

STATEMENT OF REASONS

Section 69(1)(a) of the *Environment Protection Act 2019* (EP Act)

Environmental approval holder	Chief Executive Officer of the NT Department of Infrastructure, Planning and Logistics (DIPL) ABN 84 085 734 992
Environmental approval holder reference number	DIPL-0001
Environmental approval number	EP2021/007 - 001
Action	Paru Road Upgrade - Upgrade sections of Paru Road from gravel to bitumen on Melville Island, NT Portion 1644, approximately 80 km northeast of Darwin.
Material considered	NT EPA advice received on 10 June 2022 <ul style="list-style-type: none">• Assessment Report 95• A draft environmental approval setting out conditions recommended to apply.
Decision	In accordance with sections 69(1)(a) and 82(4)(a) of the EP Act, I accept the draft environmental approval, adopt the proposed conditions of the NT EPA and grant the approval.

REASONS

This statement of reasons has been prepared in accordance with sections 82(3) and 82(4) of the EP Act.

Nature of the action

The Action was referred by the Department of Infrastructure, Planning and Logistics (DIPL) pursuant to section 48 of the EP Act. The Action is to upgrade sections of the existing Paru Road on Melville Island including construction of one single span bridge, land clearing for road alignments and gravel extraction, and progressive rehabilitation of gravel pits and decommissioned roads.

Scale of the action

The Action will be on NT Portion 1644, freehold Aboriginal Land held by the Tiwi Aboriginal Land Trust. The Action footprint has been selected to avoid sensitive vegetation and threatened species occurrences. The Action will be constructed in the dry season over two years and has a disturbance area of less than 66 hectares of native vegetation.

Objects of the EP Act

I have had regard to the objects of the EP Act. I note in particular that through the environmental impact assessment of the action and the granting of the environmental approval, significant adverse impacts on the Territory environment are likely to be avoided and the protection and management of the Territory environment have been promoted. I also note the

opportunity provided to the community for involvement in the environmental impact assessment of the action.

Environmental context

The Action is on Melville Island, the second largest island of Australia located in tropical monsoonal Northern Territory. Environmental values which require protection from the Action include the: high biodiversity values of threatened plant and animal species, significant and sensitive vegetation (riparian and trees with large hollows suitable for fauna) and near weed free status; good quality downstream waterways that drain into Apsley Strait via Paru Creek; and community values that relate to maintaining the current ecosystem condition and participating in decision-making processes.

Principles of environment protection and management

In considering Part 2 (Principles of environment protection and management) of the EP Act, I have considered the meaning of ecologically sustainable development (ESD) and applied each of the principles of ESD. I have reviewed the NT EPA's consideration of the principles of ESD as summarised in Assessment Report 95. I have considered and weighed all the principles of ESD in making my decision.

I have considered and applied the hierarchies for environmental decision making and waste management. I have given particular consideration to the application of the environmental decision making hierarchy, and proposed measures to avoid, and then mitigate and manage potential adverse impacts on the environment.

I am satisfied that through compliance with the environmental approval, the action is consistent with the ESD principles and the management hierarchies.

Potential impacts

Five environmental factors were identified as having the potential to be significantly impacted by the Action:

1. Terrestrial ecosystems

Land clearing during, and habitat degradation from construction activities could impact threatened species and significant and sensitive vegetation, including riparian vegetation and large trees with hollows that provide shelter and breeding habitat for threatened fauna. I am satisfied that the limitations established by conditions 1 and 2 and actions required by condition 3 are adequate to reduce the potential for impacts on terrestrial flora and fauna to acceptable levels. In addition, I am satisfied that independent oversight, public availability of environmental reports, and access to environmental monitoring data on request will appropriately supplement the monitoring and reporting by the NT Government, and ensure the environmental management outcomes of the action are transparent. I am satisfied the potential for significant impacts to the region's terrestrial ecosystems can be appropriately mitigated or managed through the conditions of approval.

2. Inland water environmental quality

Stormwater runoff from disturbed land, and construction activities of the action could result in impacts on downstream water quality and aquatic ecosystems. I am satisfied that the requirements established under condition 2 to remediate cleared land for gravel extraction and condition 3 to control soil erosion and sedimentation impacts are adequate to reduce the potential for water quality impacts to acceptable levels.

3. Hydrological processes

Impacts on surface water and groundwater hydrology through water extraction could result in reduced flows and groundwater drawdown, potentially affecting the quantity of water available for other users and the environment. I am satisfied that the water management measures proposed by the proponent are sufficient to reduce the potential for impacts on hydrological processes to acceptable levels that no conditions are necessary.

4. Aquatic ecosystems

No threatened or significant freshwater aquatic species have been previously recorded within or immediately adjacent to the Action so potential for impacts on aquatic ecosystems are not likely. I am satisfied that measures applied to manage impacts on Terrestrial ecosystems, Inland water environmental quality and Hydrological processes, are adequate to reduce the potential for aquatic ecosystem impacts to acceptable levels.

5. Community and economy

Implementation of the Action could result in potential impacts to the community through temporary travel disruptions and workforce movement and accommodation. Significant economic and community benefits could also occur through opportunities for employment, increased economic activity, and improved access to essential services and safety. I am satisfied that ongoing collaboration between the proponent and the Tiwi Islands Regional Council and Tiwi Land Council would ensure there are benefits to the community and economy and that potential social impacts are avoided or mitigated to acceptable levels.

Fit and proper person

I have had regard to whether the proponent, Chief Executive Officer of the NT Department of Infrastructure, Planning and Logistics is a fit and proper person to hold an environmental approval. I consider the proponent to be a fit and proper person to hold an environmental approval.

Section 73(2) of the EP Act

Overall, having regard to the above and the materials I considered, I am satisfied that:

- the community has been consulted on the potential environmental impacts and environmental benefits of the proposed action through the consultation process on the referral and SER; and
- the significant impacts of the action have been appropriately avoided or mitigated or can be appropriately managed to acceptable levels through compliance with the environmental approval. The NT EPA's Assessment Report supports this view.

No significant residual adverse impacts on the environment were identified that would require an environmental offset.



Signature

Hon Lauren Jane Moss MLA

Minister for Environment, Climate Change and Water Security

DATE *16th July 2022*