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|  | Questions are followed by answer fields. Use the ‘Tab’ key to navigate through. Replace Y/N or Yes/No fields with your answer. | |
| Refer proposed action or strategic proposal under the *Environment Protection Act 2019* | | |
| Before you fill in the form **Guiding notes**   * This form must be read in conjunction with environmental impact assessment guidance for proponents on the [NT EPA website](http://www.ntepa.nt.gov.au) including Referring a proposal to the Northern Territory Environment Protection Authority (NT EPA). * This form contains five (5) parts:   + Part A – Proponent details   + Part B – Proposal details   + Part C – Referral details   + Part D – Referrer declaration   + Part E – Nominated contact. * This form contains two checklists:   + Cross reference of matters addressed in the referral report   + Proponent’s general duty. * This form will be published. * Further guidance or example responses are provided below in light grey text.   These guiding notes may be deleted before submitting the referral form and report. | | |
| **PART A – Proponent details** | | |
| Name of the proponent  *(legal entity)* | |  |
| Proponent details | | *Name:*  *Position/responsibility:*  *Physical address:*  *Postal address:*  *Phone:*  *Email:* |
| Proponent Trading Name if relevant | |  |
| Australian Business Number/s  Australian Company Number/s | | Provide ABN and/or ACN number/s for proponent (and joint-venture partners if applicable). |
| Provide a description of the organisational structure with respect to responsibility of the proposed action, environmental approvals and implementation. | |  |
| Joint-venture partners (if applicable) | | *Name:*  *Physical address:*  *Postal address:*  *Phone:*  *Email:* |
| **PART B – Outline of the proposal and location** | | |
| **Outline of the proposed action or strategic proposal (proposal)** | | |
| Name of proposal | |  |
| Provide a brief summary (one or two paragraphs) of the proposal including the activity type/ industry/ duration. | | *For example, A new open cut mine to produce XX million tonnes per annum of metal X. The mine is anticipated to operate for 20 years and rehabilitation will be complete 5 years after operations cease.* |
| **Location** | | |
| Provide location details as:   1. street address, suburb | | Details must be entered here (not a cross-reference to the referral only) |
| 1. tenement, lot/section numbers, town/hundred, NT Portion or pastoral lease numbers, as applicable | | Details must be entered here (not a cross-reference to the referral only) |
| 1. the nearest town, recognisable feature, and distance and direction from that town/feature to the site of the proposed action.   If the proposal includes several locations, provide location details for each location. For example, a mine at location 1 and a processing site at location 2. | | Details must be entered here (not a cross-reference to the referral only) |
| Name of the [Local Government Area/s](https://nt.gov.au/community/local-councils-remote-communities-and-homelands/find-your-regional-council-or-local-authority) in which the proposal is located. | |  |
| What is the land tenure type, and proposed land tenure type ? | | For example, NT freehold, Crown land, Aboriginal freehold, Pastoral leasehold. |
| Does the proponent have the legal (land) access required for the implementation of all aspects of the proposal? | | No  If no, provide details of legal access authorisations /agreements / tenure is required and from whom.  Yes  If yes, provide an indication of legal access authorisations / agreement / tenure. |
| Is the [land zoned under the NT Planning Scheme](https://nt.gov.au/property/land-planning-and-development/our-planning-system/nt-planning-scheme/understand-the-nt-planning-scheme/zones)? | | No  Yes  If yes, what is/are the zoning/s? |
| What is the current land use of the proposal site/s? | |  |
| What is the approximate distance (direct line) and direction to the closest human sensitive receptor?  For example, residence, accommodation, hospital, school, homeland from the proposal. | | For example, the nearest residential property boundary is located approximately 5 km north west of the proposed power station. |
| What is the proposed end land use of the proposal site/s | |  |
| **Consultation** | | |
| Provide an overview of consultation undertaken specific to the proposal and potential environmental impacts. | | For example, consultation about site selection, potential impacts on a stakeholder, community consultation, consultation under a different regulatory regime such as an application under the *Planning Act 1999* or the *Pastoral Land Act 1992.* |
| List the matters raised in consultation and identify how the proposal has been modified to respond to stakeholder feedback. | |  |
| **PART C – Referral type** | | |
| What type of proposal is being referred? | | proposed action  strategic proposal  proponent initiated EIS referral |
| 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.  Refer to section 11 of the EP Act and the [NT EPA’s environmental factors and objectives](https://ntepa.nt.gov.au/__data/assets/pdf_file/0020/804602/guide-ntepa-environmental-factors-objectives.pdf)*.* | |  |
| Does the proposal involve an action that may be or is a controlled action under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)? | | Yes  No |
| Has the proposed action been referred? | | Yes  No  If yes, provide the date referred and reference number (EPBC number)?  Date: EPBC number: |
| If referred, has a decision been made on whether the proposed action is a controlled action? | | Yes  No  If yes, check the appropriate decision outcome and provide the decision in an attachment.  Decision – controlled action  Decision – not a controlled action |
| **PART D – Proponent referrer details and declaration**  \*The referral form must include the declaration signed by the proponent, or where the proponent is an organisation or business, the Chief Executive Officer (CEO) or duly authorised delegate within the proponent company. | | |
| Who is referring this proposal? | | Proponent  Authorised representative within proponent entity |
| Does the proponent request that the NT EPA treat any part of the information in the referral as confidential under section 281(2) of the EP Act? | | No  Yes  If yes, provide an application in accordance with regulation 271 of the Environment Protection Regulations 2020 and submit the confidential information as a **separate** attachment |
| **Referral declaration by proponent:**  I, ……………………………………………….*(full name)*…, declare that I am authorised to refer this proposed action/strategic proposal on behalf of…………………<name of legal entity organisation>…………………………………………….., and further declare that:   * the attached environmental impact assessment documents have been prepared in accordance with the EP Act and EP Regulations; and * the attached environmental impact assessment documents (including attachments) are true; and * 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 *Criminal Code Act 1983*; and * 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 * the proponent has fulfilled its general duty in accordance with section 43 of the EP Act.   *Note: if the NT EPA determine that an environmental approval is required, the proponent will be requested to provide supporting documents during the assessment process such as details to support that the person is a fit and proper person to hold an environmental approval in accordance with section 62 of the EP Act* | | |
| Name: (print) | | |
| **Signature:** | | |
| **Date:** | | |
| **Position:** | | |
| **Organisation** (if a business or organisation): | | |
| **Email:** | | |
| **Address:** | | |
| **PART E – Nominated contact** | | |
| Contact details for proponent contact (provide the details for the person who will be corresponding with the NT EPA on the proposal) | | *Business name:*  *Name of primary contact:*  *Physical address:*  *Postal address:*  *Phone:*  *Email:* |
| Contact details of consultant (if relevant, provide the details for the person who will be corresponding with the NT EPA on the proposal on behalf of the proponent) | | *Business name:*  *Name of primary contact:*  *Physical address:*  *Postal address:*  *Phone:*  *Email:* |
| |  |  |  | | --- | --- | --- | | **CHECKLIST 1 - Cross reference of matters addressed in the referral report (for more detail refer to the Referring a proposal to the NT EPA guidance)** | | | | **Item** | **See** [**Referral guidance**](https://ntepa.nt.gov.au/__data/assets/pdf_file/0009/805167/referring-proposed-action-to-ntepa-guideline.pdf) **for further detail on information requirements** | **Report section / page** | | *Publication statement* | Provide name and qualifications of relevant contributors to the referral. |  | | *Executive summary* | Overview of the proposal, its potential for significant impact and key conclusions. |  | | *Introduction* | Include a brief introduction to the proposal and the proponent (noting proponent details are also to be included in the referral form / environmental approval application form). |  | | *Proposal description - Key components* | Provide a clear and detailed description of the proposal, referencing maps and spatial information.  Provide a key components summary table.  Identify uncertainty / likely changes if particular elements of a proposal require further design at the time of referral.  Provide an account of past, present and reasonably foreseeable future development, operations, or industries that are related the current proposal. |  | | *Proposal description - Location and regional context* | Location and regional context. |  | | *Proposal description –Alternatives (options)* | Describe any alternatives (location, timeframes, activities) considered or are under consideration in scoping and developing the proposal.  Describe how the analysis of alternatives accounted for the *principles of* *environment protection and management* (Part 2 of the EP Act).  Justification for the preferred/selected option.  Describe any assumptions critical to your assessment. |  |  |  |  |  | | --- | --- | --- | | *Proposal description – Application of the:*   * *Principles of environment protection and management* (Part 2) * *General duty of proponents* (s43) | Discuss how the proposal accounts for the *principles of* *environment protection and management* (Part 2 of the EP Act) and the general duty of proponents provided for under section 43 of the EP Act:   * Principles of ecologically sustainable development * Environmental decision-making hierarchy * Waste management hierarchy. |  | | *Consultation*  ***Refer*** [***to NT EPA Stakeholder Engagement guidance***](https://ntepa.nt.gov.au/__data/assets/pdf_file/0005/884696/guidance-proponents-stakeholder-engagement-and-consultation.pdf) ***2020*** | The EP Act (section 3 and section 43) puts an obligation on the proponent to consult with stakeholders and the community in the development of the proposal.  As an example, the referral should include:   * a description of stakeholder engagement and community consultation undertaken * an outline of the method and process of consultation with stakeholders * a summary of the key matters raised during consultation * any changes made as a result of consultation * the ongoing consultation, and options for feedback * whether the consultation has or has not been undertaken in accordance with NT EPA guidance on Stakeholder Engagement * whether the consultation has or hasn’t been undertaken in accordance with the section 43 (EP Act) general duty of proponents (see Checklist 2). |  | | *Strategic and statutory context* | Table discussing proposal specific legislation, policies, and guidelines that are and may be applicable to the proposal and the sequencing and status of those, is provided. |  | | *Environmental Factors* | **The sections below relate to information that describes the potential impacts of the proposal on the NT EPA’s Environmental factors.**  Information requirements for each environmental factor identified by the pre-referral screening tool are provided (any technical studies and surveys included). |  | | *Environmental Factors and objectives*  Presence/absence of environmental values | *Repeat for each NT EPA Factor being considered for your proposal/referral*  The presence or absence of relevant environmental values and sensitivities are verified.  Specify the source and currency of information (e.g. desktop assessments, and/or field surveys, the methods used, dates, sources, and whether the approach is conducted in accordance with relevant regulatory and industry guideline. |  | | *Environmental Factors and objectives*  Potential impacts and consistency with relevant policy/guidance | *Repeat for each NT EPA Factor being considered for your proposal/referral*  Assessment of potential impacts (negative, direct, indirect, cumulative, short and long-term) of the proposal.  Relevant policy and guidance described.  Residual / remaining impact to the environmental factor described. |  | | *Environmental Factors and objectives*  Environment protection and management | *Repeat for each NT EPA Factor being considered for your proposal/referral*  Describe in terms of management hierarchies:   * measures proposed to avoid, mitigate or offset (if appropriate) * effectiveness of proposed measures and the level of confidence of implementation * whether the NT EPA’s objective for the environmental factor is likely to be met. |  | | *Environmental Factors and objectives*  Cumulative impacts | *Repeat for each NT EPA Factor being considered for your proposal/referral*  Describe potential cumulative impacts. |  | | **CHECKLIST 2 - Consideration of the Proponent’s general duty (in accordance with section 43 of the EP Act** | | |  |  |  |  | | --- | --- | --- | | **Section 43 General duty of proponents** | **Done** | **Comment** | | The following principles of ecologically sustainable development must be taken into consideration in the design of the proposed action. |  | Provide comment here | | * Decision-making principle |  |  | | * Principle of proportionality |  |  | | * Precautionary principle |  |  | | * Principle of evidence-based decision-making |  |  | | * Principle of intergenerational and intergenerational equity |  |  | | * Principle of sustainable use |  |  | | * Principle of conservation of biological diversity and ecological integrity |  |  | | * Principle of improved valuation, pricing and incentive mechanisms |  |  | | The following management hierarchies must be taken into consideration in the design of the proposed action. |  | Provide comment here | | * Environmental decision-making hierarchy |  |  | | * Waste management hierarchy |  |  | | Other section 43 considerations |  |  | | * Have communities that may be affected by the proposed action been provided with information and opportunities for consultation? |  |  | | * Has consultation with affected communities, including Aboriginal communities’ been undertaken in a culturally appropriate manner? |  |  | | * Has community knowledge and understanding (including scientific and traditional knowledge and understanding) of the natural and cultural values of areas that may be impacted by the proposed action been sought and documented? |  |  | | * Have Aboriginal values and the rights and interests of Aboriginal communities’ been addressed in relation to areas that may be impacted by the proposed action? |  |  |  How to submit Email your completed form to Environmental Assessments, Department of Environment, Parks and Water Security at [eia.ntepa@nt.gov.au](mailto:eia.ntepa@nt.gov.au) Further information For further information, contact Environmental Assessments, Department of Environment, Parks and Water Security (DEPWS) at [eia.ntepa@nt.gov.au](mailto:eia.ntepa@nt.gov.au) or phone 08 8924 4218. Collection notice **Purpose:** The purpose for the collection of information using this form is to provide the NT EPA with the relevant information needed to administer the environmental impact assessment process under the *Environment Protection Act 2019*.  **Failure to collect information:** If the DEPWS does not collect this information, then correspondence will continue to be with the proponent last notified to the NT EPA/Minister and it may have implications in the Minister’s consideration of a fit and proper person under s 62 of the Environment Protection Act and environmental approval holder entity/name.  **Who is collecting the information:** The information is collected by the DEPWS, who provide services to the NT EPA/Minister.  **Who to contact for more information:** The [DEPWS Privacy Policy](https://depws.nt.gov.au/consultation-publications/privacy-policy) sets out how you can access and/or correct your personal information and how you can make a complaint if you feel we have not complied with the [*Privacy Act 1988*](https://www.legislation.gov.au/Details/C2014C00076).  All enquiries about access, correction or to make a complaint should be directed to the Privacy Officer on (08) 8999 4410 business days, 8.00am - 4.21pm or write to PO Box 496, Palmerston, NT 0831 or email [StrategicServices.DEPWS@nt.gov.au](mailto:StrategicServices.DEPWS@nt.gov.au) | | |
| End of form | | |