



STATEMENT OF REASONS

Part 5, Division 9 of the *Environment Protection Act 2019* (EP Act): Amendment of environmental approval

Environmental approval holder	Chief Executive Officer of the NT Department of Infrastructure, Planning and Logistics ABN 84 085 734 992
Environmental approval number	EPL2021/007 - 02
Action	Additional clearing - The Department of Infrastructure, Planning and Logistics requests an amendment to condition 1-1 to allow for an additional 1.1 ha of vegetation to be removed as part of construction works planned for 2024.
Material considered	<ul style="list-style-type: none"> • Application for amendment to EP2021/007-01 submitted by the approval holder on 23 April 2024 in accordance with s. 106(1)(a) • Consultation with the NT EPA in accordance with s. 107(1)(a) • Consultation with decision makers who the Minister considers may hold views in relation to the matter in accordance with s. 107(1)(b) • Statement of Reasons for granting environmental approval EP2021/007-01, located on the public register • Assessment Report 95
Decision	In accordance with section 106(1) (a), (2), (3), and section 107 of the EP Act, I have amended the conditions of environmental approval and grant the amended environmental approval as EP2021/007 - 02
Decision maker	Chief Executive Officer of the Department of Environment, Parks and Water Security (DEPWS) as delegate for the Minister of Environment (<i>under section 278(1) of the Environment Protection Act 2019 and with reference to section 42 of the Interpretation Act 1978</i>) There are no professional or personal reasons that prevent the Chief Executive Officer from exercising the delegated power.

REASONS

This statement of reasons has been prepared in accordance with sections 106(3) and 107 of the EP Act.

BACKGROUND

Context

This amendment is to allow for an additional 1.1 ha of land clearing to occur as part of the Paru Road upgrade on Melville Island. The additional clearing will facilitate the widening of Paru road, construction of 47 offlet drains and 1 culvert.

Environmental context

The additional clearance is required to ensure Paru Road is constructed in accordance with the required design specifications of a new road. The works will result in a small increase in disturbance along the verge of the existing road.

ASSESSMENT OF THE APPLICATION

Procedural Matters

Section 106(3)(a) of the EP Act provides that in making a decision on request from the approval holder to amend an environmental approval, the Minister must:

- have regard to the following:
 - the matters set out in Part 2 of the EP Act;
 - objects of the EP Act;
 - the assessment report of the action; and
- be satisfied that the amendment will not prevent:
 - the significant impacts of the action from being appropriately avoided or mitigated or from being appropriately managed; and
 - any appropriate environmental offsets from being provided for significant residual adverse impacts on the environment that cannot be avoided or mitigated.

Time for determining the application

Under section 106(2) of the EP Act, I am required to make a decision on the amendment application within 60 business days of receipt of the application. The timeframe for making a decision ceases to run during the period of consultation required by section 107. Consultation with the NT EPA and other relevant decision makers occurred between 29 May 2024 and 26 June 2024. Accordingly the date I am required to make a decision is 15 August 2024.

Assessment

The matters set out in Part 2 of the EP Act on the principles of environment protection and management; the objects of the EP Act; and the assessment report of the action were considered in the original granting of the approval and will not be affected by the proposed amendments to the approval.

The effect of the proposed changes to the clearing extent has been assessed in accordance with section 106(3)(a) of the EP Act.

The proposed amendment does not alter the reasons for deciding to grant the environmental approval following the environmental impact assessment phase, as set out in the [Statement of](#)

[Reasons](#), and the assessment of the environmental impact assessment studies as set out in the [Assessment Report](#).

Amendments

To accommodate the change in clearing extent, the following amendments are require to condition 1-1:

- increase in the approved total clearance extent from 66 ha to 67.1 ha (increasing the clearance area for road realignment and ancillary works from 12 ha to 13.1 ha).

Conclusion

Having regard to the above and the materials I considered, I am satisfied that the amendments to the conditions of environmental approval EPL2021/007 – 01 that has been granted will not prevent:

- the significant impacts of the action from being appropriately avoided or mitigated or from being appropriately managed; and
- any appropriate environmental offsets from being provided for significant residual adverse impacts on the environment that cannot be avoided or mitigated

Accordingly, I will issue the amended Environmental Approval EP2021/007-02.

Signature



Neva McCartney

Acting Chief Executive Officer

Delegate for the Minister of Environment, Climate Change and Water Security

Date

17. July 2024