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Statement No. 1242

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

GABANINTHA VANADIUM PROJECT

Proposal:

Technology Metals Australia Limited proposes to construct and operate the Gabanintha Vanadium Project located approximately 615 km north-east of Perth and 40 km south-east of Meekatharra, along the Meekatharra-Sandstone Road. The project involves the clearing of up to 1,060 ha of native vegetation, open pit mining, the processing of ore from sources inside and outside the development envelope, onsite mining and processing waste disposal plus other supporting activities required to produce a range of products including vanadium pentoxide, ferro vanadium, iron-vanadium concentrate, titanium concentrate and base metal concentrate.

Proponent:

Technology Metals Australia Limited
Australian Company Number 612 531 389

Proponent address:

Suite 9
330 Churchill Avenue
SUBIACO WA 6008

Assessment number: 2190**Report of the Environmental Protection Authority:** 1755

Introduction: Pursuant to section 45 of the *Environmental Protection Act 1986*, it has been agreed that the proposal entitled Gabanintha Vanadium Project described in the 'Proposal Content Document' attachment of the referral of 28 November 2018, as amended by the changes to proposal approved under s. 43A on 20 January 2020, 6

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May 2021 and 8 July 2022, may be implemented and that the implementation of the proposal is subject to the following implementation conditions and procedures:

Conditions and procedures

Part A: Proposal extent

Part B: Environmental outcomes, prescriptions and objectives

Part C: Environmental management plans and monitoring

Part D: Compliance and other conditions

PART A: PROPOSAL EXTENT

Limitations and Extent of Proposal

A1-1 The proponent must ensure that the proposal is implemented in such a manner that the following limitations or maximum extents / capacities / ranges are not exceeded:

Proposal element	Location	Maximum extent
Physical elements		
Development envelope	Figure 1	No more than 7,152 ha
Disturbance footprint	Within the development envelope shown in Figure 2	No more than 1,060 ha within a 7,152 ha development envelope.
Direct disturbance of native vegetation	Within the development envelope shown in Figure 2	Clearing of no more than 1,018 ha of ‘Good’ to ‘Excellent’ condition native vegetation within a 7,152 ha development envelope.
Surface water pools	Figure 2	No direct disturbance , including mining activities, pits, excavation, waste dumps and permanent structures. Low impact activities to support environmental monitoring and management are permitted.
Mt Yagahong Exclusion Zone	Figure 2	No direct disturbance , including mining activities, pits, excavation, waste dumps and permanent structures. Low impact activities to support environmental

Proposal element	Location	Maximum extent
		monitoring and management are permitted.
Operational elements		
Groundwater abstraction	N/A	Up to 2.7 GL/a including: <ul style="list-style-type: none"> • up to 1.0 GL/a for mine dewatering, and • up to 2.7 GL/a from the Stage 1 Water Supply Area and the Stage 2 Water Supply Area
Process waste disposal	N/A	Disposal of up to 3.9 Mtpa of process wastes to containment structures (such as a lined integrated waste landform) within the development envelope
Waste rock landforms	Figure 2	Maximum height of: <ul style="list-style-type: none"> • 500 m AHD (north WRL) • 510 m AHD (north-east WRL) • 505 m AHD (central WRL).
Integrated waste landform / tailings storage facility	Figure 2	Maximum height of 518 m AHD .
Timing elements		
Mine life	N/A	Up to 30 years from the date of substantial commencement.

PART B – ENVIRONMENTAL OUTCOMES, PRESCRIPTIONS AND OBJECTIVES

B1 Flora and vegetation

B1-1 The proponent must ensure the implementation of the proposal achieves the following environmental **outcomes**:

- (1) with the exception of **low impact activities**, no direct **disturbance** of drainage line vegetation as described and recorded in the **baseline flora and vegetation survey** as AchAfApLIT;
- (2) directly **disturb** no more than 44.4 **ha** of drainage line vegetation as described and recorded in the **baseline flora and vegetation survey** as AfAcnpvAiLOW;
- (3) directly **disturb** no more than 100.3 **ha** of drainage line vegetation as described and recorded in the **baseline flora and vegetation survey** as AfAaAchLOW; and
- (4) ensure there are no **adverse impacts** to flora and vegetation resulting from the introduction or spread of **environmental weeds** within the development envelope compared with pre-construction condition as described and recorded in the **baseline flora and vegetation survey**.

B2 Inland waters and subterranean fauna

B2-1 The proponent must ensure the implementation of the proposal achieves the following environmental **outcomes**:

- (1) no **adverse impacts**, such as to the persistence, water quality or ecological function, of the **surface water pools** shown in Figure 2;
- (2) ensure groundwater drawdown does not exceed five (5) metres at one (1) **km** from borefield production bores for the life of the proposal;
- (3) groundwater drawdown does not exceed two (2) metres at third-party production bores unless informed prior consent is given by the owner of the bore, or a greater drawdown has been authorised under the *Rights in Water and Irrigation Act 1914*;
- (4) no **adverse impacts** to the persistence of troglofauna species *Cryptops* 'sp. *Biologic-CHIL009*,' *Paraplatyarthrus* 'sp. *Biologic-ISOP013*,' and *Lepidospora* 'sp. *BiologicZYGE016*';
- (5) no **adverse impacts** to the biological diversity or ecological integrity of the stygofauna assemblages in the **water supply areas**, as described in the **subterranean fauna assessment**; and

(6) no **adverse impacts** to the **groundwater-dependent vegetation** associated with the **surface water pools** shown in Figure 2.

B2-2 The proponent must ensure the implementation of the proposal achieves the following environmental **objectives**:

- (1) avoid, where practicable, or otherwise minimise **adverse impacts** to **groundwater-dependent vegetation** resulting from hydrogeological changes; and
- (2) avoid, where practicable, or otherwise minimise **adverse impacts** to **surface water-dependent vegetation** resulting from hydrological changes.

B2-3 The proponent shall not commence extraction of ore within the **Scenario 2 Disturbance Footprint** unless the **CEO** confirms in writing that:

- (1) the proponent has undertaken a troglofauna habitat connectivity assessment in accordance with **subterranean fauna technical guidance** and submitted it to the **CEO** and the **Yugunga-Nya People**;
- (2) the troglofauna habitat connectivity assessment required by condition B2-3(1) confirms the connectivity of troglofauna habitat within the **Scenario 2 Disturbance Footprint** with suitable habitat outside the indicative disturbance footprint; and
- (3) the environmental **outcome** in condition B2-1(4) can be achieved if extraction of ore were to occur within the **Scenario 2 Disturbance Footprint**.

B2-4 The proponent must review and update the *Inland Waters (Groundwater) and Subterranean Fauna Management Plan* (Revision 6, 20 July 2023) that satisfies the requirements of condition C4 and condition C5 and demonstrates how achievement of the environmental **outcomes** in condition B2-1 and **objectives** in condition B2-2 will be monitored and substantiated and submit it to the **CEO**.

B3 Rehabilitation and closure

B3-1 The proponent must implement the proposal to meet the following environmental **outcomes**:

- (1) rehabilitated landforms are stable and do not cause **pollution** or **environmental harm**;
- (2) rehabilitated vegetation is self-sustaining;
- (3) rehabilitated drainage lines are stable, not prone to erosion, and support ecological processes;

- (4) rehabilitated areas are consistent with the species diversity and abundance of native vegetation within comparative analogue or reference sites;
- (5) rehabilitation includes the use of native seeds collected from native vegetation adjacent to the proposal; and
- (6) closure planning and rehabilitation are undertaken in a **progressive manner** consistent with achievement of the above **outcomes** during **operations**, where practicable, and as soon as practicable upon closure.

B3-2 The proponent must include the environmental **outcomes** of condition B3-1 in the Mine Closure Plan required under the *Mining Act 1978*, and submitted for approval to the Department of Energy, Mines, Industry Regulation and Safety.

B4 Greenhouse gas emissions

B4-1 Subject to condition B4-1(7), the proponent shall take measures to ensure that **net GHG emissions** do not exceed:

- (1) 709,110 tonnes of **CO₂-e** for the period until 30 June 2030;
- (2) 595,652 tonnes of **CO₂-e** for the period between 1 July 2030 and 30 June 2035;
- (3) 390,010 tonnes of **CO₂-e** for the period between 1 July 2035 and 30 June 2040;
- (4) 212,733 tonnes of **CO₂-e** for the period between 1 July 2040 and 30 June 2045;
- (5) 34,455 tonnes of **CO₂-e** for the period between 1 July 2045 and 30 June 2050, should a proposal time extension be approved;
- (6) zero tonnes of **CO₂-e** for every consecutive five (5) year period from 1 July 2050 onwards, should a proposal time extension be approved; and
- (7) the time between the **commencement of operations** and the end of a period specified in condition B4-1(1) is less than five (5) years, the **net GHG emissions** limit for that period is to be determined in accordance with the following formula:

Reduced **net GHG emissions** limit = (A ÷ 1825) x B

Where:

A is the **net GHG emissions** limit for the period as specified in condition B4-1(1).

B is the number of days between the **commencement of operations** and the end of the relevant period specified in condition B4-1(1).

B4-2 The proponent shall revise, and submit to the **CEO**, the *Greenhouse Gas Emissions Environmental Management Plan (November 2023)* to:

- (1) be consistent with the achievement of the **net GHG emissions** limits in condition B4-1 subject to the adjustment provided for in condition B4-1(7) (or achievement of emission reductions beyond those required by those emission limits);
- (2) specify the estimated **proposal GHG emissions** and **emissions intensity** for the life of the proposal;
- (3) include a comparison of the estimated **proposal GHG emissions** and **emissions intensity** for the life of the proposal against other relevant emissions reduction practices, pathways and comparable facilities;
- (4) identify and describe any measures that the proponent will implement to avoid, reduce and/or offset **proposal GHG emissions** and/or reduce the **emissions intensity** of the proposal; and
- (5) provide a program for the future review of the plan to:
 - (a) assess the effectiveness of measures referred to in condition B4-2(4); and
 - (b) identify and describe options for future measures that the proponent may or could implement to avoid, reduce, and/or offset **proposal GHG emission** and/or reduce the **emissions intensity** of the proposal.

B4-3 Within one (1) month of receiving confirmation in writing from the **CEO** that:

- (1) the Greenhouse Gas Environmental Management Plan referred to in condition B4-2 has been revised and satisfies condition B4-2; or
- (2) any subsequent version of the **confirmed** Greenhouse Gas Environmental Management Plan submitted under condition C2-2 or B4-8 which satisfies the requirements of condition B4-2,

the proponent must submit a separate summary of the relevant plan to the **CEO**, which must:

- (3) include a summary of the matters specified in conditions B4-2(1) to condition B4-2(4); and
- (4) be published as required by condition B4-7.

B4-4 The proponent shall submit an annual report to the **CEO** each year by 31 March, commencing on the first 31 March after the **commencement of operations**, or such other date within that financial year as is agreed by the **CEO** to align with other reporting requirements for **GHG**, specifying for the previous financial year:

- (1) the quantity of **proposal GHG emissions**; and
- (2) the **emissions intensity** for the proposal.

B4-5 The proponent shall submit to the **CEO** by 31 March 2030 or such other date within that financial year as is agreed by the **CEO** to align with other reporting requirements for **GHG**, and every five (5) years thereafter:

- (1) a consolidated report specifying:
 - (a) for each of the preceding five financial years, the matters referred to in condition B4-4(1) and condition B4-4(2);
 - (b) for the period specified in condition B4-1 that ended on 30 June of the year before the report is due:
 - (i) the quantity of **proposal GHG emissions**;
 - (ii) the **net GHG emissions**;
 - (iii) any measures that have been implemented to avoid or reduce **proposal GHG emissions**; and
 - (iv) the type, quantity, identification or serial number, and date of retirement or cancellation of any **authorised offsets** which have been retired or cancelled and which have been used to calculate the **net GHG emissions** referred to in condition B4-5(1)(b)(ii), including written evidence of such retirement or cancellation.
 - (2) an audit and peer review report of the consolidated report required by condition B4-5(1), carried out by an independent person or independent persons with suitable technical experience dealing with the suitability of the methodology used to determine the matters set out in the consolidated report, whether the consolidated report is accurate and whether the consolidated report is supported by credible evidence.

B4-6 A consolidated report referred to in condition B4-5(1) must be accompanied by:

- (1) a revision of the **confirmed** Greenhouse Gas Environmental Management Plan required under condition B4-2; and

(2) a separate summary report, for the period specified in condition B4-1 that ended on 30 June of the year before the report is due and any previous periods specified in condition B4-1, and which includes:

- (a) a graphical comparison of **net GHG emissions** with the **net GHG emissions** limits detailed in condition B4-1 (subject to the adjustment provided for in condition B4-1(7));
- (b) proposal **emissions intensity** compared to comparable facilities;
- (c) a summary of measures to reduce the **proposal GHG emissions** undertaken by the proponent for compliance periods detailed in condition B4-1; and
- (d) a clear statement as to whether limits for **net GHG emissions** set out in condition B4-1 have been met, and whether future **net GHG emissions** limits are likely to be met, including a description of any reasons why those limits have not been, and/or are unlikely to be met.

B4-7 In addition to the requirements of condition C2-6 about publication of the **confirmed** Greenhouse Gas Environmental Management Plan, the proponent shall make the summary of the **confirmed** Greenhouse Gas Environmental Management Plan, and all reports required by this condition B4 publicly available on the proponent's website within the timeframes specified below, or in any other manner or time specified by the **CEO**:

- (1) the summary of the **confirmed** Greenhouse Gas Environmental Management Plan within twenty (20) business days of submitting the document to the **CEO** in accordance with condition B4-3; and
- (2) the reports referred to in condition B4-4, condition B4-5, and condition B4-6 within twenty (20) business days of submitting the document to the **CEO**, and they shall remain published for the life of the proposal.

B4-8 In addition to the requirements of condition C2-2, the proponent must revise and submit to the **CEO** the **confirmed** Greenhouse Gas Environmental Management Plan by the date that the first five (5) yearly consolidated report is required to be submitted under condition B4-5 and every five (5) years after that date.

B5 Aboriginal heritage

B5-1 The proponent must ensure the implementation of the proposal achieves the following environmental **outcomes**:

- (1) no **disturbance** to **Aboriginal heritage**, unless approval is granted to **disturb** that site under the *Aboriginal Heritage Act 1972* and has involved reasonable steps to consult with the **Yugunga-Nya People**; and
- (2) subject to reasonable health and safety requirements, no interruption of ongoing access to land utilised for traditional use or custom by the **Yugunga-Nya People**.

B5-2 The proponent must implement the proposal to meet the following environmental **objective**:

- (1) avoid, where practicable, and otherwise minimise **adverse impacts** to **Aboriginal heritage**.

B5-3 The proponent must take reasonable steps to consult with the **Yugunga-Nya People** about the achievement of the **outcomes** in condition B1-1, B2-1, B3-1 and B5-1(2) and **objective** in condition B5-2 for the life of the proposal.

B5-4 The proponent must take reasonable steps to consult with the **Yugunga-Nya People** about:

- (1) the Inland Waters (Groundwater) and Subterranean Fauna Management Plan required under condition B2-4; and
- (2) the design of the **Waste Rock Landforms** and the **Integrated Waste Landform** as part of approval processes under Part V of the **EP Act** and the *Mining Act 1978*.

B6 Subterranean Fauna Research Program

B6-1 The proponent shall prepare a research program to address knowledge gaps associated with subterranean fauna within the **Hope Palaeovalley**. The **objectives** of the Subterranean Fauna Research Program must include:

- (1) characterise the stygofauna and troglofauna associated with one or many of the **subterranean PECs** that sit within the **Hope Palaeovalley**;
- (2) further characterise the subterranean habitat in the **Hope Palaeovalley** using 3D habitat modelling;
- (3) investigate seasonality of subterranean fauna assemblages; and
- (4) undertake morphological and molecular taxonomy on species outside of the development envelope.

B6-2 The Subterranean Fauna Research Program must:

- (1) include **objectives**, timing, milestones and methodology;

- (2) include a plan that provides the design for the proposed research and completion criteria to meet the **objectives** of condition B6-2(1);
- (3) detail how all sampling, taxonomy, and habitat information will be published; and
- (4) be incorporated into the environmental management plan required under condition B2-4.

B7 Staged Disturbance Footprint Report

B7-1 At least twelve (12) months prior to the commencement of **construction activities** in the **Stage 2 Water Supply Area**, the proponent must prepare and submit a Staged Disturbance Footprint Report to the **CEO** and **Yugunga-Nya People** that identifies the final disturbance footprint for the **Stage 2 Water Supply Area**. The Report shall:

- (1) include the results of surveys consistent with **flora and vegetation technical guidance** and **terrestrial fauna technical guidance**;
- (2) include the findings of **Aboriginal heritage** surveys undertaken in consultation with the **Yugunga-Nya People** within the **Stage 2 Water Supply Area**;
- (3) include the **outcomes** of reasonable steps to consult with the **Yugunga-Nya People** about measures to avoid and minimise impacts to **Aboriginal heritage**; and
- (4) identify and spatially map the final disturbance footprint for the **Stage 2 Water Supply Area**.

B7-2 The proponent shall not commence **construction** in the **Stage 2 Water Supply Area** until the **CEO** confirms in writing that the Staged Disturbance Footprint Report demonstrates that **construction** and **operations** in the **Stage 2 Water Supply Area**:

- (1) do not exceed the maximum clearing extents specified under condition A1-1;
- (2) will be consistent with achievement of the environmental **outcomes** and **objectives** specified under conditions B1, B2, B3 and B5;
- (3) avoids threatened flora species and conservation significant fauna critical habitat; and
- (4) avoids, where practicable, or otherwise minimises **adverse impacts** to priority flora species and conservation significant fauna habitat.

PART C – ENVIRONMENTAL MANAGEMENT PLANS AND MONITORING

C1 Environmental Management Plans: Conditions Related to Commencement of Implementation of the Proposal

C1-1 The proponent must not undertake:

- (1) **groundwater abstraction** until the **CEO** has confirmed in writing that the environmental management plan required by condition B2-4 meets the requirements of conditions B2-4, C4 and C5, and incorporates the research program required by condition B6 and has considered the recommendations outlined in Appendix D4-B of the Environmental Review Document; and
- (2) the **commencement of operations** until the **CEO** has confirmed in writing that the environmental management plan required by condition B4-2 meets the requirements of condition B4-2.

C2 Environmental Management Plans: Conditions Relating to Approval, Implementation, Review and Publication

C2-1 Upon being required to implement an environmental management plan under Part B, or after receiving notice in writing from the **CEO** under condition C1-1 that the environmental management plan(s) required in Part B satisfies the relevant requirements, the proponent must:

- (1) implement the most recent version of the **confirmed** environmental management plan; and
- (2) continue to implement the **confirmed** environmental management plan referred to in condition C2-1(1), other than for any period which the **CEO** confirms by notice in writing that it has been demonstrated that the relevant requirements for the environmental management plan have been met, or are able to be met under another statutory decision-making process, in which case the implementation of the environmental management plan is no longer required for that period.

C2-2 The proponent:

- (1) may review and revise a **confirmed** environmental management plan provided it meets the relevant requirements of that environmental management plan, including any consultation that may be required when preparing the environmental management plan;

- (2) must review and revise a **confirmed** environmental management plan and ensure it meets the relevant requirements of that environmental management plan, including any consultation that may be required when preparing the environmental management plan, as and when directed by the **CEO**; and
- (3) must revise and submit to the **CEO** the **confirmed** Environmental Management Plan if there is a material risk that the **outcomes** or **objectives** it is required to achieve will not be complied with, including but not limited to as a result of a change to the proposal.

C2-3 Despite condition C2-1, but subject to conditions C2-4 and C2-5, the proponent may implement minor revisions to an environmental management plan if the revisions will not result in new or increased **adverse impacts** to the environment or result in a risk to the achievement of the limits, **outcomes** or **objectives** which the environmental management plan is required to achieve.

C2-4 If the proponent is to implement minor revisions to an environmental management plan under condition C2-3, the proponent must provide the **CEO** with the following at least twenty (20) business days before it implements the revisions:

- (1) the revised environmental management plan clearly showing the minor revisions;
- (2) an explanation of and justification for the minor revisions; and
- (3) an explanation of why the minor revisions will not result in new or increased **adverse impacts** to the environment or result in a risk to the achievement of the limits, **outcomes** or **objectives** which the environmental management plan is required to achieve.

C2-5 The proponent must cease to implement any revisions which the **CEO** notifies the proponent (at any time) in writing may not be implemented.

C2-6 **Confirmed** environmental management plans, and any revised environmental management plans under condition C2-4(1), must be published on the proponent's website and provided to the **CEO** in electronic form suitable for on-line publication by the Department of Water and Environmental Regulation within twenty (20) business days of being implemented, or being required to be implemented (whichever is earlier).

C3 Conditions Related to Monitoring

C3-1 The proponent must undertake monitoring capable of:

- (1) substantiating whether the proposal limitations and extents in Part A are exceeded; and

(2) **detecting** and substantiating whether the environmental **outcomes** identified in Part B are achieved (excluding any environmental **outcomes** in Part B where an environmental management plan is expressly required to monitor achievement of that **outcome**).

C3-2 The proponent must submit as part of the Compliance Assessment Report required by condition D2 a compliance monitoring report that:

- (1) outlines the monitoring that was undertaken during the implementation of the proposal;
- (2) identifies why the monitoring was capable of substantiating whether the proposal limitation and extents in Part A are exceeded;
- (3) for any environmental **outcomes** to which condition C3-1(2) applies, identifies why the monitoring was scientifically robust and capable of **detecting** whether the environmental **outcomes** in Part B are met;
- (4) outlines the results of the monitoring;
- (5) reports whether the proposal limitations and extents in Part A were exceeded and (for any environmental **outcomes** to which condition C3-1 (2) applies) whether the environmental **outcomes** in Part B were achieved, based on analysis of the results of the monitoring; and
- (6) reports any actions taken by the proponent to remediate any potential non-compliance.

C4 Environmental Management Plans: Conditions Relating to Monitoring and Adaptive Management for Outcomes Based Conditions

C4-1 The environmental management plan required under condition B2-4 must contain provisions which enable the substantiation of whether the relevant **outcomes** of those conditions are met, and must include:

- (1) **threshold criteria** that provide a limit beyond which the environmental **outcomes** are not achieved;
- (2) **trigger criteria** that will provide an early warning that the environmental **outcomes** are not likely to be met;
- (3) monitoring parameters, sites, control/reference sites, methodology, timing and frequencies which will be used to measure **threshold criteria** and **trigger criteria**. Include methodology for determining alternate monitoring sites as a contingency if proposed sites are not suitable in the future;
- (4) baseline data;

- (5) data collection and analysis methodologies;
- (6) adaptive management methodology;
- (7) **contingency measures** which will be implemented if **threshold criteria** or **trigger criteria** are not met; and
- (8) reporting requirements.

C4-2 The environmental management plan required under condition B2-4 is required to be revised prior to **groundwater abstraction** in the **Stage 2 Water Supply Area**, or within six (6) years from the commencement of **operations**, whichever is earlier, to:

- (1) include updated **groundwater drawdown model/s** for the **water supply areas**;
- (2) reflect advances in stygofauna knowledge resulting from the findings of the research program required by condition B6;
- (3) demonstrate how the environmental **outcomes** in condition B2-1 and **objectives** in condition B2-2 will be achieved; and
- (4) confirm the requirements under condition C4 and condition C5 will be achieved.

C4-3 Without limiting condition C3-1, failure to achieve an environmental **outcome**, or the exceedance of a **threshold criteria**, regardless of whether threshold **contingency measures** have been or are being implemented, represents a non-compliance with these conditions.

C5 Environmental Management Plans: Conditions Related to Management Actions and Targets for Objective Based Conditions

C5-1 The environmental management plan required under condition B2-4 must contain provisions which enable the achievement of the relevant **objectives** of those conditions and substantiation of whether the **objectives** are reasonably likely to be met, and must include:

- (1) **management actions**;
- (2) **management targets**; and
- (3) **contingency measures** if **management targets** are not met; and
- (4) reporting requirements.

C5-2 Without limiting condition C2-1, the failure to achieve an environmental **objective**, or implement a **management action**, regardless of whether **contingency measures** have been or are being implemented, represents a non-compliance with these conditions.

PART D – COMPLIANCE, TIME LIMITS, AUDITS AND OTHER CONDITIONS

D1 Non-compliance Reporting

D1-1 If the proponent becomes aware of a potential non-compliance, the proponent must:

- (1) report this to the **CEO** within seven (7) days;
- (2) implement **contingency measures**;
- (3) investigate the cause;
- (4) investigate environmental impacts;
- (5) advise rectification measures to be implemented;
- (6) advise any other measures to be implemented to ensure no further impact;
- (7) advise timeframe in which contingency, rectification and other measures have and/or will be implemented; and
- (8) provide a report to the **CEO** within twenty-one (21) days of being aware of the potential non-compliance, detailing the measures required in conditions D1-1(1) to D1-1(7) above.

D1-2 Failure to comply with the requirements of a condition, or with the content of an environmental management plan required under a condition, constitutes a non-compliance with these conditions, regardless of whether the **contingency measures**, rectification or other measures in condition D1-1 above have been or are being implemented.

D2 Compliance Reporting

D2-1 The proponent must provide an annual Compliance Assessment Report to the **CEO** for the purpose of determining whether the implementation conditions are being complied with.

D2-2 Unless a different date or frequency is approved by the **CEO**, the first annual Compliance Assessment Report must be submitted within fifteen (15) months of the date of this Statement, and subsequent reports must be submitted annually from that date.

D2-3 Each annual Compliance Assessment Report must be endorsed by the proponent's Chief Executive Officer, or a person approved by proponent's Chief Executive Officer to be delegated to sign on the Chief Executive Officer's behalf.

D2-4 Each annual Compliance Assessment Report must:

- (1) state whether each condition of this Statement has been complied with, including:
 - (a) exceedance of any proposal limits and extents;
 - (b) achievement of environmental **outcomes**;
 - (c) achievement of environmental **objectives**;
 - (d) requirements to implement the content of environmental management plans;
 - (e) monitoring requirements;
 - (f) implement **contingency measures**;
 - (g) requirements to implement adaptive management; and
 - (h) reporting requirements;
- (2) include the results of any monitoring (inclusive of any raw data) that has been required under Part C in order to demonstrate that the limits in Part A, and any **outcomes** or any **objectives** are being met;
- (3) provide evidence to substantiate statements of compliance, or details of where there has been a non-compliance;
- (4) include the corrective, remedial and preventative actions taken in response to any potential non-compliance;
- (5) be provided in a form suitable for publication on the proponent's website and online by the Department of Water and Environmental Regulation; and
- (6) be prepared and published consistent with the latest version of the Compliance Assessment Plan required by condition D2-5 which the **CEO** has confirmed by notice in writing satisfies the relevant requirements of Part C and Part D.

D2-5 The proponent must prepare a Compliance Assessment Plan which is submitted to the **CEO** at least six (6) months prior to the first Compliance Assessment Report required by condition D2-2, or prior to implementation of the proposal, whichever is sooner.

D2-6 The Compliance Assessment Plan must include:

- (1) what, when and how information will be collected and recorded to assess compliance;
- (2) the methods which will be used to assess compliance;

- (3) the methods which will be used to validate the adequacy of the compliance assessment to determine whether the implementation conditions are being complied with;
- (4) the retention of compliance assessments;
- (5) the table of contents of Compliance Assessment Reports, including audit tables; and
- (6) how and when Compliance Assessment Reports will be made publicly available, including usually being published on the proponent's website within sixty (60) days of being provided to the **CEO**.

D3 Contact Details

- D3-1 The proponent must 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.

D4 Time Limit for Proposal Implementation

- D4-1 The proposal must be substantially commenced within five (5) years from the date of this Statement.
- D4-2 The proponent must provide to the **CEO** documentary evidence demonstrating that they have complied with condition D4-1 no later than fourteen (14) days after the expiration of period specified in condition D4-1.
- D4-3 If the proposal has not been substantially commenced within the period specified in condition D4-1, implementation of the proposal must not be commenced or continued after the expiration of that period.

D5 Public Availability of Data

- D5-1 Subject to condition D5-2, within a reasonable time period approved by the **CEO** upon the issue of this Statement and for the remainder of the life of the proposal, the proponent must make publicly available, in a manner approved by the **CEO**, all validated environmental data collected before and after the date of this Statement relevant to the proposal (including sampling design, sampling methodologies, monitoring and other empirical data and derived information products (e.g. maps)), environmental management plans and reports relevant to the assessment of this proposal and implementation of this Statement.

- D5-2 If:

- (1) any data referred to in condition D5-1 contains trade secrets; or

(2) any data referred to in condition D5-1 contains particulars of confidential information (other than trade secrets) that has commercial value to a person that would be, or could reasonably be expected to be, destroyed or diminished if the confidential information were published,

the proponent may submit a request for approval from the **CEO** to not make this data publicly available and the **CEO** may agree to such a request if the **CEO** is satisfied that the data meets the above criteria.

D5-3 In making such a request the proponent must provide the **CEO** with an explanation and reasons why the data should not be made publicly available.

D6 Independent Audit

D6-1 The proponent must arrange for an independent audit of compliance with the conditions of this statement, including achievement of the environmental **outcomes** and/or the environmental **objectives** and/ or environmental performance with the conditions of this statement, as and when directed by the **CEO**.

D6-2 The independent audit must be carried out by a person with appropriate qualifications who is nominated or approved by the **CEO** to undertake the audit under condition D6-1.

D6-3 The proponent must submit the independent audit report with the Compliance Assessment Report required by condition D2-1, or at any time as and when directed in writing by the **CEO**. The audit report is to be supported by credible evidence to substantiate its findings.

D6-4 The independent audit report required by condition D6-1 is to be made publicly available in the same timeframe, manner and form as a Compliance Assessment Report, or as otherwise directed by the **CEO**.

[signed on 10 January 2025]

Hon Reece Whitby MLA
MINISTER FOR ENVIRONMENT; CLIMATE ACTION

Key decision-making authorities consulted under section 45(2):

Minister for Water
Minister for Aboriginal Affairs
Minister for Mines and Petroleum

Table 1: Abbreviations and definitions

Acronym or abbreviation	Definition or term
Aboriginal heritage	Means an Aboriginal site as defined in section 5 of the <i>Aboriginal Heritage Act 1972</i> (AHA).
Adverse impact/s	<p>Negative change that is neither trivial nor negligible that could result in a reduction in health, diversity or abundance of the receptor/s being impacted, or a reduction in environmental value. Adverse impacts can arise from direct or indirect impacts, or other impacts from the proposal.</p> <p>In relation to flora and vegetation this includes, but is not limited to, hydrological change, spread or introduction of environmental weeds, introduction or spread of disease, changes in erosion and edge effects.</p> <p>In relation to inland waters this includes but is not limited to, changes to water quality and hydrological changes resulting from mine dewatering, reduction in surface water catchments, and altered water flow regimes.</p> <p>In relation to Aboriginal heritage, means an activity that would constitute an offence under section 17 of the AHA.</p>
AHD	Australian Height Datum.
Authorised offsets	<p>Units representing GHG emissions issued under one of the following schemes and cancelled or retired in accordance with any rules applicable at the relevant time governing the cancellation or retiring of units of that kind:</p> <p>(a) Australian Carbon Credit Units issued under the <i>Carbon Credits (Carbon Farming Initiative) Act 2011</i> (Cth);</p> <p>(b) Verified Emission Reductions issued under the Gold Standard program;</p> <p>(c) Verified Carbon Units issued under the Verified Carbon Standard program; or</p> <p>(d) other offset units that the Minister has notified the proponent in writing meet integrity principles and are based on clear, enforceable and accountable methods.</p>
Baseline flora and vegetation survey	The flora and vegetation survey results, and supporting spatial data described in the report Gabanintha Vanadium Project Detailed Flora and Vegetation and Targeted Flora Survey, by Biologic 2021.
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 the CEO's delegate.
CO₂-e	Carbon dioxide equivalent.

Acronym or abbreviation	Definition or term
Confirmed	<p>In relation to a plan required to be made and submitted to the CEO, means, at the relevant time, the plan that the CEO confirmed, by notice in writing, meets the requirements of the relevant condition.</p> <p>In relation to a plan required to be implemented without the need to be first submitted to the CEO, means that plan until it is revised, and then means, at the relevant time, the plan that the CEO confirmed, by notice in writing, meets the requirements of the relevant condition.</p>
Contingency measures	<p>Planned actions for implementation if it is identified that an environmental outcome, environmental objective, threshold criteria, or management target are likely to be, or are being, exceeded. Contingency measures include changes to operations or reductions in disturbance or adverse impacts to reduce impacts and must be decisive actions that will quickly bring the impact to below any relevant threshold, management target and to ensure that the environmental outcome and/or objective can be met.</p>
Construction/construction activities	<p>Activities that are associated with the substantial implementation of a proposal including but not limited to, earthmoving, vegetation clearing, grading or construction of right of way. Construction activities do not include Geotechnical investigations (including potholing for services and the installation of piezometers) and other preconstruction activities where no clearing of vegetation is required.</p>
Detecting	<p>The smallest statistically discernible effect size that can be achieved with a monitoring strategy designed to achieve a statistical power value of at least 0.8 or an alternative value as determined by the CEO.</p>
Disturb/disturbance	<p>Means directly has or materially contributes to the disturbance effect on health, diversity or abundance of the receptor/s being impacted or on an environmental value.</p> <p>In relation to flora, vegetation or fauna habitat, includes to result in death, destruction, removal, severing or doing substantial damage to.</p> <p>In relation to fauna, includes to have the effect of altering the natural behaviour of fauna to its detriment.</p> <p>In relation to inland waters, includes to have the effect of altering hydrological regimes or water quality to the detriment of the environmental values supported by or dependent on surface water and/or groundwater.</p> <p>In relation to Aboriginal heritage, means an activity that would constitute an offence under section 17 of the AHA.</p>
Emissions intensity	<p>Proposal GHG emissions per tonnes per annum of vanadium oxide product produced.</p>

Acronym or abbreviation	Definition or term
Environmental harm	Has the meaning provided by section 3A(2) of the <i>Environmental Protection Act 1986</i> .
Environmental value/s	A beneficial use, or ecosystem health condition.
Environmental weeds	Any plant declared under section 22(2) of the Biosecurity and Agriculture Management Act 2007, any plant listed on the Weeds of National Significance List and any weeds listed on the Department of Biodiversity, Conservation and Attractions' Midwest Impact and Invasiveness Ratings list, as amended or replaced from time to time.
EP Act	The <i>Environmental Protection Act 1986</i> .
Flora and vegetation technical guidance	The <i>Technical Guidance - Flora and Vegetation Surveys for Environmental Impact Assessment (EPA 2016)</i> or its revisions.
GHG emissions	GHG emissions expressed in tonnes of CO₂-e as calculated in accordance with the definition of 'carbon dioxide equivalence' in Section 7 of the <i>National Greenhouse and Energy Reporting Act 2007</i> (Cth), or, if that definition is amended or repealed, the meaning set out in an Act, regulation or instrument concerning greenhouse gases as specified by the Minister.
GL/a	Gigalitre(s) per annum.
'Good' to 'Excellent' condition native vegetation	Means the condition of native vegetation rated in accordance with the Technical Guidance – Flora and Vegetation surveys for environmental impact assessment (EPA 2016) including any revision to this technical guidance.
Greenhouse gas or GHG	Has the meaning given by Section 7A of the <i>National Greenhouse and Energy Reporting Act 2007</i> (Cth) or, if that definition is amended or repealed, the meaning set out in an Act, regulation or instrument concerning greenhouse gases as specified by the Minister.
Groundwater abstraction	The process of taking water from a ground source.
Groundwater-dependent vegetation	Terrestrial vegetation that mainly depend on the subsurface presence of groundwater, often accessed via capillary fringe. Not all groundwater dependent vegetation draw on groundwater directly and in many cases the groundwater provides baseflow in rivers that ecosystems depend on.
Groundwater drawdown model/s	The groundwater drawdown modelling as described in the report Gabanintha Vanadium Project Water Supply Assessment, by AQ2 March 2021.

Acronym or abbreviation	Definition or term
ha	Hectare(s).
Hope Palaeovalley	The spatial area as shown as 'Hope Palaeovalley' in Figure 4.1 of the report Gabanintha Vanadium Project Subterranean Fauna Survey, by Biologic 2021.
Integrated waste landform	The integrated waste landform is the incorporation of the disposal of tailings material within the waste landform resulting in a single landform.
km	Kilometre(s).
Low impact activities	Means activities involving minimal disturbance of ground or vegetation. Activities may include monitoring of fauna, vegetation or water, or management activities associated with feral fauna control or weed control.
m	Metre(s).
Management action	The identified actions implemented with the intent of achieving the environmental objective .
Management target	A type of indicator to evaluate whether an environmental objective is being achieved.
Mine dewatering	The extraction of groundwater from below the water table to access an ore body.
Mining Area	The spatial area as depicted in Figure 2 and defined by geographic coordinates in Schedule 1.
Mtpa	Million tonnes per annum
Mt Yagahong Exclusion Zone	The spatial area as depicted in Figure 2 and defined by geographic coordinates in Schedule 1.
Net GHG emissions	<p>Proposal GHG emissions for a period less any reduction in GHG Emissions represented by the cancellation or retirement of authorised offsets which:</p> <ul style="list-style-type: none"> (a) were cancelled or retired between the first day of the period until 1 March in the year after the period has ended; (b) have been identified in the report for that period as required by condition B4-5(1)(b)(iv); (c) have not been identified as cancelled or retired in the report for that period as required by condition B4-5(1)(b)(iv); (d) have not been used to offset GHG emissions other than proposal GHG emissions; and <p>were not generated by avoiding proposal GHG emissions.</p>
Objective	An objective is the proposal-specific desired state for an environmental factor/s to be achieved from the implementation of management actions.

Acronym or abbreviation	Definition or term
Operations / commencement of operations	Operation of the plant infrastructure for the proposal and includes pre-commissioning, commissioning, start-up and operation of the plant infrastructure for the proposal.
Outcome	A proposal-specific result to be achieved when implementing the proposal.
Pollution	Has the meaning provided by section 3A(1) of the <i>Environmental Protection Act 1986</i> .
Progressive manner	In relation to rehabilitation means the staged treatment of disturbed areas during exploration, construction, development and mining operations as soon as these areas become available.
Proposal GHG emissions	GHG emissions released to the atmosphere as a direct result of an activity or series of activities that comprise/s or form/s part of the proposal.
Scenario 2 Disturbance Footprint	The spatial area as depicted in Figure 2 and defined by geographic coordinates in Schedule 1.
Stage 1 Water Supply Area	The spatial area as depicted in Figure 2 and defined by geographic coordinates in Schedule 1.
Stage 2 Water Supply Area	The spatial area as depicted in Figure 2 and defined by geographic coordinates in Schedule 1.
Subterranean fauna assessment	The subterranean fauna assessment results, and modelling results described in the report Gabanintha Vanadium Project Assessment of Impact to Subterranean Fauna, by Biologic 2022.
Subterranean PECs	Priority ecological communities for subterranean fauna, referred to as 'Hillview calcrete groundwater assemblage type on Murchison palaeodrainage on Hillview Station,' 'Murchison Downs calcrete groundwater assemblage type on Murchison palaeodrainage on Murchison Downs Station,' 'Nowthanna Hill calcrete groundwater assemblage type on Murchison palaeodrainage on Yarrabubba Station,' 'Polelle calcrete groundwater assemblage type on Murchison palaeodrainage on Polelle Station', 'Yarrabubba east calcrete groundwater assemblage types on Murchison palaeodrainage on Yarrabubba Station', and 'Yarrabubba west calcrete groundwater assemblage types on Murchison palaeodrainage on Yarrabubba Station' in the <i>Priority Ecological Communities for Western Australia Version 35 (DBCA 2023)</i>
Subterranean fauna technical guidance	The <i>Technical Guidance – Subterranean fauna surveys for environmental impact assessment (EPA 2021)</i> or its revisions.

Acronym or abbreviation	Definition or term
Surface water-dependent vegetation	Vegetation types AchAfApLIT, AfAaAchLOW, and AfAcnpvAiLOW which are associated with drainage lines and were described as potentially surface-water dependent in the baseline flora and vegetation survey .
Surface water pools	Gabanintha Pool, Long Pool, and Homestead Pool as depicted in Figure 2 and defined by geographic coordinates in Schedule 1. This includes the Gabanintha Pool buffer zone as depicted in Figure 2 and defined by geographic coordinates in Schedule 1.
Terrestrial fauna technical guidance	The <i>Technical Guidance - Terrestrial vertebrate fauna surveys for environmental impact assessment</i> or its revisions.
Trigger criteria	Indicators that have been selected for monitoring to provide a warning that, if exceeded, the environmental outcome may not be achieved. They are intended to forewarn of the approach of the threshold criteria and trigger response actions.
Threshold criteria	The indicators that have been selected to represent limits of impact beyond which the environmental outcome is not being met.
Waste rock landforms (WRL)	Landform that consists of rocks removed in the mining process to provide access to the ore.
Water supply areas	The combined Stage 1 Water Supply Area and Stage 2 Water Supply Area .
Yugunga-Nya People	The appropriate prescribed body corporate in relation to the Native Title Claim WCD2021/008.

Figures (attached)

Figure 1 Gabanintha Vanadium Project location and development envelope

Figure 2 Gabanintha Vanadium Project development envelope, indicative footprint, and surface water pools (This map is a representation of the co-ordinates referenced in Schedule 1)

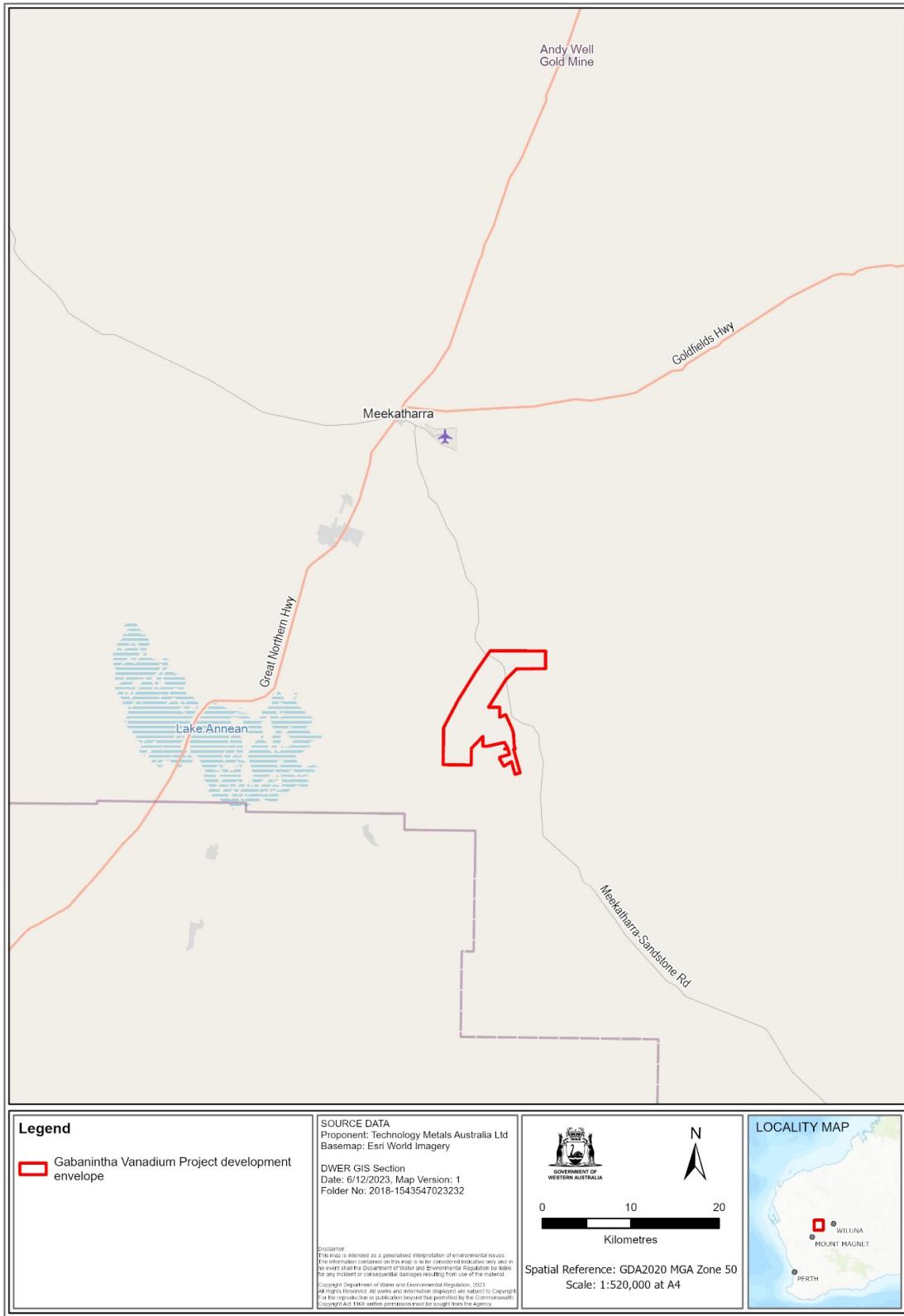


Figure 1 Gabanintha Vanadium Project location and development envelope

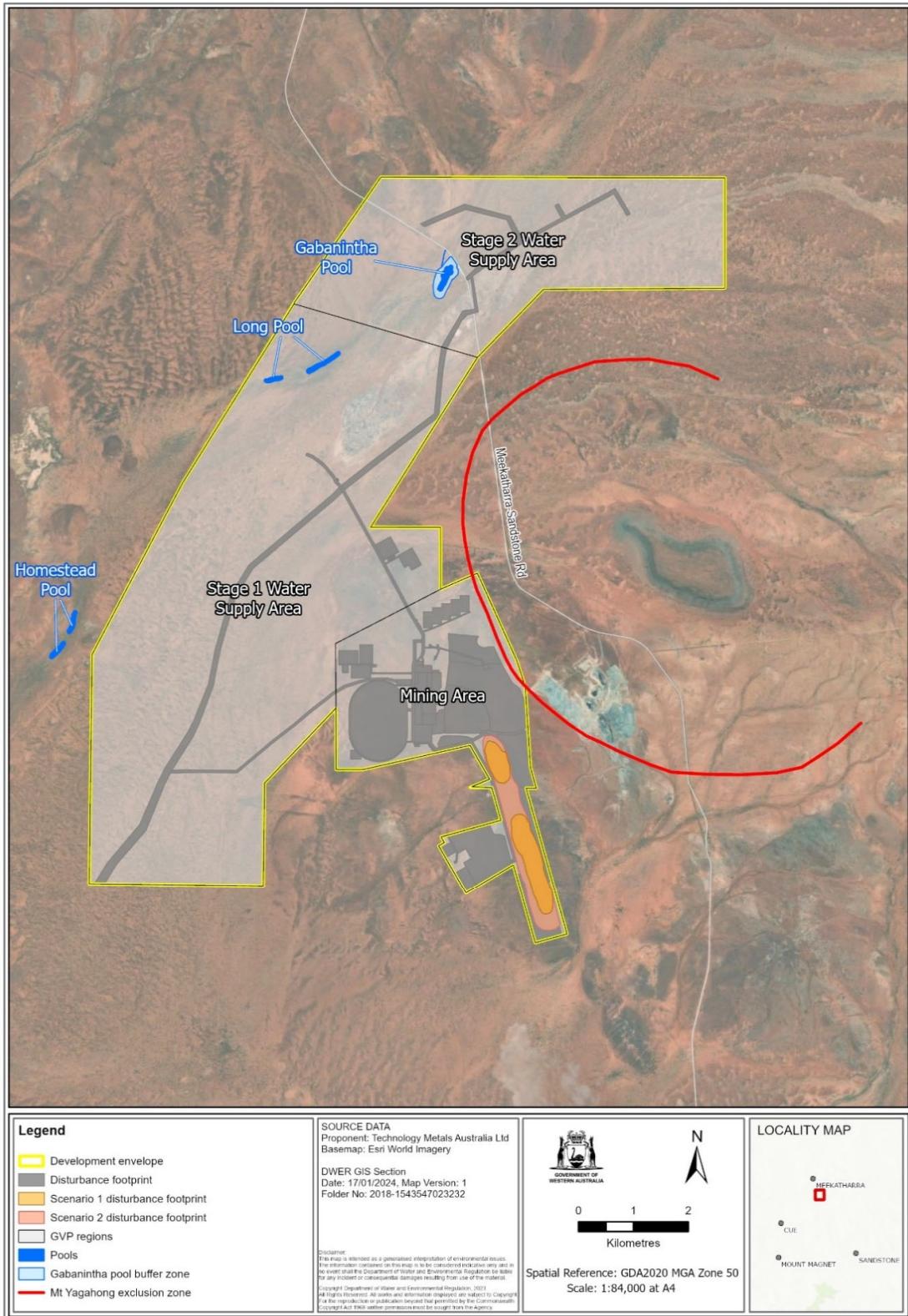


Figure 2 Gabanintha Vanadium Project development envelope, indicative footprint, and surface water pools

Schedule 1

All co-ordinates are in metres, listed in Map Grid of Australia Zone 50 (MGA Zone 50), datum of Geocentric Datum of Australia 2020 (GDA50).

Spatial data depicting the figures are held by the Department of Water and Environmental Regulation. Record no. DWER-801164602-319574.

Attachment 1 to Ministerial Statement 1242

Amendment to proposal approved under section 45C of the *Environmental Protection Act 1986*

This Attachment replaces condition A1-1 and Schedule 1 of Ministerial Statement 1242

Proposal: Gabanintha Vanadium Project

Proponent: Technology Metals Australia Limited

Changes:

- Amend and replace the proposal description to allow supply of abstracted groundwater to other users outside of the development envelope.
- Amend and replace condition A1-1 to define total and annual groundwater abstraction rates from the project including the Water Supply Areas, and clarify the elements included in the project life and the commencement date.
- Spatially define the amendment to the approved proposal in figure 2 and schedule 1.
- Administrative change to correct an unintentional error in the disturbance footprint in figure 2 and schedule 1 and include the revised disturbance footprint.
- Administrative change to amend the proponent address.
- Administrative change to correct an unintentional omission in condition A1-1.

1. Change to proposal description

The proposal description of Ministerial Statement 1242 is deleted and replaced with:

Proposal: Technology Metals Australia Limited proposes to construct and operate the Gabanintha Vanadium Project located approximately 615 km north-east of Perth and 40 km south-east of Meekatharra, along the Meekatharra-Sandstone Road. The project involves the clearing of up to 1,060 ha of native vegetation, open pit mining, the processing of ore from sources inside and outside the development envelope, onsite mining and processing waste disposal, groundwater abstraction from the Gabanintha borefield for project water requirements and water supply to other users plus other supporting activities required to produce a range of products including vanadium pentoxide, ferro vanadium, iron-vanadium concentrate, titanium concentrate and base metal concentrate.

2. Change to proponent address

The proponent address is deleted and replaced with:

Proponent address: Level 2, 50 Kings Park Road
WEST PERTH WA 6005

3. Condition A1-1 is deleted and replaced

Condition A1-1 is deleted and replaced with:

A1-1 The proponent must ensure that the proposal is implemented in such a manner that the following limitations or maximum extents / capacities / ranges are not exceeded:

Proposal element	Location	Maximum extent
Physical elements		
Development envelope	Figure 2	No more than 7,152 ha .
Disturbance footprint	Within the development envelope shown in Figure 2	No more than 1,060 ha within a 7,152 ha development envelope.
Direct disturbance of native vegetation	Within the development envelope shown in Figure 2	Clearing of no more than 1,018 ha of ' Good ' to ' Excellent ' condition native vegetation within a 7,152 ha development envelope.
Surface water pools	Figure 2	No direct disturbance , including mining activities, pits, excavation, waste dumps and permanent structures. Low impact activities to support environmental monitoring and management are permitted.
Mt Yagahong Exclusion Zone	Figure 2	No direct disturbance , including mining activities, pits, excavation, waste dumps and permanent structures. Low impact activities to support environmental monitoring and management are permitted.
Operational elements		
Groundwater abstraction over project life	N/A	Maximum abstraction of 75.3 Gigalitres (GL).
Annual groundwater abstraction	Figure 2	Total abstraction of 2.7 GL/annum(a) , comprising up to: <ul style="list-style-type: none"> • 1.0 GL/a for mine dewatering in the Mining Area; and • 2.7 GL/a from the Water Supply Areas for project water requirements and other users .
Process waste disposal	Figure 2	Disposal of up to 3.9 Mtpa of process wastes to containment structures (such as a lined

Proposal element	Location	Maximum extent
		integrated waste landform) within the development envelope.
Waste rock landforms	Figure 2	Maximum height of: • 500 m AHD (north WRL) • 510 m AHD (north-east WRL) • 505 m AHD (central WRL).
Integrated waste landform / tailings storage facility	Figure 2	Maximum height of 518 m AHD.
Timing elements		
Project life	N/A	A maximum of 30 years including the taking of groundwater from the Water Supply Areas and the construction, operation, decommissioning and closure of the mine and associated infrastructure, commencing on the date of: a) first water abstraction; or b) commencement of construction activities ; whichever occurs first.

Note: Text in bold above indicates an abbreviation or definition described in Table 1 of MS 1242.

Figures (attached)

Figure 1: Gabanintha Vanadium Project location and development envelope

Figure 2: Gabanintha Vanadium Project development envelope, indicative footprint and surface water pools

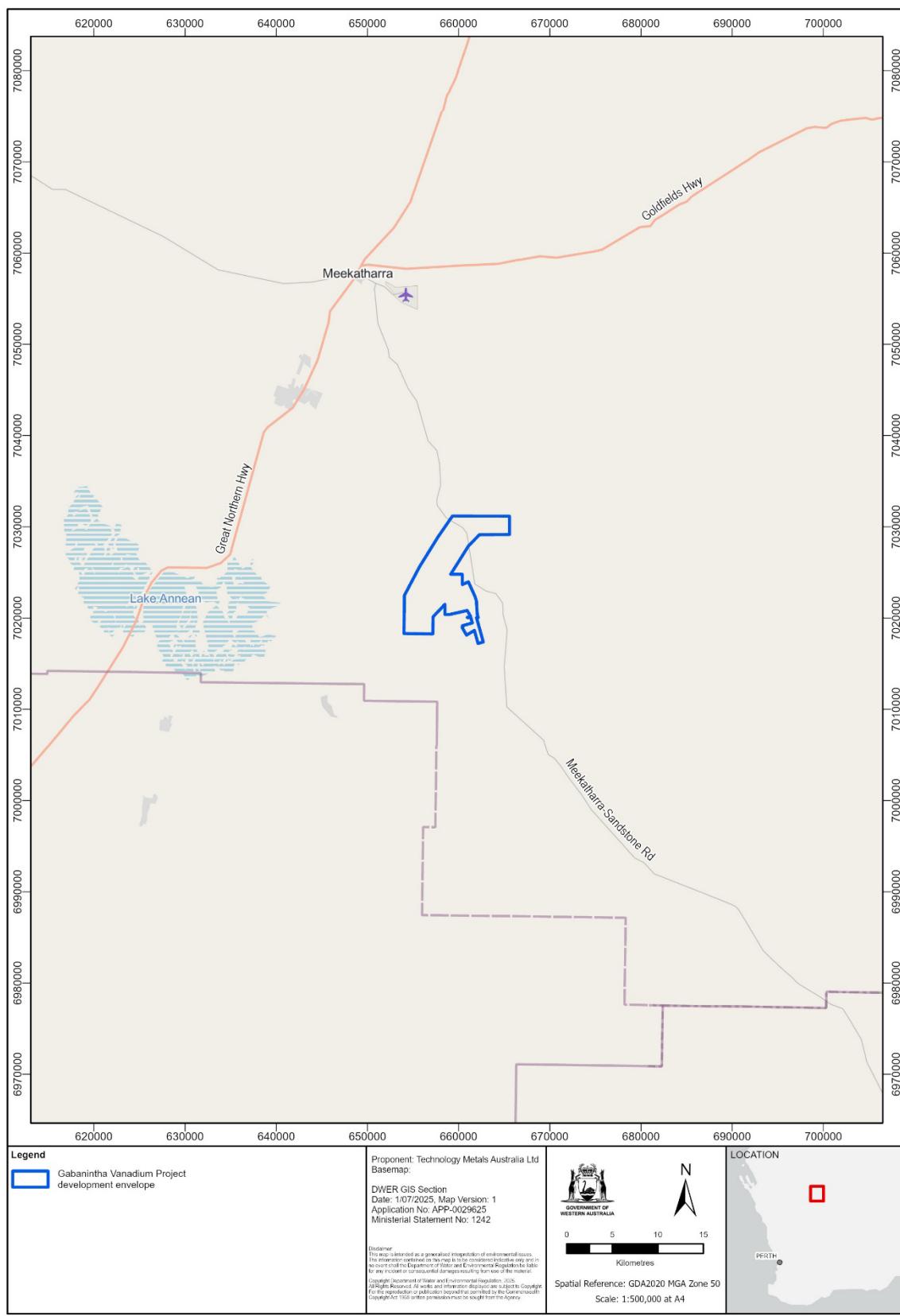
Schedule 1 (attached)

[signed 17 December 2025]

Darren Walsh

CHAIR

Environmental Protection Authority
under delegated authority



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Figure 1: Gabanintha Vanadium Project location and development envelope

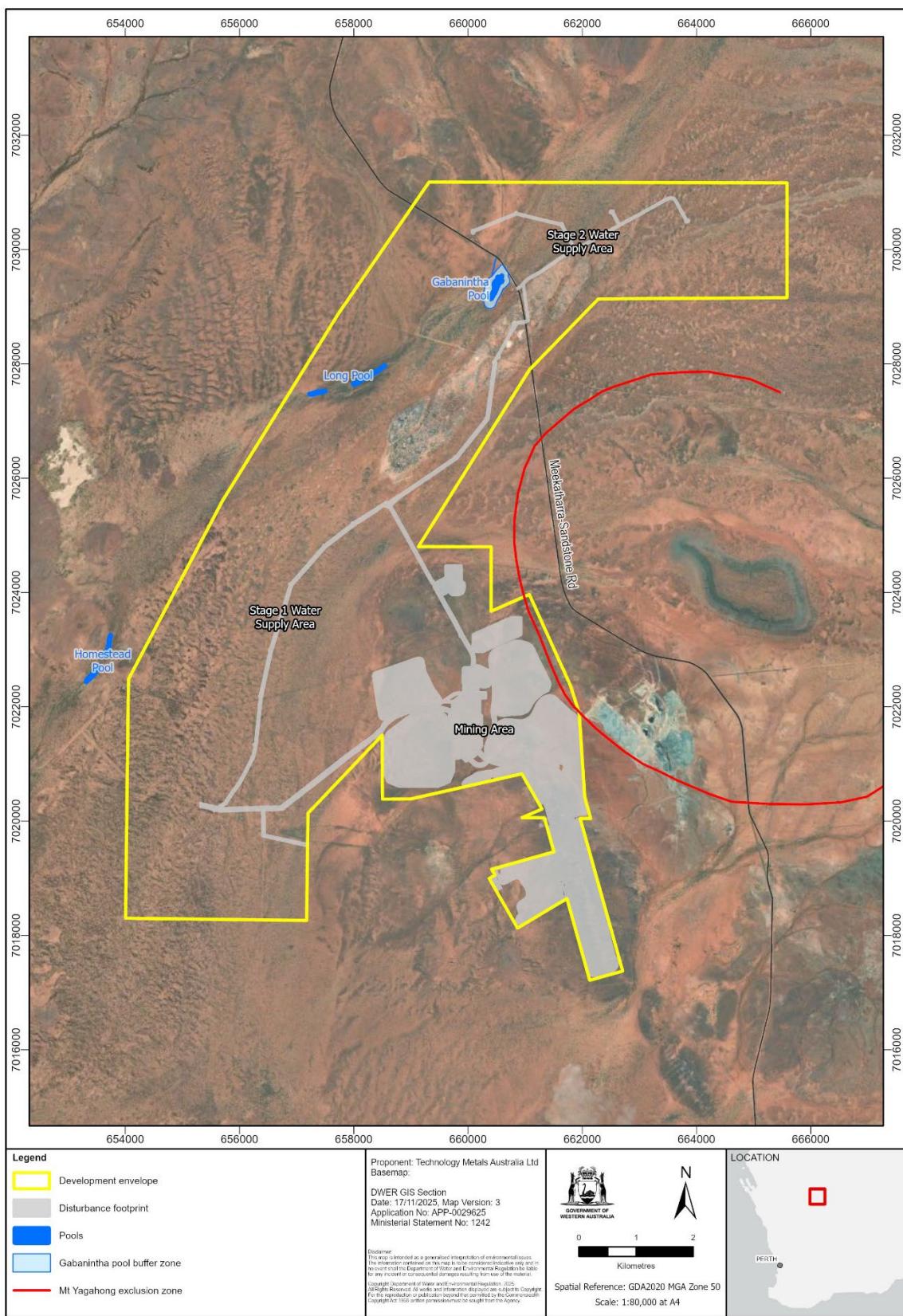


Figure 2: Gabanintha Vanadium Project development envelope, indicative footprint and surface water pools

Schedule 1

All co-ordinates are in metres, listed in map Grid of Australia Zone 50 (MGA Zone 50) datum of Geocentric Datum of Australia (GDA50)

Spatial data depicting the figures are held by the Department of Water and Environmental Regulation. Record no. APP-0029625