STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED
(PURSUANT TO THE PROVISIONS OF THE
ENVIRONMENTAL PROTECTION ACT 1986)

WILUNA URANIUM MINE, 30 KM SOUTH AND 15 KM SOUTH-EAST OF WILUNA
SHIRE OF WILUNA

Proposal: The proposal is to construct and operate a uranium mine consisting of two deposits Centipede and Lake Way at mining tenements M53/224 and MLA53/1090, located approximately 30 kilometres south and 15 kilometres south-east of Wiluna (Figure 1).

The proposal is further documented in Schedule 1 of this statement.

Proponent: Toro Energy Limited

Proponent Address: Level 2, 35 Ventnor Avenue
WEST PERTH WA 6005

Assessment Number: 1819

Report of the Environmental Protection Authority: Report 1437

Appeal Determination: appeal numbers 036 to 044 of 2012

The proposal referred to in the above report of the Environmental Protection Authority may be implemented. The implementation of that proposal is subject to the following conditions and procedures.

1 Proposal Implementation

1-1 The proponent shall implement the proposal as documented and described in Schedule 1 of this statement subject to the conditions and procedures of this statement.
2 Proponent Nomination and Contact Details

2-1 The proponent for the time being nominated by the Minister for Environment under sections 38(6) or 38(7) of the Environmental Protection Act 1986 is responsible for the implementation of the proposal.

2-2 The proponent shall notify the Chief Executive Officer of the Office of the Environmental Protection Authority (CEO) of any change of the name and address of the proponent for the serving of notices or other correspondence within 30 days of such change.

3 Time Limit of Authorisation

3-1 The authorisation to implement the proposal provided for in this statement shall lapse and be void five years after the date of this statement if the proposal to which this statement relates is not substantially commenced.

3-2 The proponent shall provide the CEO with written evidence which demonstrates that the proposal has substantially commenced on or before the expiration of five years from the date of this statement.

4 Compliance Reporting

4-1 The proponent shall prepare and maintain a Compliance Assessment Plan to the satisfaction of the CEO.

4-2 The proponent shall submit to the CEO the Compliance Assessment Plan required by condition 4-1 at least six months prior to the first compliance report required by condition 4-6, or prior to implementation, whichever is sooner. 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 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 days of that non-compliance being known.

4-6 The proponent shall submit to the CEO the first compliance assessment report fifteen months from the date of issue of this statement addressing the twelve month period from the date of issue of this statement and then annually from the date of submission of the first compliance assessment report. The compliance assessment report shall:

1. be endorsed by the proponent’s Managing Director / General Manager / Chief Executive Officer or a person delegated to sign on the Managing Director’s / General Manager’s / 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 Data

5-1 Subject to condition 5-2, within a reasonable time period approved 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 by the CEO, all validated environmental data (including sampling design, sampling methodologies, empirical data and derived information products (e.g. maps)) relevant to the assessment of this proposal and implementation of this statement.

5-2 If any data referred to in condition 5-1 contains particulars of:
   i. a secret formula or process; or
   ii. confidential commercially sensitive information,
the proponent may submit a request for approval from the CEO to not make this data publicly available. In making such a request the Proponent shall provide the CEO with an explanation and reasons why the data should not be made publicly available.

6 Flora and Vegetation

Protection of Tecticornia vegetation and inferred groundwater dependent vegetation located outside the groundwater drawdown (0.5 metres Relative Level) area.
6-1 The proponent shall manage the proposal in a manner that ensures there is no adverse impact to Tecticornia dominated vegetation and inferred groundwater dependent vegetation outside the 0.5 metres Relative Level (mRL) groundwater drawdown contours as defined in Figure 2.

6-2 Prior to ground-disturbing activities, unless otherwise approved by the CEO, the proponent shall prepare a Vegetation and Flora Monitoring Plan for approval by the CEO on the advice of the Department of Environment and Conservation (DEC). The Vegetation and Flora Monitoring Plan shall include:

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;
4. definition of critical correlative environmental parameters, including groundwater drawdown as detailed in condition 7;
5. definition of monitoring frequency and timing;
6. identification of criteria to measure decline in health; and
7. definition of trigger levels and management responses required should a trigger level be exceeded.

6-3 Prior to ground-disturbing activities, unless otherwise approved by the CEO, the proponent shall implement the approved Vegetation and Flora Monitoring Plan required by condition 6-2 and any subsequent approved revisions, until advised by the CEO that implementation of the Vegetation and Flora Monitoring Plan can cease.

6-4 Should results of monitoring from the implementation of the Vegetation and Flora Monitoring Plan required by condition 6-2 indicate a decline in the plant health compared with the control sites, the proponent shall take immediate corrective actions to protect Tecticornia dominated vegetation and groundwater dependent vegetation in response to monitoring results, and shall provide a report to the CEO within 21 days of the decline being identified which:

1. describes the decline;
2. provides information which allows determination of the likely cause of the decline; and
3. proposes actions and associated timelines to remediate the decline in plant health compared with control sites.

6-5 Should the decline in plant health compared with the control sites identified in condition 6-2 be determined by the CEO to be caused by activities undertaken in implementing the proposal, the proponent shall implement the actions identified in condition 6-4(3) until the CEO determines that the actions can cease.

6-6 Prior to ground-disturbing activities, unless otherwise approved by the CEO, the proponent shall prepare a Groundwater Dependent Vegetation Research Plan for approval by the CEO on advice of the DEC to investigate the environmental
water requirements of groundwater dependent vegetation units potentially impacted by the proposal. The Groundwater Dependent Vegetation Research Plan shall include a monitoring plan.

6-7 Prior to ground-disturbing activities, unless otherwise approved by the CEO, the proponent shall implement the approved Groundwater Dependent Vegetation Research Plan required by condition 6-6 until otherwise advised by the CEO that implementation of the Groundwater Dependent Vegetation Research Plan can cease.

6-8 The proponent shall annually submit the results of monitoring required by conditions 6-2 and 6-6, in the compliance assessment report required by condition 4-6.

6-9 The proponent shall take into account the findings of the Groundwater Dependent Vegetation Research Plan required by condition 6-6 when developing trigger values for condition 7-1(1).

7 Groundwater Drawdown

Management of Groundwater Drawdown Impacts on stygofauna, Tecticornia and inferred groundwater dependent vegetation located within the groundwater drawdown (0.5 mRL) area.

7-1 Prior to groundwater abstraction for dewatering, unless otherwise approved by the CEO, the proponent shall prepare a Groundwater Drawdown Monitoring and Management Plan for approval by the CEO to limit potential impacts on stygofauna, Tecticornia dominated vegetation and inferred groundwater dependent vegetation through the design and implementation of a suitable groundwater barrier system around the Project mining areas. The Groundwater Drawdown Monitoring and Management Plan shall include:

1. development of trigger levels for groundwater drawdown levels;
2. design and implementation details of a barrier system to control groundwater drawdown so that the trigger levels are not exceeded; and
3. implementation of the outcomes of the Groundwater Dependent Vegetation Research Plan required by Condition 6-6.

7-2 Prior to groundwater abstraction for dewatering, the proponent shall implement the approved Groundwater Drawdown Monitoring and Management Plan required by condition 7-1 and any subsequent approved revisions, until advised by the CEO that implementation of the Groundwater Drawdown Monitoring and Management Plan can cease.

7-3 Should the results of monitoring from the implementation of the Groundwater Drawdown Monitoring and Management Plan—required by condition 7-1 show that trigger levels identified in condition 7-1(1) have been reached or exceeded, the proponent shall take immediate corrective actions to protect Tecticornia dominated vegetation and inferred groundwater dependent vegetation in
response to monitoring results, and shall provide a report to the CEO within 21 days of the trigger levels being reached or exceeded which:

1. describes the event resulting in a trigger level being reached or exceeded;
2. provides information which allows determination of the likely root cause of the trigger levels being reached or exceeded; and
3. proposes actions and associated timelines to remediate the cause of the trigger values becoming reached or exceeded.

7-4 Should the trigger levels being reached or exceeded identified in condition 7-2 be determined by the CEO to be caused by activities undertaken in implementing the proposal, the proponent shall, on approval by the CEO, implement the actions identified in condition 7-3(3) until the CEO determines that the remedial actions can cease.

8 Residual Impacts and Risk Management Measures

Conservation and Improvement of the knowledge of *Tecticornia* species.

8-1 Given the residual impacts and risks (permanent and temporary) of the proposal to *Tecticornia* species, prior to ground-disturbing activities or within twelve months of the date of issue of this statement, unless otherwise approved by the CEO, the proponent shall prepare a Survey and Research Plan for approval by the CEO on advice of the DEC, to conserve, and improve the scientific knowledge of, *Tecticornia* species. The Survey and Research Plan shall include:

1. implementation of further surveys to collect *Tecticornia* specimens within and outside the project areas 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 project areas;
4. storage, preservation and propagation techniques for any *Tecticornia* taxa and unidentified specimens that have not been shown to occur outside the disturbance area or the area of groundwater drawdown greater than 0.5 mRL;
5. ecophysiological characterisation and assessment of habitat requirements of different *Tecticornia* taxa within and outside the project area, 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 disturbance areas;
6. conducting research on requirements and techniques for re-establishing *Tecticornia* vegetation communities and conservation significant taxa in rehabilitating disturbance areas; and
7. establishing soil management techniques to ensure preservation of top soils, containing the seed bank, for use in rehabilitation.

8-2 The Survey and Research Plan required by condition 8-1 shall include survey and research work of a minimum total monetary value of $900,000 (GST exclusive) at the date condition 8-1 comes into effect.

8-3 The Survey and Research Plan required by condition 8-1 will include an implementation and reporting schedule for each project and the proponent will provide a copy of the findings to the CEO and the DEC within three months of completion of each project.

8-4 The proponent shall commence implementation of the approved Survey and Research Plan required by condition 8-1 prior to ground-disturbing activities, unless otherwise approved by the CEO.

8-5 The proponent shall take into account the findings of research from implementation of the Survey and Research Plan required by condition 8-1 in its operations, including:

1. establishment of the ecophysiological habitat and other requirements of Tecticornia vegetation communities; and

2. establishment of viable populations of Tecticornia taxa deemed at risk from implementation of the proposal, until advised otherwise by the CEO that implementation of the Survey and Research Plan can cease.

9 Surface Water

The prevention of surface water contamination from, among other things, water contact with workings from diversion of creek lines.

9-1 Prior to ground-disturbing activities for mining operations, unless otherwise approved by the CEO, the proponent shall prepare a Surface Water Environmental Management Plan (EMP) for approval by the CEO, on advice of the Department of Mines and Petroleum (DMP). The Surface Water EMP shall include:

1. operational procedures that ensure water flow through creek line diversions made from previous workings does not become contaminated by contact with workings; and

2. a monitoring regime for surface water quality using ANZECC 2000 (and any subsequent approved revisions) water quality criteria or background for assessing water quality changes.

9-2 Prior to ground-disturbing activities for mining operations, unless otherwise approved by the CEO, the proponent shall implement the approved Surface Water EMP required by condition 9-1 and any subsequent approved revisions until advised by the CEO that implementation of the Surface Water EMP can cease.
9-3 Should a change in surface water quality be identified, the proponent shall provide a report to the CEO within 21 days of the change which:
   1. describes the event resulting in a change;
   2. provides information which allows determination of the likely cause of the change; and
   3. proposes actions and associated timelines to remediate the change in surface water quality.

9-4 Should the criteria being reached or exceeded identified in condition 9-1(2) be determined by the CEO to be caused by activities undertaken in implementing the proposal, the proponent shall, on approval by the CEO, implement the actions identified in condition 9-3(3) until the CEO determines that the remedial actions can cease.

10 Dust Management

The monitoring and management of dust.

10-1 Prior to ground-disturbing activities, unless otherwise approved by the CEO, the proponent shall develop a Dust Environmental Management Plan (EMP), for approval by the CEO, on advice of the DMP. The Dust EMP shall include:
   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.

10-2 Prior to ground-disturbing activities, the proponent shall implement the approved Dust EMP required by condition 10-1 and any subsequent approved revisions until advised by the CEO that implementation of the Dust EMP can cease.

10-3 The proponent shall annually submit the results of monitoring required by condition 10-1, in the compliance assessment report required by condition 4-6.

11 Fauna - Stygofauna

The assessment and management of potential impacts to stygofauna.

11-1 Prior to groundwater abstraction for dewatering, unless otherwise approved by the CEO, the proponent shall prepare a Stygofauna Monitoring Plan for approval by the CEO on advice of the DEC. The Stygofauna Monitoring Plan shall include:
1. a survey regime for stygofauna in the Hinkler Well, Uaramurda and Lake Violet calcrites both within and outside the area of impact of the proposal; and

2. a monitoring regime for water quality and quantity in the Hinkler Well, Uaramurda and Lake Violet calcrites both within and outside the area of impact of the proposal.

11-2 Prior to groundwater abstraction for dewatering, unless otherwise approved by the CEO, the proponent shall implement the approved Stygofauna Monitoring Plan required by condition 11-1 and any subsequent approved revisions until advised by the CEO that implementation of the Stygofauna Monitoring Plan can cease.

11-3 Should results of monitoring from the implementation of the Stygofauna Monitoring Plan required by condition 11-1 show a significant change in groundwater quality and quantity not identified through the implementation of condition 7-1, the proponent shall provide a report to the CEO within 21 days which:

1. describes the event resulting in a significant change; and

2. provides information which allows determination of the likely cause of the significant change;

3. proposes actions and associated timelines to remediate the significant change.

11-4 Should the significant change in groundwater quality and quantity be determined by the CEO to be caused by activities undertaken in implementing the proposal, the proponent shall, on approval by the CEO, implement the actions identified in condition 11-3(3) until the CEO determines that the remedial actions can cease.

[Signed 10 October 2012]

HON BILL MARMION MLA
MINISTER FOR ENVIRONMENT; WATER
The Proposal (Assessment No. 1819)

The proposal is to construct and operate a uranium mine consisting of two deposits Centipede and Lake Way located approximately 30 kilometres south and 15 kilometres south-east of Wiluna (Figure 1).

The main characteristics of the proposal are summarised in Table 1 below. A detailed description of the proposal is provided in the project referral document prepared by Toro Energy Ltd, Adelaide, South Australia.

Table 1: Summary of key proposal characteristics

<table>
<thead>
<tr>
<th>Proposal Definition</th>
<th>Extent Authorised</th>
</tr>
</thead>
<tbody>
<tr>
<td>Element – development/infrastructure</td>
<td>Location of element</td>
</tr>
<tr>
<td>Centipede Mining Area</td>
<td>Clearing of up to 700 ha of vegetation, including 280 ha of low health vegetation unit with <em>Tecticornia</em> species</td>
</tr>
<tr>
<td>Lake Way Mining Area</td>
<td>Clearing of up to 580 ha of vegetation, including 340 ha of low health vegetation unit with <em>Tecticornia</em> species</td>
</tr>
<tr>
<td>Infrastructure (water pipelines, haul and access roads, accommodation village)</td>
<td>Clearing of up to 250 ha of vegetation</td>
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ha = hectares
Figure 2: Groundwater drawdown contours for Centipede Pit, Lake Way and West Creek borefield
Figure 3: Project layout showing the disturbance areas for Centipede and Lake Way mining areas and associated infrastructure.
Definitions of terms and phrases used in the implementation conditions and procedures


CEO – means the Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the *Environmental Protection Act 1986*, or his delegate.


Management actions – means management activities, measures, actions, strategies, undertakings or directives which may, depending on the context in which the term is used in this statement:

1. correct or improve upon management actions which have been ineffective;
2. attenuate, minimise or mitigate impacts the proposal would otherwise have on the environment if the action were not taken; or
3. ensure compliance with conditions, or any monitoring or management triggers established by those conditions.

mRL – means metres Relative Level.