

NOTICE OF DECISION AND STATEMENT OF REASONS

Section 55 of the *Environment Protection Act 2019* (EP Act)

Regulations 57(2)(a) and 63(1) of the *Environment Protection Regulations 2020* (EP Regulations)

Notice of decision

Name of proposed action	Sturt Plateau Pipeline
Proponent	APA SPP Pty Ltd
NT EPA reference	EP2024/040
Nature of the proposed action	Oil and gas
Description of proposed action	The proposed action is to construct, operate and decommission the Sturt Plateau Pipeline to transport gas initially from Tamboran B2 Pty Ltd's gas exploration and appraisal project in the Beetaloo Basin to the Amadeus Gas Pipeline. The proposed action is in the Roper Gulf Region (NT Portions 7026, 7513 and 1077 and the Stuart Highway Road Reserve) approximately 50 km south of Daly Waters, and 80 km north of Elliott. The proposed action comprises: • use of the existing sealed road network for transport of machinery and materials • clearing of approximately 134 ha of native vegetation for a 146 ha construction footprint (30 m wide right of way) within a 2002 ha development envelope (500 m wide corridor) • installation, operation and decommissioning of a medium diameter (DN300/323.8 mm) buried gas transmission pipeline (up to 9.6 gauge pressure in megapascals) about 37 km long • construction of the Shenandoah Facility (receipt station), Sturt Plateau Facility (delivery station) and ancillary facilities including a temporary construction camp and material storage areas. Construction is scheduled to be completed over a 6-month period. The operational life of the pipeline is about 40 years.
Person authorised to make decision	Dr Paul Vogel AM, Chairperson, Northern Territory Environment Protection Authority (NT EPA) Delegate of the NT EPA under section 36 of the <i>Northern Territory Environment Protection Authority Act 2012</i>.
Decision	The proposed action does not have the potential to have a significant impact on the environment (section 55 of the EP Act). Environmental impact assessment is not required in accordance with regulation 57(2)(a) of the EP Regulations.
Signature	

Date of decision	11 March 2025
Matters considered under EP Regulation 56	The NT EPA has considered the following: - the accepted referral (including the referral form, referral report and appendices) - submissions received (under regulations 52 and 53) in relation to the accepted referral. No additional information was requested under regulation 40.
Consultation	Submission period: 16 December 2024 – 30 January 2025 Submissions received: - six government authority submissions - three public submissions Submissions are available on the NT EPA website. Public submissions identified concerns about the potential impact on: - terrestrial ecosystems due to land clearing and habitat loss - inland water environmental quality through soil erosion and sedimentation - culture and heritage in relation to sacred sites, areas of heritage significance and access to land for traditional use - community and economy due to challenges associated with local employment and training, including Aboriginal workforce participation - potential cumulative impacts of the proposed action in combination with other onshore gas development projects in the Beetaloo Basin. Issues raised in submissions are further discussed under the environmental factor sections below.

Statement of reasons

Overview

The proposed action has the potential to impact environmental values associated with four environmental factors¹. The potential impacts are not considered significant, due to the reasons outlined below.

Land	<u>Terrestrial ecosystems</u> The proposed action overlies two properties, Hayfield and Shenandoah stations, which both have intact native vegetation across >99% of their total area. The proposed action requires clearing of about 134 ha of native vegetation, including about 25 ha sensitive and significant vegetation comprising about 20.42 ha <i>Eucalyptus microtheca</i> open woodland on floodplains, 2.06 ha <i>Lophostemon grandiflorus</i> open woodland on floodplain fringes, and 2.33 ha <i>Macropteranthes kekwickii</i> (commonly known as Bullwaddy plants) inland dry monsoon forest. The Department of Lands, Planning and Environment (DLPE) advised that the proposed clearing has a high likelihood of impacting riparian and floodplain vegetation, with low long-term risk, and determined that the relatively small clearing footprint would not result in a meaningful reduction in the overall extent of these communities in the region.
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¹ [NT EPA Environmental factors and objectives \(2002\)](#)

The DLPE submission concluded that the proposed clearing is unlikely to have a significant impact, including a cumulative impact, on the regional extent of vegetation communities and associated biodiversity values. However, it recommended that, where clearing of riparian vegetation is unavoidable, impact management strategies described in the Australian Pipeline and Gas Association's Code of Environmental Practice for Onshore Pipelines Revision 5 (APGA 2022) for water (e.g. hydrology and watercourses) and soil (erosion) be adopted to minimise the risk of impacts. These include applying appropriate erosion and sediment controls on slopes, regular monitoring of the area, reduction of the extent and duration of soil disturbance, control of water movement through the area and stabilisation of areas immediately after works. Additionally, it recommended that native groundcover vegetation and non-woody shrubs be reinstated via natural topsoil seedbank after any clearing occurs, to aid in managing the risk of impacts to riparian vegetation, watercourses, and water quality via erosion. The DLPE submissions also recommended that, where practicable, the trench is sited so as to avoid larger patches of Bullwaddy plants.

Threatened fauna species likely to occur within or immediately adjacent to the area of the proposed action include the Australian painted snipe, Crested shrike-tit (northern), Gouldian finch, Grey falcon, Northern blue-tongued skink, Painted honeyeater, Common brushtail possum (north-western) and Yellow-spotted monitor. The DLPE advised that the proposed action poses a low risk to local and regional populations of threatened species. However, to further reduce the risk of impacts to threatened species it recommended that:

- if a Grey falcon nest (or suspected nest) is encountered, a minimum buffer of 300 m be maintained to reduce disturbance and any impact
- to reduce the risk of mortality for individual Northern blue-tongued skink from entrapment while pipeline trenches are open during construction:
 - o minimise the total length of open trench and the period of time any section of trench is open
 - o install trench plugs and ramps at maximum intervals of 500 m
 - o install fauna shelters with at least one per 500 m interval between trench plugs, and preferably include funnel traps to help trap and subsequently remove animals
 - o inspect the entire length of open trenches daily within five hours of sunrise
 - o ensure an adequate number of qualified fauna spotter-catcher teams are available to inspect and clear the entire length of open trench each day, within the conditions of their wildlife permits.

The NT EPA supports implementation of the DLPE recommendations to mitigate potential impacts to sensitive riparian and monsoon forest vegetation and threatened fauna species. Addressing these recommendations during implementation of the proposed action would demonstrate that risks would be reduced to as low as reasonably practicable (ALARP).

The proposed action would be regulated under the *Energy Pipelines Act 1981* and the *Energy Pipelines Regulations 2001*. A Pipeline Management Plan (PMP), including an Environmental Management Plan (EMP), is required to be submitted by the proponent and approved by the Department of Mining and Energy (DME). The EMP must demonstrate how environmental risks would be controlled and reduced to a level that is as low as reasonably practicable (ALARP) and acceptable.

Additionally, the proponent would require a pastoral land clearing permit under the *Pastoral Land Act 1992*. The permit would likely limit the extent of clearing and require appropriate erosion and sediment control measures to be employed.

In line with section 55(4) of the EP Act, the NT EPA considers that regulation under the *Energy Pipelines Act 1981* is likely to mitigate the potential environmental impact of the proposed action.

Due to the relatively small area of disturbance, the low risk of impacts to threatened species, the availability of suitable habitat in adjacent areas, and the capability of other statutory decision-

	making processes to mitigate the potential impacts of the proposed action, the NT EPA considers that the potential impacts on terrestrial ecosystems would not be significant.
Water	<u>Inland water environmental quality</u> The proposed action would potentially impact on inland water environmental quality through soil erosion and sedimentation during construction. The pipeline would intersect an ephemeral floodplain waterbody and two ephemeral streams within the Newcastle Creek Catchment. The referral states that potential water quality impacts associated with soil erosion and sedimentation would be managed through an erosion and sediment control plan (ESCP) developed and implemented in line with APGA 2022. The release of hydrotest water could impact water quality in the event that chemical treatment of the source water is required prior to hydrotesting to prevent oxygen corrosion. Wastewater from hydrotesting of the pipeline would be discharged into a lined dam and tested to determine its suitability for release to ground in accordance with APGA 2022. Treatment may be required in the event that chemical treatment of the source water is required prior to hydrostatic testing to prevent oxygen corrosion. The referral states that the proponent requires a permit to interfere with waterway under the <i>Water Act 1992</i>. The proposed mitigation measures in combination with a permit to interfere with a waterway under the <i>Water Act 1992</i> would likely manage potential impacts to water quality. Additionally the proponent will require a pipeline management plan (including an environmental management plan) approval for a consent to construct under the <i>Energy Pipelines Act 1981</i>, which would further mitigate potential water quality impacts. The potential impacts and risks to inland water environmental quality can be mitigated through implementation of an ESCP, PMP and CEMP as outlined in the referral information and other statutory decision-making processes and are not expected to be significant.
People	<u>Community and economy</u> The proposed action may result in benefits and impacts to the community and economy. The positive impacts of the proposed action include a contribution to the NT economy and increased business, employment and training opportunities. The referral states that the proponent will maximise opportunities for local people and businesses. The negative impacts associated with the proposed action are increased traffic, increased pressure on housing availability and affordability (construction workforce of 133 individuals) and potential overloading of emergency services. The proposed action is located in a sparsely populated remote region of the NT and there are no Aboriginal communities within 30 km of the proposed action. The closest human receptors are Hayfield homestead (3 km) and Dunmarra (3 km). The proponent's measures to avoid and mitigate adverse social impacts are the use of an on-site accommodation camp, developing and implementing an emergency management plan and a traffic management plan. The proponent requires a permit to undertake work within the Stuart Highway road reserve under the <i>Traffic Act 1987</i> and committed to include a traffic management plan in the CEMP which would regulate impacts associated with increased traffic from the proposed action. The referral acknowledges that there is a potential for the proposed action to contribute to cumulative impacts on the community and economy. The proponent commits in the referral to ongoing stakeholder engagement and use of an adaptive management approach to address cumulative impacts. The submissions raised concerns in relation to the cumulative social impacts from the proposed action together with other gas development projects in the Beetaloo Basin and considered the proposed action to be enabling infrastructure for future onshore gas development projects in the

region. The submission from the Department of Chief Minister and Cabinet (DCMC) notes that the referral discussed measures to address cumulative impacts beyond this project but suggests that the proponent would benefit from making a clear commitment to work with government and other industry stakeholders to maximise benefits and minimise adverse impacts on the community, which has been communicated to the proponent.

The NT EPA is cognisant of potential cumulative impacts from onshore gas development in the Beetaloo Basin, and is considering its response to these, which it will communicate to industry through future decisions.

Culture and heritage

The proposed action has the potential to impact areas of cultural heritage significance during construction and operation, including sacred sites and heritage places and objects. Access to land for traditional use by native title holders may also be temporarily impacted.

The proponent has obtained an Authority Certificate under the *Northern Territory Aboriginal Sacred Sites Act 1989* for the proposed action. The Aboriginal Areas Protection Authority (AAPA) advised that there are no sacred sites or restricted work areas within the proposed action footprint.

The proponent's archaeological survey in the project area concluded that the proposed action poses a low risk to the objects and places of heritage or archaeological significance. However, there is potential for unknown places or objects of heritage significance to be discovered during implementation of the proposed action. The proponent committed to develop and implement a cultural heritage management plan (CHMP) that includes an unexpected finds protocol.

Submissions raised concerns about potential Aboriginal heritage sites and Aboriginal stakeholders have stated an expectation that a CHMP and agreement will be put in place prior to further ground disturbing works within the footprint of the proposed action. The NT EPA understands that negotiations for an Indigenous Land Use Agreement (ILUA) with native title holders are occurring via the Northern Land Council.

The referral includes a change management procedure for minor modification and optimisation of the pipeline alignment within the 500 m corridor to avoid or mitigate impacts on heritage places or objects declared under the *Heritage Act 2011*.

The proposed action overlies two native title determinations over which the native title exists. Members of the Kinbinningu, Bamarrnganja, Marlinja and Warranangku groups hold non-exclusive native title in relation to the land and waters within the area of the proposed action. The proponent committed to negotiate an ILUA under the *Native Title Act 1993* which would protect rights and interests of native title holders and provide for extensive consultation with Aboriginal stakeholders.

Implementation of the proponent's avoidance and mitigation measures committed to in the referral, and regulation under other statutory decision-making processes, would ensure that the proposed action will not have a significant impact on culture and heritage values.

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 have the potential to be significant.

Conclusion

The NT EPA has determined that the Sturt Plateau Pipeline proposed by APA SPP Pty Ltd, does not have the potential for a significant impact on the environment. This is due to:

- the context, intensity, duration, magnitude and geographic extent of the potential impacts
 - the sensitivity, value and quality of the environment that would be impacted
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- the inclusion of well-established avoidance, management and mitigation measures in the design, planning, construction and operational phases of the proposed action
- other statutory decision-making processes² that may mitigate the potential environmental impact 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 accepted referral and submissions made under regulation 52 and 53 (regulation 56 of the EP Regulations)³
 - 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).
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² In accordance with section 55(4) of the EP Act

³ The referral information and submissions are available on the public register on the NT EPA website: [Sturt Plateau Pipeline | NTEPA](#)