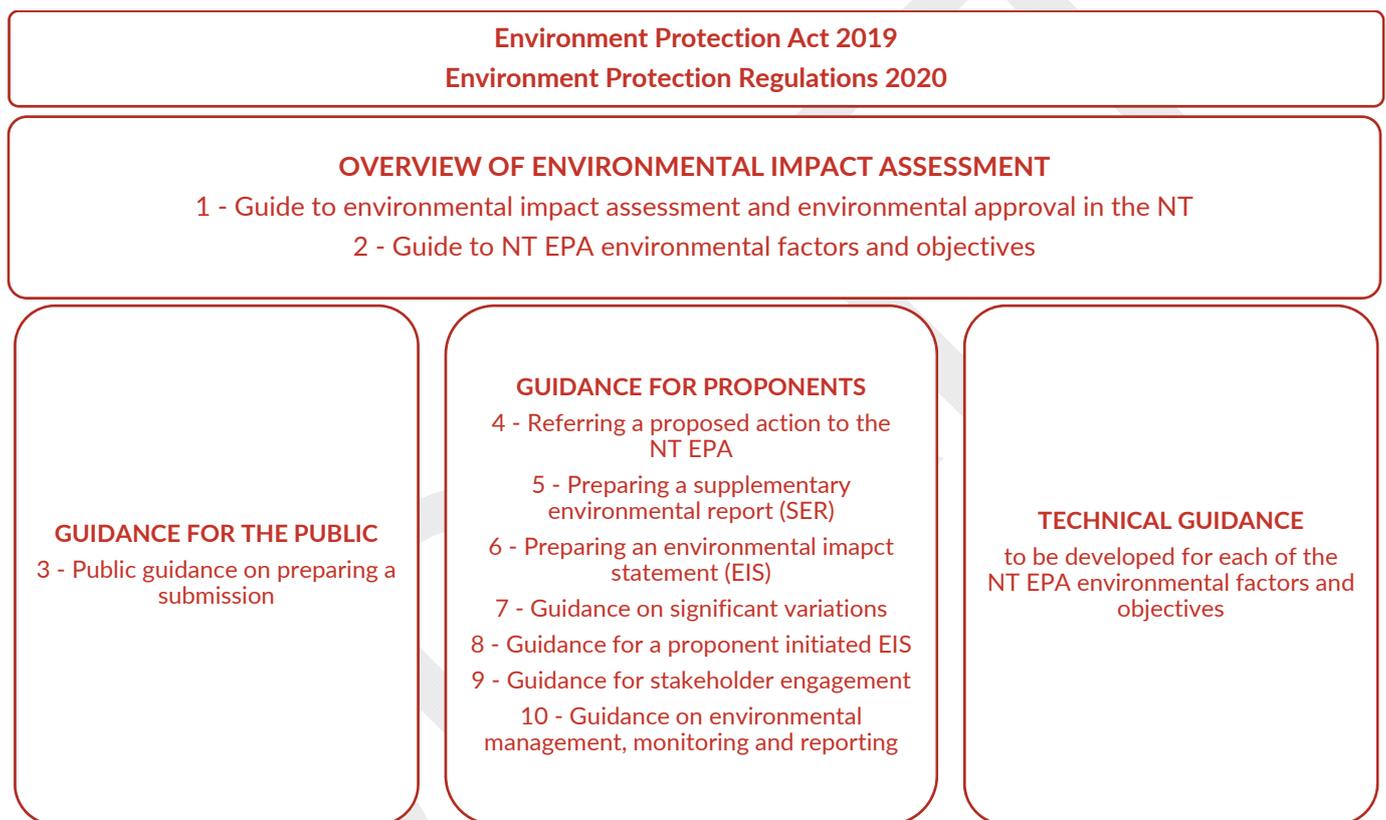


FIGURE 1 ENVIRONMENTAL IMPACT ASSESSMENT GUIDANCE

Purpose of environmental impact assessment process

The purpose of the environmental impact assessment and approval system in the NT is to ensure there is no unacceptable impact on the environment resulting from actions, now or in the future (section 42(a) of EP Act).

If a proposed action has the potential for significant impact on the environment it is to be planned, assessed and carried out taking into account (section 42(b) of the EP Act):

- the principles of ecologically sustainable development (sections 17 - 24 of the EP Act):
 - Decision-making principle (section 18)
 - Precautionary principle (section 19)

- Principle of evidence-based decision-making (section 20)
- Principle of intergenerational and intragenerational equity (section 21)
- Principle of sustainable use (section 22)
- Principle of conservation of biological diversity and ecological integrity (section 23)
- Principle of improved valuation, pricing and incentive mechanisms (section 24)
- the environmental decision-making hierarchy (section 26 of the EP Act)
- the waste management hierarchy (section 27 of the EP Act)
- ecosystem-based management (section 2 of the EP Act)
- the impacts of a changing climate.

The EP Act provides an explanation of the above matters.

The environmental impact assessment process also requires that:

- the potential for less environmentally damaging alternative approaches, methodologies or technologies for actions is considered (section 42(c))
- the community is provided with an opportunity to participate, and have its views considered, in decisions on proposed actions (section 42(d))
- the potential for actions to enhance or restore environmental quality through restoration or rehabilitation is identified and provided for to the extent practicable (section 42(e)).

Terms of Reference for an EIS

The TOR for an EIS sets out the matters to be addressed in an EIS for a proposal.

The TOR may include any terms the NT EPA considers appropriate, and must specify the assessment period within which the draft EIS is to be submitted to the NT EPA. Under regulation 129, the NT EPA must apply the terms of reference in carrying out the assessment by EIS, and the proponent must comply with the TOR in preparing the EIS.

The NT EPA must publish a notice of the draft TOR within (the period specified in the EP Regulations) after the decision about the method of environmental impact assessment is made. The NT EPA may consult with the proponent before publishing the draft terms of reference. If the proponent is consulted, the NT EPA must consider any written submission received from the proponent within a specified period, and the required time for the NT EPA to publish the draft TOR ceases to during that specified period.

The draft TOR will be made available for public and government authority consultation for a period of (the period specified in the EP Regulations) after the notice is published. The NT EPA will consider any submissions received and decide to either approve (with or without changes), or refuse to approve the TOR and provide notice to the proponent of the decisions within (the period specified in the EP Regulations).

The proponent must prepare the EIS to address the relevant matters in the TOR, and submit it to the NT EPA within the period specified in the TOR.

Potential significant environmental impacts identified in the TOR should not be interpreted as excluding other matters of potential environmental significance that emerge during preparation of an EIS, from environmental studies, submissions or other sources. The level of detail provided in the EIS for each potential significant

environmental impact under the environmental factors should be appropriate to the level of significance of that potential impact.

When an EIS is required

An EIS is required where the NT EPA has decided that the method of environmental impact assessment for a proposed action is assessment by EIS under regulation 57 or regulation 58, and a TOR has been approved and provided to the proponent. The EIS must be prepared in accordance with the TOR, and provide a comprehensive description of the proposal, the current environment in the area of the proposal, the potential significant environmental impacts of the proposal and measures proposed by the proponent to avoid, mitigate and/or offset those potential impacts. The impacts include direct, indirect and cumulative impacts resulting from the construction, commissioning, operation, decommissioning and closure of the proposal.

The draft EIS and the supplement to the draft EIS (supplement) form the EIS. Additional information in relation to the EIS also forms part of the EIS.

For those actions where the NT EPA considers that an assessment by referral information or an assessment by SER is not sufficient to meet the objects of the EP Act and to achieve the purpose of the environmental impact assessment process set out in section 42 of the EP Act, the EIS assessment method is likely to be the most appropriate approach available to the NT EPA.

In accordance with regulation 59, in deciding a method of environmental impact assessment, the NT EPA must have regard to the following criteria:

- the significance of the potential impact of the proposed action or the strategic proposal;
- the level of confidence in predicting potential significant impacts of the proposed action or strategic 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 proposed action or strategic proposal;
- the extent of community engagement that has occurred in relation to the proposed action or strategic proposal
- the capacity of communities and individuals likely to be affected to access and understand information about the proposed action or strategic proposal and its potential significant impacts.

The EIS should be prepared using this guidance document in addition to the TOR.

The process for assessment by EIS

The EIS has an important role in the environmental impact assessment process of identifying, predicting, assessing and evaluating the potential significant environmental impacts of a proposed action, and the measures proposed to avoid, mitigate and/or offset those impacts. Figure 2 outlines the key steps in the EIS process.

The process for assessment by EIS is described below, consistent with Part 5 Division 6 of the EP Regulations (Assessment by environmental impact statement).

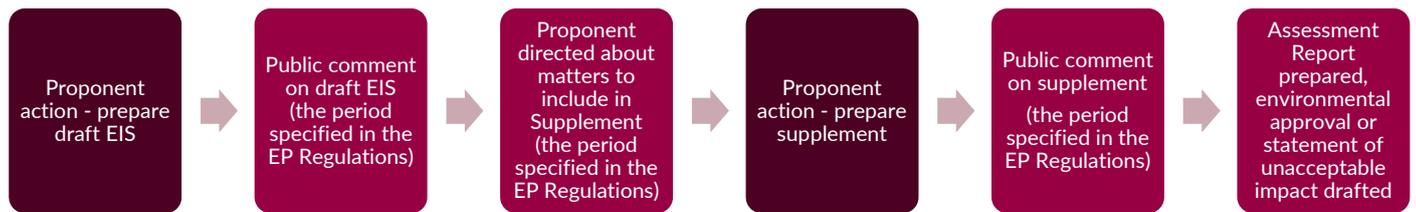


FIGURE 2: ASSESSMENT BY ENVIRONMENTAL IMPACT STATEMENT

Draft EIS

Preparation of the draft EIS follows the approval of the TOR by the NT EPA. It is the responsibility of the proponent to ensure the draft EIS addresses all the matters identified in the TOR and is submitted within the period specified by the NT EPA. Once the draft EIS has been submitted to the NT EPA, it will be published by the proponent in the manner determined by the NT EPA.

The NT EPA will publish a notice of the draft EIS on its webpage to state where the draft EIS may be inspected and obtained, and invite interested persons to make a submission to the NT EPA on the draft EIS within a submission period that is not less than (the period specified in the EP Regulations) after the notice is published.

Government authorities specified by the NT EPA will be provided with a copy of the draft EIS by the proponent. The NT EPA will invite those government authorities to make a submission to the NT EPA on the draft EIS and will make reasonable efforts to obtain the views of those government authorities within the submission period.

Supplement

The proponent must consider any submissions received on the draft EIS and prepare a supplement to address any issues raised in the submissions. The NT EPA may, within (the period specified in the EP Regulations), direct the proponent to include additional information in the supplement, to address the submissions and to ensure that it has adequate information to complete the environmental impact assessment process. The direction to prepare the supplement may specify the period within which the supplement is to be submitted to the NT EPA.

For actions that are not being assessed by the NT EPA under section 45 (Bilateral Agreement) or section 87 (Accredited process) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) the NT EPA may waive the requirement for a supplement on its own initiative or at the request of the proponent. If a proponent requests that a requirement for a supplement be waived, it must set out the reasons why a supplement is not required. The NT EPA may then decide, within (the period specified in the EP Regulations) of receiving the request, to waive, or refuse to waive, the requirement for the supplement. If the NT EPA decides to waive the requirement for a supplement, the NT EPA must publish a statement of reasons for the decision. The option to waive the requirement for a supplement may be considered by the NT EPA on the rare occasion that no submissions on the draft EIS are received or it considers that the submissions that are received are not so significant as to warrant a supplement to be prepared by the proponent and submitted to the NT EPA.

Following preparation of the supplement, the Proponent must publish the supplement in accordance with the direction of the NT EPA. The NT EPA will publish a notice of the supplement stating where the supplement may be inspected and obtained, and invite public comment for a submission period of (the period specified in the EP Regulations) after the notice is published. Government authorities specified by the NT EPA will be provided

with a copy of the draft EIS by the proponent. The NT EPA will invite those government authorities to make a submission to the NT EPA on the draft EIS and will make reasonable efforts to obtain the views of those government authorities within the submission period.

Additional information to the EIS

If the NT EPA considers that additional information is necessary to facilitate its consideration of the EIS (including the draft EIS and the supplement), it may direct the proponent, within (the period specified in the EP Regulations) after the submission period, to provide the additional information. Where the NT EPA directs the proponent to provide additional information in relation to the EIS, the NT EPA must publish the direction and the information provided in response to the direction, as soon as practicable after receiving the information.

The NT EPA may invite interested persons or specified persons or government authorities to make submissions on the additional information received in relation to an EIS, within a specified period that does not exceed (the period specified in the EP Regulations). If the NT EPA receives submissions on the information given or a specific aspect of the information given, it may invite the proponent to address the submissions within a period that does not exceed (the period specified in the EP Regulations).

The NT EPA must provide an assessment report (and a draft environmental approval) to the Minister within (the period specified in the EP Regulations) of the close of the last submission period in the EIS process. If the NT EPA requests additional information in relation to the EIS, the period for providing the assessment report ceases to run until either the additional information is received, or where the NT EPA invites submissions on the additional information to the EIS, the close of that submission period.

Information to be provided in the draft EIS

This section details the minimum information requirements for a draft EIS.

Declaration

The draft EIS must include a declaration signed by the proponent CEO stating that:

- the draft EIS has been prepared in accordance with the EP Act and EP Regulations
- the draft EIS contains all information relevant to the environmental impact assessment of the proposed action
- the draft EIS 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 – may provide reference to a part of, or appendix to, the draft EIS that provides clear details of how the proponent has considered the criteria for a fit and proper person in accordance with section 62(a) to (c)
- the proponent has fulfilled its general duty in accordance with section 43 of the EP Act and details of how the general duty requirements have been met - may include details here or provide reference to a part of, or appendix to, the draft EIS that provides clear details of how section 43(a) to (e) requirements have been met.

Executive summary

The executive summary must be a stand-alone document that includes a brief outline of the proposal and the draft EIS, allowing the reader to obtain a clear understanding of the proposal, the potential significant environmental impacts and proposed measures to avoid, mitigate and/or offset those impacts. A summary of the benefits of the proposal, alternatives to the proposal, and outcomes of consultation should be provided.

The executive summary should provide concluding statements which discuss how the proposal has been designed to avoid impacts, the proposed mitigation measures for unavoidable impacts and any proposed offsets for residual significant impacts.

Technical language should be avoided, and figures, tables and graphics should be used to assist understanding of technical information. A section indicating the current phase and future phases in the environmental impact assessment included. Information and conclusions presented in the executive summary should be consistent with information detailed in the main body of the draft EIS.

Introduction

The introduction should include the following:

- brief proposal overview
- purpose and scope of the draft EIS
- proposal history – including referral, decision, draft TOR consultation, and TOR finalisation
- table cross referencing matters in the TOR and how each matter has been addressed

Proposal objectives

Proponents must state the key objectives of the proposal and include a description of how the proposal meets these objectives. This section of the draft EIS should state why the proposal is being proposed and what the benefits are. The proponent should demonstrate in the draft EIS how the objectives of a proposal address the specific requirements of sections 42 and 43 of the EP Act.

Alternatives

The consideration of alternatives in developing the proposal is a critical step in the early stages of environmental impact assessment. The opportunity to avoid potentially significant environmental impacts from a proposal is greatest in the early stages of planning a proposal. It is important to demonstrate that the planning phase of the proposal included the identification of local/regional environmental values and application of the mitigation hierarchy to avoid or minimise potentially significant environmental impacts where possible.

Describe how the potential for less environmentally damaging alternative approaches, methodologies or technologies has been considered, consistent with section 42(c) of the EP Act. The draft EIS should demonstrate that all feasible alternatives have been considered as part of the process for developing the proposal or specific aspects of the proposal. Justify why the final proposal was selected.

Provide a comparison of the major potential environmental impacts, across all relevant environmental factors associated with each alternative, and clearly explain if and how the preferred option(s) assist in avoiding or minimising major potential environmental impacts associated with the proposal.

Proposal description

Provide a clear description of the proposal and the full scope of works for which approval is sought.

The Proposal description should include:

- a summary table listing the key components of the proposal and the significant environmental aspects of the proposal
- details of the site, surrounding context, staging, construction, operation, ancillary infrastructure and services, processes, activities, inputs, outputs, material usage, water use, resource consumption, land clearing, waste generation (with consideration of seasonal variability) annual greenhouse gas emissions (Scope 1, 2 and 3), details of workforce, demobilisation, rehabilitation, final land form and land use
- consideration of impacts associated with normal operations, abnormal operations, unplanned shutdowns of part or all of the plant or facility and emergency shutdowns of part or all of the plant or facility. Provide an indication of the number of hours each year that it is expected that the plant or facility would be in abnormal, unplanned shutdown or emergency shutdown conditions
- maps, figures, images, diagrams and flow charts
- any variations or modifications to the proposal since the referral information was submitted⁵
- where there is uncertainty in the detailed design, footprint, capacity or life of the proposal, the approach to resolving this should be clearly explained and the maximum extent for each parameter provided.

This table will be the basis for defining the proposal that the NT EPA is assessing so must include all key features of a proposal. An example format for a key components table is provided in Appendix A.

Strategic and statutory framework

This section should identify:

- any local, regional, Territory or Australian policies, plans, planning schemes or systems that demonstrate the need for the proposal in a strategic planning context
- describe any related proposals, including those that may involve a potential for expansion or additional development by the proponent, and timeframes
- details of how the proposal complies with the relevant policies and plans, demonstrating consideration of the overall impacts and benefits of the proposal
- the regulatory and approvals framework relevant to the proposal and consideration of how the proposal aligns with regulatory approval requirements, preferably in table format
- the key legislative requirements relating to Parts 4 and 5 of the EP Act
- the requirements related to section 45 (Bilateral Agreement) or section 87 (Accredited process) of the *Environment Protection and Biodiversity Conservation Act 1999* (where relevant).

Stakeholder engagement

The environmental impact assessment process in the NT supports the community's right to know, allowing public scrutiny of potentially impacting actions and opportunity through the process for public comment and input. The EP Act places obligations on proponents to ensure the NT community is provided with adequate information to assist with their understanding of the potential environmental impacts and risks of a proposed action and to seek community involvement and input (in a culturally appropriate manner). This includes seeking

⁵ Under section 51 of the EP Act, a proponent must give the NT EPA notice of any proposed significant variation to the proposal. For further information refer to the NT EPA Environmental Assessment Guideline – Providing notice of a significant variation to the NT EPA. Available at: [Link](#)

community knowledge and understanding of an area and the requirement to address Aboriginal values, rights and interests in relation to the area that may be impacted by an action.

Proponents are responsible for undertaking stakeholder engagement and consultation throughout the environmental impact assessment process. The proponent's approach to stakeholder engagement and consultation must be consistent with the NT EPA stakeholder engagement guidance⁶.

The draft EIS must provide details of any stakeholder engagement and consultation undertaken by the proponent to meet the requirements of section 43 of the EP Act.

Proponents should also outline what future engagement activities they intend to undertake throughout assessment and post-approval, including during construction and operation of the proposal.

Matters of National Environmental Significance

If the proposal has been determined to be a controlled action under the EPBC Act and is being assessed by the NT EPA in accordance with a Bilateral Agreement (section 45 of EPBC Act) or an Accredited process (section 87 of EPBC Act), the Australian Government requires matters of national environmental significance (MNES) to be addressed. The following details should be included:

- List the controlled action provisions and the relevant policy and guidance for the MNES
- Provide a summary of the existing environmental value(s) that relate to the MNES
- Summarise the potential impacts (direct, indirect and cumulative) on the MNES and provide relevant tables and maps
- Summarise the assessment on the relevant environmental factor/s to determine the level of significance of the impact on the MNES. Include how the mitigation hierarchy has been applied
- Summarise any proposed mitigation measures
- Summarise whether offsets are required in relation to the MNES and if so, provide details of the proposed offset and how the offset addressed the Australian Government Environmental Offset Policy.

Environmental impact assessment

In the environmental impact assessment part of the draft EIS, proponents must describe how the matters identified in the TOR have been assessed, and how any potential impacts have been avoided, mitigated or offset in accordance with the environmental decision-making hierarchy pursuant to section 26 of the EP Act.

Proponents must also identify any potential significant residual impacts.

Where the TOR requires further assessment of specific potentially significant environmental impacts to be addressed in the draft EIS, a description of how the requirements of section 42(b) of the EP Act should be provided.

Information included in the draft EIS on potentially significant environmental impacts should be described under each relevant environmental factor.⁷

⁶ NT EPA 2020 Environmental impact assessment guidance for proponents - Stakeholder engagement. Available at:

[Link](#)

⁷ NT EPA 2020, Environmental Assessment Guideline – Environmental Factors and Objectives. Available at: [Link](#)

Key environmental factors

The NT EPA environmental factors that are relevant to the proposal should be listed in order of significance with the following heading structure and content for each factor

1. Name of environmental factor – e.g. *Inland water environmental quality*
2. Objective for environmental factor – e.g. *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.*
3. Policy and guidance - list the relevant policy and guidance for issues under this factor, as relevant to the proposal.
4. Environmental values
 - Describe the existing environment and environmental values relevant to this factor that would potentially be impacted by implementation of the proposal and reference the sources of information used. The NT EPA recognises that a specific environmental value may be relevant to more than one factor.
 - Provide a summary of the surveys and studies undertaken for the proposal, including the dates and timing of surveys, referencing standards and guidelines used.
 - Maps should be included which show both the local and regional context of the proposal, an overlay of the proposal boundary and indicative disturbance footprint on a base layer showing the local and regional environmental values related to the factor.
5. Assessment of potentially significant environmental impacts
 - The draft EIS must identify, describe and evaluate the significance of direct, indirect and cumulative potential impacts and risks to environmental values, under each of the relevant factors. Where relevant, impacts of other proposals or activities to the environmental value should be evaluated. Benefits arising from the proposal should also be identified and quantified.
 - The draft EIS must evaluate whether an impact is likely to be a significant impact, as defined under section 11 of the EP Act. That is, an impact of major consequence having regard to the context and intensity of the impact, and the sensitivity, value and quality of the environment impacted on and the duration, magnitude and geographic extent of the impact
 - Potential impacts and risks from all stages of the proposal should be defined, with consideration of the extent, magnitude and duration; the resilience of the environment to cope with impact or change; and any potential cumulative impacts.
 - Information provided should permit the general reader to understand the likelihood and severity of each potential environmental impact presented by the proposal. Consideration of risks presented by the proposal may be guided by undertaking a risk assessment consistent with AS/ISO 31000 risk management series. However, the inclusion of large risk assessment tables should be avoided, with only the potential significant environmental risks discussed the draft EIS, rather than risks that are not considered to have a potential significant environmental impact, with consideration of sections 10 and 11 of the EP Act.
 - The draft EIS should clearly justify the level of analysis and investigation of the potentially significant environmental impacts, commensurate with the severity of the impact. The analysis, including, where appropriate, development of likelihood and consequence ratings for inherent and residual risk assessments, is to be based on referenced and relevant actual data and modelled predictions as appropriate.
6. Avoidance, mitigation and offsets

- The draft EIS must describe the avoidance, mitigation and offset measures that would be implemented to manage the potentially significant environmental impacts of the proposal and ensure the environmental objective is highly likely to be met.
- All measures should be specific, enforceable and unambiguous. Where formulating strategies for avoidance, mitigation or offsets, the proponent should also consider alternatives.
- Draft management plans may be appended to the draft EIS where it is considered that management measures may need to be conditioned in an environmental approval for the proposal, or if specific management plans are required in the TOR.
- The draft EIS should demonstrate that any proposed measures to manage potential significant impacts are accepted as best practice within that industry, and that any proposed offsets are consistent with the Northern Territory Offsets Policy.⁸

7. Predicted outcome / conclusion

- The draft EIS should describe the predicted outcome against the factor's environmental objective, and state whether there is likely to be any significant residual environmental impacts. Where it is considered likely that there would be significant residual impacts, describe if and how these residual impacts would be offset and how any proposed offset would compensate for the impact.

Other environmental factors

The draft EIS must discuss any other environmental matters or factors where these have been identified in the TOR, or during stakeholder engagement, or have emerged during the assessment process.

Whole of environment considerations

The draft EIS must provide a holistic assessment of the impacts of the proposal on the whole of the environment (where relevant), including a description of the connections and interactions between the environmental factors and succinctly discuss predicted outcomes in relation to the environmental principles and the NT EPA's environmental objectives and any of the Minister's declared environmental objectives.

Advice on completing the supplement

After the conclusion of the submission period of the draft EIS, the proponent may be required to produce a supplement to take account of all written comments (from the public and government agencies) received during the submission period (Part 5 Division 6 Subdivision 3 of EP regulations).

In preparing the supplement, the proponent is to provide clear, concise and relevant responses to comments received on the draft EIS. Where issues arise with interpretation of comments, the proponent should contact relevant staff of the DENR Environment Division for clarity. The information requirements outlined in this guidance document should be taken into account when compiling responses. The supplement should include a consolidated list of commitments by the proponent, consistent with the draft EIS.

The supplement will be made available for review and comment by the public and government agencies. The proponent must publish the supplement in the manner determined by the NT EPA. The NT EPA will publish a notice of the supplement, stating where the supplement may be inspected and obtained, and inviting interested

⁸ DENR 2020, Northern Territory Offset Policy. Available at: [Link](#)

persons to make a submission within a specified submission period. The submission period will be (the period specified in the EP Regulations), unless otherwise extended by the NT EPA after it has consulted the proponent. Comments from the public and government agencies will be considered by the NT EPA in conducting its assessment.

The supplement should not contain any significant variations to the proposal that may change the environmental significance of the proposal. If a proposal is altered in response to public comment, or for any other reason, all alterations or modifications should be clearly described in the supplement.

Response to submissions

The supplement must respond properly to public and government agency submissions received in relation to the draft EIS, as detailed in the direction to prepare the supplement. A meaningful and well-structured response to submissions received in relation to the referral information is an important part of the EIS.

Proponents are expected to carefully consider the issues raised in submissions and where appropriate, adapt the proposal, the performance criteria or mitigation measures to address the issues raised.

The proponent's responses to the submissions are considered by the NT EPA during its assessment of the Proposal, and by the Minister (or delegate) when deciding whether to approve or refuse a proposal.

The EIS should include the following information in response to submissions, where relevant:

- analysis and categorisation of the submissions received
- a summary table identifying the stakeholder, issues raised in submissions and a response to the submissions including actions taken to address those issues such as engagement and any further environmental assessment
- a description of any changes to the proposal as a result of submissions received, including updated plans, figures and images
- an updated evaluation of the potentially significant environmental impacts (including residual impacts) of the proposal.

Additional information in relation to the supplement

The NT EPA may request additional information in relation to the supplement. Where additional information is requested.

General requirements

The EIS should:

- be written in plain English
- enable stakeholders and the NT EPA to understand the environmental consequences of the proposal
- provide objective, clear and succinct information that's easy to understand for the general reader
- provide key information about the proposal (including characterisation of the receiving environment, predicted impacts, summary of proposed management measures, residual impacts and conclusions)
- include an appropriate level of detail to demonstrate a robust and scientifically sound assessment of the potentially significant environmental impacts of the proposal

- use consistent and accepted terminology and units of measurement throughout.
- include a cover page with the proposal title, date, author and the NT EPA Assessment Number
- include a document control table at the front of the documents with version, date and authorisation (name and signature)
- provide evidence of authority to act on behalf of the CEO or organisation if someone other than the Chief Executive Officer (CEO) (including a consultant) submits the EIS

Format

It is expected that a draft EIS will comprise: an executive summary of the draft EIS; a main report providing a comprehensive response to the TOR requirements; and technical appendices providing details of the study investigations supporting the main report.

The draft EIS should comprise three main parts as outlined below:

- Executive summary - the executive summary must be a stand-alone document that includes a brief outline of the proposal and each chapter of the draft EIS, allowing the reader to obtain a clear understanding of the proposal, its potential environmental implications and management objectives
- Main body of the report - the main text of the draft EIS should consist of a series of chapters addressing all of the information requirements outlined in this guidance and the TOR. It should also include a list of abbreviations and a glossary to define technical terms, acronyms and abbreviations. It should also include an overall conclusion on the residual impacts and residual risks of the proposal
- Appendices - the appendices must include detailed technical information, studies or investigations (including data) necessary to support the main text. If supporting documents recommend further work be undertaken, the draft EIS should address these recommendations. The draft EIS should also clarify any inconsistencies with the supporting documents, e.g. changes in the proposal scope since studies were undertaken.

The appendices should include at a minimum:

- a table listing how the guidance and TOR have been addressed in the EIS, cross-referenced to chapters, sections/subsections and/or appendices
- spatial coordinates of proposal footprint and site technical studies
- the name of, work done by, and the qualifications and experience of, the persons involved in preparing each component of the EIS
- a table listing commitments made by the proponent in relation to managing potential environmental impacts of the proposal
- detailed technical information, studies or investigations necessary to support the main text

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 proposal (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.

The EIS and attachments must be submitted both electronically (in a searchable format) and in hard copy to be displayed at specified locations. Maps and figures must be clear, legible, of appropriate scale and of good resolution (>300ppi) to enable interpretation of the content. A scale bar, north arrow and legend or caption to describe symbols used should be included for all maps.

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

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

Where a proponent considers material in the EIS to be of a confidential nature (e.g. commercial in confidence or culturally sensitive) and seeks to withhold that material from the public, the proponent should consult with the NT EPA in accordance with section 281 of the EP Act before publishing the EIS.

Submitting an EIS

The proponent must submit the EIS within the period specified by the NT EPA and publish the EIS in the manner determined by the NT EPA. The EIS may be submitted to the NT EPA:

- in person: Level 1, Arnhemica House, 16 Parap Road, Parap
- by email: eia.ntepa@nt.gov.au
- by FTP (File Transfer Protocol): contact staff of the Environment Division, DENR, for more information
- by post: NT Environment Protection Authority, GPO Box 3675 Darwin NT 0801.

Electronic copies (pdf format) should be provided both as a single file of the entire document and separate files of the document. Regarding confidential information, an electronic copy for publication on the NT EPA website, and hardcopies for public exhibition, should be submitted with that information already redacted.

Further information

If you require assistance in applying this guideline to your proposed action, please contact the NT EPA.

Email: ntepa@nt.gov.au

Tel: 08 8924 4218

Appendix A – Example format for key components table

This is an example of a key components table for a mining proposal. This example template should be amended as necessary to include an adequate level of detail on key components.

Component	Location (in document)	Proposed extent
Physical elements		
Clearing	e.g. Figure 2	e.g. Clearing of no more than XX ha of vegetation
Main site - List components of main site below	e.g. Figure 3	Total extent of site XX ha
Accommodation camp	e.g. Figure 4	XX ha
Offices	e.g. Figure 4	XX ha
Workshop	e.g. Figure 4	XX ha
Pit 1	e.g. Figure 4	XX ha
Pit 2	e.g. Figure 4	XX ha
Processing area	e.g. Figure 4	XX ha
Roads	e.g. Figure 4	XX ha
Run of mine pad	e.g. Figure 4	XX ha
Tailings storage facility	e.g. Figure 4	XX ha
Waste dump 1	e.g. Figure 4	XX ha
Waste dump 2	e.g. Figure 4	XX ha
Operational elements		
Ore processing	e.g. Figure 5	XX tonnes per day
Waste rock volumes	e.g. Figure 5	XX tonnes per day
Tailings volumes	e.g. Figure 5	XX KL or ML per day
Dewatering volumes	e.g. Figure 5	KL or ML per hour or day
Water use	e.g. Figure 5	KL or ML per hour or day
Water discharge	e.g. Figure 5	KL or ML per hour or day
Dam 1 capacity	e.g. Figure 5	XX KL or ML per hour or day
Dam 2 capacity	e.g. Figure 5	XX KL or ML per hour or day
Waste generation (other than mine waste)	e.g. Figure 5	XX tonnes per day
Workforce	e.g. Figure 5	XX Number of personnel
Operating hours	e.g. Figure 5	XX Hours per day
Shutdown periods	e.g. Figure 5	XX days per year
Vehicle movements	e.g. Figure 5	XX movements per hour or day