



2022-23 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 (**MS-1085**) for the Albemarle Kemerton Lithium Plant proposal (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.

It is noted that, following assessment of a section 46 application to amend implementation conditions under the *WA Environmental Protection Act 1986* (EP Act), Ministerial Statement 1187 (**MS-1187**) was approved on 15 March 2022. Under this approval, Conditions 9 and 10 of MS-1085 have been replaced by Conditions 9 and 10 of MS-1187.

A review of the Project's 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.

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 2023 to compare the vegetation condition, species richness and species density at permanently established transects and Photographic Monitoring Points (**PMPs**) identified that species richness was lower in all quadrats than 2022. This could be due to not all species being identified. Precise data will be collected in early spring 2024 and compared to the initial survey conducted in 2018 by GHD (2019).

There was no noticeable evidence to suggest the Project to date is having a detrimental effect on vegetation within the five quadrats along each of the four transects.

Ongoing quarterly surface water and groundwater monitoring programs for water quality and annual vegetation surveys have 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
DBCA	Department of Biodiversity, Conservation and Attractions
DCCEEW	Department of Climate Change, Energy, the Environment and Water
DEMIRS	Department of Energy, Mines, Industry Regulation and Safety
DoEE	Department of the Environment and Energy
DRF	Declared Rare Flora
DWER	Department of Water and Environmental Regulation
EMP	Environmental Management Plan
EP Act	<i>Environmental Protection Act 1986</i>
EPA	Environmental Protection Authority
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
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
Project, the	Kemerton Lithium Plant Proposal
SWIS	South West Interconnected System
TEC	Threatened Ecological Community
WMP	Water Management Plan
WoNS	Weed of National Significance

1 INTRODUCTION

1.1 Project Details

The Kemerton Lithium Plant proposal refers to the construction and operation of a lithium manufacturing plant and associated infrastructure, within the 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 monohydrate product and up to 200,000 tonnes of sodium sulphate anhydrous by-product per year. Smaller quantities of salts of potassium (SoP) and lithium sulphate solution are also produced as by-products. Up to 1.1 million tonnes of processed aluminosilicate material (tailings) will also be produced.

As an approximation, the production ratios (indexed to 100 for the input of spodumene concentrate) are: Spodumene Concentrate	Lithium Hydroxide Monohydrate	Sodium Sulphate Anhydrous	Salts of Potassium	Lithium Sulphate Solution	Processed Aluminosilicate Material (Tailings)
SC6.0	LHM	SSA	SoP	Li Solution	Aluminosilicates / LAS / Tailings
100 :	10 :	20 :	<1 :	1.5 :	110

The lithium hydroxide monohydrate product will be transported 155 km by road to the Port of Fremantle for export.

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 MS-1085 and MS-1187.

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 the Project's 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 MS-1187. The CAR also provides a summary of how implementation of the environmental management plans has met defined environmental objectives during the reporting period.

During the reporting period, Albemarle applied to change the reporting period from 26 October – 25 October each year to 1 January – 31 December each year. As a result, the reporting period for this CAR covers the period 26 October 2022 through to 31 December 2023. Subsequent CARs will cover annual periods commencing on and from 1 January and ending on 31 December in accordance with this approved change to reporting.

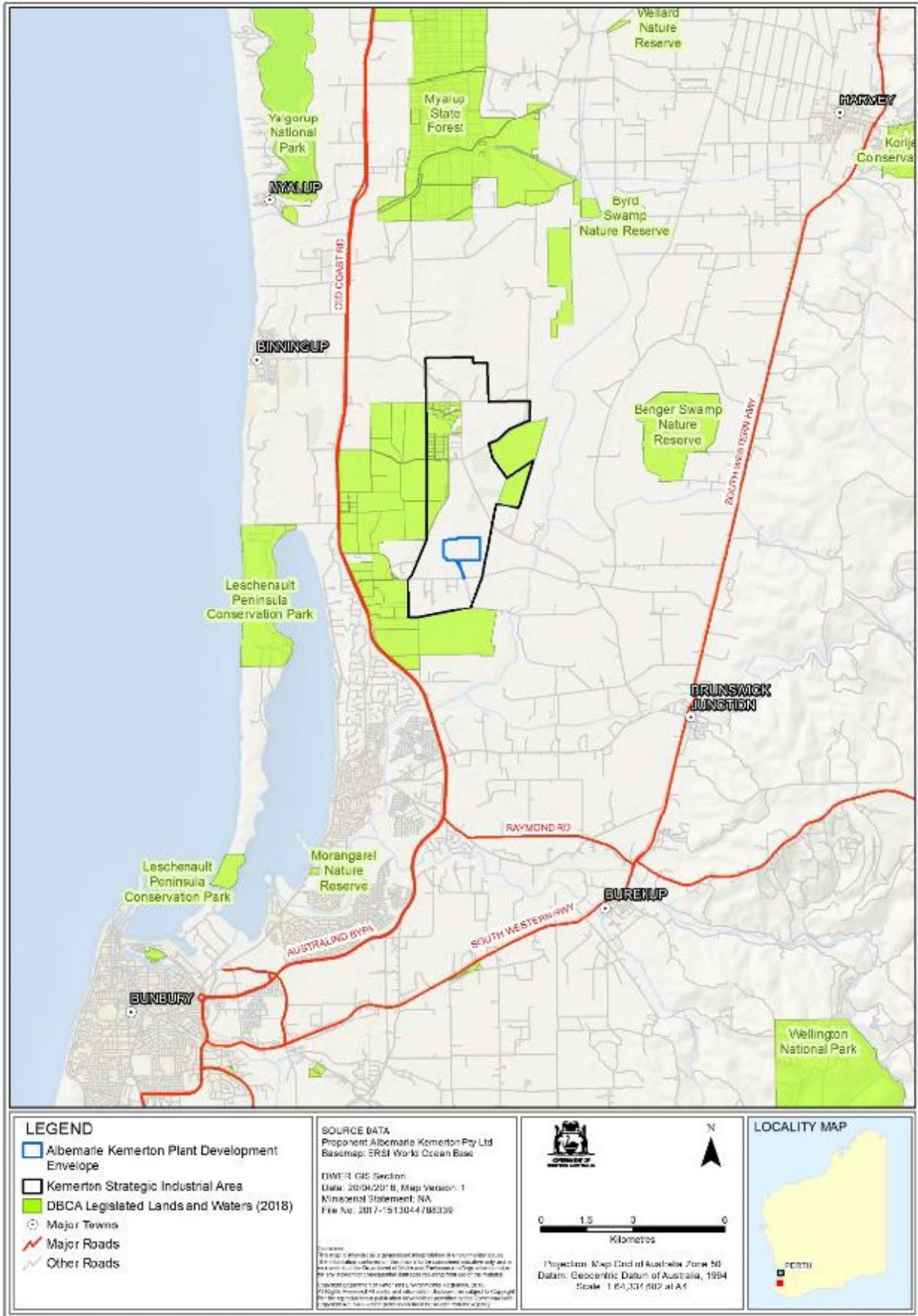
Regarding Condition 4.6, point 5 above, during the reporting period the Compliance Assessment Plan (**CAP**) was updated on 28 November 2023 to reflect the following changes:

- On 14 March 2022, Albemarle received Attachment 1 to MS-1085, issued under section 45C of the *Environmental Protection Act 1986* (EP Act) which replaced Schedules 1 and 2 of MS-1085, and resulted in a reduction in the authorised extent of clearing, and in the size of the Development Envelope for the Project.
- Upon receipt of Attachment 1 to MS-1085, Albemarle received MS-1187, issued under section 46 of the EP Act, which replaced conditions 9 and 10 of MS-1085. Condition 10 of MS-1187 resulted in a reduction to the number of hectares (ha) requiring offset to counterbalance the significant residual impact to black cockatoo foraging habitat and potential breeding habitat as a result of implementation of the Project.
- The reporting period was amended to align with calendar year reporting years with CARs then due on the 31 March each year after the end of the reporting (calendar year) period.

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 assessed and approved in 2018 under Part IV of the EP Act by the EPA and by the DoEE (now DCCEEW) under sections 130(1) and 133(1) of the EPBC Act.

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

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-1085 section 45C	Amendment to development envelope and authorised extent of clearing (reduction)	14 March 2022
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.	15 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
Works Approval Amendment W6154/2018/1	Amendment to update street address and change authorised duration and sample frequency for environmental commissioning for train 1.	9 June 2023

2.1.1 Notice of Substantial Commencement

Construction commenced in January 2019. 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 2018-2019CAR (submitted in January 2020).

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 up to five lithium hydroxide conversion trains (two currently built and a further train 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.
- Causticising, 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.

As of 31 December 2023, Albemarle was commissioning and ramping up production at Kemerton lithium hydroxide Trains 1 and 2 to provide up to 50,000 tonnes per year lithium hydroxide conversion capacity. Albemarle had also commenced construction of Trains 3 and 4 with a current focus on completing construction of Train 3.

Prior to the restructure of the MARBL joint venture between Albemarle Wodgina Pty Ltd (**AWPL**) and Mineral Resources Limited (**MARBL JV**) in October 2023, AWPL held a 60% interest in the Project, through its 60% participating interest in the MARBL JV. As part of the restructure, AWPL acquired Mineral Resources Limited's 40% interest in the Project, resulting in 100% ownership in the Project by AWPL. AWPL subsequently transferred its interest in the Project to Albemarle Lithium Pty Ltd as part of an internal restructure.

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 production increases, the power requirement of the Kemerton Plant will reach up to 54 MW.

A Section 45C application under the EP Act was submitted by Albemarle on 17 October 2019 and 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 ha;
- replace Figure 1-1 of Schedule 1 of MS-1085 to reflect the reduced size of the Development Envelope; and
- include construction and operation of a power station.

Mineral Resources Limited has received approval to use tailings from the Kemerton Lithium Plant to backfill the Pit C void space at the Koolyanobbing iron ore mine from DEMIRS and DWER. Albemarle is also actively pursuing byproduct development and reuse opportunities for the processed aluminosilicate material (tailings) in accordance with Condition 8-1 of MS-1085.

3 STATEMENT OF COMPLIANCE

Table 3-1 presents the compliance status of applicable 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.

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; and
- the overall environmental objectives for that factor have been met.

3.1 Summary of Compliance Status

No non-compliances were identified against the Conditions of MS-1085 or MS-1187 during the reporting period.

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.

3.2 Environmental Management Plans

This CAR presents a summary of how each management plan objective has been addressed. The status of objectives for the Albemarle 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
MS-1085: M1-1	Proposal implementation	When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Table 2 of 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. See Table 2 elements below.	Overall	When implementing the proposal.	Compliant	Refer elements below.
MS-1085: 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	Extent of clearing was 48.8 ha of native vegetation and 33.39 ha of pine plantation. Post clearing survey map provided by BGC Contracting. Cleared area coordinates confirmed by Wood personnel as complying with designated clearing boundaries (email: Post Clearing Survey dated 11 June 2019). Development site fully fenced and cleared; no further clearing required.	Construction		Completed	
MS-1085: 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.	Only 2 trains currently built and production still ramping up. Output is well below proposed process plant capacity.	Operation		Compliant	
MS-1085: M1-1 (c)	Proposal implementation	Table 2 Operational elements: Tailings Capacity: No more than 1.1 million tonnes per year.	As above.	Operation		Compliant	
MS-1085: 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.	No changes to name, physical address or postal address relevant during the reporting period.	Overall	Within 28 days of change.	Not required at this stage	
MS-1085: M3-1	Time limit for substantial commencement	The proposal must be substantially commenced within 5 years from the date of this Statement.	Date of commencement 2 January 2019; as per email to DOEE on 10 January 2019.	Construction		Completed	
MS-1085: M3-2	Time limit for substantial commencement	The proponent must provide to the CEO documentary evidence demonstrating 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 2.2.1 of 2020 Compliance Assessment Plan (CAP) notified DWER of substantial commencement occurring in January 2019.	Construction	Must be submitted to CEO of DWER by 26 November 2023.	Completed	Refer Section 2.1.1 of this CAR.
MS-1085: 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.	The CAP had been updated on 28 November 2023 to reflect the replacement of MS-1085 Conditions 9 and 10 with MS-1178 Conditions 9 and 10 and had been submitted to DWER for approval. (DWER’s written approval of the CAP was received on 9 Jan 2024.)	Overall	As and when required.	Compliant	

Audit Code	Subject	Requirement	Evidence	Phase	Timeframe	Status	Further Information
MS-1085: 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.	See condition 4-1 above.	Overall		Compliant	
MS-1085: 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. DWERA-001586). Quarterly audits undertaken to assess compliance with Ministerial Statement conditions by KASA Consulting (Nick Croston Exemplar registered Lead Environmental Auditor #13656). Annual compliance assessments undertaken in January 2024 for preparation of the 2022-2023 CAR.	Overall	January 2020, annually thereafter.	Compliant	
MS-1085: 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.	Albemarle Kemerton Project 2021-22 annual CAR (P-74211-0000-BA00-RPT-0280) prepared and submitted to CEO in January 2023. Albemarle Kemerton Project Annual CARs available on the Albemarle website.	Overall	As requested by the CEO.	Compliant	
MS-1085: 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.	No non-compliances against the requirements of MS-1085 or MS-1187 were known to have occurred during the 2022-23 reporting period.	Incident	Within 7 days of the non-compliance being known	Compliant	The CAP includes the requirement to report non-compliances within 7 days as per this condition.
MS-1085: M4-6	Compliance reporting	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. The CAR shall: (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.	Albemarle Kemerton Project 2021-2022 annual CAR (P-74211-0000-BA00-RPT-0280) prepared and submitted to CEO on 26 January 2023. Albemarle Kemerton Project Annual CARs available on the Albemarle website as specified in the CAP (606541-4500-DV00-PLN-0004). Albemarle requested a change to compliance reporting dates in May 2023 and this was approved on 16 November 2023 via email. The reporting period is now 1 January – 31 December each year (the 2022-23 report will cover the period 26 October 2022 to 31 December 2023).	Overall	Initial CAR by 26 January 2020 then annually afterwards.	Compliant	

Audit Code	Subject	Requirement	Evidence	Phase	Timeframe	Status	Further Information
MS-1085: 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.	Approval documents, including management plans with associated appended datasets relevant to the proposal assessment are publicly available via the Albemarle website. CARs available via Albemarle website.	Overall	Within a reasonable time period approved by the CEO.	Compliant	
MS-1085: M5-2	Public availability of data	If any data referred to in condition 5-1 contains particulars of: (1) a secret formula or process; or (2) 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	Date of request to CEO	Not required at this stage	
MS-1085: 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.	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). 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).	Overall	CAR Reporting 26 January 2020, annually thereafter	In progress	Also refer to findings in Table 3-2.
MS-1085: M6-2	Flora and vegetation	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: (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.	Flora and Vegetation Management Plan Rev.1; 30 November 2018 sighted (available on Albemarle website). Letter acknowledging receipt and satisfaction with the plan received from Executive Director of DWER on 3 Dec 2018 (ref. DWERA-001672).	Construction	Prior to ground disturbing activities.	Completed	Also refer to findings in Table 3-2.

Audit Code	Subject	Requirement	Evidence	Phase	Timeframe	Status	Further Information
MS-1085: M6-3	Flora and vegetation	In the event that the monitoring specified in the Plan indicates that the criteria specified in the Plan have been triggered, the proponent shall: (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.	No criteria had been triggered. Year 5 monitoring was undertaken in September 2023 by Ecoedge. Vegetation was found to be in very good condition, with no change evident since the 2018 baseline survey or subsequent surveys. The report concluded that as per the management objectives stated in the FVMMP, the following management targets were met, as of spring 2023. 1. No reportable decline of nearby Endangered/Declared Rare Flora (DRF) <i>Drakaea elastica</i> individuals or habitat, attributable to the Project. 2. No reportable decline to adjacent areas representative of the Banksia Woodlands of the Swan Coastal Plain TEC/PEC, attributable to the Project. 3. No incidents of fire originating within, and spreading outside of, the Development Envelope. 4. No incidents of vegetation clearing outside of the approved Development Envelope. Also see comments on FVMMP below.	Incident	Within 21 days of the criteria being triggered.	Not required at this stage	
MS-1085: M6-4	Flora and vegetation	The proponent may review and revise the FVMMP.	Current approved Flora and Vegetation Management Plan Rev.1; 30 November 2018 (Wood, 2018a); however, an updated FVMMP had been submitted to DWER for review. Comments had not yet been received from DWER as of the end of the reporting period.	Operation	Date of submission of revised FVMMP	In progress	
MS-1085: M6-5	Flora and vegetation	The proponent shall review and revise the FVMMP as and when directed by the CEO.	No direction to update yet received from CEO.	Operation	As notified by the CEO.	Not required at this stage	See M6-4 above.
MS-1085: 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 (Nov 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).	Operation	As and when confirmed by the CEO.	Compliant	Also refer to findings in Table 3-2.
MS-1085: 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. 	Quarterly surface water and groundwater quality monitoring and annual vegetation monitoring has demonstrated no detectable adverse impacts on the receiving environment to date.	Overall	CAR Reporting. 26 January 2020, annually thereafter.	Compliant	

Audit Code	Subject	Requirement	Evidence	Phase	Timeframe	Status	Further Information
MS-1085: M7-2	Water Management Plan	<p>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:</p> <ol style="list-style-type: none"> (1) when implemented, substantiate and ensure that condition 7-1 is being met; (2) 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; (3) detail the proposed frequency, timing and indicative locations of groundwater and surface water monitoring for potential contamination; (4) 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; (5) specify management or contingency actions to be implemented in the event that the criteria identified required by condition 7-2(4) have been triggered. 	Water Management Plan (WMP) prepared and submitted (Rev.1, 4 December 2018) prior to ground disturbing activities (available on Albemarle website). Correspondence from DWER (ref DWERA-001671) indicating the submitted WMP is considered to have met the requirements of condition 7 of MS-1085.	Construction	Prior to ground-disturbing activities or as otherwise agreed by the CEO.	Completed	
MS-1085: M7-3	Water Management Plan	<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 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. 	Quarterly groundwater and monthly surface water monitoring reports to date have concluded that the concentrations of process related analytes recorded are consistent with historical levels and are not considered to be related to construction or operational activities and are considered to be attributed to background levels.	Construction / Operation	Within 21 days of the criteria being triggered.	Not required at this stage	
MS-1085: M7-4	Water Management Plan	The proponent may review and revise the Water Management Plan.	Approved WMP is Rev.1, 4 December 2018 (Doc. No. 606541-4500-DV00-PLN-0004. A revised WMP with proposed trigger levels was submitted to DWER on 17 January 2022. Response from DWER received 15 June 2022 with requirement for amendments. As of 31 December 2023 a further update of the WMP was in progress.	Construction	Date submitted by proponent	In progress	

Audit Code	Subject	Requirement	Evidence	Phase	Timeframe	Status	Further Information
			Albemarle notes that the CAP phase for this condition currently does not include "Operations" but should. Albemarle will correct this in any future update of the CAP but does not consider this sufficiently urgent to progress as a standalone amendment at this stage.				
MS-1085: M7-5	Water Management Plan	The proponent shall review and revise the Water Management Plan as and when directed by the CEO.	CEO has not formally requested the WMP be reviewed; however, a revised WMP which includes surface water and groundwater trigger levels based on monitoring undertaken during the construction phase had been updated and submitted to DWER for approval. As of 31 December 2023 a further update of the WMP was in progress.	Operation	As and when requested by the CEO	Not required at this stage	
MS-1085: 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 sighted from DWER (ref DWERA-001671) indicating the original submitted WMP was considered to meet the requirements of condition 7.2 of MS-1085. As of 31 December 2023 a further update of the WMP was in progress.	Operation	As and when confirmed by the CEO	Compliant	Also refer to findings in Table 3-2.
MS-1085: 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 Waste Management Plan (P-74211-0000-HS00-PLN-0001) had been prepared detailing measures have been undertaken to minimise the generation of waste and its discharge into the environment. An internal audit of the Waste Management Plan was undertaken in November 2022 (QA-AUD-KEM-2022-014) that identified no non-compliances. Eleven observations were identified that were addressed through the Kemerton corrective action system.	Operation	For the life of the proposal as approved by the CEO.	In progress	
MS-1085: 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 revisions to the Waste Management Plan were required to address comments from DWER and to incorporate relevant changes from the operation. An updated version of the Plan is expected to be submitted to DWER EPA in Q2, 2024 as discussed with DWER.	Operation	26 October 2021 or as otherwise agreed by the CEO.	Compliant	

Audit Code	Subject	Requirement	Evidence	Phase	Timeframe	Status	Further Information
MS-1085: 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 WMP 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	
MS-1085: 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.	In progress	
MS-1085: 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	
MS-1085: 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. It is noted that during the commissioning period sodium sulphate by-product is being disposed of to Sandy Ridge Intractable Waste Disposal facility (along with hazardous spodumene scrubber salts). Once the plant is operating adequately and the sodium sulphate specification is consistent, it is intended to sell this material, not dispose of it.	Operation	As and when confirmed by the CEO.	In progress	

Audit Code	Subject	Requirement	Evidence	Phase	Timeframe	Status	Further Information
MS-1187: M9-1	Greenhouse gas (GHG) management	<p>Subject to condition 9-3, the proponent shall take measures to ensure the PS Net GHG Emissions do not exceed:</p> <ol style="list-style-type: none"> (1) 956,000 tCO₂-e for the period 1 January 2021 to 31 Dec 2024; (2) 1,195,000 tCO₂-e for the period 1 January 2025 to 31 Dec 2029; (3) 1,186,000 tCO₂-e for the period 1 January 2030 to 31 Dec 2034; (4) 1,110,000 tCO₂-e for the period 1 January 2035 to 31 Dec 2039; (5) 960,000 tCO₂-e for the period 1 January 2040 to 31 Dec 2044; (6) 700,000 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. 	<p>Following assessment of a section 46 application, MS-1187 was issued on 15 March 2022, amending conditions 9 and 10 of MS-1085.</p> <p>A power station (PS) has not been built on site and currently the plant purchases its electricity from the South West Interconnected (SWIS) grid and hence on site power station emissions are not yet relevant.</p>	Operations	For the life of the proposal as approved by the CEO.	Not required at this stage	
MS-1187: M9-2	GHG management	<p>Subject to condition 9-3, the proponent shall take measures to ensure the Plant Net GHG Emissions do not exceed:</p> <ol style="list-style-type: none"> (1) 1,240,000 tCO₂-e for the period 1 January 2021 to 31 Dec 2024; (2) 1,550,000 tCO₂-e for the period 1 January 2025 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. 	<p>The first calendar year of emissions was calculated for 2022. Scope 1 emissions were 9,500 tCO₂-e for that year.</p> <p>Scope 1 emissions for the 2023 calendar year were 18,088 tCO₂-e.</p> <p>The cumulative emissions to the end of the current reporting period (31 December 2023) are 27,588 tCO₂-e and remain well below the threshold permitted and unlikely to be exceeded for 2021-2024.</p>	Operations	For the life of the proposal as approved by the CEO.	In progress	
MS-1187: M9-3	GHG management	<p>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:</p> <p style="text-align: center;">Reduced Net GHG Emissions limit = $\frac{A}{B} * C$</p> <p>Where:</p> <p>A is the relevant Net GHG Emissions limit for the periods as specified in condition 9-1 or 9-2.</p> <p>B is the time (in days) in the relevant period.</p> <p>C is the days remaining between the Commencement Date and the end of the relevant period.</p>	<p>The first calendar year emissions will be calculated for 2022 following commencement of commissioning activities.</p>	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
MS-1187: M9-4	GHG management	<p>The proponent shall implement the Albemarle Kemerton Plant Greenhouse Gas Management Plan (Final Version, 8 October 2021) which includes the following:</p> <ol style="list-style-type: none"> (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: <ol style="list-style-type: none"> a) assess the effectiveness of measures referred to in condition 9-4(4); and b) identify and describe options for future measures that the proponent may or could implement to avoid, reduce, and/or offset Proposal GHG Emission and/or reduce the Emissions Intensity of the proposal. 	<p>Version 3 of the GHG Management Plan (8 October 2021) was approved based on the approval of MS-1187, which requires implementation of the plan.</p> <p>The requirements detailed in Condition 9-4 (1) – (5) were included in Sections 5.1, 5.2 and 6 of the GHG Management Plan.</p> <p>The GHG Management Plan was being implemented, where applicable, 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.</p> <p>Examples where energy efficiency measures have been incorporated in the design include:</p> <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. <p>Construction activities do not require reporting as emissions do not exceed threshold levels (estimated 20,617 t CO₂-e (6,774 t CO₂-e diesel consumption and 13,843 t CO₂-e loss of carbon sink from vegetation clearing).</p>	Operations	For the life of the proposal as approved by the CEO.	Compliant	
MS-1187: M9-5	GHG management	<p>The proponent:</p> <ol style="list-style-type: none"> (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. 	<p>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.</p>	Operations	As and when requested by the CEO	Compliant	

Audit Code	Subject	Requirement	Evidence	Phase	Timeframe	Status	Further Information
MS-1187: M9-6	GHG management	<p>Within one (1) month of receiving confirmation in writing from the CEO that:</p> <ul style="list-style-type: none"> (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). 	<p>Greenhouse Gas Management Plan Rev. 3 – 08 October 2021 was approved 15 March 2022 and was available on the Albemarle website.</p> <p>In April 2023, DWER EPA Services published a template for GHG Management Plan summaries. Prior to this publication, the Summary contained within the Greenhouse Gas Management Plan was taken by Albemarle to be the required summary. A specific, standalone summary plan has now been prepared using DWER EPA Services template and uploaded to Albemarle website on 22 December 2023; therefore, this is considered compliant.</p>	Operations	As and when confirmed in writing by the CEO	Compliant	
MS-1187: 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.	The GHG Management Plan was being implemented (see finding for Condition 9-4).	Operations	For the life of the proposal as approved by the CEO.	Compliant	
MS-1187: M9-8	GHG management	<p>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:</p> <ul style="list-style-type: none"> (1) the quantity of Proposal GHG Emissions and lithium hydroxide produced; and (2) the Emissions Intensity for the proposal. 	<p>Kemerton Lithium Hydroxide Processing Plant Greenhouse Gas Summary Report – 2022 Calendar Year prepared by Greenbase (dated 21 March 2023 and submitted 29 March 2023).</p> <p>Report includes estimated Scope 1 and Scope 2 GHG emissions and emissions intensity.</p>	Operations	31 March each year starting in 2023	Compliant	
MS-1187: 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> <ul style="list-style-type: none"> (1) a consolidated report specifying: <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; 	Not required until 2030.	Operations	31 March 2030 and every subsequent 5 years.	Not required at this stage	

Audit Code	Subject	Requirement	Evidence	Phase	Timeframe	Status	Further Information
		(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.					
MS-1187: M9-10	GHG management	<p>A consolidated report referred to in condition 9-9(1) must be accompanied by:</p> <p>(1) a revision of the Confirmed Greenhouse Gas Management Plan under condition 9-5(3); and</p> <p>(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:</p> <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-1187: M9-9	Operations	31 March 2030 and every subsequent 5 years.	Not required at this stage	
MS-1187: 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> <p>(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;</p> <p>(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.</p>	GHG Management Plan Rev 3, summary of that plan and the Greenhouse Gas Summary Report for the 2022 calendar year are available on the Albemarle website.	Operations	For the life of the proposal as approved by the CEO.	Compliant	

Audit Code	Subject	Requirement	Evidence	Phase	Timeframe	Status	Further Information
MS-1187: M10-1	Offsets	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.	Offset strategy prepared and submitted (see findings for MS-1187 10-2 to 10-5 below). Following assessment of a section 46 application, MS-1187 was issued on 15 March 2022, replacing Condition of MS-1085 with Condition 10 of MS-1187. As at the end of the reporting period, Albemarle was awaiting feedback from DWER EPA Services on the 2023 version of Offset Strategy (ALB-KEM-PLA-01 Rev 2 dated 23 May 2023).	Operation	26 October 2019 (within 12 months of MS-1085 publication date)	In progress	MS-1187 issued 15 March 2022.
MS-1187: 10-2	Offsets	Within twelve (12) months of the publication of this Statement, the proponent shall prepare and submit an Offset Strategy to the CEO. The Offset Strategy shall: (see below)	Offset Strategy prepared and submitted. Original email to registrar@dwer.wa.gov.au (24 October 2019) from Preston Consulting included the Albemarle Kemerton Plant Offset Strategy (ref. ALB-KEM-PLA-01) and appendices 1-3. Email to DBCA (15 July 2020) sighted with updated Offset Strategy (Rev 1, 25 June 2020) and appendices; and formal request for confirmation that the offset strategy and cost estimate is adequate. Rev 2 of the Strategy (23 May 2023) submitted on 31 May 2023 via email. Awaiting feedback from DWER EPA Services at end of reporting period.	Construction	26 October 2019 (within 12 months of MS-1085 publication date)	In progress	
MS-1187: 10-2	Offsets	(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;	Unprotected area identified, and Offset report 'Lot 42 Wellesley Road North, Kemerton Offset Site Study Report (June 2018) confirms area contains Priority Ecological Community (Floristic Community Type 21c Low lying <i>Banksia attenuata</i> woodlands and shrublands') and 45.73ha of foraging habitat. Included as Appendix 1 of Offset Strategy (ALB-KEM-PLA-01 Rev 2 23 March 2023).	Construction	26 October 2019 (within 12 months of MS-1085 publication date)	In progress	
MS-1187: 10-2	Offsets	(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 Template Guidelines 2014, and the <i>Environmental Protection and Biodiversity Conservation Act 1999</i> Environmental Offsets Policy (October 2012) in conjunction with the associated Offsets assessment guide;	Offset report Lot 42 Wellesley Road North, Kemerton Offset Site Study Report (June 2018) prepared including assessment against the "six principles".	Construction	26 October 2019 (within 12 months of MS-1085 publication date)	In progress	
MS-1187: 10-2	Offsets	(3) identify the environmental values of the offset area(s)	Environmental values identified in Offset report Lot 42 Wellesley Road North, Kemerton Offset Site Study Report (June 2018).	Construction	26 October 2019 (within 12 months of MS-1085 publication date)	In progress	
MS-1187: 10-2	Offsets	(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;	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.	Construction	26 October 2019 (within 12 months of MS-1085 publication date)	In progress	

Audit Code	Subject	Requirement	Evidence	Phase	Timeframe	Status	Further Information
MS-1187: 10-2	Offsets	(5) if any land is to be ceded to the Crown for the purpose of conservation, the proponent will identify: (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 twenty (20) years after completion of purchase, and (c) an appropriate management body for the ceded land.	The Offset Site is proposed to be a conservation estate vested in the Conservation and Parks Commission of WA (The Commission) and managed by Department of Biodiversity, Conservation and Attractions (DBCA). Twenty year cost management estimate prepared by consultant (Natural Area Consulting Management Services) Lot 42 Wellesley Road North, Kemerton Offset Site 20 Year Management Estimate) was considered by DBCA to be commensurate with DBCA's expectations for similar conservation areas.	Operation	26 October 2019 (within 12 months of MS-1085 publication date)	In progress	
MS-1187: 10-2	Offsets	(6) identify any threats to offset values and provide management and/or rehabilitation actions to be undertaken to address the threats including: (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.	Section 8.3 of the Offset Strategy identifies management actions. Threats and response mechanisms are defined in Section 9, objectives, targets and completion criteria are defined in Section 10 of the Offset Strategy and monitoring requirements are defined in Section 11.	Operation	26 October 2019 (within 12 months of MS-1085 publication date)	In progress	
MS-1187: 10-2	Offsets	(7) define the role of the proponent and/or any third parties.	Roles and responsibilities are defined in Section 13 of the Offsets Strategy.	Operation	26 October 2019 (within 12 months of MS-1085 publication date)	In progress	
MS-1187: M10-3	Offsets	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: (1) implement the actions in accordance with the requirements of the approved Offsets Strategy; and (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.	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; however, as of December 2023 Albemarle were awaiting feedback from DWER EPA Services.	Operation	Date of notice in writing from the CEO.	Not required at this stage	
MS-1187: 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, the Offset Strategy has been updated and resubmitted for approval. Current version is Rev 2 (ALB-KEM-PLA-01 Rev 2 23 May 2023).	Operation	As and when directed by the CEO.	Not required at this stage	It is acknowledged that the Strategy will require refining through further discussions with DBCA and EPA.
MS-1187: 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 waiting response from the DWER EPA Services as to whether the updated Strategy satisfies the requirements of condition 10-2.	Operation	Date of notice in writing from the CEO.	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 5 annual vegetation survey undertaken in Spring 2023 (on 24 and 30 November 2023). The survey report (Ecoedge, January 2024) 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 <i>Banksia</i> 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 <i>Banksia</i> Woodland TEC undertaken in Spring 2023 compared the vegetation condition, species richness and species density at permanently established transects and Photographic Monitoring Points (PMPs). The survey report (Ecoedge, January 2024) identified no reportable decline to adjacent areas representative of the <i>Banksia</i> Woodlands of the Swan Coastal Plain TEC / PEC, attributable to the Project. A review of the project incident register confirmed no incidents of fire had been recorded within, and spreading outside of, 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. A spring 2023 assessment survey identified two patches of blackberry, which is a Weed of National Significance (WoNS) and one occurrence of arum lily, which is a declared pest; however, the report stated that no WoNS or declared pests were attributable to the Project.
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	A spring 2023 assessment survey identified no evidence of new Dieback infestation within immediately adjacent areas / vegetation resulting from the Project.
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 and monthly surface water monitoring reports to date have concluded that the concentrations of process related analytes recorded are consistent with historical levels and are not considered to be related to construction or operational activities and are attributed to background levels.
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. Refer to MS-1187 Condition 9-4 above.

4 REFERENCES

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- GHD. (2018a). *Flora and Vegetation Management Plan Rev.1; 30 November 2018*.
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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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- 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)*.

APPENDICES

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	26/10/22 to 31/12/23
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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:	Yes
Compliance Assessment Report 2022-2023.	

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: *SLP*

4. Proponent Declaration

I, Beverley East, Vice President, External Affairs, Albemarle Australia, (*full name and position title*) declare that I am authorised on behalf of ...Albemarle Lithium Pty 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:.......... Date: 25.03.2024

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: 

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: 

Appendix B: 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 non-compliance and has not yet finalised its investigations to determine whether non-compliance 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).