


## NOTICE OF DECISION AND STATEMENT OF REASONS

Section 55 of the *Environment Protection Act 2019* (EP Act)  
Regulations 58(1)(b) and 63 of the *Environment Protection Regulations 2020* (EP Regulations)

<b>Name of proposed action</b>	Rustlers Roost and Quest 29 Open-Cut Mine Redevelopment
<b>Proponent</b>	Primary Gold Limited
<b>NT EPA reference</b>	EP2021/005 Proponent initiated EIS referral accepted 23 February 2021
<b>Description of proposed action</b>	To recommence and expand open-cut gold mining across two mine sites, Rustlers Roost and Quest 29, located in the Mount Bunday region in the Northern Territory, approximately 100 km south east of Darwin, via the Arnhem Highway.
<b>Nature and location of proposed action</b>	Mining (Gold) Mount Bunday Locality (Unincorporated [Marrakai-Douglas Daly] Area).
<b>Person authorised to make decision</b>	Northern Territory Environment Protection Authority (NT EPA)
<b>Decision</b>	<b>Standard environmental impact assessment is required</b> in accordance with section 55 of the EP Act and regulation 58(1)(b)(i) of the EP Regulations <b>An environmental impact statement (EIS) is required</b> in accordance with regulation 58(1)(b)(ii) of the EP Regulations
<b>Signature</b>	 Dr Paul Vogel AM - Chairperson, NT EPA (as delegate of the NT EPA)
<b>Date of decision</b>	11 May 2021
<b>Matters considered under EP Regulation 56</b>	The NT EPA has considered the following: <ul style="list-style-type: none"><li>the accepted referral (including the referral form, referral report and appendices; statement of reasons; draft terms of reference)</li><li>submissions received in relation to the referral information during the public consultation period 25 February 2021 to 9 April 2021<ul style="list-style-type: none"><li>anonymous submission received: 1</li><li>government authority submissions received: 8</li></ul></li></ul>

**Consultation**

Government authority submissions identified potential impacts and risks on the quality of land and soils, the quality and quantity of surface and groundwater resources, terrestrial and aquatic ecology, communities and the economy. Issues about the location of the processing waste storage facility, management of potentially acid forming materials, pit dewatering and closure planning requirements with regard to contaminated land and water were also raised.

---

**Statement of Reasons**

---

**Overview**

The NT EPA considers that the proposed action has the potential to significantly impact environmental values associated with the following six environmental factors<sup>1</sup>.

**Land**

- **Terrestrial environmental quality** – soil quality and land may be significantly impacted by erosion of soils, contaminants from waste rock dumps and the tailings storage facility, dust and smelter emissions. The acceptability of mitigation measures and magnitude and extent of residual impacts is uncertain.
- **Terrestrial ecosystems** – threatened species, and sensitive and significant vegetation, may be impacted directly through vegetation clearing and habitat disturbance, and indirectly through contaminated land and water. The acceptability of mitigation measures and magnitude and extent of residual impacts is uncertain.

**Water**

- **Hydrological processes** – surface and groundwater processes may be significantly impacted through pit dewatering, mine landform construction and closure activities. The acceptability of mitigation measures and magnitude and extent of residual impacts is uncertain.
- **Inland water environmental quality** – groundwater and surface water quality may be significantly impacted by mining and processing wastes and waste water discharges, and the erosion of mine waste landforms. The acceptability of mitigation measures and magnitude and extent of residual impacts is uncertain.
- **Aquatic ecosystems** – aquatic ecosystems may be significantly impacted by changes to water quality and flows as a result of waste discharges, seepage and runoff, and pit dewatering. The acceptability of mitigation measures and magnitude and extent of residual impacts is uncertain.

**People**

- **Community and economy** – the proposed action has the potential to significantly impact the regional community, both adversely and beneficially. The acceptability of mitigation measures and magnitude and extent of residual impacts is uncertain.

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. While there is some potential for significant impact to sacred sites if impacts to waterways downstream of the proposal occur, the assessment requirements can be dealt with under the hydrological processes and inland water environmental quality factors.

---

<sup>1</sup> [NT EPA Environmental factors and objectives](#)

## Justification

A standard assessment by environmental impact statement is required due to:

- Regulation 59 (a) the significance of the potential impacts of the proposed action identified 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:
- impacts to land, surface water resources and aquatic ecosystems during construction, operation and closure of all mine components
  - the significance of impacts to threatened species and habitats in the terrestrial and aquatic environments
  - information about social impacts that may arise through engagement and consultation with communities affected by the proposed action
- Regulation 59 (c) the need to develop measures to avoid, mitigate or manage potential significant impacts, and increase the NT EPA's confidence in the effectiveness of the proposed measures, with respect to:
- potential impacts to threatened species, sensitive vegetation and aquatic ecosystems from clearing activities, mine site discharges and groundwater drawdown
  - construction and closure of mine waste infrastructure including management of problematic waste materials in perpetuity
  - potential social impacts from increased traffic on public roads
- Regulation 59 (d) & (e) the limited extent of community engagement that has occurred in relation to the proposed action, and therefore, the capacity for stakeholders to engage and have a say about the proposed action. This includes avoidance of negative social and economic impacts and maximisation of benefits.

In summary, the NT EPA considers that the proposed action has the potential for significant impacts on multiple environmental factors, and that environmental impact assessment is required.

## Conclusion

The NT EPA considers that the proposed action has the potential to have a significant impact on the environment, including six of the NT EPA's environmental factors, due to the scale and extent of the proposed action, the nature of the environmental stressors potentially arising from the proposed action, and the environmental values that may be present within the area of influence of the proposed action. There is a high level of uncertainty regarding the values that may be impacted by some components of the proposed action and the magnitude of those impacts due to the preliminary nature of the information available. Further studies are required to identify values and determine potential impacts and risks to those values. Management and mitigation measures proposed in the design, planning, construction, operational and closure phases of the proposed action are high level and require further development in consideration of outcomes from stakeholder engagement that is to be conducted. The NT EPA considers that an EIS is an appropriate method of assessment for the proposed action.

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 purposes of the environmental impact assessment process in section 42 of the EP Act
- the matters under regulation 56 of the EP Regulations

**NOTICE OF DECISION AND STATEMENT OF REASONS –  
PRIMARY GOLD LIMITED – RUSTLERS ROOST AND QUEST 29 OPEN-CUT MINE REDEVELOPMENT**

- the matters relevant to a consideration of the method of environmental impact assessment in regulation 59 of the EP Regulations.