Government of Western Australia
Department of Water and Environmental Regulation

DWER Compliance Audit Report

Statement(s)	1118 & 1167
Proposal	Earl Grey Lithium Project
Proponent	Covalent Lithium Pty Ltd
Proponent Contact	Anthea Pate, Environment Manager anthea.pate@covalentlithium.com
Lead Auditor	Rowan Inglis
Date of Audit	March 2022
File Number	DWERT4659
Objectives	Assess the proponent's compliance with Statement 1118 and 1167
Scope	Implementation conditions of Statement 1118 and 1167
Documents Reviewed	Statement 1118 Statement 1167 *Earl Grey Lithium Project Compliance Assessment Report 2021* (DWERDT566837) *Earl Grey Lithium Project Flora and Vegetation Environmental Management Plan* (Rev 5, 24 February 2021 – DWERDT420322) *Earl Grey Lithium Project Terrestrial Fauna Environmental Management Plan* (Rev 3, 16 September 2020 - DWERDT340477)
Attachments	Attachment One – Audit Table Attachment Two – Flora and Vegetation Management Plan - DWER Audit Findings Attachment Three – Terrestrial Fauna Environmental Management Plan - DWER Audit Findings

Background

Statement 1118 was issued to Covalent Lithium Pty Ltd on 21 November 2019 for the development of a pegmatite-hosted lithium deposit at the abandoned Mt Holland mine site, located 105 km south-southeast of Southern Cross, Shire of Yilgarn. The mining proposal involves a footprint of 667 ha of land, including new clearing of up to 386 ha of native vegetation, for a mine pit, waste rock dump, integrated waste landform, processing plant, airstrip, accommodation village and associated infrastructure.

Statement 1167 was issued on 14 May 2021 which amends conditions 6-1, 7-1, 8-1 and 8-8 of Statement 1118.

The following changes to the proposal were approved by the Environmental Protection Authority under delegation on 18 May 2021 under s45C of the *Environmental Protection Act 1986*.

- Addition of a water supply pipeline between Moorine Rock and the Earl Grey Lithium Project
- Change to the Development Envelope to accommodate pipeline infrastructure
- Amendment to the total footprint but no additional clearing.

Proponent states that construction commenced for this proposal in April 2021.

Audit Findings

The proponent has demonstrated an acceptable level of compliance with the conditions of Statements 1118 & 1167 audited.

Required Actions and Recommendations

1118:M6.6 - Proponent to ensure that dust monitoring is undertaken monthly as per the approved Flora and Vegetation Management Plan.

Report Prepared by: Rowan Inglis – A/ Senior Environmental Officer	Date: 18 March 2022
Reviewed by: Mark Rust – Senior Environmental Officer	Date: 21 March 2022
Endorsed by: Hugh Lance – Manager Audit	Date: 25 March 2022

Definitions

Phases

Pre-Construction - No ground disturbance has commenced. Plans may be in development or approvals are being sought prior to ground disturbance.

Construction – Ground disturbance may have commenced, no waste emission from operations has commenced, limited waste emissions may have occurred during 'commissioning' under a works approval issued under the Environmental Protection Act 1986 (EP Act); proposal has substantially commenced.

Operation – The following may have occurred or may be occurring: ground disturbance; operations are producing waste emissions; 'commissioning' under a licence issued under the EP Act; development of a site; remediation activity prior to development of site; mining activity; subdivision of site.

Decommissioning – The following may occur during this phase: ground disturbance for rehabilitation purposes; post-remediation; post-reclamation; development following remediation where the main objective of the proposal was remediation; decommissioning.

Overall – This phase is used where an audit element applies during multiple phases of the project.

Compliance Statuses

Compliant (C) – Implementation of the proposal has been carried out in accordance with the requirements of the audit element.

Completed (CLD) – A requirement with a finite period of application has been satisfactorily completed.

Not required at this stage (NR) – The requirements of the audit element were not triggered during the reporting period.

Potentially Non-compliant (PNC) – Possible or likely failure to meet the requirements of the audit element.

Non-compliant (NC) – Implementation of the proposal has not been carried out in accordance with the requirements of the audit element.

In process (IP) – Where an audit element requires a management or monitoring plan be submitted to 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 DWER or other government agency for approval is still pending.

Abbreviations

CAR = Compliance Assessment Report

CEO = Chief Executive Officer of DWER

DBCA = Department of Biodiversity, Conservation and Attractions

DEC = Department of Environment and Conservation (now DWER)

DER = Department of Environment Regulation (now DWER)

DIA = Department of Indigenous Affairs (now DPLH)

DMIRS = Department of Mines, Industry Regulation and Safety

DMP = Department of Mines and Petroleum (now DMIRS)

DPAW = Department of Parks and Wildlife (now DBCA)

DOH = Department of Health

DPLH = Department of Planning, Lands and Heritage

DWER = Department of Water and Environmental Regulation

EPA = Environmental Protection Authority

OEPA = Office of the Environmental Protection Authority (now DWER)

Attachment One

AUDIT TABLE

PROPOSAL: Earl Grey Lithium Project
STATEMENTS: 1118 & 1167

Government of Western Australia
Department of Water and Environmental Regulation

Audit Code	Subject	Phase	Action	Notes	Status
1118:M1.1	Proposal Implementation	Overall	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.	Proponent states in correspondence dated 11 March 2022 that 160 hectares of native vegetation (386-hectare limit) have been cleared (DWERDT575912).	C
1118:M2.1	Contact Details	Overall	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.	DWER has not received notification of a change in name, physical or postal address.	NR
1118:M3.1	Time Limit for Proposal Implementation	Overall	The proponent shall not commence implementation of the proposal after five (5) years from the date of this Statement, and any commencement, prior to this date, must be substantial.	Proponent provided evidence of substantial commencement through the construction of an aerodrome, pit shell and village in correspondence dated 11 March 2022 (DWERDT579615).	CLD
1118:M3.2	Time Limit for Proposal Implementation	Overall	Any commencement of implementation of the proposal, on or before five (5) years from the date of this Statement, must be demonstrated as substantial by providing the CEO with written evidence, on or before the expiration of five (5) years from the date of this Statement.	See 1118:M3.1.	CLD
1118:M4.1	Compliance Reporting	Overall	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 Compliance Assessment Report required by condition 4-6, or prior to implementation of the proposal, whichever is sooner.	Proponent submitted a Compliance Assessment Plan (Revision 1) on 17 September 2020 (DWERDT339470) which was approved by DWER on 17 December 2020 (DWERDT392983).	C
1118:M4.2	Compliance Reporting	Overall	The Compliance Assessment Plan 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 Compliance Assessment Reports; and (6) public availability of Compliance Assessment Reports.	See 1118:M4.1.	CLD
1118:M4.3	Compliance Reporting	Overall	After receiving notice in writing from the CEO that the Compliance Assessment Plan satisfies the requirements of condition 4-2 the proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by condition 4-1.	Proponent provides evidence of assessing compliance in Earl Grey Lithium Project Compliance Assessment Report 2021 (CAR 2021) submitted on 21 February 2022 (DWERDT566837).	C
1118:M4.4	Compliance Reporting	Overall	The proponent shall retain reports of all compliance assessments described in the Compliance Assessment Plan required by condition 4-1 and shall make those reports available when requested by the CEO.	Proponent states in CAR 2021 that copies of the CAR and evidence used have been retained by the auditor (Strategen-JBS&G) and provided to the proponent (DWERDT566837).	C
1118:M4.5	Compliance Reporting	Overall	The proponent shall advise the CEO of any potential non-compliance within seven (7) days of any non-compliance being known.	No non-compliances have been identified.	NR
1118:M4.6	Compliance Reporting	Overall	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.	Proponent submits annual compliance reports, the most recent being CAR 2021 submitted on 21 February 2022 (DWERDT566837). Proponent has requested that the CAR submission date be revised to 30 April of each year. This request will be determined separately to this audit.	C
1118:M5.1	Public Availability of Data	Overall	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)), management plans and reports relevant to the assessment of this proposal and implementation of this Statement.	Proponent states in correspondence dated 11 March 2022 (DWERDT579615) that all relevant information will be available on the proponent's website: https://www.covalentlithium.com/	C
1118:M5.2	Public Availability of Data	Overall	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.	Proponent has not requested information not be made publicly available.	NR
1167:M6.1	Flora and Vegetation Environmental Management Plan	Overall	The proponent shall implement the proposal to meet the following environmental outcome: (1) The proponent shall ensure there is no proposal-related direct or adverse indirect impacts to flora and vegetation within the exclusion zones as shown on Figure 3 and delineated by coordinates in Schedule 2. (2) The proponent shall ensure there are no proposal-related impacts to more than 9,732 individuals of Microcorys elatoides and 2 individuals of Banksia sphaerocarpa var. dolichostyla.	Compliance with condition is determined through implementation of the Flora and Vegetation Environmental Management Plan (see 1118:M6.6).	C

1118:M6.2	Flora and Vegetation Environmental Management Plan	Pre-construction	Prior to the commencement of ground disturbing activities, the proponent must undertake pre-clearance vegetation and flora survey(s) within the development envelope in accordance with Technical Guidance – Flora and Vegetation Surveys for Environmental Impact Assessment.	Proponent included *Threatened and Priority Flora Assessment Pre-Clearance Surveys Report December 2019* as an appendix to the *Earl Grey Lithium Project Flora and Vegetation Environmental Management Plan* (Rev 5, 24 February 2021 – DWERDT420322) on 26 February 2021 which was approved by DWER on 8 March 2021 (DWERDT424317).	CLD
1118:M6.3	Flora and Vegetation Environmental Management Plan	Pre-construction	In order to meet the requirements of condition 6-1, the proponent shall update and submit to the CEO the Flora and Vegetation Environmental Management Plan on advice of the Department of Biodiversity, Conservation and Attractions within six (6) months of this Statement being issued.	Proponent submitted the *Earl Grey Lithium Project Flora and Vegetation Environmental Management Plan* (Rev 1, 6 April 2020 – DWERDT271019) on 8 April 2020. Proponent submitted the *Earl Grey Lithium Project Flora and Vegetation Environmental Management Plan* (Rev 5, 24 February 2021 – DWERDT420322) on 26 February 2021 which was approved by DWER on 8 March 2021 (DWERDT424317).	CLD
1118:M6.4	Flora and Vegetation Environmental Management Plan	Pre-construction	The proponent shall not commence ground disturbing activities until such a time as the Flora and Vegetation Environmental Management Plan required by condition 6-3 is approved by the CEO.	Proponent states in CAR 2021 that construction for the proposal commenced in April 2021 (DWERDT566837).	CLD
1118:M6.5	Flora and Vegetation Environmental Management Plan	Pre-construction	The Flora and Vegetation Environmental Management Plan shall: (1) include details of the timing, methods, limitations and results of the preclearance surveys required by condition 6-2 and demonstrate how the findings of the survey(s) have been considered, including provision of mitigation measures. (2) include actions to ensure that dust, weeds and fire are appropriately managed within the development envelope. (3) specify trigger criteria that must provide an early warning that the threshold criteria identified in condition 6-5(4) may not be met; (4) specify threshold criteria to demonstrate compliance with the environmental outcome specified in condition 6-1; (5) specify monitoring to determine if trigger criteria and threshold criteria are exceeded; (6) specify trigger level actions to be implemented in the event that trigger criteria have been exceeded; (7) specify threshold contingency actions to be implemented in the event that threshold criteria are exceeded; and (8) provide the format and timing for the reporting of monitoring results against trigger criteria and threshold criteria to demonstrate that condition 6-1 has been met over the reporting period in the Compliance Assessment Report required by condition 4-6.	See 1118:M6.3.	CLD
1118:M6.6	Flora and Vegetation Environmental Management Plan	Overall	After receiving notice in writing from the CEO that the Flora and Vegetation Environmental Management Plan satisfies the requirements of conditions 6-3 and 6-5 the proponent shall: (1) implement the provisions of the Flora and Vegetation Environmental Management Plan; and (2) continue to implement the Flora and Vegetation Environmental Management Plan until the CEO has confirmed by notice in writing that the proponent has demonstrated the objective specified in condition 6-1 has been met.	See Attachment Two. **Proponent to ensure that dust monitoring is undertaken monthly as per the approved Flora and Vegetation Management Plan**.	C
1118:M6.7	Flora and Vegetation Environmental Management Plan	Overall	In the event that monitoring, or investigations indicates exceedance of threshold criteria specified in the Flora and Vegetation Environmental Management Plan, the proponent shall: (1) report the exceedance in writing to the CEO within seven (7) days of the exceedance being identified; (2) implement the threshold contingency actions specified in the Flora and Vegetation Environmental Management Plan within twenty-four (24) hours of the exceedance being reported as required by condition 6-7(1) and continue implementation of those actions until the CEO has confirmed by notice in writing that it has been demonstrated that the threshold criteria are being met and the implementation of the threshold contingency actions is no longer required; (3) investigate to determine the cause of the threshold criteria being exceeded; (4) investigate to provide information for the CEO to determine potential environmental harm or alteration of the environment that occurred due to threshold criteria being exceeded; and (5) provide a report to the CEO within twenty-one (21) days of the exceedance being reported as required by condition 6-7(1). The report shall include: (a) details of threshold contingency actions implemented; (b) the effectiveness of the threshold contingency actions implemented, against the threshold criteria; (c) the findings of the investigations required by conditions 6-7(3) and 6-7(4); (d) measures to prevent the threshold criteria being exceeded in the future; (e) measures to prevent, control or abate the environmental harm which may have occurred; and (f) justification of the threshold remaining, or being adjusted based on better understanding, demonstrating that objectives will continue to be met.	Threshold criteria for this proposal relates to; • Proposal related direct vegetation disturbance of any kind or extent within a Vegetation Exclusion Zone (VEZ) resulting in the mortality of flora and vegetation and Flora and vegetation (including conservation significant species) within a VEZ experiences a statistically significant higher mortality rate than that of control sites. Information provided in the 2021 quarterly vegetation monitoring reports (DWERDT579622, DWERDT579623 and DWERDT579624) indicates that the threshold values have not been exceeded.	NR
1118:M6.8	Flora and Vegetation Environmental Management Plan	Overall	The proponent: (1) may review and revise the Flora and Vegetation Environmental Management Plan, or (2) shall review and revise the Flora and Vegetation Environmental Management Plan as and when directed by the CEO.	A revised Flora and Vegetation Environmental Management Plan has not been received nor requested by DWER.	NR

1118:M6.9	Flora and Vegetation Environmental Management Plan	Overall	The proponent shall implement the latest revision of the Flora and Vegetation Environmental Management Plan, which the CEO has confirmed by notice in writing, satisfies the requirements of condition 6-4.	See Attachment Two.	C
1167:M7.1	Terrestrial Fauna Environmental Management Plan	Overall	The proponent shall implement the proposal to meet the following environmental outcomes and objectives: (1) The proponent shall ensure there is no proposal-related direct or adverse indirect impacts to malleefowl mounds within the exclusion areas as shown on Figure 4 and delineated by coordinates in Schedule 2. (2) The proponent shall ensure there is no direct or indirect proposal-related significant adverse impacts to malleefowl and chuditch within the development envelope. (3) The proponent shall ensure there is no removal of active malleefowl mounds within the development envelope. (4) The proponent shall ensure there is no proposal-related direct or adverse indirect impacts to Malleefowl from feral animals in the Development Envelope by controlling feral animals within, and a three kilometre buffer surrounding, the Development Envelope.	Compliance with condition is determined through implementation of the Terrestrial Fauna Environmental Management Plan (see 1118:M7.5).	C
1118:M7.2	Terrestrial Fauna Environmental Management Plan	Pre-construction	In order to meet the requirements of condition 7-1, the proponent shall prepare and submit to the CEO a Terrestrial Fauna Environmental Management Plan on advice of the Department of Biodiversity, Conservation and Attractions within six (6) months of this Statement being issued.	Proponent submitted Revision 1 of the *Terrestrial Fauna Environmental Management Plan on 8 April* 2020 (DWERDT271100). Proponent submitted the *Earl Grey Lithium Project Terrestrial Fauna Environmental Management Plan* (Rev 3, 16 September 2020) on 21 September 2020 (DWERDT340477). This plan was approved by DWER on 30 September 2020 (DWERDT345542).	CLD
1118:M7.3	Terrestrial Fauna Environmental Management Plan	Pre-construction	The proponent shall not commence ground disturbing activities until such a time as the Terrestrial Fauna Environmental Management Plan required by condition 7-2 is approved by the CEO.	Proponent states in CAR 2021 that construction for the proposal commenced in April 2021 (DWERDT566837). The Earl Grey Lithium Project Terrestrial Fauna Environmental Management Plan (Rev 3, 16 September 2020) on 21 September 2020 (DWERDT340477) and approved by DWER on 30 September 2020 (DWERDT345542).	CLD
1118:M7.4	Terrestrial Fauna Environmental Management Plan	Pre-construction	The Terrestrial Fauna Environmental Management Plan shall: (1) outline how the pre-clearance surveys will be undertaken using LIDAR or similar technology; (2) outline the procedure for capture and release of chuditch, and malleefowl if required, prior to clearing of native vegetation; (3) specify trigger criteria that must provide an early warning that the environmental objectives identified in condition 7-1 may not be met; (4) specify threshold criteria to demonstrate compliance with the environmental objectives specified in condition 7-1; (5) specify monitoring to determine if trigger criteria and threshold criteria are exceeded; (6) specify trigger level actions to be implemented in the event that trigger criteria have been exceeded; (7) specify threshold contingency actions to be implemented in the event that threshold criteria are exceeded; and (8) provide the format and timing for the reporting of monitoring results against trigger criteria and threshold criteria to demonstrate that condition 7-1 has been met over the reporting period in the Compliance Assessment Report required by condition 4-6.	See 1118:M7.2.	CLD
1118:M7.5	Terrestrial Fauna Environmental Management Plan	Overall	After receiving notice in writing from the CEO that the Terrestrial Fauna Environmental Management Plan satisfies the requirements of condition 7-4, the proponent shall: (1) implement the provisions of the Terrestrial Fauna Environmental Management Plan; and (2) continue to implement the Terrestrial Fauna Environmental Management Plan until the CEO has confirmed by notice in writing that the proponent has demonstrated the objectives specified in conditions 7-1 have been met.	See Attachment Three.	C

1118:M7.6	Terrestrial Fauna Environmental Management Plan	Overall	In the event that monitoring, tests, surveys or investigations indicates exceedance of threshold criteria specified in the Terrestrial Fauna Environmental Management Plan, the proponent shall: (1) report the exceedance in writing to the CEO within seven (7) days of the exceedance being identified; (2) implement the threshold contingency actions specified in the Terrestrial Fauna Environmental Management Plan within twenty-four (24) hours of the exceedance being reported as required by condition 7-6(1) and continue implementation of those actions until the CEO has confirmed by notice in writing that it has been demonstrated that the threshold criteria are being met and the implementation of the threshold contingency actions is no longer required; (3) investigate to determine the cause of the threshold criteria being exceeded; (4) investigate to provide information for the CEO to determine potential environmental harm or alteration of the environment that occurred due to threshold criteria being exceeded; and (5) provide a report to the CEO within twenty-one (21) days of the exceedance being reported as required by condition 7-6(1). The report shall include: (a) details of threshold contingency actions implemented; (b) the effectiveness of the threshold contingency actions implemented, against the threshold criteria; (c) the findings of the investigations required by conditions 7-6(3) and 7-6(4); (d) measures to prevent the threshold criteria being exceeded in the future; (e) measures to prevent, control or abate the environmental harm which may have occurred; and (f) justification of the threshold remaining, or being adjusted based on better understanding, demonstrating that objectives will continue to be met.	Threshold criteria for this proposal relates to: • Clearing or disturbance of vegetation within 100m of any newly identified active malleefowl mounds and / or the Malleefowl Mound Exclusion Zones; • A 50% decrease at impact sites in female chuditch abundance for two consecutive monitoring events. And/or • A project related 50% decrease in the estimated local malleefowl population (based on temporal analysis) over a consecutive two-year period. Annual chuditch monitoring to date has recorded one female chuditch in 2019, one female chuditch in 2020 and one male in 2021. Malleefowl monitoring in 2019 and 2020 does not indicate a reduction in activity. Monitoring reports are available on the proponent's website; https://www.covalentlithium.com/sustainability	NR
1118:M7.7	Terrestrial Fauna Environmental Management Plan	Overall	The proponent: (1) may review and revise the Terrestrial Fauna Environmental Management Plan, or (2) shall review and revise the Terrestrial Fauna Environmental Management Plan as and when directed by the CEO.	Proponent has not submitted a revised Terrestrial Fauna Environmental Management Plan.	NR
1118:M7.8	Terrestrial Fauna Environmental Management Plan	Overall	The proponent shall implement the latest revision of the Terrestrial Fauna Environmental Management Plan, which the CEO has confirmed by notice in writing, satisfies the requirements of condition 7-4.	See Attachment Three.	C
1167:M8.1	Offsets	Overall	The proponent shall undertake offsets with the objective of counterbalancing the significant residual impact on the following environmental values: (1) 386 ha of foraging and breeding habitat for malleefowl (Leipoa ocellata); (2) 386 ha of foraging and potential breeding habitat for chuditch (Dasyurus geoffroii); (3) 2 individuals of Ironcap Banksia (Banksia sphaerocarpa var. dolichostyla); and (4) 9,732 individuals of Microcorys elatoides, as a result of the implementation of the proposal, as defined in Table 2 of Schedule 1 and delineated by coordinates in Schedule 2.	See 1118:M8.2 and 1118:M8.7.	NR
1118:M8.2	Offsets	Overall	Within twelve (12) months of the publication of this Statement, the proponent shall prepare and submit a Threatened Fauna Land Acquisition Strategy to the requirements of the CEO.	Proponent submitted the *Earl Grey Lithium Project Threatened Fauna Land Acquisition Strategy* on 16 April 2020 (DWERDT273257) which is in the process of being assessed by DWER.	IP

1118:M8.3	Offsets	Overall	The Threatened Fauna Land Acquisition Strategy, as required by condition 8-2, shall: (1) identify an initially unprotected area, or areas, to be acquired and protected for conservation that contains malleefowl and chuditch foraging and breeding habitat, in consultation with the Department of Biodiversity, Conservation and Attractions; (2) demonstrate how the proposed offset counterbalances the significant residual impact to 386 ha of foraging and breeding habitat for malleefowl, and 386 ha of foraging and potential breeding habitat for chuditch, as identified in condition 8-1, through application of the principles and completion of the WA Offsets Template, as described in the WA Environmental Offsets Guidelines 2014, and the Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy Assessment Guide (October 2012), or any approved updates of these guidelines, to demonstrate how the proposed offset counterbalances the significant residual impact to malleefowl and chuditch, as identified in condition 8-1; (3) demonstrate how the proposed offset aligns with the National Recovery Plan for Malleefowl Leipoa ocellata and the Chuditch (Dasyurus geoffroii) Recovery Plan, or any subsequent revisions of these plans; (4) identify the environmental values of the offset area(s); (5) identify and commit to a protection mechanism for any area(s) of land acquisition, being either the area(s) is ceded to the Crown for the purpose of management for conservation, or the area(s) is managed under other suitable mechanisms for the purpose of conservation as agreed by the CEO; (6) if any land is to be ceded to the Crown for the purpose of management for 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 seven (7) years after completion of purchase; and (c) an appropriate management body for the ceded land; (7) detail the monitoring, reporting and evaluation mechanisms for management and/or rehabilitation actions; and (8) define the role of the proponent and/or any relevant management authority.	See 1118:M8.2.	IP
1118:M8.4	Offsets	Overall	Within six (6) months of receiving notice in writing from the CEO, on advice of the Department of Biodiversity, Conservation and Attractions, that the Threatened Fauna Land Acquisition Strategy satisfies the requirements of conditions 8-2 and 8-3, the proponent shall implement the approved Threatened Fauna Land Acquisition Strategy.	See 1118:M8.2.	NR
1118:M8.5	Offsets	Overall	The proponent: (1) may review and revise the Threatened Fauna Land Acquisition Strategy; or (2) shall review and revise the Threatened Fauna Land Acquisition Strategy as and when directed by the CEO.	See 1118:M8.2.	NR
1118:M8.6	Offsets	Overall	The proponent shall implement the latest version of the Threatened Fauna Land Acquisition Strategy, which the CEO has confirmed by notice in writing, satisfies the requirements of condition 8-3.	See 1118:M8.2.	NR
1118:M8.7	Flora Offset Strategy	Overall	Within twelve (12) months of the publication of this Statement, the proponent shall prepare and submit a Flora Offset Strategy to the requirements of the CEO.	Proponent submitted the *Earl Grey Lithium Project Flora Offset Strategy* on 13 May 2020 (DWERDT282850) which is in the process of being assessed by DWER.	IP

1167:M8.8	Flora Offset Strategy	Overall	The Flora Offset Strategy required by condition 8-7 shall: (1) identify an area, or areas, to be protected, managed and/or rehabilitated for conservation that contains the flora values identified in condition 8-1 on advice of the Department of Biodiversity, Conservation and Attractions; (2) demonstrate how the proposed offset counterbalances the significant residual impact to 2 individuals of Banksia sphaerocarpa var. dolichostyla and 9,732 individuals of Microcorys elatoides, as identified in condition 8-1 through application of the principles and completion of the WA Offsets Template, as described in the WA Environmental Offsets Guidelines 2014, and the Environment Protection and Biodiversity Conservation Act 1999 - Environmental Offsets Policy Assessment Guide (October 2012), or any approved updates of these guidelines; (3) identify the environmental values of the offset area(s); (4) identify and commit to a protection mechanism for any area(s) of land acquisition, being either the area(s) is ceded to the Crown for the purpose of management for conservation, or the area(s) is managed under other suitable mechanisms for the purpose of conservation as agreed by the CEO; (5) if any land is to be ceded to the Crown for the purpose of management for 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 seven (7) years after completion of purchase; and (c) an appropriate management body for the ceded land; (6) where rehabilitation and/or other on-ground actions are proposed, state the objectives and targets to be achieved, including completion criteria, which demonstrate; (a) how on-ground management or rehabilitation actions will result in a tangible improvement to the environmental value(s) being offset; and (b) the consistency of the objectives and targets with the objectives of any relevant Recovery Plans or area management plans; (7) detail the management and/or rehabilitation actions and a timeframe for the actions to be undertaken; (8) detail any funding arrangements and timing of funding for conservation activities; (9) detail the monitoring, reporting and evaluation mechanisms for management and/or rehabilitation actions; and (10) define the role of the proponent and/or any relevant management authority.	See 1118:M8.7.	IP
1118:M8.9	Flora Offset Strategy	Overall	Within twelve (12) months of receiving notice in writing from the CEO, on advice of the Department of Biodiversity, Conservation and Attractions, that the Flora Offset Strategy satisfies the requirements of conditions 8-7 and 8-8, the proponent shall substantially commence implementation of the actions within the approved Flora Offset Strategy.	See 1118:M8.7.	NR
1118:M8.10	Flora Offset Strategy	Overall	The proponent shall continue to implement the approved Flora Offset Strategy until the CEO has confirmed by notice in writing that it has been demonstrated that the objectives and targets in the Flora Offset Strategy have been met and therefore the implementation of the actions is no longer required.	See 1118:M8.7.	NR
1118:M8.11	Flora Offset Strategy	Overall	The proponent: (1) may review and revise the Flora Offset Strategy; or (2) shall review and revise the Flora Offset Strategy as and when directed by the CEO.	See 1118:M8.7.	NR
1118:M8.12	Flora Offset Strategy	Overall	The proponent shall implement the latest version of the Flora Offset Strategy, which the CEO has confirmed by notice in writing, satisfies the requirements of condition 8-8.	See 1118:M8.7.	NR

Plan Reference Number	Subject	Requirement	Notes/Evidence	Status
	Table 2-2 Outcome-based provisions	1) Survey records of all clearing undertaken during operation of the Project (annual reporting, clearing register, internal permits, survey data, incident reports).	Proponent provided evidence of survey data being kept including a register (DWERDT578425), and an incident report for unauthorised entry into a previously cleared area – no impact to vegetation (DWERDT578427).	C
		2) Quarterly observations of plant health on commencement of Project for the first 12 months.	Proponent provided evidence of monitoring for January, March, June and November 2021 (DWERDT575912). No exceedance of threshold criteria was recorded.	
	Table 2-3 Management – based provisions	1) Dust deposition rates will be measured monthly using dust deposition gauges for the first 24 months from implementation of the proposal.	Proponent stated in correspondence dated 17 March 2022 that dust gauges have been in place since July 2021 however were not retrieved on a monthly basis due to heavy rainfall with low dust and nil deposition visible on gauges until September 2021. Proponent provided evidence of dust gauge monitoring for September 2021 (DWERDT578457, November 2021 (DWERDT578451) and February 2022 (DWERDT578453). None of the recordings from these gauges recorded an exceedance of the management target of 10 g/m². **Proponent to ensure that dust monitoring is undertaken monthly as per the approved Flora and Vegetation Management Plan**.	C
		2) Annual weed monitoring across development envelope.	Proponent completed a weed assessment in 2020 to understand the current extent of weed species within the Development Envelope prior to commencement of construction activities, and to provide baseline data on the state of introduced species presence to inform future weed management. This assessment found 20 weed taxa within 40km radius of the survey area (DWERDT578446). Weed monitoring is also conducted as part of the quarterly health monitoring at vegetation quadrats.	

Attachment Two
Flora and Vegetation Management Plan - DWER Audit Findings

Plan Reference Number	Subject	Requirement	Notes/Evidence	Status
		3) Dieback Management Plan will be produced and provided to DBCA following the completion of baseline monitoring.	Proponent provided evidence of baseline dieback monitoring being completed (DWERDT578412) and stated in correspondence dated 11 March 2022 that it is in the process of developing the Dieback Management Plan for DBCA to review (DWERDT575912).	
		4) Development of Dieback monitoring programme.	Proponent stated in correspondence dated 11 March 2022 that it is in the process of developing the Dieback Management Plan for DBCA to review (DWERDT575912).	
		5) Quarterly health monitoring at vegetation quadrats within VEZ's and control sites to include observations for weeds.	Proponent provided evidence of monitoring for January, March, June and November 2021. In these reports the proponent states that no introduced species were recorded at any of the transects surveyed (DWERDT575912).	
		6) Incident reports of fire.	Proponent states in correspondence dated 11 March 2022 that there have been no fires on site (DWERDT575912).	

Plan Reference Number	Subject	Requirement	Notes/Evidence	Status
	Table 2-2 Terrestrial fauna (Malleefowl and Chuditch) outcome-based provisions	1) Internal audit of recorded malleefowl mounds against areas of clearing.	Proponent provided evidence of completed Fauna Pre-Clearance Survey Forms which include reference to malleefowl mounds (DWERDT578423).	C
		2) Monitoring of incident reports for over clearing, light and noise disturbance and fire.	Proponent provided evidence of survey data being kept including a register, permit procedure (DWERDT578425), and an incident report for unauthorised entry into a previously cleared area – no impact to vegetation (DWERDT578427).	
		3) Pre-clearance monitoring.	Proponent provided evidence of completed Fauna Pre-Clearance Survey Forms which include reference to malleefowl mounds (DWERDT578423).	
		4) Annual monitoring of malleefowl activity using motion sensor cameras.	Proponent provided evidence of annual malleefowl monitoring being undertaken in accordance with NMRT (2019) guidelines. Two active mounds were recorded in both 2019-20 and 2020-21. Both years recorded one active mound inside the development envelope (DE) and one active mound outside the DE. A total of 14 mounds recorded Malleefowl activity in 2020-21 compared to six mounds in 2019-20 indicating a substantial increase in recorded Malleefowl activity. Monitoring reports are available on the proponent's website https://www.covalentlithium.com/sustainability	
		5) Annual monitoring of malleefowl using NMRT (2019) guidelines.	As above.	
		6) Annual monitoring of chuditch using cage trapping.	Proponent provided evidence of annual chuditch monitoring being undertaken. No chuditch were captured at the impact site during the 2021 monitoring period. One male chuditch was recorded at a pre-clearance survey trap site. No chuditch were captured at impact sites during the 2019 and 2020 monitoring events (one female captured at control site for each year). Monitoring	

Plan Reference Number	Subject	Requirement	Notes/Evidence	Status
			reports are available on the proponent's website https://www.covalentlithium.com/sustainability	
		7) Internal audit and monitoring of areas over clearing.	Proponent provided areas of clearing for 2021 (DWERDT578438).	
	Table 2-3 Management – based provisions	1) Internal audit of potential entrapment areas, speeding and night driving.	Proponent states in correspondence dated 11 March 2022 that speed limits are in place and there was no regular nightshift activities/night-driving in reporting period (DWERDT575912).	C
		2) Monitoring of incident reports for malleefowl and chuditch predation, vehicle strike, speeding and night driving.	Proponent states in correspondence dated 11 March 2022 that there have been no incidents of malleefowl or chuditch predation/vehicle strikes within the reporting period (DWERDT575912).	
		3) Introduced predator population monitoring.	Proponent includes introduced predator monitoring in annual malleefowl monitoring reports. The 2019-20 monitoring recorded feral cats at nine mounds indicating a reduction in the number of visits to Malleefowl mounds by feral cats during the 2020-21 monitoring period. Monitoring reports are available on the proponent's website https://www.covalentlithium.com/sustainability	