

## Disclaimer

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Published on: 04 July 2024

Statement No. 1228

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

### MEDCALF VANADIUM PROJECT

#### Proposal:

The proposal is to develop a vanadium, titanium and iron mining operation, approximately 100 kilometres (km) southwest of Norseman, in the Bremer Range, Lake Johnston region of Western Australia. Mining will occur above groundwater. The main construction, commissioning and operational elements include three open mine pits, beneficiation plant, tailings storage facility, evaporation ponds, mine closure materials area, topsoil stockpile, private haul road, road train transfer area and associated infrastructure such as laydown areas, borrow and gravel pits, groundwater bores, workshops and accommodation camp.

#### Proponent:

Audalia Resources Limited  
Australian Company Number 146 035 690

#### Proponent address:

Level 1, Office F, 1139 Hay Street  
West Perth, WA, 6005

**Assessment number:** 2156

#### Report of the Environmental Protection Authority: 1765

**Introduction:** Pursuant to section 45 of the *Environmental Protection Act 1986*, it has been agreed that the proposal entitled Medcalf Vanadium Project as amended by the changes to the proposal approved under s. 43A on 4 November 2020 and 9 April 2024, and described in Section 2 of the *Medcalf Project Response to Submissions* (Rev 1, 9 May 2022), 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**

## 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		
<b>Mine development envelope</b>	Figure 1	No more than 898 ha
<b>Direct disturbance</b> of native vegetation within the <b>Mine development envelope</b>	Within the <b>Mine development envelope</b> shown in Figure 1	<b>Clearing</b> of no more than 300 ha within the <b>Mine development envelope</b>
<b>Haul Road development envelope</b>	Figure 1	No more than 1,633 ha
<b>Direct disturbance</b> of native vegetation within the <b>Haul Road development envelope</b>	Within the <b>Haul Road development envelope</b> shown in Figure 1	<b>Clearing</b> of no more than 350 ha within the <b>Haul Road development envelope</b>
Mine pits	Figure 1	Footprint of the mine pits must not exceed 39.32 ha.
Operational elements		
Groundwater abstraction – for water supply		No more than 1.2 GL/a
Tailings disposal		No more than 7.5 million m <sup>3</sup> of tailings into the tailings storage facility
Greenhouse gas emissions (Scope 1 and Scope 2)		Construction: 58,146 t CO <sub>2</sub> -e Operational: 50,288 t CO <sub>2</sub> -e/yr
Timing elements		
Project life		Maximum 15 years from date of substantial commencement: <ul style="list-style-type: none"> <li>• Construction phase 1 year</li> <li>• Operations phase 13 years</li> <li>• Decommission phase 1 year post operations</li> </ul>

\*Note that the exclusions zones in Figure 2 and Figure 3 for the proposal have been included for the implementation offsets and not the implementation of the proposal, and therefore have been excluded from the Development Envelope

## PART B – ENVIRONMENTAL OUTCOMES, PRESCRIPTIONS AND OBJECTIVES

### B1 Flora and vegetation

B1-1 The proponent must implement the proposal to meet the following environmental **outcomes**:

- (1) Directly **disturb** no more than the extents of the following **environmental values**:
  - (a) **Known populations** of significant flora species as described in Table 1:

**Table 1: Disturbance of significant flora species**

Species	Disturbance
<i>Marianthus aquilonaris</i> (Threatened)	0 individuals
<i>Eucalyptus pterocarpa</i> (Priority 3)	0 individuals
<i>Eucalyptus rhomboidea</i> (Priority 4)	Up to 768 individuals
<i>Stenanthemum bremerense</i> (Priority 4)	Up to 2,049 individuals
<i>Acacia mutabilis</i> subsp. <i>Stipulifera</i> (Priority 3)	Up to 10,001 individuals
<i>Hakea pendens</i> (Priority 3)	Up to 876 individuals
<i>Teucrium diabolicum</i> R.W.Davis & Wege (Priority 3)	Up to 1,150 individuals

- (b) 1.51 **ha** of *Marianthus aquilonaris* sub-optimal habitat in the **critical habitat** boundary and 0 **ha** of *Marianthus aquilonaris* optimal habitat in the **critical habitat** boundary as shown in Figure 2;
- (c) 30 **ha** of the mapped extent of the HS-MWS1 floristic community as shown in Figure 2;
- (d) 285 **ha** of the Bremer Range priority ecological community; and
- (e) 3.42 **ha** of the G-H1 floristic community.

B1-2 The proponent must implement the proposal to meet the following environmental **objectives**:

- (1) avoid, where practicable, or otherwise minimise indirect impacts to **threatened** flora and **priority flora** from dust, weeds, fire, changes to hydrologic regimes and contamination;
- (2) avoid, where practicable, or otherwise minimise indirect impacts to significant vegetation from dust, weeds, fire, changes to hydrologic regimes and contamination;
- (3) no indirect impacts to **known populations** of significant flora greater than the following extents: *Marianthus aquilonaris* (0.04%), *Eucalyptus*

*rhomboidea* (3.0%), *Stenanthemum bremerense* (3.4%) and *Hakea pendens* (4.6%); and

- (4) The proponent shall have no **adverse impacts** to flora and vegetation in the **exclusion zone** as outlined in Figure 2 and condition B4.
- B1-3 The proponent must, on advice of the Department of Biodiversity, Conservation and Attractions, prepare a Construction and Operations Fire Environmental Management Plan that protects the values in the **exclusion zone** in condition B1-2(4), Figure 2 and Figure 3 by ensuring no project attributable loss of vegetation and active management of fire impacts.
- B1-4 The proponent must, on advice of the Department of Biodiversity, Conservation and Attractions, review and revise the Significant Flora Management Plan (Version 1.2, 17 May 2022) that demonstrate/s how achievement of the flora and vegetation environmental **outcomes** in condition B1-1 will be monitored and substantiated, how the flora and vegetation **objectives** in condition B1-2 will be achieved, and satisfies the requirements of conditions C4 and C5, and submit it to the **CEO**.
- B1-5 Prior to **ground disturbing activities**, the proponent must undertake a pre-clearance significant flora survey/s including for, but not limited to the significant flora species in Table 1 of condition B1-1(1)(a).
- B1-6 Within the first peak flowering season, undertake an additional *Marianthus aquilonaris* pollinator survey during peak flowering season:
  - (1) The **outcomes** of the survey are to inform the plan required by B1-4, or its updates, and the research of B4-2.

## **B2 Terrestrial fauna**

- B2-1 The proponent must implement the proposal to achieve the following environmental **objectives**:
  - (1) minimise the risk of physical injury or mortality from construction or operation on native fauna; and
  - (2) minimise the risk of **adverse impacts** including behavioural changes and health impacts from construction and operation on native fauna.
- B2-2 Prior to **ground disturbing activities** the proponent shall undertake the following actions:
  - (1) within seven (7) days prior to **clearing**, using a licensed **fauna spotter**, undertake **pre-clearance surveys** to detect presence of:
    - (a) malleefowl (*Leipoa ocellata*) individuals or mounds; and

- (b) any other conservation significant species that may be present in the area.
  - (2) where individuals in B2-2(1) are identified, **ground disturbing activities** shall not commence until either:
    - (a) the individual has been relocated by a **fauna spotter**; or
    - (b) the individual has been observed by the **fauna spotter** to have moved on from the area to adjoining **suitable habitat**.
- B2-3 During **ground disturbing activities**, the proponent must undertake the following actions:
- (a) avoid **direct disturbance** within fifty (50) metres from any **active malleefowl (*Leipoa ocellata*) mound** and any other active or recently active nesting or breeding habitat for conservation significant species identified within the development envelope during the **pre-clearance surveys** required by condition B2-2(1).

#### *Speed limits*

- B2-4 During construction, vehicle and machinery speed limits shall not exceed:
- (1) 60 **km/hr** on all unsealed roads; and
  - (2) 40 **km/hr** on unsealed or gravel roads and within one (1) kilometre of an **active malleefowl (*Leipoa ocellata*) mound** or active or recently active nesting or breeding habitat for conservation significant species identified by a licenced **fauna spotter** within the development envelope.
- B2-5 During operations, vehicle and machinery speed limits on the haul road must not exceed:
- (1) 80 **km/hr** on unsealed haul road; and
  - (2) 40 **km/hr** within one (1) kilometre of an **active malleefowl (*Leipoa ocellata*) mound** or active or recently active nesting or breeding habitat for conservation significant species identified by a licenced **fauna spotter** within the development envelope.

#### *Trench inspection*

- B2-6 The proponent shall clear trapped vertebrate fauna from within open **trenches**, using a suitably trained and licensed **fauna handler**:
- (1) at least twice daily, with the first daily clearing to be completed no later than three (3) hours after sunrise and the second clearing to be completed between the hours of 3:00 pm and 6:00 pm of that same day, unless otherwise agreed to by the **CEO**; and

- (2) within one (1) hour prior to backfilling of **trenches**.
- B2-7 The proponent shall ensure open **trench** lengths shall not exceed a length capable of being inspected and cleared by the requirements set out in condition.
- B2-8 The proponent shall ensure ramps providing egress points and/or fauna refuges providing suitable shelter from the sun and predators for trapped vertebrate fauna are to be placed in the **trench** at intervals not exceeding fifty (50) metres.
- B2-9 In the event of substantial rainfall and following the clearing of vertebrate fauna from the **trench**, pump out any pooled water in the open **trench** and discharge it to adjacent vegetated areas in a manner that does not cause erosion.
- B2-10 The proponent shall produce and provide a report on fauna management no later than sixty (60) days after the completion of **construction activities** to the **CEO**. The report shall include the following:
- (1) details of fauna inspections;
  - (2) the number and type of fauna cleared from **trenches** and actions taken;
  - (3) **fauna spotter** details;
  - (4) results of **pre-clearance survey**;
  - (5) monitoring and mitigation provisions implemented for significant vertebrate fauna, including malleefowl, informed by condition B2-10(4);
  - (6) measures that were implemented to minimise impacts on significant vertebrate fauna, if the survey/s required by condition B2-2 and B2-10 record significant fauna; and
  - (7) vertebrate fauna mortalities.

#### *Mortality register*

- B2-11 The proponent must develop and maintain a vertebrate fauna mortality register during operations.

#### *Fauna crossings*

- B2-12 The proponent shall install **fauna crossings** along the haul road disturbance footprint should **substantial areas** of active conservation significant breeding habitat be identified within one (1) km of the proposed haul road through B2-2.
- (1) Nothing in condition B2-12 shall change the **outcome** required by B2-3.
- B2-13 The proponent shall maintain **fauna crossings** installed under condition B2-12 for the life of the proposal.

### *Feral animal control*

B2-14 The proponent must implement the proposal to ensure there is no long-term increase in population of feral animals as a result of implementing the proposal.

### **B3 Rehabilitation**

B3-1 The proponent must implement the proposal to meet the following environmental **outcomes**:

- (1) rehabilitated vegetation is **self-sustaining**, including not **adversely impacted** by **environmental weeds**;
- (2) rehabilitated vegetation areas are consistent with the species diversity and abundance of native vegetation within comparative analogue or reference sites;
- (3) closure planning and rehabilitation are undertaken in a **progressive manner** consistent with achievement of the above rehabilitation **outcomes** during operations, where practicable, and as soon as practicable upon closure;
- (4) undertake research for the rehabilitation and re-establishment of significant flora species and other local provenance species; and
- (5) rehabilitate habitat for the benefit of fauna where practicable to provide **self-sustaining**, re-established fauna habitat.

B3-2 The proponent must rehabilitate all areas to native vegetation (including the Haul Road), except for the mine pits shown in Figure 1 that will remain as pit voids, and will be backfilled and rehabilitated as much as practicable.

B3-3 The proponent must review and revise the Rehabilitation Plan (Version 1.1, 24 January 2022) environmental management plan that demonstrates how achievement of the environmental **outcomes** in condition B3-1(1) and B3-1(2) will be monitored, achieved and substantiated, and satisfies the requirements of condition C4. The Rehabilitation Plan can be prepared as an addendum or incorporated into the Mine Closure Plan required under the *Mining Act 1978* to be submitted for approval to the Department of Energy, Mines, Industry Regulation and Safety.

B3-4 The proponent must include the environmental **outcomes** of condition B3-1 and the ongoing results of the environment performance reporting required under condition B5, in the Mine Closure Plan required under the *Mining Act 1978*, and submitted for approval to the Department of Energy, Mines, Industry Regulation and Safety.



#### **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) significant flora individuals;
- (2) significant flora habitat and **population extent**; and
- (3) native vegetation in the Bremer Range priority ecological community, and the HS-MWS1 floristic community.

B4-2 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) contribute to research on *Marianthus aquilonaris*, *Eucalyptus rhomboidea*, *Stenanthemum bremerense* and *Hakea pendens*, including genetics, germination, plant numbers and health and rehabilitation trials, to inform the recovery and preservation planning for these species;
- (3) research on resilience of *Marianthus aquilonaris* to climate change;
- (4) develop techniques for restoration and establishment in historically disturbed areas of the number of *Eucalyptus rhomboidea*, *Stenanthemum bremerense* and *Hakea pendens* individuals impacted by the proposal;
- (5) undertake works to re-establish Bremer Range priority ecological community and the HS-MWS1 floristic community in historically disturbed areas;
- (6) establish land to undertake research in the **exclusion zones**; and
- (7) identify land with suitable species for land management and land **acquisition** purposes.

B4-3 The proponent must ensure:

- (1) no direct or indirect impacts from the proposal to significant flora, **threatened** flora or priority ecological communities within the **exclusion zones**; and
- (2) only **authorised activities** are undertaken within **exclusion zones**.

## Offset Environmental Management Plan

- B4-4 The proponent must review and revise the Audalia Resources Limited Offset Strategy Offset Environmental Management Plan (Version 0, AUD-MED-OFF-01, 25 January 2024) 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**.
- B4-5 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, Figure 2 and Figure 3.

**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
<ul style="list-style-type: none"> <li>Significant flora values, including <i>Marianthus aquilonaris</i>, <i>Stenanthemum bremerense</i>, <i>Eucalyptus rhomboidea</i> and <i>Hakea pendens</i></li> <li>Significant vegetation of the Bremer Range priority ecological community and locally significant vegetation (including HS-MWS1 floristic community)</li> </ul>	Audalia Resources Mining Lease M63/656	427 ha	<ul style="list-style-type: none"> <li><b>Exclusion zone</b> – indirect and potential direct offset</li> <li><b>On-ground management</b></li> </ul>
<ul style="list-style-type: none"> <li>Significant flora values, including <i>Eucalyptus rhomboidea</i></li> <li>Native vegetation in mostly <b>excellent</b> condition</li> <li>Connection between the Frank Hann National Park and Bremer Range</li> </ul>	Exploration Licence E63/2348	6,940 ha	<ul style="list-style-type: none"> <li><b>Exclusion zone</b> – direct offset</li> <li><b>On-ground management</b></li> </ul>

B4-6 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 B4-5;

- (3) spatially identify the areas (in the **exclusion zones**) in condition B4-5 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 **on-ground management** offset measures.
- (4) The proponent must **acquire** and manage the land for 20 years and ensure the improvement of the land over this time period;
- (5) demonstrate how the **environmental values** within the **exclusion zones** will be maintained and improved or managed in order 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;
- (6) consider the 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*, or any subsequent revisions of these documents;
- (7) 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;
- (8) for the research offset identified in condition B4-2(2) and B4-2(3), within six (6) months of the date of this statement, or an alternative date agreed 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**, 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) consider the consistency of the **objectives** in condition B4-6(8)(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 land **acquired** and/or **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; and
  - (h) identifies the third party to carry out the work required to meet the **outcomes** of condition B4-6(8)(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 demonstration of the track record, experience, qualifications and competencies of the proposed third party to carry out the work and achieve the **outcomes**.
- (9) the proponent must, on advice of the Department of Biodiversity, Conservation and Attractions, develop recovery strategies for the *Marianthus aquilonaris* species comprising, at minimum, research on long term preservation of genetic material within the **exclusion zone** in Figure 2;
- (10) the proponent must, on advice of the Department of Biodiversity, Conservation and Attractions, develop recovery strategies to reestablish the Bremer Range priority ecological community in areas of historical development that are suitable for the Bremer Range priority ecological community;
- (11) for the direct offsets identified in condition B4-5:
- (a) demonstrate that the **exclusion zones** contain the minimum extents of the **environmental values** identified in condition B4-5;
  - (b) specify the quantum of works associated with establishing the **exclusion zones**, including a financial contribution for maintaining the offset for at least twenty (20) years;
  - (c) identify the **relevant management body** for the on-going management of the **exclusion zones**, including its role, and the role of the proponent, and confirmation in writing that the **relevant management body** accepts responsibility for its role; and

- (d) should additional funding be required, the proponent can discuss and seek agreement from the **CEO** in writing.
- (12) For **on-ground management** offsets identified in condition B4-5:
- (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;
  - (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 B4-6(12)(a); and
  - (d) detail the monitoring, reporting and evaluation mechanisms for the targets and actions identified under B4-6(12)(a) and condition B4-6(12)(c).

## **B5 Environmental Performance**

- B5-1 The proponent shall submit an Environmental Performance Report to the Minister every three (3) years.
- B5-2 The first Environmental Performance Report shall be submitted within three (3) months of the expiry of the three-year period commencing from the date of substantial commencement of the proposal, or such other time as may be approved by the **CEO**.
- B5-3 Each Environmental Performance Report shall report on the following:
- (1) state of significant flora and vegetation impacted by the proposal, including remnant native vegetation on the mine site and those flora species used in **progressive rehabilitation**;
  - (2) state of significant terrestrial fauna impacted by the proposal; and
  - (3) results of actions undertaken for **progressive rehabilitation** of the mine site, including *Eucalyptus rhomboidea*, *Stenanthemum bremerense* and *Hakea pendens* germination trials and other actions or research to ensure the environmental **outcomes** in condition B3-1 and B4-2 will be met; and
  - (4) state of the holistic environment, including the success of rehabilitation against completion criteria.

B5-4 The Environmental Performance Report must include:

- (1) a comparison of the **environmental values** identified in condition B5-3 at the end of the 3-year period; against the state of each **environmental value** at the beginning of the 3-year period;
- (2) a comparison of the **environmental values** identified in condition B5-3 at the end of the 3-year period; against the state of the **environmental values** identified in first Environmental Performance Report submitted in accordance with condition B5-1; and
- (3) proposed adaptive management and continuous improvement strategies.

B5-5 The Environmental Performance Report may be in whole or part prepared in conjunction with other proponents where there are cumulative impacts from their proposals.

B5-6 Each Environmental Performance Report 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 provided to the Minister.

## **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:

- (1) **ground disturbing activities** or other relevant activities until the **CEO** has confirmed in writing that the environmental management plans required by condition B1-3, B1-4 and B3-3 meet the requirements of those conditions and conditions C4 and C5; and
- (2) **ground disturbing activities** until the **CEO** has confirmed in writing that the Offset Strategy Environmental Management Plan required by condition B4-4 meets the requirements of that condition.

### **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) until the **CEO** has confirmed 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, and the implementation of the environmental management plan is no longer required.

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 substantiating whether the proposal extents in Part A are exceeded.
- 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) outline the results of the monitoring;
- (4) report 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
- (5) report 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 environmental management plans required under B1-3, B1-4 and B3-3 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 met; and
- (8) reporting requirements.

C4-2 The environmental management plan/s required under condition B1-4 are also required to include:

- (1) results from the pre-clearance significant flora survey required by condition B1-5, including for, but not limited to the significant flora species in Table 1 of condition B1-1(1)(a);
- (2) mine and infrastructure plan to demonstrate that mine pits and infrastructure have been located to minimise disturbance of significant

flora and vegetation, which includes measures to manage the reduction in overland flow;

- (3) revised dust control management strategy to minimise dust deposition on vegetation, including the installation of an onsite meteorological station to provide reliable real-time wind direction data and continuous dust monitoring;
- (4) dust monitoring in real-time at the Vesuvius mine pit at the boundary of *Marianthus aquilonaris* sub-populations during the key growth period of August to November;
- (5) sub-lethal **trigger criteria** and **threshold criteria** for dust deposition impacts for *Marianthus aquilonaris*;
- (6) monitoring and mitigation measures for the significant flora species: *Marianthus aquilonaris*, *Eucalyptus rhomboidea*, *Stenanthemum bremerense*, *Acacia mutabilis* subsp. *Stipulifera*, *Hakea pendens* and *Teucrium diabolicum* informed by the information required by conditions C4-2(1) to C4-2(5); and
- (7) timing and methods for weed surveillance and control, especially along the haul road and in high-risk areas.

C4-3 The environmental management plan required under condition B3-3 is also required to include:

- (1) completion criteria for significant flora including for, but not limited to *Eucalyptus rhomboidea*, *Stenanthemum bremerense*, *Acacia mutabilis* subsp. *Stipulifera*, *Hakea pendens* and *Teucrium diabolicum* monitoring to measure the success of the rehabilitation and contingency actions if completion criteria are not achieved;
- (2) completion criteria for flora and vegetation values of the Bremer Range priority ecological community, HS-MWS1 floristic community and fauna habitat, monitoring to measure the success of the rehabilitation and contingency actions if completion criteria are not achieved; and
- (3) criteria for the return of significant vertebrate fauna, monitoring to measure whether there has been successful return of significant vertebrate fauna.

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 plans required under B1-3, B1-4 and B3-3 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 The environmental management plan/s required under condition B1-3 and B1-4 are also required to include:
- (1) results from the additional *Marianthus aquilonaris* pollinator survey required by condition B1-6; and
  - (2) measures to minimise the decline, abundance and composition of *Marianthus aquilonaris* pollinator species and minimise the loss of important pollinator locations and habitat, informed by the results of the pollinator survey required by condition C5-2(1).
- C5-3 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.

## **C6 Conditions Related to Independent Audits**

- C6-1 The proponent must arrange for an independent audit:
- (1) after 12 months from commencement of construction of direct and indirect impacts to flora in condition B1-1 and condition B1-2;
  - (2) that includes the compliance and environmental performance of the **environmental values** of direct impacts to flora under condition B1, indirect impacts to flora under condition B1, and rehabilitation and research requirements condition B3; and
  - (3) that is completed at the frequency of every two (2) years or as otherwise agreed by the **CEO**.
- C6-2 The process for the appointment, submission, reporting and publication of the independent audit/or must be consistent with condition D-6.

## **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**.

[signed on 03 July 2024]

Hon Dr Tony Buti MLA

**ACTING MINISTER FOR ENVIRONMENT; CLIMATE ACTION**

<b>Key decision-making authorities consulted under section 45(2):</b>
Minister for Water Minister for Aboriginal Affairs Minister for Mines and Petroleum; and Transport

**Table 1: Abbreviations and definitions**

<b>Acronym or abbreviation</b>	<b>Definition or term</b>
<b>Acquired / acquire</b>	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. 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).
<b>Active malleefowl (<i>Leipoa ocellata</i>) mound</b>	As defined in the National Malleefowl Monitoring Manual (2019) or its updates.
<b>Adverse impacts / adversely impacted</b>	<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 <b>environmental value</b>. 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 <b>environmental weeds</b>, introduction or spread of disease and edge effects that is attributable to the proposal.</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 <b>environmental weeds</b>, introduction or spread of disease and edge effects that is attributable to the proposal.</p>
<b>Authorised activities</b>	Activities permitted within the <b>exclusion zone</b> including, traditional owner access and cultural activities, surveys and research, rehabilitation of cleared or degraded areas, land management practices (weed and feral animal control, restricting unauthorised access, controlled burning etc), monitoring (e.g. for dust) and access along existing tracks (and maintenance of these existing tracks as required).
<b>Detecting/ Detectable</b>	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 <b>CEO</b> .
<b>CEO</b>	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 <b>CEO's</b> delegate.
<b>Cleared/ Clearing</b>	Has the same meaning as in section 51A of the <i>Environmental Protection Act 1986</i> .



Acronym or abbreviation	Definition or term
<b>Confirmed</b>	<p>In relation to a plan required to be made and submitted to the <b>CEO</b>, means, at the relevant time, the plan that the <b>CEO</b> 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 <b>CEO</b>, means that plan until it is revised, and then means, at the relevant time, the plan that the <b>CEO</b> confirmed, by notice in writing, meets the requirements of the relevant condition</p>
<b>Construction activities</b>	<p>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.</p>
<b>Contingency measures</b>	<p>Planned actions for implementation if it is identified that an environmental outcome, environmental <b>objective</b>, <b>threshold criteria</b> or <b>management target</b> are likely to be, or are being, exceeded. Contingency measures include changes to operations or reductions in disturbance to reduce impacts and must be decisive actions that will quickly bring the impact to below any relevant threshold, <b>management target</b> and to ensure that the environmental <b>outcome</b> and/or <b>objective</b> can be met.</p>
<b>Critical habitat</b>	<p>Habitat critical for <i>M. aquilonaris</i>, <i>E. Rhomboidea</i> and <i>S. bremerense</i> as defined and mapped in <i>Medcalf Project Draft Environmental Review Document</i>, AUD-MED-ERD-01, Version 0, 2 March 2021.</p> <p>Habitat critical for <i>M. aquilonaris</i> includes optimal and sub-optimal habitat.</p>
<b>Disturb / disturbance</b>	<p>Flora – result in death, destruction, removal, severing or doing substantial damage to.</p> <p>Fauna – has the effect of altering the natural behaviour of fauna to its detriment.</p> <p>Direct – causes or immediately has the disturbance effect.</p> <p>Indirect – materially contributes to the disturbance effect.</p>
<b>Environmental harm</b>	<p>Has the meaning provided by section 3A(2) of the <i>Environmental Protection Act 1986</i>.</p>
<b>Environmental value(s)</b>	<p>A beneficial use, or ecosystem health condition (<i>from EP Act</i>)</p>
<b>Environmental weeds</b>	<p>Any plant declared under section 22(2) of the <i>Biosecurity and Agriculture Management Act 2007</i>, any plant listed on the Weeds of National Significance List and any weeds listed on the Department of Biodiversity, Conservation and Attractions'</p>

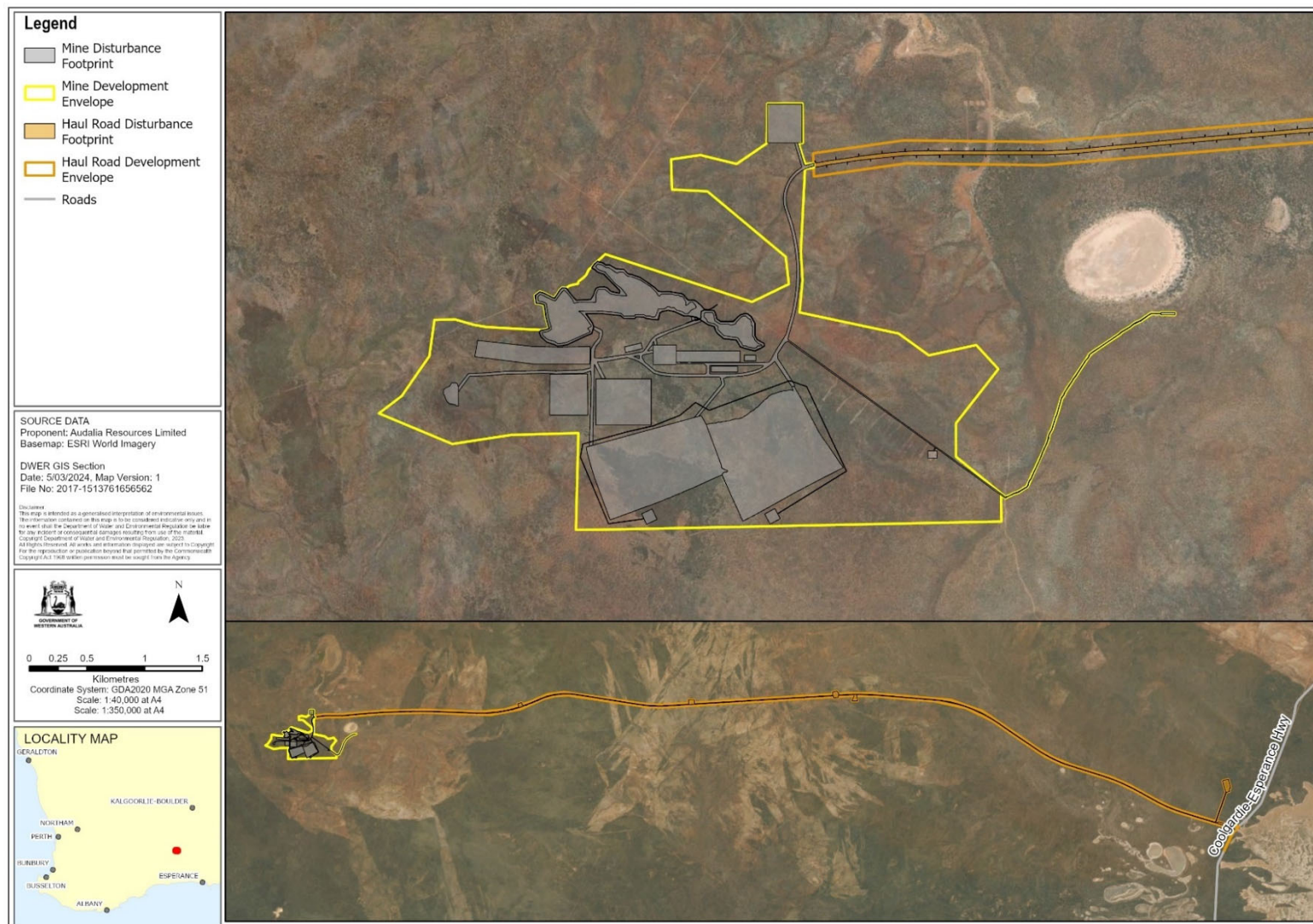
Acronym or abbreviation	Definition or term
	Wheatbelt Impact and Invasiveness Ratings list, as amended or replaced from time to time.
<b>Excellent</b>	The condition of native vegetation rated in accordance with the Technical guidance – Flora and vegetation surveys for environmental impact assessment (EPA 2016) including any revision to this technical guidance.
<b>Exclusion zone(s)</b>	Areas shown in Figure 2 and Figure 3, where there will be no direct disturbance from proposal activities except for <b>authorised activities</b> permitted within the exclusion zone.
<b>Fauna crossing / fauna crossings</b>	Infrastructure to reduce fauna vehicle strike and facilitate fauna movement including, but not be limited to, fauna overpasses, fauna underpasses (which must contain furniture for ground-dwelling fauna), dual-use culverts (that is for fauna and drainage). Should areas of significant fauna crossing be identified, fencing to facilitate access to the fauna crossing structure shall be implemented in the immediate vicinity of the fauna crossing.
<b>Fauna handler / fauna spotter</b>	A person who is qualified and has attained the appropriate licence/s and authorisation/s under the <i>Biodiversity Conservation Act 2016</i> and the Biodiversity Conservation Regulations 2018.
<b>GL/a</b>	Gigalitres per annum
<b>Ground disturbing activities</b>	Any activity or activities undertaken in the implementation of the proposal, including any clearing, civil works or construction.
<b>ha</b>	Hectares
<b>Haul Road development envelope</b>	The area shown within Figure 1 and defined by coordinates in Schedule 1.
<b>km/hr</b>	Kilometre per hour
<b>Known populations</b>	Known population at the time of assessment as detailed in the Medcalf Vanadium Project response to submissions, <i>Medcalf Project Draft Environmental Review Document</i> , AUD-MED-ERD-01, Version 0, 2 March 2021 and supporting documentation.
<b>m<sup>3</sup></b>	Cubic metres
<b>Management action(s)</b>	The identified actions implemented with the intent of to achieving the environmental objective.
<b>Management target(s)</b>	A type of indicator to evaluate whether an environmental objective is being achieved.
<b>Mine development envelope</b>	The area shown within Figure 1 and defined by coordinates in Schedule 1.

Acronym or abbreviation	Definition or term
<b>Objective(s)</b>	An objective is the proposal-specific desired state for an environmental factor/s to be achieved from the implementation of management actions.
<b>On-ground management</b>	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 <b>tangible improvement</b> to the <b>environmental values</b> in the offset area.
<b>Outcome(s)</b>	A proposal-specific result to be achieved when implementing the Proposal.
<b>Population extent</b>	Population extent of <i>E. Rhomboidea</i> and <i>S bremerense</i> as defined and mapped in <i>Medcalf Project Draft Environmental Review Document</i> , AUD-MED-ERD-01, Version 0, 2 March 2021.
<b>Pre-clearance survey(s)</b>	Surveys designed to identify the presence or evidence of threatened fauna listed under the <i>Biodiversity Conservation Act 2016</i> prior to <b>ground disturbing activities</b> .
<b>Priority flora</b>	Species listed by Department of Biodiversity, Conservation and Attractions that do not meet the criteria for listing under the <i>Biodiversity Conservation Act 2016</i> because of insufficient survey or are otherwise data deficient, are included on the Priority Lists under Priorities 1, 2, 3 or 4.
<b>Progressive manner / Progressive rehabilitation</b>	Progressive rehabilitation is expected to be undertaken in stages using conventional techniques to maximise retention of biological function in topsoil. The proponent will undertake rehabilitation all areas to the revegetation phase, with the exception of the mine pits, shown in in Figure 1 that will remain as pit voids and will be backfilled and rehabilitated as much as practicable. The proponent will complete rehabilitation trials and research to ensure rehabilitation outcomes are achieved in a manner that results in successful mine closure with local provenance species (including <b>priority flora</b> and other species that are not of conservation significance).
<b>Research program</b>	Significant flora and vegetation research offsets. The research program offsets will cover matters as outlined in the Offset Strategy Environmental Management Plan (Version 0, AUD-MED-OFF-01, 25 January 2024) to a similar or equivalent quantum should the scope of works for the program change.
<b>Self-sustaining</b>	Refers to vegetation that can survive (continue indefinitely) without on-going management actions such as watering, weed control or infill planting.
<b>Substantial area(s)</b>	Two or more active areas of breeding habitat for any listed conservation significant species within one square kilometre

Acronym or abbreviation	Definition or term
<b>Suitable habitat</b>	Any habitat known to support malleefowl ( <i>Leipoa ocellata</i> ).
<b>Tangible improvement</b>	A perceptible, measurable and definable improvement that provides additional ecological benefit and/or value.
<b>t CO<sub>2</sub>-e</b>	Tonnes carbon dioxide equivalent
<b>t CO<sub>2</sub>-e/yr</b>	Tonnes carbon dioxide equivalent per year
<b>Threatened</b>	Flora and fauna listed as Threatened under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> or <i>Biodiversity Conservation Act 2016</i> .
<b>Trench / trenches</b>	Any excavation that is of sufficient depth that would cause vertebrate fauna to become trapped and unable to escape and would include, but not be limited to, trenches or pits for utilities, pipelines, dewatering pits or bell holes.
<b>Trigger criteria</b>	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.
<b>Threshold criteria</b>	The indicators that have been selected to represent limits of impact beyond which the environmental outcome is not being met.

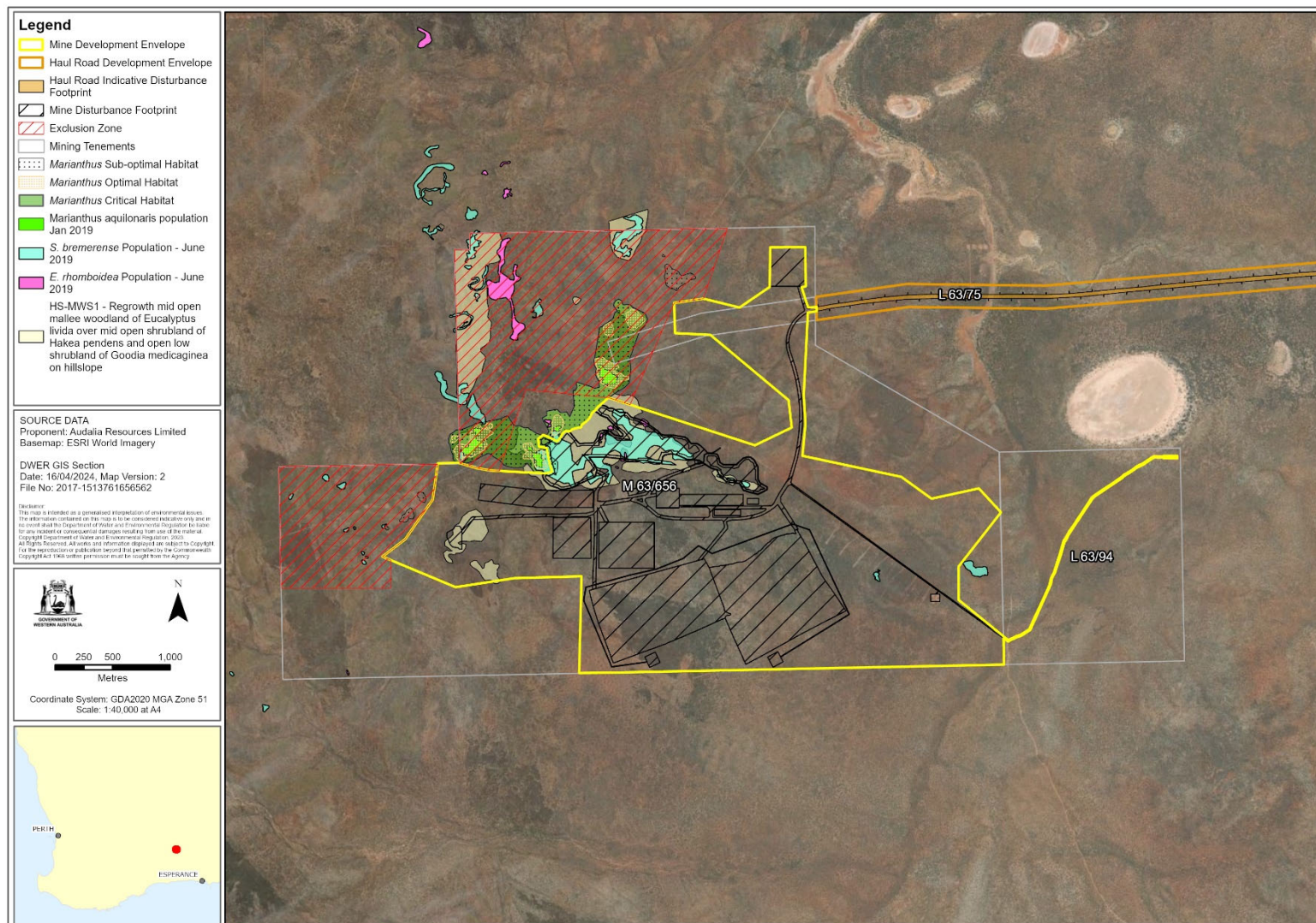
**Figures (attached)**

- Figure 1 Medcalf Vanadium Project development envelopes (This figure is a representation of the co-ordinates referenced in Schedule 1)
- Figure 2 Proposed on-tenement exclusion zone and significant flora habitat (This figure is a representation of the co-ordinates referenced in Schedule 1)
- Figure 3 Proposed off-tenement exclusion zone (This figure is a representation of the co-ordinates referenced in Schedule 1)



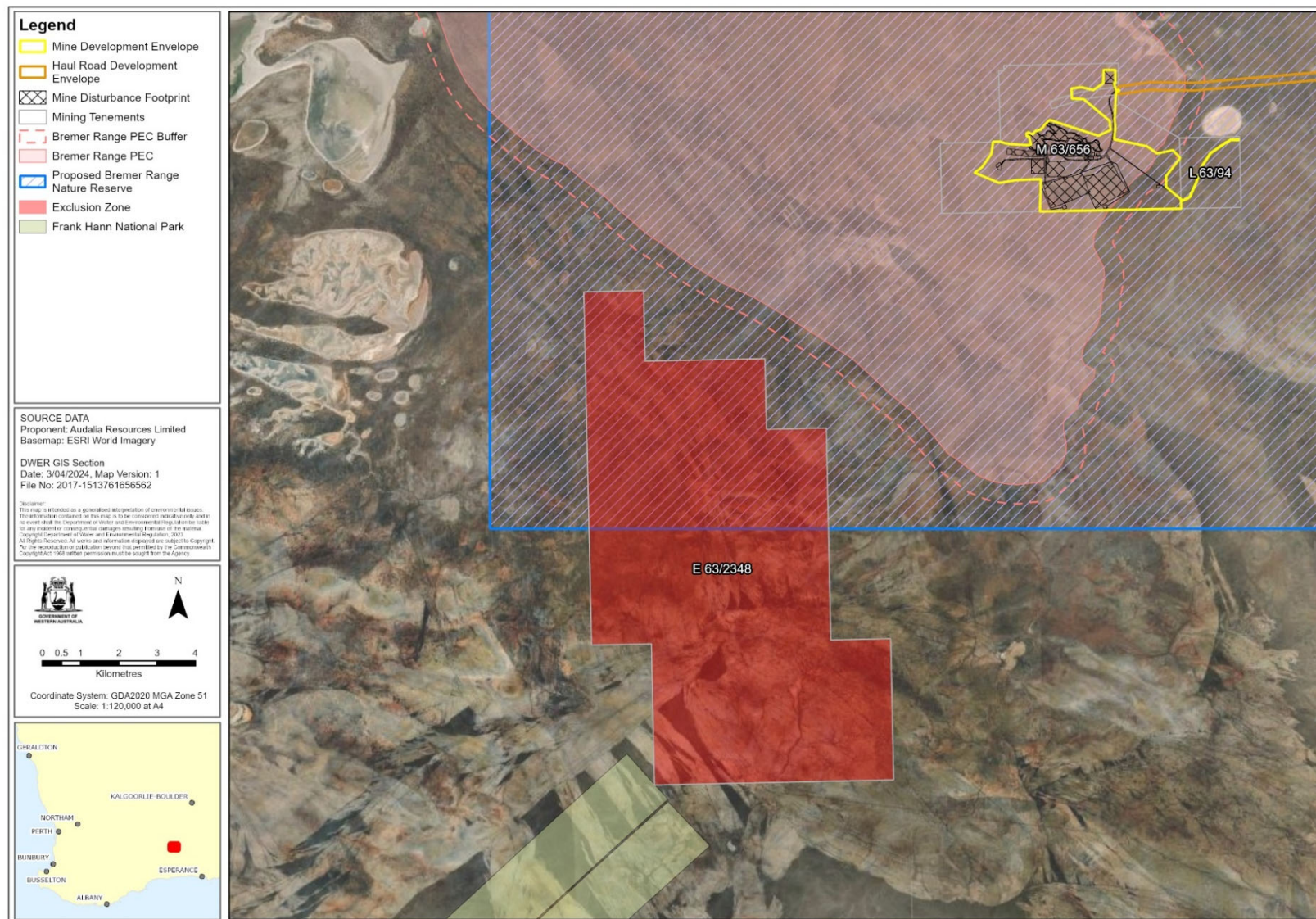
**Figure 1 Medcalf Vanadium Project development envelopes**





**Figure 2 On-tenement exclusion zone and significant flora and local vegetation areas**





**Figure 3 Off-tenement exclusion zone**



## **Schedule 1**

All co-ordinates are in metres, listed in Map Grid of Australia Zone 51 (MGA Zone 51), 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-801164602-330394.