

# Environmental Approval

PURSUANT TO SECTION 69 OF THE ENVIRONMENT PROTECTION ACT 2019

Approval number	EP2022/022-001
Approval holder	Chief Executive Officer of the Northern Territory of Australia Department of Infrastructure, Planning and Logistics
Australian Business Number (ABN)	84 085 734 992
Registered business address	Level 3, Manunda Place 38 Cavenagh Street Darwin, Northern Territory 0800
Address for notices	Level 5, Energy House, 18-20 Cavenagh Street, Darwin, Northern Territory 0800
Action	Holtze Development Area
Action description	<p>Urban development of 202 ha, approximately 1.8 km north of Palmerston central business district including:</p> <ul style="list-style-type: none"><li>• land clearing of up to 116 (ha) of native vegetation</li><li>• construction of enabling infrastructure (sewerage, water supply, power, communications, roads and drainage infrastructure)</li><li>• subdivision of two vacant Crown land lots (Section 4231 and 4229 Hundred of Bagot) and one freehold lot (Portion 2295) for residential, commercial, public space and community development purposes.</li></ul>
Advisory notes	<ol style="list-style-type: none"><li>i. 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 <b>referral</b>. If there is an inconsistency between the <b>referral</b> and this environmental approval, the requirements of this environmental approval prevail.</li><li>ii. This approval does not authorise the approval holder to undertake an activity that would otherwise be an offence under the <i>Water Act 1992</i>.</li><li>iii. Submission of all notices, reports, documents or other correspondence required to be provided to the CEO or <b>Minister</b> as a condition of this approval must be provided in electronic form by emailing <a href="mailto:environmentalregulation@nt.gov.au">environmentalregulation@nt.gov.au</a></li></ol>
Address of action	NT Portion 2295 Sections 273, 3373, 4229, 4231 and 5623 Hundred of Bagot

---

NT EPA Assessment Report number 102

---

Person authorised to make decision Hon Lauren Jane Moss MLA,  
Minister for Environment, Climate Change and Water  
Security

---

Signature



Date of decision

30<sup>th</sup> August 2023

---

## 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	Context	Limitation or maximum extent
Land clearing	Figure 1	No more than 116 ha in total to be cleared within the <b>approved extent</b> shown at <b>Figure 1</b> . Avoid clearing <b>significant and sensitive vegetation</b> within the <b>approved extent</b> , to the maximum extent practicable.
Direct disturbance of <i>Typhonium praetermissum</i>	Figure 2	All individual <i>Typhonium praetermissum</i> plants within the <b>Typhonium protection area</b> shown at <b>Figure 2</b> must be retained and protected.
Direct disturbance of <i>Cycas armstrongii</i>	Figure 3	No clearing of <b>very high density</b> or <b>high density</b> occurrences of <i>Cycas armstrongii</i> as shown at <b>Figure 3</b> .

### 2 Terrestrial ecosystems

2-1 The approval holder must implement 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) the condition of habitat within the **Typhonium protection area** for *Typhonium praetermissum* is maintained or improved;
- (2) the long-term security of *Typhonium praetermissum* plants within the **Typhonium protection area** is maintained, through implementing measures such as restrictions on land use and access;
- (3) habitat quality and condition within the **Typhonium protection area** is monitored and assessed periodically to measure the viability of the protection area and its capacity to support conservation of *Typhonium praetermissum* and demonstrate that condition 2-2(1) is achieved;
- (4) is consistent with any *Typhonium praetermissum* regional conservation management strategy developed by the Northern Territory Government;
- (5) the long term security of retained occurrences of **high** and **very high density** *Cycas armstrongii* areas, is maintained through implementing measures such as restrictions on land use and access;
- (6) is consistent with any regional conservation strategy for woodland species developed by the Northern Territory Government; and

- (7) controls the introduction and spread of **declared weeds** and invasive exotic plants.

### 3 Inland water environmental quality

3-1 The approval holder must prepare an Erosion and Sediment Control Plan (ESCP) prior to **substantial implementation** that:

- (1) has been 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 document](#); and
- (2) provides details of the design, implementation, monitoring, maintenance and removal of erosion, sediment and drainage controls in all exposed soil areas during construction;
- (3) reviewed by a CPESC within 12 months of **substantial implementation**, or at any time if:
  - (a) ongoing monitoring identifies a failure of the ESCP; or
  - (b) an accelerated or changed work program is required.

### 4 Community and economy

4-1 The approval holder must implement measures, to mitigate construction noise and vibration, that meet:

- (1) construction noise management levels established using the [Northern Territory Noise Management Framework Guideline](#) (NT EPA 2018);
- (2) vibration criteria established using the [Assessing vibration: a technical guideline](#) (NSW Department of Environment and Conservation 2006) (for human exposure);
- (3) BS 7385 Part 2-1993 “Evaluation and measurement for vibration in buildings Part 2” as applicable to Australian conditions; and
- (4) the vibration limits set out in the German Standard DIN 4150-3: Structural Vibration-effects of vibration on structures (for structural damage).

4-2 In addition to the performance outcomes, commitments and mitigation measures specified in the **referral**, all reasonably practicable measures must be implemented to minimise the emission of dust and other air pollutants during the construction and operation of the action.

### 5 Culture and heritage

5-1 Prior to **substantial implementation**, the approval holder must:

- (1) undertake further archaeological investigation and review within the proposal area in proximity to the headwaters of Mitchell Creek (in the southern part of Section 4231); and
- (2) implement to the extent practicable, the outcomes of the archaeological investigation and review, including recommendations for measures to avoid or minimise disturbance to Aboriginal heritage places or objects where objects are found to be present.

5-2 The scope of works for the further archaeological investigation and review required by condition 5-1(1), must:

- (1) include protocols for the survey, a review of mitigation measures and provisions to recommend new mitigation measures, if required; and

- (2) be developed in consultation with, and to the satisfaction of, the Heritage Branch of DTFHC.

## 6 Commencement of action

- 6-1 This approval expires five (5) years after the date on which it is granted, unless **substantial implementation** has commenced on or before that date.
- 6-2 Within 10 business days of **substantial implementation** of the action the approval holder must provide notification in writing to the **Minister**.

## 7 Completion of action

- 7-1 The approval holder must provide notification in writing to the **Minister** within 10 business days of **completion of the action**.

## 8 Change of contact details

- 8-1 The approval holder must provide notification in writing to the **Minister** 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.

## 9 Staging, combining and updating plans or programs

- 9-1 The approval holder may:
- (1) prepare and submit any plan or program required by this approval on a staged basis (if a clear description is provided as to the specific stage and scope of the action to which the plan or program applies, the relationship of the stage to any future stages and the trigger for updating the plan or program);
  - (2) combine any plan or program required by this approval (if a clear relationship is demonstrated between the plans or programs that are proposed to be combined); and
  - (3) update any plan or program required by this approval (to ensure the plans and programs required under this approval are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the action)
- 9-2 Updated plans or programs supersede the previous versions of them and must be implemented in accordance with the conditions of this approval that require the plan or program.

## 10 Annual compliance reporting

- 10-1 The approval holder must provide an annual compliance report to the **Minister** for the purpose of determining whether the conditions of this environmental approval are being complied with.
- 10-2 Unless a different date or frequency is approved by the **Minister**, the first annual compliance report must be submitted by 30 April addressing the period of the preceding calendar year from 1 January to 31 December, and subsequent reports must be submitted annually from that date.
- 10-3 Each annual compliance report must be endorsed by the approval holder, or a person approved by approval holder to be delegated to sign on the approval holder's behalf.
- 10-4 Each annual compliance report must:
- (1) state whether each condition of this approval has been complied with, including:

- (a) exceedance of any limits and extents;
  - (b) achievement of environmental objectives;
  - (c) requirements to implement the action;
  - (d) monitoring requirements; and
  - (e) reporting requirements.
- (2) include the results of monitoring (inclusive of any raw data) in order to demonstrate compliance with the each condition of this approval;
  - (3) provide evidence to substantiate statements of compliance, or details of where there has been a non-compliance;
  - (4) include the corrective, remedial and preventative actions taken in response to any potential non-compliance; and
  - (5) be provided in a form suitable for publication online by the **DEPWS**.

## **11 Provision of environmental data**

- 11-1 All environmental monitoring data required to be collected or obtained under this environmental approval and the approval holder's commitments, standards and management plans 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.
- 11-2 The approval holder must, as and when directed by the **Minister**, provide any 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 **Minister** 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.
completion of the action	The point in time that the approval holder has completed all construction and operational components of the action as described in the referral information.
DEPWS	Department of Environment, Parks and Water Security
DTFHC	Department of Territory Families, Housing and Communities
EP Act	<i>Environment Protection Act 2019</i> .
high density	Between 400 and 699 <i>Cycas armstrongii</i> (Darwin cycad) stems per hectare.
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 story or group of storeys in whole or in part.
life of action	The period of time from <b>substantial implementation</b> until the issue of a closure certificate under section 213 of the EP Act, or revocation of the environmental approval by the Minister at the request of the approval holder under section 114 of the EP Act.
NT EPA	Northern Territory Environment Protection Authority.
referral	The approval holder's <b>referral</b> to the <b>NT EPA</b> under section 48 of the <b>EP Act</b> .
sensitive or significant and sensitive vegetation	Has the same meaning as in section 6 of the NT Freehold <a href="#">Land clearing guidelines</a> i.e. sensitive or significant vegetation communities such as rainforest, vine thicket, closed forest or riparian vegetation (clause 3.2 of the NTPS). The terms are used in the guidelines to also include mangroves, monsoon vine forest, sandsheet heath and vegetation containing large trees with hollows suitable for fauna habitat.
substantial implementation	The initial works to implement the proposed action defined as any ground disturbing activity relating to the action 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 pre-construction activities where no <b>land clearing</b> is required.
Typhonium protection area	The area shown at Figure 2 of this environmental approval
very high density	Greater than 700 <i>Cycas armstrongii</i> (Darwin cycad) stems per hectare.

## Location and approved extent of action

Spatial data depicting information provided in this environmental approval are held by DEPWS:

- NTEPA2022/0178-005: 05 Spatial files - -DIPL – Holtze Development Area.

All coordinates are provided in the Universal Transverse Mercator map projection, Map Grid of Australia Zone 52 (MGA Zone 52) and datum Geocentric Datum of Australia 1994 (GDA94).



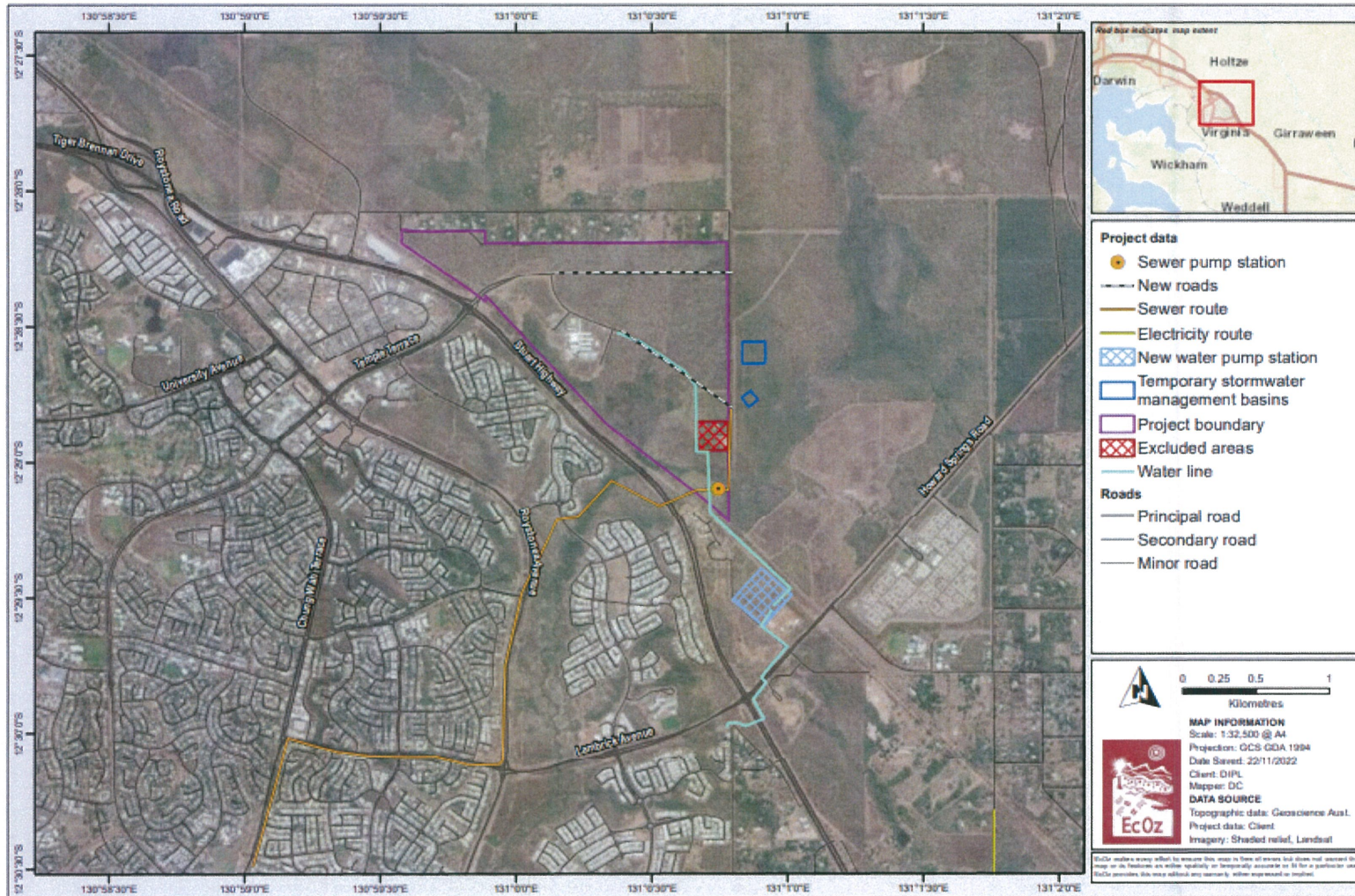


Figure 1 Location and approved extent (includes the project boundary, sewer pump station, sewer route, electricity route, new water pump station, temporary stormwater management basins and water line)

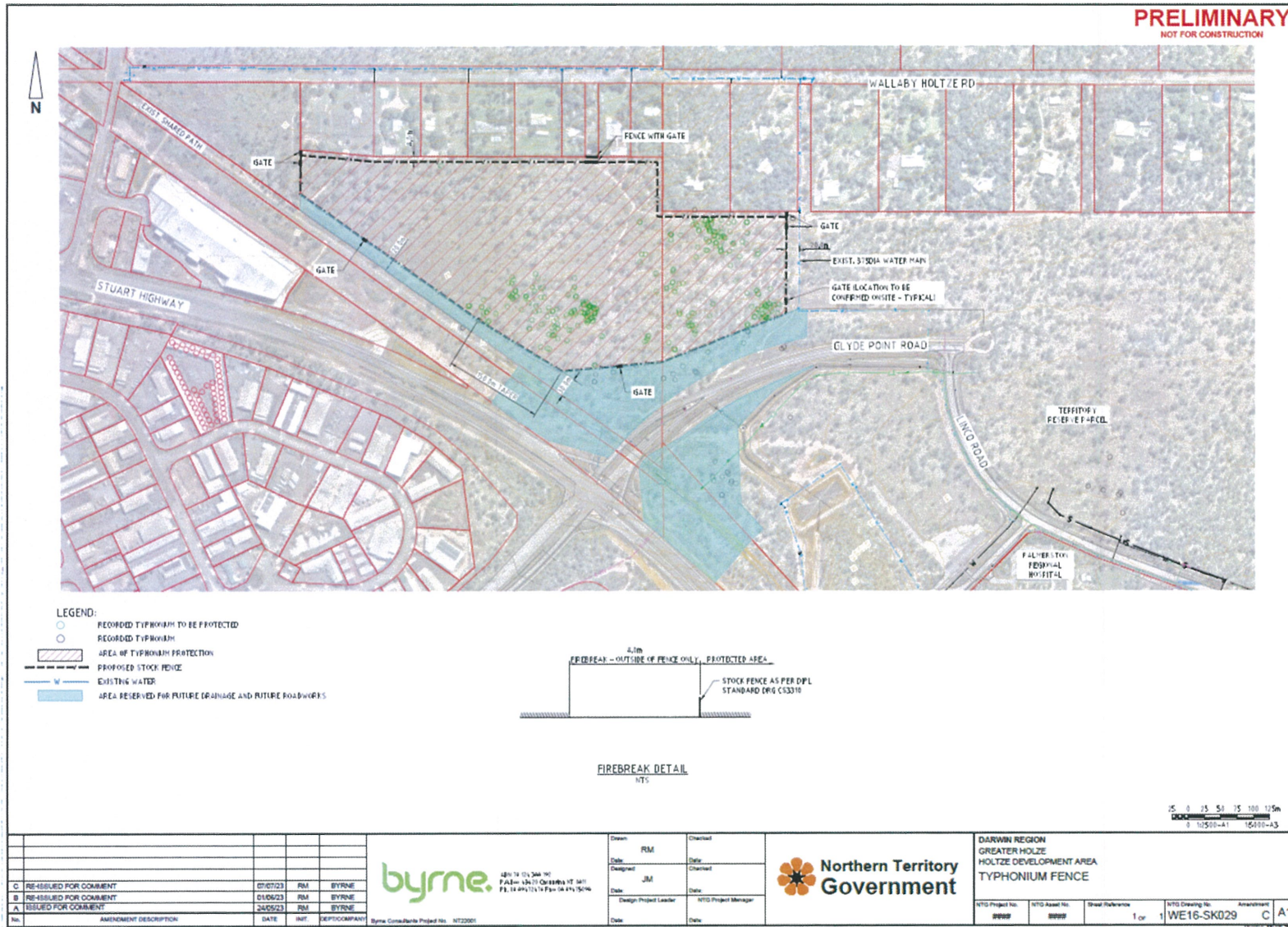


Figure 2 Typhonium protection area

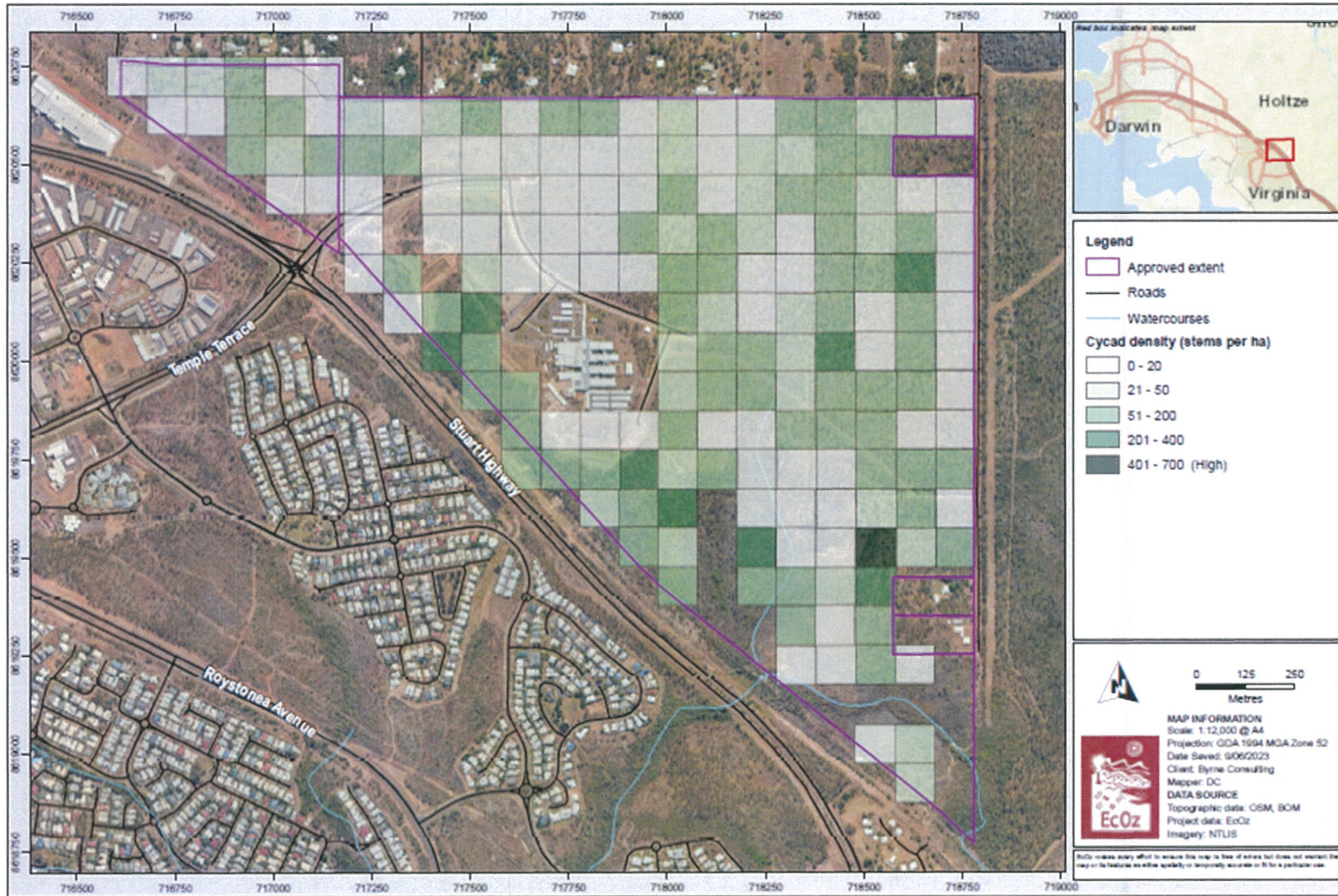


Figure 3 Map of *Cycas armstrongii* (Darwin Cycad) density within approved extent (note one grid square of high density occurrences in dark green)