



Works Approval

Works approval number	W3040/2025/1
Works approval holder	Black Cat (Kal East) Pty Ltd
ACN	620 898 044
Registered business address	Level 4, 507 Murray Street Perth WA 6000
DWER file number	INS-0003040
Duration	1/10/2025 to 1/10/2028
Date of issue	1/10/2025
Premises details	Fingals Gold Project Mining tenements: M26/148, M26/197, M26/248, M26/357, M26/364, M26/409, M26/417, M26/635 EAST COOLGARDIE, WA As defined by the premises maps in Schedule 1

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)	Assessed production / design capacity
Category 5: Processing or beneficiation of metallic or non-metallic ore.	200,000 tonnes per annum

This works approval is granted to the works approval holder, subject to the attached conditions, on 1 October 2025, by:

Manager, Resource Industries
an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

Works approval history

Date	Reference number	Summary of changes
1/10/2025	W3040/2025/1	Works approval granted.

Interpretation

In this works approval:

- (a) the words 'including', 'includes' and 'include' in conditions mean "including but not limited to", and similar, as appropriate;
- (b) where any word or phrase is given a defined meaning, any other part of speech or other grammatical form of that word or phrase has a corresponding meaning;
- (c) where tables are used in a condition, each row in a table constitutes a separate condition;
- (d) any reference to an Australian or other standard, guideline, or code of practice in this works approval:
 - (i) if dated, refers to that particular version; and
 - (ii) if not dated, refers to the latest version and therefore may be subject to change over time;
- (e) unless specified otherwise, any reference to a section of an Act refers to that section of the EP Act; and
- (f) unless specified otherwise, all definitions are in accordance with the EP Act.

NOTE: This works approval requires specific conditions to be met but does not provide any implied authorisation for other emissions, discharges, or activities not specified in this works approval.

Works approval conditions

The works approval holder must ensure that the following conditions are complied with:

Construction phase

Infrastructure and equipment

1. The works approval holder must:
 - (a) construct and/or install the infrastructure and/or equipment;
 - (b) in accordance with the corresponding design and construction / installation requirements; and
 - (c) at the corresponding infrastructure location as set out in Table 1.

Table 1: Design and construction / installation requirements

Item	Infrastructure	Design and construction / installation requirements	Infrastructure location
1.	Mobile equipment: for the removal of historic tailings from the Fingals open pit, transport and deposition into the Fingals above ground TSF	(a) To comprise of the following mobile equipment: <ol style="list-style-type: none"> i. excavator, ii. dump truck and iii. bulldozer (b) Equipment to be compatible with site conditions and operated and maintained in accordance with design specifications	Within the excavation pit and haulage route – See premises boundary in Schedule 1, Figure 1
	Fingals above ground TSF	(a) Windrow of approximately 1.5 metres in height to be constructed surrounding the perimeter of the TSF in accordance with Figure 2 of Schedule 1. (b) Construction material for (a) to be non-acid forming (c) Grading of existing mine waste clay capping to rise inwards at a gradient equal or greater than 2% in accordance with Figure 2 of Schedule 1. (d) A water cart to be used for dust suppression when dust is visible.	Schedule 1, Figure 1 for location of the Fingals above ground TSF
	Stormwater diversion bunds and drains	(a) Stormwater management infrastructure to be installed to divert clean stormwater around construction and operational areas and to capture and retain potentially contaminated and contaminated stormwater. (b) Diversion channels to be sufficiently sized to allow a 1 in 10-year ARI storm event. (c) Drains around the mine service areas to be sized for a peak of 10% AEP event as a minimum. (d) Drains around the Fingals inpit and above ground	

Item	Infrastructure	Design and construction / installation requirements	Infrastructure location
		<p>TSF to direct runoff away from pits.</p> <p>(e) Roll-over bunds to be constructed at the top of the pit ramps.</p> <p>(f) Inpit sumps and pumping system to be installed on the Fingals inpit-TSF.</p>	

Compliance reporting

2. The works approval holder must within 30 calendar days of an item of infrastructure or equipment required by condition 1 being constructed and/or installed:
 - (a) undertake an audit of their compliance with the requirements of condition 1; and
 - (b) prepare and submit to the CEO an Environmental Compliance Report on that compliance.
3. The Environmental Compliance Report required by condition 2, must include as a minimum the following:
 - (a) certification by a suitably qualified geotechnical engineer that the items of infrastructure or component(s) thereof, as specified in condition 1, have been constructed in accordance with the relevant requirements specified in condition 1;
 - (b) evidence (such as photographs) of compliance with the design and construction / installation requirements as detailed in Table 1 and a detailed site plan for each item of infrastructure or component of infrastructure specified in that condition; and
 - (c) be signed by a person authorised to represent the works approval holder and contains the printed name and position of that person.

Time limited operations phase

Commencement and duration

4. The works approval holder may only commence time limited operations for an item of infrastructure identified in condition 1 where the Environmental Compliance Report as required by condition 1 has been submitted by the works approval holder for that item of infrastructure.
5. The works approval holder may conduct time limited operations for an item of infrastructure specified in condition 1 (as applicable):
 - (a) for a period not exceeding 180 calendar days from the day the works approval holder meets the requirements of condition 4 for that item of infrastructure; or
 - (b) until such time as a licence for that item of infrastructure is granted in accordance with Part V of the *Environmental Protection Act 1986*, if one is granted before the end of the period specified in condition 5(a).

Time limited operations requirements and emission limits

6. During time limited operations, the works approval holder must ensure that the premises infrastructure and equipment listed in Table 2 and located at the

corresponding infrastructure location is maintained and operated in accordance with the corresponding operational requirement set out in Table 2.

Table 2: Infrastructure and equipment requirements during time limited operations

	Site infrastructure and equipment	Operational requirement	Infrastructure location
1.	Fingals above ground TSF	<ul style="list-style-type: none"> (a) Deposition of historic tailings to occur in continuous 500 mm thick layers. (b) Compaction of deposited tailings to achieve an in-situ density of 95% standard maximum dry density. (c) Armour placement to be undertaken concurrently with tailings deposition. (d) Exposure of tailings batter not to exceed 1 meter. (e) Armour required by (e) to be constructed with non-acid forming (NAF) mine waste rock and to be approximately 3 metres wide. (f) Armour required by (e) to be no steeper than 1 vertical (V): 3 horizontal (H) units and batter face to be flushed with the face of the embankment. (g) Deposited tailings to be laid in a manner to maintain a downward gradient equal or greater than 2% towards the batter edges. (h) Transport of tailings to the above ground TSF not be undertaken in windy conditions. (i) A water cart to be used for dust suppression when dust is visible. (j) Operational requirements to be undertaken in accordance with Figure 3 of Schedule 1. 	Schedule 1, Figure 1
2.	Fingals open pit	<ul style="list-style-type: none"> (a) Historic fine tailings to be removed and conditioned on flat ground as follows: <ul style="list-style-type: none"> i. spread on flat ground in ~400 mm horizontal loose lifts and/ or ii. mixed with coarse grained tailings on a ratio of 1:3 (by tonnage) and iii. to achieve an overall moisture content equal or lower than 15%. (b) Transportation trials of conditioned tailings to be undertaken to determine critical moisture content threshold for safe handling of tailings. (c) A water cart to be used for dust suppression when dust is visible. 	Schedule 1, Figure 1

Monitoring

7. During time limited operations the works approval holder must:

- (a) undertake inspections as detailed in Table 3;
- (b) where an inspection identifies that an appropriate level of environmental

protection is not being maintained, take corrective action to mitigate adverse environmental consequence as soon as practicable; and

- (c) maintain a record of the inspections undertaken.

Table 3: Monitoring during time limited operations

Infrastructure and equipment	Type of inspection	Frequency
Fingals above ground TSF	Visual to confirm that no excessive dust generation is occurring and that dust suppression measures are adequate to control dust	Daily
	Visual to ensure that contaminated /sediment laden stormwater is appropriately contained.	After heavy rainfall
Fingals in-pit TSF	Visual to confirm that no excessive dust generation is occurring and that dust suppression measures are adequate to control dust.	Daily

Compliance reporting

8. The works approval holder must submit to the CEO a report on the time limited operations within 30 calendar days of the completion date of time limited operations or 30 calendar days before the expiration date of the works approval, whichever is the sooner.
9. The works approval holder must ensure the report required by condition 8 includes the following:
 - (a) a summary of the time limited operations, including timeframes and amount of tailings processed;
 - (b) a review of performance and compliance against the conditions of the works approval;
 - (c) a summary of any incidents including excessive dust emissions, tailings spillages, stormwater system malfunction etc.
 - (d) where the manufacturer's design specifications and the conditions of this works approval have not been met, what measures will the works approval holder take to meet them, and what timeframes will be required to implement those measures.

Records and reporting (general)

10. The works approval holder must record the following information in relation to complaints received by the works approval holder (whether received directly from a complainant or forwarded to them by the Department or another party) about any alleged emissions from the premises:
 - (a) the name and contact details of the complainant, (if provided);
 - (b) the time and date of the complaint;

- (c) the complete details of the complaint and any other concerns or other issues raised; and
 - (d) the complete details and dates of any action taken by the works approval holder to investigate or respond to any complaint.
- 11.** The works approval holder must maintain accurate and auditable books including the following records, information, reports, and data required by this works approval:
 - (a) the works conducted in accordance with condition 1;
 - (b) any maintenance of infrastructure that is performed in the course of complying with condition 6;
 - (c) monitoring programmes undertaken in accordance with condition 7; and
 - (d) complaints received under condition 10.
- 12.** The books specified under condition 11 must:
 - (a) be legible;
 - (b) if amended, be amended in such a way that the original version(s) and any subsequent amendments remain legible and are capable of retrieval;
 - (c) be retained by the works approval holder for the duration of the works approval; and
 - (d) be available to be produced to an inspector or the CEO as required.

Definitions

In this works approval, the terms in Table 4 have the meanings defined.

Table 4: Definitions

Term	Definition
books	has the same meaning given to that term under the EP Act.
CEO	means Chief Executive Officer. CEO for the purposes of notification means: Director General Department administering the <i>Environmental Protection Act 1986</i> Locked Bag 10 Joondalup DC WA 6919 info@dwer.wa.gov.au
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V Division 3 of the EP Act.
discharge	has the same meaning given to that term under the EP Act.
emission	has the same meaning given to that term under the EP Act.
Environmental Compliance Report	means a report to satisfy the CEO that the conditioned infrastructure and/or equipment has been constructed and/or installed in accordance with the works approval.
EP Act	<i>Environmental Protection Act 1986</i> (WA).
EP Regulations	<i>Environmental Protection Regulations 1987</i> (WA).
premises	the premises to which this works approval applies, as specified on page 1 of this works approval and as shown on the premises map (Figure 1 in Schedule 1) of this works approval.
prescribed premises	has the same meaning given to that term under the EP Act.
time limited operations	refers to the operation of the infrastructure and equipment identified under this works approval that is authorised for that purpose, subject to the relevant conditions.
TSF	means Tailings Storage Facility
works approval	refers to this document, which evidences the grant of the works approval by the CEO under section 54 of the EP Act, subject to the conditions.
works approval holder	refers to the occupier of the premises being the person to whom this works approval has been granted, as specified at the front of this works approval.

END OF CONDITIONS

Schedule 1: Maps

Premises map

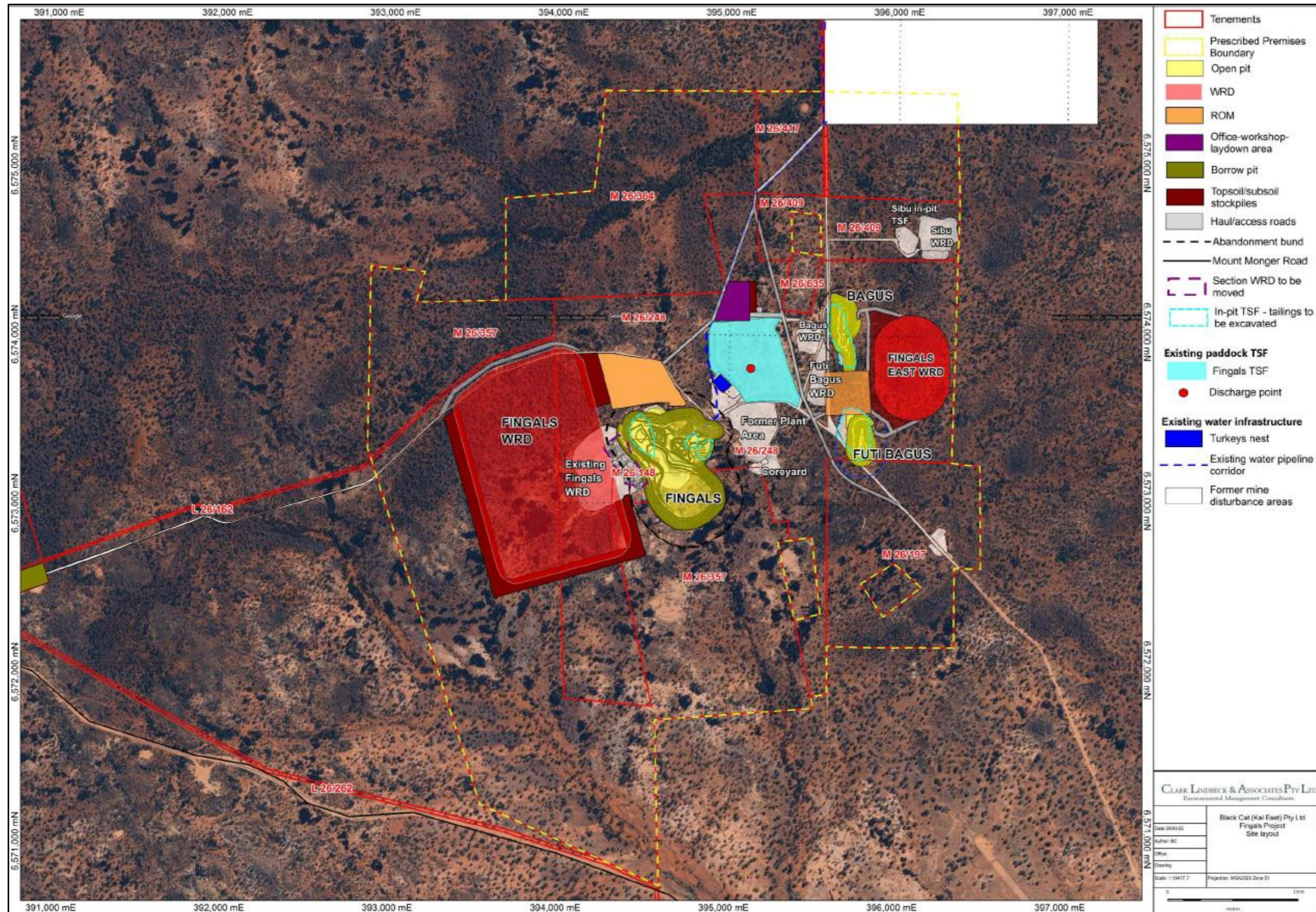


Figure 1: Map of the prescribed premised boundary

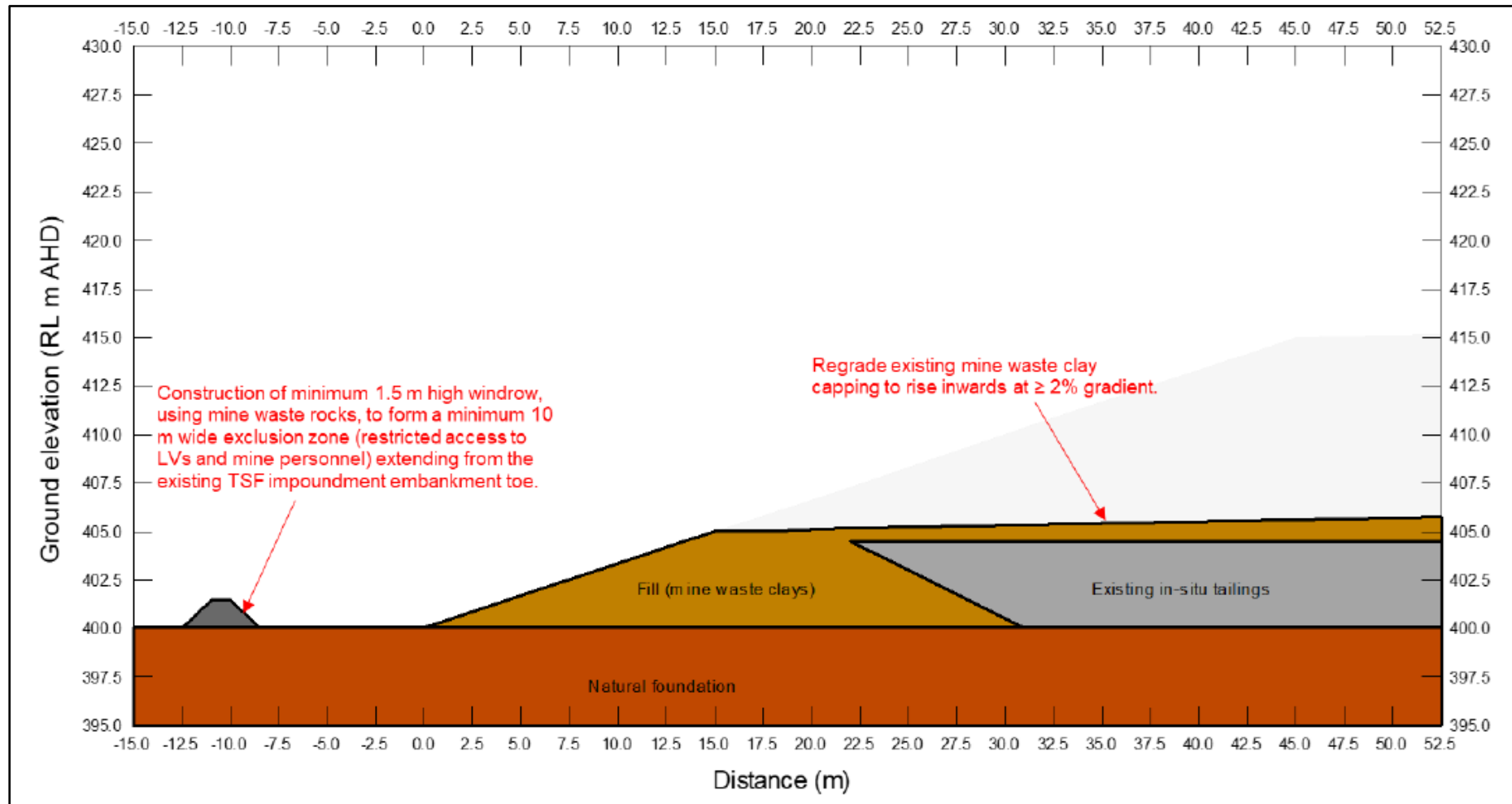


Figure 2: Construction work to be undertaken at the Fingals above ground TSF

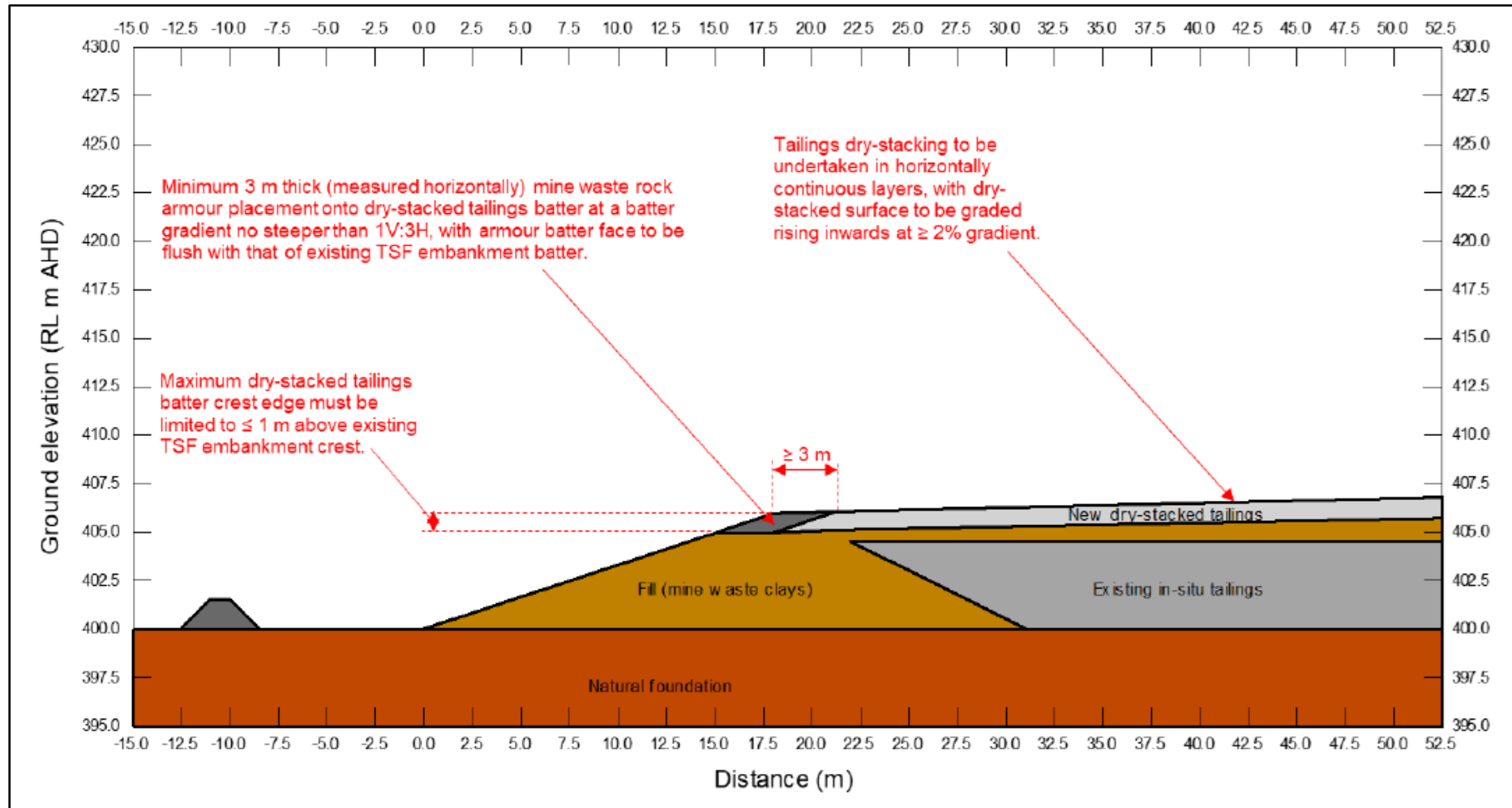


Figure 3: Dry stacking of tailings at the Fingals above ground TSF