



**Proposed Approval**

**Mulga Rock Uranium Project, Shire of Menzies, WA (EPBC 2013/7083)**

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

**Proposed action**

---

<b>person to whom the approval is granted</b>	Vimy Resources Limited
<b>proponent's ABN</b>	ABN: 56 120 178 949
<b>proposed action</b>	To develop the Mulga Rock Uranium Project located 240 km north east of Kalgoorlie [See EPBC referral 2013/7083 and variation to the action received 12 November 2015 and accepted on 11 December 2015].

---

**Approval decision**

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

**conditions of approval**

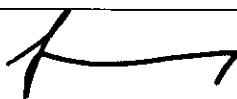
This approval is subject to the conditions specified below.

**expiry date of approval**

This approval has effect until 31 December 2041

**Decision-maker**

---

<b>name and position</b>	The Hon Josh Frydenberg MP Minister for the Environment and Energy
<b>signature</b>	
<b>date of decision</b>	2/3/17

---

## Conditions attached to the approval

1. To manage the impacts of the action on **protected matters**, the person taking the action must implement the conditions of the **WA approval**.

2. To offset the residual significant impact to the Sandhill Dunnart (*Sminthopsis psammophila*), the person taking the action must prepare a Sandhill Dunnart Conservation Plan (the Plan) to reduce the threat to the Sandhill Dunnart posed by feral animals within the defined area.

The Plan must be prepared by a **suitably qualified expert** and in consultation with the WA Department of Parks and Wildlife. The Plan must:

- a) define the area over which the Plan applies (the defined area). The defined area must:
  - i. be located outside of the **MRUP development envelope**, but within the **project boundary**
  - ii. contain at least 6000 ha of suitable habitat for the Sandhill Dunnart
  - iii. contain a local population of Sandhill Dunnart.
- b) detail objectives and measurable performance indicators for implementing the Plan and managing threats to the Sandhill Dunnart within the defined area relating to feral animals
- c) detail the methodology that will be implemented for determining the baseline condition of the defined area including estimated baseline local population of Sandhill Dunnart and feral animals
- d) detail management actions that will be implemented to achieve the objectives of the Plan
- e) identify and manage risks associated with achieving the Plan's objectives
- f) detail contingency responses and corrective actions that will be implemented should performance indicators not be achieved. This includes trigger values for implementing contingency responses and corrective actions, and the timeframes in which corrective actions will be implemented
- g) detail a monitoring program, including a monitoring methodology, to review effectiveness of management actions and to support an adaptive management approach to implementation of the Plan
- h) provide the timing and frequency of management actions, monitoring and reporting programs and the person/s responsible for implementing the actions and programs

3. The person taking the action must not **commence construction of the airstrip** unless the Plan has been approved in writing by the **Minister**. If the **Minister** approves the Plan, then the approved plan must be implemented for the life of the approval.

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**, 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.
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 the Plan. Documentary evidence providing proof of the date of publication must be provided to the **Department** at the same time as the compliance report is published. 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**.
9. Unless otherwise agreed to in writing by the **Minister**, the person taking the action must publish the Plan referred to in these conditions of approval on its website within one (1) month of being approved by the **Minister**.

## **Definitions**

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

**Commence construction of the airstrip:** means any action taken to construct the airstrip for the proposed action detailed in Figure 1 including any vegetation clearance or ground disturbance. This definition excludes the installation of fencing, signage or other investigations where no vegetation clearance is required.

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

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

**Minister:** the Minister administering the **EPBC Act** and includes a delegate of the Minister.

**MRUP development envelope:** The MRUP development envelope as identified in Figure 1 attached to this approval.

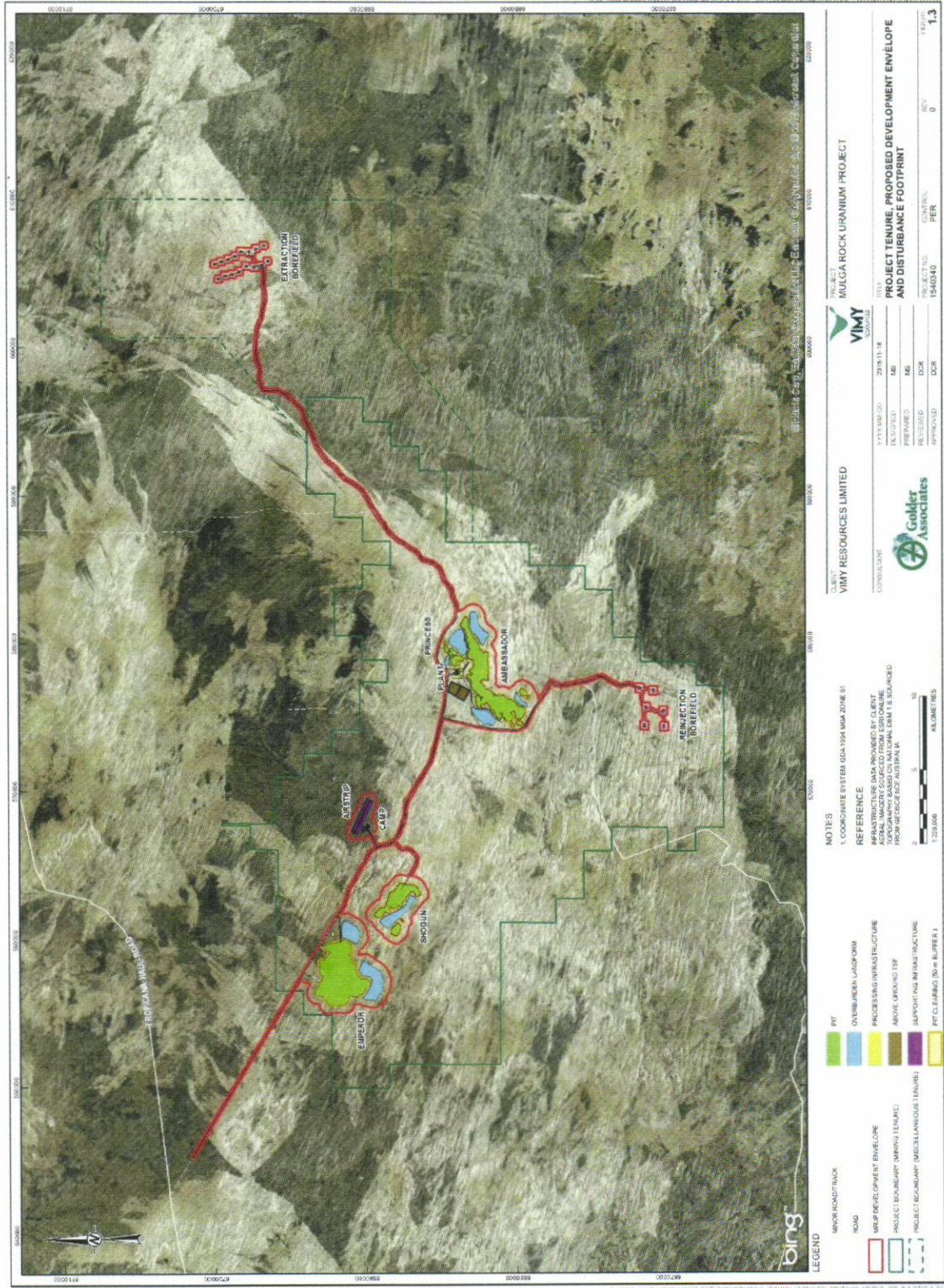
**Project boundary:** The project boundary (mining tenure and miscellaneous tenure) as identified in Figure 1 attached to this approval.

**Protected matters:** matters protected under Part 3 of the **EPBC Act** for which this approval has effect, which are the Ooldea Guinea-Flower (*Hibbertia crispula*), the Sandhill Dunnart (*Sminthopsis psammophila*) and the environment (as defined by section 528 of the **EPBC Act**).

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

**Suitably qualified expert:** means a person with relevant tertiary qualifications and a minimum of ten (10) years demonstrated experience relevant to the task in question.

**WA approval:** means the WA Minister for Environment Approval Statement (Statement 1046), or as varied by the WA Minister for Environment.



**Figure 1**