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| Fact sheet 6: Changing role of the NT EPA |

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Responsibilities of the NT EPA under a reformed environmental regulatory framework

# What is the NT EPA?

The Northern Territory Environment Protection Authority (NT EPA), is the Northern Territory’s (the Territory) independent environmental authority. It is established under the Northern Territory Environment Protection Authority Act 2012 (NT EPA Act).

The objectives of the NT EPA are to:

* promote ecologically sustainable development
* protect the environment, having regard to the need to enable ecologically sustainable development
* promote effective waste management and waste minimisation strategies
* enhance community and business confidence in the environmental protection regime of the Territory.

The NT EPA has between four and eight members. Up to seven members may be appointed by the Administrator of the Northern Territory (the Administrator). The chairperson of the Northern Territory Planning Commission is an ex officio member.

Members of the NT EPA are appointed based on their skills, experience and knowledge in environmental, regulatory, scientific and industry fields.

There are currently eight members of the NT EPA. More information about the members can be found at https://ntepa.nt.gov.au/about-ntepa/members

# What does the NT EPA do?

The functions and powers of the NT EPA are set out in the NT EPA Act and in specific environmental management legislation.

The NT EPA currently:

* conducts the environmental impact assessment process on behalf of the Northern Territory Government
* regulates wastes and pollution in the Territory through the Waste Management and Pollution Control Act 1998
* administers the container deposit scheme and plastic bag ban through the Environment Protection (Beverage Containers and Plastic Bags) Act 2011
* provides strategic advice on a range of environmental matters including emerging environmental issues, legislation and the quality (or health) of the Territory’s environment
* undertakes system wide reviews of the Territory’s environmental management framework.

# How does the NT EPA perform its powers and functions?

The members of the NT EPA are responsible for the way its powers and functions are exercised.

The NT EPA receives support and assistance from staff in the Department of Environment and Natural Resources (the department) to fulfil its functions.

# What responsibilities does the NT EPA have under the Environment Protection Bill and Regulations?

The NT EPA is responsible for conducting the environmental impact assessment process. The majority of its specific powers and functions to deliver this responsibility will be contained in the Environment Protection Regulations.

In general terms, the NT EPA will be responsible for a range of decisions such as:

* whether a referred project requires an impact assessment
* where impact assessment is required, determining what type or method of assessment should be conducted
* where required, issuing terms of reference to inform an environmental impact assessment by an environmental impact statement
* evaluating a project through the environmental impact assessment documents
* preparing an assessment report which contains either a draft environmental approval or a statement of unacceptable impact for the Minister for Environment and Natural Resources’ (the Minister) consideration.

The NT EPA will be required to publish a statement of reasons to support its decision making throughout the environmental impact assessment process.

The NT EPA does not have any regulatory responsibilities under the draft Bill and Regulations. That is, the NT EPA is not responsible for ensuring compliance with the environmental approval. Compliance and enforcement responsibilities sit with the Chief Executive Officer of the Department of Environment and Natural Resources.

# Summary of current and future responsibilities of the NT EPA

The following table provides a summary of the changes to the NT EPA’s responsibilities as part of the environmental regulatory reform program.

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| Responsibilities | NT EPA now | NT EPA under the new environment protection regime |
| Independent Statutory Authority that cannot be directed by the Minister. | Yes | Yes |
| Undertake environmental impact assessments. | Yes | Yes |
| Regulator for environmental management including licensing functions for waste and pollution. | Yes | No |
| Provide strategic environmental advice to the Minister. | Yes | Yes |
| Monitor and provide reports and recommendation to improve the environmental management system performance and outcomes. | No | Yes |
| Provide advice on specific proposals, policies, plans or other measures to manage the environmental impacts of development. | No | Yes |