




2021-2022 ANNUAL COMPLIANCE
REPORT EPBC 2018/8206
14 NOV 2021 – 13 NOV 2022

TALISON LITHIUM AUSTRALIA PTY LTD

POINT OF CONTACT

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DECLARATION OF ACCURACY

In making this declaration, I am aware that sections 490 and 491 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (**EPBC Act**) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both.

I declare that all the information and documentation supporting this compliance report is true and correct in every particular to the best of my knowledge. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed:

A handwritten signature in blue ink, appearing to read 'Craig Dawson'.

Full Name: Craig Dawson

Position: General Manager – Operations

Organisation: Talison Lithium Australia Pty Ltd

Date: 21/12/2022



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1. INTRODUCTION

This Annual Compliance Report (**ACR, Report**) has been prepared for the Department of Climate Change, Energy, the Environment and Water (**DCCEEW, Department**) to comply with Condition 14 of the Talisson Lithium Australia Pty Ltd (**Talisson**) approval for “Greenbushes Lithium mine expansion, Western Australia (**WA**) (EPBC 2018/8206)” (**Expansion, Project**) issued under sections 130(1) and 133(1) of the *Environmental Protection and Biodiversity Conservation Act 1999* (**EPBC Act**).

This ACR addresses the compliance status of the Expansion with the conditions referred to in EPBC 2018/8206 for works carried out during the period 14 November 2021 to 13 November 2022 (the **Current Reporting Period**).

Talisson is compliant with all conditions referred to in EPBC 2018/8206, except for non-compliances with respect to Condition 3a and Condition 6 (refer to section 4.1 for further details).

1.1 Description of Activities

During the Current Reporting Period, Talisson performed the key activities summarised in Table 1.

Table 1: Summary of key activities

Project Title	Greenbushes Lithium Mine Expansion, WA
Approval Number	EPBC 2018/8206
Approval Holder	Talisson Lithium Australia Pty Ltd
Approval Australian Number	139 401 308
Holder Company	
Action	To clear native vegetation, to construct and operate an expansion of the Greenbushes Lithium Operation (Mine, Site) including construction and operation of two (2) chemical grade (CG) processing plants, tailings storage facility (TSF) and supporting infrastructure at the Mine, 80 kilometres (km) southeast of Bunbury, WA [See EPBC Act referral 2018/8206 as varied through the request to vary the proposal dated 25 February 2019].
Project Location	The Mine is located immediately south of the town of Greenbushes, approximately 250 km southeast of Perth, WA (Figure 1). It is located predominately within State Forest 20 (SF20) with the surrounding region comprising State Forest, agricultural properties, tree plantations, water storage and urban environments (e.g. Greenbushes townsite).
Current Reporting Period	14/11/21 to 13/11/22
Key Activities	A total of 123.08 hectares (ha) was cleared during the Current Reporting Period (see Figure 2). To the end of the Current Reporting Period, a cumulative total of 199.05ha has been cleared (see Figure 2).



	<p>The clearing of four (4) trees containing suitable nesting hollows and five (5) trees containing known nesting hollows occurred during the Current Reporting Period (see Figure 3).</p>
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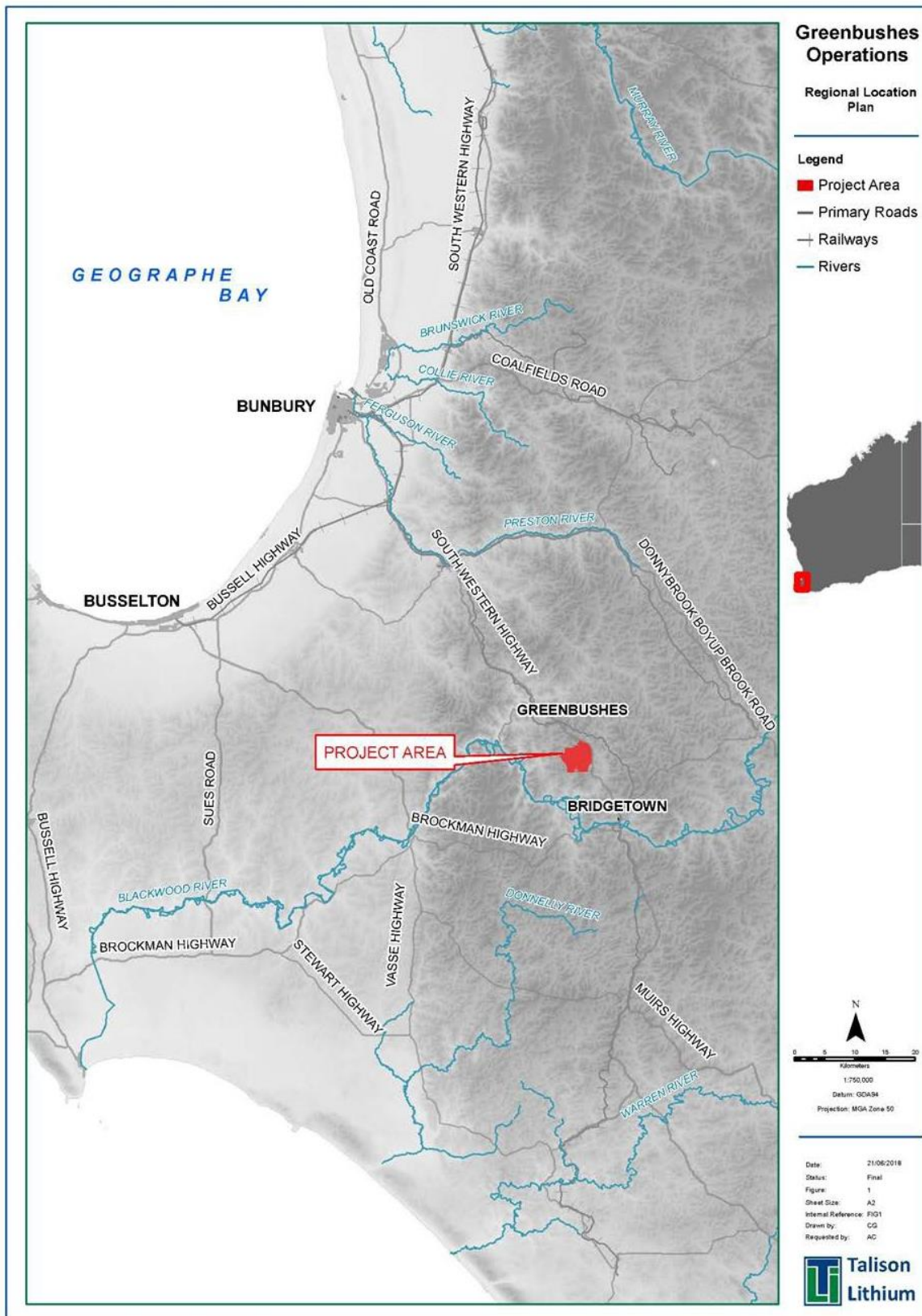


Figure 1: Location of the Mine

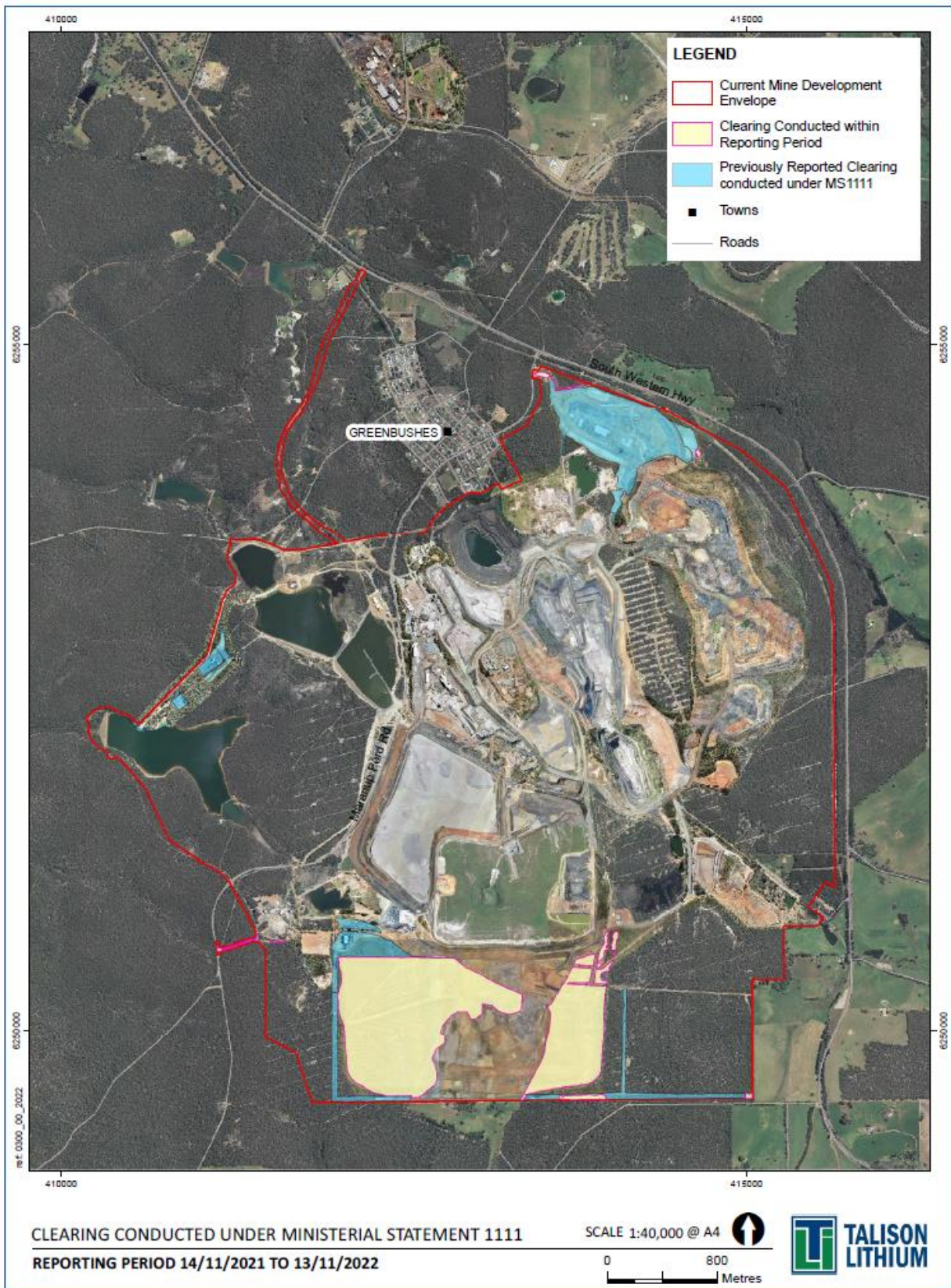


Figure 2: Areas cleared during the Current Reporting Period relevant to EPBC 2018/8206, and cumulative total of area cleared to date.

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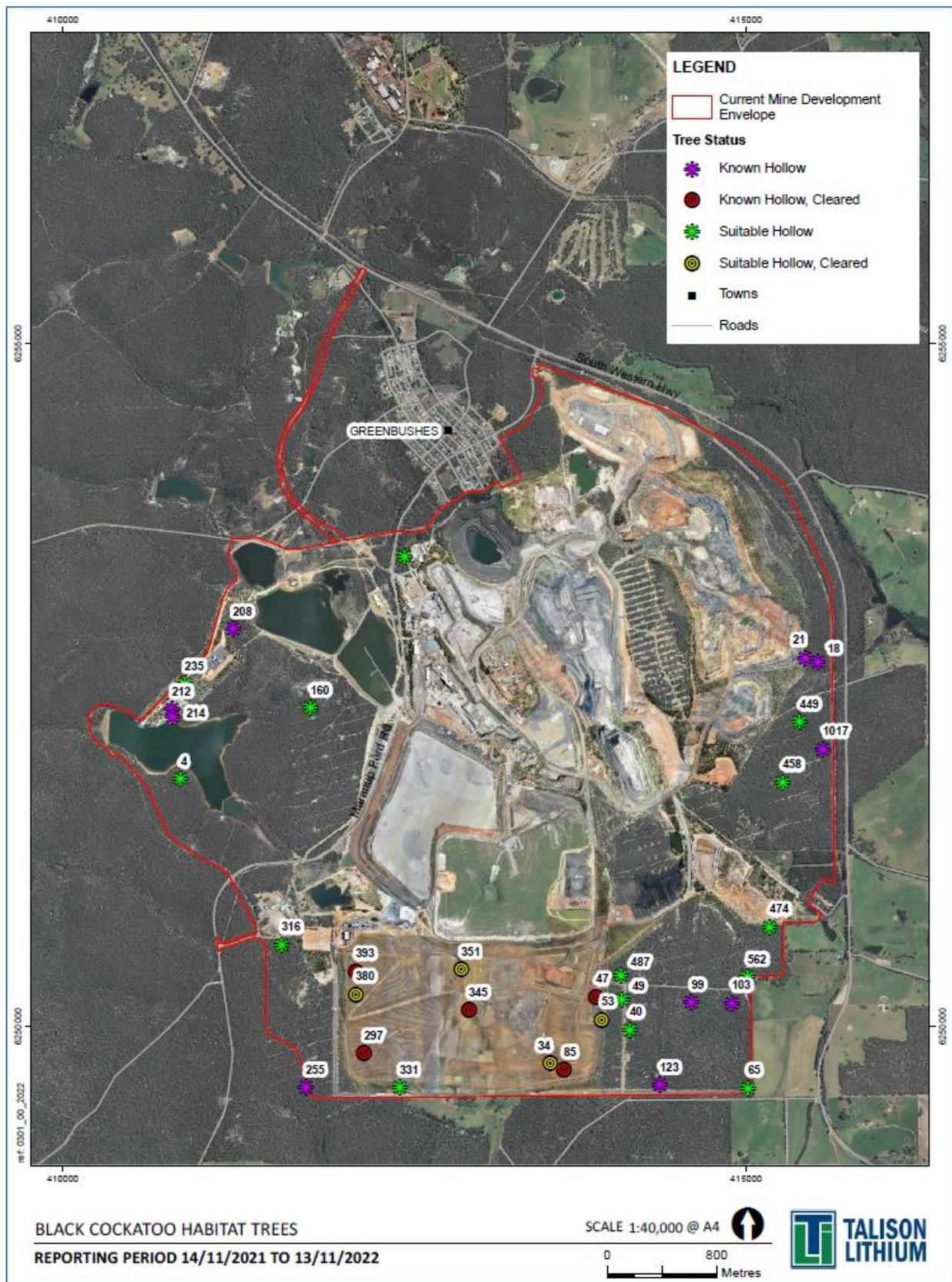


Figure 3: Suitable and known black cockatoo nesting hollows, and those cleared during the Current Reporting Period

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1.2 Environmental Approvals Status

The compliance assessment presented in section 4 of this ACR has been performed on the approval as varied on 26 August 2021.

Ministerial Statement 1111 (**MS 1111**) issued under section 45 of the Environmental Protection Act 1986 (WA) (**EP Act**) is relevant to the Expansion. No changes to MS 1111 were approved under section 45C or section 46 of the EP Act during the Current Reporting Period.

During the Current Reporting Period, no management plans relevant to EPBC 2018/8206 were submitted, amended and/or approved under MS 1111.

During the previous Reporting Period (14/11/2020 to 13/11/2021) (**Prior Reporting Period**), the Disease Hygiene Management Plan (**DHMP**) (ENV-MP-0003, Revision 8 dated 05 November 2021) was submitted to the Department of Water and Environmental Regulation (**DWER**) for their review and approval on 09 November 2021. To date, Talison has not received a response from DWER on their endorsement, or otherwise, of this revision. Until Revision 8 is approved, DHMP Revision 7 Dated 25 October 2019 (Ref 1) is the approved and implemented version of the DHMP.

A Compliance Assessment Report (**CAR**) was prepared for the most recent MS 1111 reporting period (19 August 2021 to 18 August 2022) (**CAR Reporting Period**) (Appendix 1), detailing compliance status of the Expansion with the conditions referred to in MS 1111.

At the time of publication of this ACR, approvals required under the Mining Act 1978 and Part V of the EP Act to commence some elements of the Expansion had not yet been received and are in progress.



2. MANAGEMENT PLAN IMPLEMENTATION

The implementation of the Conservation of Significant Terrestrial Fauna Management Plan (**CSTFMP**) and DHMP - required by MS 1111 - are relevant to EPBC 2018/8206 Condition 3a. The implementation of Offset Area Management Plans (**OAMPs**) for Tone Bridge L1, Wellington Mills and Carlotta offset areas are relevant to EPBC 2018/8206 Condition 6 and the implementation of the OAMP for Additional Offset Proposal Area is relevant to EPBC 2018/8206 Condition 6A.

The objectives of these plans and a summary of the progress towards the implementation of these plans is provided in the following sections.

2.1 Conservation Significant Terrestrial Fauna Management Plan

The objective of the CSFTMP (Ref 2) is to avoid, where possible, and minimise direct and indirect impacts upon conservation significant fauna within the Mine Development Envelope (**MDE**) during ground disturbing activities and during all phases of mining activities, as far as practicable, and to ensure there is no direct and indirect impact from the implementation of the Project to conservation significant fauna habitat in the areas defined in the CSTFMP.

The conservation significant fauna potentially impacted by the Project that are identified in the CSFTMP are:

- Carnaby's Black Cockatoo (*Calyptorhynchus latirostris*);
- Forest Red-tailed Black Cockatoo (*C. banksii naso*);
- Baudin's Black Cockatoo (*C. baudinii*);
- Chuditch (*Dasyurus geoffroii*);
- South-western Brush-tailed Phascogale (*Phascogale tapoatafa wambenger*);
- Numbat (*Myrmecobius fasciatus*) – note this species was not recorded at the Site; and
- Western Ringtail Possum (*Pseudocheirus occidentalis*) – note this species was not recorded at the Site, secondary evidence- scats, potentially belonging to the Western Ringtail Possum were recorded in the Jarrah/Marri Forest habitat within the northwest of the MDE.

The results of the key environmental management and monitoring programs conducted during the CAR Reporting Period, environmental incidents and performance against the implementation of the CSTFMP are summarised in the CAR (Appendix 1).

Since the CAR Reporting Period and within the Current Reporting Period (i.e. between 19 August 2022 to 13 November 2022, inclusive), there have been no incidents or potential non-compliances identified relating to conservation significant fauna or the implementation of the CSTFMP that required external notification to DCCEEW.

2.2 Disease Hygiene Management Plan

The objective of the DHMP (Ref 1) is to provide a framework to ensure that the impacts of dieback (*Phytophthora cinnamomi*) and marri-canker (*Quambalaria coyrecup*) on the environment (attributable to the Project) are minimised. During the Current Reporting Period, a total area of 123.08ha was cleared (Figure 2). Each Clearing Permit identified disease hygiene controls specific to the activities being conducted under



the Clearing Permit that were required to be in place before and during disturbance activities. Clearing activities were inspected for compliance with disease hygiene controls by on-Site environmental personnel.

The results of the key environmental management and monitoring programs conducted during the CAR Reporting Period, and performance against the implementation of the DHMP are summarised in the CAR (Appendix 1).

Since the CAR Reporting Period and within the Current Reporting Period (i.e. between 19 August 2022 to 13 November 2022, inclusive), there have been no incidents or potential non-compliances relating to disease hygiene or the implementation of the DHMP that required external notification to DCCEEW.

2.3 Offset Area Management Plan - Tone Bridge L1, Wellington Mills and Carlotta

The objectives of the OAMPs for the Tone Bridge L1, Wellington Mills and Carlotta offset areas is to ensure that these properties are managed for conservation until at least 01 January 2041, improve habitat for protected matters and provide very high-quality black cockatoo habitat.

Draft OAMPs for the Tone Bridge L1, Wellington Mills and Carlotta offset sites were submitted to the Department in May 2020 (Ref 7). Finalised Offset Management Plans for the Tonebridge L1, Wellington Mills and Carlotta offset sites have not yet been submitted to the Department and implementation of the OAMPs has not yet commenced. Progress towards the implementation of the finalised OAMPs for the Tone Bridge L1, Wellington Mills and Carlotta offset sites will be provided in future Annual Compliance Reports.

2.4 Offset Area Management Plan – Additional Offset Proposal Area

The objective of the OAMP for the Additional Offset Proposal Area is to ensure management of the offset areas for a period of no less than 20 years from the approval of the OAMP, improve the habitat values of the offset areas for protected matters, and ensure the offset areas attain and maintain very high-quality black cockatoo habitat.

The OAMP for the Additional Offset Area (Bowelling) was submitted to the Department during the Current Reporting Period in accordance with Condition 6A (Ref 14). The Department subsequently notified Talison (Ref 15) that the OAMP was not approved, as it was an OAMP for an Additional Offset Proposal that has not been approved under Condition 5. Progress towards finalising the OAMP for the Additional Offset Area (Bowelling) is continuing, and once finalised and approved the implementation of the OAMP will be provided in future Annual Compliance Reports.



3. REPORTING METHODOLOGY

3.1 Auditing Methodology

An internal audit was conducted to support the development of this ACR for actions conducted during the Current Reporting Period.

The compliance assessment conducted to support the CAR Reporting Period (Appendix 1) forms the basis of evidence for the internal audit for conditions related to the implementation of MS 1111 management plans (EPBC 2018/8206 Condition 3 and Condition 9), supported by an assessment of the period that was not covered by the CAR Reporting Period.

3.2 Designation of Record Findings

Talisson has adopted the 'Annual Compliance Report Guidelines' (Ref 3) designations (Table 2) for the reporting of compliance status in Table 3.

Table 2: Compliance Status Terms

Compliance Status Terms	Acronym	Definition
Compliant	C	'Compliance' is achieved when all the requirements of a condition have been met, including the implementation of management plans or other measures required by those conditions.
Non-Compliant	NC	A designation of 'non-compliance' should be given where the requirements of a condition or elements of a condition, including the implementation of management plans and other measures, have not been met.
Not Applicable	NA	A designation of 'not applicable' should be given where the requirements of a condition or elements of a condition fall outside of the scope of the current reporting period. For example, a condition which applies to an activity that has not yet commenced.

3.3 Public Availability of the Report

In accordance with Condition 14a, this ACR has been made publicly available to stakeholders, by publication on the Talisson website.



4. COMPLIANCE FINDINGS FOR EPBC 2018/8206

Compliance with the conditions of EPBC 2018/8206 is shown in Table 3 for the Current Reporting Period.

4.1 Non-Compliances Identified

Condition 3a

This condition requires Talison to comply with Condition 6 (CSTFMP) and Condition 9 (DHMP) of MS 1111.

No non-compliances or potential non-compliances against the implementation of the CSTFMP during the CAR Reporting Period were identified.

The following non-compliances against the implementation of the DHMP were identified within the Current Reporting Period:

- non-compliances with MS1111 Condition 9-3 relating to multiple breaches of disease hygiene arrival procedures which were identified during the Current Reporting Period (refer to section 3.2.3 of Appendix 1 for a detailed description of the non-compliance); and
- non-compliance with MS1111 Condition 9-3 relating to the importation of construction material / basic raw material (**BRM**) without dieback certification during previous and current CAR Reporting Periods which were first identified in the 2020 CAR Reporting Period (19 August 2019 – 18 August 2020) (Ref 5) (refer to section 3.2.3 Appendix 1 for a detailed description of the non-compliance).

The non-compliance relating to the importation of BRM without dieback certification was notified to DCCEEW in previous reporting periods (Ref 4; Ref 5). A corrective action included the update of the DHMP, which was submitted to DWER for their review and approval on 09 November 2021. To date, Talison has not received feedback from DWER on the revised DHMP. Until the revised DHMP (Revision 8 dated 05 November 2021) is approved, DHMP Revision 7 Dated 25 October 2019 (Ref 1) is the approved and implemented version of the DHMP.

For the non-compliance relating to multiple breaches of disease hygiene arrival procedures, the DCCEEW confirmed (Ref 6) that it had substantiated a contravention of condition 3a occurred in relation to the implementation of the DHMP. The DCCEEW determined that issuing Talison with a warning was the appropriate response and finalised the compliance matter relating to condition 3a.

Condition 6

This condition requires Talison to provide to the Department, within six (6) months of commencement of the action, finalised OAMPs for the Tone Bridge L1, Wellington Mills and Carlotta offset areas. Draft OAMPs for these areas were submitted to the Department, within six (6) months of the commencement of the action on 14 May 2020 (Ref 7). The draft OAMPs were otherwise prepared in accordance with the requirements of Condition 6 and evidence of compliance was appended to the 2020 ACR (refer to Appendix 3 of Ref 5).

The finalised OAMPs have not yet been submitted to the Department, which is non-compliant with Condition 6. This non-compliance was identified and reported in the previous ACR (Ref 4). The finalised OAMPs were not submitted to the Department in the Current Reporting Period and Talison remains non-compliant with Condition 6. Talison will submit the finalised OAMPs to the Department as a matter of priority. Once finalised, the OAMPs will be published on the Talison website in accordance with Condition 9c.

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Table 3: EPBC 2018/8206 Compliance Table

Condition No.	Part and Subject	Requirement	Compliance Status	Further Information
1	Part A – Conditions specific to the action	For the protection of the protected matters in the project area, the approval holder must not clear more than: <ol style="list-style-type: none"> 350ha within the project area seven suitable nesting hollows within the project area seven known nesting hollows within the project area. 	C	A total of 123.08ha was cleared during the Current Reporting Period relevant to the Expansion – refer to Figure 2 To the end of the Current Reporting Period, a cumulative total of 199.05ha has been cleared – refer to Figure 2. All clearing conducted during the Current Reporting Period was within the Project areas (MDE) – refer to Figure 2. The clearing of four (4) trees containing suitable nesting hollows and five (5) trees containing known nesting hollows occurred during the Current Reporting Period - refer to Figure 3, and Appendix 4 within the MS1111 CAR (Appendix 1).
2	Part A – Conditions specific to the action	If clearing of habitat for the protected matters is undertaken on or after 01 June in any year, or on or before 28 February in any year, the approval holder must undertake the following to mitigate the impacts of the action: <ol style="list-style-type: none"> not clear within a 10metre (m) radius of any known nesting hollows unless a suitably qualified field ecologist has verified that any Black Cockatoo egg(s) or chick(s) that may have been in that known nesting hollow has fledged and/or will not return in the same season to that known nesting hollow. not clear any tree containing a suitable nesting hollow or known nesting hollow unless, no more than 48 hours prior to clearing that tree, a suitably qualified field ecologist has verified that any Black Cockatoo egg(s) or chick(s) that may have been in that suitable nesting hollow has fledged and/or will not return in the same season to that suitable nesting hollow or known nesting hollow. 	C	During the Current Reporting Period, no clearing was conducted within a 10m radius of a known Black Cockatoo hollow until a suitably qualified field ecologist verified there was no breeding activity within the hollow - refer to section 3.1.6 and Appendix 4 of the MS1111 CAR (Appendix 1). During the Current Reporting Period, all trees containing suitable or known hollows were inspected for Black Cockatoo breeding activity by a suitably qualified field ecologist to confirm there was no breeding activity within 48 hours of clearing - refer to section 3.1.6 and Appendix 4 of the MS1111 CAR (Appendix 1). All activities were conducted in accordance with the Tree Protection Procedure (Ref 9), which is included as an appendix in the MS1111 CAR (Appendix 1).
3	Part A – Conditions specific to the action	To mitigate the impacts of the action to the protected matters the approval holder must: <ol style="list-style-type: none"> comply with Conditions 6 (Conservation Significant Terrestrial Fauna Management Plan) and 9 (Disease Hygiene Management Plan) of Ministerial Statement 1111 	NC	Two (2) non-compliances relating to the implementation of the DHMP were identified during the Current Reporting Period – refer section 3.2.3 of the MS1111 CAR (Appendix 1) for a detailed description of the non-compliances. The Department confirmed (Ref 6) that it had substantiated a contravention of condition 3a had occurred in relation to the implementation of the DHMP. The Department determined that issuing Talison with a warning was the appropriate response, and finalised the compliance matter relating to condition 3a.
		To mitigate the impacts of the action to the protected matters the approval holder must: <ol style="list-style-type: none"> include the proposed methodology to implement the requirements of Condition 2 above in the Conservation Significant Terrestrial Fauna Management Plan submitted for approval in accordance with condition 6 of Ministerial Statement 1111. 	C	The clearing methodology detailed in Condition 2 is included in the current approved version of the CSFTMP (Ref 2) – refer to Table 9 and Appendix B in the CSTFMP. The CSFTMP (Ref 2) meets the requirements of MS 1111 Condition 6-2 and was endorsed prior to the proposal (ground disturbance) commencing 15 November 2019 (Ref 10). The approved and current revision of the CSTFMP is available on the Talison website: https://static1.squarespace.com/static/5c0754e24611a07f1ab91992/t/5dce7ace717ef20f094f3318/1573812998925/Talison_LithiumENV-MP-0002_Conservation_Significant_Fauna_2019.pdf
4	Part A – Conditions specific to the action	To partially offset residual significant impacts to the protected matters, the approval holder must provide the following to the Department in respect of the offset areas specified below: <ol style="list-style-type: none"> in respect of Wellington Mills and Carlotta offset areas, title search results demonstrating that land titles for these offsets have been transferred to the DBCA within six (6) months of the commencement of the action. 	C	Wellington Mills offset area - Land title was transferred to the Department of Biodiversity, Conservation and Attractions (DBCA) on 11 April 2019. Copies of the Certificates of Title were provided to the Department, within six (6) months of the commencement of the action, on 14 May 2020 (Ref 7). Evidence of compliance was appended to the 2020 ACR (refer to Appendix 3 of Ref 5). Carlotta offset area - Land title was transferred to the DBCA on 01 May 2019. Copies of the Certificates of Title were provided to the Department, within six (6) months of the commencement of the action, on 14 May 2020 (Ref 7). Evidence of compliance was appended to the 2020 ACR (refer to Appendix 3 of Ref 5).
		To partially offset residual significant impacts to the protected matters, the approval holder must provide the following to the Department in respect of the offset areas specified below:	C	Tonebridge L1 offset area - Copies of the Property Offer and Acceptance, Subdivision Plan and details sent to DBCA to facilitate their lodgement of the subdivision were provided to the Department, within 12 months of the commencement of the action, on 14 May 2020 (Ref 7). Evidence of compliance was appended to the 2020 ACR (refer to Appendix 3 of Ref 5).

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Condition No.	Part and Subject	Requirement	Compliance Status	Further Information
		<p>b. in respect of Tone Bridge L1 offset area, evidence that a subdivision application has been lodged within 12 months of the commencement of the action.</p>		
		<p>To partially offset residual significant impacts to the protected matters, the approval holder must provide the following to the Department in respect of the offset areas specified below:</p> <p>c. in respect of Tone Bridge L1 offset area and the offset area(s) approved in accordance with Condition 5, title search results demonstrating that land titles for these offsets have been transferred to the DBCA by 15 November 2021.</p>		<p>Tonebridge L1 offset area - Copies of the Property Offer and Acceptance, Subdivision Plan and details sent to DBCA to facilitate their lodgement of the subdivision were provided to the Department, within 12 months of the commencement of the action, on 14 May 2020 (Ref 7). Evidence of compliance was appended to the 2020 ACR (refer to Appendix 3 of Ref 5).</p> <p>Additional Offset Area Proposal (Bowelling) - an information package was provided to the Department on 15 and 16 November 2021, with evidence of compliance appended to the 2021 ACR (refer to Appendix 2 of Ref 4). The Department confirmed receipt of the submission and that it contained all the required information on 16 November 2021 (refer to Appendix 2 of Ref 4).</p>
		<p>To partially offset residual significant impacts to the protected matters, the approval holder must provide the following to the Department in respect of the offset areas specified below:</p> <p>d. documentation demonstrating that the DBCA agrees to manage the lands transferred to it by the approval holder in accordance with the management plans specified in Conditions 6 and 6A, and then manage for conservation purposes, in perpetuity, and that DBCA is satisfied with the amount and timing of funding provided by the approval holder to DBCA to implement the management plans specified in Conditions 6 and 6A.</p>		<p>Tone Bridge L1, Wellington Mills and Carlotta offset areas (Condition 6) and Additional Offset Area (Bowelling) (Condition 6A) – The DBCA signed a Memorandum of Understanding (MOU) with Talison in the previous Reporting Period (on 08 October 2021) agreeing to manage these areas until 2040 (refer to Appendix 3 of Ref 4). The Work Plans appended to the MOU align with the OMPs specified in Condition 6 and Condition 6A.</p> <p>The MOU with the DBCA was revised during the Current Reporting Period to amend the financial compensation Talison was to pay the DBCA for ongoing management of the Additional Offset Area (Bowelling). Due to the negotiation of the revision to the MOU, payment from Talison to the DBCA did not occur and implementation of the OAMPs did not commence during the Current Reporting Period. It is anticipated that the revised MOU will be signed by Talison and the DBCA in December 2022 with full payment and implementation of the OAMPs to commence shortly after.</p>
5	Part A – Conditions specific to the action	<p>In addition to the offset areas required under Condition 4, the approval holder must submit to the Department for the Minister's written approval an Additional Offset Proposal to offset the remaining residual significant impacts to the protected matters. The Additional Offset Proposal/s must be submitted for the Minister's approval by 15 November 2021.</p> <p>The offsets specified in Condition 4 and the Additional Offset Proposal/s submitted under this condition must, when combined, provide more than 90% of the offsets required to compensate for the residual significant impacts to protected matters.</p>	C	<p>Talison received correspondence from the Department (Ref 6) indicating that the Department considered that Talison may be non-compliant with Condition 5 as the offset proposal that Talison submitted under Condition 4 "was not sufficient to, in totality with the offsets under Condition 4, provide more than 90% of the required offsets as impact compensation."</p> <p>Talison formally responded to this letter (Ref 12) outlining the plan to meet 90% of the offsets required to compensate for the residual significant impacts to protected matters. The Department acknowledged Talison's response and are being kept informed of Talison's progress via informal correspondence (email).</p>
6	Part A – Conditions specific to the action	<p>Within six (6) months of commencement of the action the approval holder must provide the Department finalised management plans for the Tone Bridge L1, Wellington Mills and Carlotta offset areas. The management plans must:</p> <p>a. be prepared by a suitably qualified field ecologist in accordance with the Department's Environmental Management Plan Guidelines and the EPBC Act Environmental Offsets Policy;</p> <p>b. be initially provided in draft form for feedback by the Department; and</p> <p>c. include evidence of the arrangements that the approval holder has put in place to ensure that the management plans will be implemented.</p>	NC	<p>Draft Offset Management Plans for the Wellington Mills, Tone Bridge L1 and Carlotta offset sites were submitted to the Department, within six (6) months of the commencement of the action on 14 May 2020 (Ref 7). Each of the Draft OAMPs contained a compliance table that demonstrates compliance with the requirements of Condition 6. Evidence of compliance was appended to the 2020 ACR (refer to Appendix 3 of Ref 5).</p> <p>Finalised OAMPs for the Wellington Mills, Tonebridge L1 and Carlotta offset sites were not submitted to the Department during the Current Reporting Period (non-compliant).</p>
		<p>The management plans for the Tone Bridge L1, Wellington Mills and Carlotta offset areas must ensure that these properties are managed for conservation until at least 1 January 2041 and improve habitat for protected matters and provide very high-quality black cockatoo habitat. The finalised management plans must be implemented.</p>		<p>The mechanism for implementation of the OAMPs for the Tone Bridge L1, Wellington Mills and Carlotta offset areas is the MOU between Talison and DBCA – the DBCA signed an MOU with Talison in the previous Reporting Period (on 08 October 2021) agreeing to manage these areas until 2040 (refer to Appendix 3 of Ref 4). The Work Plans appended to the MOU align with the OAMPs specified in Condition 6 and Condition 6A.</p> <p>The MOU with the DBCA was revised during the Current Reporting Period to amend the financial compensation Talison was to pay the DBCA for ongoing management of the Additional Offset Area (Bowelling). Due to the negotiation of the revision to the</p>

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Condition No.	Part and Subject	Requirement	Compliance Status	Further Information
				MOU, payment has yet to occur from Talison to the DBCA and implementation of the OAMPs did not commence during the Current Reporting Period. It is anticipated that the revised MOU will be signed by Talison and the DBCA in December 2022 with full payment and implementation of the management actions to commence follow shortly after. Implementation will be monitored and reported as per the conditions of each OAMP.
		If the approval holder wishes to act other than in accordance with a management plan, the management plan must be revised to describe what will be implemented and the approval holder must provide the management plan, so revised, to the Department prior to undertaking management inconsistent with an existing management plan.		No requirement to act other than in accordance with a management plan occurred during the Current Reporting Period.
6A	Part A – Conditions specific to the action	<p>The approval holder must, by 15 February 2022, submit to the Department for written approval of the Minister an Offset Area Management Plan (OAMP) for the Additional Offset Proposal/s approved in accordance with Condition 5. The OAMP must:</p> <ol style="list-style-type: none"> be prepared by a suitably qualified field ecologist; ensure management of the offset area/s for a period of no less than 20 years from the approval of the OAMP; improve the habitat values of the offset area/s for the protected matters; ensure the offset area/s attain and maintain very high quality black cockatoo habitat; and be prepared in accordance with the Department's Environmental Management Plan Guidelines and the EPBC Act Environmental Offsets Policy. <p>The approval holder must implement the approved OAMP.</p> <p>If the approval holder wishes to act other than in accordance with the approved OAMP, the approval holder must submit a revised OAMP for approval in accordance with s143(A) of the EPBC Act. If the revised OAMP is approved by the Minister in writing, then the approval holder must implement the approved OAMP.</p>	C	<p>The OAMP for the Additional Offset Area (Bowelling) was submitted to the Department during the Current Reporting Period on 15 February 2022 in accordance with this condition (Ref 14). The OAMP contains a compliance table that demonstrates compliance with the requirements of Condition 6A.</p> <p>The Department notified Talison that it did not approve the submitted OAMP for the Additional Offset Area (Bowelling) submitted under Condition 6A (Ref 15) as it is an OAMP for an Additional Offset Proposal that has not been approved under Condition 5 (refer to evidence provided for Condition 5).</p> <p>Once the OAMP for the Additional Offset Area (Bowelling) is approved by the Department, implementation will be monitored and reported as per the conditions of the approved OAMP.</p>
7	Part A – Conditions specific to the action	<p>If the Minister advises the approval holder in writing that the offsets to be provided in accordance with the requirements of Conditions 4 and 5 will provide less than 100% of the offsets required to compensate for the residual significant impacts to protected matters, the approval holder must, within 2 months of receiving such written advice, submit an Indirect Offset Proposal to the Minister for approval. If, after 4 months after the required Indirect Offset Proposal submission date, the Minister informs the person taking the action that the submitted Indirect Offset Proposal is not suitable for approval, the Minister may, after another 2 months, approve a version of the Indirect Offset Proposal revised by the Department.</p> <p>The Indirect Offset Proposal (the Proposal) must:</p> <ol style="list-style-type: none"> explain how the financial contribution to be made by the approval holder to implement the Proposal has been determined. The amount of funding contributed for the Proposal must be at least commensurate with the costs of land purchases and land management required to meet the requirements of Conditions 4 and 5, adjusted to reflect Consumer Price Index changes between the implementation of conditions 4 and 5 and the commencement of the Proposal; 	NA	The Minister did not advise Talison during the Current Reporting Period in writing that an Indirect Offset Proposal has been triggered by Condition 7, as Talison is yet to provide 90% of direct offsets required to compensate for the residual significant impacts to protected matters.

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Condition No.	Part and Subject	Requirement	Compliance Status	Further Information
		b. describe the conservation project(s) that comprise the Proposal, including: <ul style="list-style-type: none"> i. outcomes to be achieved by implementing the conservation projects(s); ii. a timetable of project activities, deliverables and financial contributions to be made by the approval holder; iii. the institution or person(s) responsible for project implementation; and c. demonstrate that the Proposal: <ul style="list-style-type: none"> i. where appropriate, is consistent with the EPBC Act Environmental Offsets Policy; ii. is consistent with relevant conservation advice, recovery plans and threat abatement plans for the protected matters; and iii. is likely to achieve a conservation gain for the protected matters. d. specify arrangements to periodically report to the Department on the implementation of the Proposal and achieving conservation gains for the protected matters. The approval holder must implement the approved Indirect Offset Proposal.		
8	Part A – Conditions specific to the action	The approval holder must, within six (6) months of the commencement of the action, provide to the Department the offset attributes and a shapefile for each of the offset areas required under Condition 4. The offset attributes and shapefiles for the additional direct offset area/s, required by Condition 5 must be submitted to the Department by 15 February 2022.	C	Shapefiles for Carlotta, Wellington Mills and Tone Bridge L1 were submitted to the Department, within six (6) months of the commencement of the action on 14 May 2020 (Ref 7). Evidence of compliance was appended to the 2020 ACR (refer to Appendix 3 of Ref 5). Additional Offset Area Proposal (Bowelling) shape files were provided to the Department via Dropbox Transfer on 15 November 2021 (refer to email correspondence – Appendix 2 of Ref 4).
9	Part A – Conditions specific to the action	The approval holder must: <ul style="list-style-type: none"> a. notify the Department in writing of any proposed changes to the conditions of the Ministerial Statement 1111 no later than five (5) business days after the approval holder: <ul style="list-style-type: none"> i. proposes such a change in writing; or ii. becomes aware of a proposal for such a change. 	C	There were no amendments made or proposed to MS 1111 during the Current Reporting Period.
		b. publish each management plan referred to in Condition 3 on the website within five (5) business days of the date the management plan is approved by the Western Australian Government	C	The CSTFMP and DHMP were published and available on the Environment page of the Talison Website for the duration of the Reporting Period (https://www.talisonlithium.com/environment). No changes to the management plans were approved during the Current Reporting Period.
		c. publish the management plans required under Condition 6 on the website within five (5) business days of providing them to the Department;	NA	The final OAMPs required by Condition 6 have not yet been provided to the Department. Once approved with DBCA and submitted to the Department, the OAMPs will be published on the Talison website as required by this condition.
		d. publish the Offset Area Management Plan required by Condition 6A on the website within five (5) business days of the plan being approved by the Minister;	NA	The final OAMP required by Condition 6A has not yet been approved by the Department. Once approved, the OAMP will be published on the Talison website as required by this condition.
		e. publish the Indirect Offset Plan required under Condition 7 on the website within five (5) business days of its approval by the Minister;	NA	The Indirect Offset Plan required by Condition 7 is not yet required. If directed by the Minister, an Indirect Offset Plan will be prepared and published in accordance with this condition.
		f. keep all of the management plans referenced in this Condition published on the website until at least the end date of this approval; and	C	The management plans required by Condition 3 (CSTFMP and DHMP) are currently available on the Environment page of the Talison Website (https://www.talisonlithium.com/environment). The management plans required by Condition 6, Condition 6A and Condition 7 will be published once versions are finalised and submitted to the Department.

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Condition No.	Part and Subject	Requirement	Compliance Status	Further Information
				All management plans required by EPBC 2018/8206 will remain available on the Talison website until at least the end date of this approval.
		g. ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under conditions of this approval, is prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018).	C	All data provided to the Department during the Current Reporting Period has been compliant with this condition.
10	Part B – Standard Administrative Conditions Notification of date of commencement of the action	The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action.	C	The action commenced prior to the Reporting Period on 15 November 2019. The Department was notified in a letter dated 21 November 2019, within 10 business days after the commencement of the action (Ref 8). Evidence of compliance was appended to the 2020 ACR (refer to Appendix 10 of Ref 5).
11	Part B – Standard Administrative Conditions Compliance records	The approval holder must maintain accurate and complete compliance records.	C	Talison maintains accurate and complete electronic compliance records relating to the implementation of EPBC 2018/8206 that are available to the Department on request.
12	Part B – Standard Administrative Conditions Compliance records	If the Department makes a request in writing, the approval holder must provide electronic copies of compliance records to the Department within the timeframe specified in the request. Note: Compliance records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, and or used to verify compliance with the conditions. Summaries of the result of an audit may be published on the Department's website or through the general media.	NA	Not required / requested. The Minister did not request any compliance records during the Current Reporting Period.
13	Part B – Standard Administrative Conditions Preparation and publications of plans	The approval holder must: a. submit plans electronically to the Department; b. exclude or redact sensitive ecological data from plans published on the website; c. notify the Department by email that a plan has been published on the website and provide the weblink for the plan within five business days of the date of publication; and d. keep plans published on the website until the end date of this approval.	C	The Department were notified of the approval and publication of the plans required by Condition 3 (CSTFMP and DHMP) prior to the Current Reporting Period (Ref 11). Evidence of compliance was appended to the 2020 ACR (refer to Appendix 11 of Ref 4). The notification included electronic copies of the plans and a weblink to the published location of the plans. The final OAMPs required by Condition 6, Condition 6A and Condition 7 have not yet been provided and/or approved to the Department. Once finalised and/or approved, the OAMPs will be published on the Talison website as required by this condition. All management plans required by EPBC 2018/8206 will remain available on the Talison website (https://www.talisonlithium.com/environment) until at least the end date of this approval.
14	Part B – Standard Administrative Conditions	The approval holder must prepare a compliance report for each 12-month period following the date of commencement of the action, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must:	C	This Report prepared in accordance with Condition 14 covering the period 14 November 2021 to 13 November 2022. This Report is to be published online before 23 December 2022 (30 business days from 13 November 2022), and notification given to the Department of publication.



Condition No.	Part and Subject	Requirement	Compliance Status	Further Information
	Annual compliance reporting	a. publish each compliance report on the website within 30 business days following the relevant 12-month period; b. notify the Department by email that a compliance report has been published on the website and provide the weblink for the compliance report within five business days of the date of publication; c. keep all compliance reports publicly available on the website until this approval expires; d. exclude or redact sensitive ecological data from compliance reports published on the website; and e. where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within 5 business days of publication. Note: Compliance reports may be published on the Department's website.		Talisson received no formal notification from the Department during the Current Reporting Period that the 2020-2021 Annual Compliance Report for EPBC 2018/8206 (Ref 4) met the reporting requirements under Condition 14. The 2021-22 report is published on the Talison website (https://www.talisonlithium.com/environment) prior to 24 December 2022.
15	Part B – Standard Administrative Conditions Reporting non-compliance	The approval holder must notify the Department in writing of any: incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than five (5) business days after becoming aware of the incident or non-compliance. The notification must specify: a. any condition which is or may be in breach; b. the location (including coordinates), date and time of the incident and/or non-compliance; and c. a short description of the incident and/or non-compliance.	C	Talison reported multiple incidents to the Department during the Current Reporting Period relevant to DHMP breaches in November 2021, December 2021, January 2022, February 2022, March 2022, April 2022 and May 2022. These notifications were given within five (5) business days of becoming aware of the breach, and included the information specified by this condition. Talison reported the death of one (1) South-Western Brush-Tailed Phascogale (<i>Phascogale tapoatafa wambenger</i>) to the Department on 23 March 2022 (Ref 13). This notification was given within five (5) business days of becoming the incident (which occurred on 17 March 2022), and included the information specified by Condition 15 and 16.
16	Part B – Standard Administrative Conditions Reporting non-compliance	The approval holder must provide to the Department the details of any incident or non-compliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying: a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future including timeframes for implementation; b. the potential impacts of the incident or non-compliance; and c. the method and timing of any remedial action that will be undertaken by the approval holder.	C	Talison reported multiple incidents during the Current Reporting Period relevant to DHMP breaches in November 2021, December 2021, January 2022, February 2022, March 2022, April 2022 and May 2022. Additional information regarding these notifications were given within 10 business days of becoming aware of the breach, and included the information specified by this condition. Talison reported the death of one (1) South-Western Brush-Tailed Phascogale (<i>Phascogale tapoatafa wambenger</i>) to the Department on 23 March 2022 (Ref 13). The additional information required was given within 10 business days of becoming the incident (which occurred on 17 March 2022), and included the information specified by Condition 15 and 16.
17	Part B – Standard Administrative Conditions Independent audit	The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.	NA	Not required / requested. The Minister did not request an independent audit during the Current Reporting Period.
18	Part B – Standard	For each independent audit, the approval holder must:	NA	Not required / requested.

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Condition No.	Part and Subject	Requirement	Compliance Status	Further Information
	Administrative Conditions Independent audit	a. provide the name and qualifications of the independent auditor and the draft audit criteria to the Department; b. only commence the independent audit once the audit criteria have been approved in writing by the Department; and c. submit an audit report to the Department within the timeframe specified in the approved audit criteria.		The Minister did not request an independent audit during the Current Reporting Period.
19	Part B – Standard Administrative Conditions Independent audit	The approval holder must publish the audit report on the website within 10 business days of receiving the Department's approval of the audit report and keep the audit report published on the website until the end date of this approval.	NA	Not required / requested. The Minister did not request an independent audit during the Current Reporting Period.
20	Part B – Standard Administrative Conditions Completion of the action	Within 10 days after the completion of the action, the approval holder must notify the Department in writing and provide completion data.	NA	Not required. The action was not completed during the Current Reporting Period.



5. REFERENCED DOCUMENTS

Table 4 lists documentation directly referenced in this document.

Table 4: Reference Table

Ref. No.	Description
1	Talisson Lithium Australia (2019) Disease Hygiene Management Plan (DHMP, ENV-MP-0003) Revision 7, 25 October 2019
2	Talisson Lithium Australia (2019) Conservation Significant Terrestrial Fauna Management Plan (CSTFMP, ENV-MP-0002) Revision 11, 25 October 2019
3	Commonwealth of Australia (2014) Annual Compliance Report Guidelines, Commonwealth of Australia, 2014.
4	Talisson Lithium Australia (2021) Annual Compliance Report EPBC 2018/8206 14 Nov 2020 – 13 Nov 2021 (ENV-RP-0011) Revision 1, 23 December 2021
5	Talisson Lithium Australia (2020) Annual Compliance Report EPBC 2018/8206 14 Nov 2019 – 13 Nov 2020 (ENV-RP-0004) Revision 1, 23 December 2020
6	Department of Climate Change, Energy, the Environment and Water (DCCEEW) (2022) Letter to Talisson Lithium Australia 19 August (Re: Warning Letter – Contravention of Environmental Protection and Biodiversity Conservation Act 1999 for EPBC 2018/8206; Letter Reference L07KH27ENV 2021)
7	Talisson Lithium Australia (2020) Email and letter to the Department, 14 May (Re: EPBC 2018/8206 Greenbushes Lithium Mine Expansion, Western Australia Requirements of Conditions 4, 6 and 8; Letter Reference 05CG07ENV 2020)
8	Talisson Lithium Australia (2019) Letter to the Department, 21 November (Letter Reference L11CG10PROJ2019)
9	Talisson Lithium Australia (2022) Tree Protection Procedure (ENV – PR – 9007) Revision 2, September 2022.
10	Executive Director, EPA Services (for the CEO under notice of delegation dated 03 July 2017) (2019) Letter to Talisson Lithium Australia, 29 October (Re: CSFTMP (Site Management Plan: ENV-MP-0002, Rev 11, 25 October 2019) meets the requirements of MS 1111 Condition 6-2; Letter Reference DWERT4334).
11	Talisson Lithium Australia (2019) Email to the Department, 15 November (Re: Greenbushes Lithium mine expansion, WA (EPBC 2018/8206) – Condition 9 b – Management Plans as Required by Condition 3)
12	Talisson Lithium Australia (2022) Email and letter to the Department 29 August (Re: Response on potential breach of approval conditions attached to EPBC2018_8206; Letter Reference 2022_09 EPBC 20188206 Condition 5 ResponseRev0)
13	Talisson Lithium Australia (2022) Email and letter to the Department, 23 March (Re: EPBC 2018/8206 – Environmental incident relevant to protected matter; Letter Reference L03KH12ENV 2022)



Ref. No.	Description
14	Talisson Lithium Australia (2022) Email and letter to the Department, 15 February (Re: Submission of Bowelling Offset Area Management Plan)
15	Department of Climate Change, Energy, the Environment and Water (DCCEEW) (2022) Email to Talisson Lithium Australia 02 August (Re: 2018/8206 residual offsets)

6. APPENDED DOCUMENTS

Table 5 lists documentation appended to this document.

Table 5: Appendix Table

Appendix No.	Description
1	2022 Compliance Assessment Report – Ministerial Statement 1111



APPENDIX 1 – 2022 COMPLIANCE ASSESSMENT REPORT FOR MS 1111