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Published on: 7 June 2019

Statement No. 1098

STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED
(*Environmental Protection Act 1986*)

BEYONDIE SULPHATE OF POTASH PROJECT

Proposal: The proposal is to develop a sub-surface brine deposit to produce approximately 100 kilotonne per annum (ktpa) of Sulphate of Potash (SOP) product and the potential to produce salt by-products. The process will involve evaporation and processing operations at the Beyondie, Ten Mile and Sunshine Lakes area, which is located approximately 160 kilometres south east of Newman, in the eastern Pilbara region of Western Australia

Proponent: Kalium Lakes Potash Pty Ltd
Australian Company Number 601 436 060

Proponent Address: Unit 1, 152 Balcatta Road, Balcatta WA 6021

Assessment Number: 2138

Report of the Environmental Protection Authority: 1631

Pursuant to section 45 of the *Environmental Protection Act 1986*, it has been agreed that the proposal described and documented in Table 2 of Schedule 1 may be implemented and that the implementation of the proposal is subject to the following implementation conditions and procedures:

1 Proposal Implementation

1-1 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.

2 Contact Details

2-1 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.

3 Time Limit for Proposal Implementation

- 3-1 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.
- 3-2 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.

4 Compliance Reporting

- 4-1 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.
- 4-2 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.
- 4-3 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.
- 4-4 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.
- 4-5 The proponent shall advise the CEO of any potential non-compliance within seven (7) days of that non-compliance being known.
- 4-6 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.

5 Public Availability of Data

5-1 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.

5-2 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.

6 Management-based Condition Environmental Management Plans

6-1 The proponent shall prepare and submit Condition Environmental Management Plans:

- (1) Prior to the commencement of ground disturbing activities, or as otherwise agreed in writing by the CEO, to demonstrate that the environmental objectives in conditions 7-1 and 8-1 will be met.

6-2 The Condition Environmental Management Plan(s) shall:

- (1) specify the environmental objectives to be achieved, as specified in conditions 7-1 and 8-1;

- (2) specify risk-based management actions that will be implemented to demonstrate compliance with the environmental objectives specified in conditions 7-1 and 8-1;
- (3) specify measurable management target(s) to determine the effectiveness of the risk-based management actions;
- (4) specify monitoring to measure the effectiveness of management actions against management targets, including but not limited to, parameters to be measured, baseline data, monitoring locations, and frequency and timing of monitoring;
- (5) specify a process for revision of management actions and changes to proposal activities, in the event that the management targets are not achieved. The process shall include an investigation to determine the cause of the management target(s) being exceeded;
- (6) provide the format and timing to demonstrate that conditions 7-1 and 8-1 have been met for the reporting period in the Compliance Assessment Report required by condition 4-6 including, but not limited to:
 - (a) verification of the implementation of management actions; and
 - (b) reporting on the effectiveness of management actions against management target(s).

6-3 After receiving notice in writing from the CEO that the Condition Environmental Management Plan(s) satisfies the requirements of condition 6-2 for conditions 7-1 and 8-1, the proponent shall:

- (1) implement the provisions of the Condition Environmental Management Plan(s); and
- (2) continue to implement the Condition Environmental Management Plan(s) until the CEO has confirmed by notice in writing that the proponent has demonstrated the objectives specified in conditions 7-1 and 8-1 have been met.

6-4 Failure to implement one or more of the management actions represents non-compliance with these conditions.

6-5 In the event that monitoring, tests, surveys or investigations indicate non-achievement of management target(s) specified in the Condition Environmental Management Plan(s), the proponent shall:

- (1) report the non-achievement in writing to the CEO within twenty-one (21) days of the non-achievement being identified;

- (2) investigate to determine the cause of the management targets being exceeded;
- (3) provide a report to the CEO within ninety (90) days of the non-achievement being reported as required by condition 6-5(1). The report shall include:
 - (a) cause of management targets being exceeded;
 - (b) the findings of the investigation required by conditions 6-5(2);
 - (c) details of revised and/or additional management actions to be implemented to prevent non-achievement of the management target(s); and
 - (d) relevant changes to proposal activities.

6-6 In the event that monitoring, tests, surveys or investigations indicate that one or more management actions specified in the Condition Environmental Management Plan(s) have not been implemented, the proponent shall:

- (1) report the failure to implement management action/s in writing to the CEO within seven (7) days of identification;
- (2) investigate to determine the cause of the management action(s) not being implemented;
- (3) investigate to provide information for the CEO to determine potential environmental harm or alteration of the environment that occurred due to the failure to implement management actions;
- (4) provide a report to the CEO within twenty-one (21) days of the reporting required by condition 6-6(1). The report shall include:
 - (a) cause for failure to implement management actions;
 - (b) the findings of the investigation required by conditions 6-6(2) and 6-6(3);
 - (c) relevant changes to proposal activities; and
 - (d) measures to prevent, control or abate the environmental harm which may have occurred.

6-7 The proponent:

- (1) may review and revise the Condition Environmental Management Plan(s), or
- (2) shall review and revise the Condition Environmental Management Plan(s) as and when directed by the CEO.

- 6-8 The proponent shall implement the latest revision of the Condition Environmental Management Plan(s), which the CEO has confirmed by notice in writing, satisfies the requirements of condition 6-2.

7 *Tecticornia* species

- 7-1 The proponent shall manage the implementation of the proposal to meet the following environmental objectives:

- (1) Avoid where possible, and minimise direct and indirect impacts to:

- (a) *Tecticornia* shrubland vegetation; and
- (b) *Tecticornia* species listed as Priority Flora.

- 7-2 The proponent shall prepare and submit a *Tecticornia* Monitoring and Management Plan required by condition 6-1 that satisfies the requirements of condition 6-2 to meet the outcomes required by condition 7-1.

- 7-3 The plan required by condition 6-1 shall:

- (1) provide details of the timing and methodology of additional surveys to be undertaken to identify individuals and populations of unidentified or potentially new *Tecticornia* taxa, and to confirm the distribution of *Tecticornia* taxa within the lakes the concentrate ponds are located on as defined in Figures 2 and 3 of Schedule 1;
- (2) specify management actions to be undertaken to minimise direct and indirect impacts to *Tecticornia* shrubland vegetation and *Tecticornia* species listed as Priority Flora;
- (3) specify management actions to be undertaken to avoid direct or indirect impacts to records of individuals and populations of unidentified or potentially new *Tecticornia* taxa recorded during the additional targeted surveys. Including, but not restricted to, placement of bunds for the concentrate ponds as defined in Figures 2 and 3 of Schedule 1, informed by survey outcomes, to maximise representation of significant *Tecticornia* taxa and vegetation within areas that will not be disturbed;
- (4) provide details of the construction and management of bunding around the waste salt stockpile as defined in Figure 2 of Schedule 1 and bunding to restrict direct impacts from concentrate ponds to 70% of the *Tecticornia* shrubland vegetation of the lakes the concentrate ponds are located on as defined in Figures 2 and 3 of Schedule 1;
- (5) provide details of monitoring to be conducted within and outside the predicted indirect impact areas, including, but not restricted to, groundwater drawdown extent associated with brine abstraction; and

- (6) provide details of vegetation health monitoring, sediment quality monitoring and surface water quality monitoring to detect potential for indirect impacts to *Tecticornia* shrubland vegetation.
- 7-4 The proponent shall consult with the Department of Biodiversity, Conservation and Attractions to prepare and submit the *Tecticornia* Monitoring and Management Plan required by condition 6-1 that satisfies the requirements of condition 6-2, to meet the objective required by condition 7-1 to the CEO.
- 7-5 The proponent shall continue to implement the version of the Plan most recently approved by the CEO until the CEO has confirmed by notice in writing that the plan required by condition 6-1 satisfies the requirements of condition 6-2 to meet the outcomes required by condition 7-1.

8 Subterranean Fauna Management Plan

- 8-1 The proponent shall manage the implementation of the proposal during the construction and operations phases to meet the following environmental objectives:
 - (1) Avoid where possible, and minimise direct and indirect impacts to maintain the biodiversity and ecological integrity of stygofauna in aquifers of the Fresh Water Development Envelope as defined in Figure 1 of Schedule 1.
- 8-2 The proponent shall prepare and submit a Subterranean Fauna Management Plan required by condition 6-1 that satisfies the requirements of condition 6-2, to meet the objective required by condition 8-1.
- 8-3 The plan required by condition 6-1 shall:
 - (1) include a detailed stygofauna sampling plan to validate predictions that stygofauna will persist in groundwater within areas of drawdown associated with the Fresh Water Development Envelope as defined in Figure 1 of Schedule 1; and
 - (2) details of management actions, including changes to groundwater abstraction regimes, to be implemented to ensure that groundwater drawdown does not exceed the limits in Table 2 of Schedule 1.
- 8-4 The proponent shall continue to implement version of the plan most recently approved by the CEO until the CEO has confirmed by notice in writing that the plan required by condition 6-1 satisfies the requirements of condition 6-2 to meet the outcomes required by condition 8-1.

9 Greater Bilby pre-clearance surveys

- 9-1 The proponent shall ensure that the impacts to the Greater Bilby during ground disturbing activities are minimised.

9-2 During construction of the proposal the proponent shall:

- (1) within two (2) weeks prior to ground disturbing activities being undertaken conduct pre-clearance surveys for Greater Bilby within areas of Greater Bilby habitat that will be disturbed;
- (2) if the surveys required by condition 9-2(1) identify the presence of Greater Bilby in the area being disturbed, then relocate any Greater Bilby; and
- (3) carry out the surveys and relocation required by conditions 9-2(1) and 9-2(2) in accordance with the Department of Biodiversity, Conservation and Attractions guidance for the survey and relocation of bilby.

9-3 The Compliance Assessment Report required by condition 4-6 shall include:

- (1) the results of the pre-clearance surveys required by condition 9-2(1); and
- (2) the details of any relocation of Greater Bilby required by condition 9-2(2).

[signed on 7 June 2019]

Hon Stephen Dawson MLC
MINISTER FOR ENVIRONMENT

Table 1: Summary of the Proposal

Proposal Title	Beyondie Sulphate of Potash Project
Short Description	<p>Kalium Lakes Potash Pty Ltd is seeking to develop a sub-surface brine deposit to produce approximately 100 kilotonne per annum (ktpa) of Sulphate of Potash (SOP) product and the potential to produce salt by-products. The process will involve evaporation and processing operations at the Beyondie, Ten Mile and Sunshine Lakes area, which is located approximately 160 kilometres (km) south east of Newman, in the eastern Pilbara region of Western Australia.</p> <p>The proposal includes the development of evaporation and crystalliser ponds, installation of production bores, trenches, pumps, pipelines, purification facility, access road upgrades, natural gas pipeline, and expansion of accommodation village, buildings, services and utilities (including fresh water supply, power and waste disposal), RFDS airstrip and disposal of excess salt.</p>

Table 2: Location and authorised extent of physical and operational elements

Column 1	Column 2	Column 3
Element	Location	Proposed extent
<i>Physical elements</i>		
Brine and Access - borefield and access	Figure 1	Disturbance of no more than 350 ha within the 1,898 ha Brine and Access Development Envelope.
Processing - Potash and salt processing and associated infrastructure	Figure 1	Disturbance of no more than 760 ha within the 1,974 ha Processing Development Envelope.
Salt Lake - surface trenches and excess salt area	Figures 1, 2 and 3	Disturbance of no more than 323 ha within the 3,184 ha Salt Lake Development Envelope.
Fresh Water – borefield and pipelines	Figure 1	No additional disturbance within the 5,216 ha Fresh Water Development Envelope.
<i>Tecticornia</i> shrubland vegetation	Figures 1, 2 and 3	Direct disturbance of no more than 200 ha.
<i>Operational elements</i>		
Brine abstraction	Figures 2 and 3	<p>Abstraction of no more than 15 Gigalitre (GL) per annum of brine.</p> <p>Less than 211 ha of <i>Tecticornia</i> shrubland vegetation at Ten Mile Lake is to experience surficial aquifer drawdown of more than 0.5 m.</p>

Column 1	Column 2	Column 3
Element	Location	Proposed extent
		Less than 142 ha of <i>Tecticornia</i> shrubland vegetation at Lake Sunshine is to experience surficial aquifer drawdown of more than 0.5 m.
Fresh water abstraction	Figure 1	Abstraction of no more than 1.5 GL per annum of fresh groundwater, of which no more than 0.25 GL per annum is to be abstracted from the Kumarina Fresh Water Source Area (FWSA). Drawdown of no more than 4 m within any bore at the calcrete portion of the Ten Mile South FWSA.
Excess salt	Figure 2	Disposal of up to 50 Mt of excess salt into the excess salt stockpile.

Table 3: Abbreviations and Definitions

Acronym or Abbreviation	Definition or Term
CEO	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or his delegate.
EP Act	<i>Environmental Protection Act 1986</i>
Ground disturbing activities	Activities that are associated with the substantial implementation of a proposal including but not limited to, digging (with mechanised equipment), blasting, earthmoving, vegetation clearance, grading, gravel extraction, construction of new or widening of existing roads and tracks.
ha	hectare
GL	gigalitre
Mt	million tonnes

Figures

Figure 1: Beyondie Sulphate of Potash Project development envelopes

Figure 2: Indicative footprint – Ten Mile Lake

Figure 3: Indicative footprint – Lake Sunshine

(These maps are a representation of the co-ordinates shown in Schedule 2)

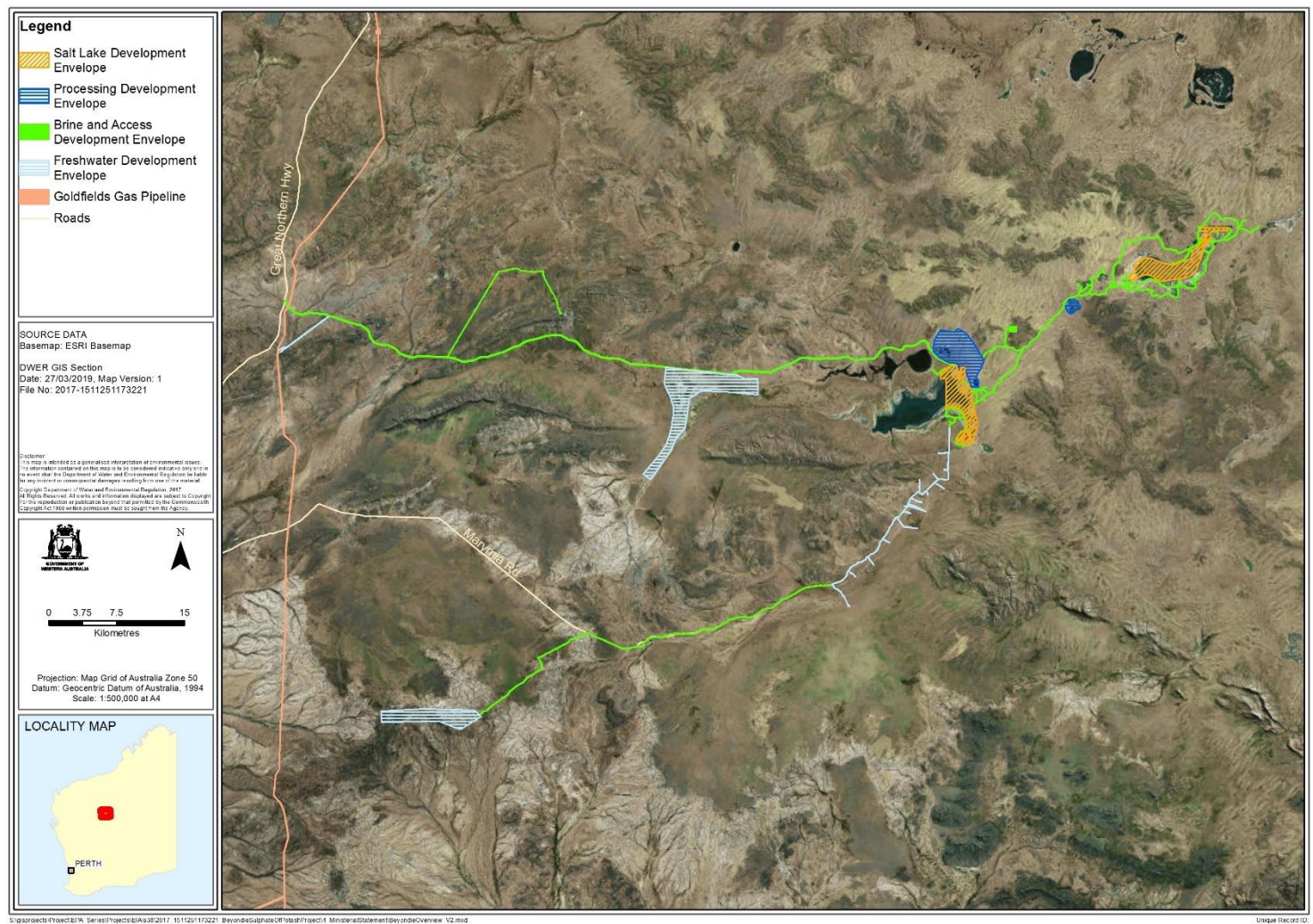


Figure 1: Beyondie Sulphate of Potash Project development envelopes



Figure 2: Indicative footprint – Ten Mile Lake

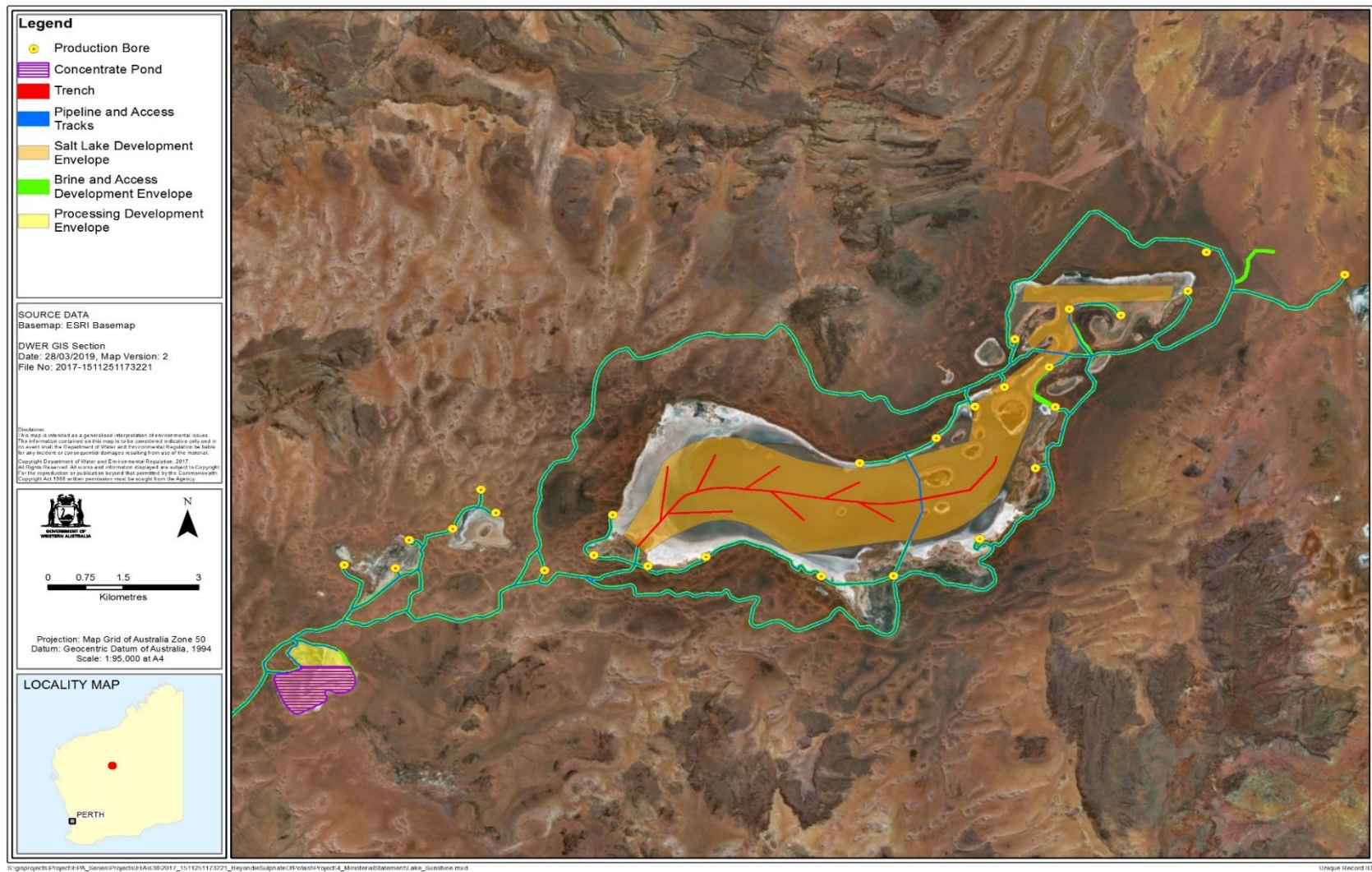


Figure 3: Indicative footprint – Lake Sunshine

Schedule 2

Co-ordinates defining the areas shown in Figures 1 to 3 are held by the Department of Water and Environmental Regulation (DWER) under the following reference number 2019-1553818860590 (CMS14379 – Beyondie Potash – Final shapefiles from Kalium – March 2019 (DWERDA-048479)).