

NOTICE OF DECISION AND STATEMENT OF REASONS

Regulation 66(1)(a) and regulation 70 of the *Environment Protection Regulations 2020* (EP Regulations)

Name of strategic proposal	Middle Arm Sustainable Development Precinct
Proponent	Department of Infrastructure, Planning and Logistics
NT EPA reference	EP2022/013
Description of strategic proposal	A program for establishing a precinct on Middle Arm Peninsula, Darwin Harbour, as a strategic location for industrial development over 50 years with a focus on low emission petrochemical, renewable hydrogen, carbon capture and storage, mineral processing and advanced manufacturing. Individual industrial proposals within the scope of the strategic assessment would be eligible for consideration under Part 5, Division 8 of the EP Act, subject to approval of the strategic proposal.
Nature of strategic proposal	Strategic industrial
Material considered	NT EPA notice of recommendation under regulation 58(1)(d) of the EP Regulations for strategic assessment by environmental impact statement (EIS), and statement of reasons for the recommendation, received on 22 August 2022.
Decision	In accordance with regulation 66(1)(a) of the EP Regulations, I accept the NT EPA's recommendation for the strategic assessment and the method of environmental impact assessment to be by EIS.

REASONS

This statement of reasons has been prepared in accordance with regulation 70(1) of the EP Regulations.

I have adopted the recommendation of the NT EPA under regulation 58(1)(d).

The NT EPA recommended strategic assessment of the strategic proposal by EIS having regard to its requirements under the EP Regulations including:

- Regulation 59 (a) the significance of the potential impact of the strategic proposal.
- Regulation 59 (b) the need to improve the level of confidence in predicting potential significant impacts of the strategic proposal taking into account the extent and currency of existing knowledge, particularly in relation to the:
 - the significance of potential impacts to marine and terrestrial environments, including intertidal areas, water quality and biota

- the significance of potential impacts to threatened and important terrestrial and marine species and habitats
- the significance of potential impacts from air and greenhouse gas emissions on air quality and atmospheric processes
- the significance of potential cumulative impacts from the strategic proposal as a whole over its life and in the context of existing and other proposed developments in the region
- the potential for significant impacts to people.

Regulation 59 (c) the need to develop measures to avoid, mitigate or manage potential significant impacts, and increase confidence in the effectiveness of the proposed measures.

Regulation 59 (d) the limited opportunity to consult with stakeholders on the specifics of the industry types proposed to be developed at the precinct and potential impacts to the environment posed by the strategic proposal. The EIS process provides for a series of stakeholder engagement and public participation opportunities that can inform the strategic assessment.

Regulation 59 (e) the communities and individuals likely to be affected have been able to access some limited information about the strategic proposal and its potential significant impacts. Substantial further consultation is required to improve the communities' understanding of the proposal, governance arrangements and transparency around assessment and approval processes for industrial development. The EIS process provides for further opportunities to extend detailed information about the strategic proposal through stakeholder engagement and to promote public participation.

I agree with the reasons given by the NT EPA in its recommendation for a strategic assessment of the strategic proposal using the EIS method.

The strategic assessment can deliver benefits over standard, project-based assessment by taking a landscape-scale approach to considering cumulative impacts of development in the strategic proposal area while also taking account of actual and potential impacts of existing and proposed projects within the region. The assessment process can provide for the future development of appropriate and ecologically sustainable industries, transparently and without duplicitous, standalone assessment of individual proposals, significantly reducing costs to tax payers and providing more certainty to proponents.

The process will enable prediction of environmental impacts to Darwin Harbour and the Darwin region more broadly and inform safeguards to protect the values important to the community, including the future of the harbour, and enhance benefits for prosperity of Territorians.

The EIS method provides opportunities for the proponent and decision-makers to engage with and listen to the community, and address the community's concerns while ensuring that recommendations and decisions made in regard to the strategic proposal are evidence-based, transparent and account for all aspects of the environment where there is potential for significant impact, including social, cultural and economic aspects.



Signature

Hon Lauren Moss MLA

Minister for Environment, Climate Change and Water Security

DATE 19/9/2022
