

**POLICY ON RECOMMENDATIONS MADE IN REPORTS
ARISING FROM THE ASSESSMENT OF PUBLIC
ENVIRONMENTAL REPORTS AND ENVIRONMENTAL
IMPACT STATEMENTS**

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Version 1.0

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1 Introduction

The Northern Territory Environment Protection Authority (NT EPA) was established in January 2013 by the *Northern Territory Environment Protection Authority Act 2012* (the NT EPA Act). It consists of a Chairperson, four members and the Chairperson of the Planning Commission.

The NT EPA works with industry, relevant Government agencies and the public to promote ecologically sustainable development.

It has independent legal status and is able to:

- undertake environmental assessments and make recommendations;
- provide advice to the Minister; and
- undertake functions associated with the management of waste and pollution, including compliance and enforcement.

Ongoing community and business involvement and transparency of process in environmental decisions affecting the Territory are the heart of NT EPA operations.

Assessments of proposals under the *Environmental Assessment Act* are required:

“to ensure, to the greatest extent practicable, that each matter affecting the environment which is, in the opinion of the NTEPA, a matter which could reasonably be considered to be capable of having a significant effect on the environment is fully examined and taken into account and in relation to:

- *the formulation of proposals”* and
- *“the carrying out of works and other projects”*.

This is achieved using processes described in the Environmental Assessment Administrative Procedures (a statutory administrative instrument created under the *Environmental Assessment Act*). These require proponents to notify the NT EPA of their proposals so that a decision can be made on whether the proposal requires assessment, and if required, whether the assessment should be a Public Environmental Report (PER) or Environmental Impact Statement (EIS). The notification is used as a basis for developing guidelines for proponents to follow in developing the PER or EIS. These are subject to public comment prior to final release.

PERs and EISs are reviewed by the NT EPA during a statutory public exhibition period. Comments from stakeholders including the NT EPA, NT Government Departments and the community are provided to the Proponent, who is required to address the comments in a Supplement. The PER/EIS and Supplement are then reviewed and the NT EPA prepares a report for submission to the Minister for Environment. The report contains recommendations for environmental management of potential impacts potentially caused by the proposal.

2 Policy objectives

Objectives of this Policy are to:

- provide guidance to the NT EPA and appointed personnel in developing recommendations arising from PERs and EISs;

- ensure that recommendations meet the objectives and requirements of the *Northern Territory Environment Protection Authority Act* and other applicable legislation;
- provide the community and business with assurance of the appropriateness of recommendations made in assessment reports; and
- provide the community and business with an understanding and expectation as to the content of recommendations in assessment reports.

3 Recommendations in Assessment Reports

Recommendations in assessment reports developed by the NT EPA will:

- address the NT EPA's obligation under the *Northern Territory Environment Protection Authority Act* to promote Ecologically Sustainable Development;
- address the NT EPA's obligation under the *Environmental Assessment Act* to insure that each matter potentially having a significant impact on the environment is where practicable subject to mitigation, or otherwise recommended as unacceptable;
- where appropriate, refer to regulatory requirements under Northern Territory legislation;
- reflect matters identified in the guidelines provided for preparation of the PER or EIS or arise from investigations and documentation conducted during preparation of the EIS;
- consider and potentially adopt commitments undertaken by proponents in their EISs;
- consider matters raised and requirements proposed by Northern Territory government agencies, business and the community;
- be scientifically sound and/or evidence based;
- focus on achieving environmental outcomes rather than the imposition of specific controls;
- include requirements for monitoring the outcomes of impact mitigation and applying contingencies accordingly;
- as appropriate require development of Environmental Management Plans (EMPs) for implementation of impact mitigation and monitoring;
- as appropriate acknowledge the potential for EMP implementation and outcomes to be subject to review and assessment under clause 15 of the Environmental Assessment Administrative Procedures; and
- where appropriate, provide guidance on requirements that may exist under Commonwealth environmental legislation.

4 Comments welcome

Comments and feedback on this policy are welcome and should be directed to the NT EPA. These can be emailed to ntepa@nt.gov.au.

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Approved by the NT EPA
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