

NOTICE OF DECISION AND STATEMENT OF REASONS

Section 56 of the *Environment Protection Act 2019* (EP Act)
Regulations 174 and 175 - Environment Protection Regulations 2020 (EP Regulations) for a decision on a significant variation

Name of proposed action	Rustlers Roost and Quest 29 Open-cut Mine Redevelopment (proposal)
Proponent	Primary Gold Pty Ltd
NT EPA reference	EP2021/005 - Significant variation accepted 26 August 2021
Description of proposed action	To recommence open-cut gold mining across two mine sites located in the Mount Bunday region, approximately 100 km south east of Darwin, via the Arnhem Highway.
Nature of the significant variation	<p>Key changes to the proposal include:</p> <ul style="list-style-type: none"> • nominal increased rate of production from 3 Mtpa up to 5 Mtpa • an 22% increase in the disturbance footprint from 319.4 ha to 389.4 ha • new location for the accommodation camp (within the Tom's Gully mine mineral lease) • increased tailings volume from 3 Mt/year to 4 Mt/year and expansion of the tailings storage facility • inclusion of an additional waste rock dump (WRD) and expansion of the existing southern WRD over the historic WRD • waste rock disposal volume increase from 29.71 Mt for the Life-of-Mine (LOM) to 74.3 Mt • expanded main pit and two new pits at the Rustlers Roost site • new mine laydown area and landfill • new location for the administration facility • estimated water demand increase from 3.3 GL/year to 6.5 GL/year, and • anticipated LOM increase from seven to 10 years.
Decisions	<p><u>Decision on significant variation</u></p> <p>In accordance with EP regulation 173(1)(c)(i), the assessment can continue with the existing assessment method (environmental impact statement) with existing terms of reference.</p> <p><u>Decision on assessment timeframe in which the draft EIS must be submitted to the NT EPA</u></p> <p>The timeframe for the proponent to submit the draft EIS is 2 years from the date of the decision.</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 5 October 2021

Matters considered EP Regulation 172 and 173(6):

- the accepted notice of significant variation
 - additional information given to the NT EPA under EP Regulation 164
 - whether the variation would change the potential for, or extent of, significant environmental impacts already identified for the proposal
 - the objects of the EP Act and the purpose of the environmental impact assessment process
 - submissions received in relation to the significant variation during the public consultation period 30 August to 24 September 2021
 - government authority submissions received: 5
 - public submissions received: nil
 - EP Regulation 59
 - EP Regulation 99.
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Consultation In the initial referral, 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. Submissions for the NOSV recognised that knowledge gaps remain about the additional development of mine components that result in an increase in the total disturbance footprint. This includes a new waste rock dump and expansion of the southern waste rock dump, expanded main pit and two new small pits. Additionally, the proportion of the additional water requirement to be met by groundwater with the establishment of a borefield has not been defined.

STATEMENT OF REASONS

Overview

The NT EPA recognises that the changes proposed in the notice of significant variation does not reduce the overall environmental impact of the proposal, and there remains the potential to have a significant impact on environmental values associated with the 6 [environmental factors](#) previously identified in the NT EPA's [Notice of Decision and Statement of Reasons](#) of 11 May 2021.

Justification

The assessment can continue with the existing assessment method because the:

- Regulation 172(2)(a) potential for a significant impact on the environment does not differ in a material way from the impacts already identified in the assessment process
 - Regulation 172(2)(b) significant variation will not result in a substantial change to the type or amount of any output of the proposal in a way that significantly changes the potential significant impacts from those already identified in the assessment process
 - Regulation 172(2)(c) matters raised in the significant variation do not remove the potential for significant environmental impact. A decision to continue with the existing
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assessment method is consistent with the objects of the EP Act and purpose set out in section 42 of the EP Act.

Conclusion

The NT EPA considers that the significant variation does not reduce the potential for the proposal to have a significant impact on environmental factors due to the increased rate of production, water demand, expanded disturbance footprint, and extent of the proposal. The uncertainty regarding the values that may be impacted by some components of the proposal, and the magnitude of those impacts, remain despite the revision and refinement to several components of the project.

Management and mitigation measures proposed in the design, planning, construction and operational phases of the proposal require further development during preparation of an environmental impact statement, with consideration of environmental values identified through studies and stakeholder engagement.

The NT EPA considers that the assessment can continue to assess the proposal and significant variation within the environmental impact statement process and the timeframe for the proponent to submit the draft EIS is 2 years from the date of the decision.
