


NOTICE OF DECISION AND STATEMENT OF REASONS

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

Name of proposed action	Manton Dam Return to Service Project
Proponent	Power and Water Corporation (NT)
NT EPA reference	EP2023/032
Nature of proposed action	Utilities and services
Description of proposed action	<p>Construction, upgrade, operation and maintenance of water supply infrastructure; extraction of about 20 ML of water per day from the existing Manton Dam reservoir; and water treatment to potable standard¹ – across three key components:</p> <ul style="list-style-type: none">• a new pump station and upgraded infrastructure near the existing Manton Dam wall (NT Portion 3837, 4002)• a new water pipeline in existing utility easements along the Stuart Highway, along with a fibre optic cable (various parcels – see referral Appendix A)• a new water treatment plant at Strauss, including a new intersection on Cox Peninsula Road for access (Part Lot 418, 2929, 2930, Noonamah).
Decision	<p>The proposed action does not have the potential to have a significant impact on the environment (section 55 of the EP Act).</p> <p>Environmental impact assessment is not required in accordance with regulation 57(2)(a) of the EP Regulations</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	9 January 2024
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)• submissions received in relation to the accepted referral

¹ In line with the NHMRC, NRMCC (2011) Australian Drinking Water Guidelines Paper 6 National Water Quality Management Strategy. National Health and Medical Research Council, National Resource Management Ministerial Council, Commonwealth of Australia, Canberra.

Consultation

Submission period 1 – 29 November 2023

Submissions received:

- government authority submissions received: five
- public submissions: nil

Submissions received are available on the NT EPA website.

Statement of Reasons

Overview

The NT EPA considers that the proposed action has the potential to impact on environmental values associated with five environmental factors². However, the potential impacts are not considered to be significant and therefore, the NT EPA has decided that environmental impact assessment is not required. The reasons for this decision are outlined below.

The NT EPA has considered the referral information and the submissions received in relation to the referral information³, in deciding that the potential impacts of the proposed action are not significant. Potential impacts can be adequately managed by carrying out the action in accordance with the proposed management and mitigation measures in the referral information. These include the maintenance of pre-development downstream dry season flows from the dam and implementation of management plans and a Stakeholder Engagement and Communications Plan. The management plans include measures that are well-established and known to be effective in the avoidance, mitigation and management of potential impacts, as identified in the referral.

Land

Terrestrial ecosystems

The flora and fauna values in the area of the proposed action have been appropriately surveyed and described in the referral. The referral discussed the potential for the proposed action to impact on threatened species and significant vegetation through the clearing of vegetation and alterations to hydrological processes.

The majority of the proposed area to be cleared is 7.64 ha of Eucalyptus woodland old-growth vegetation for the water treatment plant at Strauss. The referral states this area contains individuals of two threatened plant species and provides habitat for several threatened fauna species. To mitigate potential impacts on threatened fauna during clearing, a pre-clearance survey will be conducted as part of a Clearing Plan, with subsequent actions to minimise mortality or injury to native fauna and provide critical refuge in adjacent areas.

The proposed works at Manton Dam and along the pipeline corridor are largely in previously disturbed areas and require only minimal clearing of native vegetation.

Due to the siting of the proposed works, the small scale of the clearing, the use of a fauna spotter during clearing, and the extent of native vegetation in the surrounding area, the referral concluded that the proposed action is unlikely to have a significant impact on terrestrial ecosystems. This was supported by the submission from the Department of Environment, Parks and Water Security's Flora and Fauna Division, which concluded that the risks to biodiversity values from the proposed action are considered to be low, and that the risk of significant impact to threatened species is low.

² [NT EPA Environmental factors and objectives](#)

³ The referral information and submissions are available on the public register: [Manton Dam Return to Service Project](#)

Water	<p>Hydrological processes</p> <p>The Manton River is an ephemeral stream that flows into the Adelaide River 13 km downstream of the dam wall. Within this stretch are waterholes that persist during the dry season. Manton Dam was constructed in the 1940s, thereby permanently altering the hydrology of the Manton River in the reservoir and downstream of it. Downstream dry season releases have varied since, stabilising in the last decade to around 30-50 L/s.</p> <p>The proposed action involves the extraction of about 20 ML/day in accordance with an existing water extraction licence granted under the <i>Water Act 1992</i>. This will reduce the level of water in the reservoir by an average of 2 m below current levels and reduce the overall volume of water released by an average of 30%, both of which could affect aquatic ecosystems as discussed below. The reduced surface water level in the reservoir will affect recreation activities as discussed below. The proponent has committed to maintain dry season downstream water flows at 30 L/s. The impacts to hydrological processes from reduced water levels in the reservoir and reduced downstream flows are not considered significant.</p> <p>Aquatic ecosystems</p> <p>The referral discussed the low likelihood of threatened aquatic fauna being present in the Manton River downstream of the dam. It stated that there are no sensitive communities or threatened species in the reservoir and specifically in the water edge habitats. Some patches of monsoon forest occur around the reservoir. Potential impacts from the proposed action on biodiversity values in the above-mentioned habitats are not considered significant.</p> <p>Riparian vegetation occurs along the Manton River downstream of the dam, and this could be degraded or fragmented due to reduced water availability caused by the proposed action. This will be mitigated by the maintenance of dry season downstream flows of 30 L/s. The proponent has committed to monitor downstream riparian vegetation and, if adverse impacts are detected, to apply adaptive management measures. With these mitigation measures in place, impacts are unlikely to be significant.</p>
People	<p>Community and economy</p> <p>Manton Dam reservoir is popular for recreation activities including boating, water sports and fishing. The reservoir will continue to be available as a recreation area after the proposed action is implemented, however access will be intermittently restricted when low water levels make the boat ramp inaccessible. Modelling presented in the referral indicates this may occur during 1 in 5 years and would likely only occur for a short duration at the end of the dry season. The impact of this on recreational users will be mitigated through implementation of a Stakeholder Engagement and Communication Plan and a Recreation Management Plan. As a result, impact to the community is unlikely to be significant.</p> <p>Other potential impacts on community and economy were discussed in the referral and are not considered significant.</p> <p>Culture and heritage</p> <p>The areas of proposed works are known to have heritage values associated with WWII. While the areas contain no known, nominated, provisionally declared or declared heritage under the <i>Heritage Act 2011</i>, the proponent has consulted, and plans to continue consulting, with the NT Heritage Branch in regards to the protection of these values. The referral outlines several other avoidance and mitigation measures, including a Clearing Plan, Construction Environmental Management Plan, and a Manton Dam Heritage Management Plan. Combined, these would also mitigate impacts associated with any unexpected discovery of archaeological sites or objects of heritage value.</p>

Aboriginal cultural values occur in the area. The proponent holds three relevant Authority Certificates for the proposed works and is in ongoing consultation with the Aboriginal Areas Protection Authority (AAPA). No sacred sites are identified in or near the areas of proposed works, though there is a sacred site in the Manton River downstream of the dam. This site could be affected by changes to river flows and any alteration to riparian vegetation caused by the proposed action, however due to the mitigation measures outlined above, and the proponent's ongoing consultation with AAPA, these impacts are unlikely to be significant.

To mitigate impacts on the community and economy, and culture and heritage environmental factors, it will be important for the proponent to continue its ongoing stakeholder engagement activities. This includes consultation with Aboriginal people, especially in regards to any unexpected finds of archaeological places or objects in the area of the proposed action.

Other environmental factors

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

Justification

In making its decision that a standard environmental impact assessment is not required, the NT EPA has had regard to:

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| Regulation 59(a) | The significance of potential impacts of the proposed action as described in the referral, the submissions received and the overview above. |
| Regulation 59(b) | The NT EPA's level of confidence in predicting potential significant impacts of the proposed action taking into account the information presented in the referral and submissions by government authorities. |
| Regulation 59(c) | The NT EPA's level of confidence in the effectiveness of proposed measures to avoid, mitigate or manage potential significant impacts on biodiversity, hydrological process, and people. |
| Regulation 59(d)
and (e) | The extent of community engagement that has occurred in relation to the proposed action, and the capacity of communities and individuals to access and understand information about the proposed action and its impacts. |

The proponent summarised its ongoing stakeholder engagement and consultation, including that undertaken over the past decade, in section 3 of the referral.

Conclusion

The NT EPA has determined that the Manton Dam Return to Service Project proposed by Power and Water Corporation (NT), does not have the potential for a significant impact on the environment due to the duration, magnitude and extent of the proposed activities, and the inclusion of well-established management and mitigation measures in the referral, for the planning, construction and operational phases of the proposed action.

Environmental impact assessment of the proposed action is not required.

In making its decision under section 55 of the EP Act and regulation 57 of the EP Regulations, the NT EPA has considered:

- the objects of the Act (section 3 of the EP Act)
 - the purpose of the environmental impact assessment process (section 42 of the EP Act)
 - the general duty of proponents (section 43 of the EP Act).
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