



Department of LANDS,  
PLANNING AND  
ENVIRONMENT

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Mr Roland Lee  
Environmental Assessment Unit  
Environment and Heritage Division  
Department of Lands, Planning and Environment  
GPO Box 3675  
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T 08 8999 4446

Our Ref: DLPE2025/0337

Dear Mr Lee

**Re: Invitation to comment on referral (EP Act) – Koongarra Remediation Project  
The Office of the Supervising Scientist (OSS)**

The information submitted for the above Referral has been assessed by the relevant divisions within the department, and the following comments are provided:

**Flora and Fauna Division**

The Flora and Fauna Division have reviewed the Referral information and agrees with the proponent that the project area is unlikely to contain habitat that is critical for the persistence of any threatened flora and fauna species. The Flora and Fauna Division also agrees with the proponent that the project is unlikely to have any material impact on terrestrial ecosystems. No clearing of native vegetation is required, and disturbance will be temporary (mainly minor vegetation pruning to allow truck access). The project is to occur within an area that has a long history (since 1970s) of disturbance, and the project area is populated mainly by grasses and has sparse tree cover. Due to the small size and restricted area of disturbance, it would be highly unlikely for the proposed project to detrimentally impact biodiversity, or more specifically threatened species.

The Flora and Fauna Division considers that risks to terrestrial ecosystems from the project are very low. This is due to the project occurring in a predominantly disturbed area, together with the small amount of disturbance of native vegetation that would be required.

The Flora and Fauna Division considers that no further information is required to assess risks to the terrestrial environment. The net benefit of the project will outweigh any temporary, minor impacts and the project is supported.

**Land Resources Division**

**Land Management Unit**

Based on a desktop assessment, the Land Management Unit provides the following advice.

The application is to undertake environmental remediation of a contaminated site. The net benefit of the project should outweigh any temporary environmental impacts. That being said, the project is being undertaken in a United Nations Educational, Scientific and Cultural Organisation (UNESCO)

World Heritage Area (a Ramsar site meeting all nine Ramsar criteria) in close proximity to and on excessive slope >5%, crosses multiple streams. The proposal states that disturbance works will be undertaken in the Dry season, and any disturbed areas including creek crossings and access tracks will be stabilised during and at the completion of the project.

Failure to design, construct, and maintain appropriate erosion and sediment control measures has the potential to impact on terrestrial environmental quality, and terrestrial ecosystems, factors from the Land theme, and the three factors from the Water theme.

### Weed Management Branch

A desktop assessment of the Northern Territory (NT) Weeds Database for the application area, surrounding parcels and roads has revealed current and/or previous data records of the following:

Common Name	Botanical Name	Declared
Gamba grass	<i>Andropogon gayanus</i>	Class A
Rubber vine - ornamental	<i>Cryptostegia madagascariensis</i>	Class A
Mimosa	<i>Mimosa pigra</i>	Class A
Parkinsonia	<i>Parkinsonia aculeata</i>	Class B
Neem	<i>Azadirachta indica</i>	Class B
Rubber bush	<i>Calotropis procera</i>	Class B
Mission Grass - Perennial	<i>Cenchrus polystachios</i>	Class B
Olive Hymenachne	<i>Hymenachne amplexicaulis</i>	Class B
Grader grass	<i>Themeda quadrivalvis</i>	Class B
Mossman River Grass	<i>Cenchrus echinatus</i>	Class B
Buffel grass	<i>Cenchrus ciliaris</i>	Unclassified
Salvinia	<i>Salvinia molesta</i>	Class B
Coffee senna	<i>Senna occidentalis</i>	Class B
Sicklepod	<i>Senna obtusifolia</i>	Class B
Candlebush	<i>Senna alata</i>	Class B
Paddys lucerne	<i>Sida rhombifolia</i>	Class B
Flannel weed	<i>Sida cordifolia</i>	Class B
Spinyhead	<i>Sida acuta</i>	Class B

Common Name	Botanical Name	Declared
Hyptis	<i>Hyptis suaveolens</i>	Class B
Snakeweeds	<i>Stachytarpheta spp.</i>	Class B

All land in the NT is subject to the *Weeds Management Act 2001* (WM Act). The WM Act describes the legal requirements and responsibilities that apply to all persons, owners and occupiers of land regarding declared and potential weeds. General duties described in Division 1 of the WM Act include the requirement for owners or occupiers of land to take all reasonable measures to prevent land being infested with a declared weed and to prevent a declared weed from spreading.

Gamba grass, grader grass, mimosa and neem are subject to statutory weed management plans. Management obligations outlined in these plans are legally binding on all owners and occupiers. Management requirements and copies of the statutory weed management plans are available online<sup>1</sup>.

Gamba grass, mimosa and ornamental rubber vine are declared weeds, Class A and are listed in the Darwin Regional Weeds Strategy 2021-2026 as a Category 2 – priority weeds for strategic control (including eradication of outliers).

The proponent must ensure that all vehicles and machinery are free of weeds, weed seeds, soil and vegetative matter, prior to entering or exiting the site. Vehicles must avoid driving through weeds already present on-site to prevent further spread. Vehicles and machinery exhibiting such material must be thoroughly washed down before entering/departing.

Any works that cause disturbance to vegetation and soils will create conditions favourable for the growth of weed species and weed control will be required following disturbance caused by exploration and/or extraction. Weed control prior to seed set should be carried out in all areas affected by these works.

Guidelines for the prevention of weed spread are outlined in '*Preventing Weed Spread is Everybody's Business*<sup>2</sup>', which highlights the areas of risk for all activities associated with weed spread. The document details the pathways through which weeds are spread and provides actions to reduce weed spread. Proponents seeking to develop land for any purpose should address these actions..

Further information as to weed management requirements and the Weed Management Plans for gamba grass, grader grass, mimosa and neem are available on the Department of Lands, Planning and Environment (DLPE) website<sup>3</sup>, or alternatively contact the Weed Management Branch for further advice on (08) 8999 4567.

## Mining Division

The Mining Division provides the following advice regarding the Koongarra Rehabilitation Project – EPBC Referral.

<sup>1</sup> <https://nt.gov.au/environment/weeds/weed-management-planning>

<sup>2</sup> [https://denr.nt.gov.au/\\_data/assets/pdf\\_file/0011/257987/preventing-weed-spread.pdf](https://denr.nt.gov.au/_data/assets/pdf_file/0011/257987/preventing-weed-spread.pdf)

<sup>3</sup> <http://www.nt.gov.au/environment/weeds>

Considering the proposed action, the Mining Division is satisfied the project does not require an environmental (mining) licence under the *Environment Protection Act 2019* (EP Act). This position has been informed by consideration of the following:

1. The works proposed do not constitute a mining activity;
2. The area to be rehabilitated has been incorporated within Kakadu National Park (KNP);
3. Parks Australia, Department of Climate Change, Energy, and Environment and Water (DCCEEW) has accepted responsibility for rehabilitation of the area disturbed by historic exploration activities in the management of the KNP;
4. Parks Australia holds a current licence against which to be held responsible for the appropriate management of radiological waste (core) to protect the environment (inclusive of human health); and
5. Ultimate disposal of the radiological waste (core) by means of deep burial at the Ranger site (currently undergoing rehabilitation subject to environmental mining licence DML0108 in accordance with joint regulatory arrangements between the NT and Australian governments) is currently being considered for approval by the Federal Minister under the *Atomic Energy Act 1953* and the Minister for Lands, Planning and Environment under the *Environment Protection Act 2019*.

Further, OSS established under the *Environment Protection (Alligator Rivers Region) Act 1978* is responsible for the protection of the Alligator Rivers Region from the effects of uranium mining and is active in developing standards and practices for environmental protection.

## Environment and Heritage Division

### Heritage Branch

The Heritage Branch are satisfied that the proponent has demonstrated an understanding of their obligations under the *Heritage Act 2011* and are managing their risk effectively.

### Water Resources Division

The proposal area, NT Portion 1662, is located outside of all water control districts. The proposal does not mention any requirement for the use of groundwater or surface water for operational needs. Should the proponent require access to water, the proponent should contact the Water Resources Division to discuss licensing requirements.

A bore work permit is not required for completion of decommissioning works, given that the land is outside all water control districts. All bore work, including decommissioning of bores must be completed by an NT licensed water bore driller<sup>4</sup>.

The Water Monitoring Group have confirmed that there are no issues of concern with the proposed decommissioning of historical NT Government monitoring bores, provided this work is undertaken by NT licensed water bore drillers.

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<sup>4</sup> <https://nt.gov.au/environment/water/licensing/drilling-licences/licensed-water-drillers>

## Environmental Regulation

Under the *Waste Management and Pollution Control Act 1998* (NT) (WMPC Act), listed waste is required to be transported by licensed transporters to licensed facilities. See Schedule 1<sup>5</sup> of the *Waste Management and Pollution Control (Administration) Regulations 1998* for a complete list of materials classified as listed waste. See the NT EPA Environment Protection Licence register<sup>6</sup> for licensed transporters and facilities.

All persons are required to comply with the General Environmental Duty under section 12 of the WMPC Act. The proponent is advised to take notice of this non-exhaustive list of environmental issues that should be considered to help satisfy General Environmental Duty:

1. **Dust:** The proposed activities have the potential to generate dust, particularly during the dry season. The proponent must ensure that nuisance dust and/or nuisance airborne particles are not discharged or emitted beyond the boundaries of the premises.
2. **Noise:** The proponent is to ensure that the noise levels from the proposed premises comply with the latest version of the NT EPA Northern Territory Noise Management Framework Guideline available online<sup>7</sup>.
3. **Erosion and Sediment Control (ESC):** The proponent must ensure that pollution and/or environment harm do not result from soil erosion.

ESC measures should be employed prior to and throughout the construction stage of the development. Larger projects should plan, install and maintain ESC measures in accordance with the current International Erosion and Sediment Control Association (IECA) Australia guidelines and specifications. Where sediment basins are required by the development, the NT EPA recommends the use of at least Type B basins, unless prevented by site specific topography or other physical constraints.

Basic advice for small development projects is provided by the NT EPA document: Guidelines to Prevent Pollution from Building Sites<sup>8</sup> and Keeping Our Stormwater Clean<sup>9</sup>

4. **Storage:** If an Environment Protection Approval or Environment Protection Licence is not required, the proponent should store liquids only in secure bunded areas in accordance with VIC EPA Publication 1698: Liquid storage and handling guidelines, June 2018, as amended. Where these guidelines are not relevant, the storage should be at least 110% of the total capacity of the largest vessel in the area.

Where an Environment Protection Approval or Environment Protection Licence is required, the proponent must only accept, handle or store at the premises listed waste, including asbestos, as defined by the WMPC Act, in accordance with that authorisation.

5. **Site Contamination:** If the proposal relates to a change of land use or if the site is contaminated, including as a result from historical activities such as cyclones, a contaminated land assessment maybe required in accordance with the National Environment Protection (Assessment for Site

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<sup>5</sup> <https://legislation.nt.gov.au/Legislation/WASTE-MANAGEMENT-AND-POLLUTION-CONTROL-ADMINISTRATION-REGULATIONS-1998#page=11&zoom=auto,88,747>

<sup>6</sup> <https://ntepa.nt.gov.au/your-business/public-registers/licences-and-approvals-register/environment-protection-licences/listed-waste-transport/elite-solutions-nt-pty-ltd>

<sup>7</sup> [https://ntepa.nt.gov.au/\\_data/assets/pdf\\_file/0004/566356/noise\\_management\\_framework\\_guideline.pdf](https://ntepa.nt.gov.au/_data/assets/pdf_file/0004/566356/noise_management_framework_guideline.pdf)

<sup>8</sup> [https://ntepa.nt.gov.au/\\_data/assets/pdf\\_file/0010/284680/guideline\\_prevent\\_pollution\\_building\\_sites.pdf](https://ntepa.nt.gov.au/_data/assets/pdf_file/0010/284680/guideline_prevent_pollution_building_sites.pdf)

<sup>9</sup> [https://ntepa.nt.gov.au/\\_data/assets/pdf\\_file/0006/284676/guideline\\_keeping\\_stormwater\\_clean\\_builders\\_guide.pdf](https://ntepa.nt.gov.au/_data/assets/pdf_file/0006/284676/guideline_keeping_stormwater_clean_builders_guide.pdf)

Contamination) Measure (ASC NEPM). The proponent is encouraged to refer to the information provided on the NT EPA website<sup>10</sup>, and the NT Contaminated Land Guidelines<sup>11</sup>.

- 6. Waste Management - Import and Export of Fill:** The proposed activities have the potential to generate fill and/or involve the importation of fill for use on-site. Untested fill material may already be present on the site. All fill imported or generated and exported as part of the activity must either be certified virgin excavated natural material (VENM) or be sampled and tested in line with the NSW EPA Guidelines<sup>12</sup>

All imported fill material must be accompanied by details of its nature, origin, volume, testing and transportation details. All records must be retained and made available to authorised officers, upon request. The proponent should also consider the following NT EPA fact sheet: Illegal Dumping - What You Need to Know<sup>13</sup>.

- 7. Odour or Smoke:** The proponent must ensure that nuisance odours or smoke are not emitted beyond the boundaries of the premises.

If the proposal is situated where there are existing activities nearby that may already generate odour or smoke, please see the NT EPA advice on Recommended Land Use Separation Distances<sup>14</sup>.

- 8. Water:** If the activity requires the discharge of waste to water or could cause water to be polluted then a waste discharge licence under the *Water Act 1992* (NT) will be required. Please refer to the Guidelines<sup>15</sup>.

Should you have any further queries regarding these comments, please contact the Development Coordination Branch by email [DevelopmentAssessment.DLPE@nt.gov.au](mailto:DevelopmentAssessment.DLPE@nt.gov.au) or phone (08) 8999 4446.

Yours sincerely



Maria Wauchope  
Executive Director Land Resources

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<sup>10</sup> <https://ntepa.nt.gov.au/your-environment/contaminated-land>

<sup>11</sup> [https://ntepa.nt.gov.au/\\_data/assets/pdf\\_file/0020/434540/guideline\\_contaminated\\_land.pdf](https://ntepa.nt.gov.au/_data/assets/pdf_file/0020/434540/guideline_contaminated_land.pdf)

<sup>12</sup> <https://www.epa.nsw.gov.au/your-environment/waste/classifying-waste/virgin-excavated-natural-material>

<sup>13</sup> [https://ntepa.nt.gov.au/\\_data/assets/pdf\\_file/0008/285740/factsheet\\_illegal\\_dumping\\_what\\_you\\_need\\_to\\_know.pdf](https://ntepa.nt.gov.au/_data/assets/pdf_file/0008/285740/factsheet_illegal_dumping_what_you_need_to_know.pdf)

<sup>14</sup> [https://ntepa.nt.gov.au/\\_data/assets/pdf\\_file/0006/453192/guideline\\_recommended\\_land\\_separation\\_distances\\_oct.pdf](https://ntepa.nt.gov.au/_data/assets/pdf_file/0006/453192/guideline_recommended_land_separation_distances_oct.pdf)

<sup>15</sup> [https://ntepa.nt.gov.au/\\_data/assets/pdf\\_file/0005/950603/guidelines-waste-discharge-licensing.pdf](https://ntepa.nt.gov.au/_data/assets/pdf_file/0005/950603/guidelines-waste-discharge-licensing.pdf)