



Environmental Defenders Office

EPBC Referrals Submissions Template

Disclaimer: This factsheet is a guide only and is designed to give readers a plain English overview of the law. It does not replace the need for professional legal advice in individual cases. To request free initial legal advice on a public interest environmental or planning law issue, please visit our [website](#).

While every effort has been made to ensure the information is accurate, the EDO does not accept any responsibility for any loss or damage resulting from any error in this factsheet or use of this work.

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The template (on the next page) has been prepared to help you create a submission for public consultation on an activity/project that has been referred under the [Environment Protection and Biodiversity Conservation Act 1999 \(Cth\)](#) (**EPBC Act**).

Read: EDO Factsheet on **The Environment Protection and Biodiversity Conservation Act 1999 (Cth), Referrals and Opportunities to Comment for more information on the EPBC Act** and how to have your say on activities/projects regulated by the Act.

Visit: The Department of Agriculture, Water and the Environment's page on [Invitations to Comment](#) to view the current referrals and publish your comment.

Appendix A – Template for a submission relating to an EPBC referral

[# Use your letterhead or insert your postal address]

[#Insert date]

By post: Referrals Gateway
Environment Assessment Branch
Department of the Environment
GPO Box 787
Canberra ACT 2601

Dear Minister,

RE: Proposed Action [# insert description and insert EPBC Act government reference number]

I am writing on behalf of [#insert group name, number of members and area of interest]. Thank you for the opportunity to comment on whether the proposed action should be assessed under the EPBC Act and what the controlling provisions should be.

Summary

In summary my submission states:

- (a) The proposed action should be assessed as a controlled action under the EPBC Act because it is likely to have a **significant impact/s** on the following matters of national environmental significance for the following reasons:
 - (# identify matter 1 of national environmental significance and reason, giving authority or main expert reference);
 - (# identify matter 2 of national environmental significance and reason, giving authority or main expert reference);
 - (# identify matter 3 of national environmental significance and reason, giving authority or main expert reference).
- (b) The action needs to be assessed using the following **level of assessment** for the following reason [#insert preferred method Preliminary Documents/ Public Environment Report/ EIS and reasons why that approach is appropriate]

Where relevant include sections c and d as well

- (c) [# If appropriate, the action has not been correctly described, or is really part of a larger action and the Minister needs to assess the larger action which is #X insert description]

(d) [# If appropriate, alternative approaches could be used to achieve the same or a similar outcomes.]

Background [to your objection]

[Insert half a page only, as the public servants are more interested in matters of national environmental significance. Make sure that you point out any errors in the referral document]

Where relevant detail the following sections:

Action

[Only include this section if you think the action has not been properly described. For example if land clearing is described as “to maintain a cleared zone around an airport” but you have evidence that the developer is planning a subdivision for housing and that is the real purpose of the clearing you might ask the Minister to assess the whole development not what is on the referral form].

[Identify Matter of National Environmental Significance 1 – eg RAMSAR Wetlands]

Detail the significant impact the action will have on MNES 1

[Identify Matter of National Environmental Significance 2 – eg Great Barrier Reef World Heritage Area]

Detail the significant impact the action will have on MNES 2

[Identify Matter of National Environmental Significance 3 – eg migratory species]

Detail the significant impact the action will have on MNES 3

Conclusion and Recommendations

#Summarise whether you believe the referral will have significant impacts and is a controlled action that needs to be assessed quite specifically.

[# Your signature]