

**STATEMENT OF REASONS**

 Section 69(1)(a) of the *Environment Protection Act 2019* (EP Act)

<b>Environmental approval holder</b>	<b>Primary Gold Pty Ltd</b> ABN 42 122 726 283
<b>Environmental approval number</b>	EP2021/005-001
<b>Action</b>	<b>Rustlers Roost and Quest 29 Open-Cut Mine Redevelopment</b> Recommence open-cut gold mining across two mine sites (Rustlers Roost and Quest 29) with expansion of all existing open-cut pits, and development of two additional new pits.
<b>Material considered</b>	Northern Territory Environment Protection Authority (NT EPA) advice received on 18 April 2023. <ul style="list-style-type: none"> <li>• Assessment Report 99</li> <li>• A draft environmental approval setting out conditions recommended to apply</li> <li>• Fit and proper person advice – signed declaration.</li> </ul>
<b>Decision</b>	In accordance with sections 69(1)(a) and 82(4)(a) of the EP Act, I <b>accept the draft environmental approval, adopt the proposed conditions of the NT EPA and grant the approval.</b>

**REASONS**

This statement of reasons has been prepared in accordance with sections 82(3) and 82(4) of the EP Act.

**Overview of the action**

Primary Gold Pty Ltd (approval holder) submitted the Referral for the Rustlers Roost and Quest 29 Open-Cut Mine Redevelopment (action) to the Northern Territory Environment Protection Authority (NT EPA) on 23 February 2021, for consideration under the EP Act.

The action is to recommence and expand open-cut gold mining across two brownfield mine sites (Rustlers Roost and Quest 29) located in the Mount Bundey region in the Northern Territory, approximately 100 km south east of Darwin, via the Arnhem Highway. New infrastructure will include an onsite processing facility, tailings storage facility, waste rock dumps, workers camp, and a gas fired power station.

The Project area is wholly within non-contiguous mineral leases ML1083 (Rustlers Roost), ML 29783 (Quest 29), ML 29814 (accommodation camp) with a connecting haul road. The action includes a development envelope of 790 ha which is the maximum area in which disturbance could occur.

**Environmental context**

The action is situated in the upper reaches of both the Adelaide River Catchment, and the Mary River Catchment. Both of these catchments have a diversity of habitats and significant environmental flows through to extensive freshwater and marine coastal floodplains and nationally significant wetlands.

Environmental values which require protection from the action include, the quality and quantity of the land and soils, terrestrial groundwater dependant ecosystems (GDE), hydrological regimes of groundwater and surface water, and the quality of groundwater and surface water. The proposed action has the potential to significantly impact the regional community, both adversely and beneficially.

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**Matters considered under section 73 of the EP Act****Section 73(1) Principles of environment protection and management**

In considering Part 2 (Principles of environment protection and management) of the EP Act, I have considered the meaning of ecologically sustainable development (ESD) and applied each of the principles of ESD. I have reviewed the NT EPA's consideration of the principles of ESD as summarised in Assessment Report 99. I have considered and weighed all the principles of ESD in making my decision.

I have considered and applied the hierarchies for environmental decision-making and waste management. I have given particular consideration to the application of the environmental decision-making hierarchy, and proposed measures to avoid, and then mitigate and manage potential adverse impacts on the environment.

I am satisfied that through compliance with the environmental approval, the action is consistent with the ESD principles and the management hierarchies.

**Section 73(1)(a) Objects of the EP Act**

I have had regard to the objects of the EP Act. I note in particular that through the environmental impact assessment of the action and the granting of the environmental approval, significant adverse impacts on the Territory environment are likely to be avoided, and the protection and management of the Territory environment have been promoted.

I also note the opportunity provided to the community for involvement in the environmental impact assessment of the action.

**Section 73(1)(b) Assessment report on the action**

I have considered the advice of the NT EPA in its assessment report on the action (Assessment Report 99) which provides the NT EPA's assessment of the potential significant impacts of the action and recommendations for avoiding, mitigating and managing those impacts.

The NT EPA identified that the action has the potential to have a significant impact on environmental values associated with seven environmental factors, including terrestrial environmental quality, hydrological processes, inland water environmental quality, aquatic ecosystems, terrestrial ecosystems, air quality, community and economy.

Assessment Report 99 states that the action is likely to meet the NT EPA's environmental objectives and can be implemented and managed in a manner that is environmentally acceptable.

The NT EPA recommended an environmental approval be granted subject to implementation of the approval holder's commitments in the environmental impact statement and the recommended conditions in the draft environmental approval. The proposed conditions of the NT EPA have been adopted in the environmental approval.

**Section 73(1)(c) Fit and proper person to hold an environmental approval**

I have had regard to whether the Chief Executive Officer (CEO) of Primary Gold Pty Ltd is a fit and proper person to hold an environmental approval. I consider Primary Gold Pty Ltd to be a fit and proper person to hold an environmental approval.

**Section 73(1)(d) Any other matters the Minister considers relevant**

I have not identified any other matters that are relevant to, or require my consideration, in deciding to grant environmental approval for the action.

**Section 73(2) of the EP Act**

Overall, having regard to the above and the materials I considered, I am satisfied that:

- the community has been consulted on the potential environmental impacts and environmental benefits of the proposed action through the consultation process on the terms of reference for an Environmental Impact Statement (EIS), the Draft EIS, and the Supplement to the Draft EIS.

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- the significant impacts of the action have been appropriately avoided or mitigated or can be appropriately managed to acceptable levels through compliance with the environmental approval. The NT EPA's Assessment Report 99 supports this view.
  - no significant residual adverse impacts on the environment were identified that would require an environmental offset.
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Signature

Hon Lauren Moss MLA

Minister for Environment, Climate Change and Water Security

DATE

*1<sup>st</sup> June 2023*

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