

# Form

## Referral of a proposal under s. 38 of the EP Act

PART A: PROPONENT AND REFERRER INFORMATION AND PROPOSAL DESCRIPTION			
<b>Referrer information</b>			
Who is referring this proposal?		<input checked="" type="checkbox"/> Proponent <input type="checkbox"/> Decision-making authority <input type="checkbox"/> Community member/third party	
Name (print) Matthew Hochen <i>Name of the person or organisation referring</i>		Signature <i>Matt Hochen</i>	
Position	Project Director - Havieron	Organisation	Newcrest Operations Limited
Email	Matthew.Hochen@newcrest.com.au	Phone	03 9522 5333
Address	600	St Kilda Rd	
	Melbourne	Vic	3004e
Date	30 March 2023		
Does the referrer request that the EPA treat any part of the proposal information in the referral as confidential? <i>Provide confidential information in a separate attachment.</i>		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Does the referrer confirm that they consent to receive correspondence electronically?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Referral declaration for proponent and Authorised representative: I, Matthew Hochen declare that I am authorised to refer this proposal on behalf of Newcrest Operations Limited and further declare that the information contained in this form is true and not misleading.  Date: 30 March 2023			
<b>Proponent information</b>			
Name of the proponent/s <i>Include Trading Name if relevant</i>		Newcrest Operations Limited	
Australian Company Number(s) <input type="checkbox"/>		80 009 221 505	
<b>OR</b>			
Australian Business Number(s) <input type="checkbox"/>			
<b>Pre-referral discussions</b>			
Have you had pre-referral discussions with the EPA (including the EPA Services of DWER)?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

If so, provide name, date, and overview of discussions.		
<b>Proposal information</b>		
<b>Proposal name</b>		Telfer-Havieron Gold Mining Project
<b>What is the proposal? (Include general description in the <a href="#">Instructions and template: How to identify the content of a proposal</a>)</b>		<p>The Proposal includes:</p> <ul style="list-style-type: none"> <li>• The open pit and underground mining and subsequent processing of gold-copper ore at the Telfer Gold Mine located 400 km south-east of Port Hedland in the Pilbara Region of Western Australia, with associated infrastructure including a 160 MW natural gas-fired power station, waste rock landforms, tailings storage facilities, accommodation village and borefields.</li> <li>• A 440 km-long natural gas pipeline corridor from Port Hedland to the Telfer Gold Mine.</li> <li>• The underground mining of gold-copper ore at the Havieron Gold Mine for processing at the Telfer Gold Mine, approximately 55 km to the west, as well as the continued and/or expanded use of existing associated facilities at Havieron, including the underground decline to access the orebody, waste rock landforms, evaporation ponds, stockpiles, and accommodation village.</li> <li>• The realignment and upgrading of the Infrastructure Corridor between Telfer and Havieron to facilitate the transport of ore and other materials between Havieron and Telfer, including waste rock materials for the progressive backfilling of the Havieron Gold Mine, and the installation of a pipeline for water supply and a powerline within the corridor.</li> </ul>
<b>Have you provided electronic spatial data, maps, and figures in the appropriate format?</b>		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>What type of proposal is being referred?</b>	<input type="checkbox"/> significant proposal. <i>Choose which type of significant proposal</i> <input type="checkbox"/> new proposal <input type="checkbox"/> significant amendment (proposal only)	

<p><i>For significant amendment or derived proposal, provide the associated existing Ministerial statement number/s</i></p> <p><i>For a proposal under an assessed planning scheme, provide the scheme number and name</i></p>	<p><input type="checkbox"/> significant amendment (conditions only)</p> <p>✓ <b>significant amendment (proposal and conditions) to Ministerial Statements 605, 606 and 650</b></p> <p><input type="checkbox"/> strategic proposal</p> <p><input type="checkbox"/> derived proposal</p> <p><input type="checkbox"/> proposals of a prescribed class</p> <p><input type="checkbox"/> proposal under an assessed planning scheme</p>
<p><b>Proposal content:</b> Complete the corresponding template (Proposal Content Document) from the <a href="#">Instructions and template: How to identify the content of a proposal</a> for the type of proposal identified above. The completed form <b>must be</b> submitted with the referral.</p>	
<p><b>Alternatives</b></p>	<p>Alternative mining methods (i.e. open cut), layouts and corridor alignments were considered during the planning and engagement processes; with the Proposal representing the most favourable options in terms of environmental and social impact (Refer to section 2.4 of Referral Supporting Document).</p>

## PART B: ASSESSMENT OF ENVIRONMENTAL IMPACTS

### Environmental factors

<p>What are the likely significant environmental factors for this proposal?</p>	<p><input type="checkbox"/> Benthic Communities and Habitat</p> <p><input type="checkbox"/> Coastal Processes</p> <p><input type="checkbox"/> Marine Environmental Quality</p> <p><input type="checkbox"/> Marine Fauna</p> <p>✓ Flora and Vegetation</p> <p><input type="checkbox"/> Landforms</p> <p>✓ Subterranean Fauna</p> <p><input type="checkbox"/> Terrestrial Environmental Quality</p> <p>✓ Terrestrial Fauna</p> <p><input type="checkbox"/> Inland Waters</p> <p><input type="checkbox"/> Air Quality</p> <p>✓ Greenhouse Gas Emissions</p> <p>✓ Social Surroundings</p> <p><input type="checkbox"/> Human Health</p>
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*For **each** of the environmental factors identified above, complete the following table, or provide the information in a supplementary report*

### Potential environmental impacts – for each environmental factor

1	<b>EPA policy and guidance</b>	<p>The information for each of the likely significant factors, as well as additional information regarding the factors of Inland Waters, Air Quality, Terrestrial Environmental Quality and Landforms, is provided in the Referral Supporting Document.</p>
2	<b>Receiving environment</b>	
3	<b>Likely environmental impacts</b>	
4	<b>Application of the mitigation hierarchy</b>	
5	<b>Assessment and significance of residual impacts</b>	
6	<b>Likely environmental outcomes</b>	

### **Holistic impact assessment**

The Approved Proposal was first developed almost 50 years ago. The proposed additional mining area (Havieron) and connecting corridor has been designed with the landscape and the values and aspirations of the Traditional Owners in front of mind. Martu representatives have accompanied the flora and fauna surveys for the Havieron Project and have managed the ethnographic and archaeological surveys of the project footprint and its surrounds. Key landscape elements, such as sand dunes, ridgelines, claypans and potential GDE have been avoided wherever possible; and the underground workings at Havieron will be progressively backfilled, including the access portal, so that ground and surface water values and the communities they support will not be impacted in the long-term (refer to section 13 of Referral Supporting Document).

### **Cumulative environmental impact assessment**

The Proposal overall sits in an area that is largely undeveloped, with all affected vegetation associations at 98% or more of their pre-European extent; none of which are restricted. Similarly, vegetation types and fauna habitats at the local scale are generally both widespread and widely distributed. Those types that are less common/abundant i.e., those associated with claypans, have been avoided to a significant extent by the proposed new mining area. Impacts to primary habitat for conservation significant fauna (Greater Bilby, Night Parrot) have been minimised through planning and mitigation, and will not be regionally or locally significant. Subterranean habitats at Havieron are not connected to those at Telfer, including the Telfer borefields.

For more detailed information, refer to the specific factor sections in the Referral Supporting Document.

### **Consultation**

Consultation for the proposed new mining at Havieron and the connecting corridor has focussed primarily on respecting and growing the relationship that the Telfer operations already holds with the Martu Traditional Owners (as summarised above in "Holistic impact assessment"). Other consultation with regulatory agencies in relation to this proposed amendment has been ongoing since 2021 (section 3 of the Referral Supporting Document).

### **Supporting documents**

1. Telfer - Havieron Gold Mining Project: Section 38 *Environmental Protection Act 1986* Referral Supporting Document, 30 March 2023.
2. Telfer - Havieron Gold Mining Project: Proposal Content Document.
3. Appendix A. Havieron Project Stakeholder Engagement Register.
4. Appendix B. Flora and Vegetation Reports:
  - a. Detailed Flora and Vegetation Survey Havieron Project Area, Strategen JBS&G, 24 Aug 2020.
  - b. Detailed Flora and Vegetation Survey Havieron Infrastructure Corridor, Strategen JBS&G, 8 Sep 2021.
  - c. Desktop Flora Assessment Havieron-Telfer Project, Spectrum, 6 May 2022.
5. Appendix C. Significant Species Management Plan
6. Appendix D. Terrestrial Fauna Reports:
  - a. Havieron Project Detailed Vertebrate and SRE Invertebrate Fauna Survey, Biologic, 4 Sep 2020.
  - b. Havieron Project Infrastructure Corridor Detailed Vertebrate and SRE Invertebrate Fauna Survey, Biologic, 8 Sep 2021 (Redacted).
  - c. Havieron Project Greater Bilby Monitoring 2021, Biologic, 6 May 2022.
  - d. Telfer Operations Conservation Significant Species Assessment, Spectrum, 17 June 2022.

7. Appendix E. Greenhouse Gas Emissions Report, Greenbase, March 2023.
8. Appendix F. Greenhouse Gas Management Plan.
9. Appendix G. Subterranean Fauna Reports:
  - a. Havieron Project: Subterranean Fauna Survey, Biologic, 10 Sep 2020.
  - b. Havieron Project Stage 2: Stygofauna Survey and Risk Assessment, Biologic, 28 July 2022.
10. Appendix H. Preliminary Mine Closure Plan.
11. Appendix I. Surface Water Assessments:
  - a. Havieron Project Surface Water Assessment, Rockwater, 8 Sep 2020.
  - b. Service Road Corridor Havieron Project Surface Water Assessment, Rockwater, 19 March 2021.
12. Appendix J. H3-Level Hydrogeological Assessment of the Havieron Project, Rockwater, 13 Dec 2021.
13. Appendix K. Revised soil characterisation – Havieron Proposed Haul Road Route, Landloch, 9 September 2022.
14. Appendix L. Waste Characterisation Reports:
  - a. Havieron Project Waste Characterisation Report, Landloch, Jan 2021.
  - b. Havieron Tailings Geochemical Characterisation: Addendum, Landloch, Dec 2021.
15. Appendix M. Ecological Offsets Strategy.
16. Appendix N. Telfer Part IV Compliance Assessment Report (2021/22).

Has the referrer provided survey information according to the <a href="#">Instructions and Form: IBSA Data Packages</a> and/or the <a href="#">Instructions and form: IMSA Data Packages</a>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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**Conclusion**

Do you consider the proposal may have a significant effect on the environment?

The proposed additional Havieron mining area and connecting corridor have both been designed to avoid or minimise disturbance to the landscape and associated heritage values, including those of the environment. Rehabilitation of the Havieron Project and corridor will be relatively straight-forward and a high likelihood of success is expected. Coupled with the implementation of an offset program in partnership with the Martu Traditional Owners for the protection and enhancement of Night Parrot and Bilby habitat, Newcrest does not expect that the proposal will have a significant effect on the environment.

**PART B: ASSESSMENT OF ENVIRONMENTAL IMPACTS FOR SIGNIFICANT AMENDMENTS ONLY**

<b>Type of significant amendment</b>	<input type="checkbox"/> significant amendment to the approved proposal <input type="checkbox"/> significant amendment to the implementation conditions <input checked="" type="checkbox"/> significant amendment to both the proposal and the implementation conditions
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<b>Information of the approved proposal</b>	<p>The Telfer Project has been previously assessed by the EPA:</p> <p>Assessment No. 1444 for power station and corridor (MS605, with an additional condition added by MS650).</p> <p>Assessment No. 1445 for the gold mine (MS606, including 4 minor changes to proposal description).</p> <p>Refer to Sections 1.1 and 2.1.2 of the attached Referral Supporting Document.</p>
<b>Combined effects of the approved proposal and significant amendment</b>	<p>The combined effects of the approved proposal and significant amendment have been considered and are described for each of the significant factors in the Referral Supporting Document.</p>
<b>Analysis of existing implementation conditions</b>	<p>The proposed significant amendment seeks to supersede all 3 existing Ministerial Statements. Section 12 of the Referral Supporting Document recommends which conditions are no longer required (i.e. have been fulfilled) and which are ongoing, and also recommends additional conditions where necessary to ensure EPA objectives are met.</p>
<b>Previous changes to the Proposal and or implementation conditions</b>	<p>Refer to Section 2.1.2 of the Referral Supporting Document.</p>
<b>Compliance</b>	<p>Compliance Assessment Reports (CAR) have been submitted annually to EPA Services. The most recent CAR was submitted in November 2022 and the Approved Proposal is compliant with all implementation conditions. Refer to Section 12 of the Referral Supporting Document.</p>
<b>Environmental Performance</b>	<p>Refer to Section 12 of the Referral Supporting Document.</p>
<b>Control of implementation of significant amendment</b>	<p>The Referral Supporting Document identifies the outcomes from the significant amendment and concludes that they do not differ materially from those of the approved proposal; however, the proposal documentation includes revised or new management plans to ensure the outcomes are achieved and EPA objectives are met.</p>

## **PART C: OTHER APPROVALS AND REGULATION**

### **Decision-making authorities and their approvals**

Provide a table list of the decision-making authorities, associated legislation or agreement regulating the activity and the specific approval required. (Example table at the end of form)

Refer to Section 1.4.2 of the attached Referral Supporting Document.

Provide a summary of the statutory decision-making processes you consider can mitigate the potential impacts of the proposal on the environment. (Note: this should be a summary of the information provided in Part B section 2.4).	Refer to Section 1.4.3 of the attached Referral Supporting Document.
<b>Tenure and Local Government approvals</b>	
Location of proposal: a) street address, lot number, suburb, and nearest road intersection; or b) if remote, the nearest town and distance and direction from that town to the proposal site.	The Proposal is located approximately 400km southeast of Port Hedland, and 250km east of Marble Bar.
Name of the Local Government Authority in which the proposal is located.	Shire of East Pilbara
Is rezoning of any land required before the proposal can be implemented? If yes, please provide details.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
What is the current land use on the property, and the extent (area in hectares) of the property?	Mining tenements (on UCL).
Does the proponent have the legal access required for the implementation of all aspects of the proposal? <i>If yes, provide details of legal access authorisations / agreements / tenure.</i> <i>If no, what authorisations / agreements / tenure is required and from whom?</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No The necessary Mining Act tenure is listed in section 1.4.1 of the Referral Supporting Document.
<b>Commonwealth Government approvals</b>	
Does the proposal involve an action that may be or is a controlled action under the <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? If yes, when was it referred and what is the reference number (EPBC No.)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date: 20 Oct 2021 EPBC No.: 2021/9085
If referred, has a decision been made on whether the proposed action is a controlled action? If 'yes', check the appropriate box and provide the decision in an attachment.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Decision – controlled action <input type="checkbox"/> Decision – not a controlled action
If the proposal is determined to be a controlled action, do you request that this proposal be assessed under a Bilateral Agreement or as an accredited assessment?	<input type="checkbox"/> Yes - Bilateral <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes - Accredited

<p>Is approval required from other Commonwealth Government/s for any part of the proposal? <i>If yes, describe.</i></p>	<p><input type="checkbox"/> Yes                      <input checked="" type="checkbox"/> No Approval:</p>
<p><b>Decision-making authority referrals <u>ONLY</u></b></p>	
<p>What approval/s, under your authority, are required for this proposal? <i>Please provide details.</i></p>	<p>N.A.</p>