

# Referral form

## Referring a proposed action or strategic proposal to the NT EPA under sections 48 to 50 of the Environment Protection Act 2019

### Guiding notes

- This form must be read in conjunction with environmental impact assessment guidance for proponents on the [NT EPA website](#) including Referring a proposal to the NT EPA
- Supporting information must be attached to the referral form in a report format
- Information is not limited to the size of the boxes on this form.
- Further guidance or example responses are provided below in light grey text.

PART A - Proponent details	
Name of the proponent/s <i>(legal entity)</i>	Early Bird NSW Pty Ltd & EJ Harris & MD Harris & Remus NSW Pty Ltd & The trustee for MD & EJ Harris Trust & Tin Hut NSW Pty Ltd & Vertile NSW Pty Ltd on behalf of Ucha Pty Ltd
Proponent trading Name if relevant	Cleveland Agriculture
<input type="checkbox"/> Australian Company Number(s) <b>OR</b> <input type="checkbox"/> Australian Business Number(s)	ACN: ABN: 84 279 271 063
Provide a description of the organisational structure with respect to responsibility of the proposed action, environmental approvals and implementation.	The partnership Cleveland Agriculture is the entity that manages the property Ucharonidge. Cleveland Agriculture and Ucha Pty Ltd are both part of the same family group.
Proponent contact details for the proposed action	<i>Name:</i> Malcolm Harris  <i>Position/responsibility:</i> Partner of Cleveland Agriculture/ Director of Ucha Pty Ltd  <i>Physical address:</i> 67 Cleveland Road Mungindi NSW 2406  <i>Phone:</i> 02 6756-5004  <i>Email:</i> jennifer@clevelandag.com.au
Joint-venture partners (if applicable) including name, primary contact person, postal address, phone and email	<i>Name:</i>  <i>Physical address</i>

	<i>Phone</i>  <i>Email</i>
Consultants details (if acting on behalf of the proponent) including business name, primary contact person, postal address, phone and email	<i>Business name:</i> CDM Smith Australia Pty Ltd  <i>Name of primary contact:</i> Paul Davey  <i>Physical address:</i> Level 1, 48-50 Smith Street, Darwin, NT 0800 Australia  <i>Phone:</i> +61.8.8943.0642  <i>Email:</i> daveyp@cdmsmith.com

<b>PART B – Outline of the proposal and location</b>	
<b>Outline of the proposal</b>	
Title of the proposal	Ucharonidge Station – NT EPA Land Clearing Referral
Provide a brief summary (one or two paragraphs) of the proposal including the activity type/ industry/ duration.	The Proponent is seeking approval to clear native vegetation (grasslands) currently used for grazing, to grow improved pasture for Pastoral Purposes on Ucharonidge Station. The Proponent proposes to clear approximately 4,898.52 ha of native vegetation (grassland) for diversification into broadscale dryland cropping on the property.
<b>Location</b>	
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 site of the proposed action.	The Project is located east and north portion 0307 of the Ucharonidge station (PPL 1072) homestead and is divided into three sections. 'Rita's Holding' is the southern-most section, 'Mick's East' is the middle section and 'Florence's East' is the northern most section.


Name of the <a href="#">Local Government Authority/ies</a> in which the proposal is located.	Barkly Regional Council
What is the land tenure type?	Pastoral Land
Is the <a href="#">land zoned under the NT Planning Scheme</a> ?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If so, what is the zoning/s?
What is the current land use of the proposed footprint?	Grazing
What is the approximate distance (as the crow flies) and direction to the closest human sensitive receptor (for example, residence, accommodation, hospital, school) from the proposal	The Project is located in a remote area approximately 70 km east of Elliott.

<b>PART C – Referral type</b>	
What type of proposal is being referred?  *provide the NT EPA reference number of the proposed action that is being varied. The number is located in the top left hand corner of a notice of decision for that proposal being varied e.g. EP2020/001	<input checked="" type="checkbox"/> proposed action  <input type="checkbox"/> strategic proposal  <input type="checkbox"/> proponent initiated EIS  <input type="checkbox"/> significant variation to proposal* NT EPA reference number
Provide a brief justification including the reasons why you consider the action may have a significant impact on the environment and is referred to the NT EPA.  <i>Refer to section 11 of the EP Act and the NT EPA's environmental factors and objectives.</i>	The Proponent submitted a native vegetation clearing application on 9 November 2020 to the Pastoral Land Board, Northern Territory. The Department of Environment, Parks and Water Security (DEPWS) assessed the Application and determined that the Application be referred to the Northern Territory Environmental Protection Authority (NT EPA) to be assessed under the Environmental Protection Act 2019 (EP Act). DEPWS advised this was due to uncertainties regarding cumulative impacts of the current application in combination with recently issued approvals which would result in a total of 10,132.43 ha of native

	vegetation clearing as well as unidentified potential cumulative greenhouse gas (GHG) emission (refer to Appendix A).
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<b>PART D – Fit and proper person to hold environmental approval</b>	
Has the proponent contravened a law of the Territory or another jurisdiction that relates to environmental matters, including matters relating to pollution, biodiversity, natural resources, planning, development or waste?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Provide details:
Has the proponent contravened a law of the Territory or another jurisdiction that relates to work health and safety?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Provide details:
Has the proponent committed an offence against any law of the Territory or another jurisdiction that involves an element of fraud or dishonesty?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Provide details:
Has the proponent behaved or is likely to behave in a way that is inconsistent with the persons duty as an approval holder, should an approval be issued?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Provide details:

**PART E - Referrer details and declaration**

Who is referring this proposal?		<input checked="" type="checkbox"/> Proponent <input type="checkbox"/> Authorised representative of proponent entity	
Name (print) Malcolm Harris		Signature 	
Position	Partner/Director	Organisation	Cleveland Agriculture on behalf of Ucha Pty Ltd
Email	jennifer@clevelandag.com.au		
Address	67	Cleveland Road	
Mungindi		NSW	2406
Does the referrer request that the NT EPA treat any part of the information in the referral as confidential, as per section (281(2)) of the EP Act?  <i>Provide an application under regulation 271 of the EP Regulations and the confidential information in a separate attachment.</i>		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Referral declaration by proponent:</b>  I, ...Malcolm Harris....., ( <i>full name</i> ) declare that I am authorised to refer this proposed action on behalf of.....Cleveland Agriculture....., and further declare that: <ul style="list-style-type: none"><li>• the attached environmental impact assessment documents have been prepared in accordance with the EP Act and EP Regulations; and</li><li>• the attached environmental impact assessment documents (including attachments) are true</li><li>• the attached environmental impact assessment documents do not provide false or misleading information and I know it is an offence to provide false and misleading information, noting the penalties under section 260 of the EP Act, and section 119 of the <i>Criminal Code Act 1983</i> and</li><li>• the proponent is a fit and proper person to hold an environmental approval in accordance with section 62 of the EP Act; and</li><li>• the proponent fully understands that referral under the EP Act does not limit, in any way, the requirements of the proponent to ensure approvals under any other regulatory regime are applied for, and adhered to; and</li><li>• the proponent has fulfilled its general duty in accordance with section 43 of the EP Act.</li></ul>			

*Provide explicit details in an attachment to this form substantiating the requirements of section 62(a) to (c) [fit and proper person] and section 43(a) to (g) [general duties] of the EP Act have been met.*

Contact for the proposal (if different from Part A)

*Please include: name, physical address, phone, and email.*

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