

# NT EPA Environmental factors and objectives

Environmental impact assessment guidance

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Acronyms	Full form
EP Act	<i>Environment Protection Act 2019</i>
NT	Northern Territory
NT EPA	Northern Territory Environment Protection Authority

The NT EPA acknowledge the rights, interests and stewardship role of Aboriginal people; relationship to country; and importance of participation by Aboriginal people and communities in environmental decision-making, as enacted by sub-section 3(e) of the *Environment Protection Act 2019*.

Further information and guidance on the environmental impact assessment process is available on the NT EPA website at: <https://ntepa.nt.gov.au/environmental-assessments>.

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## 1. Introduction

Under the *Environment Protection Act 2019* (EP Act), a proposed action that has the potential to have a significant impact on the environment must be referred to the Northern Territory Environment Protection Authority (NT EPA) for assessment. A proposed action or strategic proposal that undergoes environmental impact assessment by the NT EPA must have an environmental approval granted by the Minister for Environment and Natural Resources before it can proceed in the NT<sup>1</sup>.

Environmental impact assessment is a predictive tool used to systematically identify and characterise environmental impacts from a proposed action and to determine whether particular impacts to the environment have the potential to be significant. The process considers measures proposed to avoid and mitigate impacts, and allows for public scrutiny and involvement. The environmental impact assessment process provides the NT EPA with the information it needs to advise the Minister for the Environment and Natural Resources, and statutory decision-makers, on the ecological sustainability and environmental acceptability of a proposed action and measures proposed to minimise harm and enhance benefits to the environment.

The NT EPA must consider the action within the context of the environment in which the action is proposed and how the action is likely to impact land, sea, air, freshwater systems, and people.

## 2. Purpose of the guidance

The EP Act provides for the Minister to declare environmental objectives to identify environmental matters that have value to the Territory and that need to be protected; and to state the objective to be achieved for each matter. At present, there are no environmental objectives declared by the Minister. The NT EPA has prepared these environmental objectives and organised these in structured divisions of the environment, called environmental factors, for the purpose of environmental impact assessment under the EP Act. If environmental objectives are declared by the Minister in the future, they would replace the NT EPA's environmental objectives.

The purpose of this guidance is to introduce the NT EPA's environmental factors and objectives and to describe their use in organising and systemising information about the environment to enable effective environmental impact assessment and reporting, while taking a holistic view of the environment.

## 3. NT EPA's environmental factors and objectives

The NT EPA has developed environmental factors and objectives to improve certainty, and increase transparency, within the environmental impact assessment process. In developing these, the NT EPA has taken into account, amongst other things, the:

- objects under section 3 of the EP Act;
- principles of ecologically sustainable development, including under Part 2, Division 1 of the EP Act;
- consideration of 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

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<sup>1</sup> Please note: other NT and/or Commonwealth legislation may also apply to a proposed action or strategic proposal and must be taken into account alongside other steps in the environmental impact assessment and approval process.

of the impact, and the sensitivity, value and quality of the environment impacted on and the duration, magnitude and geographic extent of the impact; and

- NT EPA's objectives under section 7 of the *Northern Territory Environment Protection Authority Act 2012*.

Environmental factors are broad divisions of the environment that may be impacted by a proposed action. The factors and corresponding objectives offer a system for 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 NT EPA has identified 14 environmental factors categorised under five themes of Land, Water, Sea, Air and People.

An environmental objective for each factor has been developed that reflects the expected outcomes for these parts of the environment. These objectives provide an indicator against which to assess whether the objects of the EP Act can be achieved and are used by the NT EPA to judge whether the environmental impact of a proposed action may be significant and ultimately whether a proposed action is likely to be acceptable. The NT EPA's environmental factors and objectives are set out below.

THEME	FACTOR	ENVIRONMENTAL OBJECTIVE
LAND	Landforms	Conserve the variety and integrity of distinctive physical landforms.
	Terrestrial environmental quality	Protect the quality and integrity of land and soils so that environmental values are supported and maintained.
	Terrestrial ecosystems	Protect terrestrial habitats to maintain environmental values including biodiversity, ecological integrity and ecological functioning.
WATER	Hydrological processes	Protect the hydrological regimes of groundwater and surface water so that environmental values including ecological health, land uses and the welfare and amenity of people are maintained.
	Inland water environmental quality	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.
	Aquatic ecosystems	Protect aquatic habitats to maintain environmental values including biodiversity, ecological integrity and ecological functioning.
SEA	Coastal processes	Protect the geophysical and hydrological processes that shape coastal morphology so that the environmental values of the coast are maintained.
	Marine environmental quality	Protect the quality and productivity of water, sediment and biota so that environmental values are maintained.
	Marine ecosystems	Protect marine habitats to maintain environmental values including biodiversity, ecological integrity and ecological functioning.
AIR	Air quality	Protect air quality and minimise emissions and their impact so that environmental values are maintained.
	Atmospheric processes	Minimise greenhouse gas emissions so as to contribute to the NT Government's aspirational target of achieving net zero greenhouse gas emissions by 2050.
PEOPLE	Communities and economy	Enhance communities and the economy and foster resilience to a changing climate, for the welfare, amenity and benefit of current and future generations of Territorians.
	Culture and heritage	Protect sacred sites, culture and heritage.
	Human health	Protect the health of the Northern Territory population.

## 4. Using NT EPA factors and objectives in environmental impact assessment

The NT EPA uses its environmental factors and objectives to underpin the application of environmental impact assessment consistently across different types of development, so that each proposal's environmental impact assessment is appropriate for the level of impact or risk to the environment. In addition, when conducting an environmental impact assessment of a proposal, the NT EPA will consider whether the environmental objectives can be achieved in the carrying out of an action, through a consideration of its potential impacts and their significance following avoidance and mitigation measures, and the acceptability of the residual environmental impacts of the action.

The NT EPA recognises there will be rare situations where the required outcome of a proposed action is to improve rather than maintain the quality of the bio-physical environment, such as in a location where the environment is already significantly impacted (e.g. rehabilitation of a highly impacted mine site). In such cases the NT EPA may view relevant environmental objectives in the context of improvement to reflect the required outcome.

While the NT EPA's use of environmental factors and objectives when considering environmental significance provides an important structure for the organisation of information, the NT EPA also takes into consideration the interconnected nature of the environment. It is also important to note that while many of the objectives are framed along the lines of 'Protect...', this does not mean that there will be no or zero impact of the proposed action. Rather, the NT EPA is focused on the consequences of potentially significant impacts.

In planning, assessing and carrying out an action that has the potential for significant impact on the environment, the following will be inherently considered as part of the NT EPA environmental factors and objectives and must be taken into account:

- the principles of ecologically sustainable development;
  - 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
- the environmental decision-making hierarchy;
- the waste management hierarchy;
- ecosystem-based management;
- the cumulative impacts of a proposed action or strategic proposal;
- the existing threats and pressures on the environmental values; and
- the impacts of a changing climate.

Technical guidance for each of the NT EPA's environmental factors will be developed and made available on the NT EPA website. The technical guidance for each environmental factor will guide proponents in scoping and drafting environmental impact documents.

## 5. Further information

If you require assistance in applying this guideline to your proposed action, please contact the Environment Division of the Department of Environment and Natural Resources. Appointments with relevant staff can be made through the contacts below:

Email: [eia.ntepa@nt.gov.au](mailto:eia.ntepa@nt.gov.au)

Tel: 08 8924 4218