



# APPENDIX A

## Legislative Context

JUNE 2026



## A-1) Environmental Impact Assessment Process

### **Environmental Protection Act 1986 (WA) Part IV**

The *Environmental Protection Act 1986* (EP Act) is Western Australia's primary legislation governing environmental protection and impact assessment. Part IV, Division 1 of the EP Act outlines the process for referring and assessing proposals that may significantly affect the environment. The Environmental Protection Authority (EPA) Services division within the Department of Water and Environmental Regulation (DWER) is responsible for administering this environmental impact assessment process, following relevant policies and guidelines.

Wildcat is referring the Proposal to the EPA under Section 38, Part IV of the EP Act due to potential impacts the Proposal may have on environmental factors described in the EPA's Statement of Environmental Principles, Factors, Objectives and Aims of Environmental Impact Assessment (EPA, 2023). This Referral Supporting Document (RSD) supports the referral by providing the EPA with a clear description of the Proposal, the potential impacts, and the Proponent's proposed mitigation measures. The information provided in the RSD is used by the EPA to determine whether the Proposal should be formally assessed, and if so, the level of assessment required.

If an assessment is initiated, the RSD may be further refined or expanded to inform the EPA's final recommendation to the Minister for the Environment on whether the Proposal can be implemented. If the Proposal is acceptable, the Minister will issue a Ministerial Statement detailing the approval decision and any implementation conditions.

### **Environment Protection and Biodiversity Conservation Act 1999 (Cth)**

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) is the primary Commonwealth environmental legislation protecting Matters of National Environmental Significance (MNES) and is administered by the Commonwealth Department of Climate Change, Energy, the Environment and Water (DCCEEW).

A Protected Matters search and ecological surveys have identified MNES relevant to the Proposal, including the Northern Quoll (Endangered), Grey Falcon (Vulnerable), and Pilbara Olive Python (Vulnerable) and listed migratory species.

On this basis, the Proposal was referred to the DCCEEW on 2 June 2026 for consideration under the EPBC Act. Following referral, the Commonwealth will determine whether the Proposal is a Controlled Action and, if so, the assessment approach to be applied. The Proposal may be assessed under a bilateral assessment agreement, whereby the Western Australian Government undertakes the environmental assessment on behalf of the Commonwealth, with final EPBC Act approval decisions remaining with the Commonwealth Minister for the Environment and Water.

## A-2) Other Approvals and Regulations

### **Summary**

Provisions in the EP Act (Section 44(2AA)) allow the EPA and the Minister for Environment to consider other statutory decision-making processes that may mitigate environmental impacts and ensure that environmental factor objectives are met.

The EPA's Interim Guidance on Taking Decision Making Processes into Account in EIA (EPA, 2021) outlines aspects that the EPA will consider when assessing whether an alternative decision-making authority (DMA) can effectively mitigate the environmental impacts of a proposal. These are:



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- The ability of the DMA to consider the impact of the proposal.
- The process that the DMA uses to assess the potential impacts of the activity on the environment.
- The relevant considerations that the DMA can consider in decision-making.
- The conditions that may be applied as a result of the decision-making process.
- Likely outcomes.

**Table A-2-1** provides an overview of key statutory decision-making authorities relevant to the Wildcat Tabba Tabba Project and the extent to which each regulatory process contributes to mitigation of potential environmental impacts for potential key environmental factors.

### Land Tenure and Access

Land tenure in the location of the Proposal is Crown Land subject to pastoral lease. The land is zoned 'Rural', under the Town of Port Hedland Local Planning Scheme No. 7 (LPS7).

The Proponent has obtained tenure under the *Mining Act 1978* (WA) for the Proposal, as described in **Section 2.2.1** of this RSD.

Wildcat has been granted legal access to the land via access agreements with the relevant leaseholders and via a Native Title Agreement (NTA) executed with the Nyamal Aboriginal Corporation (NAC) in December 2025.



Table A-2-1: Other Decision-Making Authority Approvals

Decision-making authority	Legislation or Agreement regulating the activity	Proposal Element	Approval required
<b>Commonwealth</b>			
DCCEEW	EPBC Act	Disturbance to habitat considered critical to the survival or recovery of Threatened species.	EPBC Act approval – (if deemed to be required for the Proposal).
Clean Energy Regulator (Commonwealth)	National Greenhouse and Energy Reporting Act 2007 (Cth) (NGER Act)	Greenhouse gas emissions from facilities captured under the Safeguard Mechanism.	Mandatory emissions reporting. Compliance with facility level emissions limits that decline over time.
<b>State</b>			
Department of Planning, Lands and Heritage (DPLH)	Aboriginal Heritage Act 1972 (AH Act)	Potential disturbance of Aboriginal heritage sites.  No registered sites are proposed to be disturbed; however, it is possible that new sites may be identified during operations.	<ul style="list-style-type: none"> <li>Consents may be required to disturb Aboriginal heritage sites (Sections 16 and 18), if identified during operations.</li> <li>Implementation of a Aboriginal Cultural Heritage Management Plan (ACHMP) to ensure heritage values are identified and protected.</li> </ul>
Department of Mines, Petroleum and Exploration (DMPE)	Mining Act 1978 (Mining Act)	Mining operations conducted on Mining Act tenure (including disturbance, construction and operational activities).	<ul style="list-style-type: none"> <li>Approval of a Mining Development and Closure Proposal (MDCP).</li> <li>Mine Closure Plan (MCP) review and resubmission at least every three years.</li> </ul>
DMPE – Native Vegetation Branch (under delegated authority from DWER)	EP Act, Part V, Division 2 – Clearing of Native Vegetation	Clearing of native vegetation on mining tenements.	A Native Vegetation Clearing Permit (NVCP) is required and assessed against the State's ten clearing principles under Schedule 5 of the EP Act.
DWER – Industry Licensing Branch	EP Act, Part V, Division 3 – Licences and Works Approvals	Construction and operation of prescribed premises, including: <ul style="list-style-type: none"> <li>Processing Plant and Tailings Storage Facility (Category 5)</li> <li>Mine Dewatering (Category 6)</li> <li>Screening Facility (Category 12)</li> <li>Sewage Facility (Category 54)</li> </ul>	<ul style="list-style-type: none"> <li>Works Approval required prior to construction of prescribed premises.</li> <li>Environmental Licence is required for the operation of prescribed premises.</li> </ul>



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Decision-making authority	Legislation or Agreement regulating the activity	Proposal Element	Approval required
		<ul style="list-style-type: none"> <li>• Landfill (Category 64)</li> <li>• Bulk Chemical Storage (Category 73)</li> <li>• Electric Power Generation (Category 52)</li> </ul>	
<b>DWER – Water Branch</b>	<i>Rights in Water and Irrigation Act 1914</i> (RIWI Act)	Groundwater supply and mine dewatering.	Licence to construct bores (Section 26D) and Licence to abstract groundwater (Section 5C) for water supply and mine dewatering.
<b>Department of Biodiversity Conservation and Attractions (DBCA)</b>	<i>Biodiversity Conservation Act 2016</i> (BC Act)	Proposed disturbance of habitat critical to the survival of Threatened species listed under the BC Act. Injury or mortality of Threatened fauna species.	Section 40 BC Act approval to disturb or take Threatened Fauna.



Table A-2-2: Other Decision-Making Authority Approvals

Environmental impact	How is the impact regulated by other decision-making process(es)?	Limit(s) of the decision-making process(es) to regulate the impact, e.g. time limits, excluded operations	Likely environmental outcome of the decision-making process(es) and consistency with EPA objective	Conditions, enforcement, and review process required by decision-making process(es)	Stakeholder engagement in decision-making process
<b>Environmental factor: Inland Waters</b>					
<ul style="list-style-type: none"> <li>Groundwater drawdown from mine dewatering and abstraction.</li> <li>Reduction in groundwater availability to nearby users.</li> </ul>	RIWI Act (5C licence) provides authorisation to extract a specific, allocated volume of groundwater from a proclaimed water source.	The 5C licence regulates impacts to an aquifer system from abstraction. All relevant operational activities and Proposal duration are expected to be addressed by this process.	Approval of the 5C licence will include an annual limit of abstraction from the fractured rock aquifer in accordance with a groundwater operating strategy (GWOS).  Assessment of Licence applications consider potential impacts, including cumulative impacts, assessed via a H3 hydrogeological study and managed via groundwater operating strategy.	5C licence conditions will consider: <ul style="list-style-type: none"> <li>Applicable water resource (aquifer).</li> <li>Total annual abstraction limit</li> <li>Authorised uses for the abstracted water.</li> <li>The location of the abstraction (mining tenure).</li> <li>Total duration period of the licence.</li> </ul> The GWOS may require periodic review in addition to annual reporting of abstraction volumes per annum.	5C applications are required to be advertised in the State newspaper (The West Australian) and local newspapers for a specified timeframe. DWER will take into account any public submissions during the assessment process.
<ul style="list-style-type: none"> <li>Alteration of local surface water flow paths and flood behaviour.</li> <li>Surface water quality impacts on Tabba Tabba Creek.</li> <li>Impacts on aquatic ecology in Tabba Tabba Creek.</li> </ul>	Part V Works Approval and Environmental Licence approvals issued under Part V of the EP Act for discharges and water management infrastructure.	Works Approvals apply only to prescribed premises activities and only during construction and commissioning. Part V licences regulate point-source emissions and specified activities and are limited to the licence term and prescribed premises boundary. All relevant operational activities and Proposal duration are expected to be addressed by this process.	Issue of a Works Approval and subsequent Environmental Licence for a Prescribed Premises. Relevant categories include: <ul style="list-style-type: none"> <li>Processing Plant and Tailings Storage Facility (Category 5)</li> <li>Mine Dewatering (Category 6)</li> <li>Screening Facility (Category 12)</li> <li>Sewage Facility (Category 54)</li> <li>Landfill (Category 64)</li> <li>Bulk Chemical Storage (Category 73)</li> <li>Electric Power Generation (Category 52)</li> </ul>	Works Approval conditions typically include construction standards, stormwater and sediment control requirements, commissioning limits, and monitoring and reporting.  The Environmental Licence conditions specify emissions limits, monitoring requirements and require an Annual Audit Compliance Report (AACR) to be submitted to DWER.  Emissions outside those permitted are potentially non-compliant events. DWER enforces compliance through inspections and may amend, suspend, or revoke approvals.	Works Approval and Environmental Licence applications are subject to a public consultation period, typically for 21 days.
	Under the Mining Act, assessment of the MDCP considers environmental risks and management measures associated with mining operations.	The MDCP process is limited to the environmental impacts of mining operations and does not consider the cumulative impacts. This is not considered a limitation as the local surface water features are highly ephemeral and cumulative impacts are predicted to be low.	The Approvals Statement will specify nature and extent of approved mining operations, including surface water management infrastructure.	Under the Mining Act, DMPE are required to condition the nature and extent of disturbance to the environment from mining activities. If the activities are not constructed in the accordance with the Approvals Statement, DMPE have the authority to issue directives and instructions, enforcement actions and penalties.	The MDCP application process does not have a regulated stakeholder engagement process, however it is a requirement to provide DMPE with identification of stakeholders and any engagement undertaken on project activities and closure outcomes.
Pit lake and closure-related changes to groundwater regime	Under the Mining Act, assessment of the MDCP considers environmental risks and management measures associated with mining operations and ensures that mine closure planning is considered throughout the life of the Proposal.	All relevant operational activities and Proposal duration are expected to be addressed by this process.	The MDCP Approvals Statement will specify nature and extent of approved mining operations, including design and mitigation measures relating to proposed pit lakes.	Under the Mining Act, DMPE are required to condition the nature and extent of mining operations.  Regular updates to mine closure plans are required and approved by DMPE, to ensure any information gaps are addressed and plans are appropriately detailed.  If the activities are not carried out in the accordance with the Approvals Statement, DMPE have the authority to issue directives and instructions, enforcement actions and penalties.	The MDCP application process does not have a regulated stakeholder engagement process, however it is a requirement to provide DMPE with identification of stakeholders and any engagement undertaken on project activities and closure outcomes.



Environmental impact	How is the impact regulated by other decision-making process(es)?	Limit(s) of the decision-making process(es) to regulate the impact, e.g. time limits, excluded operations	Likely environmental outcome of the decision-making process(es) and consistency with EPA objective	Conditions, enforcement, and review process required by decision-making process(es)	Stakeholder engagement in decision-making process
<b>Environmental Factor: Flora and Vegetation</b>					
<ul style="list-style-type: none"> <li>Habitat loss, degradation and fragmentation due to clearing.</li> <li>Loss of significant flora.</li> <li>Indirect impacts from the Proposal to native flora and vegetation as a result of introduction and spread of weeds, and a change in fire regime.</li> </ul>	<p>Part V, Division 2 of the EP Act and <i>Environmental Protection (Clearing of Native Vegetation) Regulations 2004</i>. Clearing of native vegetation requires a native vegetation clearing permit (NVCP) unless a valid exemption applies.</p> <p>For mining projects, DMPE administers the NVCP process on DWER's behalf.</p> <p>Proponents must demonstrate that the proposed clearing is not at variance with the 10 clearing principles. Where a variance is determined, DMPE can impose conditions on the NVCP and require offsets for any significant residual impact.</p>	<p>NVCPs are limited to regulating clearing of native vegetation for a specific purpose and duration of time. All relevant operational activities and Proposal duration are expected to be addressed by this process.</p>	<p>If acceptable, NVCP is granted permitting clearing of up to 2,180 ha of native vegetation.</p> <p>The NVCP process administered by DMPE requires proponents to demonstrate that clearing has been reduced as far as practicable, that significant flora and vegetation communities have been identified and avoided where possible, and that any residual impacts are managed (e.g. through weed control, fauna and habitat safeguards, and rehabilitation).</p> <p>These requirements directly support the EPA's objectives to maintain the diversity, viability, and ecological function of flora and vegetation by ensuring that clearing is scientifically assessed, environmentally justified, and subject to enforceable controls that prevent long term degradation.</p>	<p>The DMPE imposes conditions on clearing permits to ensure that vegetation removal is carried out with minimal environmental impact. These conditions function as enforceable safeguards, requiring proponents to avoid, mitigate, and offset ecological risks associated with clearing activities. They commonly address how clearing must be planned, executed, monitored, and rehabilitated, ensuring compliance with relevant legislation and protecting biodiversity, water resources, soil stability, and cultural values.</p>	<p>Once an application for an NVCP is accepted by DMPE, it is publicly advertised with an invitation of submissions by the general public for a typical period of 21 days.</p> <p>The public also has a right to appeal against DMPE's determination or proposed conditions of an NVCP, within the legislated timeframe.</p>
	<p>Under the Mining Act, assessment of the MDCP considers environmental risks and management measures associated with mining operations and closure, including risks associated with potential weed introduction and fire.</p>	<p>All relevant operational activities and Proposal duration are expected to be addressed by this process.</p>	<p>The MDCP Approvals Statement will specify nature and extent of approved mining operations and closure requirements, including criteria for managing weed and fire risk, as appropriate.</p>	<p>Under the Mining Act, DMPE are required to condition the nature and extent of mining operations.</p> <p>Regular updates to mine closure plans are required and approved by DMPE, to ensure any information gaps are addressed and plans are appropriately detailed.</p> <p>If the activities are not carried out in the accordance with the Approvals Statement, DMPE have the authority to issue directives and instructions, enforcement actions and penalties.</p>	<p>The MDCP application process does not have a regulated stakeholder engagement process, however it is a requirement to provide DMPE with identification of stakeholders and any engagement undertaken on project activities and closure outcomes.</p>
<p>Loss of groundwater dependent vegetation (GDV) associated with groundwater drawdown from mine dewatering and abstraction from borefields.</p>	<p>RIWI Act (5C licence) provides authorisation to extract a specific, allocated volume of groundwater from a proclaimed water source.</p>	<p>The 5C licence regulates impacts to an aquifer system from abstraction including the impacts to groundwater dependent vegetation. All relevant operational activities and Proposal duration are expected to be addressed by this process.</p>	<p>Approval of the 5C licence will include an annual limit of abstraction from the fractured rock aquifer in accordance with a GWOS. It may also include conditions relating to the health of potentially impacted GDV.</p> <p>Assessment of Licence applications consider potential impacts, including cumulative impacts, assessed via a H3 hydrogeological study and managed via groundwater operating strategy.</p>	<p>5C licence conditions will consider:</p> <ul style="list-style-type: none"> <li>Applicable water resource (aquifer).</li> <li>Total annual abstraction limit</li> <li>Authorised uses for the abstracted water.</li> <li>The location of the abstraction (mining tenure).</li> <li>Total duration period of the licence.</li> <li>Monitoring of GDV.</li> </ul> <p>The GWOS may require periodic review in addition to annual reporting of abstraction volumes per annum.</p>	<p>5C applications are required to be advertised in the State newspaper (The West Australian) and local newspapers for a specified timeframe. DWER will take into account any public submissions during the assessment process.</p>



Environmental impact	How is the impact regulated by other decision-making process(es)?	Limit(s) of the decision-making process(es) to regulate the impact, e.g. time limits, excluded operations	Likely environmental outcome of the decision-making process(es) and consistency with EPA objective	Conditions, enforcement, and review process required by decision-making process(es)	Stakeholder engagement in decision-making process
Degradation of vegetation from dust deposition.	Part V Works Approval and Environmental Licence approvals issued under Part V of the EP Act to regulate emissions – including dust emissions.	Works Approvals apply only to prescribed premises activities and only during construction and commissioning. Part V licences regulate point-source emissions and specified activities during operations, and are limited to the licence term and prescribed premises boundary. All relevant operational activities and Proposal duration are expected to be addressed by this process.	Issue of a Works Approval and subsequent Environmental Licence for a Prescribed Premises. Relevant categories include: <ul style="list-style-type: none"> <li>• Processing Plant and Tailings Storage Facility (Category 5)</li> <li>• Mine Dewatering (Category 6)</li> <li>• Screening Facility (Category 12)</li> <li>• Sewage Facility (Category 54)</li> <li>• Landfill (Category 64)</li> <li>• Bulk Chemical Storage (Category 73)</li> <li>• Electric Power Generation (Category 52)</li> </ul>	Works Approvals conditions typically include construction standards, stormwater and sediment control requirements, commissioning limits, and monitoring and reporting. The Environmental Licence conditions specify emissions limits, monitoring requirements and require an AACR to be submitted to DWER. Emissions outside those permitted are potentially non-compliant events. DWER enforces compliance through inspections and may amend, suspend, or revoke approvals.	Works Approval and Environmental Licence applications are subject to a public consultation period, typically for 21 days.
<b>Environmental Factor: Terrestrial Fauna</b>					
<ul style="list-style-type: none"> <li>• Habitat loss impacting Threatened fauna populations.</li> <li>• Injury or loss of Threatened fauna individuals during clearing and operations.</li> <li>• Accidental introduction and establishment of the Cane Toad.</li> </ul>	Any action that is likely to have a significant impact on a threatened species must be referred to the Commonwealth for a determination on whether it is a controlled action under sections 18 and 18A of the EPBC Act. If the action is deemed controlled, it cannot proceed without federal approval and is subject to environmental assessment. Through this process, the EPBC Act ensures that impacts are identified, evaluated and managed through enforceable conditions or offsets.	The EPBC process only applies where a significant impact on a federally listed threatened species is likely. It is also limited to matters of national environmental significance.	If the Action is approved, it will permit the clearing of critical and supporting habitat for MNES. The DCCEEW will only approve an action when it is satisfied that threatened species will not be placed at unacceptable risk. This aligns closely with the EPA's terrestrial fauna objectives, which aim to maintain biodiversity, ecological integrity, and long-term species viability.	EPBC permits typically include conditions relating to: <ul style="list-style-type: none"> <li>• Avoidance and clearing limits;</li> <li>• Fauna management measures;</li> <li>• Monitoring and reporting obligations.</li> </ul> The EPBC Act includes provisions for compliance and enforcement, including compliance audits, infringement notices, directions, penalties and prosecution. Permits are time bound, providing a mechanism for review if renewal is required.	The EPBC assessment process includes public consultation periods for referral and impact assessment documents. Information on stakeholder engagement conducted by the Proponent is provided as part of the referral process.
	The <i>Biodiversity Conservation Act 2016</i> (BC Act) and <i>Biodiversity Conservation Regulations 2018</i> provide the statutory basis for listing and protecting Threatened species in WA. Approval to disturb or take Threatened species is regulated under Section 40 of the BC Act.	The Section 40 approval only applies to Threatened species and for the activities described. Limits on the approval include: <ul style="list-style-type: none"> <li>• Duration of work</li> <li>• Mitigation and management measures</li> <li>• Monitoring requirements</li> <li>• Reporting requirements.</li> </ul> The approval does not consider fauna species listed as Priority.	The BC Act will regulate the disturbance (removal of habitat) and take (the mortality of individuals) to Threatened Fauna species across the development envelope. This aligns with the EPA objective to protect Terrestrial Fauna.	The approval licence will detail: <ul style="list-style-type: none"> <li>• Duration of work</li> <li>• Mitigation and management measures</li> <li>• Monitoring requirements</li> <li>• Reporting requirements.</li> </ul>	The Section 40 application process does not have a regulated stakeholder engagement process, however it other regulatory processes enable stakeholder management and consultation.



Environmental impact	How is the impact regulated by other decision-making process(es)?	Limit(s) of the decision-making process(es) to regulate the impact, e.g. time limits, excluded operations	Likely environmental outcome of the decision-making process(es) and consistency with EPA objective	Conditions, enforcement, and review process required by decision-making process(es)	Stakeholder engagement in decision-making process
<ul style="list-style-type: none"> <li>Habitat degradation associated with construction and operational activities, including introduction and spread of weeds, dust and altered fire regimes.</li> <li>Collision with fences and powerlines leading to fauna mortality.</li> <li>Loss of short-range endemic (SRE) invertebrate species and SRE invertebrate habitat.</li> </ul>	<p>Under the Mining Act, assessment of the MDCP considers environmental risks and management measures associated with mining operations and closure, including risks associated with potential weed introduction, fire, light and vibration.</p> <p>Part V, Division 2 of the EP Act and <i>Environmental Protection (Clearing of Native Vegetation) Regulations 2004</i>. Clearing of native vegetation as habitat requires an NVCP unless a valid exemption applies.</p> <p>For mining projects, DMPE administers the NVCP process on DWER's behalf.</p> <p>Proponents must demonstrate that the proposed clearing is not at variance with the 10 clearing principles. Where there is a variance, DMPE can impose conditions on the NVCP and require offsets for any significant residual impact.</p>	<p>All relevant operational activities and Proposal duration are expected to be addressed by this process.</p> <p>NVCPs are limited to regulating clearing of native vegetation for a specific purpose and duration of time. All relevant operational activities and Proposal duration are expected to be addressed by this process.</p>	<p>The MDCP Approvals Statement will specify nature and extent of approved mining operations and closure requirements, including criteria for managing weed, fire, and vibration risk, as appropriate.</p> <p>If acceptable, NVCP is granted permitting clearing of up to 2,180 ha of native vegetation.</p> <p>The NVCP process administered by DMPE requires proponents to demonstrate that clearing has been reduced as far as practicable, that significant flora and vegetation communities have been identified and avoided where possible, and that any residual impacts are managed through e.g. weed control, fauna and habitat safeguards, and rehabilitation.</p> <p>These requirements directly support the EPA's objectives to maintain the diversity, viability, and ecological function of flora and vegetation by ensuring that clearing is scientifically assessed, environmentally justified, and subject to enforceable controls that prevent long term degradation.</p>	<p>Under the Mining Act, DMPE are required to condition the nature and extent mining operations.</p> <p>Regular updates to mine closure plans are required and approved by DMPE, to ensure any information gaps are addressed and plans are appropriately detailed.</p> <p>If the activities are not carried out in the accordance with the Approvals Statement, DMPE have the authority to issue directives and instructions, enforcement actions and penalties.</p> <p>The DMPE imposes conditions on clearing permits to ensure that vegetation removal is carried out with minimal environmental impact. These conditions function as enforceable safeguards, requiring proponents to avoid, mitigate, and offset ecological risks associated with clearing activities. They commonly address how clearing must be planned, executed, monitored, and rehabilitated, ensuring compliance with relevant legislation and protecting biodiversity, water resources, soil stability, and cultural values.</p>	<p>The MDCP application process does not have a regulated stakeholder engagement process, however it is a requirement to provide DMPE with identification of stakeholders and any engagement undertaken on project activities and closure outcomes.</p> <p>Once an application for an NVCP is accepted by DMPE, it is publicly advertised with an invitation of submissions by the general public for a typical period of 21 days.</p> <p>The public also has a right to appeal against DMPE's determination or proposed conditions of an NVCP, within the legislated timeframe.</p>
<ul style="list-style-type: none"> <li>Sickness or death due to drinking of contaminated water.</li> <li>Disturbance from noise, light and vibration.</li> <li>Predation and/or competition with feral predators.</li> </ul>	<p>Part V Works Approval and Environmental Licence approvals issued under Part V of the EP Act to regulate emissions – including dust, and noise emissions.</p>	<p>Works Approvals apply only to prescribed premises activities and only during construction and commissioning.</p> <p>Part V licences regulate point-source emissions and specified activities and are limited to the licence term and prescribed premises boundary.</p> <p>All relevant operational activities and Proposal duration are expected to be addressed by this process.</p>	<p>Issue of a Works Approval and subsequent Environmental Licence for a Prescribed Premises. Relevant categories include:</p> <ul style="list-style-type: none"> <li>Processing Plant and Tailings Storage Facility (Category 5)</li> <li>Mine Dewatering (Category 6)</li> <li>Screening Facility (Category 12)</li> <li>Sewage Facility (Category 54)</li> <li>Landfill (Category 64)</li> <li>Bulk Chemical Storage (Category 73)</li> <li>Electric Power Generation (Category 52)</li> </ul>	<p>Works Approvals conditions typically include construction standards, commissioning limits, and monitoring and reporting.</p> <p>The Environmental Licence conditions specify emissions limits, monitoring requirements and require an AACR to be submitted to DWER.</p> <p>Emissions outside those permitted are potentially non-compliant events. DWER enforces compliance through inspections and may amend, suspend, or revoke approvals.</p>	<p>Works Approval and Environmental Licence applications are subject to a public consultation period, typically for 21 days.</p>



Environmental impact	How is the impact regulated by other decision-making process(es)?	Limit(s) of the decision-making process(es) to regulate the impact, e.g. time limits, excluded operations	Likely environmental outcome of the decision-making process(es) and consistency with EPA objective	Conditions, enforcement, and review process required by decision-making process(es)	Stakeholder engagement in decision-making process
<b>Environmental factor: Subterranean Fauna</b>					
Loss of individuals or reduction in stygofauna habitat.	RIWI Act (5C licence) provides authorisation to extract a specific, allocated volume of groundwater from a proclaimed water source. DWER undertake an assessment of impacts, including cumulative impacts through the provision of a H3 hydrogeological study and GWOS.	The 5C licence is limited regulating impacts to an aquifer system and does not consider the stygofauna species and communities it may contain.	Approval of the 5C licence will include an annual limit of abstraction from the fractured rock aquifer in accordance with a groundwater operating strategy.	5C licence conditions will consider: <ul style="list-style-type: none"> <li>• Applicable water resource (aquifer).</li> <li>• Total annual abstraction limit</li> <li>• Activities authorized for the use of the abstracted water</li> <li>• The location of the abstraction (mining tenure).</li> <li>• Total duration period of the licence.</li> </ul> The GWOS may require periodic review in addition to annual reporting of abstraction volumes per annum.	5C applications are required to be advertised in the State newspaper (The West Australian) and local newspapers for a specified timeframe. DWER will take into account any public submissions during the assessment process.
Loss of individuals or reduction in troglofaunal habitat from excavation of open pits and boxcut.	Under the Mining Act, an Approvals Statement is issued by DMPE for the open mine pit through the assessment of a MDCP. The assessment will review the extent of the open pit and boxcut, geotechnical stability and closure provisions for the domains.	The MDCP is limited to the environmental impacts of the open pit and the boxcut and does not consider the cumulative impacts to troglofauna species. This is not considered a limitation as the geology suggests troglofaunal habitat extends beyond the open pit mine.	The Approvals Statement will outline the nature and extent of the open pits and boxcuts to underground workings.	Under the Mining Act, DMPE are required to condition the nature and extent of disturbance to the environment from mining activities. If the activities are not constructed in the accordance with the Approvals Statement, DMPE have the authority to issue directives and instructions, enforcement actions and penalties.  The Proponent is required to issue an Annual Environmental Report (AER) and revised MCP in accordance with the Approvals Statement timelines.	The MDCP application process does not have a regulated stakeholder engagement process, however it is a requirement to provide DMPE with identification of stakeholders and any engagement undertaken on project activities and closure outcomes.
Reduction in troglofauna habitat groundwater mounding as a result of excess seepage from the TSF; AND  Reduction in groundwater quality from WRL and/or TSF seepage.	Seepage is considered a discharge to the environment and is therefore regulated under Part V Division 3 of the EP Act by DWER through a Works Approval and Environmental Licence.	The Part V process is limited to assessing emissions and discharges from specific prescribed premises. This is not considered a limitation for this impact as the TSF will be assessed under Prescribed Premises Category 5: Processing or beneficiation of metallic or non-metallic ore.	Approval of the Works Approval for Category 5 will include conditions of design infrastructure to control and manage seepage rates from the TSF. The monitoring bore network for groundwater level and quality monitoring will be specified in the Works Approval and subsequent Environmental Licence.	Upon completion of the TSF, a Critical Containment Infrastructure (CCI) Report must be submitted to DWER containing the audit results of compliance against the Works Approval. Once the CCI Report is accepted by DWER CEO, the Proponent will operate the facility under Time Limited Operations whilst an Environmental Licence for the continued operation of the TSF is assessed. The Environmental Licence requires an AACR to be submitted to DWER.  DWER has broad enforcement powers under the EP Act for uncontrolled discharge to the environment including issuing prevention notices/directions, infringement notices and prosecution.	Works Approval and Environmental Licence applications are subject to a public consultation period, typically for 21 days.



Environmental impact	How is the impact regulated by other decision-making process(es)?	Limit(s) of the decision-making process(es) to regulate the impact, e.g. time limits, excluded operations	Likely environmental outcome of the decision-making process(es) and consistency with EPA objective	Conditions, enforcement, and review process required by decision-making process(es)	Stakeholder engagement in decision-making process
<b>Environmental Factor: Greenhouse Gas Emissions</b>					
Contribution to increased atmospheric GHG concentrations at the state, national, and global levels.	NGER Act requires reporting of greenhouse gas emissions, and emissions reductions of offsets. Under the NGER Act, the Safeguard Mechanism is triggered when a facility emits more than 100,000 t CO <sub>2</sub> -e of scope 1 emissions in a financial year. When emissions exceed the baseline for a designated Safeguard facility, the emitter must manage their excess through reductions or offsets.	The requirement for emissions reduction or offset applies to designated Safeguard Facilities, which are those which emit more than 100,000 t CO <sub>2</sub> -e per annum.  The Proposal is predicted to reach this threshold in year 3, as the Proposal transition from construction to production phase.  Safeguard mechanism applies to Scope 1 emissions only.	The Proposal will be required to report annual emissions to comply with NGER obligations.  The Proposal is expected to be designated as a Safeguard Facility from year 3, requiring an emissions baseline to be set and emissions reduction targets to be achieved.  This is consistent with the EPA's objective to reduce greenhouse gas emissions as far as practicable.	Annual NGER reporting under the Safeguard mechanism must be assured by a certified auditor.  Where annual emissions exceed the annual reduction target for a Safeguard facility, the excess must be offset via the purchase and surrender of suitable credits.  The Clean Energy Regulator (CER) can issue infringement notices, apply civil penalties, seek court-ordered sanctions, or publish instances of non-compliance, if a corporation breaches NGER obligations.	No formal stakeholder engagement is required under the NGER reporting and emissions reduction process, however the CER publishes facility level reported annual emissions data.
<b>Environmental Factor: Social Surroundings</b>					
Disturbance to Aboriginal cultural heritage values.	Under the <i>Aboriginal Heritage Act 1972</i> , consents are required to disturb Aboriginal heritage sites (Sections 16 and 18).	The consent process applies to impacts to cultural heritage sites or objects. All relevant operational activities and Proposal duration are expected to be addressed by this process.	Consents may be issued to permit the appropriately managed disturbance of cultural heritage sites, ensuring that options to avoid and minimise impacts have been applied, where practicable.  This is generally consistent with the EPA's objective to protect social surroundings from significant harm.	Consents may include conditions relating to: <ul style="list-style-type: none"> <li>Limits on disturbance areas</li> <li>Requirements for monitoring</li> <li>Salvage, recording, or documentation of heritage material</li> <li>Stop-work procedures if new sites are discovered</li> <li>Reporting obligations to the Minister or Department</li> </ul> Compliance and enforcement options available include compliance inspections, infringement notices and prosecution.  Consents can be reviewed or amended if project activities change, requiring a new application.	Consultation with Traditional Owners is required to identify cultural heritage values and their significance. Applicants must demonstrate in consent applications that appropriate consultation has been conducted, and the outcomes of this consultation are considered by the regulatory authority during the decision-making process.  The decision-making process also includes a pathway for Traditional Owners to object to the grant of consent to disturb sites of objects.
<ul style="list-style-type: none"> <li>Noise emissions affecting amenity at nearby receptors.</li> <li>Dust emissions affecting amenity.</li> </ul>	Part V Works Approval and Environmental Licence approvals issued under Part V of the EP Act to regulate emissions – including noise and dust emissions.	Works Approvals apply only to prescribed premises activities and only during construction and commissioning. Part V licences regulate point-source emissions and specified activities and are limited to the licence term and prescribed premises boundary.  All relevant operational activities and Proposal duration are expected to be addressed by this process.	Issue of a Works Approval and subsequent Environmental Licence for a Prescribed Premises. Relevant categories include: <ul style="list-style-type: none"> <li>Processing Plant and Tailings Storage Facility (Category 5)</li> <li>Mine Dewatering (Category 6)</li> <li>Screening Facility (Category 12)</li> <li>Sewage Facility (Category 54)</li> <li>Landfill (Category 64)</li> <li>Bulk Chemical Storage (Category 73)</li> <li>Electric Power Generation (Category 52)</li> </ul>	Works Approvals conditions typically include construction standards, stormwater and sediment control requirements, commissioning limits, and monitoring and reporting.  The Environmental Licence conditions specify emissions limits, monitoring requirements and require an AACR to be submitted to DWER.  Emissions outside those permitted are potentially non-compliant events. DWER enforces compliance through inspections and may amend, suspend, or revoke approvals.	Works Approval and Environmental Licence applications are subject to a public consultation period, typically for 21 days.



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### A-3) Object and Principles of the EP Act

In preparing this document, Wildcat has considered 'The Statement of Environmental Principles, Factors, Objectives and Aims of EIA' (EPA, 2023). These principles represent the highest standard that the EPA must consider when assessing and reporting on proposals under the EP Act. **Table A-3-3** details how these principles have been considered in this Proposal.



**Table A-3-3: EP Act Principles**

Principle	Detail	Proposal Consideration
The precautionary principle	<p>Where there are threats of serious or irreversible damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, decisions should be guided by:</p> <p>(a) careful evaluation to avoid, where practicable, serious or irreversible damage to the environment; and</p> <p>(b) an assessment of the risk-weighted consequences of various options.</p>	<p>A risk-based approach has been applied throughout the Proposal's planning and design. Social and environmental values within the development envelope have been thoroughly studied, and the findings have informed design refinements to avoid and minimise impacts. All investigations followed EPA Environmental Factor Guidelines, technical guidance, and relevant best-practice standards, ensuring robust data and reliable impact predictions.</p> <p>Where uncertainty remains, precautionary assumptions, engineering controls, and commitments to ongoing monitoring have been incorporated to verify outcomes and adapt management as required. Major infrastructure, including for water management and tailings storage, has been designed using conservative climatic, geotechnical, and operational parameters, ensuring protective measures are in place despite any residual scientific uncertainty.</p>
The principle of intergenerational equity	<p>The present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations.</p>	<p>The Proposal has been developed to ensure that environmental quality and land capability are preserved for future generations. Planning for closure and post-mining land use has been integrated early, with the design of mine waste landforms, the TSF and associated infrastructure incorporating long-term stability, safe storage of materials, and the capacity for progressive rehabilitation over the life of the mine.</p> <p>The Proponent is engaging with Traditional Owners to support the protection of cultural values and to ensure that the knowledge and aspirations of Indigenous stakeholders are reflected in the long-term management of the area. Engagement with pastoral interests will also guide measures that avoid or minimise impacts on ongoing pastoral land uses.</p> <p>The Project's energy strategy incorporates a hybrid Thermal/Solar/BESS power system, reducing the emissions intensity of operations and contributing to broader efforts to manage climate change risks over the coming decades.</p> <p>Through these measures, the Proposal seeks to maintain ecological health, cultural values, and land capability, so that the environment is not diminished for future generations.</p>



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Principle	Detail	Proposal Consideration
<p>The principle of the conservation of biological diversity and ecological integrity</p>	<p>Conservation of biological diversity and ecological integrity should be a fundamental consideration.</p>	<p>The Proposal has been developed to avoid and minimise impacts on important flora, fauna, and ecological values whenever possible. To protect terrestrial fauna, the Proposal avoids known critical habitats for conservation-listed species and includes measures to minimise disturbance to potential habitats including areas designated as rocky outcrops and major rivers.</p> <p>The Proposal includes a Conservation Significant Species Management Plan and a Conceptual Mine Closure Plan to effectively manage impacts during operations and ensure that disturbed areas are restored to stable and sustainable landforms after mining activities are completed.</p>
<p>Principles relating to improved valuation, pricing and incentive mechanisms</p>	<p>(a) Environmental factors should be included in the valuation of assets and services.</p> <p>(b) The polluter pays principle – those who generate pollution and waste should bear the cost of containment, avoidance or abatement.</p> <p>(c) The users of goods and services should pay prices based on the full life cycle costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any wastes.</p> <p>(d) Environmental goals, having been established, should be pursued in the most cost-effective way, by establishing incentive structures, including market mechanisms, which enable those best placed to maximise benefits and/or minimise costs to develop their own solutions and responses to environmental problems.</p>	<p>The Proponent recognises the importance of integrating environmental values into project planning, decision-making and cost considerations. Baseline studies have informed the understanding of environmental values within the development envelope, enabling the mine layout and infrastructure to avoid, where feasible, areas of higher ecological significance and to minimise overall disturbance.</p> <p>Emissions, discharges and operational impacts will be reduced through engineered controls, environmental management plans and appropriate operational procedures. The project footprint has been refined to limit impacts on vegetation in better condition and on important fauna habitats, while greenhouse gas emissions will be managed through a hybrid Thermal/Solar/BESS power system, reducing reliance on diesel and lowering emissions intensity.</p> <p>Opportunities for continuous improvement will be pursued over the life of mine, including further minimisation of clearing, waste reduction through recycling initiatives, progressive rehabilitation to reduce Mining Rehabilitation Fund (MRF) contributions, adoption of Environmental Social Governance (ESG) principles, and implementation of technologies that support ongoing reductions in environmental impact.</p> <p>The Proponent accepts responsibility for the costs associated with environmental management, including monitoring, mitigation, and closure activities, and has factored these costs into the Project's financial planning.</p>



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Principle	Detail	Proposal Consideration
The principle of waste minimisation	All reasonable and practicable measures should be taken to minimise the generation of waste and its discharge into the environment.	<p>The Proposal applies the waste hierarchy by promoting the avoidance and reduction of waste where practicable. Mine waste and tailings management strategies focus on efficient use of materials, minimising external disturbance and optimising water recovery and process efficiency.</p> <p>Operational waste streams will be managed through established site procedures, supported by appropriate storage, segregation and disposal practices. Design and operational controls reduce the potential for contamination and minimise the generation of waste requiring long-term management.</p>



## References

- EPA. (2021). *Interim Guidance - Taking Decision Making Processes into Account in EIA*. Perth: Environmental Protection Authority.
- EPA. (2023). *Statement of environmental principles, factors, objectives and aims of EIA*. Perth: Environmental Protection Authority.