

NOTICE OF DECISION AND STATEMENT OF REASONS

Section 55 of the *Environment Protection Act 2019* (EP Act)
Regulations 57(2)(b) and 63 of the *Environment Protection Regulations 2020* (EP Regulations)

Name of proposed action	Winchelsea Island Manganese Mine Project (proposal)
Proponent	Winchelsea Mining Pty Ltd
NT EPA reference	EP2021/004 accepted 6 January 2021
Description of proposed action	<p>To develop and operate an open cut manganese mine at Winchelsea Island (Akwamburkba) and Groote Eylandt, East Arnhem, about 600 km southeast of Darwin. Strip mining using free digging and rock breaking would be undertaken to extract ore and overburden. Mine infrastructure would include run-of-mine and ore stockpiling areas, a processing plant, workshops, haul and access roads, a product conveyor from the processing area to the wharf, a jetty and a boat ramp. Product would be direct loaded from the conveyor onto ships for export.</p> <p>Supporting infrastructure would be located at Little Paradise Bay on Groote Eylandt, approximately 6 km southwest of the mine site, and include a barge landing ramp and jetty, access roads, a logistics hub and a 100-person accommodation camp. The disturbance footprint is 659 hectares, and the mine life would be approximately 14 years.</p>
Nature of proposed action	Mining, processing, port operations and associated activities
Person authorised to make decision	Northern Territory Environment Protection Authority (NT EPA)
Decision	<p>Standard environmental impact assessment is required in accordance with section 55 of the EP Act and regulation 57(2)(b)(i) of the EP Regulations</p> <p>An environmental impact statement is required in accordance with regulation 57(2)(b)(ii) of the EP Regulations</p>
Signature	 Dr Paul Vogel AM - Chairperson, NT EPA (as a delegate of the NT EPA)
Date of decision	10 March 2021
Matters considered under EP Regulation 56	<p>The NT EPA has considered the following:</p> <ul style="list-style-type: none"> • the accepted referral (including the referral form, referral report and appendices) • submissions received in relation to the referral information during the public consultation period 11 January 2021 to 8 February 2021 <ul style="list-style-type: none"> ○ public submissions received: 2 ○ government authority submissions received: 10

Consultation	Public and government authority submissions identified potential impacts on terrestrial ecology, the quality and quantity of surface water and groundwater resources, groundwater dependent ecosystems, biosecurity risks, communities, the economy and human health. The issue of potential social and environmental cumulative impacts was also raised, with consideration of other developments on Groote Eylandt.
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Statement of Reasons

Overview

The NT EPA considers that the proposal has the potential to significantly impact environmental values associated with 13 environmental factors¹.

Land	<ul style="list-style-type: none"> • Terrestrial environmental quality – soil quality may be significantly impacted through: vegetation clearing; erosion; and contamination from hazardous materials, waste rock and tailings. The acceptability of mitigation measures and magnitude and extent of residual impacts is uncertain. • Terrestrial ecosystems – threatened species, and environmentally significant or sensitive vegetation, may be significantly impacted due to clearing, habitat disturbance and introduction of weeds. The acceptability of mitigation measures and magnitude and extent of residual impacts is uncertain.
Water	<ul style="list-style-type: none"> • Hydrological processes – groundwater and surface hydrological regimes may be significantly impacted by mine construction, operation and pit dewatering. The acceptability of mitigation measures and magnitude and extent of residual impacts is uncertain. • Inland water environmental quality – surface water and groundwater quality may be significantly impacted by construction, operation and closure of the mine. The acceptability of mitigation measures and magnitude and extent of residual impacts is uncertain. • Aquatic ecosystems – aquatic ecosystems may be significantly impacted by the proposal. The acceptability of mitigation measures and magnitude and extent of residual impacts is uncertain.
Sea	<ul style="list-style-type: none"> • Marine environmental quality – the marine environment may be significantly impacted by construction and operation of the wharf, boat ramps, jetty, conveyor and ship loader, and from discharges to marine waters. The acceptability of mitigation measures and magnitude and extent of residual impacts is uncertain. • Marine ecosystems – marine ecosystems may be significantly impacted by disturbance of habitat and threatened species during construction and operation of marine infrastructure. The acceptability of mitigation measures and magnitude and extent of residual impacts is uncertain. • Coastal processes – coastal morphology may be significantly impacted by construction and operation of the marine infrastructure including a wharf, jetty and boat ramp. The acceptability of mitigation measures and magnitude and extent of residual impacts is uncertain.
Air	<ul style="list-style-type: none"> • Air quality – air quality may be significantly impacted by dust generated during construction, mining, processing and ship loading. The acceptability of mitigation measures and magnitude and extent of residual impacts is uncertain. • Atmospheric processes – the significance of impacts from greenhouse gas emissions is uncertain.

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

People

- **Community and economy** – the proposal has the potential to cause significant impacts and benefits to communities, including Aboriginal communities; and the economy.
- **Culture and heritage** – it is uncertain whether there is potential for significant impacts to sacred sites and cultural heritage during construction and operation of the proposal.
- **Human health** – the significance of impacts to human health from the proposal 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.

Justification

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

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| Regulation 59 (a) | the significance of the potential impacts of the proposed action identified above. |
| Regulation 59 (b) | <p>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:</p> <ul style="list-style-type: none"> • the significance of potential impacts to threatened species and habitats in the terrestrial and marine environments • impacts to surface water and groundwater resources and aquatic ecosystems during construction and operation of the proposal • the potential social and cultural benefits and impacts to communities, including Aboriginal communities, that would be affected by the proposal. |
| Regulation 59 (c) | <p>the need to develop measures to avoid, mitigate or offset potential significant impacts, and increase the NT EPA’s confidence in the effectiveness of the proposed measures, with respect to:</p> <ul style="list-style-type: none"> • potential impacts to threatened species and environmentally significant or sensitive vegetation from clearing activities and habitat disturbance • soil erosion and dust generation from disturbance at the mine site • potential contamination from mine waste and hazardous materials • potential impacts to surface water and groundwater resources, and aquatic ecosystems, from mining and dewatering activities • potential impacts to marine environmental quality, ecosystems and coastal processes from installation and operation of marine infrastructure • potential social, cultural and human health impacts. |
| Regulation 59 (d) & (e) | the limited extent of community engagement that has occurred in relation to the proposal, and therefore, the capacity for communities to access and understand information about the proposal. This includes avoidance of negative social and economic impacts and maximisation of benefits. |

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

Conclusion

The NT EPA considers that the proposal has the potential to have a significant impact on the environment due to the considerable scale and extent of the proposal, and the environmental values that may be present within and adjacent to the footprint of the proposal. There is a high level of uncertainty regarding the values that may be impacted by some components of the proposal and the magnitude of those impacts due to the preliminary nature of the information available. Management and mitigation measures proposed in the design, planning, construction and operational phases of the proposal are high level and require further development during preparation of the EIS in consideration of values identified through studies and stakeholder engagement.

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