

D2019-41271

s22

From: s22 @industry.gov.au>
Sent: Wednesday, 27 March 2019 3:52 PM
To: s22
Cc: EPBC; EPBC; s22
Subject: RE: URGENT: Proposed Approval Decision - Yeelirrie Uranium Mine - EPBC 2009/4906 [DLM=For-Official-Use-Only]

Importance: High
Categories: Red category

Good afternoon s22

Thank you for looking at this. I'll send this up the chain. I appreciate you responding so quickly on this one.

Warm regards,

s22

Policy Officer, Mining and Investment
Onshore Energy| Resources Division

s22 @industry.gov.au

Department of Industry, Innovation and Science

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From: s22 @ga.gov.au]
Sent: Wednesday, 27 March 2019 3:24 PM
To: s22 @industry.gov.au>
Cc: EPBC <EPBC@industry.gov.au>; EPBC <epbc@ga.gov.au>; s22 @industry.gov.au>
Subject: RE: URGENT: Proposed Approval Decision - Yeelirrie Uranium Mine - EPBC 2009/4906 [DLM=For-Official-Use-Only]

Dear s22

Thank you for the request for more information. We have reviewed Condition 10a and 10b as well as the comments from the proponent. GA notes it is related to the management of *Atriplex Yeelirrie*. Based on the proponent comments, there are no groundwater related issues that GA is able to provide technical consideration or commentary towards.

We hope this was of assistance.

Kind regards

s22

s22 PhD | A/g Director
Groundwater Advice and Data | Environmental Geoscience Division

s22 | www.ga.gov.au

GEOSCIENCE AUSTRALIA
APPLYING GEOSCIENCE TO AUSTRALIA'S MOST IMPORTANT CHALLENGES



From: s22 <s22@industry.gov.au>
Sent: Wednesday, 27 March 2019 9:49 AM
To: s22 <s22@ga.gov.au>
Cc: EPBC <EPBC@industry.gov.au>; EPBC <epbc@ga.gov.au>; s22 <s22@industry.gov.au>
Subject: URGENT: Proposed Approval Decision - Yeelirrie Uranium Mine - EPBC 2009/4906 [DLM=For-Official-Use-Only]
Importance: High

Good morning s22

Minister Canavan has requested additional information regarding the proposed approval decision of the Yeelirrie Uranium Mine. Cameco has provided a separate response to the Department of Environment and Energy, which they have shared with the Department of Industry, Innovation and Science. Please find it attached.

Cameco is concerned about Condition 10, managing the natural populations of the Atriplex Yeelirrie plant. Minister Canavan is interested in Geoscience Australia's opinion on Condition 10 of the Proposed Approval Conditions of the Yeelirrie Uranium Mine.

If possible can you please provide any additional comments by COB today? Apologies for the short notice and turn around with this one.

Warm regards,

s22

Policy Officer, Mining and Investment
Onshore Energy| Resources Division
s22 <s22@industry.gov.au>

Department of Industry, Innovation and Science

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D2019-41273

s22

From: s22 @industry.gov.au>
Sent: Wednesday, 27 March 2019 9:49 AM
To: s22
Cc: EPBC; EPBC; s22
Subject: URGENT: Proposed Approval Decision - Yeelirrie Uranium Mine - EPBC 2009/4906 [DLM=For-Official-Use-Only]
Attachments: Cameco's Response to proposed approval decision for the Yeelirrie Uranium Mine.pdf
Importance: High
Categories: Red category

Good morning s22

Minister Canavan has requested additional information regarding the proposed approval decision of the Yeelirrie Uranium Mine. Cameco has provided a separate response to the Department of Environment and Energy, which they have shared with the Department of Industry, Innovation and Science. Please find it attached.

Cameco is concerned about Condition 10, managing the natural populations of the Atrplex Yeelirrie plant. Minister Canavan is interested in Geoscience Australia's opinion on Condition 10 of the Proposed Approval Conditions of the Yeelirrie Uranium Mine.

If possible can you please provide any additional comments by COB today? Apologies for the short notice and turn around with this one.

Warm regards,

s22

Policy Officer, Mining and Investment
Onshore Energy| Resources Division
s22 @industry.gov.au

Department of Industry, Innovation and Science

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16th March 2019

Major Projects West Section
Assessment (WA, SA, NT) & Post Approvals Branch
Department of the Environment and Energy
GPO Box 787
CANBERRA ACT 2601

CAMECO AUSTRALIA
Level 3 1060 Hay Street
West Perth
WA 6005, Australia

PO Box 1395
West Perth
WA 6872, Australia

Tel 08 9480 0675
www.camecoaustralia.com

By email: Assessments.West@environment.gov.au

Response to the invitation to comment on the proposed approval decision, Yeelirrie uranium mine, Shire of Wiluna, WA (EPBC 2009/4906)

Thank you for the opportunity to comment on the proposed approval conditions for the Yeelirrie project. Thank you also for the opportunity to meet to discuss the proposed conditions.

I offer the following comments for your consideration.

Condition 1

We note the reference to the Conditions of the Western Australian Ministerial approval (Ministerial Statement 1053, dated 16th January 2017) ("State Conditions"). We also note that a number of the proposed approval conditions would be completely satisfied by implementation of the State Conditions, in particular, proposed conditions 4, 5, 6, 7 and 8, relating to groundwater monitoring and management. These are a duplication of the intent of State Conditions 11 and 12. We encourage you to avoid duplication where possible by deferring to existing conditions.

Condition 2

Condition 2 refers to a "south-east site", an area covering a significant portion of the south-east borefield and including the location of three restricted subterranean fauna. As drafted, the condition significantly limits the abstraction of groundwater from this portion of the south east borefield by restricting drawdown across the "south-east site" to 0.5m. This is a considerable impact on groundwater abstraction to protect the habitat of the three species.

Cameco has previously committed to managing drawdown to protect the habitat of the three species by limiting drawdown to 0.5m at the location of the three species.

We propose that the condition be amended to reflect this commitment to provide for protection for the three species without restricting groundwater abstraction over the remainder of the south-east site.

Alternatively we propose deference to State Condition 12-4(5) which we believe meets the same objective.

Condition 3

We suggest the condition is ambiguous and reference should be made to a spatial element to describe/establish the 0.5m groundwater drawdown contour. This could be achieved by referencing Figure 9-17 of the Yeelirrie Uranium Project Public Environmental Review (PER), which is a publically available document.

Conditions 4, 5, 6, 7 and 8

We understand the intent of conditions 4 to 8 is to set out requirements for (one) a baseline groundwater survey and (two) a groundwater management plan. However we suggest that the conditions setting out requirements and timing for each plan are confusing and suggest that for clarity, the requirements for the two plans are set out in separate conditions.

We suggest that State Conditions 11 and 12 meet the above intent, however if there is a preference to have new (Federal) conditions we propose the following for your consideration.

Firstly, a standalone condition for a Groundwater Baseline Monitoring/Survey Plan which could require the following,

- identification of the network of monitoring bores, (names and locations)
- monitoring frequency
- monitoring program (levels and analytes)
- audit and reporting requirements.

We propose that this condition should be submitted, approved, implemented and reported on prior to substantial commencement.

Secondly, we believe the condition for a Groundwater Management Plan should include the elements listed as condition 4 (b) to (g) in the proposed approval conditions and in the State Condition 12. Further we suggest the timing for this should be different to the monitoring plan. It should follow the monitoring plan, recognising that many of the elements required in the Management Plan are not determined until the completion of the definitive feasibility study which would include further groundwater studies. In effect the Groundwater Management Plan should be required to be approved, but not implemented, prior to substantial commencement similar to the requirements of the State Condition 12.

Conditions 4 to 8 also include the requirement for review by approved external groundwater and subterranean fauna specialists.

While there may be some value in having a subterranean fauna specialist review the Management Plan, we suggest there is no purpose for a subterranean fauna specialist to review the baseline monitoring plan as set out in the conditions as the Plan would only report monitoring data.

We note that condition 7 requires the monitoring plan to be reviewed every two (2) years and that condition 8 requires the review to be conducted every five (5) years, neither of which aligns with the State requirement for a review of their version of the Management Plan every three (3) years. Aligning the review dates would reduce duplication and cost and should be an objective we all aim for.

Condition 9

Condition 9 uses the word “action” which is a term generally used to describe the approved project – “the approved action”.

One interpretation of condition 9 is that we cannot commence any of the approved project without evidence from a suitably qualified subterranean fauna specialist, and as such this is a contradiction of the project approval.

Cameco has previously committed to not mining Area 1 to protect the troglodfauna that occurs within Area 1. We suggest that the condition be amended to require that Cameco not mine Area 1 until we have found the species or habitat outside of the impact zone, as approved by a subterranean fauna specialist, thus providing for protection of the species.

Condition 10

Cameco considers that condition 10 as set out is also a contradiction of the project approval. We also consider that the requirements set out in the condition are perhaps unprecedented in the extent of what is required to be achieved prior to the commencement of the project and could mean that the project would not proceed.

As there are no other natural populations of *Atriplex yeelirrie* (western genotype) outside of the development envelope, this condition requires us to establish a “viable population” prior to commencement of mining. Viable population is defined as “the survival of a self-sustaining population of mature individuals. In an arid environment where the natural populations of *Atriplex yeelirrie* demonstrate significant boom and bust cycles in response to climatic conditions this could take a very long time, up to or exceeding 10 to 20 years. This has been recognised by the State Condition 17 which allows mining to commence while working toward the objective of a viable population. In recognition of the scale of the task and the potential impact of variables out of our control, including for example the weather, the State Condition allows 20 years to achieve the objective.

You have argued that the State Condition 17 puts all of the risk on the environment and no responsibility on Cameco to meet the objective. We disagree. We also point out that the proposed approval condition 10 gives us no certainty to plan a project development schedule.

We have discussed some options to manage the environmental risk and provide more certainty around the potential to create a viable population. We propose that a condition requiring the implementation of a research program timed to be completed prior to the commencement of mining would achieve this objective.

The proposed condition could require the completion of the tasks listed below (as listed by the State Ministerial Condition 17-2 (1) to (11), prior to substantial commencement of mining,

- (1) identify the ecology, ecophysiology and habitat requirements and determinants of the western population;
- (2) identify the number of mature plants that each translocation site should support;
- (3) identify the appropriate sex ratio distribution;
- (4) describe the plant material to be used for translocation, to promote the viability of the species;

- (5) identify suitable translocation sites similar to those within the western population of the Yeelirrie paleochannel through investigations such as but not limited to impacts to the receiving environment, soil investigations, drainage, land tenure and potential long term protection of the site;
- (6) undertake a trial translocation program, testing surface and sub-surface soils through relocation and potential seeding techniques;
- (7) confirm that irrigation would be feasible for the first two years at each translocation site;
- (8) describe the ongoing protection measures afforded to the translocated plants from threats including fire and future exploration and mining;
- (9) identify completion criteria to demonstrate that the translocated plants have established, are reproducing and have built-up a soil-stored seedbank;
- (10) identify timeframes and responsibilities for implementation;
- (11) identify reporting procedures, including the format, timing and frequency for the reporting of monitoring data against the completion criteria.

We believe bringing forward the completion of these tasks would demonstrate our commitment to the objective of establishing a viable population, provide some comfort about the ability to achieve a viable population and thereby remove some of the risk from the environment.

Conditions 11 to 14 (Night parrot conditions)

No comment.

Conditions 15 (Malleefowl conditions)

No comment.

Standard administrative conditions

No comment.

Again we thank you for the opportunity to provide comment on the proposed approval decision. Please do not hesitate to contact me if you have any queries.

Yours faithfully

s22

✓ General Manager
Cameco Australia Ltd

cc: Ms s22 Department of Industry

Senator the Hon. Matthew Canavan, Minister for Resources and Northern Australia

Rick Wilson MP, Member for O'Connor, Western Australia

s22

From: EPBC <EPBC@industry.gov.au>
Sent: Friday, 8 March 2019 2:51 PM
To: EPBC
Subject: FW: EPBC 2009/4906 - Invitation to comment on proposed approval decision Yeelirrie U mine WA [DLM=For-Official-Use-Only]
Attachments: MS18-001074 Proposed Approval of Yeelirrie Uranium Mine.pdf
Importance: High

Good afternoon,

Sorry to hound you but can GA confirm if it will be able to provide comments on the proposed approval by COB today? If need be I can extend it to COB Tuesday at the latest. ☺

Thanks.

Warm regards,

s22

Policy Officer, Mining and Investment
Onshore Energy | Resources Division

s22 @industry.gov.au

Department of Industry, Innovation and Science

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From: s22
Sent: Thursday, 7 March 2019 9:20 AM
To: 'EPBC'
Cc: EPBC
Subject: EPBC 2009/4906 - Invitation to comment on proposed approval decision Yeelirrie U mine WA [DLM=For-Official-Use-Only]

Good morning team,

The Hon Melissa Price MP, Minister for the Environment has proposed to approve the Yeelirrie uranium mine in WA. Due to the sensitivities of this project, Senator Canavan has requested a brief on the project asap before providing comments.

Can you please review the attached proposed approval letter and provide comments by **COB Friday 8 March 2019**?

I will send the formal advice from DEE's EPBC team through as soon as it arrives. Thanks for your help everyone.

Warm regards,

s22

Policy Officer, Mining and Investment
Onshore Energy | Resources Division

s22 @industry.gov.au

Department of Industry, Innovation and Science

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**THE HON MELISSA PRICE MP
MINISTER FOR THE ENVIRONMENT**

MS18-001074

05 MAR 2019

Senator the Hon Matt Canavan
Minister for Resources and Northern Australia
Parliament House
CANBERRA ACT 2600

Dear Minister *Matt,*

**Invitation to comment on proposed approval decision
Yeelirrie uranium mine, Shire of Wiluna, WA (EPBC 2009/4906)**

I am writing to you in relation to a proposal to develop the Yeelirrie open cut uranium mine, ore processing plant and associated infrastructure in the Shire of Wiluna, WA. The above proposal was referred and assessed under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) for its impacts on Listed threatened species and communities (18 & 18A), Listed migratory species (ss 20 & 20A) and Nuclear actions (ss 21 & 22A). I am proposing to approve this proposal. My proposed decision is attached.

I understand that you may have administrative responsibilities relating to the action. I invite you to provide comments on my proposed decision within 10 business days of the date of this letter, including on any matters of economic or social concern that should be considered consistent with the principles of ecologically sustainable development.

Please quote the title of the action and EPBC reference, as shown at the beginning of this letter, in any correspondence. You can send information to:

by letter Major Projects West Section
Assessment (WA, SA, NT) & Post Approvals Branch
Department of the Environment and Energy
GPO Box 787
CANBERRA ACT 2601

by email Assessments.West@environment.gov.au

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Melissa Price'.

MELISSA PRICE

**PROPOSED APPROVAL**

Yeelirrie Uranium Mine, Shire of Wiluna, WA (EPBC 2009/4906)

This decision is made under sections 130(1) and 133(1) of the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*. Note that section 134(1A) of the EPBC Act applies to this approval, which provides in general terms that if the approval holder authorises another person to undertake any part of the action, the approval holder must take all reasonable steps to ensure that the other person is informed of any conditions attached to this approval, and that the other person complies with any such condition.

Details

Person to whom the approval is granted (approval holder)	Cameco Australia Pty Ltd
ABN of approval holder	65 001 513 088
Action	To develop Yeelirrie open cut uranium ore mine, ore processing plant and associated infrastructure in the Shire of Wiluna, 500 kilometres north of Kalgoorlie, Western Australia. This includes the mining and processing of uranium ore, sourcing and supply of water and electricity, upgrades to roads, accommodation of a workforce and transport of uranium oxide concentrate by road from the mine to Kalgoorlie, as described in the referral received by the department on 21 May 2009 [See EPBC Act referral 2009/4906].

Proposed Approval decision

My decisions on whether or not to approve the taking of the action for the purposes of each controlling provision for the action are as follows.

Controlling Provisions

Listed Threatened Species and Communities	
Section 18	Approve
Section 18A	Approve
Listed migratory species	
Section 20	Approve
Section 20A	Approve
Nuclear actions	
Section 21	Approve
Section 22A	Approve

Period for which the approval has effect

This approval has effect until 31 December 2043



Australian Government
Department of the Environment and Energy

Decision-maker

Name and position

The Hon Melissa Price MP
Minister for the Environment

Signature

PROPOSED DECISION DO NOT SIGN

Date of decision

PROPOSED DECISION - DO NOT DATE

Conditions of approval

This approval is subject to the conditions under the EPBC Act as set out in ANNEXURE A.



ANNEXURE A – CONDITIONS OF APPROVAL

Part A – Conditions specific to the action

1. To avoid and mitigate impacts on the environment, the approval holder must:
 - a. implement conditions 8 – 16 of the WA approval, and
 - b. not clear more than 2422 hectares within the 4875 hectare development envelope.
2. To avoid impacts on the stygofauna species *Atopobathynella* sp. 'line K', *Enchytraeidae* sp. Y4 and *Kinnecaris* 'lined' sp. n., the approval holder must ensure groundwater drawdown at bores within the south-east site is less than a 0.5 metres for the life of the approval.
3. To manage impacts on subterranean fauna species, the approval holder must not exceed the 0.5 metre groundwater drawdown contour.
4. Within 12 months from the date of this approval, the approval holder must develop a groundwater monitoring program. The objective of the groundwater monitoring program is to maintain the ecological function of groundwater within the development envelope to manage impacts on subterranean fauna species and troglofauna species. The groundwater monitoring program must be adequate to inform:
 - a. baseline data for groundwater quality and groundwater levels,
 - b. groundwater abstraction rates and groundwater levels to confirm predicted drawdown levels,
 - c. location of production bores to reduce impacts on subterranean fauna species,
 - d. trigger levels to reduce impacts on subterranean fauna species and avoid impacts on troglofauna species within Area 2 defined at Attachment D,
 - e. adaptive management of groundwater abstraction rates and ground water levels,
 - f. the outcomes of conditions 2 and 3 of this approval are being met, and
 - g. the extent of impact on subterranean fauna species and troglofauna species.
5. The groundwater monitoring program must be reviewed by a suitably qualified subterranean fauna ecologist and suitably qualified hydrogeologist. Following review of the groundwater monitoring program by a suitably qualified subterranean fauna ecologist and suitably qualified hydrogeologist, the approval holder must submit the groundwater monitoring program to the Minister for approval. If the Minister approves the groundwater monitoring program then the groundwater monitoring program must be implemented within 12-months of being approved in writing.
6. Within ten (10) days from the date of implementation of the groundwater monitoring program, the approval holder must notify the Department in writing of the date the groundwater monitoring program is implemented.
7. Up until commencement of the action, the groundwater monitoring program must be reviewed every two (2) years from the date of implementation by a suitably qualified subterranean fauna ecologist and suitably qualified hydrogeologist to ensure it meets the objective of the groundwater monitoring program set out in condition 4 of this approval. Within thirty (30) days of



the groundwater monitoring program being reviewed by a suitably qualified subterranean fauna ecologist and suitably qualified hydrogeologist, the approval holder must submit the groundwater monitoring program to the Minister for approval. If the Minister approves the groundwater monitoring program then the groundwater monitoring program must be implemented within 2-months of being approved in writing.

8. From commencement of the action, the groundwater monitoring program must be reviewed every five (5) years by a suitably qualified subterranean fauna ecologist and suitably qualified hydrogeologist to ensure it meets the objective of the groundwater monitoring program set out in condition 4 of this approval. Within thirty (30) days of the groundwater monitoring program being reviewed by a suitably qualified subterranean fauna ecologist and suitably qualified hydrogeologist, the approval holder must submit the groundwater monitoring program to the Minister for approval. If the Minister approves the groundwater monitoring program then the groundwater monitoring program must be implemented within 2-months of being approved in writing.
9. To avoid impacts on troglofauna species, the approval holder must submit for the Minister's approval, evidence from a suitably qualified subterranean fauna ecologist that the action will not result in the extinction of troglofauna species located in Area 1. The approval holder must not commence clearing of Area 1 until the Minister has approved the evidence.
10. To mitigate impacts on the Western *Atriplex yeelirrie* population, prior to the clearing of any Western *Atriplex yeelirrie* population, the approval holder must:
 - a. submit for the Minister's approval, evidence from a suitably qualified flora ecologist who has been approved in writing by the Department, that a viable population of the Western *Atriplex yeelirrie* population exists outside the development envelope within the Eastern Murchison (MUR1) IBRA subregion, and
 - b. avoid any direct or indirect impacts on the Western *Atriplex yeelirrie* population within the development envelope until the Minister has approved the evidence referred to in condition 10(a) in writing.
11. Prior to the commencement of the action, the approval holder must engage a suitably qualified fauna ecologist to undertake a Night Parrot survey within the development envelope, in accordance with the WA DBCA recommended Night Parrot survey methods. Within three months of the Night Parrot survey being completed, the approval holder must provide the Department with the Night Parrot survey results.
12. Should the Night Parrot or evidence of the Night Parrot be recorded during the survey required under condition 11 of this approval, the approval holder must submit a Night Parrot Management Plan for the Minister's approval. If the Minister approves the Night Parrot Management Plan then the Night Parrot Management Plan must be implemented.
13. If a Night Parrot Management Plan is required under condition 12, the approval holder must not commence the action unless the Minister has approved the Night Parrot Management Plan in writing.
14. The Night Parrot Management Plan must be consistent with the Department's *Environmental Management Plan Guidelines*, and must include:



- a. The **Night Parrot** Management Plan environmental objectives, relevant **protected matter** and a reference to EPBC Act approval conditions to which the **Night Parrot** Management Plan refers,
 - b. A table of commitments made in the **Night Parrot** Management Plan to achieve the objectives, and a reference to where the commitments are detailed in the **Night Parrot** Management Plan,
 - c. Reporting and review mechanisms, and documentation standards to demonstrate compliance with the **Night Parrot** Management Plan,
 - d. An assessment of risks to achieving **Night Parrot** Management Plan environmental objectives and risk management strategies that will be applied,
 - e. Impact avoidance, mitigation and/or repair measures, and their timing; and
 - f. A monitoring program, which must include:
 - i. measurable performance indicators,
 - ii. the timing and frequency of monitoring to detect changes in the performance indicators,
 - iii. trigger values for corrective actions, and
 - iv. proposed corrective actions, if trigger values are reached.
15. To compensate for the loss of Malleefowl habitat within the development envelope, the approval holder must:
- a. legally secure for the life of the approval an offset area(s) containing Malleefowl habitat that is equal to or greater in size and quality to the Malleefowl habitat to be cleared within the development envelope; and
 - b. submit for the Minister's approval, a Malleefowl Offset Strategy detailing the environmental attributes of the offset area(s). The Malleefowl Offset Strategy must:
 - i. specify the proposed environmental offset area(s) including, but not limited to:
 - location,
 - proximity to high-value ecological corridors,
 - tenure,
 - suitability to offset impacts to the Malleefowl, and
 - baseline condition quantified using quality score for area of habitat, and if applicable, the number of Malleefowl individuals present.
 - ii. provide evidence of the capacity of the offset site(s) to meet the requirements and intent of this condition, and the principles of the *EPBC Act Environmental Offsets Policy (2012)*,
 - iii. detail when and how the offset area(s) will be protected in perpetuity under a conservation mechanism,



Australian Government

Department of the Environment and Energy

- iv. demonstrate the adequacy of the proposed conservation mechanism proposed to legally secure the offset area(s), and describe any means by which a future site owner may seek to amend or remove the mechanism,
- v. provide a completed *EPBC Act Offsets Assessment Guide* (offset calculator) for the Malleefowl offset area(s), and
- vi. present evidence substantiating inputs to the offset calculator, including:
 - confidence in result, time until ecological benefit, start and future condition (scale of 1 - 10), and risk of loss,
 - the specific components used to derive start and future condition (i.e. stocking rate, site context and site condition) of the Malleefowl habitat at the offset site, and current condition of the Malleefowl habitat at the impact site, and
 - set-out in general terms potential offset management activities considered feasible to achieve future condition and time until ecological benefit.

If the Minister approves the Malleefowl Offset Strategy then the Malleefowl Offset Strategy must be implemented. The approval holder must not commence the action unless the Minister has approved the Malleefowl Offset Strategy in writing.

Part B – Standard administrative conditions

Notification of date of commencement of the action

14. The approval holder must notify the Department in writing of the date of commencement of the action within ten (10) business days after the date of commencement of the action.

Compliance records

15. The approval holder must maintain accurate and complete compliance records.
16. If the Department makes a request in writing, the approval holder must provide electronic copies of compliance records to the Department within the timeframe specified in the request.

Note: Compliance records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, and or used to verify compliance with the conditions. Summaries of the result of an audit may be published on the Department's website or through the general media.

Preparation and publication of plans

17. The approval holder must:
 - a. submit plans electronically to the Department for approval by the Minister;
 - b. publish each plan on the website within 20 business days of the date the plan is approved by the Minister or of the date a revised action management plan is submitted to the Minister, unless otherwise agreed to in writing by the Minister;
 - c. exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public; and
 - d. keep plans published on the website until the end date of this approval.



18. The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under conditions 4, 12 and 15 of this approval, are prepared in accordance with the Department's *Guidelines for biological survey and mapped data* (2018) and submitted electronically to the Department in accordance with the requirements of the plans.

Annual compliance reporting

19. The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or as otherwise agreed to in writing by the Minister. The approval holder must:
- publish each compliance report on the website within 60 business days following the relevant 12 month period;
 - notify the Department by email that a compliance report has been published on the website within five business days of the date of publication;
 - keep all compliance reports publicly available on the website until this approval expires;
 - exclude or redact sensitive ecological data from compliance reports published on the website; and
 - where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within 5 business days of publication.

Note: Compliance reports may be published on the Department's website.

Reporting non-compliance

20. The approval holder must notify the Department in writing of any: incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than two business days after becoming aware of the incident or non-compliance. The notification must specify:
- the condition which is or may be in breach; and
 - a short description of the incident and/or non-compliance.
21. The approval holder must provide to the Department the details of any incident or non-compliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:
- any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;
 - the potential impacts of the incident or non-compliance; and
 - the method and timing of any remedial action that will be undertaken by the approval holder.

Independent audit

22. The approval holder must ensure that independent audits of compliance with the conditions are conducted for the 12 month period from the date of this approval and for every subsequent twelve (12) month period.



23. For each independent audit, the approval holder must:

- a. provide the name and qualifications of the independent auditor and the draft audit criteria to the Department;
- b. only commence the independent audit once the audit criteria have been approved in writing by the Department; and
- c. submit an audit report to the Department within the timeframe specified in the approved audit criteria.

24. The approval holder must publish the audit report on the website within ten (10) business days of receiving the Department's approval of the audit report and keep the audit report published on the website until the end date of this approval.

Revision of action management plans

25. The approval holder may, at any time, apply to the Minister for a variation to an action management plan approved by the Minister under condition 12, or as subsequently revised in accordance with these conditions, by submitting an application in accordance with the requirements of section 143A of the EPBC Act. If the Minister approves a revised action management plan (RAMP) then, from the date specified, the approval holder must implement the RAMP in place of the previous action management plan.

26. The approval holder may choose to revise an action management plan approved by the Minister under condition 12, or as subsequently revised in accordance with these conditions, without submitting it for approval under section 143A of the EPBC Act, if the taking of the action in accordance with the RAMP would not be likely to have a new or increased impact.

~~27. If the approval holder makes the choice under condition 26 to revise an action management plan without submitting it for approval, the approval holder must:~~

- g. notify the Department in writing that the approved action management plan has been revised and provide the Department with:
 - i. an electronic copy of the RAMP;
 - ii. an electronic copy of the RAMP marked up with track changes to show the differences between the approved action management plan and the RAMP;
 - iii. an explanation of the differences between the approved action management plan and the RAMP;
 - iv. the reasons the approval holder considers that taking the action in accordance with the RAMP would not be likely to have a new or increased impact; and
 - v. written notice of the date on which the approval holder will implement the RAMP (RAMP implementation date), being at least 20 business days after the date of providing notice of the revision of the action management plan, or a date agreed to in writing with the Department.
- h. subject to condition 29, implement the RAMP from the RAMP implementation date.



28. The approval holder may revoke their choice to implement a RAMP under condition 26 at any time by giving written notice to the Department. If the approval holder revokes the choice under condition 26, the approval holder must implement the previous action management plan approved by the Minister.
29. If the Minister gives a notice to the approval holder that the Minister is satisfied that the taking of the action in accordance with the RAMP would be likely to have a new or increased impact, then:
- condition 26 does not apply, or ceases to apply, in relation to the RAMP; and
 - the approval holder must implement the action management plan specified by the Minister in the notice.
30. At the time of giving the notice under condition 29, the Minister may also notify that for a specified period of time, condition 26 does not apply for one or more specified action management plans.

Note: conditions 26, 27, 28 and 29 are not intended to limit the operation of section 143A of the EPBC Act which allows the approval holder to submit a revised action management plan, at any time, to the Minister for approval.

Completion of the action

31. Within 30 days after the completion of the action, the approval holder must notify the Department in writing and provide completion data.

Part C - Definitions

32. In these conditions, except where contrary intention is expressed, the following definitions are used:
- Area 1 is the area defined in Attachment D that covers the troglofauna species located through surveys within bores YYAC0018C, YYAC26, YYAC36 and YYD22.
 - Black-flanked rock-wallaby habitat means habitat for the EPBC Act listed *Petrogale lateralis lateralis* comprising rocky outcrops that provide shelter such as caves, cliffs, scree and rockpiles that co-exists with foraging habitat such as grasses, forbs, shrubs and occasionally seeds and fruits.
 - Business days means a day that is not a Saturday, a Sunday or a public holiday in the state or territory of the action.
 - Clear, clearing means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, and ringbarking, uprooting or burning of vegetation (but not including weeds – see the Australian weeds strategy 2017 to 2027 for further guidance).
 - Cleared area means an area or areas (in hectares) within the development envelope where loss or long-term modification of habitat has occurred.
 - Commence the action or commencement of the action means the first instance of any specified activity associated with the action including clearance of vegetation and construction of any infrastructure. Commencement does not include minor physical disturbance necessary to:



Australian Government

Department of the Environment and Energy

- undertake pre-clearance surveys or monitoring programs;
 - install signage and /or temporary fencing to prevent unapproved use of the project area;
 - protect environmental and property assets from fire, weeds and pests, including erection or construction of fencing and signage, and maintenance or use of existing surface access tracks, if agreed in writing by the Department.
- f. **Completion data** means an environmental report and spatial data information clearly detailing how the conditions of this approval have been met. The Department's preferred spatial data format is shapefile. The environmental report and spatial data information must include the date, location, approved development envelope, actual total cleared area, total area and type of Night Parrot habitat, Malleefowl habitat, Greater bilby habitat, Princess parrot habitat, Great Desert skink habitat and Black-flanked rock-wallaby habitat cleared, mine pit boundary and the environmental condition of the groundwater within the development envelope.
- g. **Completion of the action** means all specified activities associated with the action have permanently ceased.
- h. **Compliance records** means all documentation or other material in whatever form required to demonstrate compliance with the conditions of approval in the approval holder's possession or that are within the approval holder's power to obtain lawfully;
- i. **Compliance reports** means written reports:
- i. providing accurate and complete details of compliance, incidents, and non-compliance with the conditions and the plans;
 - ii. consistent with the Department's *Annual Compliance Report Guidelines* (2014);
 - iii. include a shapefile of any clearance of any protected matters, or their habitat, undertaken within the relevant 12 month period; and
 - iv. annexing a schedule of all plans prepared and in existence in relation to the conditions during the relevant 12 month period.
- j. **Construction** means the erection of a building or structure that is or is to be fixed to the ground and wholly or partially fabricated on-site; the alteration, maintenance, repair or demolition of any building or structure; preliminary site preparation work which involves breaking of the ground (including pile driving); the laying of pipes and other prefabricated materials in the ground, and any associated excavation work; but excluding the installation of fences and signage.
- k. **Department** means the Australian Government agency responsible for administering the EPBC Act.
- l. **Development envelope** is the 4875 hectare area defined in Attachment A.
- m. **Environmental condition** is the state of the groundwater on completion of the action, relative to the baseline environmental data defined in the baseline surveys required under condition 11 of the WA approval.



- n. EPBC Act means the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).
- o. Evidence means written and photographic material.
- p. Great desert skink habitat means habitat for the EPBC Act listed *Liopholis kintorei* comprising of spinifex (*Triodia* spp.) and scattered shrubs (*Acacia* spp., *Eucalyptus* spp., *Hakea* spp., *Grevillea* spp.) or mulga.
- q. Greater bilby habitat means habitat for the EPBC Act listed *Macrotis lagotis* comprising of open tussock grassland on uplands and hills, *Acacia aneura* (mulga) woodland/shrubland growing on ridges and rises, and hummock grassland in plains and alluvial areas.
- r. Groundwater drawdown contour means the 0.5 m drawdown level defined in Attachment B.
- s. IBRA means Interim Biogeographic Regionalisation for Australia, version 7.
- t. Incident means any event which has the potential to, or does, impact on protected matter(s).
- u. Independent audit: means an audit conducted by an independent and suitably qualified person as detailed in the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines* (2015) available from <http://www.environment.gov.au/epbc/publications/independent-audit-report-guidelines>.
- y. Legally secured means obtain a long-term protection under a voluntary agreement as provided for under the *Soil and Land Conservation Act 1945* (WA) or *Biodiversity Conservation Act 2016* (WA).
- w. Life of the approval means the period for which the approval has effect.
- x. Malleefowl means the EPBC Act listed *Leipoa ocellata*.
- y. Malleefowl habitat means habitat for the EPBC Act listed Malleefowl comprising of shrublands and low woodlands dominated by mallee or acacia and occasionally woodland dominated by eucalypts such as Wandoo *E. wandoo*, Marri *Corymbia calophylla* and Mallet *E. astringens*.
- z. Monitoring data means the data required to be recorded under the conditions of this approval.
- aa. Mine Pit means the areas defined as Pit – East and Pit – West in Attachment C.
- bb. Minister means the Australian Government Minister administering the EPBC Act including any delegate thereof.
- cc. New or increased impact means a new or increased environmental impact or risk relating to any protected matter, when compared to the likely impact of implementing the action management plan that has been approved by the Minister under condition 12, including any subsequent revisions approved by the Minister, as outlined in the *Guidance on 'New or Increased Impact' relating to changes to approved management plans under EPBC Act environmental approvals* (2017) available from <http://www.environment.gov.au/epbc/publications/new-increased-impact-guidance>.
- dd. Night parrot habitat means the EPBC Act listed *Pezoporus occidentalis*.

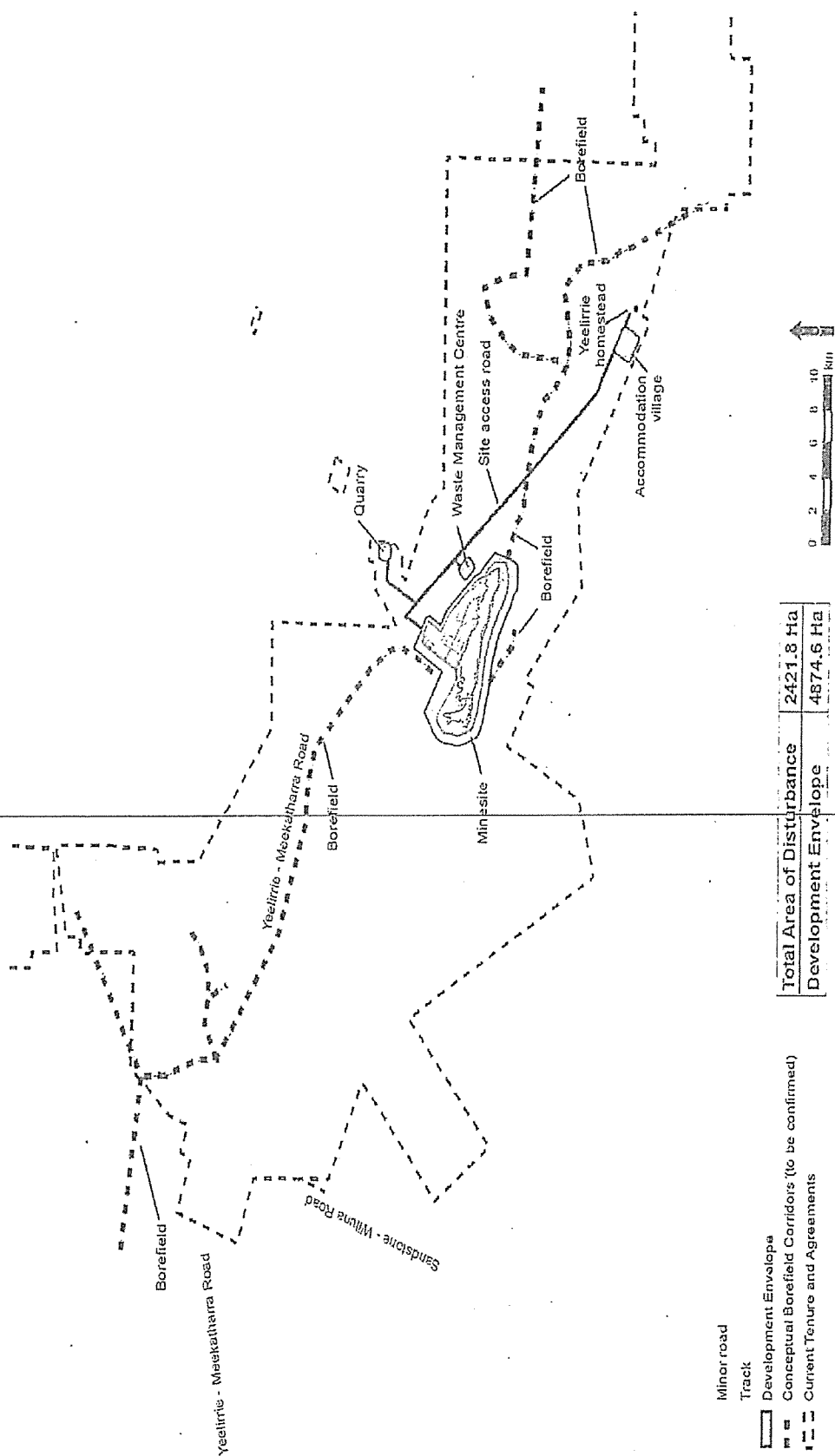


- ee. **Night parrot habitat** means habitat for the EPBC Act listed Night parrot comprising of sandplains supporting a mosaic of long-unburnt spinifex hummocked grasslands with supporting vegetation dominated by chenopod and/or grass species.
- ff. **Plan(s)** means any of the documents required to be prepared, approved by the Minister, and/or implemented by the approval holder and published on the website in accordance with these conditions (includes action management plans and/or strategies);
- gg. **Princess parrot habitat** means habitat for the EPBC Act listed *Polytelis alexandrae* comprising of shrubland in swales between sand dunes, with a variety of shrubs (including *Grevillea*, *Hakea*, *Cassia* and *Eremophila* species) among scattered emergent trees and a ground-cover of spinifex *Triodia* species, and breeding habitat consisting of overstorey species with hollows including *Eucalyptus camaldulensis* (river red gum), *E. gongylocarpa* (marble gum) and *Allocasuarina decaisneana* (desert oak).
- hh. **Protected matter** means a matter protected under a controlling provision in Part 3 of the EPBC Act for which this approval has effect.
- ii. **Sensitive ecological data** means data as defined in the Australian Government Department of the Environment (2016) *Sensitive Ecological Data – Access and Management Policy V1.0*.
- jj. **Shapefile** means an ESRI shapefile containing '.shp', '.shx' and '.dbf' files and other files capturing attributes defined in the conditions of approval.
- kk. **South-east site** is the area defined as south-east site at Attachment B.
- ll. **Subterranean fauna species** comprises the eight (8) stygofauna species – *Enchytraeidae* sp. Y5, *Enchytraeidae* sp. Y6, *Halicyclops* cf. *eberhardi* sp. B, *Novanitocrella* 'araia' sp. n., *Schizopera akolos*, *Schizopera emphysema*, *Schizopera* sp. 7439, *Philoscidae* sp. n. Y2 and one (1) troglotauna species - *Trichorhina* sp. n. F.
- mm. **Suitably qualified** means a person who has professional qualifications, training, skills and/or experience related to the nominated subject matter and can give authoritative independent assessment, advice and analysis on performance relative to the subject matter using the relevant protocols, standards, methods and/or literature.
- nn. **Troglotauna species** means *Austrohorus* sp. n Y1, *Pauropoda* sp. S6B, *Symphyla* sp. Y7 and *Tyrannochthonius* sp. n. Y1 that are only known to occur within the mine pit.
- oo. **Viable population** means the survival of a self-sustaining population of mature individuals of the Western *Atriplex yeelirrie* population.
- pp. **WA approval** means Ministerial Statement 1053 signed 16 January 2017, which states that a proposal may be implemented under the *Environment Protection Act 1986* (WA).
- qq. **WA DBCA** means the Western Australian Department of Biodiversity, Conservation and Attractions or any other agency responsible for administering the *Conservation and Land Management Act 1984* (WA) from time to time.
- rr. **Website** means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.



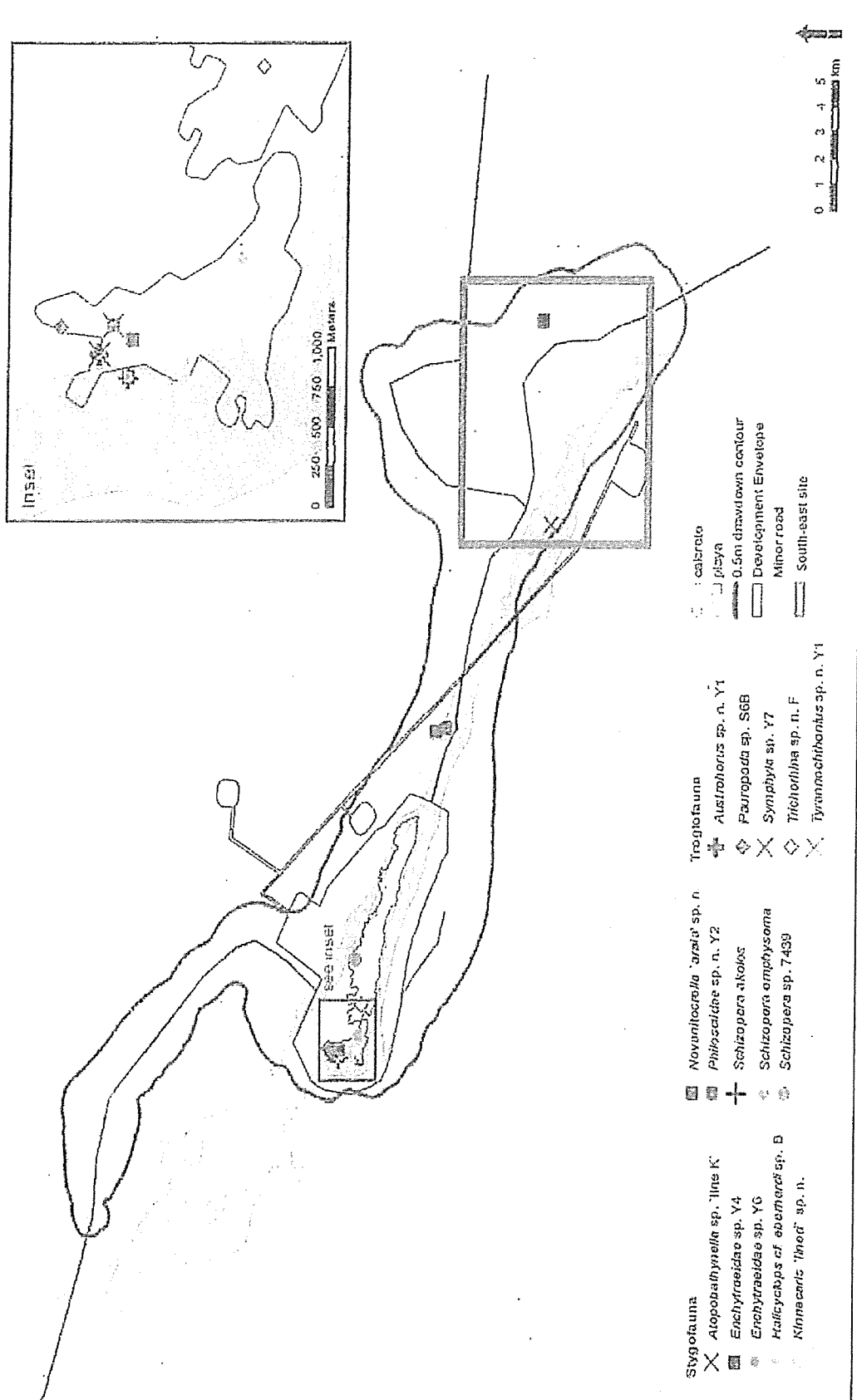
- ss. Western *Atriplex yeelirrie* population is the western genotype of *Atriplex yeelirrie*. Currently the only known population of this species is located within the development envelope and defined in Attachment E as WP01 – WP06.

ATTACHMENT A

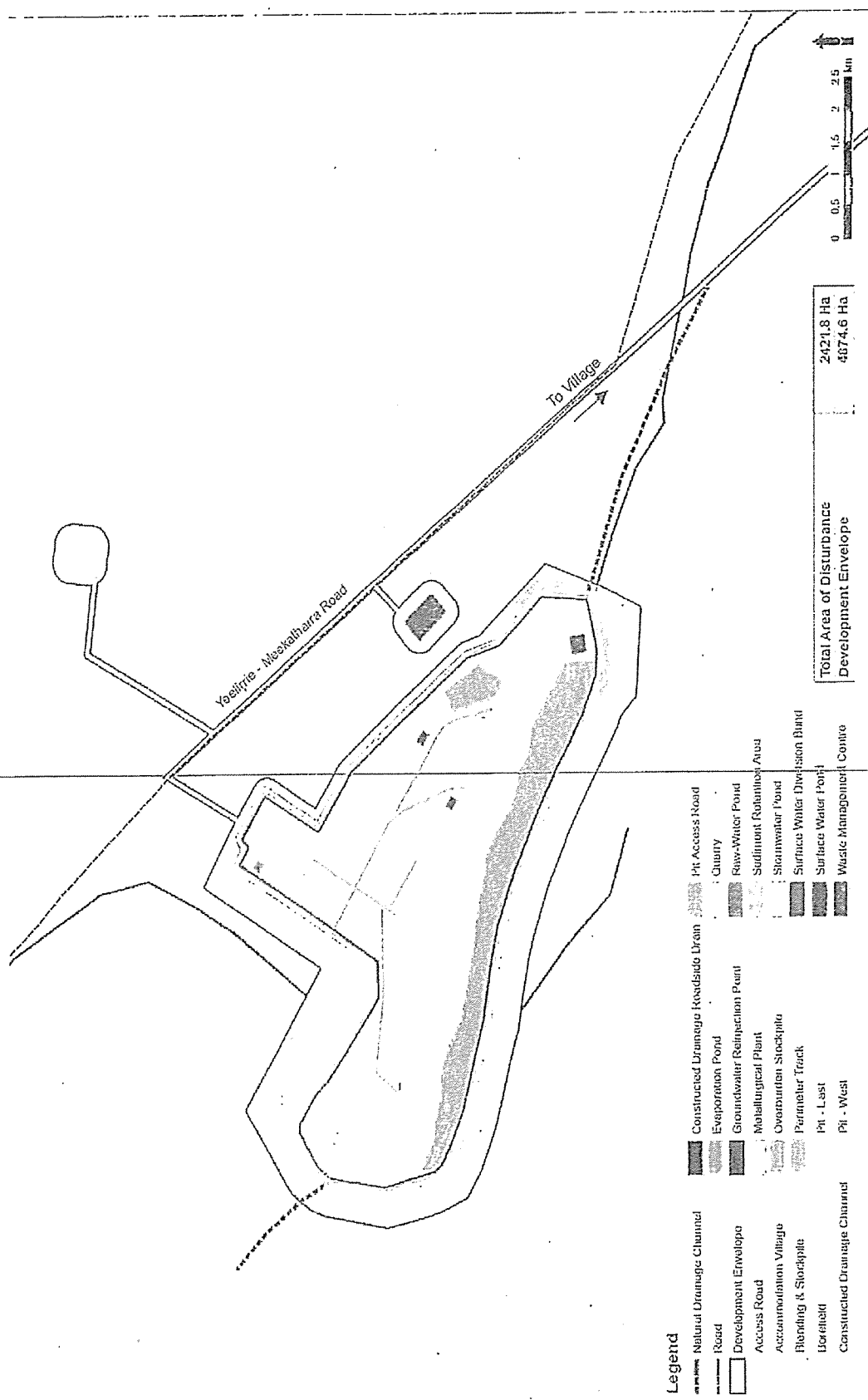


Total Area of Disturbance	2421.8 Ha
Development Envelope	4874.6 Ha

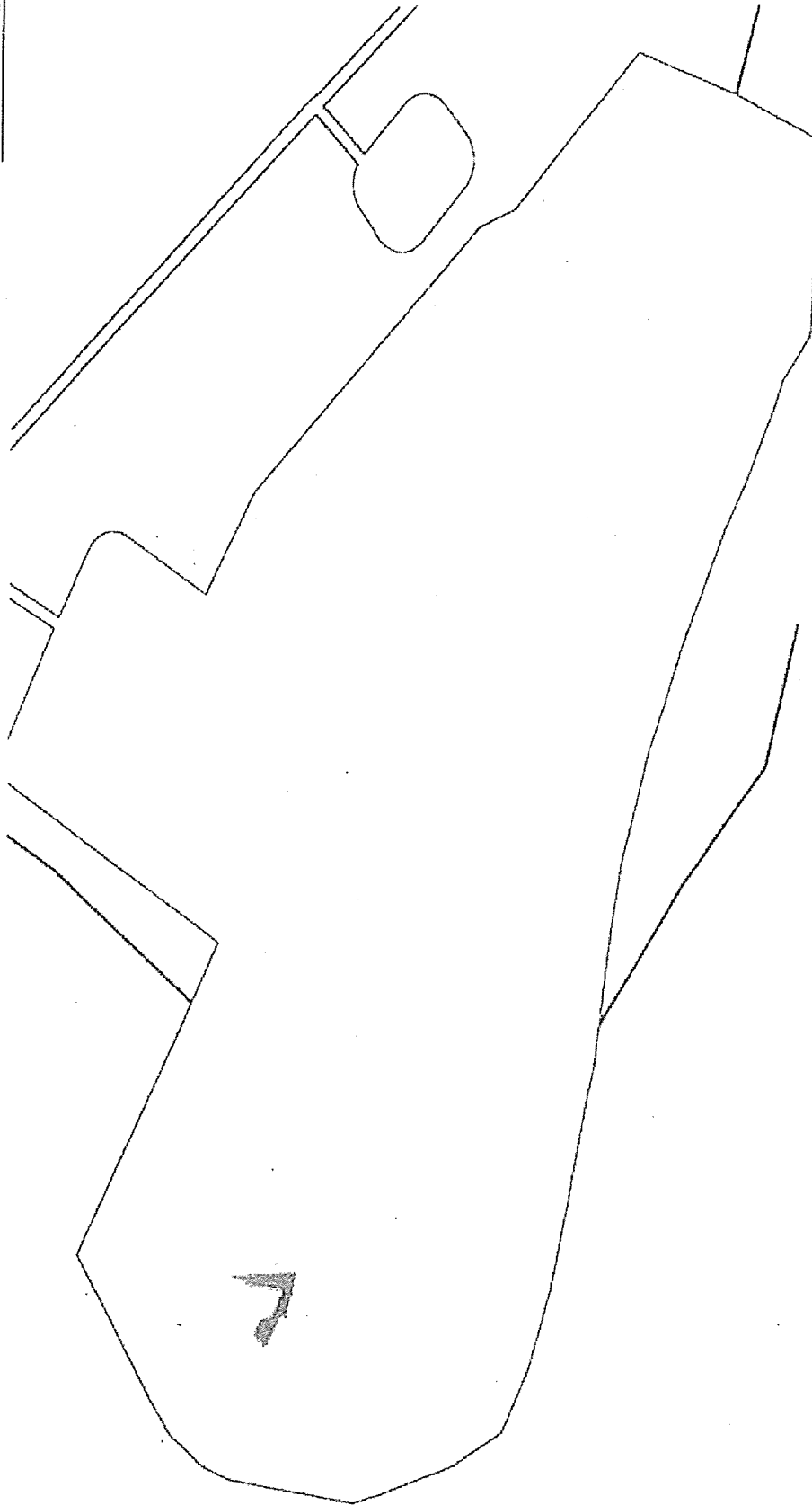
ATTACHMENT B



ATTACHMENT C



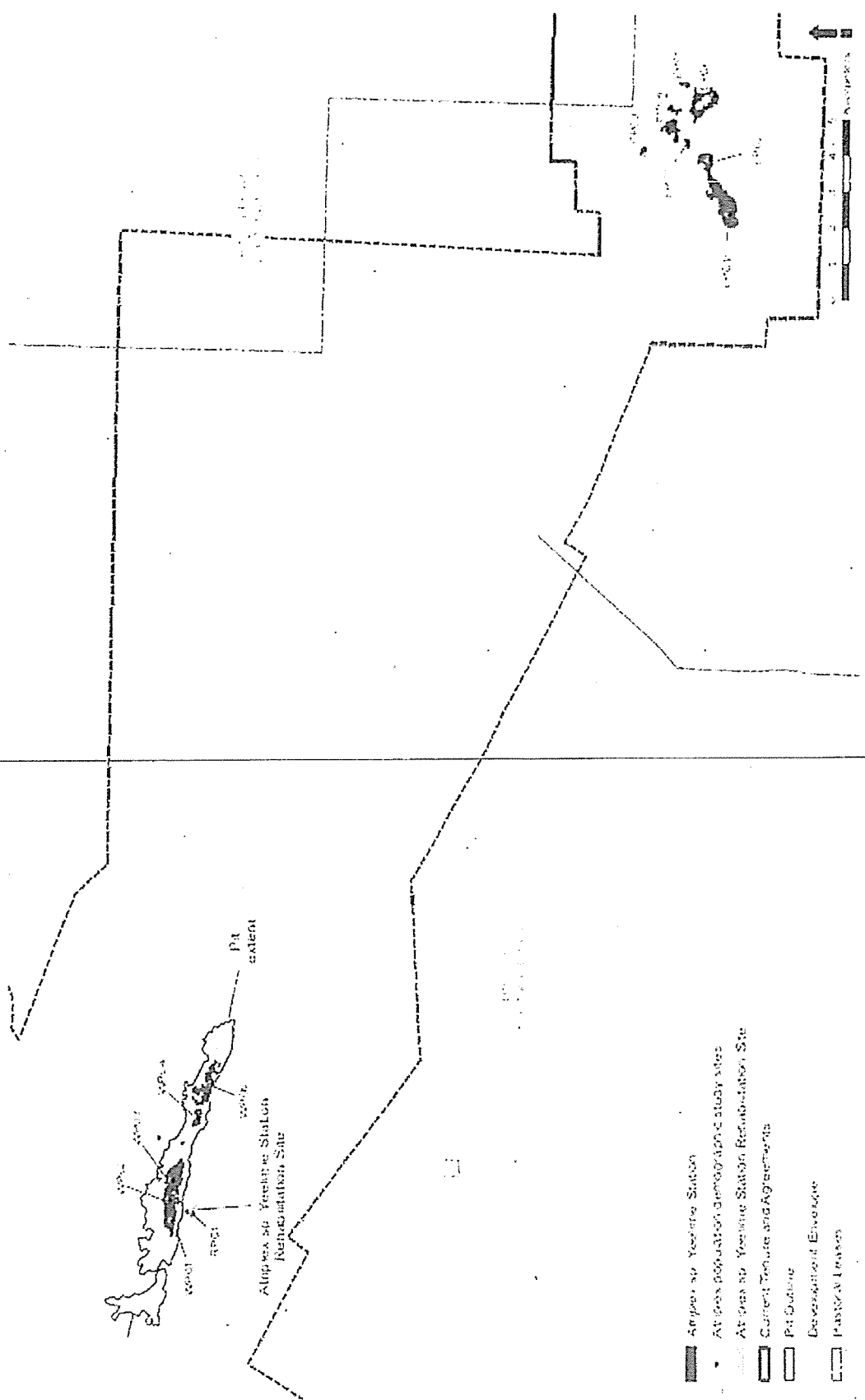
ATTACHMENT D



Area 1 Area 2



ATTACHMENT E



s22

From: s22 @ga.gov.au>
Sent: Friday, 8 March 2019 1:06 PM
To: EPBC; s22
Cc: s22 GA
Subject: RE: Anything from RAaMP? HPE CM: EPBC 2009/4906 - Invitation to comment on proposed approval decision Yeelirrie U mine WA [DLM=For-Official-Use-Only]

Hi s22

We don't have anything to add – just a few editing suggestions and the correction to the number of the approval statement (1053). You've provided a clear synopsis of the previous referrals and GA responses and covered off on possible reporting improvements for the proposed approval.

Many thanks for taking the lead on this.

s22

Attn: s22

Re: GA comments on proposed approval decision and controlling provisions for the Yeelirrie Uranium Mine (EPBC/4906), Western Australia.

Thank you for seeking our input to comments on the proposed EPBC approval of the Yeelirrie Uranium Mine. The Department of Industry, Innovation and Science sought Geoscience Australia's comments on 7 March, 2019.

Geoscience Australia provided advice to the DoEE on the Public Environmental Review (PER) and Cameco's responses to the PER comments in October 2015 and March 2016, respectively. GA officers were also part of a site visit hosted by the proponent, involving Commonwealth and State regulators, in November 2015. GA's advice focussed on groundwater related matters, tailings management, mine closure and rehabilitation, and transport of uranium ore concentrates.

The PER submitted by Cameco provided a comprehensive project overview, including thorough consideration of technical and other issues arising from the development. The risk assessments conducted appropriately addressed the identified risks with appropriate measures discussed to manage these. Risks from impacts via groundwater, tailings management, closure and rehab and transport were well considered and described.

GA considered that the proposed mining, ore processing technologies and tailings management facility were all in accordance with accepted engineering practices for uranium projects and can be considered 'best practice'. However, questions about the geochemical characterisation of the tailings material and closure design in the PER remained.

The subsequent responses to GA's comments by Cameco were satisfactory, and addressed the issues raised. In addition, Cameco made commitments relating to several GA comments. GA considered that the Yeelirrie development represents a relatively small disruption which will be managed and mitigated to a large extent by proposed closure and rehabilitation activities.

The proposed Federal conditions of approval refer to the WA Minister for the Environment Approval Statement 10853^(a), conditions 8 through 16 to regulate impacts to the whole environment, including groundwater. Providing that WA approval conditions 11, 12, 13, and 16 are met, then impacts to the groundwater environment are likely to be managed appropriately given the anticipated overall minor level of impact from this development in a regional context.

Geoscience Australia notes that the proposed Federal approval conditions are different to those for earlier approved uranium developments, including the Expansion of Olympic Dam (EPBC 2005/2270), Beverley North Extension (EPBC 2009/5138), Wiluna Uranium Project (EPBC 2009/5174) and Kintyre Uranium Project (EPBC 2010/5637). Whilst different from earlier approvals, the approach to the Yeelirrie project seeks to streamline regulation and reduce

regulatory burden by relying on the State Conditions wherever possible. This is mirrored in the EPBC Act approval conditions of the Mulga Rocks Uranium Project (EPBC 2013/7083).

Geoscience Australia notes that the proposed Federal approval conditions do not require the review of any management plans under the State Conditions by the Federal Minister. Geoscience Australia notes that proposed Federal condition 16 requires that records relating to the action are made available to the Department of the Environment and Energy upon request.

Geoscience Australia considers that the State Conditions are generally adequate as they currently stand. Geoscience Australia recommends that the proponent be required to submit any management plans, reports, reviews and updates required by the State Conditions (State Conditions 6 and 7) to the Department of Environment and Energy. Requirements to notify the Department of the Environment and Energy of any non-compliance according to the timeframes set out in State Conditions 4-5 and 4-6 should also be considered.

The proposed Federal conditions of approval relating to groundwater focus on protecting stygofauna and troglofauna within the project area. These particular aspects of groundwater ecology lie outside GA's area of expertise.

If you have any queries on this, please contact me on s22 or s22 @ga.gov.au.

Kind regards,

From: s22 On Behalf Of EPBC

Sent: Friday, 8 March 2019 10:24 AM

To: s22

Subject: RE: Anything from RAaMP? HPE CM: EPBC 2009/4906 - Invitation to comment on proposed approval decision Yeelirrie U mine WA [DLM=For-Official-Use-Only]

Hi s22

GW is about done, we've reflected on our past joint GA advice so we have the past comments covered off. Was there anything new you would like to add?

Thanks

s22

From: s22 @industry.gov.au>

Sent: Thursday, 7 March 2019 9:20 AM

To: EPBC <epbc@ga.gov.au>

Cc: EPBC <EPBC@industry.gov.au>

Subject: HPE CM: EPBC 2009/4906 - Invitation to comment on proposed approval decision Yeelirrie U mine WA [DLM=For-Official-Use-Only]

Importance: High

Good morning team,

The Hon Melissa Price MP, Minister for the Environment has proposed to approve the Yeelirrie uranium mine in WA. Due to the sensitivities of this project, Senator Canavan has requested a brief on the project asap before providing comments.

Can you please review the attached proposed approval letter and provide comments by **COB Friday 8 March 2019**?

I will send the formal advice from DEE's EPBC team through as soon as it arrives. Thanks for your help everyone.

Warm regards,

s22

Policy Officer, Mining and Investment

Onshore Energy | Resources Division

s22 @industry.gov.au

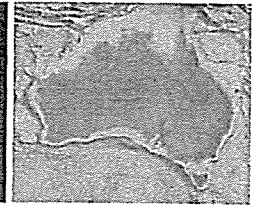
Department of Industry, Innovation and Science

For Official Use Only

^[1] WA approval conditions



Australian Government
Geoscience Australia



D2019-29706

Mining and Investment
Onshore Energy Branch
Resources Division
Department of Industry, Innovation and Science

8 March 2019

Attn: **s22**

Cnr Jerrabomberra Avenue
and Hindmarsh Drive,
Symonston ACT 2609
GPO Box 378,
Canberra, ACT 2601 Australia
Phone: +61 2 6249 9111
Facsimile: +61 2 6249 9999
Web: www.ga.gov.au
ABN 80 091 799 039

Re: GA comments on proposed approval decision and controlling provisions for the Yeelirrie Uranium Mine (EPBC 2009/4906), Western Australia.

Thank you for seeking our input to comments on the proposed EPBC approval of the Yeelirrie Uranium Mine. The Department of Industry, Innovation and Science sought Geoscience Australia's comments on 7 March 2019.

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The proposed Federal conditions of approval refer to the WA Minister for the Environment Approval Statement 1053¹, conditions 8 through 16 to regulate impacts to the whole environment, including groundwater. Providing that WA approval conditions 11, 12, 13, and 16 are met, then impacts to the

¹ WA approval conditions

groundwater environment are likely to be managed appropriately given the anticipated overall minor level of impact from this development in a regional context. Geoscience Australia notes that the proposed Federal approval conditions are different to those for earlier approved uranium developments, including the Expansion of Olympic Dam (EPBC 2005/2270), Beverley North Extension (EPBC 2009/5138), Wiluna Uranium Project (EPBC 2009/5174) and Kintyre Uranium Project (EPBC 2010/5637). Whilst different from earlier approvals, the approach to the Yeelirrie project seeks to streamline regulation and reduce regulatory burden by relying on the State Conditions wherever possible. This is mirrored in the EPBC Act approval conditions of the Mulga Rocks Uranium Project (EPBC 2013/7083).

Geoscience Australia notes that the proposed Federal approval conditions do not require the review of any management plans under the State Conditions by the Federal Minister. Geoscience Australia notes that proposed Federal condition 16 requires that records relating to the action are made available to the Department of the Environment and Energy upon request.

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If you have any queries on this, please contact me on s22 or s22 @ga.gov.au.

Kind regards,

s22

A/g Director - Groundwater Advice, Groundwater Branch,
Environmental Geoscience Division
Geoscience Australia

D2019-29535

s22

From: s22 @industry.gov.au>
Sent: Thursday, 7 March 2019 9:20 AM
To: EPBC
Cc: EPBC
Subject: EPBC 2009/4906 - Invitation to comment on proposed approval decision Yeelirrie U mine WA [DLM=For-Official-Use-Only]
Attachments: MS18-001074 Proposed Approval of Yeelirrie Uranium Mine.pdf
Importance: High
Categories: Orange category

Good morning team,

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Warm regards,

s22

Policy Officer, Mining and Investment
Onshore Energy| Resources Division

s22 @industry.gov.au

Department of Industry, Innovation and Science

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