


NOTICE OF DECISION AND STATEMENT OF REASONS

Section 55 of the *Environment Protection Act 2019* (EP Act)
Regulations 57(2)(b) and 63 of the *Environment Protection Regulations 2020* (EP Regulations)

Name of proposed action	Melville Island Road Upgrades
Proponent	Department of Infrastructure, Planning and Logistics
NT EPA reference	EP2022/016 Referral accepted 20 May 2022
Description of proposed action	<p>To upgrade Pirlangimpi Road and Pickertaramoor Road on Melville Island (NT Portion 1644), Tiwi Islands.</p> <p>The works include pavement lifts, re-gravelling, sealing to a two-lane standard, formation widening, realigning, installation of drainage structures and overall improvements to the flood immunity.</p> <p>The proposal envelope is 1232 ha comprising:</p> <ul style="list-style-type: none">• land clearing of up to 297 ha of native vegetation for road widening and realignment works, gravel extraction and access tracks• approximately 73 km of road realignment and widening (28 ha)• 23 gravel pits areas (234 ha area proposed for extraction)• water extraction from bores and, if required, surface waters• works conducted over 3 to 5 years in the dry season.
Nature of the proposed action	Roads and transport
Decision	<p>Standard environmental impact assessment is required in accordance with section 55 of the EP Act and regulation 57(2)(b)(i) of the EP Regulations</p> <p>The required method of environmental impact assessment is assessment by referral information in accordance with regulation 57(2)(b)(ii).</p>
Person authorised to make decision	Dr Paul Vogel AM – Chairperson, as delegate of the Northern Territory Environment Protection Authority (NT EPA)
Signature	
Date of decision	12 July 2022
Matters considered under EP Regulation 56	<p>The NT EPA has considered the following:</p> <ul style="list-style-type: none">• the accepted referral (including the referral form, referral report and appendices; statement of reasons)• submissions received in relation to the referral information during the public consultation period 25 May 2022 and 22 June 2022<ul style="list-style-type: none">○ government authority submissions received: 6○ public submissions: 0

Consultation

Submissions identified the potential for significant impact on threatened species, significant / sensitive vegetation, and land / soil integrity from land clearing of native vegetation for gravel extraction, road construction and access tracks to water points.

All submissions made during the consultation period are available on the NT EPA website.

Statement of reasons

Overview

The NT EPA considers that the proposed action has the potential to have a significant impact on environmental values associated with one environmental factor¹. The NT EPA is of the view that it has sufficient information to assess the potential significant impacts on this factor.

Land

- **Terrestrial ecosystems** – There is potential for significant impact on threatened fauna through removal and modification of key habitat for these fauna, and on threatened flora through the introduction and spread of declared weeds and invasive exotic plants. There is potential for a significant impact to the quality of ecosystems due to the very high risk of erosion from works on slopes greater than three percent (>3%).

The NT EPA considered other environmental factors during its consideration of the referral; however, the impact on those factors was not considered to be significant.

Justification

A standard assessment on referral information is required due to:

- | | |
|-------------------|--|
| Regulation 59 (a) | the significance of the potential impact of the proposed action as described above |
| Regulation 59 (b) | the need to improve the NT EPA's level of confidence in predicting potential significant impacts of the proposed action taking into account the extent and currency of existing knowledge, particularly in relation to the: <ul style="list-style-type: none">• available information on the potentially significant impacts to threatened fauna from gravel extraction in high density areas of large and very large trees• the level of certainty about impacts to the quality of ecosystems from soil erosion on slopes >3% |
| Regulation 59 (c) | the need to improve the NT EPA's level of confidence in the effectiveness of measures identified in the referral to avoid, mitigate or manage potential significant impacts, with respect to: <ul style="list-style-type: none">• current and alternative locations and configuration of proposed gravel pits in the gravel extraction areas• potential impacts on terrestrial ecosystems values from the introduction and spread of declared weeds and invasive exotic plants |

¹ [NT EPA Environmental factors and objectives](#)

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- potential impacts to the quality of ecosystems from soil erosion on slopes >3%

Regulation 59
(d) & (e)

appropriate community engagement has occurred in relation to the proposed action, including but not limited to communication with:

- the Tiwi Island Regional Council and Tiwi Land Council
- industry stakeholders
- government authorities, independently and during the referral consultation process

Conclusion

The NT EPA considers that the proposed action has the potential to have a significant impact on one environmental factor, and that environmental impact assessment is required. While the NT EPA considers there is some uncertainty in the knowledge of terrestrial ecosystems in the locality, NT Government Authority submissions indicate that the proponent’s proposed measures to avoid, mitigate or manage potential significant impacts can account for any uncertainty such that assessment by referral information is considered appropriate.

The NT EPA has the requisite information in the referral, informed by government authority submissions to complete its assessment.

In making its decision under EP Regulation 58(1)(b), the NT EPA has considered:

- the objects of the Act in section 3 of the EP Act
- the purpose of the environmental impact assessment process in section 42 of the EP Act
- the matters under regulation 56 of the EP Regulations
- the matters relevant to a consideration of the method of environmental impact assessment in regulation 59 of the EP Regulations.