

# Referral form - Environment Protection Act 2019

## PART A - Proponent details

It is the proponent's responsibility to advise the NT EPA in writing, of changes to consultant and proponent contacts.

Name of the proponent/s (legal entity)	Power and Water Corporation (NT)
Proponent details	<p>Name: Djuna Pollard</p> <p>Position/responsibility: Chief Executive Officer</p> <p>Physical address: 15 Iliffe St Woolner</p> <p>Postal address: PO Box 37471 WINNELLIE NT 0821</p> <p>Phone: 08 8995 5802</p> <p>Email: Djuna.Pollard@powerwater.com.au</p>
Proponent Trading Name if relevant	N/A
Australian Business Number/s Australian Company Number/s	ABN 15 947 352 360
Provide a description of the organisational structure with respect to responsibility of the proposed action, environmental approvals and implementation.	Power and Water is a government-owned corporation that transmits and distributes electricity, and provides water and sewerage services, across the Northern Territory. Power and Water will be responsible for delivery of the Project and will have contracts in place to ensure environmental compliance by contractors.
Joint-venture partners (if applicable)	N/A

## PART B – Outline of the proposal and location

### Outline of the Proposed action or strategic proposal (proposal)

Title of the proposal	Manton Dam Return to Service
Provide a brief summary (one or two paragraphs) of the proposal including the activity type/ industry/ duration.	This project aims to augment Darwin's water supply by extracting water from the existing Manton Dam Reservoir, pumping this water through a new purpose-built pipeline to a new Water Treatment Plant (WTP) at Strauss. Treated water will then be distributed across the Darwin region through existing water supply networks.

### Location

<p>Provide location details as:</p> <ul style="list-style-type: none"> <li>street address, suburb</li> <li>tenement, lot/section numbers, town/hundred, NT Portion or pastoral lease numbers, as applicable</li> <li>the nearest town, recognisable feature, and distance and direction from that town/feature to the site of the proposed action.</li> </ul> <p>If the proposal includes several locations, provide location details for each location. For example, a mine at location 1 and a processing site at location 2.</p>	<p>Three locations:</p> <ol style="list-style-type: none"> <li>Manton Dam infrastructure approx. 75 km south of Darwin by road (NT Portion 3837 and 4002)</li> <li>Water main pipeline transverse generally alongside Stuart Highway from Manton Dam to the WTP (located within existing utilities easement corridor, through multiple freehold lots, Vacant Crown Land and Road Reserve)</li> <li>Strauss WTP approx. 50 km south of Darwin by road (Part Lot 418, Part Lot 2929, Part Lot 2930)</li> </ol>
	<p>The project intersects 32 different parcel numbers – a summary of the parcel information is provided in the Referral Report as Appendix B. Refer to Section 2.1 of the Referral Report for additional parcel information including detailed plans of Project development.</p>
<p>Name of the <a href="#">Local Government Area/s</a> in which the proposal is located.</p>	<p>Litchfield Shire Council Coomalie Shire</p>
<p>What is the land tenure type?</p>	<p>Private Freehold, Vacant Crown Land, NTG Road Reserve, Crown lease</p>

<p>Does the proponent have the legal (land) access required for the implementation of all aspects of the proposal?</p>	<p><input type="checkbox"/> No</p> <p>If no, provide details of legal access authorisations /agreements / tenure is required and from whom.</p> <p><input checked="" type="checkbox"/> Yes</p> <p>If yes, provide an indication of legal access authorisations / agreement / tenure.</p> <ol style="list-style-type: none"> <li>1) Manton Dam – Existing freehold title held by Power and Water and Crown Lease.</li> <li>2) Water main pipeline - Existing easement has been registered over all the freehold properties, and advice has been provided to each landowner regarding the upcoming works. For sections of the pipeline that traverse Vacant Crown Land, Power and Water will be issued a licence by NT Government Crown lands.</li> <li>3) Strauss WTP site - currently Vacant Crown Land. An application has been submitted for a Crown lease over this site.</li> </ol> <p>No works will occur on the Crown land until the relevant licences/leases are in place.</p>
<p>Is the <a href="#">land zoned under the NT Planning Scheme</a>?</p>	<p><input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes</p> <p>If yes, what is/are the zoning/s?</p> <p>Rural (R ), Multi-zoned (MZ) and Unzoned (Manton Dam).</p>
<p>What is the current land use of the proposal site/s?</p>	<ol style="list-style-type: none"> <li>1. The Manton Dam site land use will not change.</li> <li>2. Water main pipeline will be in existing utilities easement , new crown land licence and existing road reserve (all areas have existing utilities infrastructure serviced by Power and Water.</li> <li>3. The Strauss WTP currently has communication and water pipelines, the remaining area is undeveloped</li> </ol>
<p>What is the approximate distance (direct line) and direction to the closest human sensitive receptor?</p> <p>For example, residence, accommodation, hospital, school, homeland from the proposal.</p>	<p>The closest receptor for the Manton Dam (pump station) is Acacia Larrakia Community approximately 4.5 km east.</p> <p>The closest receptors to the water mains pipeline are various rural residences. The closest residence to the existing easement is &lt;100m away.</p> <p>The closest receptor to the Strauss WTP site is a residence approximately 500m away.</p>


Consultation	
<p>Provide an overview of consultation undertaken specific to the proposal and potential environmental impacts.</p>	<p>Consultation has been ongoing since 2013 through the NTG and Power and Water initiative <i>Darwin Region Water Supply Strategy</i>. Since the identification of the Manton Dam Return to Service project in the strategy the following key consultations have been undertaken:</p> <ul style="list-style-type: none"> <li>• Focus group presentations managed by external market research consultant, Colmar Bruton in 2019</li> <li>• NTG 'Have your say' survey in 2021</li> <li>• Consultation with key stakeholders undertaken by Pricewaterhouse Coopers in 2019, 2020 and 2022 as part of preparing the Detailed Business Case (DBC).</li> <li>• A Community Reference Group has been in operation since November 2022 and meets quarterly.</li> </ul> <p>Section 6 of the Referral Report provides further information about the above consultation and a Stakeholder Engagement Register is provided at Appendix I.</p>
<p>List the matters raised in consultation and identify how the proposal has been modified to respond to stakeholder feedback.</p>	<p><b>Concerns regarding discontinued use of Manton Dam as recreational area.</b> Manton Dam will continue to be available for recreational uses, excepting for in very low rainfall years when the boat ramp may not be accessible for a period at the end of the dry season.</p> <p><b>Concerns regarding water quality if recreational use at Manton Dam continues.</b> The Strauss WTP is a design response that allows for ongoing recreational use of the dam by treating water to potable standards.</p> <p><b>Demand management of overuse/high consumption of water.</b> Power and Water agree that demand management is important and have a Demand Side Engagement Strategy in place <a href="https://www.powerwater.com.au/developers/power-development/demand-side-engagement-strategy">https://www.powerwater.com.au/developers/power-development/demand-side-engagement-strategy</a></p> <p><b>Need to ensure that appropriate messaging about the project is developed for Aboriginal stakeholders.</b> NTG is committed to meaningful engagement with Aboriginal communities and stakeholders in line with the Remote Engagement and Coordination Strategy and Best Practice Guide for Remote Engagement and Coordination.</p> <p><b>AFANT raised concerns about fish kills in stilling pond at base of dam wall.</b> Power and Water have committed to further investigating design solutions to this issue.</p>

**PART C – Referral type**

<p>What type of proposal is being referred?</p>	<p><input checked="" type="checkbox"/> proposed action</p> <p><input type="checkbox"/> strategic proposal</p> <p><input type="checkbox"/> proponent initiated EIS referral</p>
<p>Provide a brief justification including the reasons why you consider the action may have a significant impact on the environment and is referred to the NT EPA.</p> <p>Refer to section 11 of the EP Act and the <a href="#">NT EPA's environmental factors and objectives</a>.</p>	<p>Pre-referral screening of the Proposal determined that the Proposal has potential to impact five of the 14 environmental factors:</p> <ul style="list-style-type: none"> <li>• Terrestrial ecosystems – presence of threatened species and significant vegetation types in the project footprint.</li> <li>• Hydrological processes – alteration of flows in the Manton River downstream of the dam wall; lowering of water levels in the Manton Dam reservoir.</li> <li>• Aquatic ecosystems – alteration to aquatic ecosystems by changes to downstream flows and lowering of water levels in the Manton Dam reservoir.</li> <li>• Community and economy – construction impacts to local amenity and reduced recreational access.</li> <li>• Culture and heritage – potential impacts to heritage values.</li> </ul>
<p>Does the proposal involve an action that may be or is a controlled action under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act)?</p>	<p><input type="checkbox"/> Yes                      <input checked="" type="checkbox"/> No</p>
<p>Has the proposed action been referred?</p>	<p><input type="checkbox"/> Yes                      <input checked="" type="checkbox"/> No</p> <p>If yes, provide the date referred and reference number (EPBC number)?</p> <p>Date:                                      EPBC number:</p>
<p>If referred, has a decision been made on whether the proposed action is a controlled action?</p>	<p><input type="checkbox"/> Yes                      <input checked="" type="checkbox"/> No</p> <p>If yes, check the appropriate decision outcome and provide the decision in an attachment.</p> <p><input type="checkbox"/> Decision – controlled action</p> <p><input type="checkbox"/> Decision – not a controlled action</p>

**PART D – Proponent referrer details and declaration**

\*The referral form must include the declaration signed by the proponent, or where the proponent is an organisation or business, the Chief Executive Officer (CEO) or duly authorised delegate within the proponent company

Who is referring this proposal?		<input type="checkbox"/> Proponent <input checked="" type="checkbox"/> Authorised representative within proponent entity	
Does the proponent request that the NT EPA treat any part of the information in the referral as confidential under section 281(2) of the EP Act?		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes - (Appendix H AAPA Certificate) If yes, provide an application in accordance with regulation 271 of the Environment Protection Regulations 2020 and submit the confidential information as a <b>separate</b> attachment	
<b>Referral declaration by proponent:</b> I, <b>Djuna Pollard</b> declare that I am authorised to refer this proposed action/strategic proposal on behalf of <b>Power and Water Corporation</b> and further declare that: <ul style="list-style-type: none"> <li>the attached environmental impact assessment documents have been prepared in accordance with the EP Act and EP Regulations; and</li> <li>the attached environmental impact assessment documents (including attachments) are true; and</li> <li>the attached environmental impact assessment documents do not provide false or misleading information and I know it is an offence to provide false and misleading information, noting the penalties under section 260 of the EP Act, and section 119 of the <i>Criminal Code Act 1983</i>; and</li> <li>the proponent fully understands that referral under the EP Act does not limit, in any way, the requirements of the proponent to ensure approvals under any other regulatory regime are applied for, and adhered to; and</li> <li>the proponent has fulfilled its general duty in accordance with section 43 of the EP Act.</li> </ul> <p><i>Note: if the NT EPA determine that an environmental approval is required, the proponent will be requested to provide supporting documents during the assessment process such as details to support that the person is a fit and proper person to hold an environmental approval in accordance with section 62 of the EP Act</i></p>			
Name Djuna Pollard		Signature* 	
Date 21.4.2023			
Position	Chief Executive Officer	Organisation (if a business or organisation)	Power and Water Corporation
Email	Djuna.Pollard@powerwater.com.au		
Address	Street No. 15	Street Name: Iliffe St	
Suburb: Woolner		NT	Postcode 0820

<p>Contact details for proponent contact (provide the details for the person who will be corresponding with the NT EPA on the proposal)</p>	<p><i>Business name: Power and Water Corporation</i></p> <p><i>Name of primary contact: David Rossi</i></p> <p><i>Physical address: 15 Iliffe St Woolner</i></p> <p><i>Postal address: PO Box 37471 Winnellie NT 0821</i></p> <p><i>Phone: 61 (0)8 8985 7192</i></p> <p><i>Email: david.rossi@powerwater.com.au</i></p>
<p>Contact details of consultant (if relevant, provide the details for the person who will be corresponding with the NT EPA on the proposal on behalf of the proponent)</p>	<p><i>Business name: EcOz Environmental Consultants</i></p> <p><i>Name of primary contact: Jeff Richardson</i></p> <p><i>Physical address: Level 1/70 Cavenagh Street, Darwin</i></p> <p><i>Postal address: PO Box 381 Darwin 0800</i></p> <p><i>Phone: 08 8981 1100</i></p> <p><i>Email: jeff.richardson@ecoz.com.au</i></p>

**Checklist 1 – Cross reference of matters addressed in the referral report (for more detail see Table 1 in section 3.3.1 and section 4 of the Referring a proposal to the NT EPA guidance)**

Item	See <a href="#">Referral guidance</a> for complete information requirements	Report section/page
<i>Publication statement</i>	Provide name and qualifications of relevant contributors to the referral.	Page xi
<i>Executive summary</i>	Overview of the proposal, its potential for significant impact and key conclusions.	Page iii
<i>Introduction</i>	Include a brief introduction to the proposal and the proponent (noting proponent details are also to be included in the referral form).	Section 1
<i>Proposal description - Key components</i>	<p>Provide a clear and detailed description of the proposal, referencing maps and spatial information.</p> <p>Provide a key components summary table.</p> <p>Identify uncertainty / likely changes if particular elements of a proposal require further design at the time of referral.</p> <p>Provide an account of past, present and reasonably foreseeable future development, operations, or industries that are related the current proposal.</p>	Section 2
<i>Proposal description - Location and regional context</i>	Location and regional context.	Section 2.1
<i>Proposal description – Alternatives (options)</i>	<p>Describe any alternatives (location, timeframes, activities) considered or are under consideration in scoping and developing the proposal.</p> <p>Describe how the analysis of alternatives accounted for the <i>principles of environment protection and management</i> (Part 2 of the EP Act).</p> <p>Justification for the preferred/selected option.</p> <p>Describe any assumptions critical to your assessment.</p>	Section 2.4
<p><i>Proposal description – Application of the:</i></p> <ul style="list-style-type: none"> <li>– <i>Principles of environment protection and management</i> (Part 2)</li> <li>– <i>General duty of proponents</i> (s43)</li> </ul>	<p>Discuss how the proposal accounts for the <i>principles of environment protection and management</i> (Part 2 of the EP Act) and the general duty of proponents provided for under section 43 of the EP Act:</p> <ul style="list-style-type: none"> <li>• Principles of ecologically sustainable development</li> <li>• Environmental decision-making hierarchy</li> <li>• Waste management hierarchy.</li> </ul>	Section 2.5

Item	See <a href="#">Referral guidance</a> for complete information requirements	Report section/page
<p><i>Consultation</i></p> <p><b>Refer to NT EPA Stakeholder Engagement guidance 2020</b></p>	<p>The EP Act (section 3 and section 43) puts an obligation on the proponent to consult with stakeholders and the community in the development of the proposal.</p> <p>As an example, the referral should include:</p> <ul style="list-style-type: none"> <li>• a description of stakeholder engagement and community consultation undertaken</li> <li>• an outline of the method and process of consultation with stakeholders</li> <li>• a summary of the key matters raised during consultation</li> <li>• any changes made as a result of consultation</li> <li>• the ongoing consultation, and options for feedback</li> <li>• whether the consultation has or has not been undertaken in accordance with NT EPA guidance on Stakeholder Engagement 2020</li> <li>• whether the consultation has or hasn't been undertaken in accordance with the section 43 (EP Act) general duty of proponents (see Checklist 2).</li> </ul>	Section 3
<p><i>Strategic and statutory context</i></p>	<p>Table discussing proposal specific legislation, policies, and guidelines that are and may be applicable to the proposal and the sequencing and status of those, is provided.</p>	Section 4
<p><i>Environmental Factors</i></p>	<p>The remaining sections below relate to information that describes the potential impacts of the proposal on the NT EPA's Environmental factors.</p> <p>Information requirements for each environmental factor identified by the pre-referral screening tool are provided (any technical studies and surveys included).</p>	Section 5
<p><i>Environmental Factors and objectives</i></p> <p>Presence/absence of environmental values</p>	<p><i>Repeat for each NT EPA Factor being considered for your proposal/referral</i></p> <p>The presence or absence of relevant environmental values and sensitivities are verified.</p> <p>Specify the source of information (e.g. desktop assessments, and/or field surveys, the methods used, dates, sources, and whether the approach is conducted in accordance with relevant regulatory and industry guideline.</p>	<p>Section 5.2</p> <p>Section 5.3</p> <p>Section 5.4</p> <p>Section 5.5</p> <p>Section 5.6</p>
<p><i>Environmental Factors and objectives</i></p> <p>Potential impacts and consistency with relevant policy/guidance</p>	<p><i>Repeat for each NT EPA Factor being considered for your proposal/referral</i></p> <p>Assessment of potential impacts (positive, negative, direct, indirect, cumulative, short and long-term) of the proposal.</p> <p>Relevant policy and guidance described.</p> <p>Residual / remaining impact to the environmental factor described.</p>	<p>Section 5.2</p> <p>Section 5.3</p> <p>Section 5.4</p> <p>Section 5.5</p> <p>Section 5.6</p>
<p><i>Environmental Factors and objectives</i></p> <p>Environment protection and management</p>	<p><i>Repeat for each NT EPA Factor being considered for your proposal/referral</i></p> <p>Describe in terms of management hierarchies:</p> <ul style="list-style-type: none"> <li>• measures proposed to avoid, mitigate or offset (if appropriate)</li> <li>• effectiveness of proposed measures and the level of confidence of implementation</li> <li>• whether the NT EPA's objective for the environmental factor is likely to be met.</li> </ul>	<p>Section 5.2</p> <p>Section 5.3</p> <p>Section 5.4</p> <p>Section 5.5</p> <p>Section 5.6</p>
<p><i>Environmental Factors and objectives</i></p> <p>Cumulative impacts</p>	<p><i>Repeat for each NT EPA Factor being considered for your proposal/referral</i></p> <p>Describe potential cumulative impacts.</p>	Section 6

## Checklist 2 – Consideration of the Proponent's general duty (in accordance with section 43 of the EP Act)

Section 43 General duty	Done	Comment
The following principles of ecologically sustainable development must be taken into consideration in the design of the proposed action.		Provide comment here
<ul style="list-style-type: none"> <li>Decision-making principle</li> </ul>	✓	The Project has considered both short- and long-term impacts and benefits – including impacts during construction and operations. There has been ongoing consultation in regard to this Project.
<ul style="list-style-type: none"> <li>Precautionary principle</li> </ul>	✓	This assessment is based on both existing information and studies undertaken specifically for the Project and undertaken by suitably qualified professionals. As a precaution, studies were undertaken early in the planning process to provide the necessary confidence to assess potential risks and impacts.
<ul style="list-style-type: none"> <li>Principle of evidence-based decision-making</li> </ul>	✓	This assessment is based on both existing information and studies undertaken specifically for the Project and undertaken by suitably qualified professionals.
<ul style="list-style-type: none"> <li>Principle of intergenerational and intergenerational equity</li> </ul>	✓	This Project aims to benefit and improve water security for the community and maintain the social and recreational uses associated with Manton Dam for future generations. Additionally, by utilising the existing Manton Dam this reduces the potential environmental impacts associated with developing a new dam or new water source option.
<ul style="list-style-type: none"> <li>Principle of sustainable use</li> </ul>	✓	Engagement with relevant stakeholders has confirmed there is sufficient capacity on the power network, and this Project should improve the sustainability of the water network for Darwin. Noting that Power and Water will operate within its extraction licence and this will not change in the future.
<ul style="list-style-type: none"> <li>Principle of conservation of biological diversity and ecological integrity</li> </ul>	✓	Ecological assessments have been undertaken for the Project to inform design and development. The Project has already amended staging design to avoid impacts to <i>Typhonium</i> plants in the north-western corner of the WTP. Additionally, the easement and Manton Dam infrastructure have been located on areas previously cleared, developed and areas of low biodiversity.
<ul style="list-style-type: none"> <li>Principle of improved valuation, pricing and incentive mechanisms</li> </ul>	✓	Environmental outcomes are considered by Power and Water when comparing design options for infrastructure.  Waste during construction will be the responsibility of the construction company but they will be obligated, through the CEMP, to manage waste appropriately and in compliance relevant legislation. During operations waste, principally from the WTP will the responsibility of Power and Water.
The following management hierarchies must be taken into consideration in the design of the proposed action.		

<ul style="list-style-type: none"> <li>Environmental decision-making hierarchy</li> </ul>	✓	<p>The Project has applied the environmental decision-making hierarchy through considerations in the design and location of the Project, based on consultation and environmental assessments.</p> <p>Infrastructure is being designed to minimize impacts where they are unavoidable, as demonstrated within this Referral.</p>
<ul style="list-style-type: none"> <li>Waste management hierarchy</li> </ul>	✓	<p>Construction and putrescible waste generated through Project works will be stored in appropriate containers for disposal at a licenced waste management facility.</p> <p>Construction contractors are incentivised to make sustainability commitments, including recycling and waste management (in line with the waste hierarchy), as part of their respective submissions.</p> <p>The waste management post construction will be developed as part of the design and construct contract for Strauss WTP. Potential tenderers are to propose a design that minimises both solid and liquid waste. Designs will be assessed by independent consultant and final design with regard to waste management approved by Power and Water and NT EPA.</p>
Other section 43 considerations		
<ul style="list-style-type: none"> <li>Have communities that may be affected by the proposed action been provided with information and opportunities for consultation?</li> </ul>	✓	<p>Through the various mechanisms identified in the Stakeholder Engagement and Communication Plan. Consultation with downstream property owners is ongoing. Letters have been sent to landowners requesting detail on current use of water from the river. No downstream property owners have an extraction licence under the <i>Water Act</i> from the Manton River. The purpose of extraction water by owners is for domestic and stock supply. Agreement has been determined that flows will be retained at 30 L/s.</p> <p>In addition, there is an indigenous owned portion of land further downstream, consultation with these owners is being facilitated through the Northern Land Council (NLC) and DITT.</p>
<ul style="list-style-type: none"> <li>Has consultation with affected communities, including Aboriginal communities' been undertaken in a culturally appropriate manner?</li> </ul>	✓	<p>In part through the Aboriginal Areas Protection Authority (AAPA) and NLC processes discussed above. A Cultural Heritage Assessment has been completed for the project area and Traditional Owner representatives were present during the assessment, and any relevant concerns incorporated into the assessment.</p>
<ul style="list-style-type: none"> <li>Has community knowledge and understanding (including scientific and traditional knowledge and understanding) of the natural and cultural values of areas that may be impacted by the proposed action been sought and documented?</li> </ul>	✓	<p>Through the process of 1) updating the Water Source and Catchment Protection Plan, and 2) developing a Recreation Management Plan for the management of Manton Dam as a recreational area (Both are being prepared). Community engagement sessions have been held including:</p> <ul style="list-style-type: none"> <li>Landowners presentation at Lake Bennett</li> <li>Open day at Darwin River Dam</li> <li>Community stand at Fred's Pass show</li> </ul>

<ul style="list-style-type: none"><li>• Have Aboriginal values and the rights and interests of Aboriginal communities' been addressed in relation to areas that may be impacted by the proposed action?</li></ul>	✓	Aboriginal values have been recognised through adherence and reinforcement of AAPA certification processes and compliance with the <i>Aboriginal Sacred Sites Act 1989</i> . NLC processes, as well as the cultural heritage assessment have addressed Aboriginal values.
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