

Environmental Protection Act 1986**Section 45C****NOTICE OF DECISION TO CONSENT TO AMEND AN APPROVED PROPOSAL
WITHOUT INQUIRY****PERSON TO WHOM THIS NOTICE IS GIVEN**

Southern Ports Authority

PROPOSAL TO WHICH THIS NOTICE RELATES

Turkey Point Access Road and Bridge

MINISTERIAL STATEMENT and ANY APPROVED CHANGES

Ministerial Statement 1192, issued 7 July 2022

DECISION

Pursuant to s. 45C (1) (a) of the *Environmental Protection Act 1986* (EP Act), the Chair acting as delegate for the Minister for Environment gives approval to the following amendment of the approved proposal:

- Increase of development envelope size from 6.73 hectares (ha) to 6.91 ha (0.18 ha increase).

The amended proposal content document and figures are attached.

SUMMARY OF REASONS

- The quantity (6.52 ha) of native vegetation clearing approved under Ministerial Statement 1192 (MS 1192) will not be exceeded.
- Clearing of the Subtropical and Temperate Coastal Saltmarsh Threatened Ecological Communities (TEC) will not exceed the 0.67 ha limit approved under MS 1192. To date the proponent has cleared 0.57 ha of the TEC. The proponent has confirmed that no further clearing is required within the original development envelope. The amendment will result in the clearing of 0.05 ha of the TEC within the revised development envelope. Clearing of the additional 0.05 ha will increase the total area cleared to 0.62 ha and will therefore remain within the approved clearing limit.

- The proposed amendment increases the development envelope within the Preston River by 0.13 ha (0.1 ha downstream and 0.03 ha upstream). The potential impact of construction of the temporary causeway on the Preston River including the proposed amendment, will continue to be assessed under the *Waterways Conservation Act 1976*.
- There are no new environmental factors likely to be significantly affected as a result of the amendment.
- In considering this, the effects of the proposed change on its own, the effect of the amendment in the context of the existing referred proposal, cumulative and holistic impacts have been considered.
- it is considered that the requested amendment to the ministerial conditions are not considered to be significant as the proposed amendment would not result in a change to the magnitude of impacts originally considered and assessed.
- The amended proposal will be substantially the same character as the existing referred proposal.

EFFECT OF THIS NOTICE:

1. The proposal as amended in accordance with this notice is taken to be able to be implemented under s. 45 of the EP Act.

RIGHTS OF APPEAL:

There are no rights of appeal under the EP Act in respect of this decision.



Ms Lee McIntosh
Delegate of the Environmental Protection Authority
DEPUTY CHAIR

5 September 2024

Attachment 1- Amended proposal content document and figure showing the new approved proposal



Figure 1. Revised development envelope