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| Request to separate an environmental approval under the *Environment Protection Act 2019* |
| Form 95B |

# Before you fill in the form

Please complete this form to request the separation of an existing environmental approval into two or more environmental approvals.

**Guiding notes:**

* Separation of an environmental approval must be in accordance with section 95B of the *Environment Protection Act 2019* (EP Act).
* A request to separate an environmental approval may be submitted by:

1. the environmental **approval holder**; or
2. the **proponent** responsible for action(s) at a site subject to the approval.

* You should familiarise yourself with the relevant sections of the EP Act, including the definitions of **approval holder** and **proponent**.
* The person completing this form, whether the approval holder or proponent, is referred to as the ***applicant***.
* The applicant must complete and submit the separation request application section of this form.
* If the applicant is the proponent, the consent declaration section (Part F) needs to be completed by the approval holder and submitted along with the separation request application.
* Further information on the submission of maps and raw data with this application can be found at section 3.3.2. of the guidance document [here](https://ntepa.nt.gov.au/__data/assets/pdf_file/0009/1157427/referring-a-proposal-to-the-nt-epa.pdf).
* The Minister may amend conditions that the Minister considers necessary for the purposes of the separation in accordance with the EP Act. Other amendments are not permitted under a separation process. Guidance on requesting an amendment to an environmental approval, or on making a referral for a **significant variation** of an action or strategic proposal, can be found on the Northern Territory Environment Protection Authority (NT EPA) [NT EPA website](https://ntepa.nt.gov.au/your-business/environment-impact-assessment).
* If an environmental approval is separated into multiple approvals, the original (replaced) environmental approval will be automatically revoked and no longer apply.
* Transfers are not permitted under a separation process. Any new environmental approval resulting from a separation request will be assigned to the original approval holder. Complete a transfer application to transfer environmental approvals to another party.
* Further guidance or example responses are provided below in light grey text.
* These guiding notes may be deleted before submitting the form and any attachments.

Separation request application

To be completed by the applicant.

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| **PART A – Environmental approval details**  Provide details of the environmental approval to be separated | | | | | |
| Environmental approval number | | | (e.g. EP2020/001-002) | | |
| Approved action | | | (action as listed in the current environmental approval) | | |
| **Approval holder** | | | (person or name of business/legal entity as listed on the current environmental approval) | | |
| **PART B – Applicant details**  Provide details of the person making this separation request | | | | | |
| **Who is making this separation request?** | | | Approval holder  Proponent | | |
| **Contact details for applicant.**  Provide contact details to be used for all correspondence relating to this separation request. | | | | | | |
| **Nominated contact details for correspondence about this application.**  If there is more than one person or entity, include their details as an attachment. | | Name:  Registered business address:  Postal address:  Email:  Mobile: | | | | |
| **PART C – Separation reason**  Provide information in relation to the separation of the environmental approval | | | | | |
| Provide a brief explanation for the reason(s) for making this separation request. | | | E.g. Subdivision and the transfer of land; corporate restructure and changes to roles and responsibilities; outsourcing part of project to a different company who will be responsible for environmental impacts associated with that part of a project (e.g. building of infrastructure versus operational management of complete infrastructure) | | |
| Identify the total number of environmental approvals being requested to replace the current approval. | | |  | | |
| **PART C – Proposed separation details**  Details of the proposed separation of the environmental approval | | | | | |
| Provide a summary of the proposed separation(s) of the current environmental approval locations, actions, and conditions.  Sections below have been provided for *proposed environmental approval A* and *proposed environmental approval B* which may be granted to replace the existing environmental approval as per this separation request. If this request is for more than two new approvals, attach the relevant information for each additional environmental approval. | | | | | |
| **Proposed new environmental approval A (following separation)** | | | | | |
| **Proposed location**  Provide details of the locations set in the current environmental approval that will be applicable to this proposed environmental approval. | | | | | |
| Is a map available of the proposed approval area?  Attach GIS shapefiles of the proposed boundaries of the new approval if available. | | | Yes  If yes, attach a map of the proposed boundaries of the new approval. Clearly label map with “for approval A”.  No  If no, provide additional location details below. | | |
| Location description | | | Street address, suburb, tenement, lot/section numbers, town/hundred, NT Portion or pastoral lease numbers, as applicable. | | |
| **Proposed conditions**  Provide details of the conditions set in the current environmental approval that will be applicable to this proposed environmental approval. | | | | | |
| Are there conditions set in the current environmental approval that relate to specific **sites** within this proposed approval location? | | | Yes  No  If yes, please attach a list of the relevant conditions. | | |
| Are there conditions set in the current environmental approval that relate to specific **actions** to be undertaken by the proposed approval holder in this location? | | | Yes  No  If yes, please attach a list of the relevant conditions. | | |
| If applicable, detail any approval notices and how they will be affected (this is relevant for a strategic proposal/approval) | | |  | | |
| **Proposed new environmental approval B (following separation)** | | | | | |
| **Proposed location**  Provide details of the locations set in the current environmental approval that will be applicable to this proposed environmental approval. | | | | | |
| Is a map available of the proposed approval area?  Attach GIS shapefiles of the proposed boundaries of the new approval if available. | | | Yes  If yes, attach a map of the proposed boundaries of the new approval. Clearly label map with “for approval B”.  No  If no, provide additional location details below. | | |
| Location description: | | | Street address, suburb, tenement, lot/section numbers, town/hundred, NT Portion or pastoral lease numbers, as applicable. | | |
| **Proposed conditions**  Provide details of the conditions set in the current environmental approval that will be applicable to this proposed environmental approval. | | | | | |
| Are there conditions set in the current environmental approval that relate to specific **sites** within this proposed approval location? | | | Yes  No  If yes, please attach a list of the relevant conditions. | | |
| Are there conditions set in the current environmental approval that relate to specific **actions** to be undertaken by the proposed approval holder in this location? | | | Yes  No  If yes, please attach a list of the relevant conditions. | | |
| If applicable, detail any approval notices and how they will be affected (this is relevant for a strategic proposal/approval) | | |  | | |
| **PART D – Confidentiality** | | | | | |
| Does the proposed transferee want to treat any part of the information in this application as confidential under section 281(2) of the EP Act? | | | Yes  No  If yes, provide an [application](https://ntepa.nt.gov.au/consultation/environment-protection-act-2019-guidance-proponents-stakeholder-engagement-consultation) in accordance with regulation 271 of the Environment Protection Regulations 2020 and submit it as a **separate** attachment to this application. | | |
| **PART E – Applicant declaration**  This form must include the declaration signed by the applicant, or where the applicant is a company, the Chief Executive Officer (CEO) or duly authorised delegate within the approval holder company. | | | | | |
| I, the undersigned, hereby declare that:   1. The information provided in this application and accompanying document(s) is, to the best of my knowledge, true and correct. 2. I understand that it is an offence to provide false and misleading information under section 260 of the EP Act. | | | | | |
| Name: (print) |  | | | **Signature:** |  | |
| **Contact Details:** | *Position:*  *Organisation:*  *Phone:*  *Email:*  *Postal address:* | | | **Date:** |  | |
| **Seal (if signing under seal)** |  | |
| **Version control** | | | | | |
| **Version:** | | | **1.0** | | |
| **Date form approved:** | | | **28 January 2025** | | |
| **Approved by:** | | | **Executive Director Environmental Regulation** | | |

# How to submit

Email your completed form to Environment Regulation, Department of Lands, Planning and Environment (DLPE) at [environmentalregulation@nt.gov.au](mailto:environmentalregulation@nt.gov.au)

# Further information

For further information, contact Environment Regulation, DLPE at [environmentalregulation@nt.gov.au](mailto:environmentalregulation@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 Environment Regulator, NT EPA or Minister (as the case requires) with the relevant information needed to administer the *Environment Protection Act 2019*.

**Failure to collect information:** If the DLPE does not collect this information, then this request to amend your environmental approval cannot be considered.

**Who is collecting the information:** The information is collected by the DLPE, who provide services to the NT EPA/Minister.

**Who to contact for more information:** The [DLPE Privacy Policy](https://environment.nt.gov.au/consultations-decisions-policies/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.dlpe@nt.gov.au](mailto:strategicservices.dlpe@nt.gov.au)

**Privacy:** If you have any questions about how your personal information will be handled or would like to gain access to your personal information, you can contact Environment Division within the Department of Lands, Planning and Environment. For more information, read our privacy policy.[[1]](#footnote-2)

Consent declaration

To be completed by the current approval holder.

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| **PART F – Consent declaration**  This form must include the declaration signed by the current approval holder, or where the approval holder is an organisation or business, the Chief Executive Officer (CEO) or duly authorised delegate within the approval holder company. | | | | |
| I, the undersigned, hereby declare that:   * The information provided in this application and accompanying document(s) is, to the best of my knowledge, true and correct. * I understand that it is an offence to provide false and misleading information under section 260 of the EP Act. | | | | |
| Environmental approval number | | | (e.g. EP2020/001-002) | |
| **Declaration of approval holder one** | | | | |
| Name: (print) |  | **Signature:** | |  |
| **Contact Details:** | Position:  Organisation:  Phone:  Email:  Postal address: | **Date:** | |  |
| **Seal (if signing under seal)** | |  |
| **Declaration of approval holder two (if applicable)** | | | | |
| Name: (print) |  | **Signature:** | |  |
| **Contact Details:** | Position:  Organisation:  Phone:  Email:  Postal address: | **Date:** | |  |
| **Seal (if signing under seal)** | |  |

1. <https://depws.nt.gov.au/consultation-publications/privacy-policy> [↑](#footnote-ref-2)