

ASX RELEASE

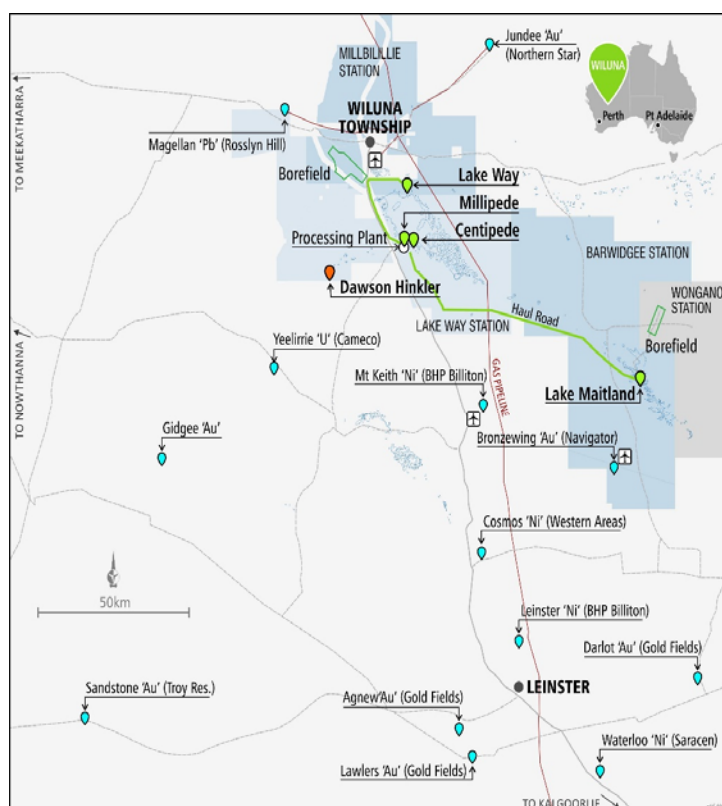
10 July 2017

Federal environmental approval received Environmental assessment process completed for Wiluna

Highlights

- **Federal and State government environmental approvals in place** for mining uranium at the Centipede, Lake Way, Millipede and Lake Maitland deposits, the construction of a processing facility and all mine and processing related infrastructure, tailings storage facilities and finished product transport to port ('**Wiluna Uranium Project**').
- State and Federal Government environmental assessment process **completed** pursuant to the *Environmental Protection Act 1986 (WA)* ('**EP Act**') and *Environment Protection and Biodiversity Conservation Act (Cth)* ('**EPBC Act**').
- Government environmental approvals are subject to implementation conditions.
- **WA State Government has confirmed it will not prevent the development of the Wiluna Uranium Project.**

Figure 1 – Wiluna Uranium Project – 100% owned, Western Australia



Federal Government Approvals

Toro Energy Limited (**ASX: TOE**) (“**the Company**” or “**Toro**”) is pleased to advise the Federal government’s Minister for the Environment and Energy, the Hon Josh Frydenberg, has granted environmental approval, subject to implementation conditions, for the Extension to the Wiluna Uranium Project (EPBC 2014/7138) in Western Australia.

The Minister’s approval was received by Toro on 7 July 2017 and is attached to this announcement (**Annexure 1**).

The Extension to the Wiluna Uranium Project was assessed under a bi-lateral agreement between federal and state governments initiated in February 2014.

The approval complements the federal approval granted in April 2013 by the then Minister for the Department of Sustainability, Environment, Water, Population and Communities, the Hon Tony Burke (EPBC No. 2009/5174) (**Annexure 2**) that approved the development of a uranium mine comprising the Centipede and Lake Way deposits and associated processing plant and infrastructure.

The effect of the two federal approvals is that the assessment process under the EPBC Act is complete and the Wiluna Uranium Project, being the mining of uranium at the Centipede, Lake Way, Millipede and Lake Maitland deposits, the construction of a processing facility and all mine and processing related infrastructure, tailings storage facilities and finished product transport to port, can be implemented subject to the conditions outlined in the two approval documents.

The rigorous environmental assessment process for the Wiluna Uranium Project has lasted over seven years and been conducted with great transparency through federal and state environmental statutes ensuring both an environmentally and legally robust set of approvals. Toro, its environmental consultants, and other third parties such as CSIRO, have contributed to a significant library of environmental science addressing key environmental factors relating to the Project identified by Toro, government and via public consultation. Toro acknowledges the dedicated evidence based environmental assessment undertaken by both the Federal Department of Environment and Energy and the Western Australian Office of the Environmental Protection Authority and other State agencies.

State Government Approvals

On 9 January 2017 the then Western Australian Minister for Environment; Heritage, the Hon. Albert Jacob MLA, approved a revised proposal for the Wiluna Uranium Project. Refer ASX announcement dated 9 January 2017. The Minister’s consent is documented in Ministerial Statement 1051 and is attached to this announcement (**Annexure 3**).

Further to comments made by the Minister for Mines and Petroleum the Hon Bill Johnston MLA to the Western Australian State Parliament on 20 June 2017, Minister Johnston has written to Toro confirming that the State Government will not prevent the Wiluna Uranium Project from proceeding in accordance with existing approvals.

Ongoing Work

Toro is proceeding with meeting the implementation conditions outlined in the various government approvals.

The immediate focus of the Company is to improving the economics of the Wiluna Uranium Project by progressing a number of mining, metallurgical and process design and research initiatives that expand on the studies completed in 2016. All work streams are geared to ensure the Project is capable of being financed and brought into production as and when economic conditions justify the development.

This is the announcement referred to in Toro's trading halt request of 7 July 2017.

ENDS

For further information contact:

Andrew Worland

General Manager & Company Secretary

Toro Energy Limited

+61 8 9214 2100

Richard Homsany

Executive Chairman

Toro Energy Limited

+61 8 9214 2100

Annexure 1

Federal Environmental Approval

Extension to Wiluna Uranium Project

EPBC Act No 2014/7138



THE HON JOSH FRYDENBERG MP
MINISTER FOR THE ENVIRONMENT AND ENERGY

EPBC Ref: 2014/7138

Andrew Worland
General Manager
Toro Energy Limited
PO Box 584
WEST PERTH WA 6872

05 JUL 2017

Dear Mr Worland,

Decision on approval
EPBC 2014/7138 EXTENSION OF THE WILUNA URANIUM MINE PROJECT

I am writing to you in relation to your proposal for the extension of the Wiluna Uranium Mine Project. Thank you for your comments on the proposed decision.

I have considered the proposal in accordance with Part 9 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and have decided to grant an approval to Toro Energy Limited. The details of my decision are attached. The proposal must be undertaken in accordance with the conditions specified in the approval.

You should note that this EPBC Act approval does not affect obligations to comply with any other laws of the Commonwealth, state or territory that are applicable to the action. Neither does this approval confer any right, title or interest that may be required to access land or waters to take the action.

The Department has an active audit program for proposals that have been referred or approved under the EPBC Act. The audit program aims to ensure that proposals are implemented as planned and that there is a high degree of compliance with any associated conditions. Please note that your project may be selected for audit by the department at any time and all related records and documents may be subject to scrutiny. Information about the department's compliance monitoring and auditing program is enclosed.

If you have any questions about this decision, please contact Rebecca Gee, by email to Rebecca.Gee@environment.gov.au or telephone (02) 6274 2713 and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'JF'.

JOSH FRYDENBERG



COMPLIANCE MONITORING AND AUDITING

This fact sheet provides an overview of the compliance monitoring and auditing program in place for projects referred under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and permits granted under the *Environment Protection (Sea Dumping) Act 1981* (the Sea Dumping Act).

What is the EPBC Act?

The EPBC Act is Australia's key national environment law. Under the EPBC Act, proposals which are likely to have a significant impact on matters of national environmental significance must be referred, assessed, and a decision made by the Minister or his delegate on whether to approve the proposal.

What is the Sea Dumping Act?

The Sea Dumping Act regulates the loading and dumping of waste at sea. The Sea Dumping Act fulfils Australia's international obligations under the London Protocol to prevent marine pollution by dumping of wastes and other matter. Permits are required from the Department for all ocean disposal activities.

What is compliance monitoring and auditing for?

The Department has implemented a program to monitor and audit projects that have been referred under the EPBC Act and the Sea Dumping Act to ensure they are complying with their approval/permit conditions or particular manner requirements and the legislation.

Compliance monitoring activities, including inspections and audits, aim to ensure projects with the potential to impact on nationally protected matters are implemented as planned. Monitoring and audits help the Australian Government to understand how well conditions or requirements are being understood and applied, and contribute to improving the effectiveness of the Department's operations.

All compliance monitoring activities, and any subsequent enforcement activities, are conducted in accordance with the Department's Compliance and Enforcement Policy.

What is a monitoring inspection?

Approved projects are subject to monitoring inspections to ensure and verify compliance with the conditions or requirements of the approval or permit. Projects are selected for a monitoring inspection based on a risk-based process informed through a number of factors, including sector, location, compliance history and the potential impact on listed matters (such as threatened species and ecological communities).

What is a compliance audit?

A compliance audit is an objective assessment of a project's compliance against selected criteria. Projects are audited against conditions or requirements. A compliance audit usually takes the form of a desktop document review and may include a site inspection, if necessary. In some cases, the document review provides the Department with enough information to verify that a project is compliant.

Projects can be chosen for audit based on a random selection process or a risk-focused selection process. If your project is selected for an audit, you will be contacted by a Departmental officer who will explain the process. All audit report summaries are posted on the Department's website. The results of audits may also be publicised through the general media.

Further information

For further information on the compliance monitoring and auditing program, please visit the Department's website at www.environment.gov.au or contact:

The Director, Monitoring and Assurance Section
Department of the Environment and Energy
GPO Box 787 CANBERRA ACT 2601
Telephone: (02) 6274 1111
Email: EPBCmonitoring@environment.gov.au





Approval

Extension of Wiluna Uranium Mine Project, Shire of Wiluna, WA (EPBC 2014/7138)

This decision is made under sections 130(1) and 133 of the *Environment Protection and Biodiversity Conservation Act 1999*.

Proposed action

person to whom the approval is granted Toro Energy Limited

proponent's ACN 117 127 590

proposed action To construct and operate open pit mines at the Millipede and Lake Maitland uranium deposits, located approximately 30 km south and 105 km south east of Wiluna, WA respectively. In addition, to process uranium ore at an already approved processing plant, rehabilitate disturbed areas and transport uranium by road for shipment from Port Adelaide, SA, or Darwin Port, NT [See EPBC Act referral 2014/7138].

Proposed approval decision

Controlling Provision	Decision
Sections 18 & 18A (Listed threatened species and communities)	Approved
Sections 21 & 22A (Nuclear actions)	Approved

Conditions of approval

This approval is subject to the conditions specified below.

Expiry date of approval

This approval has effect until 31 March 2043.

Decision-maker

name and position The Hon Josh Frydenberg MP
Minister for the Environment and Energy

signature

date of decision

5/7/17

Conditions attached to the approval

1. To manage the impacts of the action on the **environment**, the person taking the action must comply with the conditions attached to the **WA approval** to the extent those conditions apply to the taking of the action specified in this approval.

*Note: To avoid doubt, the person taking the action is not required to comply with the **WA approval** conditions in taking EPBC No. 2009/5174 approved by the **Minister** on 2 April 2013.*

2. To avoid and mitigate potential impacts to the Night Parrot (*Pezoporus occidentalis*) from taking the action, the person taking the action must prepare a Night Parrot Conservation Plan (the Conservation Plan). The Conservation Plan must:
 - a) fund or detail research activities to improve the scientific understanding of Night Parrot ecology and conservation management in Western Australia
 - b) detail financial commitments and duration of research activities to improve the scientific understanding of Night Parrot ecology and conservation management in Western Australia
 - c) be prepared in consultation with **DBCA**

The Conservation Plan must be submitted to the **Minister** for approval within 12 months from the date of this approval. The person taking the action must implement the approved Conservation Plan. The findings of research activities funded or undertaken under the approved Conservation Plan must be reported to the **Department** within 12 months of completion of the respective activity.

3. To avoid and mitigate potential impacts to the Night Parrot from taking the action, the person taking the action must submit for approval by the **Minister** a Night Parrot Management Plan (the Management Plan). The Management Plan must:
 - a) be informed by the findings of the research activities in the approved Conservation Plan (Condition 2)
 - b) include pre-clearance surveys; detailing methodology, timing and location
 - c) include a vegetation clearance procedure; detailing methodology, timing and location
 - d) provide contingency management measures if Night Parrot are detected in the project area; detailing avoidance and mitigation from any potential impact/s
 - e) include review mechanisms of any contingency management measures adopted to avoid and mitigate potential impacts to the Night Parrot; detailing frequency, intensity, duration and reporting of activities and results

The person taking the action must not begin **commencement** of the action prior to the **Minister** approving the Management Plan. The approved Management Plan must be implemented.

4. Within ten (10) days after the **commencement** of the action, the person taking the action must advise the **Department** in writing of the actual date of **commencement**.
5. The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the management plans and strategies required by this approval, and make them available upon request to the **Department**. Such records may be subject to audit by the **Department** or an independent auditor in accordance with section 458 of the **EPBC Act**. Summaries of audits will be posted on the **Department's** website. The results of audits may also be publicised through the general media.
6. Within three (3) months of every twelve (12) month anniversary of the **commencement** of the action, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the **Department** at the same time as the compliance report is published.
7. Upon the direction of the **Minister**, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the **Minister**. The person taking the action must not commence the audit until the independent auditor and audit criteria have been approved by the **Minister** in writing. The audit report must address the criteria to the satisfaction of the **Minister**.
8. If, at any time after five (5) years from the date of this approval, the person taking the action has not **substantially commenced** the action, then the person taking the action must not substantially commence the action without the written agreement of the **Minister**.

Definitions

Commencement: means any vegetation clearing or construction of infrastructure, excluding construction of fences, signage or geotechnical investigations where no vegetation clearance is required.

Department: means the Australian Government Department of the Environment and Energy or any other agency responsible for administering the **EPBC Act** from time to time.

DBCA: means the Western Australian Department of Biodiversity, Conservation and Attractions or any other agency responsible for administering the Conservation and Land Management Act 1984 from time to time.

Environment: means the environment as defined under section 528 of the EPBC Act.

EPBC Act: means the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

Minister: means the Minister responsible for administering the **EPBC Act** from time to time and includes a delegate of the Minister.

Substantially commenced: means the erection of any infrastructure, excluding signs and fences associated with the action.

WA approval: means the Western Australia Minister for Environment; Heritage Statement No. 1051 published on 9 January 2017 as amended and in force from time to time.

Annexure 2
Federal Environmental Approval
Wiluna Uranium Project
EPBC Act No 2009/5174



Australian Government

Department of Sustainability, Environment, Water, Population and Communities

Approval

Wiluna Uranium Project, WA (EPBC No. 2009/5174)

This decision is made under sections 130(1) and 133 of the *Environment Protection and Biodiversity Conservation Act 1999*.

Proposed action

person to whom the approval is granted Toro Energy Limited

proponent's ACN ACN: 117 127 590;
ABN: 48 117 127 590

proposed action To develop a uranium mine comprising of two open-pits and associated processing plant and infrastructure, 30 km south and southeast of Wiluna, WA (see EPBC Act referral 2009/5174).

Approval decision

Controlling Provision	Decision
Nuclear actions (sections 21 & 22A)	Approved

conditions of approval

This approval is subject to the conditions specified below.

expiry date of approval This approval has effect until 31 March 2043.

Decision-maker

name and position The Hon Tony Burke MP
Minister for Sustainability, Environment, Water, Population and Communities

signature

date of decision

2.4.13

Conditions attached to the approval.

Commencement and Completion

1. Within 10 business days after the **commencement** of the action, the person taking the action must advise the **department** in writing of the actual date of **commencement**.
2. If, at any time after five years from the date of this approval, the person taking the action has not **commenced** the action, then the person taking the action must not **commence** the action without the written agreement of the **Minister**.

Environment Management Plan

3. The person taking the action must develop, and submit to the **Minister** for approval, an Environment Management Plan ('the plan'). The plan must specify:
 - a. the proposed operations covered by the plan
 - b. the **environmental outcomes** to be achieved, as specified in conditions 6 (radiation), 10 (groundwater) and 14 (surface water)
 - c. **Compliance criteria**, to demonstrate compliance with the **environmental outcomes** specified in condition 6 (radiation), condition 11 (groundwater) and condition 15 (surface water). A failure to meet **compliance criteria** represents non-compliance with these conditions
 - d. **Trigger levels** as specified in condition 12 (groundwater) and condition 15 (surface water). **Trigger levels** must provide an early warning that the **compliance criteria** identified in (c) may not be met. A failure to meet a **trigger level** does not represent non-compliance with these conditions but remedial action must be taken in response
 - e. The plan must specify the remedial action which will be taken in relation to an exceedance of a **trigger level**, and the timeframe for a response
 - f. **Target criteria**, as specified in condition 7 (radiation). A failure to meet a **target criteria** does not represent non-compliance with these conditions but the person taking the action must review practices if criteria are exceeded and endeavour to meet the **target criteria**
 - g. the specific parameters to be measured and monitored in order to demonstrate achievement of the **target criteria, trigger levels, compliance criteria and environmental outcomes**.
 - h. the locations at which monitoring will take place, or how these locations will be determined
 - i. the frequency and timing of monitoring or how it will be determined
 - j. the baseline or control data to be used or how it will be acquired. Baseline data must be collected at a resolution and over a time period so as to inform the selection of **compliance criteria, trigger levels and target criteria**
 - k. information about the strategies and other measures the person taking the action will implement to achieve the **compliance criteria** and to investigate respond to and report any non-compliance with the **compliance criteria, trigger levels or target criteria** (without limiting the measures that may be implemented to those specified in the plan).
4. The plan must be submitted to the **Minister** for approval at least 3 months prior to **commencement**.

5. The action must not **commence** until the plan is approved. The approved plan must be implemented.

Note: If a condition of another approval held by the proponent requires submission of a plan that meets the requirements of condition 3, the proponent may simultaneously meet the relevant requirements of both conditions by submitting a single plan.

Radiation

6. The person taking the action must ensure exposure of **members of the public and workers** to radioactive releases from the action does not exceed relevant dose limits as described in the *Code of Practice for Radiation Protection and Radioactive Waste Management in Mining and Mineral Processing* (ARPANSA, 2005 or as amended); and is **as low as reasonably achievable**.
7. The plan required under condition 3 must include **target criteria** for radiation exposure in the form of a radiation **dose constraint** for **members of the public** and a **reference level** for impacts on **non-human biota**. **Target criteria** must reflect a level of impact that is **as low as reasonably achievable** for radiation exposure to **members of the public**, and must be minimised to the lowest reasonable levels for **non-human biota**, consistent with the following:
 - a. The **dose constraint** must be no more than 300 micro-Sieverts in a year unless otherwise agreed by the **Minister**
 - b. The **reference level** must be no greater than 10 micro-Grays per hour, except for bryophytes and lichens, unless otherwise agreed by the **Minister**.
 - c. The reference level must be no greater than 35 micro-Grays per hour for bryophytes and lichens, unless otherwise agreed by the **Minister**.
8. The management of radioactive substances and waste must be consistent with the *Code of Practice for Radiation Protection and Radioactive Waste Management in Mining and Mineral Processing* (ARPANSA, 2005 or as amended).
9. The transport of all radioactive material must be consistent with the *Code of Practice for the Safe Transport of Radioactive Material* (ARPANSA, 2008 or as amended).

Groundwater

10. The person taking the action must ensure the action does not result in any **significant adverse impact** on **groundwater dependent flora and fauna**.
11. The **compliance criteria** required under condition 3 must address groundwater quality and groundwater drawdown impacts.
12. The **trigger levels** required under condition 3 must detect any change in groundwater quality (including pH and uranium concentrations) which is beyond natural variation outside of the groundwater barrier of the open pits, or as otherwise agreed by the **Minister**.

13. Prior to any groundwater extraction outside of the **mining lease**, the person taking the action must develop a plan for extraction of groundwater outside of the **mining lease**. The plan addressing the outcome in condition 10 must be either:
- Submitted to the **Minister** for approval, or
 - approved by the Western Australian Government and submitted to the **Minister** within 30 calendar days of it being approved.

The approved plan must be implemented.

Surface Water

14. The person taking the action must ensure the action does not result in a **significant adverse impact** on downstream **environmental values**.
15. The plan required under condition 3 must include **compliance criteria** and **trigger levels** developed in accordance with the *Australian and New Zealand guidelines for fresh and marine water quality* (ANZECC & ARMICANZ 2000, or as amended), or as otherwise agreed by the **Minister**.
16. Unless otherwise agreed by the **Minister**, the bunding around the pits must be designed to withstand a probable maximum flood.

Mine closure

17. The plan required under condition 3 must include a Mine Closure Plan. The Mine Closure Plan must:
- specify that the **environmental outcome** to be achieved indefinitely post mine closure is that the **mining lease** site is physically safe to **members of the public and non-human biota**, geo-technically stable and geo-chemically non-polluting
 - include **closure outcomes** consistent with (a)
 - include **completion criteria** that are clear, unambiguous and are specific to the achievement of the specified **closure outcomes** and which include:
 - parameters to be measured and monitored
 - the locations where monitoring will take place, or how these locations will be determined
 - the measures for demonstrating achievement of the outcome, with consideration of monitoring and modelling undertaken in condition 3 and any inherent errors of measurement
 - the frequency and timing of monitoring, or how this will be determined
 - identification of the background or control data to be used or how these will be acquired.
 - contain a comprehensive and conservative safety assessment including modelling to determine the long-term risk to the public and the environment from the tailings storage facility, and demonstrate that **closure outcomes** can continue to be achieved.
 - describe the measures the person taking the action will implement to:
 - achieve the outcomes, and
 - investigate and respond to any potential or actual non-compliance with the completion criteria.
 - describe the management systems that the person taking the action will use to demonstrate compliance with the completion criteria and reduce the risk of non-compliance
 - address the potential for and impacts resulting from early, unplanned closure

- h. demonstrate that all practical options for progressive rehabilitation have been addressed
 - i. propose on-ground progressive rehabilitation trials during operations that demonstrate the feasibility and improve the viability of the proposed rehabilitation strategies
 - j. include a schedule for the timing of progressive rehabilitation of the site.
18. Unless otherwise agreed by the **Minister**, the tailings storage facility must be designed, constructed and rehabilitated to meet the requirements of condition 17, and must include as a minimum:
- a. a cover of at least 2 metres thickness which is shown through appropriate modelling to retain its integrity over the long-term
 - b. a radiation control layer that reduces the radon emanation at the surface of the radiation control layer to less than 25 % of the rate of the exposed tailings surface
 - c. a compacted clay liner of at least 300mm thickness with permeability of less than 1×10^{-9} metres/second.
19. Prior to commencement, the design of the tailings storage facility cover must be reviewed and endorsed as being consistent with conditions 17.a and 18 and current standards of best practice by an **independent scientific expert** who has been approved by the **Minister**.
20. The person taking the action must provide to the **Minister**, a copy of all the recommendations made by the **independent scientific expert** and an explanation of how these recommendations have, or will be, implemented, or an explanation of why the person taking the action does not propose to implement certain recommendations. This information must be provided to the **Minister** within one month of receiving advice from the **independent scientific expert** or within any timeframe recommended by the **independent scientific expert**, should this be less than one month.
21. Unless otherwise agreed by the **Minister**, the endorsed tailings storage facility design must be implemented.

Review of plan

22. The Environment Management Plan required under condition 3 must be reviewed at least every three years from the date of its first approval, or as otherwise specified in writing by the **Minister**. A report on the review must be provided to the **Minister** addressing:
- a. the effectiveness of the Environment Management Plan over the preceding period
 - b. how the Environment Management Plan meets world's best practice or how the plan has been amended to meet world's best practice.
 - c. the monitoring results over the preceding three years and the extent to which **compliance criteria**, **trigger levels**, **target criteria**, and **completion criteria** have been met
 - d. whether the **compliance criteria** and/or **completion criteria** should be revised to improve measurement of the achievement of the outcomes referred to in condition 3 and condition 17, taking into account the latest scientific information
 - e. whether the **trigger levels** can be revised to provide a better early warning of potential non-compliance

- f. whether **target criteria** should be changed to reflect a level of impact for **members of the public** that is as low as reasonably achievable and for **non-human biota** that is minimised to the lowest reasonable levels
- g. opportunities for improved monitoring methods
- h. the outcome of risk assessments undertaken over the preceding three years
- i. the person taking the action's response to the review, including any revisions to the plan the person taking the action proposes to make
- j. the information on which the review was based
- k. the expertise used in undertaking the review
- l. any other findings and recommendations from the review.

23. The **Minister** may require the person taking the action to have the report independently reviewed and the results provided to the **Minister**. The financial cost of the review will be borne by the person taking the action.

Rehabilitation bond

24. On request by the **Minister**, the person taking the action must provide details of the financial arrangements required by the Western Australian Government for ensuring adequate rehabilitation of the action. The person taking the action must comply with the request within 20 business days.

25. The person taking the action must enter into a financial arrangement which assures the full cost of rehabilitation will be met. This can be achieved by:

- a. entering into a bond, financial guarantee or similar arrangement (in these conditions 'a bond'), or contributing to a fund, with the Western Australian Government and/or
- b. entering into a bond with the **Minister** for any additional amount required in order to meet this condition, should the **Minister** determine the arrangement with the Western Australian Government does not adequately cover the full cost of rehabilitation.

26. In providing for or varying a bond amount in accordance with these conditions, the **Minister** may require the person taking the action to obtain written quotes for the cost of the rehabilitation liability under the mine closure plan from a third party approved by the **Minister**.

27. The person taking the action must meet all the charges and costs in obtaining and maintaining the bond.

Indigenous heritage

28. The person taking the action must submit evidence that **Indigenous persons with rights or interests** in the project area have been adequately consulted, to the **Minister** prior to **commencement**. This may take the form of an Indigenous Land Use Agreement under the *Native Title Act 1993*.

29. The person taking the action must submit a Cultural Heritage Management Plan, which is consistent with the outcomes of the consultation at condition 28, to the **Minister** for approval. The Cultural Heritage Management Plan must contain:
- Evidence that indigenous cultural heritage surveys have been undertaken for the project area
 - Management measures to avoid or minimise impact to **indigenous cultural heritage values**.
30. The Cultural Heritage Management Plan must be submitted to the **Minister** for approval at least 3 months prior to **commencement**, unless otherwise agreed in writing by the **Minister**. The action must not **commence** until the Cultural Heritage Management Plan is approved. The approved plan must be implemented.

Note: If a condition of another approval held by the proponent requires submission of a plan that meets the requirements of condition 29, the proponent may simultaneously meet the relevant requirements of both conditions by submitting a single plan.

Request for variation of plan by proponent

31. If the person taking the action wishes to carry out any activity otherwise than in accordance with the plans as specified in the conditions, the person taking the action must submit to the **department** for the **Minister's** written approval a revised version of that plan. The varied activity shall not commence until the **Minister** has approved the revised plan in writing. The **Minister** will not approve a revised plan unless the revised plan would result in an equivalent or improved environmental outcome over time. If the **Minister** approves the revised plan, that plan must be implemented in place of the plan originally approved.

Revisions to plan by the Minister

32. If the **Minister** believes it is necessary or convenient for the better protection of the environment to do so, the **Minister** may request that the person taking the action make specified revisions to the plans specified in the conditions and submit the revised plan for the **Minister's** written approval. The person taking the action must comply with any such request. The revised approved plan must be implemented. Unless the **Minister** has approved the revised plan, then the person taking the action must continue to implement the plan most recently approved, as specified in the conditions.

Publication of plans

33. Unless otherwise agreed to in writing by the **Minister**, the person taking the action must publish the plans referred to in these conditions of approval on their website. The plans must be published on the website within 1 month of being approved and remain on the website for the duration of the action.

Record-keeping

34. The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the plan required by this approval, and make them available upon request to the **department**. Such records may be subject to audit by the **department** or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the **department's** website. The results of audits may also be publicised through the general media.

Reporting compliance

35. Within three months of every 12 month anniversary of the commencement of the action, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of the plan as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the **department** at the same time as the compliance report is published.

Auditing

36. Upon the direction of the **Minister**, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the **Minister**. The independent auditor must be approved by the **Minister** prior to the commencement of the audit. Audit criteria must be agreed to by the **Minister** and the audit report must address the criteria to the satisfaction of the **Minister**.

Definitions

In these conditions, unless otherwise indicated:

ARPANSA is the Australian Radiation Protection and Nuclear Safety Agency.

As low as reasonably achievable has the meaning given in the *Code of Practice for Radiation Protection and Radioactive Waste Management in Mining and Mineral Processing* (ARPANSA 2005, or as amended).

Commencement means any preparatory works undertaken as part of the action including clearing of vegetation and use of heavy equipment for breaking ground for mining or infrastructure but does not include exploration activities and investigation works such as geotechnical test pits, drilling and soil sampling.

Compliance Criteria are measurable standards or specification of parameters that demonstrate achievement of a required outcome and must be complied with at all times during the period of this approval.

Completion Criteria are measurable standards or specification of parameters that demonstrate the success or otherwise of closure outcomes, and must be complied with in order to achieve closure of the site.

Closure Outcome is a description of the performance outcome, in terms of the extent of change to the environment determined acceptable for ensuring the mining lease site is physically safe to members of the public and non-human biota, geo-technically stable and geo-chemically non-polluting.

Department is the Australian Government Department administering the *Environment Protection and Biodiversity Conservation Act 1999*.

Dose Constraint has the meaning given in the *Code of Practice for Radiation Protection and Radioactive Waste Management in Mining and Mineral Processing* (ARPANSA 2005, or as amended). It should not be regarded as a limit.

Environmental outcome is a description of the performance goal, in terms of the extent of change in the environment, determined acceptable for protecting the environmental values.

Environmental values are the physical characteristics and qualities of the environment that contribute to biodiversity conservation, and the social, spiritual and economic health of individuals and society.

EPBC Act means the *Environment Protection and Biodiversity Conservation Act 1999*.

Groundwater dependent flora and fauna is the vegetation inferred to be groundwater dependant in Appendix E of the Environment Review and Management Programme and stygofauna and troglafauna found in the vicinity, including those identified in Appendix E of the Response to Submissions

Independent scientific expert is a scientist with relevant qualifications and expertise who is not affiliated with the proponent or with other parties affiliated with the project.

Indigenous heritage value is as defined in Section 528 of the EPBC Act.

Indigenous persons with rights or interests is as defined in Section 253 of the *Native Title Act 1993*.

Members of the Public has the meaning given in IAEA Safety Glossary – Terminology used in nuclear safety and radiation protection (International Atomic Energy Agency 2007, or as amended).

Non-human Biota means plants and animals (other than humans).

Reference Level has the meaning given in IAEA Safety Glossary – Terminology used in nuclear safety and radiation protection (International Atomic Energy Agency 2007, or as amended). It should not be regarded as a limit.

Mining lease means mining tenements M53/224 and MLA53/1090 as granted by the Western Australian Government.

Minister is the Minister administering the *Environment Protection and Biodiversity Conservation Act 1999* and includes a delegate of the Minister.

Significant adverse impact is an impact which results in impairing the ability of a species or environmental value to recover.

Trigger Levels are measurable standards or specification of parameters that give an early warning that a control measure is failing and a required outcome is potentially at risk of not being achieved. Remedial action must be taken in response.

Target Criteria are measurable standards or specification of parameters that reflect a level of impact that is as low as reasonably achievable or minimised to the lowest reasonable levels for non-human biota. Practices must be reviewed if criteria are exceeded. Criteria refer only to those contributions to the total dose that result from human actions, and specifically exclude any contribution from the undisturbed natural radiation background.

Workers are those persons employed by the person taking the action or contracted to the person taking the action to undertake the action.

Any terms used in these conditions, that are not otherwise defined, will have the meaning given to them under the EPBC Act.

In these conditions, unless otherwise indicated, headings and notes are for convenient reference only, and do not affect the conditions to which they relate.

Annexure 3

State Ministerial Statement 1051

Revised Proposal Wiluna Uranium Project



Hon Albert Jacob MLA
Minister for Environment; Heritage

Statement No. 1051

STATEMENT THAT A REVISED PROPOSAL MAY BE IMPLEMENTED
(*Environmental Protection Act 1986*)

REVISED WILUNA URANIUM PROPOSAL

Revised Proposal: The proposal is to construct and operate a uranium mine consisting of four deposits: Centipede, Millipede, Lake Way and Lake Maitland and includes the construction of roads, power and water source and supply facilities, in pit tailings storage facilities (TSF), accommodation and other associated infrastructure.

The proposal is a revision of the Wiluna Uranium Project, the subject of Ministerial Statement 913.

Proponent: Toro Energy Ltd
Australian Company Number 117 127 590

Proponent Address: Level 3, 33 Richardson Street, West Perth WA
6005

Assessment Number: 2002

Report of the Environmental Protection Authority: 1580

Previous Report of the Environmental Protection Authority: 1437

Previous Statement Number: 913

Pursuant to section 45, read with section 45B of the *Environmental Protection Act 1986* (EP Act), it has been agreed that:

1. The revised proposal described and documented in Schedule 1 may be implemented;
2. the implementation of the revised proposal, being the Wiluna Uranium Project as amended, is subject to the following implementation conditions; and
3. from the date of this statement each of the implementation conditions in Statement 913 no longer apply in relation to the revised proposal.

Published on:

1 Proposal Implementation

- 1-1 When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Table 2 in Schedule 1, unless amendments to the proposal and the authorised extent of the proposal have been approved under the EP Act.

2 Contact Details

- 2-1 The proponent shall notify the CEO of any change of its name, physical address or postal address for the serving of notices or other correspondence within twenty eight (28) days of such change. Where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or of the principal office in the State.

3 Time Limit for Proposal Implementation

- 3-1 The proponent shall not commence implementation of the proposal after five (5) years from the date on this Statement, and any commencement, prior to this date, must be substantial.
- 3-2 Any commencement of implementation of the proposal, on or before five (5) years from the date of this Statement, must be demonstrated as substantial by providing the CEO with written evidence, on or before the expiration of five (5) years from the date of this Statement.

4 Compliance Reporting

- 4-1 The proponent shall prepare, submit and maintain a Compliance Assessment Plan to the CEO at least six (6) months prior to the first Compliance Assessment Report required by condition 4-6, or prior to implementation, whichever is sooner.
- 4-2 The Compliance Assessment Plan shall indicate:
- (1) the frequency of compliance reporting;
 - (2) the approach and timing of compliance assessments;
 - (3) the retention of compliance assessments;
 - (4) the method of reporting of potential non-compliances and corrective actions taken;
 - (5) the table of contents of Compliance Assessment Reports; and
 - (6) public availability of Compliance Assessment Reports.
- 4-3 After receiving notice in writing from the CEO that the Compliance Assessment Plan satisfies the requirements of condition 4-2 the proponent shall assess

compliance with conditions in accordance with the Compliance Assessment Plan required by condition 4-1.

- 4-4 The proponent shall retain reports of all compliance assessments described in the Compliance Assessment Plan required by condition 4-1 and shall make those reports available when requested by the CEO.
- 4-5 The proponent shall advise the CEO of any potential non-compliance within seven (7) days of that non-compliance being known.
- 4-6 The proponent shall submit to the CEO the first Compliance Assessment Reports fifteen (15) months from the date of issue of this Statement addressing the twelve (12) month period from the date of issue of this Statement and then annually from the date of submission of the first Compliance Assessment Report, or as otherwise agreed in writing by the CEO.

The Compliance Assessment Report shall:

- (1) be endorsed by the proponent's Chief Executive Officer or a person delegated to sign on the Chief Executive Officer's behalf;
- (2) include a statement as to whether the proponent has complied with the conditions;
- (3) identify all potential non-compliances and describe corrective and preventative actions taken;
- (4) be made publicly available in accordance with the approved Compliance Assessment Plan; and
- (5) indicate any proposed changes to the Compliance Assessment Plan required by condition 4-1.

5 Public Availability of Plans and Reports

- 5-1 Subject to condition 5-2, within a reasonable time period approved in writing by the CEO of the issue of this Statement and for the remainder of the life of the proposal, the proponent shall make publicly available, in a manner approved in writing by the CEO, all environmental plans and reports required under this Statement.
- 5-2 If any parts of the plans and reports referred to in condition 5-1 contains particulars of:
 - (1) a secret formula or process; or
 - (2) confidential commercially sensitive information;

the proponent may submit a request for approval from the CEO to not make those parts of the plans or reports publicly available. In making such a request, the proponent shall provide the CEO with an explanation and reasons why those parts of the plans or reports should not be made publicly available.

6 Management-based Condition Environmental Management Plans

6-1 The proponent shall prepare and submit Condition Environmental Management Plans:

- (1) Prior to the commencement of ground disturbing activities, or as otherwise agreed in writing by the CEO, to demonstrate that the environmental objectives in conditions 7-1, 10-1, 12-1, 14-1, 15-1 and 16-1 will be met.

6-2 The Condition Environmental Management Plan(s) shall:

- (1) specify the **environmental objectives** to be achieved, as specified in conditions 7-1, 10-1, 12-1, 14-1, 15-1 and 16-1;
- (2) specify risk-based **management actions** that will be implemented to demonstrate compliance with the environmental objectives specified in 7-1, 10-1, 12-1, 14-1, 15-1 and 16-1. Failure to implement one or more of the management actions represents non-compliance with these conditions;
- (3) specify measurable **management target(s)** to determine the effectiveness of the risk-based management actions;
- (4) specify **monitoring** to measure the effectiveness of management actions against management targets, including but not limited to, parameters to be measured, baseline data, monitoring locations, and frequency and timing of monitoring;
- (5) specify a process for **revision** of management actions and changes to proposal activities, in the event that the management targets are not achieved. The process shall include an investigation to determine the cause of the management target(s) being exceeded;
- (6) provide the format and timing to demonstrate that 7-1, 10-1, 12-1, 14-1, 15-1 and 16-1 have been met for the reporting period in the Compliance Assessment Report required by condition 4-6 including, but not limited to:
 - (a) verification of the implementation of management actions; and
 - (b) reporting on the effectiveness of management actions against management target(s).

6-3 After receiving notice in writing from the CEO that the Condition Environmental Management Plan(s) satisfies the requirements of condition 6-2 for conditions 7-1,10-1, 12-1, 14-1, 15-1 and 16-1, the proponent shall:

- (1) implement the provisions of the Condition Environmental Management Plan(s); and
- (2) continue to implement the Condition Environmental Management Plan(s) until the CEO has confirmed by notice in writing that the proponent has demonstrated the objectives specified in conditions 7-1,10-1, 12-1, 14-1, 15-1 and 16-1 have been met.

6-4 In the event that monitoring, tests, surveys or investigations indicate exceedance of management target(s) specified in the Condition Environmental Management Plan(s), the proponent shall:

- (1) report the exceedance in writing to the CEO within 21 days of the exceedance being identified;
- (2) investigate to determine the cause of the management targets being exceeded;
- (3) provide a report to the CEO within 90 days of the exceedance being reported as required by condition 6-4(1). The report shall include:
 - (a) cause of management targets being exceeded;
 - (b) the findings of the investigation required by conditions 6-4(2);
 - (c) details of revised and/or additional management actions to be implemented to prevent exceedance of the management target(s); and
 - (d) relevant changes to proposal activities.

6-5 In the event that one or more management actions specified in the Condition Environmental Management Plan(s) have not been implemented, the proponent shall:

- (1) report the failure to implement management action/s in writing to the CEO within 7 days of becoming aware of the failure;
- (2) investigate to determine the cause of the management action(s) not being implemented;
- (3) investigate to provide information for the CEO to determine potential environmental harm or alteration of the environment that occurred due to the failure to implement management actions;

- (4) provide a report to the CEO within 21 days of the reporting required by condition 6-5(1). The report shall include:
 - (a) cause for failure to implement management actions;
 - (b) the findings of the investigation required by conditions 6-5(2) and 6-5(3);
 - (c) relevant changes to proposal activities; and
 - (d) measures to prevent, control or abate the environmental harm which may have occurred.

6-6 The proponent:

- (1) may review and revise the Condition Environmental Management Plan(s), or
- (2) shall review and revise the Condition Environmental Management Plan(s) as and when directed by the CEO.

6-7 The proponent shall implement the latest revision of the Condition Environmental Management Plan(s), which the CEO has confirmed by notice in writing, satisfies the requirements of condition 6-2.

7 Flora and Vegetation

7-1 The proponent shall manage the implementation of the proposal to meet the following **environmental objective**:

- (1) minimise direct and indirect impacts on Conservation significant flora and Conservation significant vegetation as far as practicable.

7-2 The proponent shall consult with the Department of Parks and Wildlife and prepare a Flora and Vegetation Management Plan required by condition 6-1 that satisfies the requirements of condition 6-2, to meet the objective required by condition 7-1.

7-3 The plan required by condition 6-1 shall include provisions required by condition 6-2 to address the following:

- (1) identification of potential-impact monitoring and control sites;
- (2) design of a survey to acquire baseline biotic and environmental data;
- (3) definition of health and abundance parameters; and
- (4) a detailed survey plan for Tecticornia to identify further conservation-significant flora populations and occurrences of conservation-significant vegetation outside the Development Envelope.

- 7-4 The proponent shall continue to implement the version of the Plan most recently approved by the CEO until the CEO has confirmed by notice in writing that the plan required by condition 6-1 satisfies the requirements of condition 6-2 to meet the objective required by condition 7 -1.

8 *Tecticornia aff. halocnemoides s. l.* 'large ovate seed aggregate' exclusion zone

- 8-1 The proponent shall not disturb *Tecticornia aff. halocnemoides s. l.* 'large ovate seed aggregate' individuals located in the area shown in Figure 3 unless condition 8-3 applies.
- 8-2 Subject to 8-3, the proponent shall not undertake ground disturbance within a 50 m buffer around the *Tecticornia aff. halocnemoides s. l.* 'large ovate seed aggregate' individuals as shown in Figure 3 and delineated by coordinates in Schedule 2.
- 8-3 Ground disturbance may only occur within the *Tecticornia aff. halocnemoides s. l.* 'large ovate seed aggregate' buffer area as shown in Figure 3 and delineated by coordinates in Schedule 2 when:
- (1) the CEO on advice of Department of Parks and Wildlife is satisfied that a viable population of *Tecticornia aff. halocnemoides s. l.* 'large ovate seed aggregate' has been found outside the Development Envelope as shown on Figure 3; and
 - (2) the proponent has received the prior written advice of the CEO that ground disturbance may occur within the buffer area.

9 *Tecticornia aff. sp. Burnerbinmah* (inflated fruit) exclusion zone

- 9-1 The proponent shall not disturb the *Tecticornia aff. sp. Burnerbinmah* (inflated fruit) located in the area shown in Figure 3 unless condition 9-3 applies.
- 9-2 Subject to 9-3, the proponent shall not undertake ground disturbance within a 80 m buffer around the *Tecticornia aff. sp. Burnerbinmah* (inflated fruit) individual as shown in Figure 3 and delineated by coordinates in Schedule 2.
- 9-3 Ground disturbance may only occur within the *Tecticornia aff. sp. Burnerbinmah* (inflated fruit) buffer area as shown in Figure 3 and delineated by coordinates in Schedule 2 when:
- (1) the CEO on advice of Department of Parks and Wildlife is satisfied that a viable population of *Tecticornia aff. sp. Burnerbinmah* (inflated fruit) has been found outside the Development Envelope as shown on Figure 3; and
 - (2) the proponent has received the prior written advice of the CEO that ground disturbance may occur within the buffer area.

10 Subterranean Fauna

10-1 The proponent shall manage the implementation of the proposal to meet the following **environmental objectives**:

- (1) minimise direct and indirect impact on conservation-significant subterranean fauna species and their habitat as far as practicable; and
- (2) improve knowledge of subterranean fauna in the Wiluna region.

10-2 The proponent shall consult with the Department of Parks and Wildlife and prepare a Subterranean Fauna Management Plan required by condition 6-1 that satisfies the requirements of condition 6-2, to meet the objectives required by condition 10-1.

10-3 The plan required by condition 6-1 shall include provisions required by condition 6-2 to address the following in relation to the Hinkler Well calcrete groundwater assemblage type, Uramurdah calcrete groundwater assemblage type, Lake Violet South and Lake Violet calcrete groundwater assemblage type and Barwidgee calcretes groundwater assemblage type both within and outside the area of impact of the proposal:

- (1) location of dewatering, production and monitoring bores;
- (2) collection of baseline data for both water quality and absolute water levels at the monitoring bore locations;
- (3) a detailed monitoring program for both water quality and groundwater levels;
- (4) sampling, identification and reporting;
- (5) a detailed survey plan for subterranean fauna to identify the presence of potentially restricted species outside the Development Envelope; and
- (6) a detailed investigation program to define the parameters of subterranean fauna (stygo fauna and troglodyte fauna) habitat and connectivity.

10-4 The proponent shall continue to implement the version of the plan most recently approved by the CEO until the CEO has confirmed by notice in writing that the plan required by condition 6-1 satisfies the requirements of condition 6-2 to meet the objectives required by condition 10-1.

11 Groundwater Drawdown

11-1 The proponent shall manage the implementation of the proposal to meet the following **environmental outcomes**:

- (1) no adverse impact to inferred groundwater dependent vegetation or subterranean fauna habitat outside the predicted 0.5 m groundwater drawdown contours as shown in Figure 2.

- (2) avoid adverse impacts to the quality and hydrological regimes of groundwater as far as practicable; and
 - (3) through the design and implementation of a suitable groundwater barrier system around mining areas, minimise impacts of groundwater dewatering and abstraction on subterranean fauna, and inferred groundwater dependant vegetation as far as practicable.
- 11-2 The proponent shall consult with the Department of Water and the Department of Parks and Wildlife and prepare a Groundwater Drawdown Management and Monitoring Plan (Operating Strategy) to meet the outcomes of condition 11-1.
- 11-3 The plan required by condition 11-2 shall:
- (1) specify the **environmental outcome** to be achieved, as specified in condition 11-1;
 - (2) specify **trigger criteria** that must provide an early warning that the threshold criteria identified in condition 11-3(3) may not be met;
 - (3) specify **threshold criteria** to demonstrate compliance with the environmental outcome specified in condition 11-1. Exceedance of the threshold criteria represents non-compliance with these conditions;
 - (4) specify **monitoring and analysis** to determine if trigger criteria and threshold criteria are exceeded;
 - (5) specify **trigger level actions** to be implemented in the event that trigger criteria have been exceeded;
 - (6) specify **threshold contingency actions** to be implemented in the event that threshold criteria are exceeded;
 - (7) provide the format and timing for the reporting of monitoring results against trigger criteria and threshold criteria to demonstrate that condition 11-1 has been met over the reporting period in the Compliance Assessment Report required by condition 4-6.
 - (8) provide the location of monitoring sites for groundwater (production and monitoring bores);
 - (9) detail a monitoring program for groundwater quality and levels;
 - (10) detail a monitoring program for seepage of tailings constituents into the groundwater from dewatering of pits and the reinjection of water in to the aquifer on the advice of the Department of Mines and Petroleum.
- 11-4 After receiving notice in writing from the CEO that the Groundwater Drawdown Management and Monitoring Plan (Operating Strategy) satisfies

the requirements of condition 11-2, the proponent shall, prior to the commencement of groundwater drawdown:

- (1) implement the provisions of the Groundwater Drawdown Management and Monitoring Plan (Operating Strategy) and
- (2) continue to implement the Groundwater Drawdown Management and Monitoring Plan (Operating Strategy) until the CEO has confirmed by notice in writing that the proponent has demonstrated the outcome specified in condition 11-1 has been met.

11-5 In the event that monitoring indicates exceedance of trigger criteria and/or threshold criteria specified in the Groundwater Drawdown Management and Monitoring Plan (Operating Strategy), the proponent shall:

- (1) report the exceedance in writing within seven (7) days of the exceedance being identified;
- (2) immediately implement the trigger level actions and/or threshold contingency actions specified in the Condition Environmental Management Plan(s) and continue implementation of those actions until the trigger criteria and/or threshold criteria are being met and implementation of the trigger level actions and/or threshold contingency actions are no longer required;
- (3) investigate to determine the cause of the trigger criteria and/or threshold criteria being exceeded;
- (4) identify additional measures required to prevent the trigger and/or threshold criteria being exceeded in the future;
- (5) investigate to determine potential environmental harm or alteration of the environment that occurred due to threshold criteria being exceeded; and
- (6) provide a report to the CEO within ninety (90) days of the exceedance being reported. The report shall include:
 - (a) details of trigger level actions or threshold contingency actions implemented;
 - (b) the effectiveness of the trigger level actions or threshold contingency actions implemented, monitored and measured against trigger criteria and threshold criteria;
 - (c) the findings of the investigations required by condition 11-5(3) and 11-5(5);
 - (d) additional measures to prevent the trigger or threshold criteria being exceeded in the future; and

- (e) measures to prevent, control or abate the environmental harm which may have occurred.

11-6 The proponent:

- (1) may review and revise the Groundwater Drawdown Management and Monitoring Plan (Operating Strategy), or
- (2) shall review and revise the Groundwater Drawdown Management and Monitoring Plan (Operating Strategy) as and when directed by the CEO.

11-7 The proponent shall implement the latest revision of the Groundwater Drawdown Management and Monitoring Plan (Operating Strategy), which the CEO has confirmed by notice in writing, satisfies the requirements of condition 11-2.

12 Surface Water

12-1 The proponent shall manage the implementation of the proposal to meet the following **environmental objectives**:

- (1) avoid impacts to the quality and hydrological regimes of surface waters as far as practicable; and
- (2) prevent surface water contamination from, among other things, water contact with workings from diversion of creek lines.

12-2 The proponent shall consult with the Department of Water and the Department of Mines and Petroleum and prepare a Surface Water Management Plan required by condition 6-1 that satisfies the requirements of condition 6-2, to meet the objectives required by condition 12-1.

12-3 The plan required by condition 6-1 shall include provisions required by condition 12-2 to address the following:

- (1) operational procedures that ensure water flow through creek line diversions made from previous workings does not become contaminated by contact with workings;
- (2) a monitoring regime for surface water quality using ANZECC 2000 (and any subsequent approved revisions);
- (3) hydrological regime and water quality criteria or background for assessing changes to hydrological regimes and water quality; and
- (4) trigger values and contingency measures.

12-4 The proponent shall continue to implement the version of the plan most recently approved by the CEO until the CEO has confirmed by notice in writing that the plan required by condition 6-1 satisfies the requirements of condition 6-2 to

meet the objectives required by condition 12-1.

13 *Schizopera* sp. TK1 Exclusion Area

13-1 The proponent shall ensure that suitable habitat is maintained for *Schizopera* sp. TK1;

13-2 Subject to condition 13-3, the proponent shall:

- (1) not undertake ground disturbance within the *Schizopera* sp. TK1 exclusion area as shown on Figure 4 and delineated by coordinates in Schedule 2; and
- (2) ensure that groundwater drawdown from mine dewatering does not exceed 0.5 m within the *Schizopera* sp. TK1 exclusion area as shown on Figure 4 and delineated by coordinates in Schedule 2, when monitored in accordance with the Groundwater Drawdown Management and Monitoring Plan required by condition 11-2.

13-3 No ground disturbance and groundwater drawdown exceeding 0.5 m may occur within the *Schizopera* sp. TK1 exclusion area as shown in Figure 4 of Schedule 1 until:

- (1) the CEO on advice of Department of Parks and Wildlife is satisfied that a population of *Schizopera* sp. TK1 has been found outside the impact areas as shown on Figure 4; and
- (2) the proponent has received the notice in writing from the CEO that ground disturbance and groundwater drawdown may occur within the *Schizopera* sp. TK1 exclusion area as shown in Figure 4 of Schedule 1.

14 Dewater Reinjection

14-1 The proponent shall manage the implementation of the proposal to meet the following **environmental objective**:

- (1) to ensure groundwater mounding associated with the Lake Maitland reinjection area is limited to no more than 1 m above natural levels.

14-2 The proponent shall consult with the Department of Water and prepare a Groundwater Reinjection Management Plan (Operating Strategy) required by condition 6-1 that satisfies the requirements of condition 6-2, to meet the objective required by condition 14-1.

14-3 The plan required by condition 6-1 shall include provisions required by condition 6-2 to address the following:

- (1) location of monitoring bores;

- (2) detailed monitoring program for both groundwater quality and levels; and
 - (3) trigger values and contingency measures.
- 14-4 The proponent shall continue to implement the version of the Plan most recently approved by the CEO until the CEO has confirmed by notice in writing that the plan required by condition 6-1 satisfies the requirements of condition 6-2 to meet the objective required by condition 14-1.

15 Dust Management

- 15-1 The proponent shall manage the implementation of the proposal to meet the following **environmental objective**:
- (1) minimise direct and indirect impacts associated with dust.
- 15-2 The proponent shall consult with the Department of Mines and Petroleum and prepare a Dust Management Plan required by condition 6-1 that satisfies the requirements of condition 6-2, to meet the objectives required by condition 15-1.
- 15-3 The plan required by condition 6-1 shall include provisions required by condition 15-2 to address the following:
- (1) a dust monitoring plan;
 - (2) procedures to manage dust during periods of high winds likely to lead to dust storms; and
 - (3) contingency plans for the management of dust should mining involve blasting.
- 15-4 The proponent shall continue to implement the version of the plan most recently approved by the CEO until the CEO has confirmed by notice in writing that the plan required by condition 6-1 satisfies the requirements of condition 6-2 to meet the objectives required by condition 15-1.

16 Heritage

- 16-1 The proponent shall manage the implementation of the revised proposal to meet the following **environmental objective**:
- (1) minimise impacts as far as practicable to registered Aboriginal sites DAA 2676, DAA 1160, DAA 2440 and DAA 2441 and any other Aboriginal heritage places to which the *Aboriginal Heritage Act 1972* (AHA) may apply.
- 16-2 The proponent shall consult with the Department of Aboriginal Affairs and prepare a Cultural Heritage Management Plan required by condition 6-1 that satisfies the requirements of condition 6-2, to meet the objective of condition 16-1.

- 16-3 The proponent shall continue to implement the version of the plan most recently approved by the CEO until the CEO has confirmed by notice in writing that the plan required by condition 6-1 satisfies the requirements of condition 6-2 to meet the objective required by condition 16-1.

17 Offset - *Tecticornia*

- 17-1 The proponent shall fund and undertake an offset as required in Condition 17-2 with the objective to counterbalance the cumulative impact on 1333.2 ha of *Tecticornia*-dominated vegetation as a result of implementation of the proposal.
- 17-2 Prior to the commencement of ground disturbing activities, the proponent shall prepare a Survey and Research Plan for approval by the CEO on the advice of the Department of Parks and Wildlife, to conserve and improve the scientific knowledge of *Tecticornia* taxa. The Survey and Research Plan shall include:
- (1) implementation of further surveys to collect *Tecticornia* specimens within and outside the Development Envelope within the associated lake system and immediate adjoining areas;
 - (2) conducting research on *Tecticornia* specimens collected for taxonomic resolution;
 - (3) provision of distribution and abundance data to enable determination of the conservation status of identified *Tecticornia* taxa including relative representation within and outside the Development Envelope ;
 - (4) storage, preservation and propagation techniques for any *Tecticornia* taxa and unidentified specimens that have not been shown to occur outside the Development Envelope or the area of groundwater drawdown greater than the predicted 0.5 groundwater drawdown contours as shown in Figure 2 of Schedule 1;
 - (5) ecophysiological characterisation and assessment of habitat requirements of different *Tecticornia* taxa within and outside the Development Envelope including an assessment of potential impacts from changes in groundwater quality and quantity, and with main emphasis on those taxa identified as occurring within the Development Envelope;
 - (6) conducting research on requirements and techniques for re-establishing *Tecticornia* vegetation communities and conservation-significant taxa in rehabilitating the Disturbance Area;
 - (7) establishing soil management techniques to ensure preservation of top soils, containing the seed bank, for use in rehabilitation;
 - (8) on-ground works for the establishment of self-sustaining populations of *Tecticornia* taxa considered to be at risk from this proposal; and
 - (9) identify procedures for reporting to the CEO and the Department of

Parks and Wildlife, including the content format, timing and frequency for reporting and provision of data and information against the objective in condition 17-1, in accordance with the requirements of conditions 17-2 (1) to 17-2 (8).

17-3 The proponent shall continue to implement the version of the *Tecticornia* Survey and Research plan most recently approved by the CEO until the CEO has confirmed by notice in writing that the objective in condition 17-1 has been met.

17-4 The funding required by condition 17-1 shall be a minimum total monetary value of \$2,000,000 (GST exclusive) plus CPI from the date of this Statement.

18 Offset - Subterranean Fauna Habitat (PEC)

18-1 The proponent shall fund and undertake an offset as required in Condition 18-2 with the objective to counterbalance the significant residual impact on approximately 168 ha of Hinkler Well Calcrete PEC (component taxa) and 500 ha of the Barwidgee PEC (component taxa) as a result of implementation of the proposal.

18-2 Prior to the commencement of ground disturbing activities, the proponent shall prepare, in consultation with the Department of Parks and Wildlife and the WA Museum, and submit a Subterranean Fauna Research Plan to the CEO. The research questions for the plan should be the following:

- (1) Improve the knowledge of their taxonomy, distribution and habitat requirements;
- (2) Develop a better understanding of the impact on subterranean fauna from mining operations; and
- (3) Identify the key variables to support the ecological function of subterranean fauna.

18-3 The Subterranean Fauna Research Plan shall:

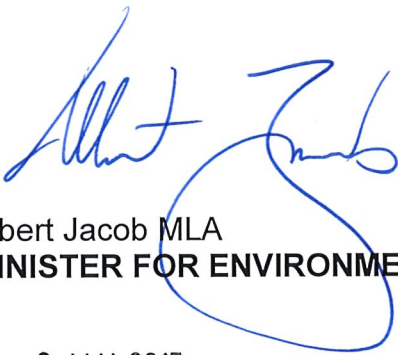
- (1) Identify research objectives and completion criteria;
- (2) Include details of project budgets and costs;
- (3) Identify timeframes and responsibilities for implementation; and
- (4) Identify reporting procedures, including the content, format, timing and frequency for the reporting of monitoring data against the research questions, in accordance with condition 18-2.

18-4 After receiving notice in writing from the CEO that the Subterranean Fauna Research Plan satisfies the requirements of condition 18-3, the proponent shall:

- (1) Implement the actions in accordance with the requirements of the Subterranean Fauna Research Plan; and
 - (2) Continue to implement the actions in accordance with the requirements of the Subterranean Fauna Research Plan until the CEO has confirmed by notice in writing that the objective in condition 18-1 has been met.
- 18-5 The proponent shall monitor the implementation of the plan and provide a written report, including monitoring data, and provide to the CEO within three months of the finalisation of each project. The research findings are to be made publically available.
- 18-6 The proponent:
- (1) May review and revise the Subterranean Fauna Research Plan, or
 - (2) Shall review and revise the Subterranean Fauna Research Plan as and when directed by the CEO.
- 18-7 The proponent shall implement the latest revision of the Subterranean Fauna Research Plan, which the CEO has confirmed by notice in writing satisfies the requirements of condition 18-2.
- 19 Tailings Storage Facilities Research Plan**
- 19-1 The proponent shall consult with the Department of Mines and Petroleum and prepare a Tailings Storage Facility Research Plan to inform the design and operation of the tailings storage facility in order to minimise impacts to groundwater as far as practicable.
- 19-2 The Tailings Storage Facility Research Plan should address but may not be limited to:
- (1) a refined hydro geochemical field-site characterisation;
 - (2) a mineralogical characterisation;
 - (3) characterisation of potential tailings storage facility solutes;
 - (4) batch sorption tests for uranium and vanadium with various sediment materials from the potentially affected aquifers;
 - (5) site-specific surface complexation models;
 - (6) laboratory-scale column testing of uranium migration;
 - (7) controlled field-scale tests to verify the attenuating role of Fe-sulfides and other attenuating processes; and
 - (8) techniques to assist in engineered immobilisation of contaminants.

19-3 After receiving notice in writing from the CEO that the Tailings Storage Facility Research Plan satisfies the requirements of condition 19-2, the proponent shall:

- (1) Implement the actions in accordance with the requirements of the Tailings Storage Facility Research Plan; and
- (2) Continue to implement the actions in accordance with the requirements of the Tailings Storage Facility Research Plan until the CEO has confirmed by notice in writing that the objective in condition 19-1 has been met.



Albert Jacob MLA
MINISTER FOR ENVIRONMENT; HERITAGE

9 JAN 2017

Table 1: Summary of the extension to the Wiluna Uranium Proposal

Revised Proposal Title	Revised Wiluna Uranium Proposal
Short Description	<p>The proposal is to construct and operate a uranium mine consisting of four deposits: Centipede, Millipede, Lake Way and Lake Maitland.</p> <p>The proposal includes the construction and operation of a processing plant, roads, power and water source and supply facilities, in pit tailings storage facilities (TSF), accommodation and other associated infrastructure.</p>

Table 2: The key elements of the Revised Proposal

Element	Location	Authorised Extent
Lake Way open cut mine pit and associated infrastructure.	Figure 2	Clearing of no more than 704 ha of native vegetation within a Development Envelope of 733 ha.
Centipede open cut mine pit and associated infrastructure.	Figure 2	Clearing of no more than 580 ha of native vegetation within a Development Envelope of 580 ha.
Infrastructure (processing plant, borefield, water pipelines, haul and access roads, accommodation village).	Figure 2	Clearing of no more than 246 ha of native vegetation within a Development Envelope of 444 ha.
Millipede open cut mine pit and associated infrastructure.	Figure 2	Clearing of no more than 537.9 ha of native vegetation within the Millipede Development Envelope of 739 ha.
Lake Maitland open cut mine pit and associated infrastructure.	Figure 2	Clearing of no more than 776.4 ha of native vegetation within the Lake Maitland Development Envelope of 2824 ha.
Lake Maitland borefield	Figure 2	Clearing of no more than 23.6 ha of native vegetation with a Development Envelope of 23.6 ha.
Southern haul road, borrow pits and water filling stations.	Figure 2	Clearing of no more than 243.9 ha of native vegetation within of the Southern Haul Road Development Envelope 327.8 ha.
In pit tailings disposal.	Figure 2	Disposal of no more than 2.1 million tonnes per annum (Mtpa) of tailings into engineered containment facilities within the Millipede and Centipede pit voids.

Element	Location	Authorised Extent
Mine dewatering at Lake Way.	Figure 2	Dewatering of no more than 1.3 Gigalitres per annum (GL/a).
Mine dewatering at Centipede/Millipede.	Figure 2	Dewatering of no more than 2 GL/a.
Mine dewatering at Lake Maitland	Figure 2	Dewatering of no more than 4 GL/a.
Lake Maitland Water reinjection	Figure 2	Downstream aquifer reinjection of excess water from pit dewatering.

Table 3: Abbreviations and definitions

Acronym or Abbreviation	Definition or Term
CEO	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or his delegate.
Clearing	As defined in the <i>Environmental Protection Act 1986</i>
Conservation significant	Species that are listed under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> and <i>Wildlife Conservation Act 1950</i> , and Parks and Wildlife Priority species that are likely to have their conservation status changed by the Proposal
EPA	Environmental Protection Authority
EP Act	<i>Environmental Protection Act 1986</i>
Exclusion zone	A defined area in which mining will not occur
GL/a	Gigalitres per annum
Ground disturbing activities	Includes implementation of the proposal aspects such as clearing, grading, excavating, digging, drilling, dewatering and installation of infrastructure.
GST	Goods and services tax
Km	Kilometre
ha	Hectare
m	Metre
Mtpa	Million tonnes per annum
OEPA	Office of the Environmental Protection Authority
PEC	Priority Ecological Community
Self-sustaining	A population that is self-perpetuating (able to continue indefinitely) without external assistance.

Figures (attached)

Figure 1. Proposal Location

Figure 2. Revised Proposal Development Envelope

Figure 3. *Tecticornia* Exclusion Areas

Figure 4. *Schizopera* sp. TK1 Exclusion Area



Figure 1: Proposal Location

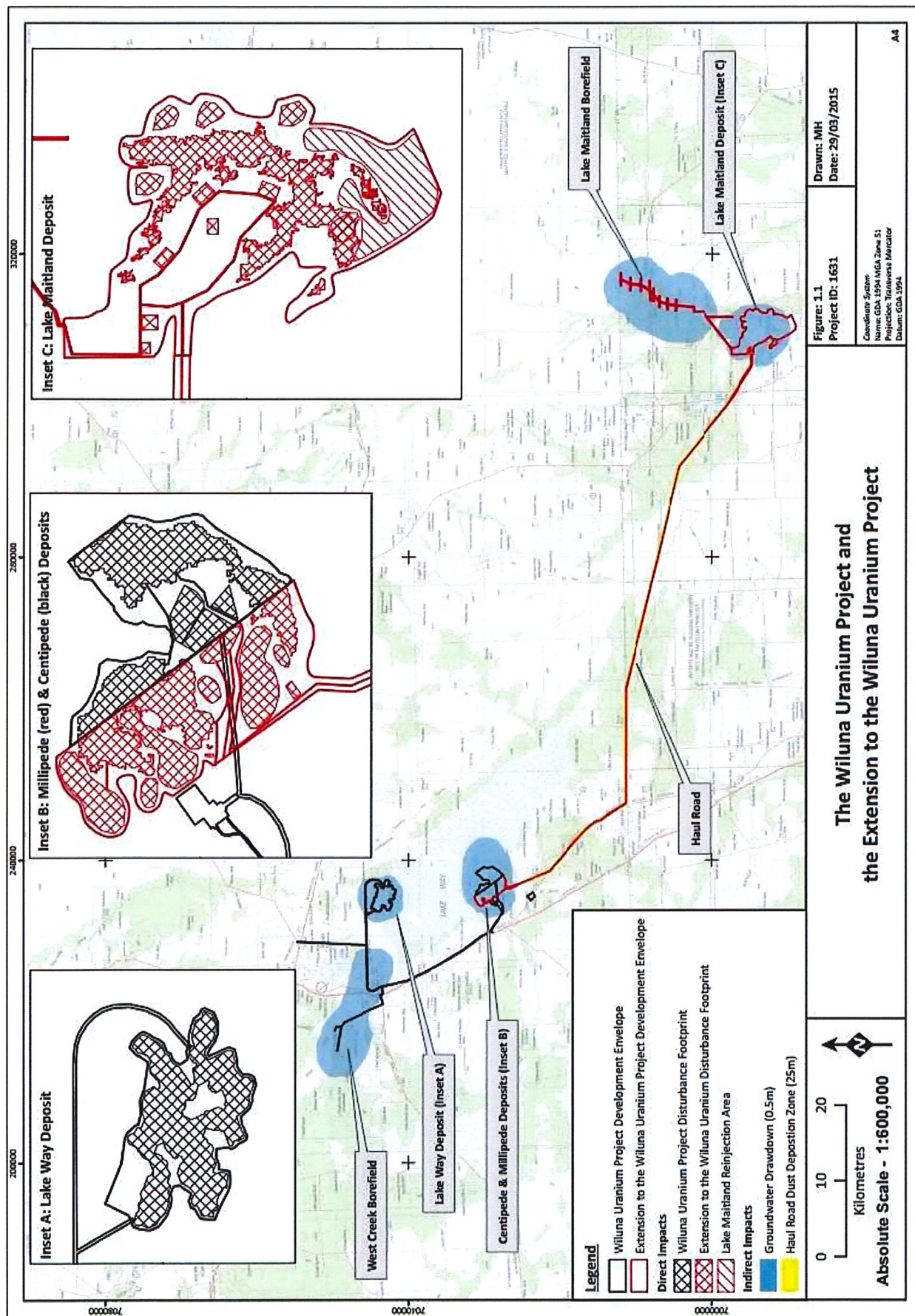


Figure 2: Revised Proposal Development Envelope



Figure 3: *Tecticornia* Exclusion Areas

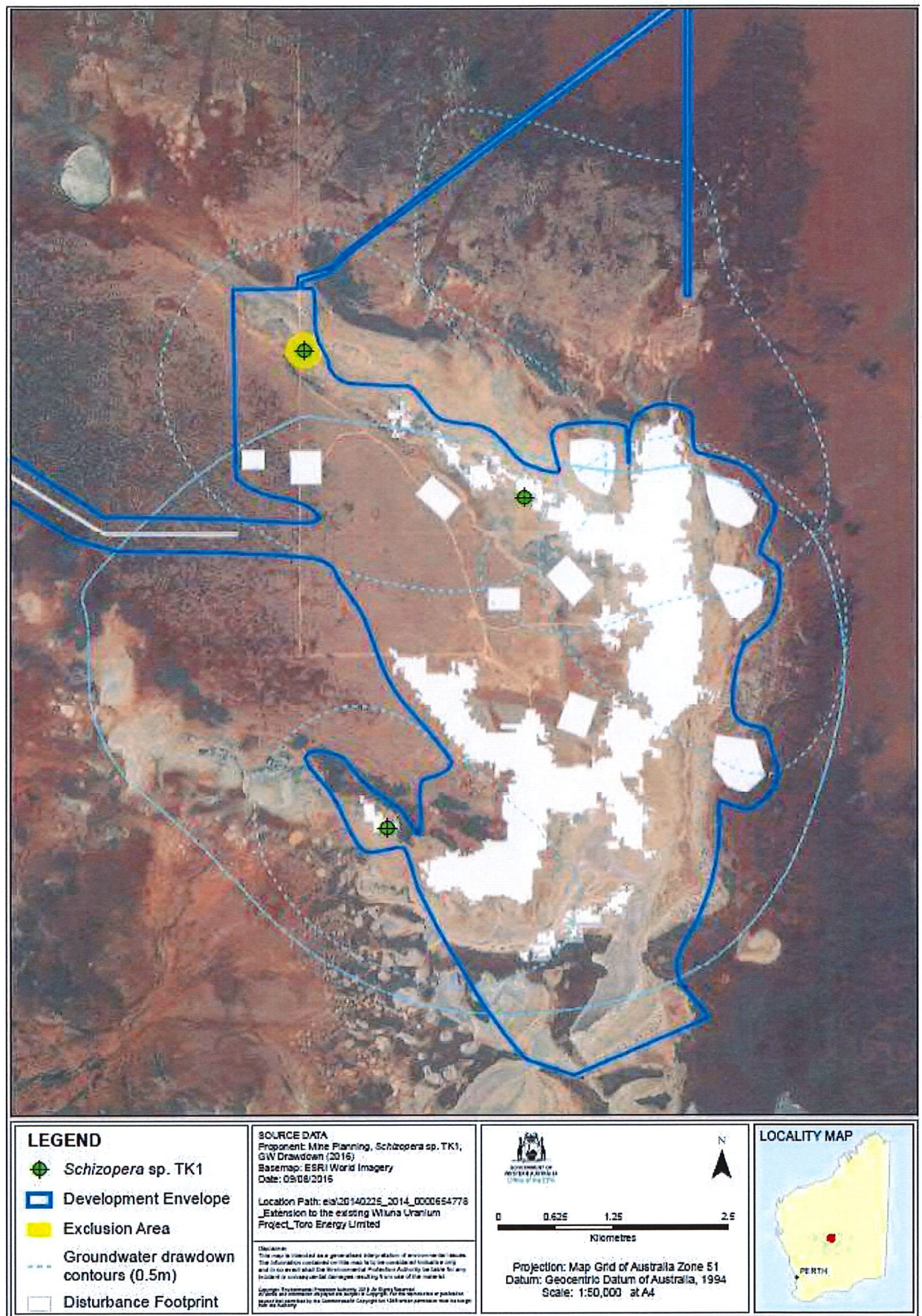


Figure 4: *Schizopera* sp. TK1 Exclusion Area

Schedule 2

Coordinates defining the Revised Proposal are held by the Office of the Environmental Protection Authority:

- Revised Proposal Development Envelope (Document Reference Number 2016-1482999760769).
- *Tecticornia* Exclusion Areas (Document Reference Number 2016-1482999751308).
- *Schizopera* sp. TK1 Exclusion Area (Document Reference Number 2016-1482999772039).