



Hon Reece Whitby MLA
Minister for Energy; Environment; Climate Action

Statement No. 1220

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

ATLAS PROJECT

Proposal: To develop a greenfields mineral sands project, located at Nambung, approximately 18 km east of Cervantes in the Wheatbelt region of Western Australia. The proposal includes the progressive development of mine pits, processing facilities, groundwater bores and water management infrastructure, temporary waste stockpiles, solar drying ponds and associated infrastructure.

Proponent: Image Resources NL
Australian Company Number 063 977 579

Proponent address: Level 2, 1 Walker Avenue,
West Perth WA 6005

Assessment number: 2311

Report of the Environmental Protection Authority: 1759

Introduction: Pursuant to section 45 of the *Environmental Protection Act 1986*, it has been agreed that the proposal entitled Atlas Project described in the 'Proposal Content Document' attachment of the referral of 3 September 2021, as amended by the change to proposal approved under s. 43A on 6 September 2022 and 19 January 2024, may be implemented and that the implementation of the proposal is subject to the following implementation conditions and procedures:

Conditions and procedures

Part A: Proposal extent

Part B: Environmental outcomes, prescriptions and objectives

Part C: Environmental management plans and monitoring

Part D: Compliance and other conditions

Published on:

22 MAY 2024

PART A: PROPOSAL EXTENT

A1 Limitations and Extent of Proposal

A1-1 The proponent must ensure that the proposal is implemented in such a manner that the following limitations or maximum extents / capacities / ranges are not exceeded:

Proposal element	Location	Maximum extent
Physical elements		
Mine development envelope	Figure 1	No more than 457 ha
Disturbance footprint within the mine development envelope	Within the development envelope shown in Figure 1	Disturbance of no more than 274.8 ha within the mine development envelope
Direct disturbance of native vegetation within the mine development envelope	Within the development envelope shown in Figure 1	Clearing no more than 272.2 ha of native vegetation within the mine development envelope shown in Figure 1
External infrastructure development envelope	Figure 1	No more than 37.8 ha
Disturbance footprint within the external infrastructure development envelope	Within the development envelope shown in Figure 1	Disturbance of no more than 28.8 ha within the external infrastructure development envelope
Direct disturbance of native vegetation in the external infrastructure development envelope	Within the development envelope shown in Figure 1	Clearing no more than 16.2 ha of native vegetation within the external infrastructure development envelope
Construction elements		
Pit dewatering	Superficial aquifer	Up to 1.1 GL/a
Operational elements		
Pit dewatering	Superficial aquifer	Up to 0.75 GL/a
Groundwater abstraction	Yarragadee and Eneabba Aquifer	Up to 2.2 GL/a
Timing elements		
Project life		Up to 5 years from the date of substantial commencement

PART B – ENVIRONMENTAL OUTCOMES, PRESCRIPTIONS AND OBJECTIVES

B1 Flora and Vegetation

B1-1 The proponent must ensure the implementation of the proposal achieves the following environmental outcomes:

- (1) No **adverse impacts** to the following exclusion areas shown in Figure 2:
 - (a) *Levenhookia preissii* (P1) exclusion areas;
 - (b) Claypans of the Swan Coastal Plain Threatened Ecological Community (*Herb rich saline shrublands in clay pans Threatened Ecological Community SPC07*) exclusion area; and
 - (c) Moodjar (*Nuytsia floribunda*) exclusion area.
- (2) No **adverse impacts** to native vegetation outside the disturbance footprint; and
- (3) **Disturb** no more than the following environmental values:
 - (a) 206.4 ha of the Banksia woodlands of the Swan Coastal Plain ecological community;
 - (b) Priority flora within the **known populations** as described in Table 1; and

Table 1: Disturbance of Priority flora species

Species	Disturbance of known populations
<i>Levenhookia preissii</i>	Up to 3 individuals
<i>Grevillea cooljarloo</i> (Keighery & Olde)	Up to 697 individuals
<i>Jacksonia carduacea</i>	Up to 1 individual
<i>Schoenus pennisetis</i>	Up to 3 individuals
<i>Anigozanthos humilis</i> subsp. <i>chrysanthus</i>	Up to 1 individual
<i>Conospermum scaposum</i>	Up to 570 individuals
<i>Hensmania stoniella</i>	Up to 32 individuals
<i>Isopogon panduratus</i> subsp. <i>palustris</i>	Up to 944 individuals
<i>Stylidium aceratum</i>	Up to 710 individuals

- (c) Up to 194 individuals of the **known population** of the *Jacksonia* aff. *Floribunda*.

B1-2 Yued Aboriginal Corporation cultural monitors shall be offered the opportunity to be present for initial ground disturbing work associated with the removal of

any Moodjar (*Nuytsia floribunda*) trees within the **development envelopes**, but outside the exclusion zone in condition B1-1(1)(C).

- B1-3 The proponent must implement weed hygiene measures during **construction activities** and operations to prevent the introduction or spread of **environmental weeds** in the **development envelopes** and in surrounding areas as a result of the proposal.
- B1-4 The proponent must implement the proposal subject to dieback hygiene protocols consistent with the *Phytophthora Dieback Management Manual, October 2020*, as amended or replaced from time to time.

B2 Terrestrial Fauna

- B2-1 The proponent must ensure the implementation of the proposal achieves the following environmental outcome:
- (1) No **adverse impacts** to the *Maratus Maratus* 'BAR130' exclusion area shown in Figure 2; and
 - (2) Directly **disturb** no more than 257.3 ha of foraging habitat for Carnaby's black cockatoo (*Zanda latirostris*).
- B2-2 Prior to **ground disturbing activities**, the proponent must undertake the following action:
- (1) within seven (7) days prior to clearing, using a suitably trained and licensed **fauna handler**, remove ground-dwelling fauna from the disturbance footprint and re-locate the fauna to adjacent vegetated areas.
- B2-3 During **ground disturbing activities**, the proponent must undertake the following actions:
- (1) ensure the presence of **fauna handlers** during **clearing activities**;
 - (2) cease **ground disturbing activities** in any area where Carnaby's black cockatoo (*Zanda latirostris*), Common greenshank (*Tringa nebularia*), Black-striped burrowing snake (*Neelaps calonotos*), the Jewelled Southwest Ctenotus (*Ctenotus gemmula*) and Western brush wallaby (*Notamacropus Irma*) individual(s) are identified until:
 - (a) the individual(s) has been relocated by a **fauna handler**; or
 - (b) the individual(s) has been observed by the **fauna handler** to have moved on from the area to adjoining suitable habitat; and/or
 - (c) the **fauna handler** considers that the individual no longer occurs in the area.

B3 Inland waters

B3-1 The proponent must ensure the implementation of the proposal results in:

- (1) No adverse impacts to Banksia woodlands of the Swan Coastal Plain ecological community beyond the disturbance footprint, from drawdown of the **seasonal water table**.

B3-2 Prior to **dewatering activities**, the proponent must undertake the following actions:

- (1) implement the Drawdown Mitigation Scheme starter pit as described in condition B3-4; and
- (2) install monitoring bores around the pit shell as defined in the Drawdown Mitigation Scheme as described in condition B3-4 to capture water level and quality data and use this data to further define the **seasonal water table**.

B3-3 During **dewatering activities**, the proponent must undertake the following actions:

- (1) continue implementing the Drawdown Mitigation Scheme as described in condition B3-4.

B3-4 The proponent must review and update the Drawdown Mitigation Scheme and Groundwater Monitoring Program as described in the Groundwater Operating Strategy Environmental Management Plan (Version 1.4, 25 August 2023, or any future revisions) that demonstrates how achievement of the **outcomes** of condition B3-1(1), will be monitored, substantiated and satisfies the requirements of condition C4, and submit it to the **CEO**.

B4 Environmental Offsets

B4-1 The proponent must implement offsets to counterbalance the significant residual impacts of the proposal on the following environmental values:

- (1) Banksia woodlands of the Swan Coastal Plain ecological community;
- (2) foraging habitat for Carnaby's black cockatoo (*Zanda latirostris*); and
- (3) priority flora.

B4-2 In order to meet the requirements of condition B4-1, the proponent must ensure the implementation of the offsets achieves the following environmental outcomes and objectives:

- (1) counterbalance the significant residual impacts to the environmental values identified in condition B4-1;

- (2) maintain and improve where practicable the resilience of excellent quality of Banksia woodlands of the Swan Coastal Plain ecological community and Carnaby's black cockatoo foraging habitat in the proposed offset areas listed in Table 2;
- (3) restore at least twenty eight (28) ha of land within fifty (50) kilometres of the development envelope to provide **self-sustaining** Banksia woodlands of the Swan Coastal Plain ecological community and foraging habitat for Carnaby's black cockatoo;
- (4) contribute to research on ecological restoration of the following flora being **disturbed** to enable them to be introduced into the Mine Development Envelope and restoration of land outlined in B4-2(3):
 - (a) *Levenhookia preissii*;
 - (b) *Grevillea cooljarloo* (Keighery & Olde);
 - (c) *Schoenus pennisetis*;
 - (d) *Jacksonia carduacea*;
 - (e) *Anigozanthos humilis* subsp. *chrysanthus*; and
 - (f) *Jacksonia* aff. *floribunda*, if is a new species.

Offset Environmental Management Plan

- B4-3 The proponent must review and revise the Offset Environmental Management Plan (Version 1, IMG-ATL-OFF-01, 5 September 2023) that demonstrates how the environmental outcomes and objectives in condition B4-2 will be achieved, and how this achievement will be substantiated, and submit it to the **CEO**.
- B4-4 The Offset Environmental Management Plan must include the implementation of the offset measures to the extent and at the locations as set out and described in Table 2.

Table 2: Environmental values, locations and extent and type of offset measures required to meet condition B4-1

Environmental value	Offset locations	Extent of area to receive offset measures (hectares)	Type of offset measures
Banksia woodlands of the Swan Coastal Plain ecological community and foraging habitat for Carnaby's black cockatoo (<i>Zanda latirostris</i>)	2269 Wongonderrah Road, Nambung (Lot 4113 on plan 2125/58)	Acquire and manage at least 937 ha which includes: <ul style="list-style-type: none"> 641.73 ha of Excellent quality Banksia Woodlands TEC/PEC Carnaby's Cockatoo foraging habitat 937 ha of high quality foraging habitat. 	land acquisition
		Restoration by revegetation of at least 28 ha of cleared land to Banksia Woodlands TEC/PEC and Carnaby's Cockatoo foraging habitat.	on-ground management
Banksia woodlands of the Swan Coastal Plain ecological community and foraging habitat for Carnaby's black cockatoo (<i>Zanda latirostris</i>)	5919 Brand Highway, Beermullah (Lot 501 on plan 13536)	Acquire and manage at least 467.96 ha which includes: <ul style="list-style-type: none"> 175.56 ha of Excellent quality Banksia Woodlands TEC/PEC Carnaby's Cockatoo foraging habitat 467.96 ha of high quality foraging habitat. 	land acquisition

B4-5 The Offset Environmental Management Plan must:

- (1) demonstrate that the environmental outcomes and objectives in condition B4-2 will be met;
- (2) describe how the offset measures will be implemented consistent with condition B4-4;
- (3) Include reporting of the progress of environmental outcomes and objectives in condition B4-2 each three (3) years until the CEO advises that restoration requirements have been met;
- (4) be prepared in consultation with the Department of Biodiversity, Conservation and Attractions;
- (5) spatially identify the areas (**Proposed Offset Conservation Areas**) in condition B4-4 and any other areas proposed as:

- (a) **acquired** lands offset areas to receive **on-ground management** offset measures; and
 - (b) offset areas or lands to receive restoration or revegetation **on-ground management** offset measures.
- (6) demonstrate how the environmental values within the **Proposed Offset Conservation Areas** will be maintained and improved or managed to counterbalance the significant residual impact to the environmental values in condition B4-1 and achieve the environmental outcomes and objectives in condition B4-2;
- (7) demonstrate application of the principles of the WA Environmental Offsets Policy, the *WA Environmental Offsets Metric* and the WA Offsets Template, as described in the *WA Environmental Offsets Guidelines*, and the *Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy Assessment Guide*, or any subsequent revisions of these document;
- (8) identify how the ongoing performance of the offset measures, and whether they are achieving the outcomes and objectives in condition B4-2, will periodically be made publicly available;
- (9) for the land acquisition offsets identified in condition B4-4:
 - (a) demonstrate that the **Proposed Offset Conservation Areas** contain the minimum extents of the environmental values identified in condition B4-4;
 - (b) identify how the **Proposed Offset Conservation Areas** will be protected, being either the sites are ceded to the Crown for the purpose of management for conservation, or the sites are managed under other suitable mechanism for the purpose of conservation as agreed by the **CEO** by notice in writing;
 - (c) specify the quantum of works associated with establishing the **Proposed Offset Conservation Areas**, including a contribution for maintaining the offset for at least twenty (20) years after completion of purchase; and
 - (d) identify the **relevant management body** for the on-going management of the **Proposed Offset Conservation Areas**, including its role, and the role of the proponent, and confirmation in writing that the **relevant management body** accepts responsibility for its role.
- (10) For **on-ground management** offsets identified in condition B4-4:

- (a) state the targets for each environmental value to be achieved by the **on-ground management**, including completion criteria, which will result in a **tangible improvement** to the environmental values being offset. For restoration offsets, this must include, but not be limited to:
 - (i) completion criteria to measure (at a minimum) whether the objective in condition B4-2(4) and condition B4-2(4) has been achieved; and
 - (ii) adaptive management to ensure successful revegetation.
 - (b) demonstrate the consistency of the targets with the environmental outcomes and objectives in condition B4-2 and the objectives of any relevant guidance, including but not limited to, recovery plans or area management plans;
 - (c) detail the **on-ground management** actions, with associated timeframes for implementation and completion, to achieve the targets identified in condition B4-5(10)(a); and
 - (d) detail the monitoring, reporting and evaluation mechanisms for the targets and actions identified under condition B4-5(10)(a) and condition B4-5(10)(c).
- (11) For the research offset identified in condition B4-2(4), within six (6) months of the date of this statement, or an alternative date agreed to by the **CEO**, prepare a research program that:
- (a) identifies the **objectives** and intended **outcomes**, and specifies the deliverables and completion criteria;
 - (b) identifies how the research will result in a positive conservation **outcome** or **tangible improvement**, and will either improve management and protection or address priority knowledge gaps that have been identified as a research priority needed to improve management and protection, for the **environmental values** identified in condition B4-1(1);
 - (c) demonstrate the consistency of the **objectives** in condition B4-5(11)(a) with any relevant guidance, including but not limited to, recovery plans or area management plans, the principles of the *WA Environmental Offsets Policy*, the *WA Environmental Offsets Guidelines*, or any subsequent revisions of these documents;

- (d) identifies and justifies the how the research will support **on-ground management** in achieving a positive conservation **outcome**;
- (e) provides an implementation and reporting schedule, including an outline of key activities, all deliverables, stages of implementation, reporting of research results (including interim results), reporting on implementation status, and milestones towards completion criteria;
- (f) identifies the governance arrangements including responsibilities for implementing, and oversight of, the research program, agreements with government agencies, agreements with any third parties, and **contingency measures**;
- (g) identify how a research program summary, and the results (including interim results) of the research program will be communicated and/or published in an open access format;
- (h) identifies the third party to carry out the work required to meet the **outcomes** of condition B4-5(11)(a), who is satisfactory for the role to the **CEO**. In applying to the **CEO** for endorsement of the selected third parties, the proponent shall provide:
 - (i) demonstration of the track record, experience, qualifications and competencies of the proposed third party to carry out the work and achieve the outcomes.

Contingency offsets

- B4-6 If, after receiving the ongoing performance review of the offsets and monitoring, reporting and evaluation required by condition B4-5(10)(d) and B4-5(11)(e), the **CEO**, in consultation with Department of Climate Change, Energy, the Environment and Water, determines that the proposal has not met the environmental objectives in condition B4-2, and after notifying the proponent in writing, the proponent must undertake an additional offset to counterbalance the significant residual impact that is not counterbalanced to the Banksia Woodlands of the Swan Coastal Plain ecological community of Carnaby's black cockatoo foraging habitat.
- B4-7 If, the environmental objective in condition B3-1 is determined by the **CEO**, in consultation with Department of Climate Change, Energy, the Environment and Water, to not be met by the proposal, and after notifying the proponent in writing, the proponent must undertake an additional offset to counterbalance the additional impact that is not counterbalanced to Banksia Woodlands of the Swan Coastal Plain ecological community.

B4-8 Within six (6) months of receiving notice in writing from the **CEO** that an additional offset is required under condition B4-6 or condition B4-7 the proponent must update the Offset Environmental Management Plan required by condition B4-3 to include acquiring additional offsets to counterbalance the significant residual impacts.

B5 Rehabilitation

B5-1 The proponent must implement the proposal to ensure the following environmental **outcomes** are achieved:

- (1) all **cleared** areas, with the exception of 0.6 ha for Bibby Road / Brand Highway intersection, are to be **progressively rehabilitated**;
- (2) rehabilitated areas are capable of sustaining achievement of the other environmental **outcomes** in condition B1, conditions B2 and condition B3 after the life of the proposal;
- (3) Rehabilitated landforms are stable and do not cause **adverse impacts** to adjacent areas, cause **pollution** or **environmental harm**;
- (4) rehabilitated vegetation is self-sustaining, including not **adversely impacted by environmental weeds** or **dieback**; and
- (5) rehabilitated areas are aligned with industry best practise for the species diversity and abundance of native vegetation within comparative analogue or reference sites.

B5-2 The proponent must rehabilitate all disturbed areas not reasonably expected to be required for ongoing operational activities, with the exception of 0.6 ha for Bibby Road / Brand Highway intersection, until the CEO has determined that the proponent has met the outcomes of condition B5-1.

B5-3 The proponent must review and update the Banksia Woodland Rehabilitation Environmental Management Plan (IMA-ATL-REH-01, Version 1, 31 August 2023, or any future revisions) to be consistent with the findings of the Peer Review and to take into account international principles and standards for the ecological restoration and recovery of mine sites and that demonstrates how achievement of the **outcomes** of condition B5-1, will be monitored, substantiated and satisfies the requirements of condition C4, and submit it to the **CEO**.

B5-4 The proponent must ensure that the rehabilitation process includes:

- (1) retaining the vegetative material and topsoil removed by **clearing** and stockpiling the vegetative material and topsoil within the **development envelopes**; and

(2) ripping the ground on the contour to remove soil compaction.

B5-5 The proponent must take reasonable steps to consult on the design and outcomes of rehabilitation with the Yued Aboriginal Corporation, including but not limited to providing annual rehabilitation reports.

B5-6 The report required in condition B5-5 must be submitted to the Yued Aboriginal Corporation and the CEO and must include but not be limited to completion criteria that are agreed within rehabilitation plans for the proposal, the return of the soil profiles, all vegetation and foraging habitats, and indicators of diversity and species richness including but not limited to priority species.

PART C – ENVIRONMENTAL MANAGEMENT PLANS AND MONITORING

C1 Environmental Management Plans: Conditions Related to Commencement of Implementation of the Proposal

C1-1 The proponent must not undertake, unless otherwise authorised by the CEO:

- (1) **dewatering activities** until the CEO has confirmed in writing that the Drawdown Mitigation Scheme and Groundwater Monitoring Program as described in the Groundwater Operating Strategy Environmental Management Plan (Version 1.4, 25 August 2023, or any future revisions) required by condition B3-2 meets the requirements of that condition and condition C4;
- (2) **ground disturbing activities** until the CEO has confirmed in writing that the Offset Environmental Management Plan (Version 1, IMG-ATL-OFF-01, 5 September 2023) required by condition B4-3 meets the requirements of that condition and condition C5; and
- (3) **ground disturbing activities** until the CEO has confirmed in writing that the Banksia Woodland Rehabilitation Environmental Management Plan (IMA-ATL-REH-01, Version 1, 31 August 2023, or any future revisions) required by condition B5-3 meets the requirements of that condition and condition C4.

C2 Environmental Management Plans: Conditions Relating to Approval, Implementation, Review and Publication

C2-1 Upon being required to implement an environmental management plan under Part B, or after receiving notice in writing from the CEO under condition C1-1 that the environmental management plan(s) required in Part B satisfies the relevant requirements, the proponent must:

- (1) implement the most recent version of the **confirmed** environmental management plan; and
- (2) continue to implement the **confirmed** environmental management plan referred to in condition C2-1(1), other than for any period which the **CEO** confirms by notice in writing that it has been demonstrated that the relevant requirements for the environmental management plan have been met, or are able to be met under another statutory decision-making process, in which case the implementation of the environmental management plan is no longer required for that period.

C2-2 The proponent:

- (1) may review and revise a **confirmed** environmental management plan provided it meets the relevant requirements of that environmental management plan, including any consultation that may be required when preparing the environmental management plan;
- (2) must review and revise a **confirmed** environmental management plan and ensure it meets the relevant requirements of that environmental management plan, including any consultation that may be required when preparing the environmental management plan, as and when directed by the **CEO**; and
- (3) must revise and submit to the **CEO** the **confirmed** Environmental Management Plan if there is a material risk that the outcomes or objectives it is required to achieve will not be complied with, including, but not limited to, as a result of a change to the proposal.

C2-3 Despite condition C2-1, but subject to conditions C2-4 and C2-5, the proponent may implement minor revisions to an environmental management plan if the revisions will not result in new or increased **adverse impacts** to the environment or result in a risk to the achievement of the limits, outcomes or objectives which the environmental management plan is required to achieve.

C2-4 If the proponent is to implement minor revisions to an environmental management plan under condition C2-3, the proponent must provide the **CEO** with the following at least twenty (20) business days before it implements the revisions:

- (1) the revised environmental management plan clearly showing the minor revisions;
- (2) an explanation of and justification for the minor revisions; and
- (3) an explanation of why the minor revisions will not result in new or increased **adverse impacts** to the environment or result in a risk to the

achievement of the limits, outcomes or objectives which the environmental management plan is required to achieve.

C2-5 The proponent must cease to implement any revisions which the **CEO** notifies the proponent (at any time) in writing may not be implemented.

C2-6 **Confirmed** environmental management plans, and any revised environmental management plans under condition C2-4(1), must be published on the proponent's website and provided to the **CEO** in electronic form suitable for on-line publication by the Department of Water and Environmental Regulation within twenty (20) business days of being implemented, or being required to be implemented (whichever is earlier).

C3 Conditions Related to Monitoring

C3-1 The proponent must undertake monitoring capable of:

- (1) substantiating whether the proposal limitations and extents in Part A are exceeded; and
- (2) **detecting** and substantiating whether the environmental outcomes identified in Part B are achieved (excluding any environmental outcomes in Part B where an environmental management plan is expressly required to monitor achievement of that outcome).

C3-2 The proponent must submit as part of the Compliance Assessment Report required by condition D2, a compliance monitoring report that:

- (1) outlines the monitoring that was undertaken during the implementation of the proposal;
- (2) identifies why the monitoring was capable of substantiating whether the proposal limitation and extents in Part A are exceeded;
- (3) for any environmental outcomes to which condition C3-1(2) applies, identifies why the monitoring was scientifically robust and capable of **detecting** whether the environmental outcomes in Part B are met;
- (4) outlines the results of the monitoring;
- (5) reports whether the proposal limitations and extents in Part A were exceeded and (for any environmental outcomes to which condition C3-1 (2) applies) whether the environmental outcomes in Part B were achieved, based on analysis of the results of the monitoring; and
- (6) reports any actions taken by the proponent to remediate any potential non-compliance.

C4 Environmental Management Plans: Conditions Relating to Monitoring and Adaptive Management for Outcomes Based Conditions

C4-1 The documents required under condition B3-4 and condition B5-3 must contain provisions which enable the substantiation of whether the relevant outcomes of those conditions are met, and must include:

- (1) **threshold criteria** that provide a limit beyond which the environmental outcomes are not achieved;
- (2) **trigger criteria** that will provide an early warning that the environmental outcomes are not likely to be met;
- (3) monitoring parameters, sites, control/reference sites, methodology, timing and frequencies which will be used to measure **threshold criteria** and **trigger criteria**. Include methodology for determining alternate monitoring sites as a contingency if proposed sites are not suitable in the future;
- (4) baseline data;
- (5) data collection and analysis methodologies;
- (6) adaptive management methodology;
- (7) **contingency measures** which will be implemented if **threshold criteria** or **trigger criteria** are not met;
- (8) reporting requirements.

C4-2 The Drawdown Mitigation Scheme and Groundwater Monitoring Program as described in the Groundwater Operating Strategy (Version 1.4, 25 August 2023 or its future revisions) required under condition B3-4 is also required to include:

- (1) unless a different date or frequency is approved by the **CEO**, three (3) monthly review and reporting to the **CEO** capturing the changes to the Drawdown Mitigation Scheme and Groundwater Monitoring Program as described in the Groundwater Operating Strategy Environmental Management Plan (Version 1.4, 25 August 2023, or any future revisions) using the data captured in Part B and Part C, with the first review and reporting occurring three (3) months after **dewatering activities** commence, and reporting occurring two (2) months after the end of each reporting period;
- (2) unless a different date or frequency is approved by the **CEO**, independent peer review of the information required by condition C4-2(1) is to be undertaken every three (3) months and results reported to the **CEO** with the first peer review occurring three (3) months after

- dewatering activities** commence, and reporting occurring two (2) months after the end of each reporting period;
- (3) predicted water-levels for each Drawdown Mitigation Scheme infiltration pond monitoring bore, reported against in the review required by condition C4-2(1) and condition C4-2(2);
 - (4) **threshold criteria**, including but not limited to:
 - (a) drawdown at any Drawdown Mitigation Scheme infiltration pond monitoring bore must not exceed the levels defined in Table 5 of the Groundwater Operating Strategy Environmental Management Plan (Version 1.4, 25 August 2023, or any future revisions); and
 - (b) degradation of quality or death of vegetation in **monitoring quadrats** as compared to **reference quadrats**.
 - (5) **trigger criteria**, including but not limited to:
 - (a) exceeding drawdown of 0.1 m/year below the predicted water level for the period of the year at any Drawdown Mitigation Scheme infiltration pond monitoring bore; and
 - (b) salinity, pH and temperature trigger values.
 - (6) installation of a minimum of 30 Drawdown Mitigation Scheme infiltration pond monitoring bores around the mine pit prior to **dewatering activities**, with appropriate slots to coincide with the water table and seasonal water level fluctuations;
 - (7) baseline superficial aquifer water-levels, trigger criteria, threshold criteria and groundwater monitoring program for the nominated superficial aquifer monitoring bores from Table 1 and Table 2 of the Groundwater Operating Strategy Environmental Management Plan (Version 1.4, 25 August 2023, or any future revisions) to be agreed with the **CEO** on advice of the Department of Water and Environmental Regulation. Trigger and threshold criteria are to be based on the drawdown rules defined in Section 5.1 of the Groundwater Operating Strategy Environmental Management Plan (Version 1.4, 25 August 2023, or any future revisions);
 - (8) identify the network of monitoring bores used for baseline monitoring;
 - (9) monitoring of the bores in condition C4-2(4), condition C4-2(5) and condition C4-2(6) commencing prior to **dewatering activities**;
 - (10) monitoring of **monitoring quadrats** as compared to **reference quadrats** every three (3) months;

- (11) monitoring parameters at each Drawdown Mitigation Scheme infiltration pond monitoring bore and regional monitoring bore, including but not limited to:
 - (a) water levels; and
 - (b) salinity as Total Dissolved Solids (TDS) (mg/L) and pH.
- (12) monitoring methodology and data to be collected at each Drawdown Mitigation Scheme infiltration pond monitoring bore, including but not limited to:
 - (a) water-level monitoring using data-loggers, or method as agreed with the Department of Water and Environmental Regulation, and monitoring interval; and
 - (b) weekly sampling of water quality, unless otherwise authorised by the CEO.
- (13) monitoring methodology at each regional monitoring bore, including but not limited to:
 - (a) water-level monitoring using data-loggers, or method as agreed with the Department of Water and Environmental Regulation, and monitoring interval; and
 - (b) weekly sampling of water quality, unless otherwise authorised by the CEO.
- (14) monitoring of monitoring bores to be undertaken after mining has been completed until monitoring bore groundwater-levels are consistent with the pre-dewatering water-levels;
- (15) data collection and investigations for describing the **seasonal water table**;
- (16) the local geology, hydrogeology and soil profile for each infiltration pond;
- (17) monitoring parameters at each infiltration pond, including but not limited to:
 - (a) average pond infiltration rates; and
 - (b) salinity as TDS (mg/L), pH and Total Suspended Solids (TSS) and/or Turbidity.
- (18) monitoring timing and frequencies at the starter pit infiltration ponds:

- (a) daily inspections of float switches (if used) or hourly water level monitoring of active infiltration ponds; and
 - (b) weekly water quality monitoring of active infiltration ponds.
- (19) monitoring timing and frequencies at the infiltration ponds outside the starter pit:
 - (a) daily inspections of float switches (if used) or hourly water level monitoring of active infiltration ponds, unless different timing or frequency is approved by the **CEO**; and
 - (b) weekly water quality monitoring of active infiltration ponds, unless different timing or frequency is approved by the **CEO**.
- (20) groundwater quality at the Drawdown Mitigation Scheme infiltration pond monitoring bores to not significantly different to the baseline, or another methodology as agreed with the **CEO**, on advice of the Department of Water and Environmental Regulation;
- (21) recording of rainfall and other relevant weather information;
- (22) review and/or validate groundwater model within three (3) months of commencing **dewatering activities** by comparing modelled versus actual superficial aquifer drawdowns; and
- (23) if the infiltration ponds are not operating adequately to meet **threshold criteria**, **contingency measures** to be implemented include, but are not limited to:
 - (a) reduction in speed of operations;
 - (b) reduction in depth of operations;
 - (c) replacing infiltration with re-injection of water; and
 - (d) **stop operations** if other contingency measures are not supplying adequate contingency to meet the **threshold criteria**.

C4-3 The Banksia Woodland Rehabilitation Plan (IMA-ATL-REH-01, Version 1, 31 August 2023, or any future revisions) required under condition B5-3 is also required to include:

- (1) an overview of dieback status and conditions to give context for the hygiene measures proposed;
- (2) information such as site characteristics, including soil/landform associations;

- (3) targets for soil profile reconstruction, including proposed soil reconstruction process and strategies developed to enhance the properties of tailings materials;
- (4) measures to restore topography as the mine is backfilled;
- (5) topsoil management, including:
 - (a) direct return of fresh topsoil is prioritised over stockpiling;
 - (b) when stockpiling is necessary, long-term stockpiles designed to be shallow as possible, protected with vegetation, ripped to remove compaction (if required) and plant re-establishment encouraged;
 - (c) topsoil stripping and resspreading depths to maximise use of the seedbank resource; and
 - (d) segregating topsoil from each vegetation type with plans in place to return topsoil to a commensurate landscape position.
- (6) methods for and management of salvage of cleared vegetation, including application to rehabilitated areas;
- (7) techniques for plant establishment and Banksia woodlands of the Swan Coastal Plain ecological community restoration that have been developed in similar mining operations and environments;
- (8) detail on approach to managing erosion as it relates to rehabilitation;
- (9) the proponent must continue rehabilitation required by Part B, and report every one (1) year from commencing rehabilitation, unless different timing or frequency is approved by the **CEO**, to the **CEO** until the **CEO** confirms by notice in writing that it has been demonstrated that the relevant requirements in Part B have been met; and
- (10) review of rehabilitation report in condition C4-3(9) using an independent **experienced expert** regarding Banksia woodlands of the Swan Coastal Plain ecological community restoration.

C4-4 Without limiting condition C3-1, failure to achieve an environmental outcome, or the exceedance of a **threshold criteria**, regardless of whether threshold **contingency measures** have been or are being implemented, represents a non-compliance with these conditions.

C5 Environmental Management Plans: Conditions Related to Management Actions and Targets for Objective Based Conditions

C5-1 The environmental management plan required under condition B4-3 must contain provisions which enable the achievement of the relevant objectives of those conditions and substantiation of whether the objectives are reasonably likely to be met, and must include:

- (1) **management actions**;
- (2) **management targets**;
- (3) **contingency measures** if **management targets** are not met; and
- (4) reporting requirements.

C5-2 Without limiting condition C2-1, the failure to achieve an environmental objective, or implement a **management action**, regardless of whether **contingency measures** have been or are being implemented, represents a non-compliance with these conditions.

PART D – COMPLIANCE, TIME LIMITS, AUDITS AND OTHER CONDITIONS

D1 Non-compliance Reporting

D1-1 If the proponent becomes aware of a potential non-compliance, the proponent must:

- (1) report this to the **CEO** within seven (7) days;
- (2) implement **contingency measures**;
- (3) investigate the cause;
- (4) investigate environmental impacts;
- (5) advise rectification measures to be implemented;
- (6) advise any other measures to be implemented to ensure no further impact;
- (7) advise timeframe in which contingency, rectification and other measures have and/or will be implemented; and
- (8) provide a report to the **CEO** within twenty-one (21) days of being aware of the potential non-compliance, detailing the measures required in conditions D1-1(1) to D1-1(7) above.

D1-2 Failure to comply with the requirements of a condition, or with the content of an environmental management plan required under a condition, constitutes a non-compliance with these conditions, regardless of whether the **contingency measures**, rectification or other measures in condition D1-1 above have been or are being implemented.

D2 Compliance Reporting

D2-1 The proponent must provide an annual Compliance Assessment Report to the **CEO** for the purpose of determining whether the implementation conditions are being complied with.

D2-2 Unless a different date or frequency is approved by the **CEO**, the first annual Compliance Assessment Report must be submitted within fifteen (15) months of the date of this Statement, and subsequent reports must be submitted annually from that date.

D2-3 Each annual Compliance Assessment Report must be endorsed by the proponent's Chief Executive Officer, or a person approved by proponent's Chief Executive Officer to be delegated to sign on the Chief Executive Officer's behalf.

D2-4 Each annual Compliance Assessment Report must:

- (1) state whether each condition of this Statement has been complied with, including:
 - (a) exceedance of any proposal limits and extents;
 - (b) achievement of environmental outcomes;
 - (c) achievement of environmental objectives;
 - (d) requirements to implement the content of environmental management plans;
 - (e) monitoring requirements;
 - (f) implement **contingency measures**;
 - (g) requirements to implement adaptive management; and
 - (h) reporting requirements.
- (2) include the results of any monitoring (inclusive of any raw data) that has been required under Part C in order to demonstrate that the limits in Part A, and any outcomes or any objectives are being met;
- (3) provide evidence to substantiate statements of compliance, or details of where there has been a non-compliance;

- (4) include the corrective, remedial and preventative actions taken in response to any potential non-compliance;
- (5) be provided in a form suitable for publication on the proponent's website and online by the Department of Water and Environmental Regulation; and
- (6) be prepared and published consistent with the latest version of the Compliance Assessment Plan required by condition D2-5 which the **CEO** has confirmed by notice in writing satisfies the relevant requirements of Part C and Part D.

D2-5 The proponent must prepare 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 D2-2, or prior to implementation of the proposal, whichever is sooner.

D2-6 The Compliance Assessment Plan must include:

- (1) what, when and how information will be collected and recorded to assess compliance;
- (2) the methods which will be used to assess compliance;
- (3) the methods which will be used to validate the adequacy of the compliance assessment to determine whether the implementation conditions are being complied with;
- (4) the retention of compliance assessments;
- (5) the table of contents of Compliance Assessment Reports, including audit tables; and
- (6) how and when Compliance Assessment Reports will be made publicly available, including usually being published on the proponent's website within sixty (60) days of being provided to the **CEO**.

D3 Contact Details

D3-1 The proponent must 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.

D4 Time Limit for Proposal Implementation

D4-1 The proposal must be substantially commenced within five (5) years from the date of this Statement.

D4-2 The proponent must provide to the **CEO** documentary evidence demonstrating that they have complied with condition D4-1 no later than fourteen (14) days after the expiration of period specified in condition D4-1.

D4-3 If the proposal has not been substantially commenced within the period specified in condition D4-1, implementation of the proposal must not be commenced or continued after the expiration of that period.

D5 Public Availability of Data

D5-1 Subject to condition D5-2, within a reasonable time period approved by the **CEO** upon the issue of this Statement and for the remainder of the life of the proposal, the proponent must make publicly available, in a manner approved by the **CEO**, all validated environmental data collected before and after the date of this Statement relevant to the proposal (including sampling design, sampling methodologies, monitoring and other empirical data and derived information products (e.g. maps)), environmental management plans and reports relevant to the assessment of this proposal and implementation of this Statement.

D5-2 If:

- (1) any data referred to in condition D5-1 contains trade secrets; or
- (2) any data referred to in condition D5-1 contains particulars of confidential information (other than trade secrets) that has commercial value to a person that would be, or could reasonably be expected to be, destroyed or diminished if the confidential information were published, the proponent may submit a request for approval from the **CEO** to not make this data publicly available and the **CEO** may agree to such a request if the **CEO** is satisfied that the data meets the above criteria.

D5-3 In making such a request the proponent must provide the **CEO** with an explanation and reasons why the data should not be made publicly available.

D6 Independent Audit

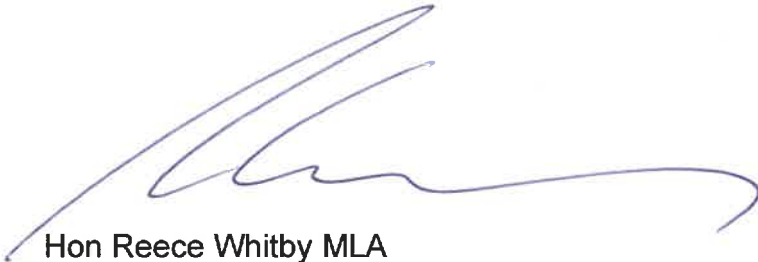
D6-1 The proponent must arrange for an independent audit of compliance with the conditions of this statement, including achievement of the environmental outcomes and/or the environmental objectives and/ or environmental performance with the conditions of this statement, as and when directed by the **CEO**.

D6-2 The independent audit must be carried out by a person with appropriate qualifications who is nominated or approved by the **CEO** to undertake the audit under condition D6-1.

D6-3 The proponent must submit the independent audit report with the Compliance Assessment Report required by condition D2, or at any time as and when

directed in writing by the **CEO**. The audit report is to be supported by credible evidence to substantiate its findings.

D6-4 The independent audit report required by condition D6-1 is to be made publicly available in the same timeframe, manner and form as a Compliance Assessment Report, or as otherwise directed by the **CEO**.



Hon Reece Whitby MLA

MINISTER FOR ENVIRONMENT; CLIMATE ACTION

22 MAY 2024

Key decision-making authorities consulted under section 45(2):
Minister for Water
Minister for Aboriginal Affairs
Minister for Mines and Petroleum

Table 1: Abbreviations and definitions

Acronym or abbreviation	Definition or term
Acquired	The protection of environmental values on an area of initially unprotected land for the purpose of conservation through improved security of tenure or restricting the use of land (e.g. ceding land to the Crown or perpetual conservation covenants). This includes upfront costs of establishing the offset site and the on-going management of costs of maintaining the offset for the long term (20 years).
Adverse impacts / adversely impacted	<p>Negative change that is neither trivial nor negligible that could result in a reduction in health, diversity or abundance of the receptor/s being impacted, or a reduction in environmental value. Adverse impacts can arise from direct or indirect impacts, or other impacts from the proposal.</p> <p>In relation to flora and vegetation, includes but is not limited to, a definable change in spatial coverage or a change in the health, species diversity, structure and plant density of vegetation, vegetation and flora mortality, spread or introduction of environmental weeds, introduction or spread of disease and edge effects.</p> <p>In relation to inland waters, includes but is not limited to, reduction of the watertable that results in a definable change in spatial coverage or a change in the health, species diversity, structure and plant density of vegetation.</p> <p>In relation to terrestrial fauna, includes but is not limited to, a definable change in spatial coverage of vegetation, vegetation and flora mortality, spread or introduction of environmental weeds, introduction or spread of disease and edge effects.</p>
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 the CEO's delegate.
Clearing activities	Any activity where the removal of vegetation will be undertaken.
Confirmed	<p>In relation to a plan required to be made and submitted to the CEO, means, at the relevant time, the plan that the CEO confirmed, by notice in writing, meets the requirements of the relevant condition.</p> <p>In relation to a plan required to be implemented without the need to be first submitted to the CEO, means that plan until it is revised, and then means, at the relevant time, the plan that the CEO confirmed, by notice in writing, meets the requirements of the relevant condition.</p>
Contingency measures	Planned actions for implementation if it is identified that an environmental outcome, environmental objective, threshold criteria, or management target are likely to be, or are being,

Acronym or abbreviation	Definition or term
	exceeded. Contingency measures include changes to operations or reductions in disturbance or adverse impacts to reduce impacts and must be decisive actions that will quickly bring the impact to below any relevant threshold, management target and to ensure that the environmental outcome and/or objective can be met.
Construction activities	Activities that are associated with the substantial implementation of a proposal including but not limited to, earthmoving, vegetation clearing, grading or construction of right of way. Construction activities do not include Geotechnical investigations (including potholing for services and the installation of piezometers) and other preconstruction activities where no clearing of vegetation is required.
Detecting	The smallest statistically discernible effect size that can be achieved with a monitoring strategy designed to achieve a statistical power value of at least 0.8 or an alternative value as determined by the CEO.
Development envelopes	Mine development envelope and external infrastructure development envelope combined.
Dewatering activities	Drawing water from the ground to facilitate mining activities.
Disturb	Means directly has or materially contributes to the disturbance effect on the health, diversity or abundance of the receptor/s being impacted or on an environmental value. In relation to flora, vegetation, or fauna habitat, includes to result in the death, destruction, removal, severing or doing substantial damage to an environmental value. In relation to fauna, includes to have the effect of altering the natural behaviour of fauna to its detriment.
Disturbance footprint	The indicative disturbance footprint is provided within the mine development envelope as shown within Figure 2. The disturbance footprint was designed with “worst case” scenarios in mind and has included appropriate buffer space around infrastructure areas; however, actual infrastructure would be positioned based on site conditions (e.g. to avoid a group of Banksia trees) to optimise the design during mining activities. The proponent is still to adhere to the limits of clearing of vegetation and priority flora as is documented in these conditions.
Environmental value	A beneficial use, or ecosystem health condition.
Environmental harm	Has the meaning provided by section 3A(2) of the <i>Environmental Protection Act 1986</i> .
Environmental weeds	Any plant declared under section 22(2) of the <i>Biosecurity and Agriculture Management Act 2007</i> , any plant listed on the Weeds

Acronym or abbreviation	Definition or term
	of National Significance List and any weeds listed on the Department of Biodiversity, Conservation and Attractions' Midwest Impact and Invasiveness Ratings list, as amended or replaced from time to time.
Excellent	The condition of native vegetation rated in accordance with the Technical guidance – Flora and vegetation surveys for environmental impact assessment (EPA 2016) including any revision to this technical guidance.
External infrastructure development envelope	The area shown within Figure 1 and defined by coordinates in Schedule 1.
Experienced expert	Expert with 15 or more years of directly relevant experience regarding propagation or rehabilitation of Banksia Woodland species that are being disturbed .
Fauna handler	A person who is qualified and has attained the appropriate licence/s and authorisation/s under section 40 of the <i>Biodiversity Conservation Act 2016</i> and Biodiversity Conservation Regulations 2018.
GL/a	Gigalitres per annum
Ground disturbing activities	Any activity or activities undertaken in the implementation of the proposal, including any clearing, civil works or construction.
ha	hectares
Known populations	Known population at the time of assessment as outlined in Atlas Project response to submissions.
Management action	The identified actions implemented with the intent of to achieving the environmental objective.
Management target	A type of indicator to evaluate whether an environmental objective is being achieved.
Mine development envelope	The area shown within Figure 1 and defined by coordinates in Schedule 1.
Monitoring quadrat	Area of vegetation outside the disturbance footprint that would be within the groundwater drawdown zone if no mitigation was undertaken, and which contains groundwater dependent vegetation species.
On-ground management	This includes revegetation (re-establishment of native vegetation in degraded areas) and rehabilitation (repair of ecosystem processes and management of weeds, disease or feral animals) with the objective to achieve a tangible improvement to the environmental values in the offset area.

Acronym or abbreviation	Definition or term
Pollution	Has the meaning provided by section 3A(1) of the <i>Environmental Protection Act 1986</i> .
Progressive rehabilitation/ progressively rehabilitated	Progressive rehabilitation is expected to be undertaken in stages using conventional dry mineral sands mining techniques to minimise requirements for rehandling of materials and to maximise retention of biological function in topsoil. Progressive rehabilitation usually includes characterisation of materials (including soils and mine waste), backfill, consolidation, topsoil placement, and rehabilitation measures and monitoring.
Proposed Offset Conservation Areas	The area of land identified in condition B4-4.
Reference bores	Reference bores are in the same aquifer as the monitoring bores but are outside the area of influence of the proposal.
Reference quadrat	Area of vegetation outside the disturbance footprint that is not within the groundwater drawdown zone (whether or not any mitigation was undertaken), and which contains groundwater dependent vegetation species.
Relevant management body	A party or parties that has a role in the establishment and/or on-going management of the Proposed Offset Conservation Area. Note: This includes the role of the proponent.
Seasonal water table	Water table below ground level as determined through bore monitoring over several different seasons.
Self-sustaining	Refers to vegetation that can survive (continue indefinitely) without on-going management actions such as watering, weed control or infill planting.
Stop operations	No mining to be undertaken with the exception of works required to make the mine void safe.
Tangible improvement	A perceptible, measurable and definable improvement that provides additional ecological benefit and/or value.
Trigger criteria	Indicators that have been selected for monitoring to provide a warning that, if exceeded, the environmental outcome may not be achieved. They are intended to forewarn of the approach of the threshold criteria and trigger response actions.
Threshold criteria	The indicators that have been selected to represent limits of impact beyond which the environmental outcome is not being met.

Figures (attached)

Figure 1 Atlas Project Development envelopes (This figure is a representation of the co-ordinates referenced in Schedule 1)

Figure 2 Atlas project development envelope and exclusion zones



Figure 1. Atlas project development envelopes

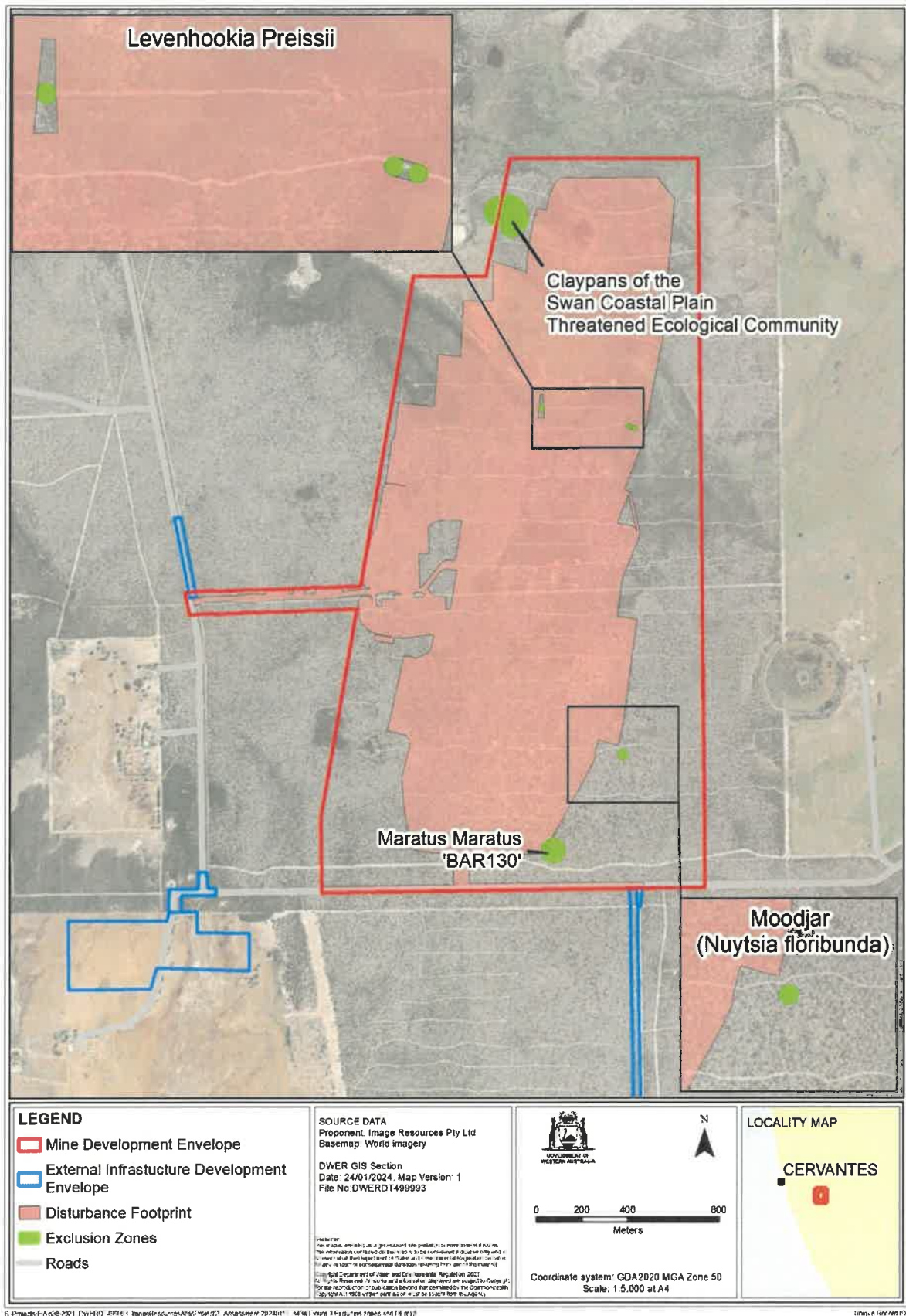


Figure 2. Atlas project development envelope and exclusion zones

Schedule 1

All co-ordinates are in metres, listed in Map Grid of Australia Zone 50 (MGA Zone 50), datum of Geocentric Datum of Australia 2020 (GDA2020).

Spatial data depicting the figures are held by the Department of Water and Environmental regulation. Record no. DWER-801164602-322547.