

# Referral form - Environment Protection Act 2019

## Guiding notes

- This form must be read in conjunction with environmental impact assessment guidance for proponents on the [NT EPA website](#) including Referring a proposal to the NT EPA
- This form contains five (5) parts:
  - Part A – Proponent details
  - Part B – Proposal details
  - Part C – Referral details
  - Part D – Referrer declaration
  - Part E – Nominated contact.
- This form contains two checklists:
  - Cross reference of matters addressed in the referral report
  - Proponent’s general duty.
- This form will be published
- Further guidance or example responses are provided below in light grey text
- **Delete these guiding notes before submitting the referral form and report.**

## PART A - Proponent details

It is the proponent’s responsibility to advise the NT EPA in writing, of changes to consultant and proponent contacts.

Name of the proponent/s (legal entity)	Groote Eylandt Mining Company Pty Ltd (GEMCO)
Proponent details	<p><i>Name:</i> Mike Chapman</p> <p><i>Position/responsibility:</i> Project Study and Approvals Manager</p> <p><i>Physical address:</i> GEMCO, Rowell Highway, Alyangula NT 0885</p> <p><i>Postal address:</i> As above</p> <p><i>Phone:</i> (08) 8987 4435</p> <p><i>Email:</i> mike.chapman@south32.net</p>
Proponent Trading Name if relevant	Not applicable
Australian Business Number/s Australian Company Number/s	ABN: 26004618491
Provide a description of the organisational structure with respect to responsibility of the proposed action, environmental approvals and implementation.	<p>The proponent of the proposed action is Groote Eylandt Mining Company Pty Ltd (GEMCO). GEMCO is wholly responsible for the proposed action, environmental approvals, and project implementation.</p> <p>GEMCO has two shareholders, South32 Limited (60%) and Anglo Operations (Australia) Pty Ltd (40%).</p>
Joint-venture partners (if applicable)	Not applicable

## PART B – Outline of the proposal and location

Outline of the Proposed action or strategic proposal (proposal)	
Title of the proposal	Southern Lease Exploration Program (2023-2025).
Provide a brief summary (one or two paragraphs) of the proposal including the activity type/ industry/ duration.	<p>GEMCO is proposing to undertake an exploration program on Groote Eylandt. The area in which the exploration program will be undertaken (“the exploration program area”) is in the north-western part of the Southern Lease (Exploration Licence 2455).</p> <p>The exploration program is scheduled to commence in 2023 and will take approximately three years to complete. The exploration program consists of the following:</p> <ul style="list-style-type: none"> <li>• Exploration drilling, to obtain further information about the manganese resource in the Southern Lease. Drilling would include an infill drill program comprising approximately 1,424 reverse circulation drill holes, and geometallurgical investigations, comprising diamond drilling, at approximately 14 locations.</li> <li>• Geotechnical investigations, including the development of approximately 63 geotechnical test pits and the drilling of approximately 14 geotechnical boreholes (using diamond drilling).</li> <li>• The development of new tracks to access drill pads and test pits, as well as the use of tracks from previous exploration programs.</li> </ul> <p>The exploration program would require the disturbance of approximately 63 ha of vegetation for the development of pads and tracks. Areas to be disturbed by the exploration program would be progressively rehabilitated and experience with previous exploration programs indicates that disturbed areas rapidly regenerate.</p>
Location	
Provide location details as:	Not applicable.
a) street address, suburb	
b) tenement, lot/section numbers, town/hundred, NT Portion or pastoral lease numbers, as applicable	Exploration Licence 2455.
c) the nearest town, recognisable feature, and distance and direction from that town/feature to the site of the proposed action.	The area in which the exploration program will be undertaken is in the north-western part of the Southern Lease. Angurugu is the nearest township and is located

<p>If the proposal includes several locations, provide location details for each location. For example, a mine at location 1 and a processing site at location 2.</p>	<p>approximately 10 km by direct line from the northern boundary of the exploration program area.</p>
<p>Name of the <a href="#">Local Government Area/s</a> in which the proposal is located.</p>	<p>East Arnhem Local Government Area.</p>
<p>What is the land tenure type?</p>	<p>Aboriginal freehold land.</p>
<p>Does the proponent have the legal (land) access required for the implementation of all aspects of the proposal?</p>	<p><input type="checkbox"/> No If no, provide details of legal access authorisations /agreements / tenure is required and from whom.</p> <p><input checked="" type="checkbox"/> Yes If yes, provide an indication of legal access authorisations / agreement / tenure.</p> <p>The proponent holds an Exploration Licence (EL2455) over the Southern Lease. The Exploration Licence was granted on 12 October 2016 and was renewed for a further two years on 16 December 2022. The proponent will continue to renew the tenement, as necessary.</p> <p>The proponent also signed an Exploration Agreement for the Southern Lease with the Anindilyakwa Land Council (ALC), under the <i>Aboriginal Land Rights (Northern Territory) Act 1976 (Cth) (ALRA)</i>, on 17 May 2016. This agreement provides the proponent with the legal right to access the Southern Lease for exploration purposes, subject to the terms of the agreement.</p> <p>The Southern Lease is also traversed in the north-west by an Access Authority (AA32517), granted on 12 October 2020 to connect mineral leases within GEMCO's existing mine.</p>
<p>Is the <a href="#">land zoned under the NT Planning Scheme</a>?</p>	<p><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, what is/are the zoning/s?</p>
<p>What is the current land use of the proposal site/s?</p>	<p>Refer to Referral main document (Section 2.2.6 - Land Use).</p>
<p>What is the approximate distance (direct line) and direction to the closest human sensitive receptor? For example, residence, accommodation, hospital, school, homeland from the proposal.</p>	<p>Refer to Referral main document (Section 2.2.1 - Location).</p>

Consultation	
Provide an overview of consultation undertaken specific to the proposal and potential environmental impacts.	<a href="#">Refer to Referral main document (Section 2.6 - Stakeholder Engagement and Consultation).</a>
List the matters raised in consultation and identify how the proposal has been modified to respond to stakeholder feedback.	<a href="#">Refer to Referral main document (Section 2.6 - Stakeholder Engagement and Consultation).</a>

PART C – Referral type	
What type of proposal is being referred?	<input checked="" type="checkbox"/> proposed action <input type="checkbox"/> strategic proposal <input type="checkbox"/> proponent initiated EIS referral
Provide a brief justification including the reasons why you consider the action may have a significant impact on the environment and is referred to the NT EPA.  Refer to section 11 of the EP Act and the <a href="#">NT EPA's environmental factors and objectives</a> .	<p><a href="#">The proponent has engaged specialist environmental consultants to undertake an assessment of impacts. This assessment has concluded that the exploration program is unlikely to have a significant impact on the environment. The Referral main document provides further detail (Section 3 – Review of Environmental Factors).</a></p> <p><a href="#">Although the proponent does not consider that the action may have a significant impact on the environment, this Referral is being lodged in order to obtain certainty on the approval requirements for the project.</a></p>
Does the proposal involve an action that may be or is a controlled action under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has the proposed action been referred?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No. <a href="#">An EPBC Act referral will be made at a later date.</a>  If yes, provide the date referred and reference number (EPBC number)?  Date:                                      EPBC number:

If referred, has a decision been made on whether the proposed action is a controlled action?	Not applicable.
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#### PART D – Proponent referrer details and declaration

\*The referral form must include the declaration signed by the proponent, or where the proponent is an organisation or business, the Chief Executive Officer (CEO) or duly authorised delegate within the proponent company.


Who is referring this proposal?	<input checked="" type="checkbox"/> Proponent <input type="checkbox"/> Authorised representative within proponent entity
Does the proponent request that the NT EPA treat any part of the information in the referral as confidential under section 281(2) of the EP Act?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, provide an application in accordance with regulation 271 of the Environment Protection Regulations 2020 and submit the confidential information as a <b>separate</b> attachment

#### Referral declaration by proponent:

I, **Mike Chapman**, (full name) declare that I am authorised to refer this proposed action/strategic proposal on behalf of **the Groote Eylandt Mining Company Pty Ltd**, and further declare that:

- the attached environmental impact assessment documents have been prepared in accordance with the EP Act and EP Regulations; and
- the attached environmental impact assessment documents (including attachments) are true; and
- the attached environmental impact assessment documents do not provide false or misleading information and I know it is an offence to provide false and misleading information, noting the penalties under section 260 of the EP Act, and section 119 of the *Criminal Code Act 1983*; and
- the proponent fully understands that referral under the EP Act does not limit, in any way, the requirements of the proponent to ensure approvals under any other regulatory regime are applied for, and adhered to; and
- the proponent has fulfilled its general duty in accordance with section 43 of the EP Act.

*Note: if the NT EPA determine that an environmental approval is required, the proponent will be requested to provide supporting documents during the assessment process such as details to support that the person is a fit and proper person to hold an environmental approval in accordance with section 62 of the EP Act*

Name (print) <b>Mike Chapman</b>	Signature* 		
Date <b>22 February 2023</b>			
Position	<b>Project Study and Approvals Manager</b>	Organisation (if a business or organisation)	<b>Groote Eylandt Mining Company Pty Ltd (GEMCO)</b>
Email	<b>mike.chapman@south32.net</b>		

## PART D – Proponent referrer details and declaration

\*The referral form must include the declaration signed by the proponent, or where the proponent is an organisation or business, the Chief Executive Officer (CEO) or duly authorised delegate within the proponent company.

Address	GEMCO	Rowell Highway		
Alyangula			NT	0885

## PART E – Nominated contact

Contact details for proponent contact (provide the details for the person who will be corresponding with the NT EPA on the proposal)	<p><i>Business name:</i> Groote Eylandt Mining Company Pty Ltd (GEMCO)</p> <p><i>Name of primary contact:</i> Mike Chapman</p> <p><i>Physical address:</i> GEMCO, Rowell Highway, Alyangula NT 0885</p> <p><i>Postal address:</i> As above</p> <p><i>Phone:</i> (08) 8987 4435</p> <p><i>Email:</i> mike.chapman@south32.net</p>
Contact details of consultant (if relevant, provide the details for the person who will be corresponding with the NT EPA on the proposal on behalf of the proponent)	<p><i>Business name:</i> Hansen Environmental Consulting</p> <p><i>Name of primary contact:</i> Laura Knowles</p> <p><i>Physical address:</i> 15/215 Adelaide Street, Brisbane, QLD, 4000</p> <p><i>Postal address:</i> As above</p> <p><i>Phone:</i> (07) 3180 1234</p> <p><i>Email:</i> lknowles@hansenec.com.au</p>

**Checklist 1 – Cross reference of matters addressed in the referral report (for more detail see Table 1 in section 3.3.1 and section 4 of the Referring a proposal to the NT EPA guidance)**

Item	See <a href="#">Referral guidance</a> for complete information requirements	Report section/page
<i>Publication statement</i>	Provide name and qualifications of relevant contributors to the referral.	Section 1.7 - Study Team
<i>Executive summary</i>	Overview of the proposal, its potential for significant impact and key conclusions.	Executive Summary
<i>Introduction</i>	Include a brief introduction to the proposal and the proponent (noting proponent details are also to be included in the referral form).	Section 1 - Introduction
<i>Proposal description - Key components</i>	<p>Provide a clear and detailed description of the proposal, referencing maps and spatial information.</p> <p>Provide a key components summary table.</p> <p>Identify uncertainty / likely changes if particular elements of a proposal require further design at the time of referral.</p> <p>Provide an account of past, present and reasonably foreseeable future development, operations, or industries that are related the current proposal.</p>	<p>Section 2 - Project Description</p> <p>Section 2.5.4 – Disturbance</p> <p>Potential changes to the design of the exploration program relate to changes that may occur as a result of pre-clearance surveys (refer to subsection 2.5.4 – Disturbance in Section 2 - Project Description</p> <p>Section 2.5.11 - Related Projects</p>
<i>Proposal description - Location and regional context</i>	Location and regional context.	Section 2.2 - Setting
<i>Proposal description – Alternatives (options)</i>	<p>Describe any alternatives (location, timeframes, activities) considered or are under consideration in scoping and developing the proposal.</p> <p>Describe how the analysis of alternatives accounted for the <i>principles of environment protection and management</i> (Part 2 of the EP Act).</p> <p>Justification for the preferred/selected option.</p> <p>Describe any assumptions critical to your assessment.</p>	Section 2.5.10 - Alternatives
<i>Proposal description – Application of the:</i> – <i>Principles of environment protection and management (Part 2)</i>	<p>Discuss how the proposal accounts for the <i>principles of environment protection and management</i> (Part 2 of the EP Act) and the general duty of proponents provided for under section 43 of the EP Act:</p> <ul style="list-style-type: none"> <li>• Principles of ecologically sustainable development</li> <li>• Environmental decision-making hierarchy</li> <li>• Waste management hierarchy.</li> </ul>	Checklist 2 in current form

Item	See <a href="#">Referral guidance</a> for complete information requirements	Report section/page
<p>– General duty of proponents (s43)</p>		
<p>Consultation</p> <p>Refer <a href="#">to NT EPA Stakeholder Engagement guidance 2020</a></p>	<p>The EP Act (section 3 and section 43) puts an obligation on the proponent to consult with stakeholders and the community in the development of the proposal.</p> <p>As an example, the referral should include:</p> <ul style="list-style-type: none"> <li>• a description of stakeholder engagement and community consultation undertaken</li> <li>• an outline of the method and process of consultation with stakeholders</li> <li>• a summary of the key matters raised during consultation</li> <li>• any changes made as a result of consultation</li> <li>• the ongoing consultation, and options for feedback</li> <li>• whether the consultation has or has not been undertaken in accordance with NT EPA guidance on Stakeholder Engagement 2020</li> <li>• whether the consultation has or hasn't been undertaken in accordance with the section 43 (EP Act) general duty of proponents (see Checklist 2).</li> </ul>	<p>Section 2.6 Stakeholder Engagement and Consultation</p>
<p>Strategic and statutory context</p>	<p>Table discussing proposal specific legislation, policies, and guidelines that are and may be applicable to the proposal and the sequencing and status of those, is provided.</p>	<p>Section 1.5 – Regulatory Approvals, and where relevant throughout the entire Referral main document</p>
<p>Environmental Factors</p>	<p>The remaining sections below relate to information that describes the potential impacts of the proposal on the NT EPA's Environmental factors.</p> <p>Information requirements for each environmental factor identified by the pre-referral screening tool are provided (any technical studies and surveys included).</p>	
<p>Environmental Factors and objectives</p> <p>Presence/absence of environmental values</p>	<p><i>Repeat for each NT EPA Factor being considered for your proposal/referral</i></p> <p>The presence or absence of relevant environmental values and sensitivities are verified.</p> <p>Specify the source of information (e.g. desktop assessments, and/or field surveys, the methods used, dates, sources, and whether the approach is conducted in accordance with relevant regulatory and industry guideline).</p>	<p>Section 3 – Review of Environmental Factors</p> <p>Section 4 – Terrestrial Ecosystems</p> <p>Section 5 – Culture and Heritage</p>
<p>Environmental Factors and objectives</p> <p>Potential impacts and consistency with relevant policy/guidance</p>	<p><i>Repeat for each NT EPA Factor being considered for your proposal/referral</i></p> <p>Assessment of potential impacts (positive, negative, direct, indirect, cumulative, short and long-term) of the proposal.</p> <p>Relevant policy and guidance described.</p> <p>Residual / remaining impact to the environmental factor described.</p>	<p>Section 3 – Environmental Factors and Objectives</p> <p>Section 4 – Terrestrial Ecosystems</p> <p>Section 5 – Culture and Heritage</p>
<p>Environmental Factors and objectives</p>	<p><i>Repeat for each NT EPA Factor being considered for your proposal/referral</i></p> <p>Describe in terms of management hierarchies:</p> <ul style="list-style-type: none"> <li>• measures proposed to avoid, mitigate or offset (if appropriate)</li> </ul>	<p>Section 3 – Review of Environmental Factors</p> <p>Section 4 – Terrestrial Ecosystems</p>



Item	See <a href="#">Referral guidance</a> for complete information requirements	Report section/page
Environment protection and management	<ul style="list-style-type: none"> <li>effectiveness of proposed measures and the level of confidence of implementation</li> <li>whether the NT EPA's objective for the environmental factor is likely to be met.</li> </ul>	<p>Section 5 – Culture and Heritage</p> <p>Section 6 – Avoidance and Mitigation</p>
<p><i>Environmental Factors and objectives</i></p> <p>Cumulative impacts</p>	<p><i>Repeat for each NT EPA Factor being considered for your proposal/referral</i></p> <p>Describe potential cumulative impacts.</p>	<p>Section 4.5.6 – Cumulative Impacts</p> <p>Section 5 – Culture and Heritage explains that the exploration program is not predicted to give rise to any impacts on cultural heritage, and hence cumulative impacts are not predicted.</p>

Checklist 2 – Consideration of the Proponent’s general duty (in accordance with section 43 of the EP Act)

Section 43 General duty	Done	Comment
<p>The following principles of ecologically sustainable development must be taken into consideration in the design of the proposed action.</p>		
<ul style="list-style-type: none"> <li>Decision-making principle</li> </ul>	<p>✓</p>	<p>The <i>Environment Protection Act 2019</i> (EP Act) notes, in relation to the decision-making principle, that:</p> <ul style="list-style-type: none"> <li>Decision making processes should effectively integrate both long term and short term environmental and equitable considerations.</li> <li>Decision making processes should provide for community involvement in relation to decisions and actions that affect the community.</li> </ul> <p>The exploration program has been designed to ensure that exploration is undertaken in a manner that avoids long term impacts. Pre-clearance surveys are undertaken to ensure that exploration tracks are realigned around large trees. Disturbed areas are progressively rehabilitated and experience with previous exploration indicates that these areas rapidly regenerate. Once exploration tracks have been rehabilitated, felled timber and logs are placed across the entrance to the tracks to block access and prevent the tracks becoming permanent tracks. These measures are designed to ensure that impacts are short-term only.</p> <p>As described in Section 2 – Project Description, the proponent has undertaken a comprehensive planning process, over several years, to locate its exploration activities to avoid cultural impacts, and this planning process has included extensive stakeholder engagement. This has included engagement with the Anindilyakwa Land Council (ALC), as well as direct engagement with the clan groups that speak for the country within the local area. Consultation has included:</p> <ul style="list-style-type: none"> <li>The proponent and the ALC signing an Exploration Agreement under the <i>Aboriginal Land Rights (Northern Territory) Act 1976</i> (Cth) (ALRA) for the Southern Lease in 2016. The Exploration Agreement is designed to ensure that exploration is undertaken in a manner that is respectful of the Traditional Owners’ preferences and that areas considered by the Traditional Owners to be environmentally or culturally significant are protected. The signing of an Exploration Agreement was preceded by several years of discussions between the proponent, the ALC and Traditional Owners.</li> <li>Regular discussions about proposed exploration activities in the Southern Lease. For example, the proponent consulted extensively with the ALC between 2017-2019 during the planning of exploration and development of the potential exploration area.</li> </ul>

		<ul style="list-style-type: none"> <li>Formal, quarterly meetings between the proponent and the ALC. In addition to the attendees from the ALC and the proponent, Traditional Owner representatives from each clan are invited to be part of this committee.</li> </ul>
<ul style="list-style-type: none"> <li>Precautionary principle</li> </ul>	<p>✓</p>	<p>The EP Act explains in relation to the precautionary principle that:</p> <ul style="list-style-type: none"> <li>If there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.</li> <li>Decision making should be guided by: <ul style="list-style-type: none"> <li>A careful evaluation to avoid serious or irreversible damage to the environment wherever practicable; and</li> <li>An assessment of the risk-weighted consequences of various options.</li> </ul> </li> </ul> <p>Section 2 – Project Description describes the comprehensive decision-making process that the proponent has undertaken over several years to locate its exploration activities to avoid environmental impacts, where possible. This process included:</p> <ul style="list-style-type: none"> <li>Gathering baseline data on environmental and cultural values (collected by suitably qualified and experienced specialists) to ensure that the most sensitive features in the Southern Lease were identified. This included undertaking terrestrial ecology baseline studies, dedicated vegetation mapping to field-validate government mapping, aquatic ecology surveys, several pre-clearance surveys, a sacred site assessment, and waterway mapping. A large-scale Small Mammal Research Project was also undertaken, which involved targeted small mammal surveys at 152 sites across the Southern Lease, and yielded approximately 26,000 trap nights of data.</li> <li>Undertaking an iterative project planning process to identify an area for future exploration that avoids the most sensitive environmental and cultural features in the Southern Lease.</li> </ul> <p>This process confirms the proponent’s careful evaluation of potential impacts that informed the location of its exploration activities.</p> <p>The environmental impact assessment has concluded that the exploration program is not predicted to have a significant impact on the environment. As such, the exploration program is not considered to pose a threat of serious or irreversible environmental damage. In addition, the environmental impact assessment has been undertaken by suitably qualified and experienced specialists and is based on operational experience gained at the existing mine, over nearly 60 years. It considers the application of mitigation measures, many of which are measures that the proponent has successfully used to manage environmental impacts during previous exploration programs. As such, there is a high degree of certainty regarding the potential environmental impacts that may arise from the project and, in particular, the effectiveness of the proposed mitigation measures.</p>

<ul style="list-style-type: none"> <li>Principle of evidence-based decision-making</li> </ul>	<p>✓</p> <p>The EP Act explains, in relation to this principle, that decisions should be based on the best available evidence in the circumstances that is relevant and reliable.</p> <p>Section 2 – Project Description describes the comprehensive project planning process that the proponent has undertaken, in consultation with the ALC, Northern Territory Environment Protection Authority (NT EPA), the Department of Environment, Parks and Water Security (DEPWS), and the Department of Industry, Tourism and Trade (DITT). This project planning process was undertaken over several years and aimed to ensure that exploration activities are located to avoid environmental impacts, where possible. The data gathered as part of the project planning process (including baseline data on environmental and cultural values) represents the best available evidence, and was collected by suitably qualified, experienced specialists. Baseline data collection included undertaking terrestrial ecology baseline studies, dedicated vegetation mapping to field-validate government mapping, aquatic ecology surveys, several pre-clearance surveys, a sacred site assessment, and waterway mapping. A large-scale Small Mammal Research Project was also undertaken, which involved targeted small mammal surveys at 152 sites across the Southern Lease, and yielded approximately 26,000 trap nights of data.</p> <p>The environmental impact assessment has been informed by detailed assessments that have drawn on the best available information to identify the environmental and cultural values present in the exploration program area and to assess the potential for the exploration program to impact these values. These assessments included a dedicated camera monitoring program undertaken to assess the impacts of exploration activities on the Northern Quoll (<i>Dasyurus hallucatus</i>) and Feral Cat (<i>Felis catus</i>).</p>
<ul style="list-style-type: none"> <li>Principle of intergenerational and intergenerational equity</li> </ul>	<p>✓</p> <p>The EP Act explains, in relation to the principle of intergenerational and intragenerational equity, that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations.</p> <p>As described in Section 6 – Avoidance and Mitigation, the exploration program has been designed to avoid environmental impacts, where possible, and mitigation measures been developed to address potential impacts. These measures have been used successfully during previous exploration campaigns in the Southern Lease.</p> <p>The exploration program is not predicted to give rise to a significant impact on environmental or cultural values (or any other environmental factors), and will therefore not impact the health, diversity, and productivity of the environment for future generations. During the exploration program, cleared areas will be progressively rehabilitated and naturally regenerate following clearing. Monitoring will also be undertaken to ensure the effectiveness of the rehabilitation. As discussed in Section 2 –</p>

		Project Description, the proponent has achieved considerable success with rehabilitation of exploration drill holes and access tracks. Therefore, it is expected that the health, diversity and productivity of the exploration program area will be maintained for the benefit of future generations.
<ul style="list-style-type: none"> <li>Principle of sustainable use</li> </ul>	✓	<p>The only natural resource used as part of the exploration program is water, which is used for dust suppression and for diamond drilling (water is not required for reverse circulation drilling, which comprises the majority of the exploration program). Water used during drilling will be supplied by a support truck and wastewater will be recaptured in tanks on the support vehicle and reused for each hole. This reuse of water demonstrates a prudent use of natural resources.</p>
<ul style="list-style-type: none"> <li>Principle of conservation of biological diversity and ecological integrity</li> </ul>	✓	<p>The EP Act explains, in relation to this principle, that biological diversity and ecological integrity should be conserved and maintained.</p> <p>As described in Section 2 – Project Description, the exploration program has been designed to avoid impacts on sensitive features wherever possible, with the following measures adopted to avoid impacts:</p> <ul style="list-style-type: none"> <li>The proponent has undertaken a comprehensive planning process over several years, in consultation with the ALC, NT EPA, DEPWS and DITT, to locate its exploration activities in a broad area that avoids the most environmentally sensitive parts of the Southern Lease.</li> <li>At a finer scale, the exploration program has been sited and designed to ensure that there will be no disturbance of riparian or wetland vegetation, as defined under <i>the Land Clearing Guidelines – Northern Territory Planning Scheme</i> (DEPWS, 2021a) and no disturbance of watercourses.</li> <li>In addition, on ground pre-clearance surveys will be undertaken prior to disturbance to ensure that individual sensitive environmental features are identified and avoided (e.g. large trees).</li> </ul> <p>These measures confirm the proponent’s approach to considering biological diversity and ecological integrity throughout the design and planning process.</p>
<ul style="list-style-type: none"> <li>Principle of improved valuation, pricing and incentive mechanisms</li> </ul>	✓	<p>The exploration program is a short term program, designed to be undertaken over approximately three years. Disturbed areas will be progressively rehabilitated and experience with previous exploration has indicated that the areas regenerate rapidly. The proponent will bear the full costs of rehabilitation and the rehabilitation costs will be included in the security estimate that will be lodged with the Northern Territory government before exploration proceeds.</p>
<p>The following management hierarchies must be taken into consideration in the design of the proposed action.</p>		

<ul style="list-style-type: none"> <li>Environmental decision-making hierarchy</li> </ul>	<p>✓</p>	<p>The following measures will be adopted to avoid impacts:</p> <ul style="list-style-type: none"> <li>The proponent has undertaken a comprehensive planning process over several years, in consultation with the ALC, NT EPA, DEPWS and DITT, to locate its exploration activities in a broad area that avoids the most environmentally sensitive parts of the Southern Lease.</li> <li>The exploration program has been sited and designed to ensure that there will be no disturbance of riparian or wetland vegetation, as defined under the <i>Land Clearing Guidelines – Northern Territory Planning Scheme</i> (DEPWS, 2021a) and no disturbance of watercourses.</li> <li>At a finer scale, on ground pre-clearance surveys will be undertaken prior to disturbance to ensure that sensitive local environmental features are identified and avoided.</li> <li>A sacred sites assessment has been recently undertaken and has identified the location of sacred sites and protective buffers. All exploration activities will be sited beyond the sacred sites and buffers.</li> </ul> <p>The proponent has also developed a number of mitigation measures to address potential impacts and these measures have been used successfully during previous exploration campaigns in the Southern Lease. These mitigation measures are discussed in Section 6 – Avoidance and Mitigation, and include:</p> <ul style="list-style-type: none"> <li>Measures to avoid and minimise impacts from vegetation clearing;</li> <li>Rehabilitation practices for areas disturbed by exploration;</li> <li>Measures to prevent the introduction and spread of weeds;</li> <li>Measures to prevent the introduction of Cane Toads to Groote Eylandt;</li> <li>Waste management practices;</li> <li>Practices related to the handling of hazardous materials;</li> <li>Erosion and sediment controls; and</li> <li>Measures to protect cultural heritage, including the procedure to be adopted if an unexpected archaeological find is discovered.</li> </ul>
<ul style="list-style-type: none"> <li>Waste management hierarchy</li> </ul>	<p>✓</p>	<p>Section 6 – Avoidance and Mitigation outlines that the exploration program is not expected to create a significant volume of wastes and that all wastes generated will be managed in accordance with the waste management system at the existing mine. The waste management system is based on the regulatory requirements, values and principles of the Northern Territory’s <i>Waste Management and Pollution Control Act 1988</i> (NT), <i>Waste Management and Pollution Control (Administration) Regulations 1998</i> (NT), and the <i>Waste Management Strategy for the Northern Territory 2015-2022</i> (NT EPA, 2015).</p> <p>The waste management system adopts the principles of the waste management hierarchy as far as practicable, considering the remote setting of Groote Eylandt.</p>

Other section 43 considerations		
<ul style="list-style-type: none"> <li>Have communities that may be affected by the proposed action been provided with information and opportunities for consultation?</li> </ul>	✓	<p>Yes. The proponent has undertaken extensive stakeholder engagement in relation to the exploration program. This has included engagement with the ALC, as well as direct engagement with the clan groups that speak for the country within the local area. This consultation is discussed further in the Referral main document (Section 2.6 – Stakeholder Engagement and Consultation). Furthermore, there has been extensive engagement as part of the sacred sites assessment undertaken in the Southern Lease (commissioned by the proponent). This work is discussed further in Section 5.2 – Sacred Sites).</p>
<ul style="list-style-type: none"> <li>Has consultation with affected communities, including Aboriginal communities' been undertaken in a culturally appropriate manner?</li> </ul>	✓	<p>Yes. Consultation with affected communities has been undertaken in a culturally appropriate manner. Consultation is described further in the Referral main document (Section 2.6 – Stakeholder Engagement and Consultation, and Section 5.2 – Sacred Sites).</p>
<ul style="list-style-type: none"> <li>Has community knowledge and understanding (including scientific and traditional knowledge and understanding) of the natural and cultural values of areas that may be impacted by the proposed action been sought and documented?</li> </ul>	✓	<p>Yes. Community knowledge and understanding has been sought and documented as part of the engagement undertaken for the exploration program. In particular, the location of sacred sites was a key consideration in the design of the exploration program. The location of sacred sites was determined following extensive consultation with Traditional Owners, involving over 100 Warnindilyakwa Traditional Owners. This is described further in the Referral main document (Section 2.6 – Stakeholder Engagement and Consultation, and Section 5.2 – Sacred Sites).</p>
<ul style="list-style-type: none"> <li>Have Aboriginal values and the rights and interests of Aboriginal communities' been addressed in relation to areas that may be impacted by the proposed action?</li> </ul>	✓	<p>Yes. The proponent has undertaken extensive stakeholder engagement in relation to areas that may be impacted by the project, with the rights and interests of Traditional Owners addressed. This consultation is discussed further in the Referral main document (Section 2.6 – Stakeholder Engagement and Consultation).</p>