




2021-22 Annual Compliance Assessment Report

Kemerton Lithium Plant

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EXECUTIVE SUMMARY

This Compliance Assessment Report (CAR) has been prepared by KASA Consulting on behalf of Albemarle Lithium Pty Ltd (ACN 618 095 471). The purpose of this CAR is to satisfy the requirements of Condition 4.6 of Ministerial Statement 1085 for the Albemarle Lithium Hydroxide Manufacturing Plant Project (the Project).

The approved action is to construct and operate a lithium hydroxide product manufacturing plant located in Kemerton Strategic Industrial Area (KSIA), approximately 17 km north-east of Bunbury, Western Australia. The Project commenced in January 2019.

This is the fourth CAR. It is noted that following assessment of s46 application, under the WA Environmental Protection Act, 1986, Ministerial Statement 1187 was approved on 14 March 2021. Under this approval Conditions 9 and 10 of MS1085 have been replaced by Conditions 9 and 10 of MS-1187.

A review of the Project compliance against the conditions of MS-1085 and MS-1187 identified that no conditions were non-compliant, and no notifiable incidents occurred during the reporting period. One administrative potential compliance was identified, as follows:

- Condition 2-1 of MS-1085 – Notification of the change of Albemarle’s business address to Level 7, 179 St Georges Terrace was not formally provided to the CEO; however, it was amended on the Albemarle website and was provided to DWER as the proponents address for MS1187.

Environmental Management Plans (EMPs) were being implemented as required and EMP objectives had been met. Vegetation and water monitoring programs have detected no material impacts.

Monitoring of the Banksia Woodland threatened ecological community (TEC) undertaken in September 2022 to compare the vegetation condition, species richness and species density at permanently established transects and Photographic Monitoring Points (PMPs) identified vegetation to be in very good condition, with no change evident compared to the 2018 – 2021 surveys. Species richness and species density in the 2022 survey was equal or greater than in previous years.

Ongoing monitoring programs for water quality and vegetation has confirmed that the quality and quantity of off-site surface and groundwater has been maintained and there has been no adverse impact on the receiving environment.

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GLOSSARY

Term	Definition
CAP	Compliance Assessment Plan
CAR	Compliance Assessment Report
DCCEEW	Department of Climate Change, Energy, Environment and Water
DMIRS	Department of Mines, Industry Regulation and Safety
DoEE	Department of the Environment and Energy
DRF	Declared Rare Flora
DWER	Department of Water and Environmental Regulation
EP Act	Environmental Protection Act 1986
EPA	Environmental Protection Authority
EPBC Act	Environment Protection and Biodiversity Conservation Act 1999
FVMMP	Flora and Vegetation Management and Monitoring Plan
GHG	Greenhouse Gas
Ha	Hectare
KSIA	Kemerton Strategic Industrial Area
LiOH	Lithium Hydroxide
MS-1085	Ministerial Statement 1085
MS-1187	Ministerial Statement 1187
NC	Non-compliance
NPI	Non-Process Infrastructure
OEPA	Office of the Environmental Protection Agency
PMP	Photographic Monitoring Point
SWIS	South West Interconnected System
TEC	Threatened Ecological Community
WMP	Water Management Plan

1 INTRODUCTION

1.1 Project Details

The Kemerton Lithium Plant proposal (the Project) refers to the construction and operation of a lithium manufacturing plant and associated infrastructure, within the Kemerton Strategic Industrial Area (KSIA), located approximately 17 kms north-east of Bunbury, Western Australia (Figure 1-1: Project Site Regional Location).

The Kemerton Lithium Plant is designed to process up to 1 million tonnes of spodumene ore concentrate, sourced from the Talison Greenbushes Operation. The ore concentrate will be processed within up to five lithium hydroxide product process trains, which are proposed to be brought online one at a time as production increases. These process trains operate using a combination of pyrometallurgical and hydrometallurgical operations to produce up to a total of 100,000 tonnes of lithium hydroxide product and up to 200,000 tonnes of sodium sulphate by-product per year. Up to 1.1 million tonnes of tailings will also be produced as a waste product.

The lithium hydroxide product will be transported 155 km by road to the Port of Fremantle for export. Sodium sulphate by-product will also be transported by road to either Fremantle or Bunbury for export. Tailings will be transported by road to be disposed of at an approved facility, which remains outside the scope of this report.

1.2 Purpose of Report

This Compliance Assessment Report (CAR) has been prepared to meet the requirements imposed on the Project by the Western Australian Minister for Environment, through Ministerial Statements MS-1085 and MS1187.

Condition 4.6 of MS-1085 specifically states:

“The proponent shall submit to the CEO the first Compliance Assessment Report fifteen (15) months from the date of issue of this Statement addressing the twelve (12) month period from the date of issue of this Statement and then annually from the date of submission of the first Compliance Assessment Report, or as otherwise agreed in writing by the CEO.

The Compliance Assessment Report shall:

- 1. be endorsed by the proponent’s Chief Executive Officer or a person delegated to sign on the Chief Executive Officer’s behalf;*
- 2. include a statement as to whether the proponent has complied with the conditions;*
- 3. identify all potential non-compliances and describe corrective and preventative actions taken;*
- 4. be made publicly available in accordance with the approved Compliance Assessment Plan; and*
- 5. indicate any proposed changes to the Compliance Assessment Plan required by condition 4-1. “*

This CAR provides the status of compliance against all audit elements prescribed under MS-1085 and, where applicable, the compliance status of amended operational Conditions 9 and 10, as approved in MS1187. The CAR also provides a summary of how implementation of the environmental management plans has met defined environmental objectives during the reporting period 26 October 2021 through 25 October 2022.

Regarding Condition 4.6, point 5 above, there are currently no proposed changes to the Compliance Assessment Plan.

1.3 Report Structure

This CAR has been prepared in accordance with the former Office of the Environmental Protection Agency's (OEPA) (now Department of Water and Environmental Regulation (DWER)) Post Assessment Guideline No. 3, Preparing a Compliance Assessment Report (OEPA, 2012).

Figure 1-1: Project Site Regional Location



2 SUMMARY OF PROPOSAL'S IMPLEMENTATION STATUS

2.1 Project Milestones

The Kemerton Lithium Plant was environmentally assessed and approved in 2018 under Part IV of the *Environmental Protection Act 1986* (EP Act) by the Environmental Protection Authority (EPA) and by the Commonwealth Department of the Environment and Energy (DoEE) (now DCCEEW – Department of Climate Change, Energy, Environment and Water) under sections 130(1) and 133(1) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

MS-1187, which deleted and replaced the original implementation Conditions 9 and 10 of MS-1085, was approved in March 2022.

The Compliance Assessment Plan (CAP) was being updated at the time of writing to reflect the changes to Conditions 9 and 10 following approval of MS-1187.

A summary of Environmental approvals issued is provided in Table 2-1 below.

Table 2-1: Summary of Key Environmental Approvals History

Instrument	Description	Approval Date
MS-1085	Gained environmental approval, Part IV, EP Act.	26 October 2018
Works Approval W6154/2018/1	Granted to the Works Approval Holder, subject to the prescribed conditions.	16 November 2018
EPBC 2017/8099	Granted approval for action to construct and operate a lithium hydroxide manufacturing plant.	26 November 2018
Works Approval Amendment W6154/2018/1	Amendment to works approval W6154/2018/1 to update infrastructure, redefine premises boundary, increase design capacity of processing trains and add additional stacks and emission points.	10 March 2021
MS-1187	Conditions 9 and 10 of Ministerial Statement 1085 (Greenhouse Gas Management and Offsets) deleted and replaced with implementation conditions set out in MS 1187.	14 March 2022
Works Approval Amendment W6154/2018/1	Amendment to works approval W6154/2018/1 to update infrastructure and legal address, construct and operate waste transfer station.	23 June 2022

2.1.1 Notice of Substantial Commencement

Construction commenced in January 2019 and has progressed in accordance with the defined program. This substantial commencement status of the Project, in accordance with Condition 3-1 and 3-2 of MS-1085, was formally communicated to DWER via submission of the 2020 CAR.

2.2 Project Components

Non-Process Infrastructure (NPI) buildings comprise a laboratory, site operations building, mess building, emergency building, wellness centre and gate houses. The processing plant will comprise five lithium hydroxide conversion trains (one currently in commissioning and one currently in construction) that incorporate the following main areas:

- Spodumene delivery and stockpiling.
- Calcinating, acidifying and storage of acidified ore area.
- Leaching, purification, filtration and tailings collection area.
- Reactants delivery and storage area.
- Causticizing, and Sodium Sulphate Decahydrate crystallisation.
- Crude Lithium Hydroxide (LiOH) evaporation and crystallisation.
- Pure LiOH evaporation and crystallisation.
- Lithium hydroxide monohydrate drying, packaging and storage.
- Anhydrous sodium sulphate crystallisation – Li removal.
- Sodium sulphate drying, packaging and storage.
- Potassium collection building.
- Service plant and buildings including, boilers, cooling towers, raw and RO water, and air compressor building.
- Engineering Workshop/Warehouse and diesel tanks.

2.3 Project Issues

No major project issues occurred during the reporting period.

Albemarle is currently constructing and commissioning two of the five Kemerton lithium hydroxide trains to provide a 50,000 tonnes per year lithium hydroxide conversion capacity. Train 1 commenced environmental commissioning on 22 June 2022 while Train 2 is in process of completing pre-commissioning and is currently scheduled to commence environmental commissioning in the first half of 2023.

Albemarle entered into the MARBL Lithium Operations joint venture with Mineral Resources Limited, which included sale of 40% interest in part of the Kemerton lithium hydroxide facility. Albemarle will continue to complete construction of the Kemerton lithium hydroxide facility and will then hand it over to MARBL Lithium Operations to operate.

Albemarle is in the process of planning the construction of Trains 3 and 4 of the Kemerton Plant. A Financial Investment Decision by Albemarle on the Train 3 and 4 expansion is expected in April 2023.

Since approval of MS-1085, Albemarle has explored various power supply options and is currently connected to the South West Interconnected System (SWIS). The plant will require an initial 29 MW capacity for two trains. As more trains are brought online and as production increases the power requirement of the Kemerton Plant will reach up to 60 MW.

A Section 45C of the EP Act submitted by Albemarle on 17 October 2019 was approved by the EPA to address the following proposed changes:

- Reduce the authorised extent of clearing by 5.51 ha (5.33 ha of native vegetation and 0.18 ha of regenerated farmland).
- Reduce the size of the Development Envelope by 5.51 hectares (ha).
- Replace Figure 1-1 of Schedule 1 of MS-1085 to reflect the reduced size of the Development Envelope.
- Include construction and operation of a power station.

Mineral Resources has received approval to dispose of tailings from the Kemerton Lithium Plant to the Koolyanobbing iron ore mine from the Department of Mines, Industry Regulation and Safety (DMIRS). Albemarle is also actively pursuing potential waste minimisation and reuse opportunities in accordance with Condition 8-1 of MS-1085.

A discussion on Potential Non-Compliances identified during the reporting period is presented in Section 3.1.1.

3 STATEMENT OF COMPLIANCE

Table 3-1 presents the compliance status of applicable Ministerial Conditions prescribed in MS-1085 and MS-1187. Refer to Appendix A for the completed Post Assessment Form (Statement of Compliance).

The potential non-compliances are defined below and supported with evidence in electronic format (Appendix B).

In relation to assessing conformance to approved management plan commitments, the following approach has been taken. Where a particular aspect of a management plan has not been demonstrated to be fully implemented, the management plan conditions and commitments are considered to have been complied with if sufficient evidence exists to demonstrate:

- The management plan had otherwise been substantially implemented.
- Non-compliant items do not present a significant environmental risk and corrective actions have been initiated.
- The overall environmental objectives for that factor have been met.

3.1 Summary of Compliance Status

One potential non-compliance was identified, as follows:

- Condition 2-1 of MS-1085 – Notification of the change of Albemarle’s business address to Level 7, 179 St Georges Terrace was not formally provided to the CEO; however, it was amended on the Albemarle website and was provided to DWER as the proponents address for MS1187.

Table 3-1 presents a summary of compliance findings and status for each Condition of MS-1085 and MS-1187.

For the purposes of this report, compliance classifications were in accordance with EPA guidelines (EPA, 2012). The definitions of each status are summarised in Appendix B: Compliance Status Definitions.

3.2 Environmental Management Plans

This CAR presents a summary of how each management plan objective has been addressed and is supported by documentary evidence and data in the appended electronic evidence. The status of objectives for the Albemarle Operational Environmental Management Plans are listed below in Table 3-2.

Table 3-1: Audit Findings – Ministerial Statements 1085 and MS-1187 – Conditions

Audit Code	Subject	Requirement	Evidence	Phase	Timeframe	Status	Further Information
MS1085: M1-1	Proposal implementation	When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Table 2 in Schedule 1, unless amendments to the proposal and the authorised extent of the proposal have been approved under the EP Act.	The authorised extent of the proposal has not been exceeded as detailed below.	Overall	When implementing the proposal.	Compliant	Refer elements below.
MS1085: M1-1 (a)	Proposal implementation	Table 2 Physical elements: Clearing of no more than 54.31ha of native vegetation and 33.39ha of pine plantation within the Development Envelope of 89.25ha	Post clearing survey map provided by BGC Contracting indicate the extent of clearing was 48.8 ha of native vegetation and 33.39 ha of pine plantation. Cleared area coordinates confirmed by Wood personnel as complying with designated clearing boundaries (email: Post Clearing Survey 11/06/2019 from Kristina Chandra to Quyen Dao). No additional clearing undertaken during the reporting period.	Construction		Compliant	
MS1085: M1-1 (b)	Proposal implementation	Table 2 Operational elements: Process Plant Capacity: No more than 100,000 tonnes of lithium hydroxide product and no more than 200,000 tonnes of sodium sulphate by-product produced per year.	No product or by-product was produced during the reporting period as the plant was not yet operational. Currently only 2 trains out of 5 are being constructed; therefore, production will be well below specified limits.	Operation		Not required at this stage	It is noted that the approved design capacity of the plant under Works Approval W6154/2018/1 (amendment 1) is 125,000 tonnes LiOH, which is higher than the approved production capacity.
MS1085: M1-1 (c)	Proposal implementation	Table 2 Operational elements: Tailings Capacity: No more than 1.1 million tonnes per year.	As above. No tailings were produced during the reporting period as the plant was not yet operational.	Operation		Not required at this stage	
MS1085: M2-1	Contact Details	The proponent shall 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.	The proponents address on the website is not the same as the Ministerial Statement. The previous contact address in the ACT has now been changed to Level 7, 179 St Georges Terrace, Perth 6000.	Overall	Within 28 days of change.	Potentially Non-Compliant	With the joint venture now in place, it is to be confirmed whether Albemarle Lithium or MARBL Lithium Operations will be the proponent for the Kemerton Plant approvals. If confirmed, the relevant changes will be made to the proponent contact and address details and a notice of change will be provided to EPA Service Unit.
MS1085: M3-1	Time limit for substantial commencement	The proposal must be substantially commenced within 5 years from the date of this Statement.	The proposal has substantially commenced. As communicated in the 2020 Compliance Assessment Report (CAR), the date of substantial commencement for the proposal was 2 January 2019.	Construction	Substantial commencement by 26 October 2023.	Completed	

Audit Code	Subject	Requirement	Evidence	Phase	Timeframe	Status	Further Information
MS1085: M3-2	Time limit for substantial commencement	The proponent must provide to the CEO documentary evidence demonstrating Albemarle Kemerton Plant that they have complied with condition 3-1 no later than 30 days after expiration of 5 years from the date of this Statement.	Section 2.1.1 of 2020 CAR notified DWER of substantial commencement occurring on 2 January 2019.	Construction	Substantial commencement demonstrated by 25 November 2023.	Completed	Refer Section 2.1.1 of this CAR.
MS1085: M4-1	Compliance reporting	The proponent shall prepare and maintain a Compliance Assessment Plan which is submitted to the CEO at least six (6) months prior to the first CAR required by condition 4- 6, or prior to implementation of the proposal, whichever is sooner.	Compliance Assessment Plan (CAP), Revision 0, 12 November 2018 sighted. Email submission to DWER (Edwin Berends to Tania Liaghati) dated 13 November 2018 sighted. CAP approved by DWER on 21 November 2018 (ref. 2018-1542934967508). At the time of writing the CAP was being updated to reflect the replacement of MS-1085 Conditions 9 and 10 with MS-1178 Conditions 9 and 10 (acknowledgement email received from DWER (Rowan Inglis) on 16-01-23).	Overall	CAP to be maintained	In Progress	
MS1085: M4-2	Compliance reporting	The CAP shall indicate: (1) the frequency of compliance reporting; (2) the approach and timing of compliance assessments; (3) the retention of compliance assessments; (4) the method of reporting of potential non-compliances and corrective actions taken; (5) the table of contents of CARs; and (6) public availability of CARs.	Letter received from DWER stating the CAP meets the requirements of Condition 4-2 on 21 November 2018 (ref. DWER A-001586). CAP approved by DWER on 21 November 2018 (ref. 2018-1542934967508).	Pre-construction	CAP to be submitted by 26 July 2019.	Compliant	
MS1085: M4-3	Compliance reporting	After receiving notice in writing from the CEO that the CAP satisfies the requirements of condition 4-2 the proponent shall assess compliance with conditions in accordance with the CAP required by condition 4-1.	Letter received from DWER stating the CAP meets the requirements of Condition 4-2 on 21 November 2018 (ref. DWER A-001586). Quarterly audits have been undertaken during the reporting period to assess compliance with environmental obligations. The audits were undertaken by KASA Consulting (Nick Croston Exemplar registered Lead Environmental Auditor #13656). Annual compliance assessments against MS 1085 have been undertaken since 2019.	Overall	After receiving notice in writing from the CEO.	Compliant	
MS1085: M4-4	Compliance reporting	The proponent shall retain reports of all compliance assessments described in the CAP required by condition 4-1 and shall make those reports available when requested by the CEO.	Previous Annual Compliance Assessment Reports are available on the Albemarle website.	Overall	As requested by the CEO.	Compliant	
MS1085: M4-5	Compliance reporting	The proponent shall advise the CEO of any potential non-compliance within seven (7) days of that non-compliance (NC) being known.	One potential non-compliance was identified against Condition 2-1, regarding reporting a change of address. This was identified during preparation of this CAR and will be reported via submission of this report.	Overall	Within 7 days of NC being known.	Compliant	The Compliance Assessment Plan includes the requirement to report non-compliances within 7 days as per this condition.

Audit Code	Subject	Requirement	Evidence	Phase	Timeframe	Status	Further Information
MS1085: M4-6	Compliance reporting	<p>The proponent shall submit to the CEO the first CAR fifteen (15) months from the date of issue of this Statement addressing the twelve (12) month period from the date of issue of this Statement and then annually from the date of submission of the first CAR, or as otherwise agreed in writing by the CEO.</p> <p>The CAR shall:</p> <ol style="list-style-type: none"> (1) be endorsed by the proponent's CEO or a person delegated to sign on the Chief Executive Officer's behalf; (2) include a statement as to whether the proponent has complied with the conditions; (3) identify all potential non-compliances and describe corrective and preventative actions taken; (4) be made publicly available in accordance with the approved CAP; and (5) indicate any proposed changes to the CAP required by condition 4-1. 	<p>Albemarle Kemerton Project 2021 CAR (P-74211-0000-BA00-RPT-0277) prepared and submitted to CEO on 22 January 2022.</p> <p>Past CARs include a Compliance Statement, identify any potential non-compliances, are endorsed by the proponents Project Director and are available on the Albemarle website.</p> <p>Section 2.1 of this CAR identifies that the CAP is in the process of being updated to reflect changes to Conditions 9 and 10.</p>	Overall	Initial CAR by 26 January 2020 then annually afterwards.	Compliant	
MS1085: M5-1	Public availability of data	Subject to condition 5-2, within a reasonable time period approved by the CEO of the issue of this Statement and for the remainder of the life of the proposal the proponent shall make publicly available, in a manner approved by the CEO, all validated environmental data (including sampling design, sampling methodologies, empirical data and derived information products (e.g., maps)) relevant to the assessment of this proposal and implementation of this Statement.	No timeframe has been specified by the CEO; however, approval documents, including management plans with associated appended datasets relevant to the proposal assessment are publicly available via the Albemarle website. CARs and all associated compliance data are available via the Albemarle website.	Overall	Within a reasonable time period approved by the CEO.	Compliant	
MS1085: M5-2	Public availability of data	If any data referred to in condition 5-1 contains particulars of: <ul style="list-style-type: none"> a secret formula or process; or confidential commercially sensitive information; the proponent may submit a request for approval from the CEO to not make these data publicly available. In making such a request the proponent shall provide the CEO with an explanation and reasons why the data should not be made publicly available.	No environmental data considered confidential or commercially sensitive.	Overall	As required.	Not required at this stage	
MS1085: M6-1	Flora and vegetation	The proponent shall ensure that the construction and ongoing operation of the proposal is undertaken in a manner that avoids direct or indirect impacts to Threatened Flora and communities, including Glossy-leafed Hammer Orchid (<i>Drakaea elastica</i>), Dwarf Bee-orchid (<i>Diuris micrantha</i>), Dwarf Hammer-orchid (<i>Drakaea micrantha</i>), Banksia Woodlands of the Swan Coastal Plain and Low lying <i>Banksia attenuata</i> woodlands or shrublands outside of the Albemarle Development Envelope, as shown in Schedule 1.	<p>Albemarle ensures avoidance of direct and indirect impacts to Threatened Flora and communities through implementation of the Albemarle Kemerton Plant Flora and Vegetation Management Plan (FVMMP).</p> <p>Monitoring of the Banksia Woodland threatened ecological community (TEC) is undertaken annually to compare the vegetation condition, species richness and species density at permanently established transects and Photographic Monitoring Points (PMPs).</p> <p>Year 4 monitoring, undertaken in September 2022, identified vegetation to be in very good condition, with no change evident compared to previous surveys.</p>	Overall	For the life of the proposal as approved by the CEO.	Compliant	Also refer to findings in Table 3-2.

Audit Code	Subject	Requirement	Evidence	Phase	Timeframe	Status	Further Information
MS1085: M6-2	Flora and vegetation	<p>Prior to ground-disturbing activities or as otherwise agreed by the CEO, the proponent shall prepare and submit a Flora and Vegetation Monitoring and Management Plan (the Plan) to the CEO. The Plan shall:</p> <ol style="list-style-type: none"> (1) when implemented, substantiate and ensure that condition 6-1 is being met; (2) detail the proposed frequency, timing and indicative locations of Threatened Flora and Communities monitoring to be implemented during construction and operational phase of the Albemarle Plant; (3) specify management actions for potential impacts including but not limited to those from weeds, <i>Phytophthora cinnamomi</i> (Dieback), increased fire risk and litter, and changes to surface water and groundwater regimes that will be implemented during construction and operations to ensure the management objective in condition 6-1 is achieved; (4) specify trigger criteria that will trigger the implementation of contingency actions to prevent direct or indirect impacts to Threatened Flora and Communities outside of the Development Envelope; and (5) specify management or contingency actions to be implemented in the event that the criteria identified required by condition 6-2(4) have been triggered. 	<p>FVMMP Rev.1; 30 November 2018 (GHD, 2018a) was available on the Albemarle website. A letter acknowledging receipt and satisfaction with the plan received from Anthony Sutton Executive Director of DWER on 3 December 2018 (ref. DWERA-001672).</p>	Pre-construction	Prior to ground-disturbing activities or as otherwise agreed by the CEO.	Compliant	Also refer to findings in Table 3-2.
MS1085: M6-3	Flora and vegetation	<p>In the event that the monitoring specified in the Plan indicates that the criteria specified in the Plan have been triggered, the proponent shall:</p> <ol style="list-style-type: none"> (1) report such findings to the CEO within 21 days of the criteria being triggered; (2) provide evidence to the CEO which allows for determination of the likely cause of the trigger criteria being reached and to identify any additional contingency actions required to prevent the criteria being triggered in the future; and (3) if the triggering of the criteria is determined by the CEO to be a result of activities undertaken in implementing the proposal, immediately implement the management and/or contingency actions specified in the Flora and Vegetation Management and Monitoring Plan (FVMMP) and continue implementation of those actions until the trigger criteria are met, or until the CEO has confirmed by notice in writing that it has been demonstrated that the objective in condition 6-1 will continue to be met and implementation of the management and/or contingency actions is no longer required. 	<p>No criteria had been triggered. Year 4 monitoring, undertaken in September 2022, identified vegetation to be generally rated as very good condition, with no change evident compared to the 2018 baseline survey. Species richness and species density in the 2022 survey was equal or greater than for previous years.</p>	Overall	Within 21 days of the criteria being triggered.	Not required at this stage	
MS1085: M6-4	Flora and vegetation	The proponent may review and revise the FVMMP.	An updated FVMMP was submitted in May 2021, this has been further amended to reflect review comments and was ready to be re-submitted to the EPA service group for final approval (the changes to the FVMMP have been agreed with the EPA).	Pre-construction Construction	As required.	In progress	

Audit Code	Subject	Requirement	Evidence	Phase	Timeframe	Status	Further Information
MS1085: M6-5	Flora and vegetation	The proponent shall review and revise the FVMMP as and when directed by the CEO.	No request to review and revise the FVMMP has been received from the CEO.	Pre-construction Construction	As notified by the CEO.	Not required at this stage	See M6-4 above.
MS1085: M6-6	Flora and vegetation	The proponent shall implement the latest version of the FVMMP, which the CEO has confirmed by notice in writing, satisfies the requirements of condition 6-2.	The CEO confirmed the FVMMP (Rev.1; 30 November 2018) satisfied the requirements of condition 6-2 in a letter dated 3 December 2018 (ref. DWERA-001672). The FVMMP has been implemented (see relevant sections of this report for specific findings).	Overall	Following receipt in writing from the CEO that the latest Plan satisfies the requirements set out in condition 6-2.	Compliant	Also refer to findings in Table 3-2.
MS1085: M7-1	Water Management Plan	The proponent shall ensure that construction and ongoing operation of the proposal is undertaken in a manner that: <ul style="list-style-type: none"> maintains the quality and quantity of off-site surface and groundwater, to the receiving environment including but not limited to the Threatened Orchid habitat. 	Ongoing monitoring programs for water quality and vegetation has confirmed that the quality and quantity of off-site surface and groundwater has been maintained and there has been no adverse impact on the receiving environment (See findings below).	Overall	For the life of the proposal as approved by the CEO.	Compliant	
MS1085: M7-2	Water Management Plan	Prior to ground-disturbing activities or as otherwise agreed by the CEO, the proponent shall prepare and submit a Water Management Plan to the CEO, on the advice of the Department of Water and Environmental Regulation. The Plan shall: <ol style="list-style-type: none"> when implemented, substantiate and ensure that condition 7-1 is being met; specify management actions including but not limited to those from potential impacts from Acid Sulphate Soils, stormwater runoff and sedimentation) that will be implemented during construction and operations to ensure the management objective in condition 7-1 is achieved; detail the proposed frequency, timing and indicative locations of groundwater and surface water monitoring for potential contamination; specify trigger criteria that will trigger the implementation of contingency actions to prevent impacts to the receiving environment including Threatened Flora outside of the Development Envelope; specify management or contingency actions to be implemented in the event that the criteria identified required by condition 7-2(4) have been triggered. 	Correspondence from DWER (ref DWERA-001671) specified the submitted WMP Rev.1, 4 December 2018 met the requirements of condition 7 of MS-1085.	Pre-construction	Prior to ground-disturbing activities or as otherwise agreed by the CEO.	Compliant	
MS1085: M7-3	Water Management Plan	In the event that the monitoring specified in the Plan indicates that the criteria specified in the Plan have been triggered, the proponent shall: <ol style="list-style-type: none"> report such findings to the CEO within 21 days of the criteria being triggered; provide evidence to the CEO which allows for determination of the likely cause of the trigger criteria being reached and to identify any additional contingency actions required to prevent the criteria being triggered in the future; and 	Some elevated parameters were detected during 2021-22 monitoring program; however, monitoring reports specified that results were unlikely to be caused by site activities and are considered a result of background variation (consistent with previous monitoring result advice). Reporting of these exceedances to DWER is therefore not required. At the time of writing, submission of a draft updated Water Management Plan had been deferred following advice from EPA Services.	Overall	Within 21 days of the criteria being triggered.	Compliant	

Audit Code	Subject	Requirement	Evidence	Phase	Timeframe	Status	Further Information
		(3) if the triggering of the criteria is determined by the CEO to be a result of activities undertaken in implementing the proposal, immediately implement the management and/or contingency actions specified in the Plan and continue implementation of those actions until the trigger criteria are met, or until the CEO has confirmed by notice in writing that it has been demonstrated that the objective in condition 7-1 will continue to be met and implementation of the management and/or contingency actions is no longer required.					
MS1085: M7-4	Water Management Plan	The proponent may review and revise the Water Management Plan.	A draft updated WMP with site specific trigger values was submitted to the regulator in 2021. Following advice from the EP Service unit on the draft plan an update on the WMP has been deferred for the time being.	Pre-construction Construction	As required.	In progress	
MS1085: M7-5	Water Management Plan	The proponent shall review and revise the Water Management Plan as and when directed by the CEO.	The CEO has not yet directed that the WMP be reviewed and revised.	Pre-construction Construction	As notified by Albemarle or as and when required by the CEO.	Not required at this stage	
MS1085: M7-6	Water Management Plan	The proponent shall implement the latest version of the Water Management Plan, which the CEO has confirmed by notice in writing, satisfies the requirements of condition 7-2.	Correspondence from DWER (ref DWERA-001671) indicating the submitted WMP meets the requirements of condition 7.2 of MS-1085. Surface and groundwater monitoring records demonstrated that quarterly groundwater and monthly surface water monitoring programs had been implemented in accordance with the approved WMP (Wood, 2018d).	Overall	Following receipt in writing from the CEO that the latest Plan satisfies the requirements set out in condition 7-2.	Compliant	Also refer to findings in Table 3-2.
MS1085: M8-1	Terrestrial Environment Quality (Waste management)	During operation of Albemarle Lithium Plant, the proponent shall ensure that all reasonable and practicable measures have been undertaken to minimise the generation of waste and its discharge into the environment.	A draft Waste Management Plan (Rev 1) had been prepared detailing measures have been undertaken to minimise the generation of waste and its discharge into the environment.	Operation	For the life of the proposal as approved by the CEO.	In progress	
MS1085: M8-2	Terrestrial Environment Quality (Waste management)	Within 3 years of the publication of this Statement or as otherwise agreed by the CEO, the proponent shall prepare and submit a Waste Management Plan to the CEO. The Waste Management Plan shall: (1) when implemented, substantiate and ensure that condition 8-1 is being met; (2) specify targets to be met, and detail actions undertaken to meet those targets by applying principles of Waste Management Hierarchy including Avoidance, Recovery and Disposal; (3) quantify the outcome/s of applying the principle of the "Recovery (re-use, reprocessing, recycling); and (4) provide evidence that all reasonable and practicable measures have been undertaken to Avoid and Recover waste.	Revision 1 of the Waste Management Plan (P-74211-0000-HS00-PLN-0001) was submitted to DWER on 28 September 2022. At the time of writing the proponent were awaiting notice from the CEO regarding the adequacy of the plan.	Operation	Within 3 years of the publication of the Ministerial Statement or as otherwise agreed by the CEO.	In progress	

Audit Code	Subject	Requirement	Evidence	Phase	Timeframe	Status	Further Information
MS1085: M8-3	Terrestrial Environment Quality (Waste management)	After receiving notice in writing from the CEO that the Waste Management Plan satisfies the requirements of condition 8-2, the proponent shall: (1) implement the actions in accordance with the requirements of the approved Waste Management Plan; and (2) continue to implement the approved Waste Management Plan until the CEO has confirmed by notice in writing that it has been demonstrated that the targets specified in condition 8-2 have been met and therefore the implementation of the actions is no longer required.	See MS-1085: M8-2.	Operation	After receiving notice in writing from the CEO that the Waste Management Plan satisfies the requirements of condition 8-2 and until the CEO has confirmed by notice in writing that it has been demonstrated that the targets specified in condition 8-2 have been met.	In progress	
MS1085: M8-4	Terrestrial Environment Quality (Waste management)	The proponent may review and revise the Waste Management Plan.	See MS-1085: M8-2.	Operation	As required.	Not required at this stage	
MS1085: M8-5	Terrestrial Environment Quality (Waste management)	The proponent shall review and revise the Waste Management Plan as and when directed by the CEO.	See MS-1085: M8-2.	Operation	As notified by Albemarle or as and when required by the CEO.	Not required at this stage	
MS1085: M8-6	Terrestrial Environment Quality (Waste management)	The proponent shall implement the latest version of the Waste Management Plan, which the CEO has confirmed by notice in writing, satisfies the requirements of condition 8-2.	In accordance with the proposed Waste Management Plan an area by area baseline site waste assessment has been undertaken by Veolia and a 'Site Waste Service Plan – Albemarle' had been established. Implementation had commenced; however, due to operations not having commenced, several listed waste types were yet to be generated in sufficient quantities to require collection and disposal.	Operation	Following receipt in writing from the CEO that the latest Plan satisfies the requirements set out in condition 8-2.	In progress	
MS1187: M9-1	Greenhouse gas (GHG) management	Subject to condition 9-3, the proponent shall take measures to ensure the PS Net GHG Emissions do not exceed: (1) 956,000 tCO ₂ -e for the period 1 January 2021 to 31 Dec 2024; (2) 1,195,000 tCO ₂ -e for the period 1 January 2025 to 31 Dec 2029; (3) 1,186,000 tCO ₂ -e for the period 1 January 2030 to 31 Dec 2034; (4) 1,110,000 tCO ₂ -e for the period 1 January 2035 to 31 Dec 2039; (5) 960,000 tCO ₂ -e for the period 1 January 2040 to 31 Dec 2044; (6) 700,000 tCO ₂ -e for the period 1 January 2045 to 31 Dec 2049; (7) zero tonnes of CO ₂ -e for every five year period from 1 January 2050 onwards.	Operations had not commenced during the reporting period.	Operations	For the life of the proposal as approved by the CEO.	Not required at this stage	
MS1187: M9-2	GHG management	Subject to condition 9-3, the proponent shall take measures to ensure the Plant Net GHG Emissions do not exceed:	See MS-1085: M9-1	Operations	For the life of the proposal as approved by the CEO.	Not required at this stage	

Audit Code	Subject	Requirement	Evidence	Phase	Timeframe	Status	Further Information
		(1) 1,240,000 tCO2-e for the period 1 January 2025 to 31 Dec 2024; (2) 1,550,000 tCO2-e for the period 1 January 2021 to 31 Dec 2029; (3) 1,000,000 tCO2-e for the period 1 January 2030 to 31 Dec 2034; (4) 1,000,000 tCO2-e for the period 1 January 2035 to 31 Dec 2039; (5) 1,000,000 tCO2-e for the period 1 January 2040 to 31 Dec 2044; (6) 740,000 tCO2-e for the period 1 January 2045 to 31 Dec 2049; (7) zero tonnes of CO2-e for every five year period from 1 January 2050 onwards.					
MS1187: M9-3	GHG management	Where the times between the Commencement of Operations and the end of a period specified in conditions 9-1 and 9-2 is less than five years, the PS Net GHG Emissions or Plant Net GHG Emissions limit for that period is to be determined in accordance with the following formula: $\text{Reduced Net GHG Emissions limit} = \frac{A}{B} * C$ Where: A is the relevant Net GHG Emissions limit for the periods as specified in condition 9-1 or 9-2. B is the time (in days) in the relevant period. C is the days remaining between the Commencement Date and the end of the relevant period.	See MS-1085: M9-1	Operations	For the life of the proposal as approved by the CEO.	Not required at this stage	
MS1187: M9-4	GHG management	The proponent shall implement the Albemarle Kemerton Plant Greenhouse Gas Management Plan (Final Version, 8 October 2021) which includes the following: (1) is consistent with the achievement of the PS Net GHG Emissions and Plant Net GHG Emissions limits in conditions 9-1 and 9-2 subject to the adjustment provided for in condition 9-3 (or achievement of emission reductions beyond those required by those emission limits); (2) estimated Proposal GHG Emissions and Emissions Intensity for the life of the proposal; (3) compare estimated Proposal GHG Emissions and Emissions Intensity for the life of the proposal against other 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 9-4(4); and	Version 3 of the GHG Management Plan (08-10-2021) was approved based on the approval of MS 1187, which requires implementation of the plan). The GHG Management Plan was being implemented, where applicable for construction, and GHG efficient design being developed for operation; including, measures related to the selection of fuel and energy sources, plant process and technology that maximise energy efficiency and reduce emissions. Examples where energy efficiency measures have been incorporated in the design include: <ul style="list-style-type: none"> The Causticisation heat exchanger is an example of heat recovery. The MVR units have intrinsic heat recovery by design. Improved water balance example is a general preference of using condensate rather than fresh RO water to produce the process water used on the belt filters. 	Operations	For the life of the proposal as approved by the CEO.	Compliant	

Audit Code	Subject	Requirement	Evidence	Phase	Timeframe	Status	Further Information
		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.	Construction activities do not require reporting as emissions do not exceeding threshold levels (estimated 20,617 t CO ₂ -e (6,774 t CO ₂ -e diesel consumption and 13,843 t CO ₂ -e loss of carbon sink from vegetation clearing).				
MS1187: M9-5	GHG management	The proponent: (1) may revise and submit to the CEO the Confirmed Greenhouse Gas Management Plan at any time; (2) must revise and submit to the CEO the Confirmed Greenhouse Gas Management Plan if there is a material risk that conditions 9-1 and 9-2 will not be complied with, including but not limited to as a result of a change to the proposal; (3) must revise and submit to the CEO the Confirmed Greenhouse Gas Management Plan by the date that the first five (5) yearly consolidated report is required to be submitted under condition 9-10(1) and every five (5) years after that date; and (4) must revise and submit to the CEO the Confirmed Greenhouse Gas Management Plan as and when directed to by the CEO.	Version 3 of the GHG Management Plan (08-10-2021) was approved through the approval of MS 1187. There have been no updates or revisions since the approval of MS 1187.	Operations	For the life of the proposal as approved by the CEO.	Not required at this stage	
MS1187: M9-6	GHG management	Within one (1) month of receiving confirmation in writing from the CEO that: (1) the Greenhouse Gas Management Plan referred to in condition 9-4 satisfies condition 9-4; or (2) any subsequent version of the Confirmed Greenhouse Gas Management plan submitted under condition 9-5 satisfies condition 9-4, the proponent must submit a separate summary of the relevant plan to the CEO for public disclosure, which must: (3) include a summary of the matters specified in conditions 9-4(1) to 9-4(4); and (4) be published as required by condition 9-11(2).	See MS-1085: M9-1	Operations	For the life of the proposal as approved by the CEO.	Not required at this stage	
MS1187: M9-7	GHG management	The proponent shall implement the most recent version of the Confirmed Greenhouse Gas Management Plan until the CEO has confirmed by notice in writing that it has been demonstrated that the Net GHG Emission limits in conditions 9-1 and 9-2 have been met.	See MS-1085: M9-1	Operations	For the life of the proposal as approved by the CEO.	Not required at this stage	
MS1187: M9-8	GHG management	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 calendar year: (1) the quantity of Proposal GHG Emissions and lithium hydroxide produced; and (2) the Emissions Intensity for the proposal.	See MS-1085: M9-1	Operations	For the life of the proposal as approved by the CEO.	Not required at this stage	

Audit Code	Subject	Requirement	Evidence	Phase	Timeframe	Status	Further Information
MS1187: M9-9	GHG management	<p>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 fifth year thereafter:</p> <p>(1) a consolidated report specifying:</p> <ul style="list-style-type: none"> a) for each of the preceding five (5) calendar years, the matters referred to in conditions 9-8(1) and (2); b) for the period specified in condition 9-1 and 9-2 that ended on 30 June of the year before the report is due: <ul style="list-style-type: none"> i. the quantity of Proposal GHG Emissions; ii. the Net GHG Emissions, PS Net GHG Emissions and Plant Net GHG Emissions; iii. 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, PS Net GHG Emissions and Plant Net GHG Emissions; referred to in condition 9-9(1)(b) ii, including written evidence of such retirement or cancellation; and iv. any measures that have been implemented to avoid or reduce Proposal GHG Emissions; <p>(2) an audit and peer review report of the consolidated report required by condition 9-9(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.</p>	See MS-1085: M9-1	Operations	For the life of the proposal as approved by the CEO.	Not required at this stage	

Audit Code	Subject	Requirement	Evidence	Phase	Timeframe	Status	Further Information
MS1187: M9-10	GHG management	<p>A consolidated report referred to in condition 9-9(1) must be accompanied by:</p> <ul style="list-style-type: none"> (1) a revision of the Confirmed Greenhouse Gas Management Plan under condition 9-5(3); and (2) a separate summary report, for the period specified in conditions 9-1 and 9-2 that ended on 30 June of the year before the report is due and any previous periods specified in condition 9-1 and 9-2, and which includes: <ul style="list-style-type: none"> a) a graphical comparison of PS Net GHG Emissions with the PS Net GHG Emissions limits detailed in conditions 9-1 (subject to the adjustment provided for in condition 9-3); b) a graphical comparison of Plant Net GHG Emissions with the Plant Net GHG Emissions limits detailed in condition 9-2 (subject to the adjustment provided for in condition 9-3); c) proposal Emissions Intensity compared to comparable facilities; d) a summary of measures undertaken by the proponent to avoid or reduce Proposal GHG Emissions for compliance periods detailed in conditions 9-1 and 9-2; and e) a clear statement as to whether limits for PS Net GHG Emissions and Plant Net GHG Emissions set out in conditions 9-1 and 9-2 have been met, and whether future PS Net GHG Emissions and Plant 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. 	See MS-1085: M9-1	Operations	For the life of the proposal as approved by the CEO.	Not required at this stage	
MS1187: M9-11	GHG management	<p>The proponent shall make the Confirmed Greenhouse Gas Management Plan, the summary of that plan, and all reports required by condition 9 publicly available on the proponent's website within the timeframes specified below for the life of the proposal, or in any other manner or time specified by the CEO:</p> <ul style="list-style-type: none"> (1) any Confirmed Greenhouse Gas Management Plan, within two (2) weeks of receiving written confirmation from the CEO as referred to in condition 9-6; (2) the summary of any Confirmed Greenhouse Gas Management Plan referred to in condition 9-6 and the reports referred to in conditions 9-8, 9-9 and 9-10 within two (2) weeks of submitting the document to the CEO. 	See MS-1085: M9-1	Operations	For the life of the proposal as approved by the CEO.	Not required at this stage	

Audit Code	Subject	Requirement	Evidence	Phase	Timeframe	Status	Further Information
MS1187: M10-1	Offsets	<p>The proponent shall undertake an offset with the objective of counterbalancing the significant residual impact to 40.4 ha of foraging habitat, including 9.12 ha of potential breeding habitat for Carnaby's Black Cockatoo (<i>Calyptorhynchus latirostris</i>), Forest Red-tailed Black Cockatoo (<i>Calyptorhynchus banksii naso</i>) and Baudin's Black Cockatoo (<i>Calyptorhynchus baudinii</i>) as a result of implementation of the proposal.</p>	<p>Offset strategy prepared and submitted (see findings for MS-1187 10-1 to 10.5 below).</p> <p>An offset area has been identified and a subdivision application for the offset area has been logged with the Department of Planning.</p> <p>At the time of writing the Offset Strategy and estimate of the costs was being revised prior to further meetings with Development WA and DBCA.</p>	Overall	As defined in the offset strategy.	In progress	MS-1187 issued 15 March 2022.
MS1187: M10-2	Offsets	<p>Within twelve months of the publication of this Statement, the proponent shall prepare and submit an Offset Strategy to the CEO. The Offset Strategy shall:</p> <ol style="list-style-type: none"> (1) identify an initially unprotected area or areas to be protected and managed for conservation that contains the Priority Ecological Community and foraging habitat values identified in condition 10-1; (2) demonstrate how the proposed offset counterbalances the significant residual impact through consideration of the six principles and completion of the WA Offsets Template, as described in the WA Environmental Offsets Guidelines 2014, and the Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy (October 2012) in conjunction with the associated Offsets assessment guide; (3) identify the environmental values of the offset area(s); (4) commit to a protection mechanism for any areas of land acquisition, being either the area is ceded to the Crown for the purpose of conservation, or the area is managed under other suitable mechanisms as agreed by the CEO; (5) if any land is to be ceded to the Crown for the purpose of conservation, the proponent will identify: <ol style="list-style-type: none"> a) the quantum of, and provide funds for, the upfront works associated with establishing the conservation area; b) the quantum of, and provide a contribution of funds for, the management of this area for the first 20 years after completion of purchase, and c) an appropriate management body for the ceded land. (6) identify any threats to offset values and provide management and/or rehabilitation actions to be undertaken to address the threats including: <ol style="list-style-type: none"> a) the objectives and targets to be achieved, including completion criteria; b) management and/or rehabilitation actions and a timeframe for the actions to be undertaken; c) funding arrangements and timing of funding for conservation activities; and d) monitoring requirements for activities. 	<p>Offset Strategy prepared and submitted in October 2019 (Albemarle Kemerton Plant Offset Strategy ref- ALB-KEM-PLA-01). The strategy is currently being assessed by DWER.</p> <ul style="list-style-type: none"> • Email to DBCA (15/07/2020) sighted with updated Offset Strategy (Rev 1 25/06/20) and appendices; and formal request for confirmation that the offset strategy and cost estimate is adequate. • Offset report 'Lot 42 Wellesley Road North, Kemerton Offset Site Study Report (June 2018) prepared, including identification of environmental values and assessment against the "six principles". • Offset Strategy includes; management actions (Section 8.3), threats and response mechanisms (Section9), objectives, targets and completion criteria (Section 10), monitoring requirements (Section 11) and roles and responsibilities (Section 13). • Offset strategy states Albemarle is proposing to undertake a land acquisition and transferring it to conservation estate as an offset for the significant residual impact of the Proposal. • Email to Development WA from Clayton Brandwood (20/07/2020) identifying an 81ha offset area and requesting subdivision plan to progress transfer of land to the crown. • A subdivision application for the offset area has been logged with the Department of Planning (confirmed by email from Development WA, Simon Thompson 17-11-20) • Detailed discussion with DBCA on offset activities and costs is underway now the s46 application has been approved. 	Overall	26 October 2019	Compliant	

Audit Code	Subject	Requirement	Evidence	Phase	Timeframe	Status	Further Information
		(7) define the role of the proponent and/or any third parties.	<ul style="list-style-type: none"> Twenty-year cost management estimate submitted by Albemarle (NACMS, 2018) was considered by DBCA to be commensurate with DBCA's expectations for similar conservation areas. Offset Strategy and twenty year cost estimate is in process of being updated. 				
MS1187: M10-3	Offsets	<p>After receiving notice in writing from the CEO, on advice of the Department of Biodiversity, Conservation and Attractions, that the Offset Strategy satisfies the requirements of condition 10-2, the proponent shall:</p> <p>(1) implement the actions in accordance with the requirements of the approved Offsets Strategy; and</p> <p>(2) continue to implement the approved Offset Strategy until the CEO has confirmed by notice in writing that it has been demonstrated that the completion criteria in the Offset Strategy have been met and therefore the implementation of the actions is no longer required.</p>	Albemarle Kemerton Plant awaiting response from the Department whether the Strategy satisfies the requirements of condition 10-2. DBCA have provided initial comment on the Offset Strategy.	Overall	After receiving notice in writing from the CEO, that the Offset Strategy satisfies the requirements of condition 10-2 and until the CEO has confirmed by notice in writing that it has been demonstrated that the completion criteria in the Offset Strategy have been met and therefore the implementation of the actions is no longer required.	In progress	
MS1187: M10-4	Offsets	The proponent shall review and revise the Offset Strategy as and when directed by the CEO.	No formal request received from CEO to update Offset Strategy; however, email to DBCA (15/07/2020) sighted with updated Offset Strategy (Rev 1 25/06/20) and appendices.	Overall	As required.	Not required at this stage	It is acknowledged that the Strategy will require refining through further discussions with DBCA and EPA.
MS1187: M10-5	Offsets	The proponent shall implement the latest version of the Offset Strategy, which the CEO has confirmed by notice in writing, satisfies the requirements of condition 10-2.	Albemarle Kemerton Plant awaiting response from the Department whether the Strategy satisfies the requirements of condition 10-2.	Overall	As defined in the Offset Strategy.	In progress	As per condition 10-3.

Table 3-2: Environmental Management Plans Objective's Status

EMP	Subject	Key Objectives	Target	Status	Comments
FVMMP	Orchids	Avoid indirect impact to known threatened orchid species.	No reportable decline of nearby Endangered/ Declared Rare Flora (DRF) <i>Drakaea elastica</i> individuals or habitat, attributable to the Project.	Compliant	Year 4 annual vegetation survey undertaken in September 2022. The survey report (Onshore Environmental, 2022) identified no reportable decline of nearby Endangered/ Declared Rare Flora (DRF) <i>Drakaea elastica</i> individuals or habitat, attributable to the Project.
FVMMP	TEC/PEC	Avoid indirect impact to vegetation and flora (<i>Banksia</i> Woodland TEC / Low lying <i>Banksia attenuata</i> woodlands or shrublands PEC) outside of the Development Envelope.	No reportable decline to adjacent areas representative of the Banksia Woodlands of the Swan Coastal Plain TEC/ Low lying <i>Banksia attenuata</i> woodlands or shrublands PEC, attributable to the Project. No incidents of fire originating within, and spreading outside of, the Development Envelope.	Compliant	Monitoring of the Banksia Woodland TEC undertaken in September 2022 compared the vegetation condition, species richness and species density at permanently established transects and Photographic Monitoring Points (PMPs). The survey report (Onshore Environmental, 2022) identified no statistical differences ($p > 0.5$) between species richness or species densities between the base survey in 2018 (GHD, 2018b) and subsequent annual surveys at any of the monitoring transects or control transects (GHD, 2019a), (GHD, 2020) or (Onshore Environmental, 2021). A review of the project incident register confirmed no incidents of fire had been recorded within the development envelope.
FVMMP	Clearing	Avoid clearing or removal of vegetation and flora (<i>Banksia</i> Woodland TEC / Low lying <i>Banksia attenuata</i> woodlands or shrublands PEC) outside of the Development Envelope.	No incidents of vegetation clearing outside of the approved Development Envelope.	Compliant	No clearing undertaken during the reporting period. No further clearing anticipated.

EMP	Subject	Key Objectives	Target	Status	Comments
FVMMP	Weeds	Prevent introduction and/or spread of weeds into adjacent areas.	No new Declared Weeds or Weeds of National Significance within surrounding vegetation, attributable to the Project. No significant increase in weed cover within immediately adjacent vegetation, attributable to the Project.	Compliant	Quarterly weed surveys have identified no discernible changes in weedy grass or herb densities and new weed species. All vehicles and mobile equipment coming to site are required to complete a hygiene inspection as per the Vehicles, Mobile Plant and Equipment procedure (Doc. No. 606541-7400-AA00-PRO-0011). Records of inspections sighted.
FVMMP	Dieback	Prevent introduction and/or spread of Dieback into adjacent areas.	No evidence of new Dieback infestation identified within immediately adjacent areas/vegetation resulting from the Project.	Compliant	Quarterly Phytophthora dieback surveys have identified no signs of new occurrences of Dieback infestations within the survey area.
Water MP	Water	To ensure that the quality and quantity of surface water and groundwater flows from the site are maintained relative to pre-development conditions, to protect the receiving environment.	To not exceed trigger values for process related analytes.	Compliant	Quarterly groundwater monitoring program in 2021-22 identified some elevated parameters; however, Tier 2 assessments had been undertaken and all exceedances could be attributed to background concentrations that were not associated with site activities. At the time of writing a revised Water Management Plan with site specific trigger values had been submitted and comments had been received from DWER. Final changes were awaiting formal approval from DWER.
GHG MP	GHG emissions	Avoid, where possible, and minimise greenhouse gas emissions as far as practicable.	The minimisation of scope 1 and scope 2 emissions arising from the construction phase and operation of the facility.	Not required at this stage	There are no scope 2 emissions during construction. Construction emissions are estimated to be approximately 3% of peak operational emissions. Operations had not commenced during the reporting period.

4 REFERENCES

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- GHD. (2017). *Albemarle Kemerton Plant. Environmental Management Plan, Rev 0 (November 2017)*.
- GHD. (2018a). *Flora and Vegetation Management Plan Rev. 1; 30 November 2018*.
- GHD. (2018b). *Banksia Woodland Threatened Ecological Community and Drakaea elastica Baseline Monitoring*. Unpublished report prepared for Albemarle Lithium Pty Ltd, Perth.
- GHD. (2019a). *Banksia Woodland Threatened Ecological Community and Drakaea elastica First Year Monitoring (November 2019)*. Unpublished report prepared for Albemarle Lithium Pty Ltd, Perth.
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- NACMS. (2018). *Lot 42, Wellesley Road North, Kemerton Offset Site 20 Year Management Estimate*. Perth: Natural Areas Consulting Management Services.
- OEPA. (2012). *Post Assessment Guideline for Preparing a Compliance Assessment Report, Post Assessment Guideline No. 3*. East Perth, WA: Office of the Environmental Protection Authority, Western Australia (August 2012).
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- RPS. (2020). *Annual Compliance Report for 2019 for Water Mangement Plan (EWP72723.008) Rev 0 (26 March 2020)*.
- Wood. (2018a). *Albemarle Kemerton Plant. Flora and Vegetation Monitoring and Management Plan, Rev 1 (November 2018)*.
- Wood. (2018b). *Albemarle Kemerton Plant. Greenhouse Gas Management Plan, Rev 1 (November 2018)*.
- Wood. (2018c). *Albemarle Kemerton Plant. Compliance Assessment Plan, Rev 1 (November 2018)*.
- Wood. (2018d). *Albemarle Kemerton Plant. Water Management Plan, Rev 1 (December 2018)*.
- Wood. (2019a). *Albemarle Kemerton Plant. Construction Environmental Management Plan, Rev 2 (January 2019)*.

Wood. (2019b). *Albemarle Kemerton Plant. Emergency Management Plan, Rev 1 (March 2019)*.

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APPENDICES

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Appendix A: Post Assessment Form for Statement of Compliance

Statement of Compliance

1. Proposal and Proponent Details

Proposal Title	The proposal is for the construction and operation of the Albemarle Kemerton Plant, and associated infrastructure, within the Kemerton Strategic Industrial Area (KSIA), approximately 17 kms north-east of Bunbury Western Australia. The proposal includes construction of up to five lithium hydroxide product process trains and associated infrastructure.
Statement Number	1085 and 1187
Proponent Name	Albemarle Lithium Pty Ltd
Proponent's Australian Company Number <i>(where relevant)</i>	618 095 471

2. Statement of Compliance Details

Reporting Period	26/10/21 to 25/10/22
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Implementation phase(s) during reporting period (please tick ✓ relevant phase(s))							
Pre-construction		Construction	✓	Operation		Decommissioning	

Audit Table for Statement addressed in this Statement of Compliance is provided at Attachment:	Section 3.1

Were all implementation conditions and/or procedures of the Statement complied with within the reporting period? (please tick ✓ the appropriate box)			
No (please proceed to Section 3.1.1)		Yes (please proceed to Section 4)	✓

Each page (including Attachment 2) must be initialed by the person who signs Section 4 of this Statement of Compliance.
INITIALS: DL

3. Details of Non-compliance(s) and/or Potential Non-compliance(s)

The information required Section 3 must be provided for each non-compliance or potential non-compliance identified during the reporting period covered by this Statement of Compliance.

Non-compliance/potential non-compliance 3-1

Which implementation condition or procedure was non-compliant or potentially non-compliant? 2-1
Was the implementation condition or procedure non-compliant or potentially non-compliant? Potentially non-compliant
On what date(s) did the non-compliance or potential non-compliance occur (if applicable)? 17-01-2023

Was this non-compliance or potential non-compliance reported to the Chief Executive Officer, DWER?	
<input type="checkbox"/> Yes <input type="checkbox"/> Reported to DWER verbally Date _____ <input type="checkbox"/> Reported to DWER in writing Date _____	<input checked="" type="checkbox"/> No

What are the details of the non-compliance or potential non-compliance and where relevant, the extent of and impacts associated with the non-compliance or potential non-compliance? Administrative - No impact. The proponents address on the website is not the same as the Ministerial Statement. The previous contact address in the ACT has now been changed to Level 7, 179 St Georges Terrace, Perth 6000.
What is the precise location where the non-compliance or potential non-compliance occurred (if applicable)? (please provide this information as a map or GIS co-ordinates) N/A
What was the cause(s) of the non-compliance or potential non-compliance? With the joint venture now in place, it is to be confirmed whether Albemarle Lithium or MARBL Lithium Operations will be the proponent for the Kemerton Plant approvals. If confirmed, the relevant changes will be made to the proponent contact and address details and a notice of change will be provided to EPA Service Unit.
What remedial and/or corrective action(s), if any, were taken or are proposed to be taken in response to the non-compliance or potential non-compliance? CEO informed of change via the CAR.
What measures, if any, were in place to prevent the non-compliance or potential non-compliance before it occurred? What, if any, amendments have been made to those measures to prevent re-occurrence? N/A
Please provide information/documentation collected and recorded in relation to this implementation condition or procedure: <ul style="list-style-type: none"> • in the reporting period addressed in this Statement of Compliance; and • as outlined in the approved Compliance Assessment Plan for the Statement addressed in this Statement of Compliance. (the above information may be provided as an attachment to this Statement of Compliance)

For additional non-compliance or potential non-compliance, please duplicate this page as required.

Each page (including Attachment 2) must be initialed by the person who signs Section 4 of this Statement of Compliance.

INITIALS: _____ *B/L*

ATTACHMENT 1

Table 1 Compliance Status Terms

Compliance Status Terms	Abbrev	Definition	Notes
Compliant	C	Implementation of the proposal has been carried out in accordance with the requirements of the audit element.	This term applies to audit elements with: <ul style="list-style-type: none"> ongoing requirements that have been met during the reporting period; and requirements with a finite period of application that have been met during the reporting period, but whose status has not yet been classified as 'completed'.
Completed	CLD	A requirement with a finite period of application has been satisfactorily completed.	This term may only be used where: <ul style="list-style-type: none"> audit elements have a finite period of application (e.g. construction activities, development of a document); the action has been satisfactorily completed; and the DWER has provided written acceptance of 'completed' status for the audit element.
Not required at this stage	NR	The requirements of the audit element were not triggered during the reporting period.	This should be consistent with the 'Phase' column of the audit table.
Potentially Non-compliant	PNC	Possible or likely failure to meet the requirements of the audit element.	This term may apply where during the reporting period the proponent has identified a potential non-compliance and has not yet finalized its investigations to determine whether non-compliance has occurred.
Non-compliant	NC	Implementation of the proposal has not been carried out in accordance with the requirements of the audit element.	This term applies where the requirements of the audit element are not "complete" have not been met during the reporting period.
In Process	IP	Where an audit element requires a management or monitoring plan be submitted to the DWER or another government agency for approval, that submission has been made and no further information or changes have been requested by the DWER or the other government agency and assessment by the DWER or other government agency for approval is still pending.	The term 'In Process' may not be used for any purpose other than that stated in the Definition Column. The term 'In Process' may not be used to describe the compliance status of an implementation condition and/or procedure that requires implementation throughout the life of the project (e.g. implementation of a management plan).

Each page (including Attachment 2) must be initialed by the person who signs Section 4 of this Statement of Compliance.

INITIALS: _____ *BR*

4. Proponent Declaration

I, Beverley East, (full name and position title),
 declare that I am authorised on behalf of Albemarle Lithium Ptd Ltd.
 (being the person responsible for the proposal) to submit this form and that the information
 contained in this form is true and not misleading.

Signature: Beverley East Date: 23/01/23

Please note that:

- it is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give or cause to be given information that to his knowledge is false or misleading in a material particular; and
- the Chief Executive Officer of the DWER has powers under section 47(2) of the *Environmental Protection Act 1986* to require reports and information about implementation of the proposal to which the statement relates and compliance with the implementation conditions.

5. Submission of Statement of Compliance

One hard copy and one electronic copy (preferably PDF on CD or thumb drive) of the Statement of Compliance are required to be submitted to the Chief Executive Officer, DWER, marked to the attention of Manager, Compliance (Ministerial Statements).

Please note, the DWER has adopted a procedure of providing written acknowledgment of receipt of all Statements of Compliance submitted by the proponent, however, the DWER does not approve Statements of Compliance.

6. Contact Information

Queries regarding Statements of Compliance, or other issues of compliance relevant to a Statement may be directed to Compliance (Ministerial Statements), DWER:

Manager, Compliance (Ministerial Statements)**Department of Water and Environmental Regulation**

Postal Address: Locked Bag 10
 Joondalup DC
 WA 6919

Phone: (08) 6364 7000

Email: compliance@dwer.wa.gov.au

7. Post Assessment Guidelines and Forms

Post assessment documents can be found at www.epa.wa.gov.au

Each page (including Attachment 2) must be initialed by the person who signs Section 4 of this Statement of Compliance.

INITIALS: BE

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Appendix B: Documentary Evidence (Electronic)

Click on the link below to access evidence and supporting documentation for the Albemarle Kemerton Lithium Plant 2021-22 CAR.

[2021-22 CAR Evidence Folder](#)

Appendix C: Compliance Status Definitions

Compliance Status	Definition	Notes
Compliant	Implementation of the proposal has been carried out in accordance with the requirements of the audit element.	This term applies to audit elements with: <ul style="list-style-type: none"> Ongoing requirements that have been met during the reporting period; and Requirements with a finite period of application that have been met during the reporting period, but whose status has not yet been classified as 'completed'.
Completed	A requirement with a finite period of application has been satisfactorily completed.	This term may only be used where: <ul style="list-style-type: none"> Audit elements have a finite period of application (e.g., construction activities, development of a document); The requirement has been satisfactorily completed; and The Office of the Environmental Protection Authority (EPA Services) has provided written acceptance of 'completed' status for the audit element.
Not required at this stage	The requirements of the audit element were not triggered during the reporting period.	This should be consistent with the 'phase' column of the audit table.
Potentially Non-Compliant	Possible or likely failure to meet the requirements of the audit element.	This term may only be used where during the reporting period the proponent has identified a potential noncompliance and has not yet finalised its investigations to determine whether noncompliance has occurred. Where this term is used, the proponent should advise when investigations will be finalised and provide follow up advice of the outcome.
Non-compliant	Implementation of the proposal has not been carried out in accordance with the requirements of the audit element.	This term applies where the requirements of the audit element have not been met during the reporting period and its status is not 'completed'.
In Progress	Where an audit element requires a management or monitoring plan be submitted to the EPA Services or another government agency for approval, that submission has been made and no further information or changes have been requested by the EPA Services or the other government agency and assessment by the EPA Services or other government agency for approval is still pending.	The term 'In process' must only be used for the purpose stated in the definition column. 'In process' may not be used to describe the compliance status of an implementation condition and/or procedure that requires ongoing implementation throughout the life of the project (e.g., implementation of a management plan).