

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 number	EP2022/016 - 001
Action	Melville Island Road Upgrades - Upgrade Pirlangimpi and Pickertaramoor roads from gravel to bitumen on Melville Island, NT Portion 1644, 80 km northeast of Darwin.
Material considered	NT EPA advice received on 14 September 2022 <ul style="list-style-type: none">• Assessment Report 96• 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 roads on Melville Island including, 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 where possible. The Action will be constructed in the dry season over three to five years and has a disturbance area of less than 297 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 (trees with large hollows suitable for fauna) and a near weed free status; 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 96. 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

One environmental factor was 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 sensitive and significant vegetation, specifically 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, overall biodiversity, ecological integrity and ecological functioning 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.

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

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- 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 Moss MLA

Minister for Environment, Climate Change and Water Security

DATE *10th October 2022*
