

Mr Roderick Johnson  
Department of Environment, Parks and Water Security  
GPO Box 3675  
Darwin NT 0801

Dear Mr Johnson

**Re: Invitation to comment: GEMCO SL Mining Project - Proponent initiated Environmental Impact Statement (EIS) Referral**

The Department of Environment, Parks and Water Security (DEPWS) has assessed the information contained in the above invitation and provides the following comments:

**Flora and Fauna Division**

The Flora and Fauna Division recommends some minor refinements to the wording of the Terms of Reference (ToR), refer to **Attachment 1**, in particular to quantifying cumulative impacts and further detail in relation to monitoring and reporting.

**Water Resources Division**

The Water Resources Division has reviewed the referral documentation and comments are provided in the attached table, refer to **Attachment 2**.

The project area is located outside a water control district. There is insufficient information in the proposal to establish water use requirements for the project.

Information about water resource management is available on the Department website<sup>1</sup>.

**Rangelands Division**

**Weed Management Branch**

The referral under the *Environment Protection Act 2019* for the GEMCO - Southern Lease Exploration Project adequately addresses requirements for weed management for their proposal and appears to be in accordance with the *Weeds Management Act 2001*.

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<sup>1</sup> <https://depws.nt.gov.au/water>

Should you have any further queries regarding these comments, please contact the Development Coordination Branch by email [DevelopmentAssessment.DEPWS@nt.gov.au](mailto:DevelopmentAssessment.DEPWS@nt.gov.au) or phone (08) 8999 4446.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'M Wauchope', written in a cursive style.

Maria Wauchope  
Executive Director Rangelands

16 July 2023

# Attachment 1 - Submission on the referral

## Groote Eylandt Mining Company Ltd – Southern Lease Exploration Project

This submission is made under regulation 53 of the Environment Protection Regulations 2020

**Government authority:** Department of Environment, Parks and Water Security, Flora and Fauna Division

Section of Referral/ToR	Theme or issue	Comment
Section 3.1	Terrestrial Ecosystems	The proponent has referred the proposal to the Northern Territory Environment Protection Authority (NT EPA) and initiated the EIS process under the <i>Environment Protection Act 2019</i> . This is based on the proposal being an open cut mining project which involves the clearing of vegetation and potentially significantly impacting terrestrial ecosystems (GEMCO Statement of Reasons (SOR)). The Flora and Fauna Division agrees with the proponent’s statement and supports the approach to assess the impacts of the action through an EIS.
		The proponent has identified a number of threatened species (Table 3 of the Referral) and other biodiversity values associated with the proposal area. The Flora and Fauna Division agrees with the relevant biodiversity values identified in the referral and acknowledges the proponent’s statement that other values may be present but not yet identified. The current wording in Section 3.2 of the ToR is sufficient to assess the risk to values that are known and have the potential to occur.
		The ToR requires the proponent to: “describe and map sensitive and/or significant vegetation (e.g. riparian and wetland vegetation) as per the NT Land Clearing Guidelines (NT LCG) which are available online <sup>2</sup> ”.  The ToR should not be limited to riparian and wetland vegetation as there are other sensitive and/or significant vegetation types that are identified in the NT LCG. These also need to be considered and assessed in the EIS, if present in the project area.

<sup>2</sup> [https://nt.gov.au/\\_data/assets/pdf\\_file/0007/236815/land-clearing-guidelines.pdf](https://nt.gov.au/_data/assets/pdf_file/0007/236815/land-clearing-guidelines.pdf)

Section 3.2	Cumulative impacts	<p>The ToR require the proponent to quantify: “direct loss of flora/vegetation communities from vegetation clearing, including loss of sensitive and/or significant vegetation per the NT LCG, and potential habitats for threatened species. Provide an overview of the extent (ha) of the loss in table and map format”.</p> <p>The Flora and Fauna Division recommends that the proponent also provides an assessment of the proposal’s contribution to local and regional loss to vegetation communities and potential habitat for threatened species. This assessment needs to consider all historically disturbed areas and how the proposal contributes to a cumulative effect on biodiversity values.</p> <p>In addition to describing general habitats for threatened fauna, the ToR should also include information about significant habitat requirements for relevant threatened species (i.e. potential roosting sites for Ghost Bats, known or possible nesting sites for Masked Owls).</p>
	Monitoring and reporting	<p>Little detail is provided in relation to monitoring and reporting. In addition to monitoring the potential impacts and risks to environmental quality, it is recommended that the ToR include the following:</p> <ul style="list-style-type: none"> <li>• monitoring and reporting of the effectiveness of actions to protect the environment from any negative impacts both during, and after, the proposed mining activities;</li> <li>• a description of what ecosystem monitoring activities will be undertaken; and</li> <li>• what procedures will be implemented to protect ecosystem values if adverse impacts are detected.</li> </ul>

## Attachment 2 - Submission on the referral

### Groote Eylandt Mining Company Ltd – Southern Lease Exploration Project

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This submission is made under regulation 53 of the Environment Protection Regulations 2020

**Government authority:** Department of Environment, Parks and Water Security, Water Resources Division

Section of Referral/ ToR	Theme or issue	Comment
ToR	Nil	The ToR appears to have sufficient scope to adequately address significant impacts.
ALL	<i>Water Act 1992</i>	<p>It would be advisable to include the <i>Water Act 1992</i> and associated water regulation into the EIS and identify if any extraction of surface and/or groundwater will be undertaken to support the project.</p> <p>Take of surface or groundwater for commercial activities requires an extraction licence. Advice should be sought from Water Resources (08) 8999 4455 or by email to <a href="mailto:water.licensing@nt.gov.au">water.licensing@nt.gov.au</a>.</p>
ALL	<i>Water Act 1992</i>	<p>It would be advisable to include the <i>Water Act 1992</i> and associated water regulation into the EIS and identify if any interference with a waterway is proposed.</p> <p>A permit is required to interfere with a waterway if there is:</p> <ol style="list-style-type: none"><li>1. a material change to the shape of a waterway;</li><li>2. a material change to the volume, speed or direction of the flow or likely flow of water in or into a waterway or;</li><li>3. an alteration to the stability of the bed or banks of a waterway.</li></ol> <p>Advice should be sought from Water Resources (08) 8999 4455 or by email to <a href="mailto:water.licensing@nt.gov.au">water.licensing@nt.gov.au</a>.</p>