

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>Name: Mike Chapman</p> <p>Position/responsibility: Project Study and Approvals Manager</p> <p>Physical address: GEMCO, Rowell Highway, Alyangula NT 0885</p> <p>Postal address: As above</p> <p>Phone: (08) 8987 4435</p> <p>Email: 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 the 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 Mining Project
Provide a brief summary (one or two paragraphs) of the proposal including the activity type/ industry/ duration.	<p>The Groote Eylandt Mining Company Pty Ltd (GEMCO) (the “proponent”) is proposing to develop the Southern Lease Mining Project (the “project”). The project involves developing a mining project in Exploration Licence (EL) 2455 (known as the Southern Lease) on Groote Eylandt. The Southern Lease is adjacent and to the south of the existing GEMCO Mine.</p> <p>The project will use the same open cut mining methods used at the proponent’s existing operations. Approximately 15 million tonnes of run of mine (ROM) ore is proposed to be mined over approximately three years. Manganese ore from the project will be transported via haul road to the existing GEMCO Mine, washed at the concentrator and blended with ore from the proponent’s other operations.</p> <p>Activities to be undertaken in the Southern Lease include:</p> <ul style="list-style-type: none"> • The construction of minor facilities, such as a crib hut, a heavy vehicle park up area, water management infrastructure including dams and pipelines, a water treatment plant for supplying potable water, a remote truck refuelling station, and a modular sewage biocycle treatment plant. • The development of open cut mining quarries and haul roads. • Mining of ore and hauling it to the existing GEMCO Mine using haul trucks. • Progressive rehabilitation of areas that have been disturbed. <p>The area proposed to be cleared for the project is approximately 1,620 ha.</p> <p>A small workforce would be required during the construction phase, whereas the workforce for the operations phase would be drawn from the proponent’s existing workforce.</p>
Location	
Provide location details as:	Not applicable.
<ul style="list-style-type: none"> • street address, suburb 	

<ul style="list-style-type: none"> tenement, lot/section numbers, town/hundred, NT Portion or pastoral lease numbers, as applicable the nearest town, recognisable feature, and distance and direction from that town/feature to the site of the proposed action. <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>Exploration Licence 2455.</p> <p>The area in which the project will be undertaken (“the project area”) is in the north-western part of the Southern Lease. Angurugu is the nearest township and is located approximately 10 km by direct line from the northern boundary of the project area.</p>
<p>Name of the Local Government Area/s 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 checked="" type="checkbox"/> No</p> <p>If no, provide details of legal access authorisations /agreements / tenure is required and from whom.</p> <p><input type="checkbox"/> Yes</p> <p>If yes, provide an indication of legal access authorisations / agreement / tenure.</p> <p>On 17 May 2016, the proponent and the Anindilyakwa Land Council (ALC) signed an Exploration Agreement under the <i>Aboriginal Land Rights (Northern Territory) Act 1976 (Cth)</i> (ALRA) for the Southern Lease. The proponent also holds an exploration licence (EL2455) under the <i>Mineral Titles Act 2010 (NT)</i> for the Southern Lease. The Exploration Agreement and exploration licence allow the proponent to access the project area for the purpose of undertaking exploration and for environmental field surveys (e.g. as part of an environmental impact assessment). However, prior to project commencement, it will be necessary to obtain the following legal access authorisations:</p> <ul style="list-style-type: none"> A mineral lease under the <i>Mineral Titles Act 2010 (NT)</i>, administered by the Department of Industry, Tourism and Trade (DITT). Authorisation for the project under the <i>Mining Management Act 2001 (NT)</i>, administered by DITT. This Authorisation can only be granted once the <i>Environment Protection Act 2019 (EP Act)</i> assessment process has been completed and once a mineral lease has been granted.

	<ul style="list-style-type: none"> Landowner consent in the form of a Mining Agreement under ALRA. ALRA is administered by the Australian Government.
Is the land zoned under the NT Planning Scheme ?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, what is/are the zoning/s?
What is the current land use of the proposal site/s?	Refer to Referral Supporting Information (Section 3.6 - Land Use).
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.	Refer to Referral Supporting Information (Section 3.1 - Location).
Consultation	
Provide an overview of consultation undertaken specific to the proposal and potential environmental impacts.	Refer to Referral Supporting Information (Section 4.1 - Engagement to Date).
List the matters raised in consultation and identify how the proposal has been modified to respond to stakeholder feedback.	Refer to Referral Supporting Information (Section 4.1 - Engagement to Date).

PART C - Referral type	
What type of proposal is being referred?	<input type="checkbox"/> proposed action <input type="checkbox"/> strategic proposal <input checked="" 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 NT EPA's environmental factors and objectives .	<p>Although the project has been designed to avoid impacts as far as possible, there is still the potential for it to give rise to significant impacts on the following environmental values:</p> <ul style="list-style-type: none"> Terrestrial ecosystems; Water (hydrological processes, inland water environmental quality and aquatic ecology); and People (community and economy, culture and heritage and human health). <p>The proponent is therefore proposing to prepare a proponent initiated Environmental Impact</p>

	<p>Statement (EIS) for the project to provide a full assessment of impacts, and inform the development of mitigation measures.</p> <p>Refer to the Statement of Reasons for further information.</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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No. An EPBC Act referral will be made at a later date. If yes, provide the date referred and reference number (EPBC number)? Date: 23.01.2023 EPBC number: 2023/09457
If referred, has a decision been made on whether the proposed action is a controlled action?	No

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 separate 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

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.

- 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) [Mike Chapman](#)

Signature* 

Date [17 April 2023](#)

Position	Project Study and Approvals Manager	Organisation (if a business or organisation)	Groote Eylandt Mining Company Pty Ltd (GEMCO)
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Email	mike.chapman@south32.net
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Address	GEMCO	Rowell Highway
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Alyangula	NT	0885
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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)

Business name: [Groote Eylandt Mining Company Pty Ltd \(GEMCO\)](#)
Name of primary contact: [Mike Chapman](#)
Physical address: [GEMCO, Rowell Highway, Alyangula NT 0885](#)
Postal address: [As above](#)
Phone: [\(08\) 8987 4435](#)
Email: mike.chapman@south32.net

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)

Business name: [Hansen Environmental Consulting](#)
Name of primary contact: [Laura Knowles](#)
Physical address: [15/215 Adelaide Street, Brisbane, QLD, 4000](#)
Postal address: [As above](#)
Phone: [\(07\) 3180 1234](#)
Email: lknowles@hansenec.com.au

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 Referral guidance for complete information requirements	Report section/page in Referral Supporting Information
<i>Publication statement</i>	Provide name and qualifications of relevant contributors to the referral.	Section 1.5 – Publication Statement
<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 5 – Project Description</p> <p>Section 5.2.10 – Summary Statistics</p> <p>The project is still at pre-feasibility stage, meaning that elements of its design may be refined. However, there are no particular elements that should be mentioned as being subject to change.</p> <p>Section 5.2.13 – Relationship with Other Mines and Projects</p>
<i>Proposal description - Location and regional context</i>	Location and regional context.	Section 3 – Project 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 5.2.12 – Consideration of Alternatives
<i>Proposal description - Application of the:</i>	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:	Checklist 2 in current form

Item	See Referral guidance for complete information requirements	Report section/page in Referral Supporting Information
<ul style="list-style-type: none"> - Principles of environment protection and management (Part 2) - General duty of proponents (s43) 	<ul style="list-style-type: none"> • Principles of ecologically sustainable development • Environmental decision-making hierarchy • Waste management hierarchy. 	
<p>Consultation</p> <p>Refer to NT EPA Stakeholder Engagement guidance 2020</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"> • a description of stakeholder engagement and community consultation undertaken • an outline of the method and process of consultation with stakeholders • a summary of the key matters raised during consultation • any changes made as a result of consultation • the ongoing consultation, and options for feedback • whether the consultation has or has not been undertaken in accordance with NT EPA guidance on Stakeholder Engagement 2020 • whether the consultation has or hasn't been undertaken in accordance with the section 43 (EP Act) general duty of proponents (see Checklist 2). 	<p>Section 4 – Stakeholder Engagement</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 2 – Regulatory Approvals, and where relevant throughout the entire Referral Supporting Information</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>Repeat for each NT EPA Factor being considered for your proposal/referral</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 6 – Environmental Factors and Objectives</p>
<p>Environmental Factors and objectives</p> <p>Potential impacts and consistency with relevant policy/guidance</p>	<p>Repeat for each NT EPA Factor being considered for your proposal/referral</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>Section 6 – Environmental Factors and Objectives</p>

Item	See Referral guidance for complete information requirements	Report section/page in Referral Supporting Information
	Residual / remaining impact to the environmental factor described.	
<i>Environmental Factors and objectives</i> Environment protection and management	<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"> • measures proposed to avoid, mitigate or offset (if appropriate) • effectiveness of proposed measures and the level of confidence of implementation • whether the NT EPA's objective for the environmental factor is likely to be met. 	<p>Section 5.2.11 – Mitigation Hierarchy</p> <p>Section 6 – Environmental Factors and Objectives</p>
<i>Environmental Factors and objectives</i> Cumulative impacts	<p><i>Repeat for each NT EPA Factor being considered for your proposal/referral</i></p> <p>Describe potential cumulative impacts.</p>	<p>Section 6 – Environmental Factors and Objectives</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"> Decision-making principle 	<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"> Decision making processes should effectively integrate both long term and short term environmental and equitable considerations. Decision making processes should provide for community involvement in relation to decisions and actions that affect the community. <p>The project has been designed, where possible, to avoid and mitigate impacts, including short term and long-term impacts. Section 5.2.11 (Mitigation Hierarchy) of the Referral Supporting Information describes the comprehensive planning process that the proponent has undertaken over several years, to locate the project to avoid and mitigate impacts on environmental, cultural and social values. Section 5.2.12 (Consideration of Alternatives) explains that development of the project will extend GEMCO’s mine life and allow for the continuation of socio-economic benefits. This section explains that these benefits are experienced at the level of the local and regional economy and through employment opportunities, but that there are also numerous benefits for the Traditional Owners and other residents of Groote Eylandt.</p> <p>Consistent with the decision-making principle, the project 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"> 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 the proponent’s activities in the Southern Lease (e.g. exploration, field surveys) are 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. Ongoing discussions about proposed activities, field surveys and a potential future mining project in the

		<p>Southern Lease, including formal, quarterly meetings between the proponent and the ALC. In these meetings, the proponent provides an update on activities undertaken in the Southern Lease and activities planned to be undertaken.</p> <ul style="list-style-type: none"> • A series of pre-lodgement meetings with the ALC in relation to the project and proposed Environmental Impact Statement (EIS), undertaken in 2022. Details of the project were provided (including potential alternatives), along with a discussion of potential impacts, avoidance and mitigation measures and EIS studies to be undertaken. <p>In addition, a comprehensive stakeholder engagement program will be undertaken as part of the EIS process. The findings from the program will be integrated with EIS preparation and project planning.</p>
<ul style="list-style-type: none"> • Precautionary principle 	<p>✓</p>	<p>The EP Act explains in relation to the precautionary principle that:</p> <ul style="list-style-type: none"> • 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. • Decision making should be guided by: <ul style="list-style-type: none"> ○ A careful evaluation to avoid serious or irreversible damage to the environment wherever practicable; and ○ An assessment of the risk-weighted consequences of various options. <p>As noted in relation to the decision-making principle, Section 5.2.11 (Mitigation Hierarchy) of the Referral Supporting Information describes the comprehensive planning process that the proponent has undertaken over several years to locate and design the project to avoid and mitigate environmental, cultural and social impacts, where possible. As a result of this planning process, the project disturbance footprint comprises only 6% of the Southern Lease, and avoids the most sensitive areas (e.g. large, perennial rivers and their floodplains, estuarine areas, significant wetlands, and monsoon vine thicket). The mining project has been limited to this area because of the proponent's objective of avoiding and minimising impacts on the most sensitive environmental and cultural values. Consistent with the precautionary principle, this approach aims to avoid and minimise serious or irreversible damage to the environment, and was based on a careful evaluation of impacts of various options.</p>
<ul style="list-style-type: none"> • Principle of evidence-based decision-making 	<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 5.2.11 (Mitigation Hierarchy) of the Referral Supporting Information describes the project planning process that the proponent has undertaken over several years, to locate its activities to avoid environmental, cultural and social impacts, where possible. As part of this process, and consistent with evidence-based decision-making, baseline data on environmental</p>

		<p>and cultural values was collected by suitably qualified and experienced specialists. This included undertaking terrestrial ecology baseline studies, dedicated vegetation mapping to field-validate government mapping, aquatic ecology surveys, a sacred site assessment, and waterway mapping. The ecology baseline surveys included a camera monitoring program focussed on the Northern Quoll (<i>Dasyurus hallucatus</i>) and Feral Cat (<i>Felis catus</i>), and a large-scale Small Mammal Research Project. The Small Mammal Research Project, which was undertaken over two years, involved targeted small mammal surveys at 152 sites across the Southern Lease, and yielded approximately 26,000 trap nights of data.</p> <p>The proponent is proposing to prepare an EIS for the project, which will describe environmental values and potential impacts. A significant body of technical work is planned to be undertaken as part of the EIS, including multi-season field surveys, collection of ongoing monitoring data (including groundwater and surface water monitoring data) and impact assessment, including numerical modelling of impacts where relevant (e.g. groundwater modelling). This technical work will be undertaken by experienced specialists and will provide further information on the receiving environment and impacts, that will guide the design of avoidance and mitigation measures, ensuring that decisions are based on the best available data.</p>
<ul style="list-style-type: none"> • Principle of intergenerational and intergenerational equity 	<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 5.2.11 (Mitigation Hierarchy) of the Referral Supporting Information, the project has been designed to avoid and mitigate environmental impacts, where possible. The EIS to be prepared for the project will involve undertaking a range of specialist studies, and these will identify further avoidance and mitigation measures required to minimise impacts on environmental values, and ensure that the health, diversity and productivity of the environment is maintained/enhanced. The EIS will describe these measures, as well as identify monitoring programs.</p>
<ul style="list-style-type: none"> • Principle of sustainable use 	<p>✓</p>	<p>The EP Act explains, in relation to this principle, that natural resources should be used in a manner that is sustainable, prudent, rational, wise, and appropriate.</p> <p>The project has adopted this principle where possible, and the EIS will explain the way in which natural resources will be used in a sustainable, prudent, rational, wise, and appropriate way. This principle has guided the design of the project's water management system, which includes the reuse of mine water from the Southern Lease in the concentrator in the Western Leases. Other examples of the sustainable use of resources include the careful management of topsoil, to ensure that it can be used in mine rehabilitation.</p>

<ul style="list-style-type: none"> Principle of conservation of biological diversity and ecological integrity 	<p>✓</p>	<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 5.2.11 (Mitigation Hierarchy) of the Referral Supporting Information, the project has been located and designed to avoid impacts on sensitive features wherever possible. This has been achieved though:</p> <ul style="list-style-type: none"> Gathering baseline data on environmental and cultural values to ensure that the most sensitive features in the Southern Lease are identified. Undertaking an iterative project planning process to: <ul style="list-style-type: none"> Locate the project in an area that avoids the most sensitive environmental and cultural features in the Southern Lease; and Design the disturbance footprint to avoid and minimise impacts on key features, such as riparian corridors and wetlands. Ensuring that the project is designed and operated in a manner that avoids and mitigates impacts where possible. <p>These measures confirm the proponent’s approach to considering biological diversity and ecological integrity throughout the design and planning process thus far. The EIS will identify any further measures that are necessary to minimise impacts and ensure biological diversity and ecological integrity, as well as identify appropriate monitoring programs. This will be supported by detailed ecological assessments.</p>
<ul style="list-style-type: none"> Principle of improved valuation, pricing and incentive mechanisms 	<p>✓</p>	<p>The EP Act explains, in relation to this principle, that environmental factors should be included in the valuation of assets and services, and that persons who generate pollution and waste should bear the cost of containment, avoidance and abatement. It also explains that users of goods and services should pay prices based on the full life cycle costs of providing the goods and services, and that established environmental goals should be pursued in the most cost-effective way.</p> <p>The project is a relatively short term project, with mining to be undertaken over approximately three years. Disturbed areas will be progressively rehabilitated. 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 for the project.</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"> Environmental decision-making hierarchy 	<p>✓</p>	<p>South 32’s Environment Standard emphasises the importance of the mitigation hierarchy being followed (i.e. designing activities to avoid impacts where possible, applying mitigation measures to further reduce impacts and only relying on offsets for impacts that remain after avoidance and mitigation measures have been applied). This is consistent with the environmental decision-</p>

		<p>making hierarchy in the EP Act which requires that decision makers, proponents and approval holders, follow a hierarchy of approaches (in order of priority). This involves ensuring that actions are designed to avoid adverse impacts on the environment, applying management measures to mitigate these impacts to the greatest extent, and providing environmental offsets where these impacts cannot be avoided or mitigated.</p> <p>The proponent has located and designed the project to avoid environmental and cultural impacts where possible. This has been achieved through:</p> <ul style="list-style-type: none"> • Gathering baseline data on environmental and cultural values to ensure that the most sensitive features in the Southern Lease are identified. • Undertaking an iterative project planning process, in consultation with the ALC and the Traditional Owners to: <ul style="list-style-type: none"> ○ Locate the project in an area that avoids the most sensitive environmental and cultural features in the Southern Lease. For example, a sacred sites assessment has recently been undertaken and has identified the location of sacred sites and protective buffers. The project has been sited beyond the sacred sites and buffers; and ○ Design the disturbance footprint to avoid and minimise impacts on key features, such as riparian corridors and wetlands. • Ensuring that the project is designed and operated in a manner that avoids and mitigates impacts, where possible. <p>In addition to locating the project to avoid the most sensitive parts of the Southern Lease, the project will incorporate a number of design measures to further avoid and mitigate impacts. The EIS will identify further avoidance and mitigation measures required. If the EIS determines that significant residual impacts are likely, even after the application of avoidance and mitigation measures, an offsets proposal will be developed in accordance with relevant legislation and guidelines.</p>
<ul style="list-style-type: none"> • Waste management hierarchy 	✓	<p>All wastes generated will be managed in accordance with the waste management system at the existing GEMCO 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 (NT)</i>, <i>Waste Management and Pollution Control (Administration) Regulations 1998 (NT)</i>, and the <i>Waste Management Strategy for the Northern Territory 2015-2022 (NT EPA, 2015)</i>.</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"> • Have communities that may be affected 	✓	<p>Yes. The proponent has undertaken extensive stakeholder engagement in relation to the project thus far. This has included</p>

<p>by the proposed action been provided with information and opportunities for consultation?</p>		<p>engagement with the ALC in relation to the Exploration Agreement under ALRA, ongoing discussions about GEMCO's activities with the ALC (including formal quarterly meetings), and a series of pre-lodgement meetings with the ALC in late 2022, in regards to the project.</p> <p>In addition to this ongoing consultation, a comprehensive stakeholder engagement program will be undertaken as part of the EIS process, which will provide communities with information and opportunities for consultation. The findings from the program will be integrated with EIS preparation and project planning.</p> <p>Stakeholder Engagement is discussed further in Section 4 (Stakeholder Engagement) of the Referral Supporting Information.</p>
<ul style="list-style-type: none"> • Has consultation with affected communities, including Aboriginal communities' been undertaken in a culturally appropriate manner? 	<p>✓</p>	<p>Yes. Consultation with affected communities has been undertaken in a culturally appropriate manner. The stakeholder engagement program to be undertaken for the EIS has also been designed to be culturally appropriate (e.g. the use of maps, photos and where feasible, videos in language).</p>
<ul style="list-style-type: none"> • 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? 	<p>✓</p>	<p>Yes. Community knowledge and understanding has been sought and documented as part of the engagement undertaken for the project thus far, and this will continue to occur throughout the EIS process. For example, the location of sacred sites was a key consideration in the design of the project. The location of sacred sites was determined following extensive consultation with Traditional Owners, involving over 100 Warnindilyakwa Traditional Owners. This is described further in Section 6.10 (Culture and Heritage) of the Referral Supporting Information. In addition, Traditional Owners have been provided with an opportunity to participate in fieldwork and most field surveys included Traditional Owner participation. Community knowledge of natural and cultural values will also be sought as part of the stakeholder engagement program proposed to be undertaken as part of the EIS.</p>
<ul style="list-style-type: none"> • 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? 	<p>✓</p>	<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 Section 4 (Stakeholder Engagement) of the Referral Supporting Information.</p>