

STATEMENT OF REASONS

Amendment of an Environmental Approval pursuant to section 106(3A) of the *Environment Protection Act 2019* (EP Act)

Environmental Approval holder	Primary Gold Pty Ltd (PG)
Environmental Approval number to be amended	EP2021/005-001
Action	Rustlers Roost and Quest 29 Open-Cut Mine Redevelopment
Material considered	<ul style="list-style-type: none"> • Environmental Approval EP2021/005-001 • Assessment Report 99 • Draft environmental approval EP2021/005-002 submitted by the Department of Environment Parks and Water Security (DEPWS) • Memorandum to Chief Executive Officer (CEO) to amend the environmental approval
Decision	In accordance with section 106(3A) of the EP Act, I have amended the environmental approval and grant the amended environmental approval as EP2021/005-002.
Decision Maker	Chief Executive Officer (CEO) as Delegate for the Minister of Environment, Climate Change and Water Security (The Minister)

REASONS

This Statement of Reasons (SoR) has been prepared in accordance with sections 106(3A) and 108 of the EP Act.

Status of the approved action

The Minister granted environmental approval (EA) EP2021/005-001 on 1 June 2023, approving the redevelopment of the Rustlers Roost and Quest 29 Mines. Primary Gold Pty Ltd have yet to commence the approved action.

Initiation of the amendment

Pursuant to section 106(3A) of the EP Act, the Minister may, at any time on the Minister's own initiative or at the request of the approval holder, make an administrative amendment to an environmental approval. This power is delegated to the CEO of DEPWS in the instrument entitled 'Revocation of Delegation and Delegation' dated 27 October 2020.

This amendment is an administrative amendment instigated at the delegate's own initiative.

Purpose and scope of the amendment

This amendment meets the definition of administrative amendment in the Act, and affects conditions relating to:

- the requirement for the approval holder to undertake a baseline contamination assessment prior to commencing the action, prevent further contamination as far as reasonably practicable during mining and compare contamination levels following mining to the levels established during the baseline contamination assessment (conditions 4-2(2) and 4-2(3)); and
- the requirement for the approval holder to provide notification in writing to the Minister within 10 business days of substantial disturbance (condition 16(2)).

This amendment clarifies conditions 4-2(2) and 16(2).

This amendment clarifies the meaning of 'baseline contamination levels' in condition 4-2(3) by referring to baseline contamination levels determined under condition 4-2(1), which is consistent with the wording in condition 4-2(2).

The amendment makes no substantive changes to the intent of the environmental approval conditions.

The proposed amendments do not alter the material that was considered during assessment of the referral as set out in Assessment Report 99 and the decisions made by the NT EPA and the Minister to grant an environmental approval for the action.

Agreement of the Approval Holder

There is no statutory requirement for consultation under section 107(4).

Objects of the EP Act

I have had regard to the objects of the EP Act. I note in particular that through the assessment of the action by referral and the granting of the environmental approval, significant adverse impacts on the Territory environment are likely to be avoided. The objects of the EP Act were considered at the time of granting the original environmental approval. As administrative amendments only have been made, no change to the content or intent of the conditions of the EA have occurred.

Conclusion

Having regard to the above and the material I considered, I am satisfied that the amendments to the conditions of environmental approval EP2021/005-001 constitute an administrative amendment as they:

- correct clerical errors
- clarify the matters in the EA
- do not alter the content or intent of the conditions of the EA.

Accordingly, I will issue an amended Environmental Approval.

Signature



Joanne Townsend

Chief Executive Officer, DEPWS

Delegate for the Minister

11 July 2024
