

# Environmental Approval

PURSUANT TO SECTION 69 OF THE ENVIRONMENT PROTECTION ACT 2019

|                                  |  |
|----------------------------------|--|
| Approval number                  | EP2021/007 - 002   |
| Approval holder                  | Chief Executive Officer of the NT Department of Infrastructure, Planning and Logistics |
| Australian Business Number (ABN) | 84 085 734 992   |
| Registered business address      | Level 3, Manunda Place, 38 Cavanagh Street, Darwin, Northern Territory 0800            |
| Approval holder reference number | DIPL-0001  |

## Action

Upgrade sections of Paru Road from gravel to bitumen on Melville Island, approximately 80 km northeast of Darwin including:

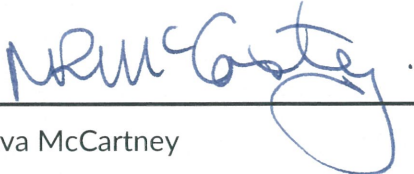
- **Land clearing** of up to 67.1 hectares (ha) of native vegetation including sensitive riparian vegetation and large trees with hollows for road realignment, 47 offlet drains and a culvert (13.1ha) and gravel extraction (54 ha)
- **Progressive rehabilitation by remediation of approved extent** for gravel extraction
- Construction of one single span bridge at Paru Creek
- Extraction of no more than 20% instantaneous flow from surface waters and 20% annual recharge of groundwater from existing bores
- Works conducted over a 2 year period between the months of April and October.

## Advisory notes

Approval is granted under section 69 of the EP Act for the action to be undertaken in the manner described, including with implementation of the environmental management measures, commitments and safeguards documented, in the **referral** and **SER**. If there is an inconsistency between the **referral** or the **SER** and this environmental approval, the requirements of this environmental approval prevail.

This approval does not authorise the approval holder to undertake an activity that would otherwise be an offence under the *Waste Management and Pollution Control Act 1998* or the *Water Act 1992*.

Submission of all notices, reports, documents or other correspondence required to be provided to the **CEO** as a condition of this approval must be provided in electronic form by emailing [environmentalregulation@nt.gov.au](mailto:environmentalregulation@nt.gov.au)

|                                 |   |
|---------------------------------|---|
| Address of action               | Paru Road, Melville Island; NT Portion 1644   |
| NT EPA Assessment Report number | 95  |
| Decision maker                  | <br><hr/> Neva McCartney<br>Acting Chief Executive, Delegate for Minister of Environment, Climate Change and Water Security |
| Date of approval                | 17. July 2024   |

## Environmental approval conditions

### 1 Limitations and extent of action

1-1 When implementing the action, the approval holder must ensure the action does not exceed the following extent:

| Action element  | Location | Limitation or maximum extent  |
|---|----------|---|
| Land clearing for gravel extraction                           | Figure 1 | No more than 54 ha to be cleared within the five gravel pit areas of the <b>approved extent</b> .   |
| Realignment of four bends, offlet drains and a single culvert | Figure 1 | No more than 13.1 ha in total to be cleared between chainages: <ul style="list-style-type: none"> <li>• 5.3 km to 6.3 km (northern area)</li> <li>• 7.8 km to 9.0 km</li> <li>• 9.9 km to 11 km</li> <li>• 11.2 km to 12.0 km (southern area).</li> </ul> |

### 2 Terrestrial ecosystems

2-1 The approval holder must implement, remediate and complete the action to meet the following environmental objective:

- (1) Protect terrestrial habitats to maintain flora and fauna values including biodiversity, ecological integrity and ecological functioning.

2-2 To support achievement of condition 2-1, the approval holder must implement the action in such a manner that:

- (1) no more than three (3) hectares in total of **unremediated land** is cleared of native vegetation at any point in time at gravel pits GP1-1, GP1-2 and GP1-3 of the **approved extent**; and
- (2) no more than three (3) hectares in total of **unremediated land** is cleared of native vegetation at any point in time at gravel pits GP2-1 and GP2-2 of the **approved extent**; and
- (3) at the **completion of the action**, all areas previously subjected to **land clearing** at gravel pits are **remediated** and achieve a state that is stable and composed of **local native** plant species; and
- (4) the introduction and spread of **declared weeds** and invasive exotic plants is prevented for the **life of the action**.

### 3 Erosion and sediment control

3-1 The approval holder must implement an Erosion and Sediment Control Plan on commencement of the action that is:

- (1) developed by a Certified Professional in Erosion and Sediment Control (CPESC), in accordance with International Erosion Control Association Australasia (IECA) 2008, *Best Practice Erosion and Sediment Control*; and
- (2) implemented for the **life of the action**; and
- (3) monitored by the CPESC and by the approval holder; and
- (4) reviewed by the CPESC within 12 months, or earlier if:
  - (a) ongoing monitoring identifies a failure of the ESCP; or
  - (b) an accelerated or changed work program is required.

- 3-2 The approval holder must demonstrate that the Erosion and Sediment Control Plan is implemented in such a manner that there is no measurable adverse change in water quality at Paru Creek during the **life of the action**.
- 3-3 The approval holder must report on its compliance with the ESCP and condition 3-2. Each report must be:
- (1) prepared by a CPESC; and
  - (2) submitted to the **CEO** by 30 May each year during the **life of the action** unless otherwise directed by the **CEO** in writing.
- 4 Commencement of action**
- 4-1 This approval expires five (5) years after the date on which it is granted, unless **substantial implementation** has commenced on or before that date.
- 4-2 Within 10 business days of **substantial implementation** of the action the approval holder must provide notification in writing to the **CEO**.
- 5 Completion of action**
- 5-1 The approval holder must provide notification in writing to the **CEO** within 10 business days of **completion of the action**.
- 6 Change of contact details**
- 6-1 The approval holder must provide notification in writing to the **CEO** of any change of its name, physical address or postal address for the serving of notices or other correspondence within 10 business days of such change.
- 7 Environmental Performance Report**
- 7-1 The approval holder must submit an Environmental Performance Report to the **CEO** no later than three (3) years after **completion of the action** unless otherwise directed by the **CEO** in writing.
- 7-2 The report required by condition 7-1 must be prepared by an **independent qualified person**.
- 7-3 The Environmental Performance Report must report on impacts of the action on the state of **Terrestrial ecosystems values**.
- 7-4 The Environmental Performance Report must:
- (1) include two (2) years monitoring data after **completion of the action**
  - (2) include a comparison of the environmental values identified in condition 7-3 at the **completion of the action** against the state of each environmental value prior to **land clearing**; and
  - (3) include a comparison of the predicted impacts of the action as identified in the **referral** and **SER**, and the actual impacts of the action as verified by environmental monitoring data; and
  - (4) demonstrate that all cleared areas, including roadworks, have been stabilised and **remediated** with **local native** plant species; and
  - (5) demonstrate the actions undertaken at gravel pits and decommissioned roads to prevent introduction of weeds and exotic plant species.

**8 Provision of environmental data**

8-1 All environmental monitoring data required to be collected or obtained under this environmental approval must be retained by the approval holder for a period of not less than 10 years commencing from the date that the data is collected or obtained.

8-2 The approval holder must, as and when directed by the **CEO**, provide any validated environmental data (including sampling design, sampling methodologies, empirical data and derived information products (such as maps)) relevant to the assessment of the action and implementation of this environmental approval, to the **CEO** in the form and manner, and at the intervals specified, in the direction.

## Definitions

The terms used in this approval have the same meaning as the terms defined in the *Environment Protection Act 2019* and *Environment Protection Regulations 2020*.

|                              |  |
|------------------------------|--|
| approved extent              | The extent identified in Figure 1 of this approval which includes equipment, plant and structures, whether stationary or portable, and the land on which the action is situated.   |
| CEO                          | The Chief Executive Officer of the Department of Environment, Parks and Water Security [or another name for that department, which may vary from time to time], or their delegate.   |
| completion of the action     | The point in time that the approval holder has finished construction and remediation activities for the action, including removing all equipment, plant and structures.  |
| declared weeds               | A plant declared as a weed or potential weed under the <i>Weeds Management Act 2001</i> .  |
| EP Act                       | <i>Environment Protection Act 2019</i> .   |
| independent qualified person | A qualified person as defined under section 4 of the <b>EP Act</b> ; and who also meets the following requirements: <ul style="list-style-type: none"> <li>a) was not involved in the preparation of the approval holder's <b>referral</b> or <b>SER</b>; and</li> <li>b) is independent of the personnel involved in the design, construction and operation of the action; and</li> <li>c) has obtained written approval from the <b>CEO</b> to be the qualified person to satisfy the <b>independent qualified person</b> reporting requirements under this approval.</li> </ul> |
| land clearing                | The removal or destruction, by any means, of native vegetation on an area of land. <b>Land clearing</b> includes the selective removal of a species of plant, a group of species of plants, a storey or group of storeys in whole or in part.  |
| life of the action           | The period of time from <b>land clearing</b> until the issue of a closure certificate under section 213 of the <b>EP Act</b> , or revocation of the environmental approval by the Minister at the request of the approval holder under section 114 of the <b>EP Act</b> .  |
| local native                 | Refers to native plant species with Tiwi provenance, where seed is collected directly from Bathurst or Melville islands.   |
| NT EPA                       | Northern Territory Environment Protection Authority.   |
| progressive rehabilitation   | The sequence of actions as they relate to <b>remediation</b> of gravel pits. Progressive rehabilitation must be completed, so that new or further <b>land clearing</b> may not commence until the previous cleared area is <b>remediated</b> .   |
| referral                     | The approval holder's <b>referral</b> to the <b>NT EPA</b> under section 48 of the <b>EP Act</b> ;   |

|                                     |   |
|-------------------------------------|---|
|                                     | Environmental Impact Assessment Paru Road Upgrade – NT Portion 1644, Melville Island, dated 23 April 2021.  |
| <b>remediation</b>                  | <p>The actions undertaken as they relate to stabilisation of cleared areas resulting from the action, these include extraction areas, detours and access tracks, at a minimum:</p> <ul style="list-style-type: none"> <li>• spread unused rock and gravel material over exposed soil</li> <li>• rip area (to depth of 100 to 200 mm) along contour lines to reduce erosion</li> <li>• spread and scarify top soil and overburden to encourage regrowth from the soil's seed store</li> <li>• broadcast of <b>local native</b> seed if assisted revegetation is specified by the approval holder</li> <li>• spread cleared vegetation across the site in a manner representative of the surrounding area to assist the recolonisation of flora and fauna across the site.</li> </ul> |
| <b>SER</b>                          | <p>The approval holder's Supplementary Environmental Report to the <b>NT EPA</b> under regulation 119 of the Environment Protection Regulations 2020:</p> <p>Paru Road Supplementary Environmental Report Paru Road Upgrade, dated 1 February 2022.</p>   |
| <b>substantial implementation</b>   | <p>The first works of the proposed action defined as any ground disturbing activity relating to the <b>action</b> within the <b>approved extent</b>, including, but not limited to, <b>land clearing</b>, civil works or construction works. <b>Substantial implementation</b> does not include preliminary works such as geotechnical investigations and other preconstruction activities where no <b>land clearing</b> is required.</p>   |
| <b>Terrestrial ecosystem values</b> | <p>The values as defined and quantified in the NT EPA's Assessment Report 95 include, but are not limited to: presence and occurrence of threatened plant and animal species and their habitat, <b>local native</b> plant species diversity and low weed and invasive species occurrence.</p>   |

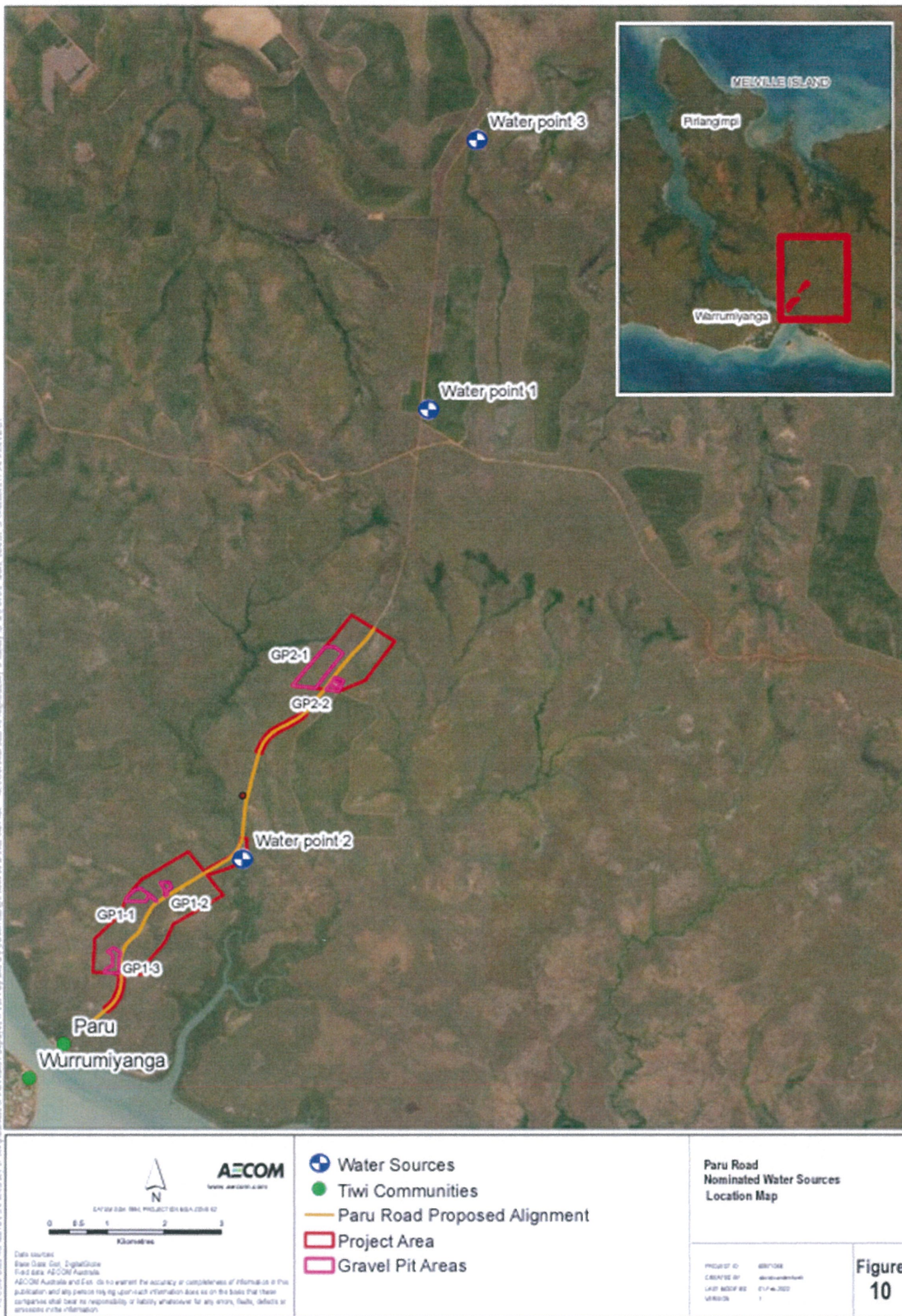


Figure 1 Location and extent of road works and gravel extraction

Spatial data depicting Figure 1 (Location and extent of action) are held by the Department of Environment, Parks and Water Security as follows:

NTEPA2020/0089-008~0007-08 Paru Road Spatial Data.