

NOTICE OF DECISION

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

Regulations 58(1)(b) and 63 of the *Environment Protection Regulations 2020* (EP Regulations) for a decision on proponent initiated EIS referral

Regulation 104(3) of the EP Regulations for a decision on draft Terms of Reference for a proposed action

Name of proposed action	Southern Lease Mining Project
Proponent	Groote Eylandt Mining Company Pty Ltd (GEMCO)
NT EPA reference	EP2023/024
Description of proposed action	<p>Developing the Southern Lease Mining Project in Exploration Licence (EL) 2455. The project is located on NT Portion 1632, approximately 10 km south of Angurugu on Groote Eylandt in the East Arnhem Local Government Area, and the land tenure is Aboriginal freehold.</p> <p>The Southern Lease Mining Project is adjacent and to the south of the existing GEMCO Mine. The proposed activities include:</p> <ul style="list-style-type: none"> • clearing of approximately 1620 ha • construction of supporting infrastructure (e.g. water dams, water treatment plant, refuelling station, sewage treatment plant, heavy vehicle parking and crib hut) • open-cut mining methods (as used at the proponent’s existing operations) • mining manganese ore and hauling to the existing GEMCO Mine for processing • progressive rehabilitation of disturbed areas. <p>The duration of the proposal is seven to eight years (comprising two years construction, three years mining, and two to three years for rehabilitation and closure).</p>
Nature of the proposed action	Mining
Decision	<p>Standard environmental impact assessment is required in accordance with section 55 of the EP Act and regulation 58(1)(b)(i) of the EP Regulations.</p> <p>Assessment by environmental impact statement to be the method of environmental impact assessment in accordance with regulation 58(1)(b)(ii)</p> <p>In accordance with EP regulation 104(3)(b), the draft terms of reference (TOR) are approved with changes the NT EPA considers appropriate.</p>

NOTICE OF DECISION AND STATEMENT OF REASONS – GROOTE EYLANDT MINING COMPANY PTY LTD – SOUTHERN LEASE MINING PROJECT

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 16 August 2023

Matters considered

EP Regulation 56:

- the accepted referral (including the referral form, referral report and appendices, proponent terms of reference, and proponent statement of reasons)
- submissions received in relation to the referral during the public consultation period from 18 May to 29 June 2023.
 - government authority submissions received: 6
 - public submissions: 1

Consultation

The submissions received in relation to the referral information identified that the following should be considered:

- human health
- air quality
- cumulative impacts of the existing mining operation
- impacts to additional species listed under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.

The appropriate changes have been made to the TOR to address the comments.

Statement of Reasons

Overview

The NT EPA considers that the proposed action has the potential to have a significant impact on environmental values associated with ten environmental factors¹.

LAND	<ul style="list-style-type: none"> • Terrestrial environmental quality –The proposal directly disturbs soils within the proposed infrastructure and mining footprints and has the potential to result in erosion and soil contamination. • Terrestrial ecosystems - There is potential for significant impacts to terrestrial fauna species listed as threatened and sensitive / significant vegetation communities that are known or expected to occur within the proposal's area of impact.
WATER	<ul style="list-style-type: none"> • Hydrological processes –There is potential for significant impacts to surface and groundwater hydrological regimes from changes to: catchment yield, flood regime, downstream flow and geomorphology, and groundwater levels due to mine dewatering operations. • Inland water environmental quality – There is potential for significant impacts to inland water environmental quality from changes in surface and groundwater quality from discharges from mining infrastructure (pits, stockpiles) and hydrocarbon and other chemical spills. • Aquatic ecosystems – There is insufficient information to assess the significance of impacts from the proposal on the environmental values of aquatic ecosystems. The proposal may result in changes to aquatic ecosystems from changes in hydrological regimes and water quality.
AIR	<ul style="list-style-type: none"> • Air quality –The proposal will generate dust from mining operations with the potential to impact upon nearby sensitive receptors including Yedikba Outstation (400 m), Wurrumenbumanja Outstation (1 km) and Angurugu (10 km). There is insufficient information to assess the significance of impacts from the proposal on air quality. • Atmospheric processes – There is insufficient information to assess the significance of impacts from the proposal on atmospheric processes. Greenhouse gas emissions are anticipated directly from the proposal from diesel combustion and land clearing. Indirect impacts are also anticipated from the existing processing facility.
PEOPLE	<ul style="list-style-type: none"> • Community and economy - The proponent is currently the largest employer on Groote Eylandt and generates revenue for the traditional owners, community and NT economy. There is potential for significant impacts to the community and economy from noise and dust generation, and additional traffic from construction and operations. • Culture and heritage – The proposal has the potential to significantly impact culturally significant aspects of the environment through noise, poor air quality, groundwater drawdown, proposal layout, and visual amenity impacts. • Human health - There is insufficient information to assess the significance of impacts from the proposal on human health from changes to air quality.

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.

Justification

A standard assessment by **environmental impact statement** is required having regard to:

- Regulation 59 (a) the significance of the potential impacts of the proposed action as described 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 the significance of potential impacts on:
- aquatic ecosystems
 - air quality
 - atmospheric processes, and
 - human health.
- Regulation 59 (c) the level of confidence in the effectiveness of the proposed measures to avoid, mitigate, or manage potential significant impacts with respect to:
- terrestrial environmental quality
 - terrestrial ecosystems
 - hydrological processes
 - inland water environmental quality
 - aquatic ecosystems
 - air quality
 - atmospheric processes
 - community and economy
 - culture and heritage, and
 - human health.
- Regulation 59 (d) the extent of community engagement with the Aboriginal custodians and their representative body in respect of the proposal.
- Regulation 59 (e) the capacity of the communities and individuals likely to be affected to access and understand information about the proposal and its potential significant impacts, particularly in relation to the potential impacts from airborne contaminants of concern on nearby sensitive receptors.
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Conclusion

The NT EPA considers that the proposed action has the potential for significant impacts on ten environmental factors, and that environmental impact assessment is required. The method of assessment will be environmental impact statement.

¹ [NT EPA Environmental factors and objectives](#)

In making its decision under EP Regulation 58, the NT EPA has considered:

- the objects of the Act in section 3 of the EP Act
- the purpose of the environmental impact assessment process in section 42 of the EP Act
- the matters under regulation 56 of the EP Regulations
- the matters relevant to a consideration of the method of environmental impact assessment in regulation 59 of the EP Regulations.