



NORTHERN STAR
RESOURCES LIMITED

Annual Compliance Report

EPBC 2021/9026

Carosue Dam TSF CELL 4


22 November 2022 – 21 November 2023

5 February 2024



DECLARATION OF ACCURACY

In making this declaration, I am aware that sections 490 and 491 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed:	
Full name (please print):	John Albrecht
Position (please print)	General Manager – Carosue Dam Operations
Organisation (please print including ABN/CAN if applicable):	Northern Star Resources Ltd ABN 43092832892
Date:	5/02/2024

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1. INTRODUCTION

The Carosue Dam Operation (CDO) is located approximately 120km northeast of Kalgoorlie in the Pinjin area of the Eastern Goldfields. CDO is situated within both the Shire of Menzies and the Shire of Kalgoorlie- Boulder (Figure 1). The CDO Tailings Storage Facility (TSF) is located 1km north of the processing plant (Figure 2). The TSF Cell 4 and associated infrastructure was constructed in 2022 and 2023 under EPBC Approval EPBC 2021/9026 and developed as a paddock-type facility to the west of existing Cell 3 (Figure 3). The new cell was constructed as part of the approved strategy to provide an additional 10-year tailings storage capacity for underground operations.

1.1 EPBC Approval Details

EPBC Approval Number	EPBC 2021/9026
Project Name	Carosue Dam TSF Cell 4
Approval Holder	Northern Star (Carosue Dam) Pty Ltd
ACN/ABN	141 166 491 22
Approval Date	22 November 2022
Duration	This approval has effect until 1 November 2052
Action	To expand the Tailings Storage Facility (TSF) at the Carosue Dam Operations site with the construction of TSF Cell 4 and associated infrastructure, including roads, topsoil stockpiles, diversions, construction laydown and access.
Reporting Period	22 November 2022 – 21 November 2023
Responsible Person	John Albrecht (General Manager – Carosue Dam Operations)

1.2 Purpose

Condition 21 of EPBC 2021/9026 requires that an Annual Compliance Report (ACR) detailing the previous twelve-month period is prepared and submitted to the Department of Climate Change, Energy, the Environment and Water (DCCEEW). The assessment review period for this ACR is 22 November 2022 – 21 November 2023. The ACR has been prepared in accordance with the DCCEEW's Annual Compliance Report Guidelines (2023) in compliance with Condition 22.

The purpose of this report is to document compliance with conditions under EPBC 2021/9026 as required by the conditions outlined below.

"ANNUAL COMPLIANCE REPORTING"

21. The approval holder must prepare a compliance report for each 12-month period following the date of this approval, or as otherwise agreed to in writing by the Minister.

22. Each compliance report must be consistent with the department's annual compliance report guidelines (2014) or any subsequent version.

23. Each compliance report must include:

- a. Accurate and complete details of compliance and any non-compliance with the conditions and the plans, and any incidents.
- b. One or more shapefile showing all clearing of any protected matters, and/or their habitat, undertaken within the 12-month period at the end of which that compliance report is prepared.
- c. A schedule of all plans in existence in relation to these conditions and accurate and complete details of how each plan is being implemented.

24. The approval holder must:

- a. Publish each compliance report on the website within 60 business days following the end of the 12-month period for which that compliance report is required
- b. Notify the Department electronically, within 5 business days of the date of publication that a compliance report has been published on the website
- c. Provide the weblink for the compliance report in the notification to the Department
- d. Keep all published compliance reports required by these conditions on the website until the expiry date of this approval.

- e. *Exclude or redact sensitive ecological data from compliance reports published on the website or otherwise provided to a member of the public.*
- f. *If sensitive ecological data is excluded or redacted from the published version, submit the full compliance report to the Department within 5 business days of its publication on the website and notify the Department in writing what exclusions and redactions have been made in the version published on the website."*

The compliance status and updates are provided in the Compliance Audit table (Table 1).

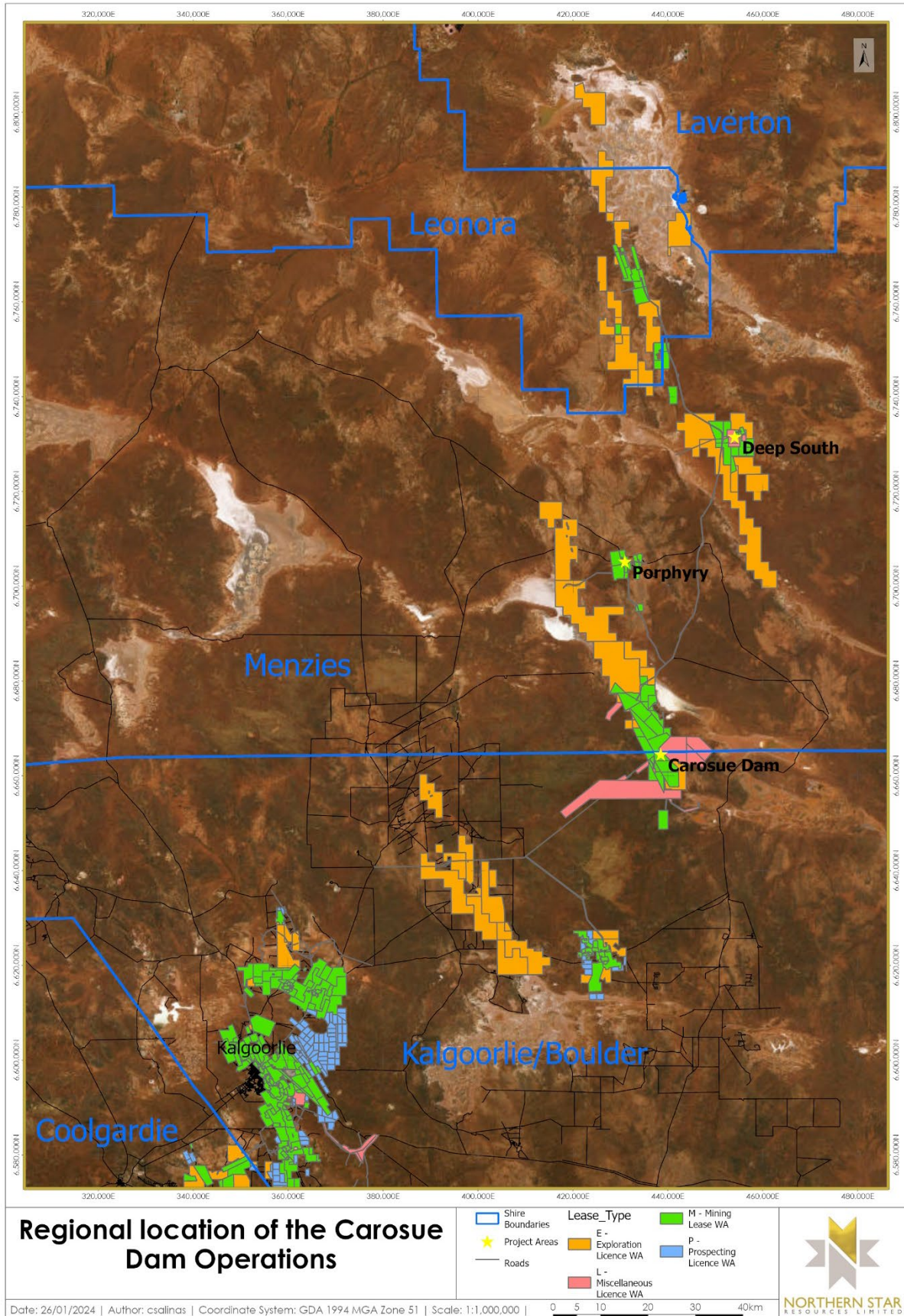


Figure 1 Regional location of the Carosue Dam Operations.

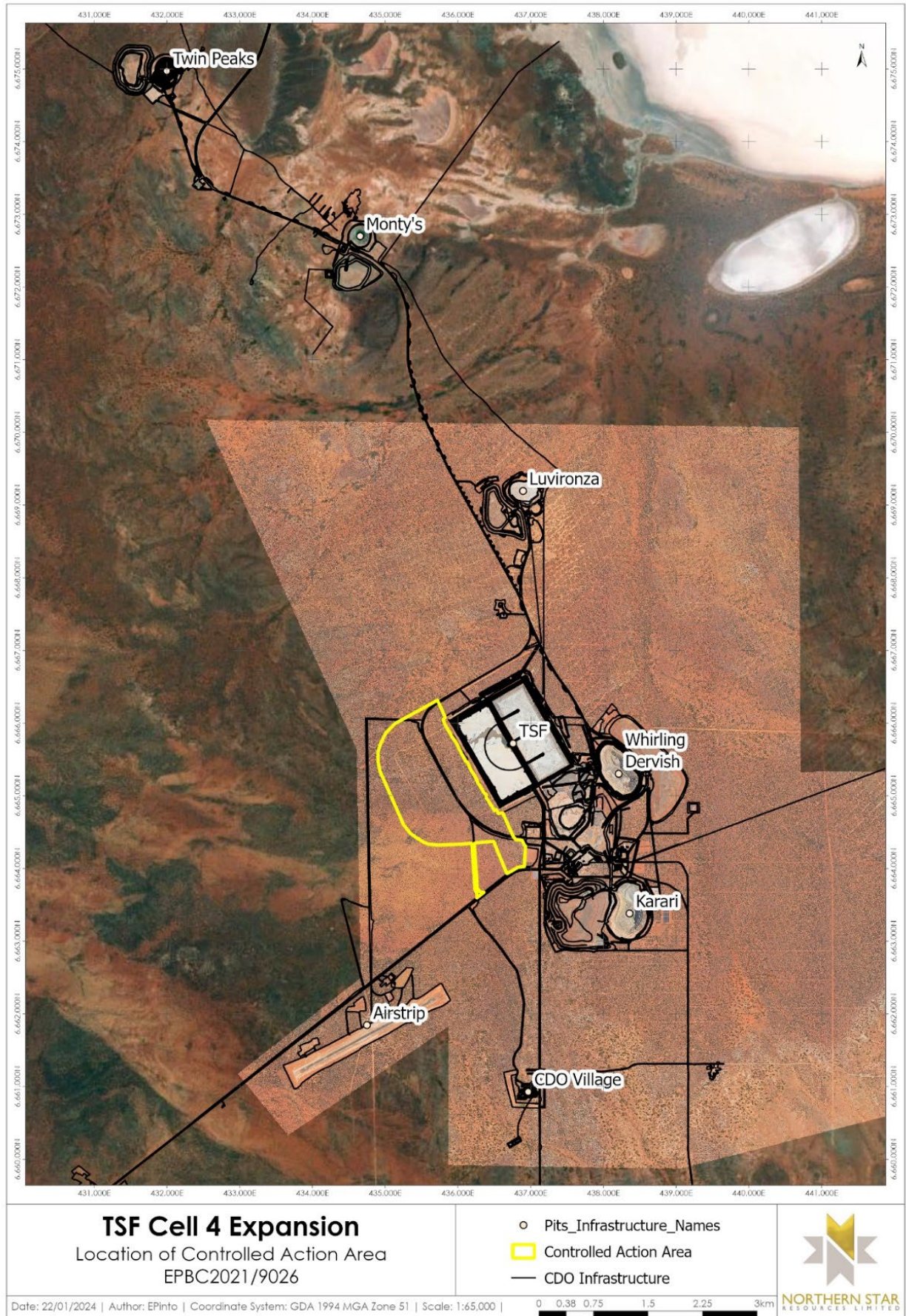


Figure 2 Location of the Controlled Action Area within the Carosue Dam Operations.



Figure 3: EPBC 2021/9026 Clearing within Controlled Action Area

1.3 Description of Activities

For the period 22 November 2022 to 21 November 2023, the following works were completed for the TSF Cell 4 Project at Carosue Dam:

- Pre-clearance surveys
- Clearing for construction of TSF Cell 4 and associated infrastructure
- Stockpiling of vegetation and topsoil for future rehabilitation
- Construction of TSF Cell 4 Embankments
- Realignment of the haul road around the facility
- Construction of drainage pond

Images of the controlled action area are shown in Plate 1 and Plate 2. A map of clearing for the TSF Cell 4 expansion (EPBC 2021/9026) and associated Malleefowl habitat is shown in Figure 4. Spatial files for clearing during the reporting period have been provided to the Department as part of this compliance report.



Plate 1 – TSF Cell 4 looking south south-west.



Plate 2 – TSF Cell 4 looking east.

Activities planned for the 2023/2024 reporting period include the construction of the TSF Cell 4 diversion drainage infrastructure. Once construction activities associated with TSF Cell 4 have been completed, this will indicate the completion of the Action under EPBC 2021/9026.

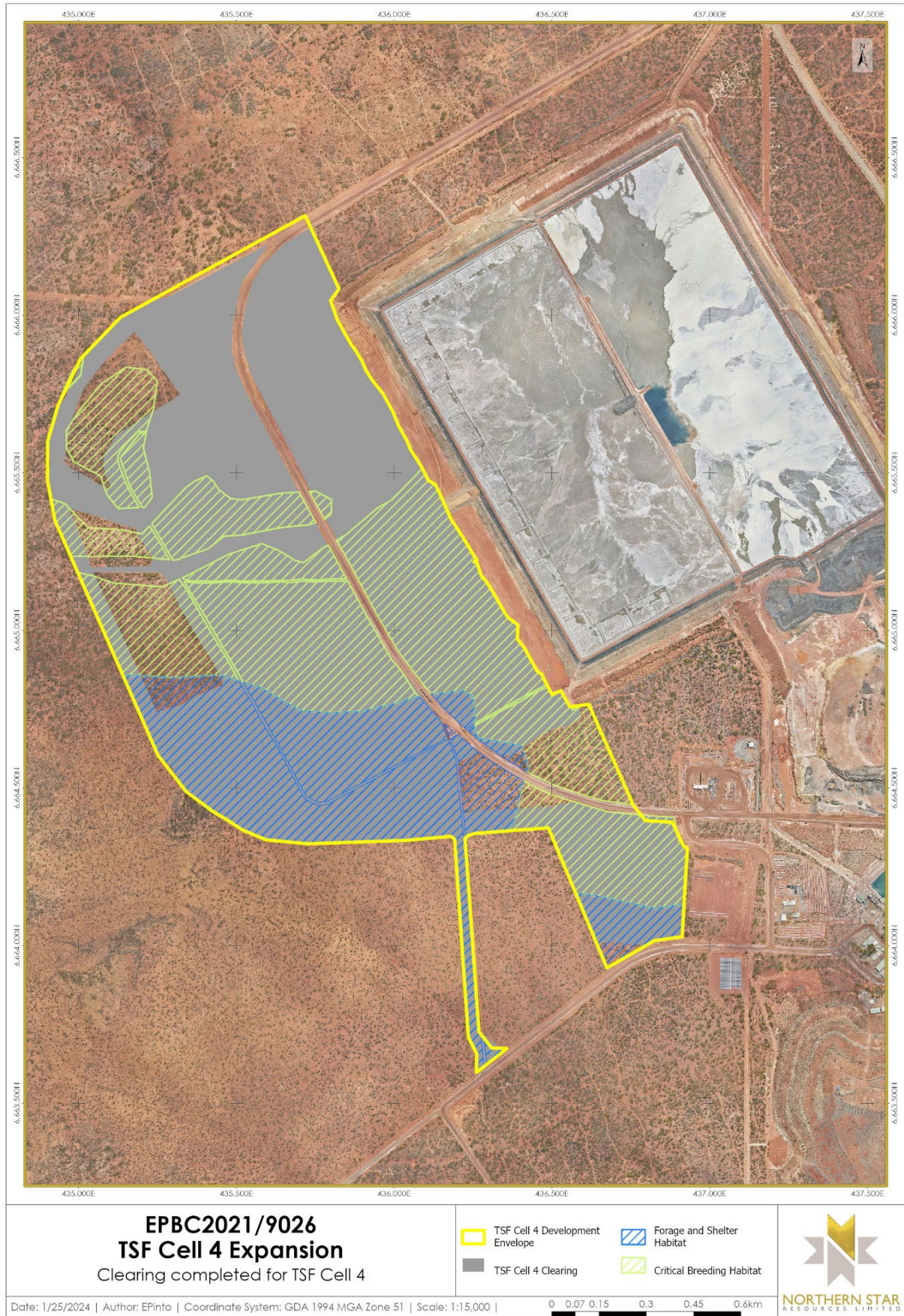


Figure 4: Clearing completed for TSF Cell 4 expansion

2. COMPLIANCE AUDIT

Table 1: Compliance with conditions of EPBC 2021/9026 for the 2022/2023 Reporting Period

Condition Number/ reference	Condition	Is the project compliant with this condition? (Compliant or Non-Compliant or Not Applicable)	Evidence/Comments
Part A - Condition 1	To minimise impacts to protected matters, the approval holder must not clear: a. outside the development envelope b. outside of daylight hours c. any active mounds d. more than 152.6ha of Malleefowl habitat	Non-Compliant	Non-compliance submitted for minimal clearing outside development envelope resulting in no environmental impact (Section 2.1). Compliant – all clearing completed within daylight hours. Compliant – no active mounds were cleared. Compliant – less than 152.6ha of Malleefowl habitat was cleared (129.6147ha).
Part A - Condition 2	The approval holder must not clear: a. more than 52.5ha foraging and cover habitat b. more than 100.1ha critical Malleefowl habitat c. more than seven inactive mounds	Compliant	50.2071 ha foraging and cover habitat cleared. 79.4076 ha critical Malleefowl habitat cleared. No more than seven Inactive mounds were cleared.
Part A - Condition 3	Prior to clearing, the approval holder must: a. undertake at least one pre-clearance survey of the development envelope within 10 business days prior to clearing, and b. notify the Department in writing of the locations and numbers of each type of nesting mounds (i.e., active mounds and inactive mounds) identified during each pre-clearance survey	Compliant	A pre-clearance survey was conducted between 17-19 November 2022, falling within 10 days prior to clearing. Clearing commenced on 28 November 2022. Notification was provided to the Department on 25 November 2022 with required pre-clearance survey information.
Condition 01	The approval holder must implement the approved construction environmental management plan (attachment E) from the date of this approval until the completion of the action.	Compliant	CEMP has been implemented. Status is detailed in Section 3.
Condition 02	To compensate for residual significant impacts to Malleefowl, the approval holder must: a. control the EEL55 offset site within 6 months of the date of this approval decision, b. legally secure the EEL55 offset site within 6 months of the date of Offset Management Plan being accepted by the Department, c. within 10 business days of legally securing the EEL55 offset site, provide the Department with: i. written evidence demonstrating that the EEL55 offset site has been legally secured, and ii. shapefiles and offset attributes of the EEL55 offset site, d. once the EEL55 offset site has been legally secured, report annually on the presence of Malleefowl at the EEL55 offset site for the life of the approval, and e. provide the Department with evidence demonstrating the presence of Malleefowl at the EEL55 offset site within 5 years of this approval.	Compliant	Northern Star has ownership of EEL55. Ownership was held prior to the date of the approval decision. The Offset Management Plan has been submitted but not yet approved by the Department. However, the site has already been legally secured through a conservation covenant which was placed on EEL55 on 4 September 2023, which has been registered on the Certificate of Title (Appendix A). The Department was sent written notification and associated documentation on 8 September 2023 to demonstrate that EEL55 had been legally secured. This included providing shapefiles and environmental offset attributes of the site. Section 4 of this document reports on the presence of Malleefowl satisfying Condition 02d. Presence of Malleefowl has been recorded within the EEL55 Offset Site. Evidence has been provided within the Preliminary Documentation, Offset Strategy, Offset Management Plan (OMP), associated targeted Malleefowl Surveys and subsequent monitoring information included in Section 4 of this report.

Condition Number/ reference	Condition	Is the project compliant with this condition? (Compliant or Non-Compliant or Not Applicable)	Evidence/Comments
Condition 03	To compensate for significant residual impacts to Malleefowl the approval holder must submit, within 6 months of commencement of the Action, an Offset Management Plan to the Department for the Minister's approval. The Offset Management Plan must, to the satisfaction of the Minister, meet the requirements specified in Attachment D. The approval holder must implement the approved Offset Management Plan for the life of the approval.	Compliant	An Offset Management Plan was submitted on 17 May 2023, which is within 6 months of the commencement of the Action (28 November 2022). This plan was drafted in accordance with Attachment D of the approval and the Environmental Management Plan Guidelines. The Offset Management Plan has not yet been approved, however, Northern Star is progressing its implementation where appropriate prior to receiving approval.
Condition 04	If the approval holder does not submit the Offset Management Plan for approval by the Minister within 6 months of commencement of the Action, the approval holder must cease all clearing and construction immediately. If the Minister does not approve the Offset Management Plan within 4 months of the date of which it was submitted to the Department, the approval holder must cease all clearing and construction immediately. The approval holder may only recommence clearing and/or construction once the Offset Management Plan is approved in writing by the Minister.	Compliant	The Offset Management Plan was submitted to the Department on 17 May 2023 for approval by the Minister due by 17 September 2023. Due to DCCEEW workload, this approval has not been received by Northern Star within the specified department timeframe. Clearing and construction was ceased in accordance with this condition and will not recommence until the OMP is approved by the Department.
Condition 05	If the Offset Management Plan has not been approved by the Minister in writing within 4 months of the date on which it was submitted to the Department, and the Minister notifies the approval holder that the Offset Management Plan is not suitable for approval, the Minister may, at least two months after so notifying the approval holder, approve a version of the Offset Management Plan revised by the Department. The approval holder must implement the approved Offset Management Plan for the remainder of the life of the approval.	N/A	The OMP was not approved within the required timeframe due to DCCEEW workload.
Condition 06	<p>If the approval holder is unable to demonstrate the presence of Malleefowl at the EEL55 offset site within 7 years of this approval, the approval holder must:</p> <ul style="list-style-type: none"> a. submit an alternative offset site proposal, which meets the requirements of the Environmental Offsets Policy, to the Department b. submit an Offset Management Plan for the alternative offset site in accordance with the requirement specified in Attachment D c. not recommence undertaking the Action unless the Offset Management Plan for the alternative offset site is approved in writing by the Minister, d. legally secure the alternative offset site, and e. within 6 months of the Offset Management Plan for the alternative offset site being approved by the Minister, provide the Department with: <ul style="list-style-type: none"> i. written evidence to the demonstrating that the alternative offset site has been legally secured, and ii. shapefiles and offset attributes of the alternative offset site. <p>Note: The approval holder should commence seeking an alternative offset site if the presence of Malleefowl at the EEL55 offset site has not been demonstrated 5 years after this approval decision and initiate discussions with the Department about what measures it should take to avoid any interruption to implementation of the approved Action. The alternative offset site proposal and Offset Management Plan for the alternative offset site may be submitted to the Department well before 7 years after this approval decision.</p>	N/A	Presence of Malleefowl has been recorded within the EEL55 Offset Site. Evidence has been provided within the Preliminary Documentation, Offset Strategy, OMP, associated targeted Malleefowl Surveys and subsequent monitoring reports (Appendix B).
Condition 07	If the approval holder wishes to carry out any activity otherwise than in accordance with the Action management plans referred to in these conditions, the approval holder must submit to the Department for the Minister's written approval a revised version of that plan. The approval holder must not commence the varied activity until the Minister has approved the revised plan in writing. If the Minister approves such a revised plan, that version of the plan must be implemented in place of the version previously approved.	N/A	Activities were carried out in accordance with the approval and associated plans.

Condition Number/ reference	Condition	Is the project compliant with this condition? (Compliant or Non-Compliant or Not Applicable)	Evidence/Comments
Condition 08	If the Minister believes that it is necessary or convenient for the better protection of Malleefowl to do so, the Minister may request that the approval holder make specified revisions to a plan referred to in these conditions and submit the revised plan for the Minister's written approval. The approval holder must comply with any such request. The approval holder must implement the revised plan approved by the Minister. Unless the Minister has approved the revised plan then the approval holder must continue to implement the plan originally approved, as specified in the conditions.	N/A	No request has been received from the Minister.
Condition 09	The approval holder must submit all plans required by these conditions electronically to the Department.	Compliant	Construction Environmental Management Plan (CEMP) was submitted electronically to the Department as part of the Preliminary Documentation for EPBC2021/9026. The OMP was submitted electronically to the Department on 17 May 2023.
Condition 10	Unless otherwise agreed to in writing by the Minister, the approval holder must publish each plan on the website within 15 business days of the date: a. of the approval, if the version of the plan to be implemented is specified in these conditions; or b. the Plan is approved by the Minister in writing, if the plan requires the approval of the Minister; or c. the plan is submitted to the Department in accordance with a requirement of these conditions, if the plan does not require the approval of the Minister.	Compliant	The CEMP was published on the Company website on 12 December 2022, which is within 15 business days of its approval on 22 November 2022. The Offset Management Plan has not yet been approved.
Condition 11	The approval holder must keep all published plans required by these conditions on the website until the expiry date of this approval.	Compliant	Approved plans are published on the Northern Star website (Environmental Stewardship Northern Star (nsrltd.com)). Click on the "Publications" tab.
Condition 12	The approval holder is required to exclude or redact sensitive ecological data from plans published on the website or otherwise provided to a member of the public.	Compliant	No sensitive ecological data has been included within plans published on the website or provided to the public.
Condition 13	If sensitive ecological data is excluded or redacted from a plan in accordance with condition 12, the approval holder must notify the Department in writing what exclusions and redactions have been made in the version published on the website.	N/A	No sensitive ecological data has been included within plans published on the website or provided to the public.
Condition 14	The approval holder must notify the Department electronically of the date of commencement of the Action, within 5 business days of commencement of the action.	Compliant	Notification was provided to the Department on 29 November 2022 to inform the Department of the commencement of the action on 28 November 2022.
Condition 15	If the commencement of the Action does not occur within 5 years from the date of this approval, then the approval holder must not commence the Action without the prior written agreement of the Minister.	N/A	The Action commenced on 28 November 2022.
Condition 16	The approval holder must maintain accurate and complete compliance records, in sufficient detail, to allow for the Department to monitor its effectiveness.	Compliant	All records are kept within the company's SharePoint system. Spatial data is maintained within the ArcGIS platforms (AroPro, ArcGIS Online & FieldMaps). Compliance data is supplied as part of this Annual Compliance Report.
Condition 17	If the Department makes a request in writing, the approval holder must provide electronic copies of compliance records to the Department within the timeframe specified in the request.	N/A	Compliance records have not been requested.
Condition 18	The approval holder must ensure that any monitoring data (including sensitive ecological data, surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018), or any subsequent official version or as otherwise specified by the Minister in writing.	Compliant	Monitoring data has been prepared in accordance with relevant Department guidelines.
Condition 19	The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the Department's Guide to providing maps and boundary data for EPBC Act projects (2021), or any subsequent official version or as otherwise specified by the Minister in writing.	Compliant	Monitoring data has been prepared in accordance with relevant Department guidelines.

Condition Number/ reference	Condition	Is the project compliant with this condition? (Compliant or Non-Compliant or Not Applicable)	Evidence/Comments
Condition 20	The approval holder must submit all monitoring data (including sensitive ecological data), surveys, maps, other spatial and metadata and all species occurrence record data (sightings and evidence of presence) electronically to the Department within 12 months of the approval.	Compliant	This data was supplied as part of the Offset Management Plan submission in August 2023. Subsequent monitoring data are provided annually in this Annual Compliance Report.
Condition 21	The approval holder must prepare a compliance report for each 12-month period following the date of this approval, or as otherwise agreed to in writing by the Minister.	Compliant	This document fulfills this requirement.
Condition 22	Each compliance report must be consistent with the department's annual compliance report guidelines (2014) or any subsequent version.	Compliant	This compliance report is consistent with the Department's annual compliance report guidelines (2023).
Condition 23	Each compliance report must include: a. Accurate and complete details of compliance and any non-compliance with the conditions and the plans, and any incidents. b. One or more shapefile showing all clearing of any protected matters, and/or their habitat, undertaken within the 12-month period at the end of which that compliance report is prepared c. A schedule of all plans in existence in relation to these conditions and accurate and complete details of how each plan is being implemented	Compliant	Compliance details and evidence is included in Table 1 of this document (this table). Details of non-compliances have been included in Section 2.1. A shapefile showing all clearing was sent to the Department via email as part of this compliance report. Relevant data is also shown in Figure 4 showing clearing undertaken in relation to the protected matter. Details relating to the implementation of the CEMP have been included in Section 3.
Condition 24	The approval holder must: a. Publish each compliance report on the website within 60 business days following the end of the 12-month period for which that compliance report is required b. Notify the Department electronically, within 5 business days of the date of publication that a compliance report has been published on the website c. Provide the weblink for the compliance report in the notification to the Department d. Keep all published compliance reports required by these conditions on the website until the expiry date of this approval. e. Exclude or redact sensitive ecological data from compliance reports published on the website or otherwise provided to a member of the public. f. If sensitive ecological data is excluded or redacted from the published version, submit the full compliance report to the Department within 5 business days of its publication on the website and notify the Department in writing what exclusions and redactions have been made in the version published on the website.	Compliant	The requirements of Condition 24 a-d will reach compliance following submission of the annual compliance report for 2022/2023 (this document). No information is being redacted from this report that requires further submission to the Department.
Condition 25	The approval holder must notify the Department electronically, within 2 business days of becoming aware of any incident and/or potential non-compliance and/or actual non-compliance with the conditions or commitments made in a plan.	Compliant	A notification was sent to the Department on 20 December 2022, within 2 business days after Northern Star became aware of a non-compliance with approval conditions on 18 December 2022. Non-compliance details have been included in Section 2.1 of this report.
Condition 26	The approval holder must specify in the notification: a. Any condition or commitment made in a plan which has been or may have been breached b. A short description of the incident and/or potential non-compliance and/or actual non-compliance c. The location (including coordinates), date, and time of the incident and/or potential non-compliance and/or actual non-compliance	Compliant	The notification on 20 December 2022 included information required by this condition. Incident details have been included in Section 2.1.
Condition 27	The approval holder must provide to the Department in writing, within 12 business days of becoming aware of any incident and/or potential non-compliance and/or actual non-compliance, the details of that incident and/or potential non-compliance and/or actual non-compliance with the conditions or commitments made in a plan. The approval holder must specify: a. Any corrective Action or investigation which the approval holder has already taken b. The potential impacts of the incident and/or non-compliance and the actual impacts of the incident and/or non-compliance c. The method and timing of any corrective Action that will be undertaken by the approval holder	Compliant	Further information as required by this condition was provided to the Department on 5 January 2023, within 12 business days of becoming aware of the incident. Details have been included in Section 2.1.

Condition Number/ reference	Condition	Is the project compliant with this condition? (Compliant or Non-Compliant or Not Applicable)	Evidence/Comments
Condition 28	The approval holder must ensure that an independent audit of compliance with the conditions is conducted for every three-year period following the commencement of the Action until this approval expires, unless otherwise specified in writing by the Minister.	N/A	It has currently been one year since the Action was approved. An independent audit will be coordinated as required.
Condition 29	For each independent audit, the approval holder must: a. Provide the name and qualifications of the nominated independent auditor, the draft audit criteria, and proposed timeframe for submitting the audit report to the Department prior to commencing the independent audit b. Only commence the independent audit once the nominated independent auditor, audit criteria and timeframe for submitting the audit report have been approved in writing by the Department c. Submit the audit report to the Department for approval within the timeframe specified. Have the audit report approved in writing by the Department d. Publish each audit report on the website within 15 business days of the date of the Department's approval of the audit report e. Keep every audit report published on the website until this approval expires	N/A	It has currently been one year since the Action was approved. An independent audit will be coordinated as required.
Condition 30	Each audit report must report for the three-year period preceding that audit report	N/A	It has currently been one year since the Action was approved. An independent audit will be coordinated as required.
Condition 31	Each audit report must be completed to the satisfaction of the Minister and be consistent with the Department's <i>Environment Protection and Biodiversity Conservation Act 1999</i> Independent Audit and Audit Report Guidelines (2019), or any subsequent official version.	N/A	It has currently been one year since the Action was approved. An independent audit will be coordinated as required.
Condition 32	The approval holder must notify the Department electronically 60 business days prior to the expiry date of this approval, that the approval is due to expire.	N/A	The approval is due to expire in 2052.
Condition 33	Within 20 business days after the completion of the Action and, in any event, before this approval expires, the approval holder must notify the Department electronically of the date of completion of the Action and provide completion data.	N/A	The Action has not been completed as discussed in Section 1.3.

2.1 Non-Compliances

In accordance with Condition 25, a notification was sent to the Department on 20 December 2022, within 2 business days, after Northern Star became aware of a non-compliance with approval Condition 1a on 18 December 2022.

Northern Star provided written notification via email to The Director, Compliance Monitoring Section regarding the non-compliance with the following:

Condition	Details
Condition 1a of EPBC 2021/9026	1. To minimise impacts to protected matters, the approval holder must not clear: a. outside the development envelope.
Construction Environmental Management Plan – Table 9	Undertake all clearing in accordance with EPBC 2021/9026.

Further details into the cause and extent of the non-compliance was provided to the Department on 5 January 2023 as required by Condition 27.

2.1.1 Details of Non-Compliance

Clearing of the boundary was conducted during daylight hours on 28 – 29 November 2022. The clearing outside of the disturbance envelope was identified after a survey pick-up of the cleared area on Sunday 18 December 2022 (Figure 5). A total of 0.1383ha was cleared in various places outside of the Development Envelope. Of this, 0.1305ha is considered Malleefowl habitat.

The area inadvertently cleared mostly marginally outside the development envelope boundary (0.1305ha) is 0.06% of the total area approved to be cleared.

Due to efforts to avoid and minimise clearing of habitat areas, compliance with Condition 1d, which sets limits on the total area to be cleared, was complied with and resulted in the total amount of habitat cleared being less than the approved (and initially planned) amount.

Table 2 outlines the full extent of the habitat clearing within and outside the disturbance envelope, as well as habitat avoided.

Table 2: Habitat clearing within and outside of the disturbance envelope

Habitat	Approval Limit	Actual Area Cleared Within Development Envelope	Actual Area Cleared Outside Development Envelope	Total Area Cleared	Habitat Avoided
Critical Habitat	100.1 ha	79.4062 ha	0.0014 ha	79.4076 ha	20.0434 ha
Foraging Habitat	52.5 ha	47.6517 ha	0.1291 ha	47.7808 ha	4.2828 ha
Total Malleefowl Habitat	152.6 ha	127.0579 ha	0.1305 ha	127.1884 ha	24.3262 ha
Non-Habitat	N/A	59.8292 ha	0.0078 ha	59.8370 ha	4.7743 ha
Total Clearing (including Non-Habitat)	217.3 ha	186.8871 ha	0.1383 ha	187.0254 ha	29.1005 ha

All spatial files associated with the incident were also provided to the Department with the notification on 20 December 2022.

An incident investigation was conducted on site, with the root cause identified as the incorrect placement of flagging tape that demarcated the development envelope boundary and was to provide on-ground guidance to the fauna spotter and dozer operator.

The investigation found that the surveyor experienced connectivity issues whilst setting out the development envelope, adversely affecting the accuracy of the GPS. This resulted in the flagging tape being placed in the wrong locations in some areas. Connectivity issues experienced during the flagging tape set out was not communicated to Northern Star prior to the commencement of clearing.

There was also no allowance for a buffer zone inside the approved clearing area that considered potential inaccuracy of survey method and method of clearing.

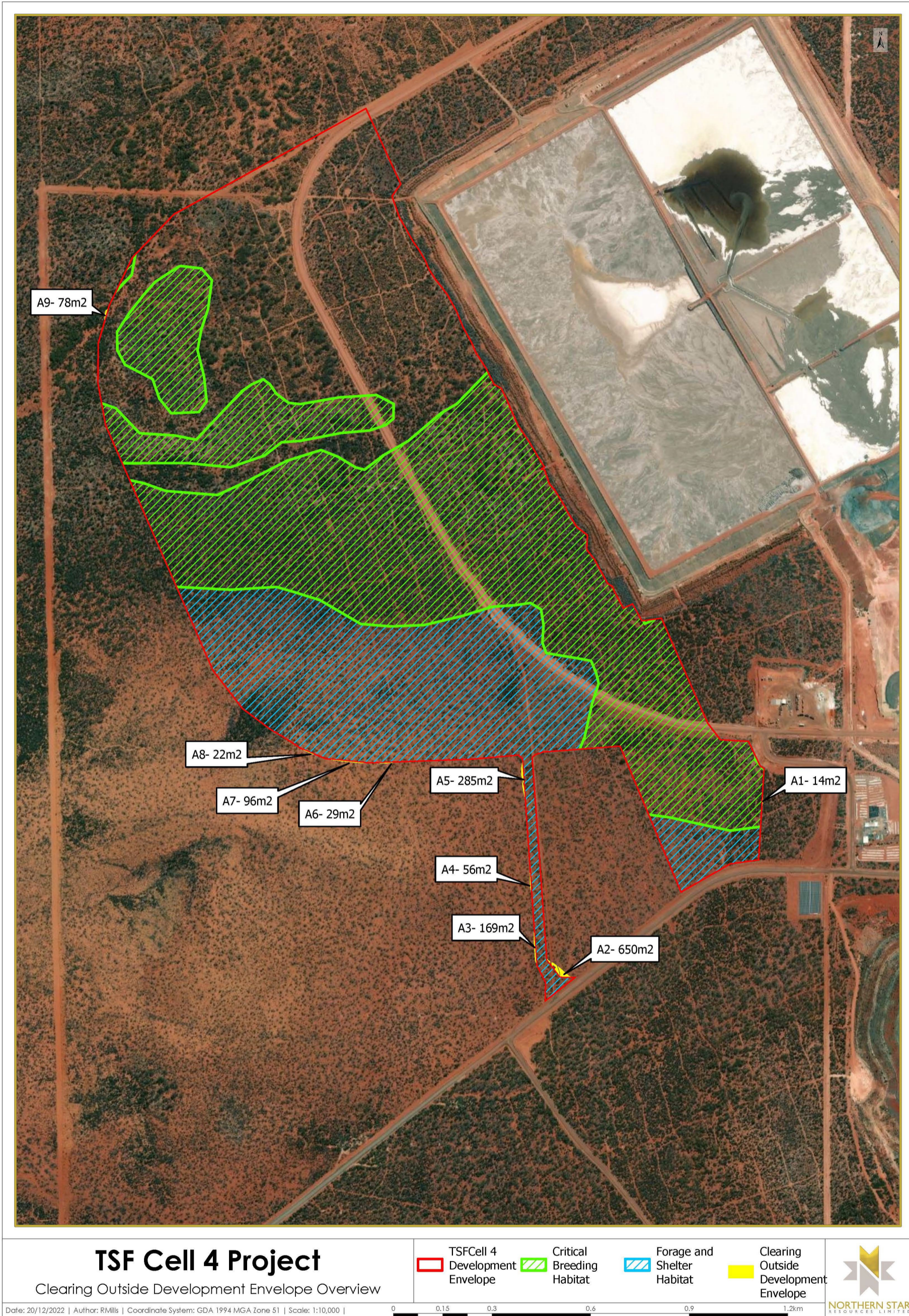


Figure 5: Clearing outside the development envelope

2.1.2 Potential and Actual Impacts

The clearing that occurred outside the boundary of the development envelope is not expected to have any impact on the Protected Matter (Malleefowl), considering the negligible area cleared compared to what was approved (0.13ha/0.06%), and even more so when compared to the extent of surrounding habitat. This includes 2,500ha of habitat identified so far through fine-scale surveys adjacent to the Carosue Dam operations and approximately 18,000ha identified at broader scales within 10km of the development envelope.

In addition, adjustments to the cleared area were made to avoid and minimise unnecessary habitat clearing. This resulted in the preservation of approximately 24.3 ha of Malleefowl habitat inside the approved disturbance area (EPBC 2021/9026) as outlined in Table 1.

Despite the negligible amount of clearing outside the boundary, a significantly larger portion of habitat has been avoided within the boundary.

2.1.3 Corrective Action undertaken

On 2 January 2023, the areas cleared or disturbed outside the development envelope were rehabilitated. This work was undertaken by a T770 Clark Bobcat with scarifier attachment.

In all areas disturbed outside the development envelope, topsoil was pulled back towards the inside of the clearing and scarified, along with in-situ vegetation spread over the areas.

Additional corrective actions implemented included the establishment of Photo monitoring points, set out using stakes within area A2 as shown in Figure 6. Photos are being tracked and reviewed annually to determine the success of the rehabilitation and whether any further intervention is required e.g. weed control (Section 2.1.4).

A comprehensive review of the site Clearing Management Procedure (CDO-ENV-023-SWP-Clearing Management) was undertaken, taking into consideration key findings from the incident. This resulted in the development of a standardised Land Disturbance Procedure (NSR-ENV-001-PRO), Disturbance Permit Form (NSR-ENV-001-FOR) and Disturbance Permit Approval Process Work Instruction (NSR-ENV-001-SWI) applicable to all Northern Star Australian Operations. An online Clearing and Land Disturbance Module was developed and included in Northern Star's Learning Management System (LMS), as well as updated information included in Site Inductions.

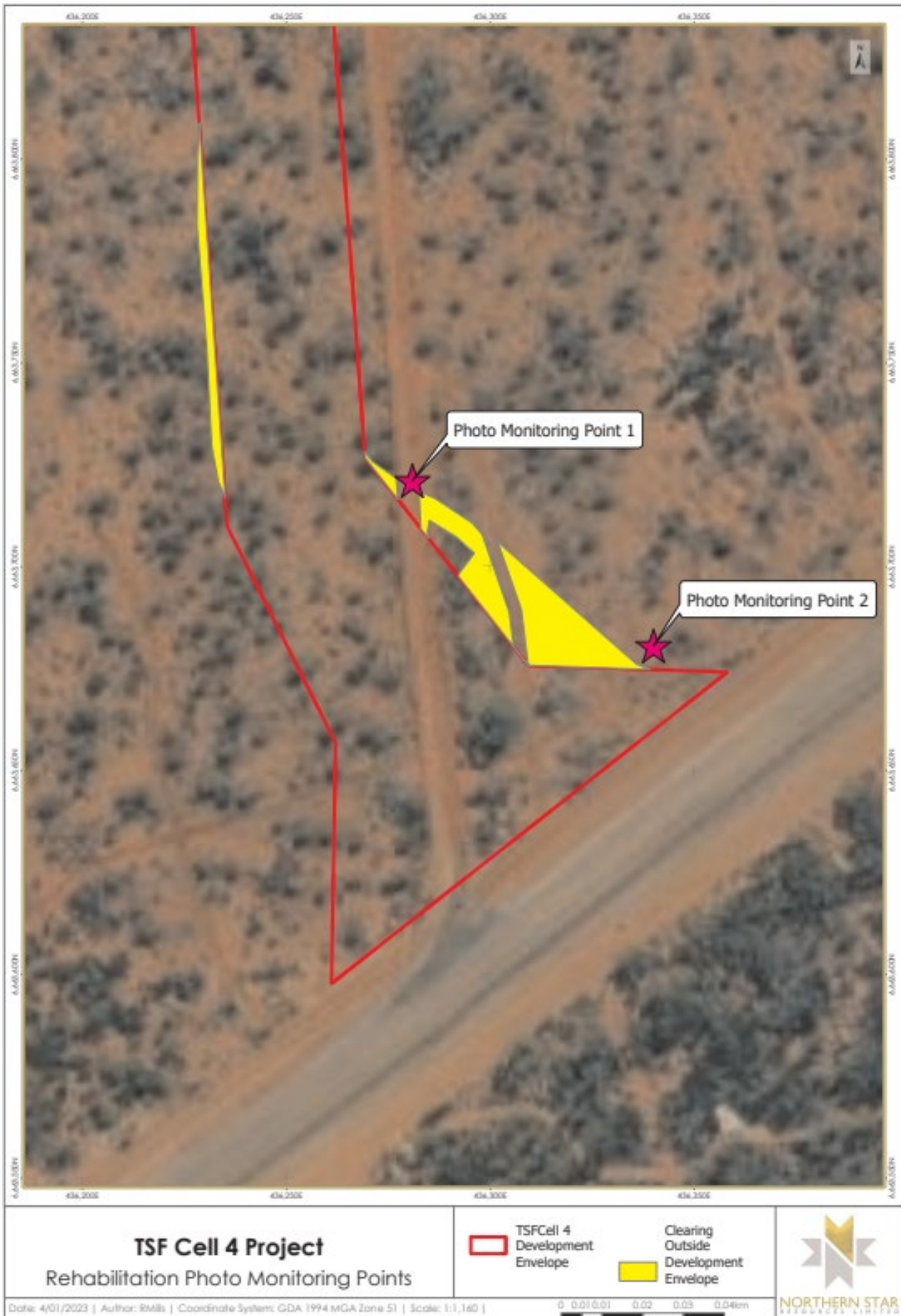


Figure 6: Photo Monitoring Points at A2

2.1.4 Review of Corrective Actions

Photo monitoring points established at the A2 have been used to determine success of rehabilitation. Photo monitoring is demonstrating the re-establishment of vegetation within rehabilitated areas (Table 3).

Table 3: Photo monitoring results at A2









	Photo Point 1	Photo Point 2
January 2023		
August 2023		
October 2023		

	Photo Point 1	Photo Point 2
November 2023		

3. STATUS OF THE CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

Condition 23 (c) requires a summary of the schedule of all plans in existence in relation to these conditions and accurate and complete details of how each plan is being implemented. The Construction Environmental Management Plan is currently the only approved management plan under the approval and was implemented on commencement of the action and will continue until the action has been completed. The summary of the schedule of clearing and construction of TSF Cell 4 is provided in Table 4. All clearing and most construction works associated with this Action has been completed. Minor construction works remain involving the construction of the diversion drain.

Table 4: Schedule of Clearing & Construction Activities associated with Controlled Action

Activity Description	Status
Clearing of impact area	Completed – 16 February 2023
Construction of Embankments	Completed – 19 July 2023
Compaction & construction of roads	Completed – 29 April 2023
Redirection of surface water flows through construction of drainage channels	Awaiting OMP approval to recommence action

Table 5: Compliance with Environmental Management Objectives

Objectives	Performance Criteria	Compliant (Y/N/NA)	Evidence
Minimise the potential of vehicle strike causing injury or death to terrestrial fauna, including the Malleefowl.	No deaths of fauna/Malleefowl attributable to vehicle strike.	Y	Malleefowl fauna signs installed on roads in area (Plate 3). Speed limits in place (Plate 3). Clearing pattern to allow fauna to move into adjacent bushland. Dozer speed limited to 10km/hr. Fauna spotter walking ahead of dozer during all clearing & fauna sightings register completed (Figure 7 & Plate 4). No injury or death of fauna was recorded during clearing activities (Appendix B).
Minimise entrapment leading to injury or death of terrestrial fauna, including the Malleefowl.	No Malleefowl (adult or chick) death due to entrapment in water holding facilities.	Y	No Malleefowl deaths recorded due to entrapment in water holding facilities. Fauna egress is installed on internal embankments of facilities (Plate 5). The Turkeys Nest Dam was fenced, and gates remained shut prior to filling with hypersaline water (unsuitable for Malleefowl or other bird life consumption) during construction phase. This fence will remain for the life of the facility (Plate 5).

Objectives	Performance Criteria	Compliant (Y/N/NA)	Evidence
			<p>Daily inspections of entire Project area (including water facilities) conducted with no fauna deaths recorded, evidence provided in the Daily Fauna Sightings Register (Appendix B).</p> <p>No water deposition occurred during the reporting period. Water present in Turkeys Nest due to rainfall</p>
Minimise requirements for clearing which results in habitat loss and fragmentation.	<p>No unauthorised clearing and/or clearing outside approved clearing areas.</p> <p>No unauthorised clearing of active Malleefowl mounds.</p>	Partial	<p>See Section 2.1 for details on Non-Compliance recorded related to minimal clearing outside of the disturbance envelope.</p> <p>Pre-clearance survey found no active mounds within the Controlled action Area (Holm, 2022). No active mounds were cleared.</p>
Minimise increases to predator abundance.	<p>No increase in predator abundance.</p> <p>No fauna/Malleefowl deaths due to predation.</p>	Y	<p>No increase in predators has been recorded.</p> <p>No fauna/Malleefowl death due to predation has been recorded.</p> <p>Fauna spotters were present at all times during clearing (Figure 7).</p>
No increase in fire frequency or intensity.	No fires attributed to construction/mining and associated activities.	Y	No fires were within the Controlled Action Area or surrounding areas during clearing or construction.
Minimise potential impacts to terrestrial fauna, including the Malleefowl by training staff to increase awareness on the Identification, monitoring and management of Malleefowl.	All relevant staff and contractors to be trained through inductions/pre-start meetings on Malleefowl/fauna management.	Y	<p>The General Site Induction is completed by all personnel visiting Carosue Dam. The induction was updated to include more detailed information on Malleefowl awareness.</p> <p>Fauna and CEMP training was delivered by Site Environmental Advisors with operators working on the project. Northern Star manage training records through INX InTuition and LMS.</p>



Plate 3 – Malleefowl signage and speed limits in place.



Plate 4 – Fauna spotter walking ahead of dozer during clearing activities.



Plate 5 – Fencing and Fauna egress netting around water holding facility

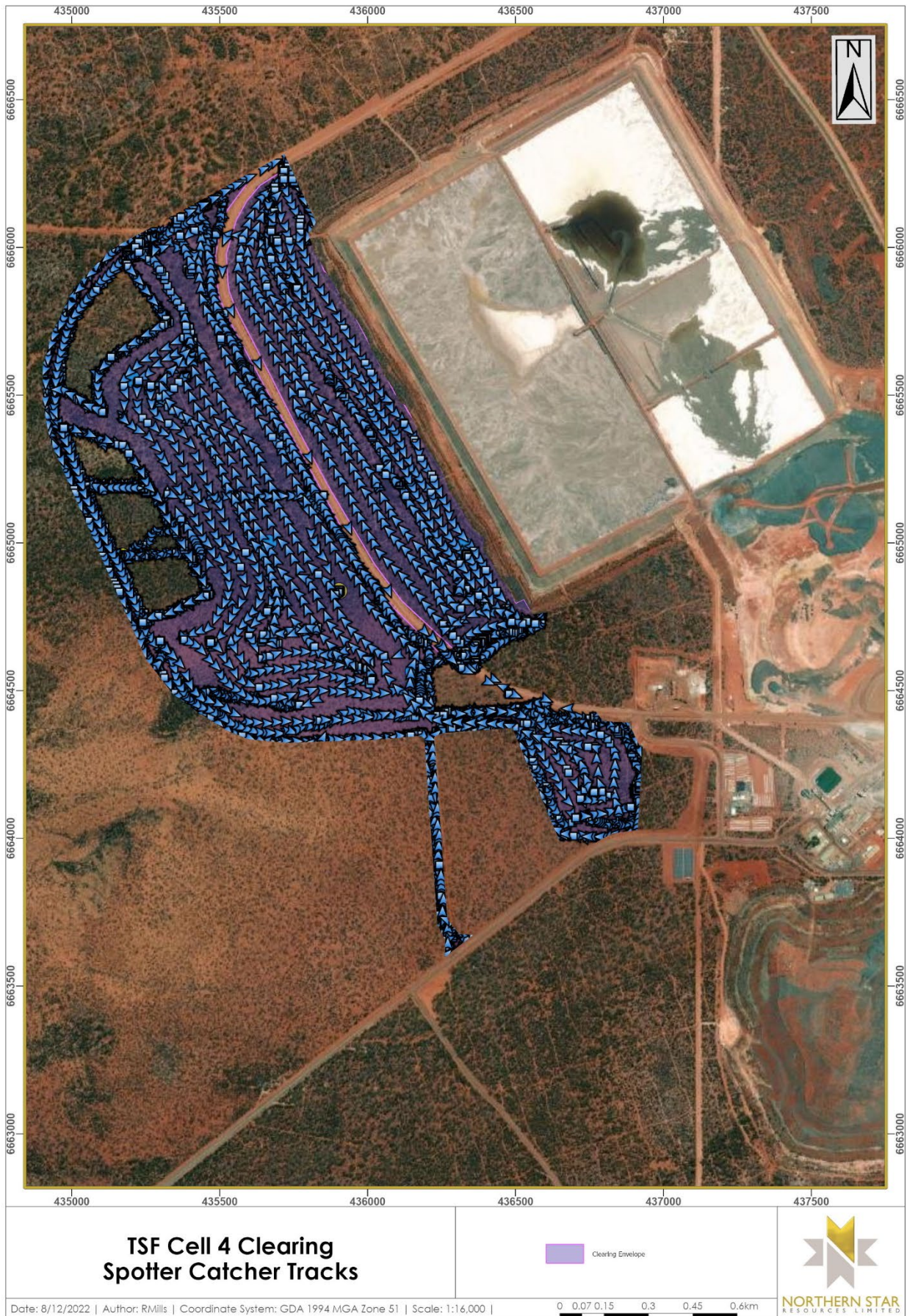


Figure 7: EPBC 2021/9026 Fauna Spotter Tracks

4. ANNUAL REPORT ON MALLEEFOWL PRESENCE WITHIN EEL55

This Section satisfies Condition 2d of EPBC2021/9026:

"To compensate for residual significant impacts to Malleefowl, the approval holder must....once the EEL55 offset site has been legally secured, report annually on the presence of Malleefowl at the EEL55 offset site for the life of the approval."

The 2023 breeding season runs from September 2023 until February 2024. On-ground monitoring was undertaken in line with the National Malleefowl Monitoring Manual (National Malleefowl Recovery Team, 2022), on 22 November 2023 and 26 December 2023, with all known mounds in EEL55 visited. In addition, cameras were installed for a period of five days to capture activity at two of the mounds.

4.1 Results

Of the 16 mounds monitored within EEL55, one mound was considered 'Active', four 'Inactive' and 11 'Long Unused'. Figure 8 shows each mound status as well as other points of interest noted during the monitoring program, including Malleefowl prints, potential predation event or other evidence of predators within EEL55.

Motion-sensitive cameras were also placed on two of the mounds to confirm field observations. A camera was placed on EEL55_007 and EEL55_009 with data collected between 26-30 November 2023. The camera placed at EEL55_009 was to determine activity of the mound after a suspected predation event.

Data from the cameras were analysed confirming EEL55_007 to be an active mound (Plate 6). No Malleefowl activity was captured at EEL55_009 during this period, indicating the mound is likely to be inactive following a predation event (see Section 4.2).



Plate 6: Malleefowl working active mound at EEL55_007

4.2 Predation Events

During the 2023 monitoring program in November and December, potential predation events were identified at two separate breeding mounds (EEL55_009 and EEL55_010). Large tufts of Malleefowl feathers found near the mounds indicate the birds had possibly been attacked with mortality unknown. Both mounds had been recently worked by Malleefowl, likely in preparation for this breeding season. Predation is indicated in the photos below.

EEL55_009



EEL55_010



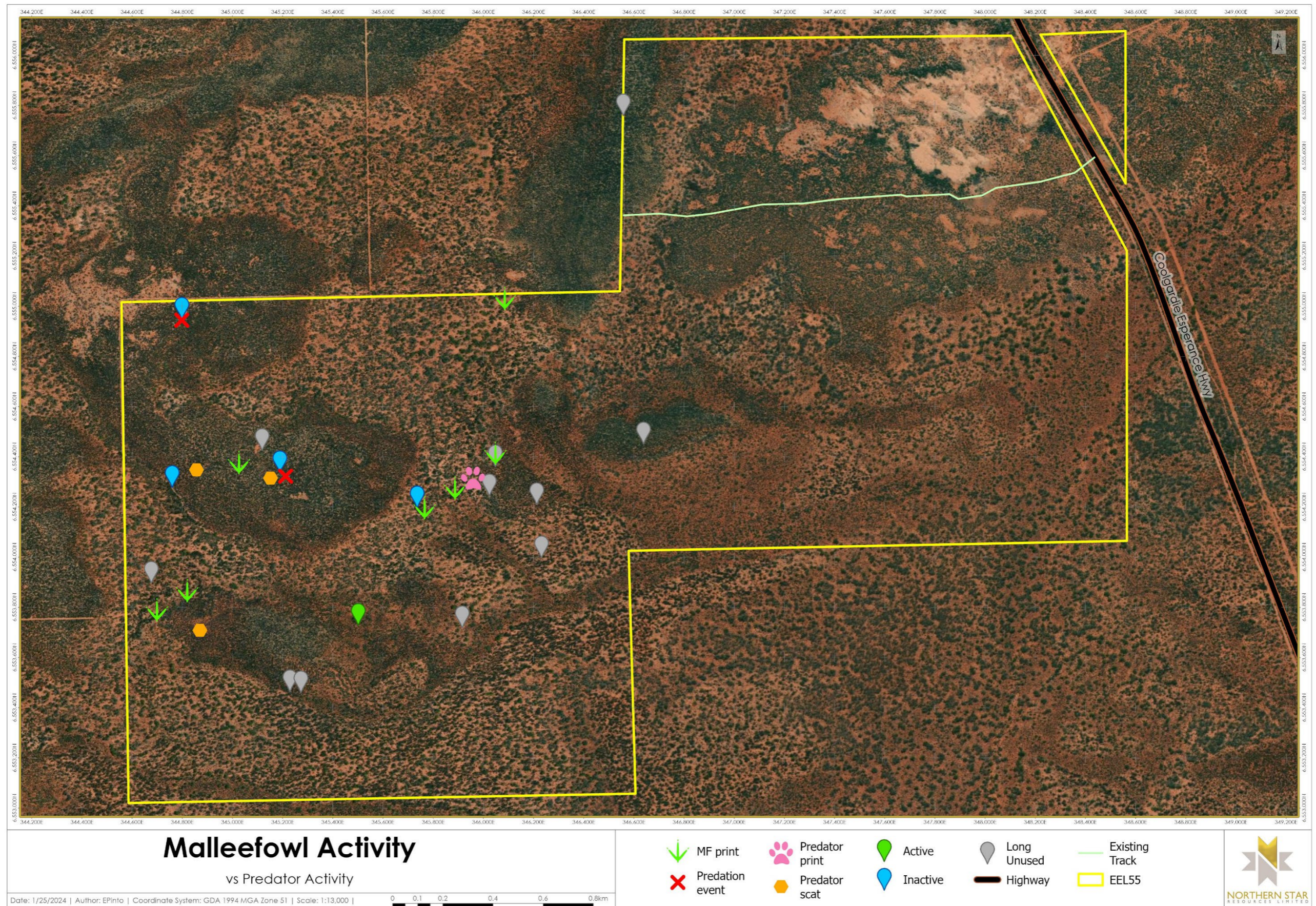


Figure 8: Records of Malleefowl presence within EEL55 and records of predators

5. REFERENCES

Department of Climate Change, Energy, the Environment and Water (DCCEEW) (2023) Annual Compliance Report Guidelines, Canberra. CC BY 4.0.

Holm. A (2022) Pre-clearance survey of Malleefowl activity within proposed expansion of Carosue Dam Tailings Storage Facility (Cell 4). Prepared for Northern Star Resources Limited, 24 November 2022.

National Malleefowl Recovery Team (2022) National Malleefowl Monitoring Manual: Edition: v2022_1 (Revised June 2022).

Northern Star Resources (2022) Carosue Dam TSF Cell 4 Project Preliminary Documentation. Prepared for EPBC2021/9026 Approval, 2 August 2022. Accessible online: [epbc2021_9026-preliminary-documentation.pdf \(nsrtd.com\)](https://www.nsrtd.com/epbc2021_9026-preliminary-documentation.pdf).

Northern Star (2022) Carosue Dam TSF Cell 4 Project Preliminary Documentation Construction Environmental Management Plan. Prepared for EPBC2021/9026 Approval, 11 November 2022. Accessible online: [pages-from-epbc2021_9026-cemp_1.pdf \(nsrtd.com\)](https://www.nsrtd.com/pages-from-epbc2021_9026-cemp_1.pdf).

6. APPENDICES

Appendix A: EEL55 Conservation Covenant & Certificate of Title



CONSERVATION COVENANT
SOIL AND LAND CONSERVATION ACT
SECTION 30B

File: 22-09670

The registered proprietor, **NORTHERN STAR (HAMPTON GOLD MINING AREAS) LIMITED** of that land described as **Lot 101 on Deposited Plan 40372**, Certificate of Title Volume 2625 Folio 387, recognises the value of sound land management practices and the value of protecting areas within the land described on this plan.

The registered proprietor of the land agrees that an irrevocable instrument known as a Conservation Covenant be entered into in respect of that area of land contained within; Certificate of Title Volume 2625 Folio 387, for the purpose of setting aside land for the protection and management of vegetation under Section 30B of the *Soil and Land Conservation Act 1945*. Accordingly:

We: **NORTHERN STAR (HAMPTON GOLD MINING AREAS) LIMITED**
(Proprietor of the Land)

Of: **Level 4, 500 Hay Street**
SUBIACO WA 6008
(Normal Postal Address)
ABN 79 009 473 054

Covenant to retain and protect 800.8196 hectares of native vegetation in perpetuity, as shown on this plan as an area cross hatched orange contained within Certificate of Title Volume 2625 Folio 387 in accordance with the following conditions:

- The area of land described above is to be adequately fenced to exclude all classes of livestock and be managed in such a way as to retain and promote the growth of native vegetation.
- Subject to sections 30B and 30C of the *Soil and Land Conservation Act 1945*, this Conservation Covenant is to have effect in perpetuity.
- A Conservation Covenant registered on Certificate of Title by Memorial binds each person successively becoming an owner or occupier of the land.
- Subject to any necessary approvals from relevant authorities, and in accordance with any written law, clearing is permitted within the areas described above for boundary fence lines and firebreaks and adherence to the fire management plan.
- As per Condition 2 of *Environment Protection and Biodiversity Conservation Act 1999* approval EPBC 2021/9026.

REGISTERED PROPRIETOR:

Signed on behalf of NORTHERN STAR (HAMPTON GOLD MINING AREAS) LIMITED on 18/8/2023

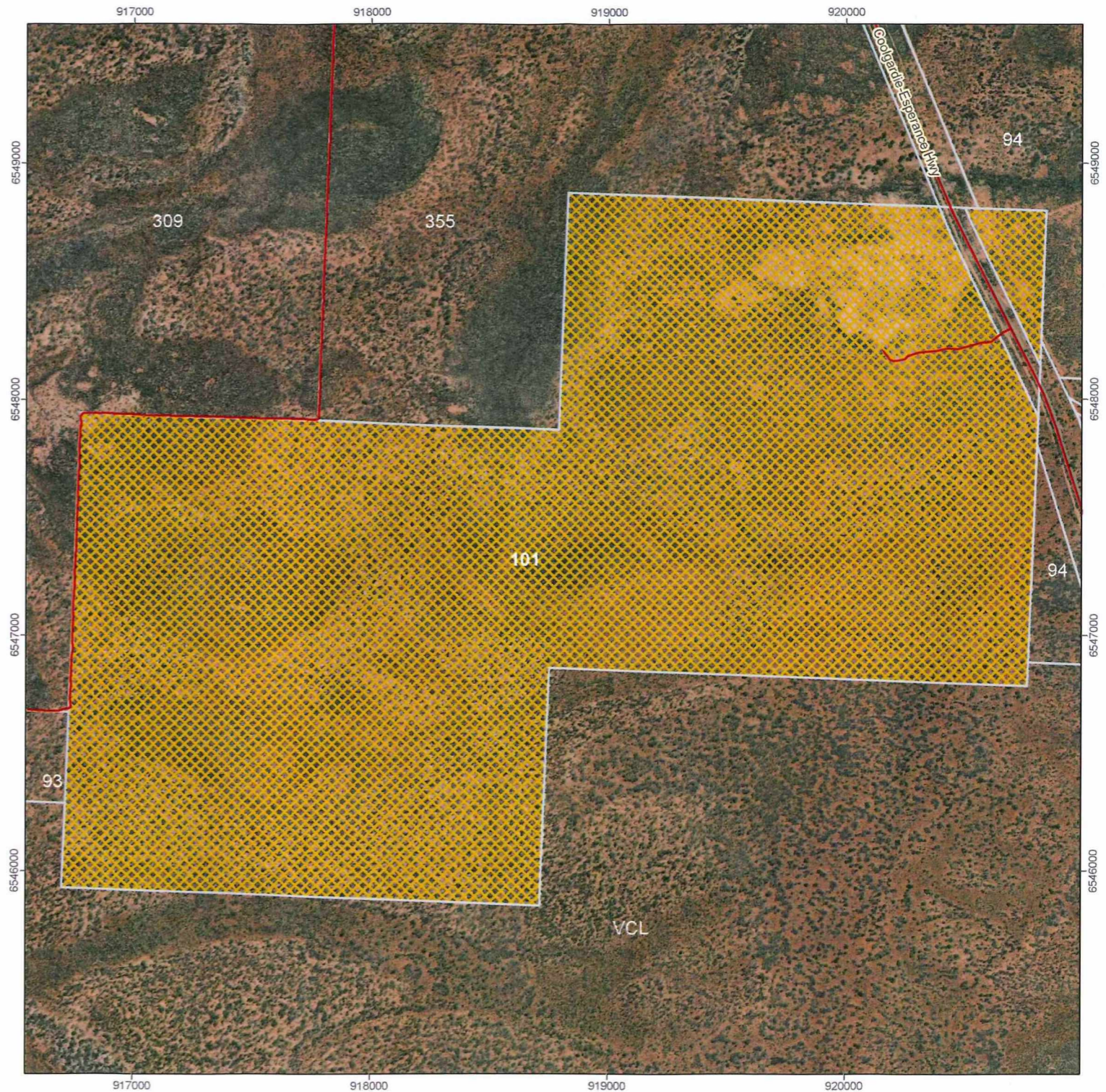
Signature of Director

Signature of Director/Company Secretary

STUART TONKIN
Name of Director

HILARY MACDONALD
Name of Director/Company Secretary

Dr Melanie Strawbridge
COMMISSIONER OF SOIL AND LAND CONSERVATION
DATE: 4/9/2023



Road	NOTE: 1. All measurements and areas are only approximate and subject to on-site assessment by a Land Conservation Officer from the Department of Primary Industries and Regional Development (DPIRD). 2. Landgate cadastral parcels as at August 2023 3. Imagery - Digital Globe April 2018-February 2019 4. Projection - Transverse Mercator Datum - Geocentric Datum of Australia 1994 Grid - Map Grid of Australia 1994 Zone 51
Cadastral parcel boundary	
Area to be retained and protected as native vegetation 800.8196 ha	
Drawn by: P. Goulding	Date: 20/06/2023
Checked by:	Date:

WESTERN



AUSTRALIA

TITLE NUMBER

Volume Folio

2625 387

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 101 ON DEPOSITED PLAN 40372

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

NORTHERN STAR (HAMPTON GOLD MINING AREAS) LIMITED OF LEVEL 4 500 HAY STREET SUBIACO WA 6008
(AN O024589) REGISTERED 7/11/2018

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

1. P707653 MEMORIAL. SOIL AND LAND CONSERVATION ACT 1945. REGISTERED 13/9/2023.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: DP40372
PREVIOUS TITLE: 2190-964
PROPERTY STREET ADDRESS: LOT 101 COOLGARDIE-ESPERANCE HWY, LONDONDERRY.
LOCAL GOVERNMENT AUTHORITY: SHIRE OF COOLGARDIE

Appendix B: Example of CEMP pre-clearing checklists & fauna spotter register

CDO TSF Cell 4 Project	
CEMP Conditions Summary	
Pre-clearing survey complete	✓
Malleefowl road traffic warning signs erected	✓
Active mounds are flagged with appropriately sized buffers (50m)	✓
Confirmation no active mounds present in area to be cleared	✓
Clearing boundary is marked using GPS and cleared first to prevent over-clearing	✓
Following boundary clearing, vegetation to be cleared in a systematic pattern allowing fauna to move into adjacent undisturbed vegetation to the north and west of the disturbance footprint	✓
Fauna spotter present – works to cease if spotter considers Malleefowl or other fauna are at risk and not commence until Malleefowl move away of their own volition, or other fauna either move away or are captured and relocated by the spotter	✓
Malleefowl sighted during clearing to be reported to Environment Department	✓
Feral animals to be reported to site Environment Department	✓
Water carts available	✓
Dozer speed limit 10km/hr	✓
Dozer to be checked for trapped animals each day prior to start-up	✓
Dozer has approved weed hygiene certificate	✓
Dozer has fire extinguisher in working order	✓
Clearing restricted to daylight hours	✓

Boundary clearing Southern Extent

CDO TSF Cell 4 Project
CEMP Conditions Summary

Pre-clearing survey complete	✓
Malleefowl road traffic warning signs erected	✓
Active mounds are flagged with appropriately sized buffers (50m)	✓
Confirmation no active mounds present in area to be cleared	✓
Clearing boundary is marked using GPS and cleared first to prevent over-clearing	✓
Following boundary clearing, vegetation to be cleared in a systematic pattern allowing fauna to move into adjacent undisturbed vegetation to the north and west of the disturbance footprint	✓
Fauna spotter present – works to cease if spotter considers Malleefowl or other fauna are at risk and not commence until Malleefowl move away of their own volition, or other fauna either move away or are captured and relocated by the spotter	✓
Malleefowl sighted during clearing to be reported to Environment Department	✓
Feral animals to be reported to site Environment Department	✓
Water carts available	✓
Dozer speed limit 10km/hr	✓
Dozer to be checked for trapped animals each day prior to start-up	✓
Dozer has approved weed hygiene certificate	✓
Dozer has fire extinguisher in working order	✓
Clearing restricted to daylight hours	✓

Boundary clearing continued

CDO TSF Cell 4 Project
CEMP Conditions Summary

Pre-clearing survey complete	✓
Malleefowl road traffic warning signs erected	✓
Active mounds are flagged with appropriately sized buffers (50m)	✓
Confirmation no active mounds present in area to be cleared	✓
Clearing boundary is marked using GPS and cleared first to prevent over-clearing	✓
Following boundary clearing, vegetation to be cleared in a systematic pattern allowing fauna to move into adjacent undisturbed vegetation to the north and west of the disturbance footprint	✓
Fauna spotter present – works to cease if spotter considers Malleefowl or other fauna are at risk and not commence until Malleefowl move away of their own volition, or other fauna either move away or are captured and relocated by the spotter	✓
Malleefowl sighted during clearing to be reported to Environment Department	✓
Feral animals to be reported to site Environment Department	✓
Water carts available	✓
Dozer speed limit 10km/hr	✓
Dozer to be checked for trapped animals each day prior to start-up	✓
Dozer has approved weed hygiene certificate	✓
Dozer has fire extinguisher in working order	✓
Clearing restricted to daylight hours	✓

Clearing topsoil areas / veg stockpiles

