




EPBC 2013-6904 ANNUAL  
COMPLIANCE SUMMARY REPORT  
JULY 2019 – 30 JUNE 2020

TALISON LITHIUM AUSTRALIA PTY LTD

POINT OF CONTACT

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LOCATION

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Condition No.	Condition Description	Compliance	Evidence Comments
1	The person taking the action must not clear more than 75.7 hectares (ha) of black cockatoo habitat within the project area.	Compliant	Boundary of offset area marked prior to clearing. A total of 9.5 ha was cleared during the Current Reporting Period. A total of 62.79 ha has been cleared to 30 June 2020.
2	Within 7 days prior to clearing of any area of black cockatoo habitat the person taking the action must investigate all potential nesting trees within the area to be cleared to determine if any black cockatoos are utilising these trees for nesting. The investigation must be undertaken by a suitably qualified person. If any black cockatoos are detected utilising any hollow in any tree, the person taking the action must:  a) clearly identify and mark the tree; and  b) only undertake clearing of any such tree when a suitably qualified person has verified that the hollows are no longer being used by black cockatoos.	Compliant	All potential nesting trees within the area had been removed prior to the clearing activities conducted within the Current Reporting Period.
3	To compensate for the loss of approximately 75.7 hectares (ha) of black cockatoo habitat the person taking the action must execute a secure and enduring conservation covenant over the offset area identified in Attachment 1.  a) Within 12 months of the date of this approval, or within a timeframe otherwise agreed to by the Minister:  i. the person taking the action must provide written evidence to the Department that a legally binding	Compliant	i) Conservation covenant signed and approved on the 31 January 2017 by Andrew Watson – Commissioner of Soil and Land Conservation. The covenant is to retain and protect 121.7 ha of native vegetation in perpetuity.  ii) Location clearly defined and outlined within the Conservation Covenant document and the Offset Management Plan 2017 (OMP).



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	<p>conservation covenant has been registered on the land title</p> <p>ii. the person taking the action must provide the Department with offset attributes, shapefiles and textual descriptions and maps to clearly define the location and boundaries of the offset area.</p>		
4	<p>The person taking the action must prepare and submit an Offset Management Plan (Plan), for approval of the Minister to compensate for the loss of approximately 75.7 hectares (ha) of black cockatoo habitat. The person taking the action must not commence the action unless the Minister has approved the Plan. The purpose of the Plan is to protect and improve the quality of black cockatoo habitat within the offset area identified in Attachment 1.</p>	Compliant	<p>OMP approved by Monica Collins (Assistant Secretary Compliance &amp; Enforcement Branch) 13 December 2016.</p> <p>Updated 07 March 2017 to reflect variation in condition 7 (reporting).</p> <p>Updated 20 November 2017 to manage pasture grass fuel loads.</p>
4 (A)i	<p>Management measures, including fencing and access controls, to prevent grazing, logging and other illegal land use practices within the offset area.</p>	Compliant	<p>This is covered in the OMP Section 5.3 – Fencing and access control.</p> <p>Status of fencing reported in the 2020 Offset Management Annual Report (OMAR): “No damage to the fencing was noted at any of the 13 fence monitoring locations. TBG continue to perform routine fence inspections approximately twice per week to check for damage or unplanned access by livestock.”</p>



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4(a)ii	Objectives, targets and completion criteria for the infill planting, including site preparation works, seedling planting program, success rates, ongoing management post establishment and details of replanting requirements, if success rates are not achieved.	Compliant	<p>OMP Section 5.4 – Revegetation: <i>“No direct revegetation activities will be undertaken initially, and the ability of the area to naturally revegetate will be assessed for 3 years. After this time the density of black cockatoo habitat trees in the degraded areas of the remnant will be compared to those in surrounding natural vegetation at Tone-Perup Nature Reserve to determine if infill planting is required”</i>.</p> <p>2020 OMAR: <i>“No infill planting has occurred to date and subsequently no monitoring of infill planting has occurred during the reporting period.”</i>.</p> <p>2020 OMAR Recommendation: <i>“To meet the target OMP threshold of 1,000 stems/ha across the offset property, infill planting should be conducted within the North-Eastern and North-Western areas over a 3-year revegetation program (2021 - 2023). A 3-year revegetation program is recommended due to the following advantages:</i></p> <ul style="list-style-type: none"> <li>• <i>Spreads the risk of climatic influences (poor planting seasons, drought, etc.)</i></li> <li>• <i>Allows for more accurate forecasting of losses and therefore more accurate forecasting of seedling numbers required for each successive year</i></li> <li>• <i>Encourages the recruitment of species already present</i></li> </ul>



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			<ul style="list-style-type: none"> <li>Encourages a more heterogenous mix of species and sizes than a single, mass planting campaign.”.</li> </ul>
4(a)iii	Management measures including inspection and cleaning regimes to prevent the introduction and spread of <i>Phytophthora cinnamomi</i> (dieback) to the offset area.	Compliant	<p>OMP Section 5.6 – Dieback (<i>Phytophthora cinnamomi</i>) risk management: “There is currently no evidence of dieback affecting the vegetation in the offset area. To limit the possibility of dieback entering the area all vehicles will be washed down to remove loose soil prior to entering the offset area and all personnel entering the area will wash down their shoes to also ensure no foreign soil is brought into the area that may contain the pathogen. Procedures attached to the OMP.”.</p> <p>2020 Offset Management Annual Report: “Dieback (<i>Phytophthora cinnamomi</i>) monitoring was conducted along 12 line transects (Figure 7) in September 2019.</p> <p>No evidence of dieback was found within the offset area. Due to the absence of any evidence of dieback, no further investigations or management measures were implemented nor are recommended.”.</p>
4(a)iv	Rehabilitation measures such as site clean-up and weed management, including information on the mapping, monitoring and removal of noxious weeds.	Compliant	OMP Section 5.5 – Weed management: “The primary focus of weed management within the offset area is through the assessment of the impact of weeds on revegetation success. Noxious weeds will be managed through the initial mapping of the area to determine the presence/ extent of infestation by



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			<p><i>noxious weeds. Noxious weeds will be controlled through the use of spot herbicide spraying or physical removal with the control effort maintained over at least 5 years to ensure that viable soil seed banks are exhausted. The risk of noxious weeds being introduced to the offset area will be minimised by implementing industry-standard weed hygiene measures.”.</i></p> <p><i>2020 OMAR: “Weed monitoring was conducted along 12 line transects (Figure 7) in September 2019. The most dominant non-noxious weed species recorded during the survey included pasture grasses (various species), cape weed (Arctotheca calendula), clover species and onion weed (Asphodelus fistulosus). Weed cover was consistently higher in the two northern blocks and tended to increase with proximity to fence lines.</i></p> <p><i>Weed monitoring did not record the presence of any noxious weed species within the offset area. Due to the absence of any noxious weed species, no weed control plans were developed or implemented during the period.”.</i></p>
4(a)v	Details on proposed fire management measures including firebreak creation and management.	Compliant	<p><i>OMP Section 5.7 – Fire risk management: “The focus of fire management for the offset area will be on the exclusion of wildfire and the limitation of its intensity should it occur to reduce the loss of black cockatoo nesting sites.</i></p> <p><i>Fire risk will be managed through the establishment of a mineral</i></p>



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			<p><i>earth firebreak with a minimum width of 3m on the eastern boundary of the offset area where the area backs onto an adjoining property. All other boundaries of the offset area are surrounded by cleared farmland, used for pasture, which presents a minimal risk of fire to the offset area.</i></p> <p><i>Prescribed fire will be used to minimise the intensity of wildfire should the offset area be affected. Fuel reduction burns will be undertaken in autumn so as not to affect breeding cockatoos and also to limit the impact on seedling survival. Prior to a fuel reduction burn being undertaken leaf litter will be cleared from around large trees that are likely to contain hollows suitable for nesting to ensure that these trees are not felled as a result of the burn. Fuel loads will be monitored annually in December when firebreaks are also monitored and when fuel loads in an offset block exceed an average of 8 t/Ha the area will be subject to a controlled burn in the following autumn. Fuel in mixed jarrah and marri forest accumulates at a rate of ~1-2 t/ha/year, therefore fuel reduction burns are expected to be required every 4-8 years.”.</i></p> <p><i>2020 OMAR: “An inspection of the fire break on the eastern boundary of the North-Eastern and Southern areas was undertaken in December 2019. This inspection confirmed the required 3 m mineral earth firebreak was in place prior to the 30</i></p>



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			<p><i>November deadline required by the local government.</i></p> <p><i>Fuel load was monitored in all three offset areas in December 2019. A statistical summary of the monitoring result is shown in Table 2; photographs taken at each monitoring location are shown in Appendix 3.</i></p> <p><i>For all monitoring locations in all areas, fuel loads were measured well below the OMP threshold of 8 tonnes/ha, so a fuel reduction burn is not recommended to reduce fire risk at this time. Higher fuel loads recorded in the northern areas compared to the southern area are mainly attributable to a cover of pasture grasses.</i></p> <p><i>Fuel loads in the Southern area have increased each year, mainly attributable to increasing leaf litter depth at most locations, likely a result of natural accumulation of leaf litter over time.</i></p> <p><i>In June 2019 (after fuel load monitoring was conducted) the BBG recommended TBG conduct small and cool 'mosaic' burns on the northern boundary of the North-Western area where there is no understorey and almost complete cover of pasture grasses. This burn was conducted as a small-scale experiment to determine if burning can successfully stimulate greater germination of the seed bank. An additional monitoring quadrat ('NW burn') was established in the September monitoring period within this burnt area and has been included in the December 2019 fuel load monitoring results.</i></p> <p><i>The scrub fuel load in the NW Burn quadrat was by far the highest</i></p>





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			<i>recorded in this monitoring round (4.5 t/ha), with pasture grass growth (predominantly wild oats) much higher compared to unburnt areas. (See NW Burn quadrat photos in appendix 3). It appears that burning has removed ground cover and stimulated weed growth, at least in the short term. Continuing to monitor this area will establish whether there are longer term benefits on native growth. It is likely that if any burning is required during revegetation of the area, or to reduce fuel load, that weed management will also be required."</i>
4(a)vi	Timeframes and implementation for the Offset Management Plan.	Compliant	OMP Section 5.8 – Implementation Schedule: Refer to OMP for details
4(a)vii	Descriptions of the roles and responsibilities of personnel associated with implementation of Offset Management Plan.	Compliant	OMP Section 11 – Roles, Responsibilities and Implementation Timeline: Refer to OMP for details
4b	The Plan must provide clear objectives and performance indicators for all management actions, mitigation measures and practices prescribed by the plan including details of the monitoring to be undertaken to demonstrate the effectiveness of the measures and details of the parameters to be monitored, methods, timing, frequency and location of monitoring.	Compliant	OMP Section 8 – Monitoring: <i>"A number of different monitoring strategies will be implemented to track progress of the management measures in order to ensure they will achieve the objectives of the project. The monitoring will be undertaken by suitably qualified and experienced ecologists/appropriate experts to ensure the data collected are robust and reliable. All monitoring data will be maintained by the BBG and shared with</i>



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			<i>Talisson and TBG.</i>  The 2020 OMAR was completed by Blackwood Basin Group (BBG) covering the Current Reporting Period and has been submitted along with this report.
4c	The Plan must demonstrate-for all actions, mitigation measures and practices prescribed by the plan-clear objectives and performance indicators as well as corrective actions for circumstances where an action, mitigation measure or practice fails to meet its prescribed objective or performance indicator and trigger action points at which these corrective actions should be implemented.	Compliant	OMP Section 6 – Risk Assessment and Contingency Response: Refer to OMP for details.
5	Within 30 days after the commencement of the action, the person taking the action must advise the Department in writing of the actual date of commencement.	Compliant	Email dated 22 December 2016 with letter attached advising of commencement of clearing activities.
6	The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the management plans required by this approval, and make them available upon request to the Department. Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the	Compliant	Relevant records are maintained by the Environmental Department at Talisson and are available to the DAWE upon request. Reports and documents referred to in this document will be submitted as attachments.



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	<p>EPBC Act or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media.</p>		
7	<p>Within three months of every 12 month anniversary of the commencement of the action, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval</p> <p>must be provided to the Department at the same time as the compliance report is published. Reports must remain on the website for the life of this approval. The person taking the action must continue to comply with this condition until such time as agreed to in writing by the Minister.</p> <p>Variation to Condition 7 March 2017</p> <p>7. Within three months following 1 September, each year for the life of this approval, the person taking the action must publish a report on their website addressing compliance with each of the conditions of</p>	Compliant	<p>As required by the Permit CPS5056/2 to clear native vegetation issued by the Government of Western Australia the action is reported on by 30 September each year for the year ending 30 June. The action under EPBC2013/6904 commenced in January 2017, so to align reporting the first report was published in September 2017 and subsequent reports will occur on this anniversary. A variation to this condition to align with the WA approval was sourced and obtained on 07 March 2017.</p>



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	<p>this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published. Reports must remain on the website for the life of this approval. The person taking the action must continue to comply with this condition until such time as agreed to in writing by the Minister.</p>		
8	<p>Upon the direction of the Minister, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.</p>	Not Applicable	<p>No audits have been requested by the Minister for the Environment to date. Staff from the office of Compliance DAWE carried out a compliance monitoring inspection at the offset site on 21 June 2018.</p>
9	<p>The person taking the action may choose to revise a management plan approved by the Minister under condition 4 without submitting it for approval under section 143A of the EPBC Act, if the taking of the action in accordance with</p>	Not Applicable	<p>There has been no revised OMP submitted for approval during the Current Reporting Period. The OMP approved by Monica Collins (Assistant Secretary Compliance &amp; Enforcement Branch) on the 13 December 2016 to date has been updated to reflect</p>

EPBC 2013-6904 Annual Compliance Summary Report - 2019-2020.Docx



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	<p>the revised plan would not be likely to have a new or increased impact. If the person taking the action makes this choice they must:</p> <ul style="list-style-type: none"> <li>a. notify the Department in writing that the approved plan has been revised and provide the Department with an electronic copy of the revised plan;</li> <li>b. implement the revised plan from the date that the plan is submitted to the Department; and</li> <li>c. for the life of this approval, maintain a record of the reasons the person taking the action considers that taking the action in accordance with the revised plan would not be likely to have a new or increased impact.</li> </ul>		<p>variation in Condition 7 that was sourced and obtained on 7 March 2017. This has no new or increased impact.</p> <p>An additional change was made in November 2017 to manage heavy pasture fuel loads. The DAWE was notified of the change and confirmed on 5 December 2017 that <i>“The Department considers that the amendments to the revised plan are not likely to constitute a ‘new or increased impact’ on any EPBC Act matter protected by the controlling provisions for the action.”</i></p>
10	<p>The person taking the action may revoke their choice under condition 9 at any time by notice to the Department. If the person taking the action revokes the choice to implement a revised plan, without approval under section 143A of the Act, the plan approved by the Minister must be implemented.</p>	Not Applicable	<p>There has been no revoking of revisions of the OMP approved by Monica Collins (Assistant Secretary Compliance &amp; Enforcement Branch) on 13 December 2016 to date.</p>
11	<p>If the Minister gives a notice to the person taking the action that the Minister is satisfied that the taking of the action in accordance with the revised plan would be likely to have a new or increased impact, then:</p>	Not Applicable	<p>There has been no revised OMP submitted for approval during the Current Reporting Period. The OMP approved by Monica Collins (Assistant Secretary Compliance &amp; Enforcement Branch) on 13 December 2016 to date has been updated to reflect</p>



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	<p>a. Condition 9 does not apply, or ceases to apply, in relation to the revised plan; and</p> <p>b. The person taking the action must implement the plan approved by the Minister.</p>		variation in Condition 7 that was sourced and obtained on 7 March 2017. This has no new or increased impact.
12	To avoid any doubt, this condition does not affect any operation of conditions 9 and 10 in the period before the day the notice is given.	Not Applicable	OMP updated to reflect variation in Condition 7 that was sourced and obtained on 07 March 2017. This has no new or increased impact.
13	Conditions 9, 10 and 11 are not intended to limit the operation of section 143A of the EPBC Act which allows the person taking the action to submit a revised plan to the Minister for approval.	Not Applicable	There has been no revised OMP submitted for approval during the Current Reporting Period. The OMP approved by Monica Collins (Assistant Secretary Compliance & Enforcement Branch) on 13 December 2016 to date has been updated to reflect variation in Condition 7 that was sourced and obtained on 7 March 2017. This has no new or increased impact.
14	Unless otherwise agreed to in writing by the Minister, the person taking the action must publish all management plans referred to in these conditions of approval on their website for the duration of this approval. Each management plan must be published on the website within 1 month of being approved by the Minister or being submitted under condition 9.a and must remain on the website for the life of this approval.	Compliant	OMP published on <a href="https://www.talissonlithium.com/environment">https://www.talissonlithium.com/environment</a> From 13 January 2017