

Environmental Protection Act 1986

Section 41A(3)

NOTICE OF DECISION TO CONSENT TO MINOR OR PRELIMINARY WORKS

PERSON TO WHOM THIS NOTICE IS GIVEN:

- (a) Kalgoorlie Consolidated Gold Mines Pty Ltd (ABN: 97 009 377 619)
PMB 27, Black Street
KALGOORLIE WA 6433
- (b) Relevant Decision-Making Authorities, see Attachment 1

PROPOSAL TO WHICH THIS NOTICE RELATES:

Fimiston Gold Mine Operations Extension (Stage 3) and Mine Closure Planning - Revised Proposal – Fimiston South Project
Assessment No. 2354

Pursuant to section 41A(3) of the *Environmental Protection Act 1986* (EP Act), the Environmental Protection Authority consents to the proponent undertaking the minor or preliminary works detailed in Schedule 1.

EFFECT OF THIS NOTICE:

1. The prohibition provided by sections 41(2), 41(3) and 41A(1) of the EP Act do not apply to implementing the minor or preliminary works consented to in this Notice.
2. It is an offence under s41A(1) of the EP Act, with a maximum penalty of \$125,000 for a body corporate and \$62,500 for an individual, to do anything to implement the proposal other than the minor or preliminary works consented to in this Notice.
3. Relevant decision-making authorities may make decisions that would cause or allow the doing of the minor or preliminary works listed in Schedule 1 of this Notice.

RIGHTS OF APPEAL:

There are no rights of appeal under the EP Act in respect of this consent.



Professor Matthew Tonts
Delegate of the Environmental Protection Authority
CHAIR

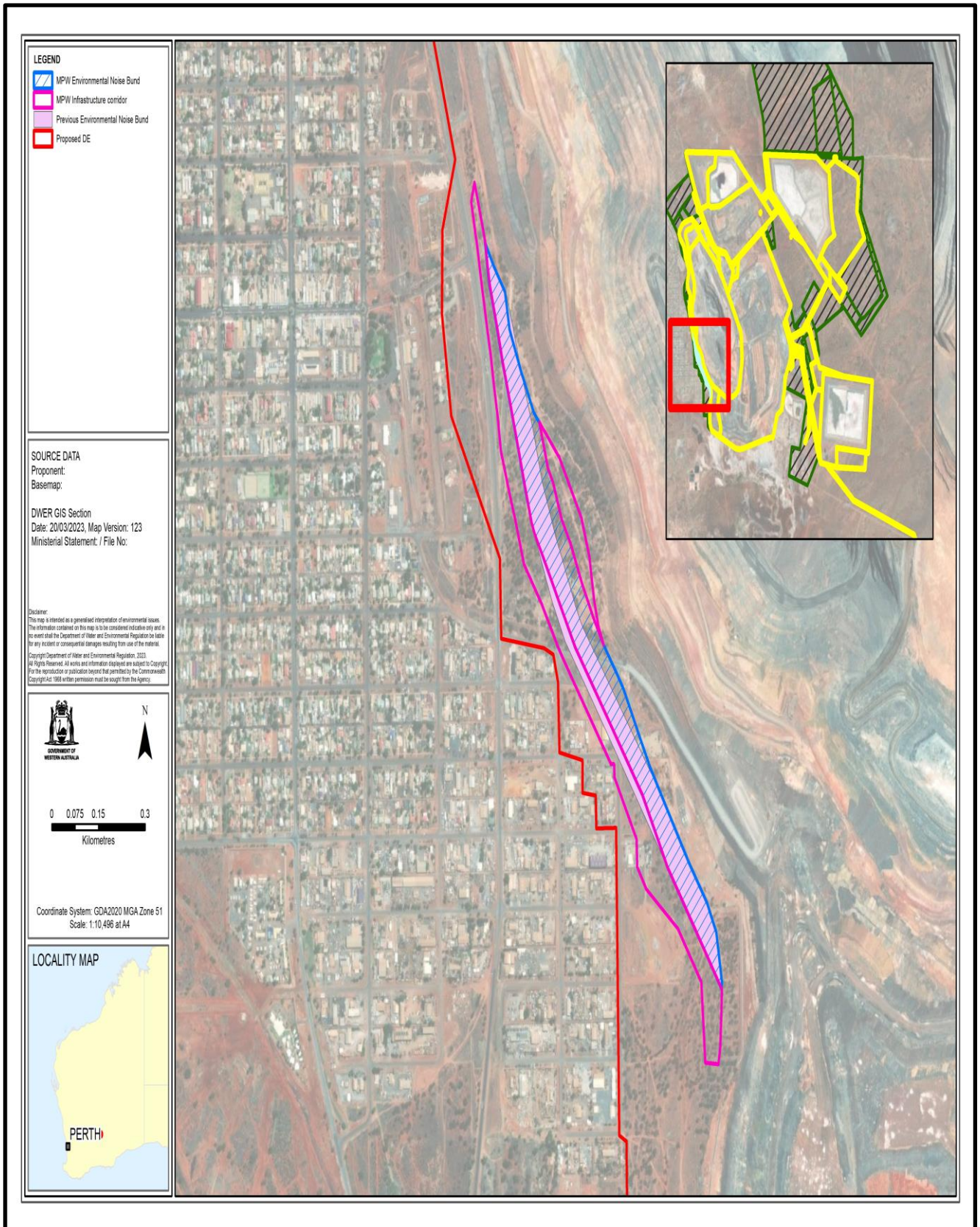
6 September 2023

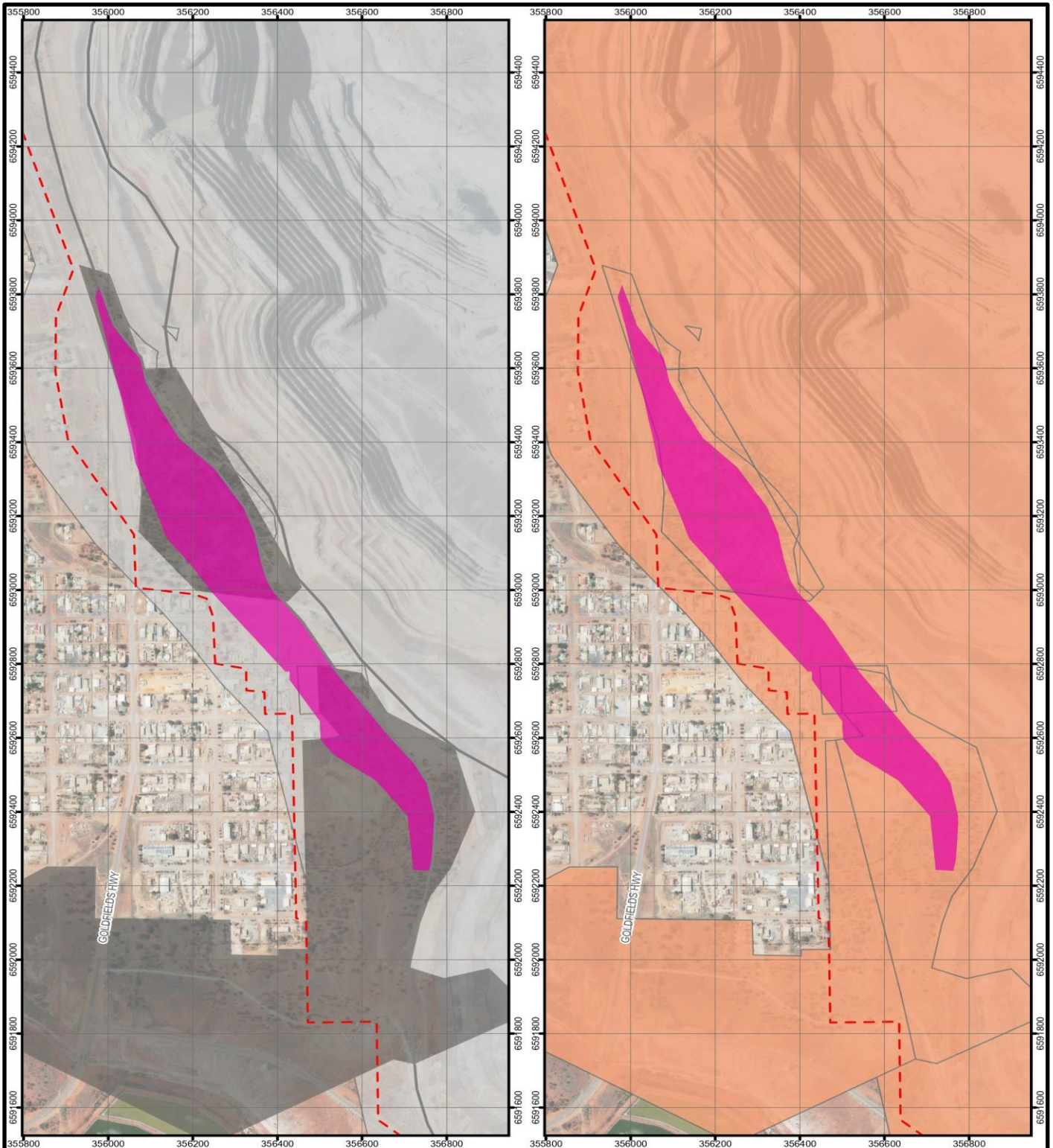
Schedule 1

Authorised Minor or Preliminary Implementation Work (s)

Authorised Work(s)	Location	Authorised extent
<p>The following works are authorised in their entirety:</p> <ol style="list-style-type: none"> 1. reposition and realignment of environmental noise bund; and 2. realignment of supporting infrastructure including a security fence, powerline, inspection track, access road, and dust monitoring station <p>up until such time as one of the following occurs:</p> <ol style="list-style-type: none"> a. notice issued under s 45(13) of the EP Act; or b. statement issued under s45(8) of the EP Act is final (that is, after period in which to lodge an appeal under s 100(3) has expired, or appeal decision under s109(3), in respect of an appeal lodged under s 100(3), is published) <p>and</p> <ol style="list-style-type: none"> 3. rehabilitation of the area/s identified in Figure 1 in accordance with EPA <i>Guidance Statement 6 Rehabilitation of Terrestrial Ecosystems</i> (as updated or replaced) rehabilitation guidance, or if an implementation statement is issued for the Proposal, in accordance with any implementation conditions relating to rehabilitation. 	<p>Figure 1</p>	<p>Disturbance up to 19.32 ha as show in Figure 1.</p>

Figure 1: Minor and Preliminary Works Disturbance Footprint





PROJECT ID 60607697
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 APPROVED BY DUNLOPM
 LAST MODIFIED 28 FEB 2023



LEGEND

- Early Works
- Proposed Mine Development Envelope
- Vegetation/Habitat**
- Cleared Vegetation
- Rehabilitation

Vegetation Condition

- Completely Degraded

Vegetation

KALGOORLIE CONSOLIDATED GOLD MINES
 FIMISTON SOUTH EARLY WORKS -
 SUPPORTING DOCUMENT

Figure
7

Datum: GDA 1994 MGA Zone 51
 1:12,500
 (when printed at A4)
 0 100 200 300 metres
Data sources:
 Base Data: (c) Based on information provided by and with the permission of the Western Australian Land Information Authority trading as Landgate (2013)
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Attachment 1

Relevant Decision Making Authorities (DMAs)

Minister for Aboriginal Affairs

Minister for Environment

Minister for Mines and Petroleum

Minister for Water

Chief Executive Officer, Department of Biodiversity, Conservation and Attractions

Chief Dangerous Goods Officer, Department of Mines, Industry Regulation and Safety

Executive Director Resource and Environmental Compliance, Department of Mines, Industry Regulation and Safety

State Mining Engineer, Department of Mines, Industry Regulation and Safety

Chief Executive Officer, Department of Water and Environmental Regulation

Chief Executive Officer, City of Kalgoorlie-Boulder

Summary of reasons for decision – request to undertake minor or preliminary works under s. 41A(3) of the *Environmental Protection Act 1986*

Proposal: Fimiston Gold Mine Operations Extension (Stage 3) and Mine Closure Planning: Revised Proposal – Fimiston South Project

Ref No: DWERDT672151

Date request to amend referred proposal under s.41A(3) received: 13 March 2023

Proponent: Kalgoorlie Consolidated Gold Mines Pty Ltd

Level of assessment: Referral Information with additional information (4 weeks public review)

Referral received: 4 October 2022

Referred proposal: Fimiston South Preliminary Works

Kalgoorlie Consolidated Gold Mines Pty Ltd (KCGM) is seeking to expand the Fimiston Gold Mine operations (Fimiston), located 600 kilometres (km) east of Perth, and adjacent to the city of Kalgoorlie-Boulder, Western Australia. The proposal is a significant amendment of an approved proposal Fimiston Gold Mine Operations Extension (Stage 3) and Mine Closure regulated under Ministerial Statement 782 (MS 782), operated by the same proponent.

The proposal is for the expansion of Fimiston operations in Kalgoorlie by widening and deepening the Superpit known as Ivanhoe cutback and includes expansion of Fimiston II tailing storage facility (TSF), a new Fimiston III TSF, an extended waste rock landform, topsoil stockpiles, relocated and modified environmental noise bund, and other supporting infrastructures.

The expansion of the proposal requires an additional clearing of up to 1,868 hectares (ha) of which 1,580 ha is native vegetation. The total combined disturbance footprint will be 5,841 ha within a development envelope (DE) of 7,795 ha.

Description of the minor or preliminary works sought:

The proposed minor or preliminary work comprises realignment and reposition of existing environmental noise bund (ENB) and supporting infrastructures within the Fimiston operations. The supporting infrastructure corridor includes a security fence, powerline, inspection track, and an access road. The ENB will be repositioned further west to the current position. The proposed ENB realignment will affect an existing powerline, fence line, and dust monitoring station surrounding Fimiston operations which also requires realignment.

The disturbance footprint of the proposed minor and preliminary work is 19.32 ha.

Work Items	Footprint (ha)
Supporting Infrastructure	9.867
Environmental Noise Bund	9.456
Total	19.32

Decision

The application to undertake minor or preliminary works in Attachment 1 is approved.

For the reasons outlined below, I, as a delegate of the EPA, have determined to consent to the minor or preliminary works outlined in Schedule 1 attached to this Statement of Reasons.

Environmental factors relevant to amendment(s):

1. Flora and Vegetation

The proposed minor or preliminary works will be confined within the approved MS 782 development envelope. The proposed disturbance will occur in a previously cleared and rehabilitated area, which includes a mosaic of native and introduced species. The vegetation condition within the proposed area has been mapped as being “highly disturbed and completely degraded” condition. There are no threatened or priority species which would be directly impacted by the proposed disturbance.

Given the small scale of the proposed work, it is unlikely to have significant impact on flora and vegetation.

2. Social Surroundings

Noise

The project area is located adjacent to the Kalgoorlie-Boulder community, city of Kalgoorlie-Boulder, Western Australia. The closest sensitive receptors are the residence located within close proximity to the proposal area.

The proposed nature of realignment works indicates that it can be classified as a construction work under Regulation 13 of the *Environmental Protection (Noise) Regulation 1997* (Noise Regulations) and the bund realignment site can be classified as the construction site under regulation 13 of the Noise regulations.

The proposed construction of noise bund occurs in close proximity to sensitive receptors therefore, to minimise noise impacts associated with the realignment and construction works on sensitive receptors a minor and preliminary works management plan has been prepared by the proponent. The Fimiston South Minor and Preliminary Works Management Plan (FSMPWMP) details the commitment to minimise impacts to sensitive receptors from the noise emissions associated with the proposed work.

To minimise the impacts on sensitive receptors the proponent has proposed following mitigation measures:

- works will be carried out between 0700 – 1900 inclusive on any day which is not a Sunday and public holidays
- work will be carried out using the quietest equipment that is reasonably available.

Aboriginal Heritage

The proposed minor and preliminary work disturbance footprint does not intersect with the boundaries of Registered Aboriginal Heritage Sites.

Given the small scale of the proposed work and mitigation measures and management plans in place, it is unlikely to have a significant impact on social surroundings.

3. Air Quality

The potential impacts on air quality from the proposed work are fugitive dust and the particulate matters emissions. The proponent is committed to undertake dust suppression activities during construction and operational activities to minimise impacts on air quality. The proponent will continue to implement the existing Fimiston Air Quality Management Plan (FAQMP) and has also proposed minor and preliminary works management plans to mitigate any direct or indirect impacts associated with the proposed work.

In addition, the proponent has proposed the following mitigation measures to mitigate impacts on air quality:

- undertaking dust suppression activities
- watering down waste rock materials prior to loading and haulage activities
- keeping surface disturbance to a minimum.

Given the small scale of the proposed works and the management plans in place to mitigate impacts on air quality, it is unlikely to have significant impact on Air Quality.

Materials considered in making this decision

In considering whether to consent to the minor or preliminary works I have considered the following:

1. Is the work associated with the implementation of the proposal?

Yes, the proposed works are associated with the implementation of the proposal and are unlikely to have a significant impact on the environment. All proposed minor or preliminary works would be undertaken within the development envelope of the currently approved proposal.

2. Is the work minor or preliminary? Does it constitute substantial implementation of the proposal?

The proposed works involving realignment of environmental noise bund (ENB) and other supporting infrastructure are of a sufficiently small scale to constitute minor or preliminary works. The small-scale nature of this type of works would result in a small impact of 19.32 ha when compared to the proposed disturbance of 1,868 ha through the significant amendment. The proposed works represent 0.01% of the additional disturbance. In addition, all proposed activities would be confined to areas already approved through MS 782.

Considering the small scale of the works, the location occurring within an area approved for clearing through MS 782, the activities do not constitute substantial implementation of the proposal.

3. Are potential environmental impacts likely to be caused by the work unlikely to be significant?

The proposed works do not occur in areas where there are significant fauna or conservation significant flora. There would be no impacts to heritage sites. In addition, the proponent has submitted a minor and preliminary works management plan to minimise the impacts to sensitive receptors from the proposed works. Any potential minor impacts can be regulated through other decision-making processes and therefore the works are unlikely to have significant impacts on environmental values.

4. Can the impact can be reversed? what decommissioning or rehabilitation work will be carried out should the proposal not be approved for implementation?

Yes, the proposed work is reversible. The work is being undertaken on previously cleared and rehabilitated land. Should the significant amendment not be approved, the ENB would be repositioned to its original position and rehabilitation undertaken.

In addition, the *Mining Act 1978* requires proponent to submit and obtain approval for a mine closure plan (MCP) detailing how disturbance would be rehabilitated and closed in a manner to make them physically safe to humans and animals, geotechnically stable, geo-chemically non-polluting/non-contaminating, and capable of sustaining an agreed post-mining land use without unacceptable liability to the State.

5. Is there an environmental justification for the work?

Yes, the realignment of ENB and supporting infrastructure is required prior to the commencement of proposed expansion of existing operation will minimise the impacts on sensitive receptors from fugitive dust and noise emissions.

6. Are the works and their effects of a scale or significance that would compromise the EPA's assessment or the Minister's future decisions?

No. Giving consideration to the confinement of the proposed minor or preliminary works within the previously assessed areas and the absence of significant environmental values within the proposed areas of disturbance, the proposed work will not compromise the EPA's assessment or the Minister's future decisions. In addition, the works would need to occur in accordance with other decision-making processes and are reversible.



Prof. Matthew Tonts
Delegate of the Environmental Protection Authority
CHAIR

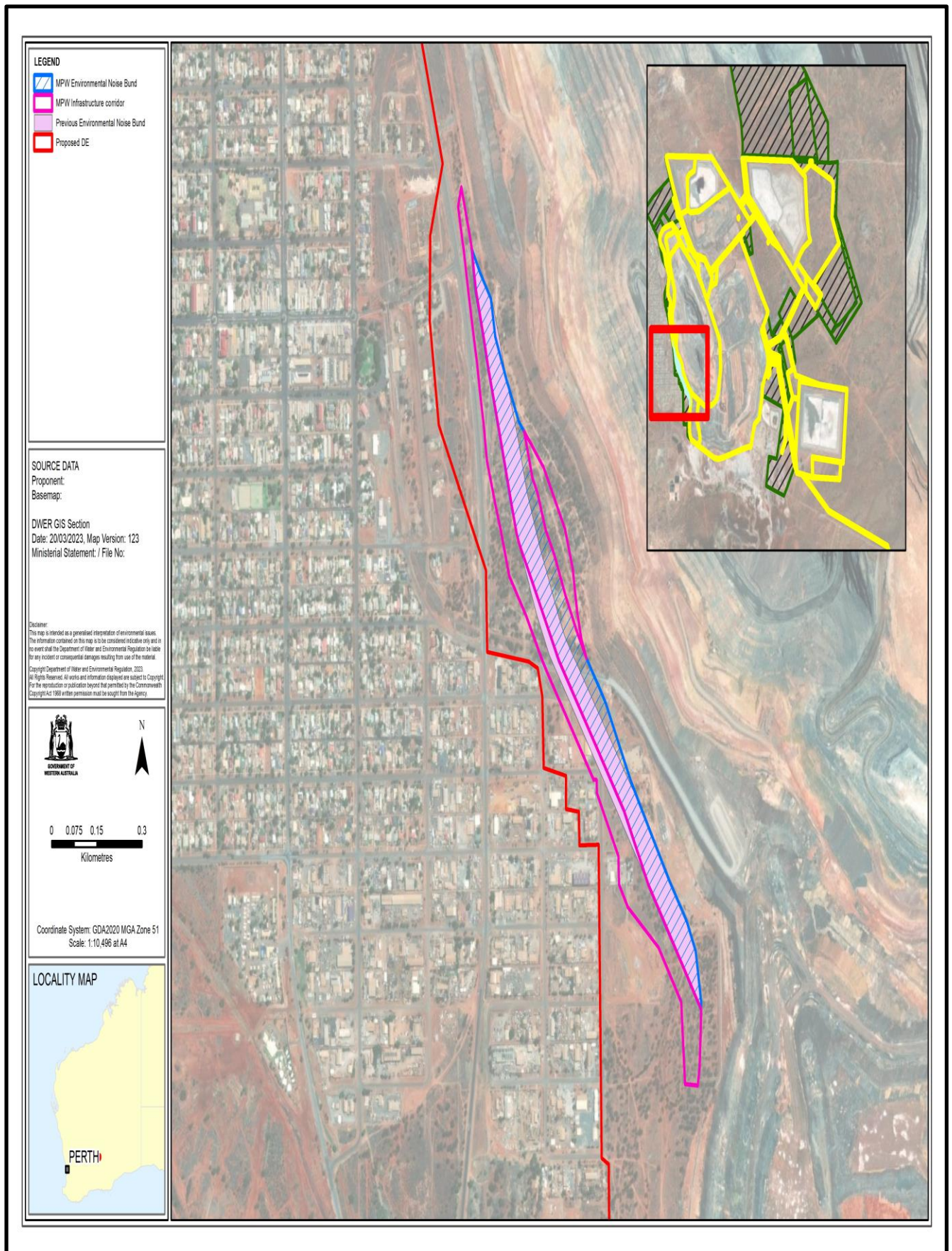
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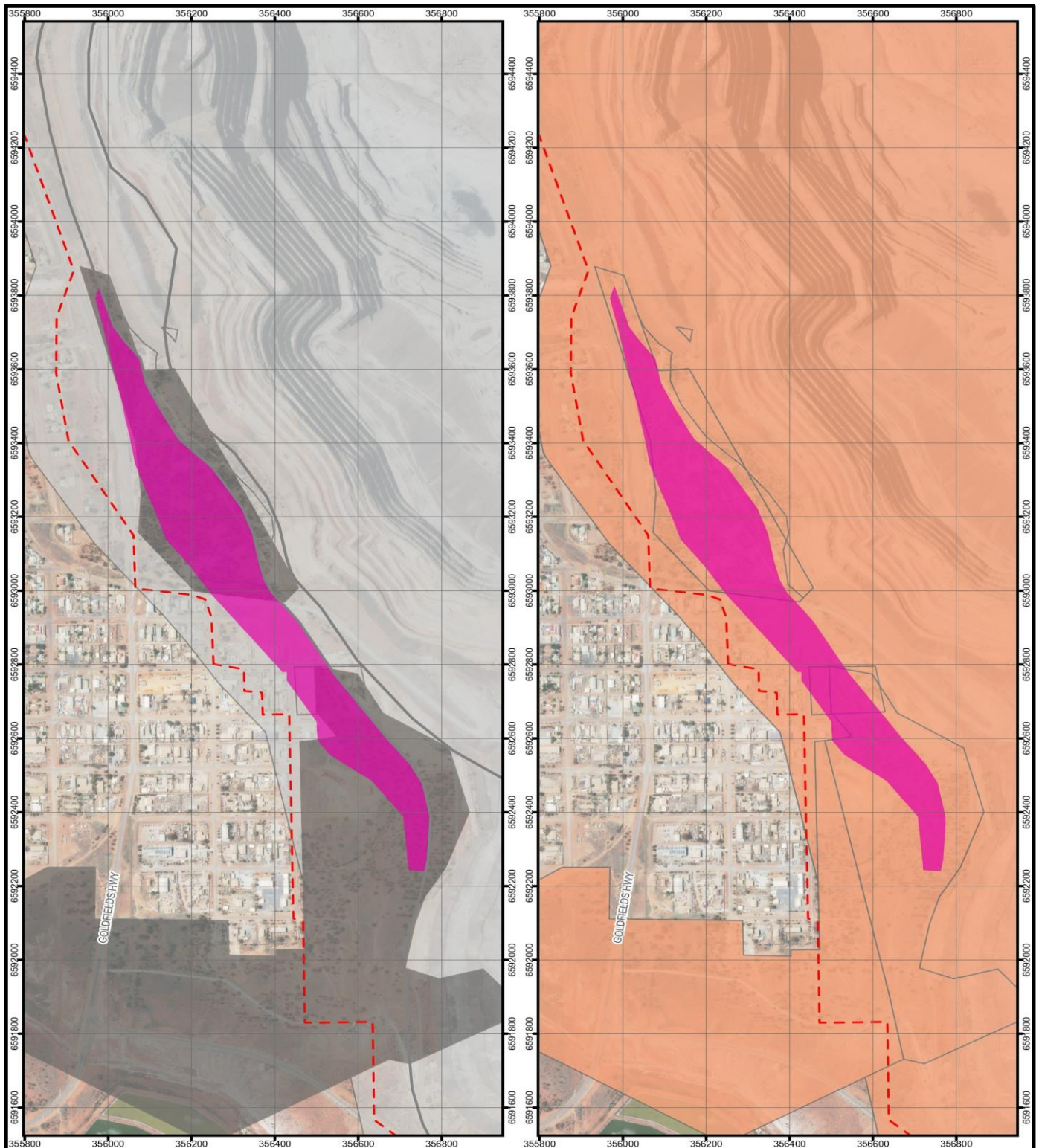
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 - VegetationHabitat**
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Vegetation

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 FIMISTON SOUTH EARLY WORKS - SUPPORTING DOCUMENT

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