

SANDY RIDGE
Compliance Assessment
Report No. 3
Ministerial Statement 1078

Prepared for

Western Australia Government
Department of Water and
Environmental Regulation

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QUALITY INFORMATION

Document:	Sandy Ridge Compliance Assessment Report No.3 – 2021/2021
Status:	Draft
Prepared for:	Western Australia Government Department of Water, Environment and Regulation
Ref:	HS00-1760150200-22284
Date:	17 September 2021
Prepared by:	Nick Croston – KASA Consulting
Reviewed by:	Julie Mahony – Tellus Environment Manager
Approved by:	Michael Ingram – Tellus Chief Operating Officer

REVISION HISTORY

Page No.	Details	Version	Date
-	First Published	0	22/09/2021

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TABLE OF CONTENTS

ABBREVIATIONS	VII
EXECUTIVE SUMMARY	1
1 INTRODUCTION	1-1
1.1 Background.....	1-1
1.2 Purpose and scope	1-2
1.3 Report methodology	1-3
1.4 Retention of compliance assessments	1-3
1.5 Public availability of reports	1-3
1.6 Proposed changes to the compliance assessment plan	1-3
1.7 Format of the report.....	1-3
2 IMPLEMENTATION STATUS	2-1
2.1 Approvals.....	2-1
2.2 Construction	2-1
2.3 Operations.....	2-1
2.4 Decommissioning	2-3
3 DETAILS OF DECLARED COMPLIANCE STATUS	3-3
3.1 Management plans.....	3-5
3.2 Management plan implementation	3-5
3.3 External audits.....	3-8
4 LIMITATIONS OF THIS REPORT	4-1
5 REFERENCES	5-1
5.1 Supporting, verifying information, documentation	5-1
5.2 External references.....	5-2

List of Appendices

Appendix A – Statement of Compliance	A
Appendix B – MS 1078 Audit Table	B
Appendix C – Compliance Status of Key Characteristics	C

List of Tables

Table ES-1 – Overall compliance status with MS 1078 1

Table 1-1 – Key characteristics of proposal, Ministerial Statement No. 1078 1-2

Table 1-2 – Extent of physical and operational limits 1-2

Table 2-1 – Approvals summary 2-1

Table 2-2 – Controlled waste accepted during reporting period 2-2

Table 2-3 – Radiation waste accepted during reporting period..... 2-2

Table 2-4 – Permanently disposed waste during reporting period..... 2-3

Table 3-1 – Compliance status terms 3-3

Table 3-2 – Overall compliance assessment of MS 1078 3-4

Table 3-3 – Summary of non-compliances with conditions of MS 1078..... 3-4

Table 3-4 – Submitted and approved management plans 3-5

Table 3-5 – Implementation review of management plans 3-5

Table C-1 – Compliance status of key characteristics, Table 2, Schedule 1 MS 1078 C

List of Figures

Figure 1-1 Sandy Ridge Facility Regional Location. 1-4

Figure 1-2 Sandy Ridge Facility Monitoring Stations..... 1-5

ABBREVIATIONS

CAP	Compliance Assessment Plan
CAR	Compliance Assessment Report
CEO	Chief Executive Officer of Department of Water and Environmental Regulation, responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> or their delegate
EP Act	<i>Environmental Protection Act 1986</i>
ha	Hectares
km	Kilometers
LLW	Low level radioactive waste
MS 1078	Ministerial Statement 1078
OEPA	Office of the Environmental Protection Authority
OFI	Opportunity for Improvement
PAG 1	OEPA document – Post Assessment Guideline No. 1 – Post Assessment Guideline for Preparing an Audit Table
PAG 3	OEPA document – Post Assessment Guideline No. 3 – Post Assessment Guideline for Preparing a Compliance Assessment Report
PAG 4	OEPA document – Post Assessment Guideline for Making Information Publicly Available
PER	Public Environmental Review
Tellus	Tellus Holdings Ltd
t	Tonnes
tpa	Tonnes per annum

EXECUTIVE SUMMARY

Tellus Holdings Ltd (Tellus or the Company) as the Proponent for the Sandy Ridge Facility was issued with Ministerial Statement No. 1078 (MS 1078) on 27 June 2018. MS 1078 allows Tellus to construct and operate a dual open cut kaolin clay mine and a near-surface geological waste repository accepting Class IV and Class V waste, approximately 75 kilometres northeast of Koolyanobbing in the Shire of Coolgardie, Western Australia.

This report has been prepared in accordance with Condition 4-6 of MS 1078 that requires Tellus to prepare and submit to the Department of Water and Environmental Regulation (DWER) a Compliance Assessment Report (CAR), 15 months from date of approval of MS 1078 and then annually from the date of submission of the first CAR, or as otherwise agreed in writing by the CEO. This is the third CAR to be submitted against the requirements of MS 1078 and has been prepared in accordance with the requirements of the *Post Assessment Guideline for Preparing an Audit Table, Post Assessment Guideline No. 1* (OEPA, 2012a) and the *Post Assessment Guideline for Preparing a Compliance Assessment Report, Post Assessment Guideline No. 3*. (OEPA, 2012c). The reporting period has been defined as from 27 June 2020 to 26 June 2021.

During the reporting period the facility accepted its first waste, on 6 July 2020. In ground emplacement commenced on 23 March 2021.

Tellus’s overall compliance status with MS 1078 for the reporting period is summarised in **Table ES-1**.

Table ES-1 – Overall compliance status with MS 1078

Compliant Conditions	Completed Conditions	Not Required Conditions	Potentially Non-compliant Conditions	Non-compliant Conditions	In Process Conditions
50	38	26	0	3	0

Three non-compliant conditions were identified against the requirements of MS 1078 during the reporting period. Tellus consider the three non-compliances to have caused no material or serious harm to the environment. The non-compliant conditions were as follows:

- Condition 7-3.4 - The specific coordinates for the locations of each waste package stored in the waste cells and temporary storage area were not available.
- Condition 8-1.2 - The facility had not been managed in accordance with all regulatory requirements during the reporting period. An audit of the site Environmental Licence L9240-2020 identified 4 non-compliances, which were reported through the 2020/21 Annual Audit Compliance Report (AACR).
- Condition 13-7 - A certificate of currency for the insurance policy was not provided to the CEO on 1 July 2021. Discussions with Tellus personnel indicate that a certificate of currency for the insurance policy was not provided to the CEO by 1 July (however, it was confirmed that a current insurance policy was in place throughout the reporting period).

The Statement of Compliance is included in **Appendix A**.

A summary of the status of all conditions is outlined in the Compliance Assessment Audit Table (**Appendix B**).

1 INTRODUCTION

This Compliance Assessment Report (CAR) has been prepared to document compliance with Ministerial Statement No. 1078 (MS 1078) issued under the *Environmental Protection Act 1986* to Tellus Holdings Ltd (Tellus or the Company) to construct and operate a dual open cut kaolin clay mine and a near-surface geological waste repository known as the Sandy Ridge Facility (the Facility).

The Facility is licenced to accept Class IV and Class V waste and is located approximately 75 kilometres (km) northeast of Koolyanobbing, Western Australia (WA).

1.1 Background

In 2015 Tellus submitted a referral to the WA government to construct and operate an open-cut kaolin (clay) mine and complementary near-surface geological waste repository, accepting Class IV (Secure Landfill) and Class V (Intractable Landfill) waste, including waste from interstate and within Australia's Exclusive Economic Zone.

The Facility was granted WA government Ministerial Approval on 26 June 2018 (Ministerial Statement 1078). Tellus has approval to mine kaolin under the *Mining Act 1978* and store, treat and dispose of hazardous and intractable chemical and low-level radioactive waste materials under the *Environmental Protection Act 1986* (EP Act).

Up to 290,000 tonnes per annum (tpa) of kaolin clay will be mined and the mining voids will be used for the permanent isolation of wastes, including hazardous and intractable wastes, and low-level radioactive waste (LLW). The Facility will receive up to 100,000 tpa of Class IV and Class V waste for approximately 25 years. The Facility consists of:

- Mine infrastructure, including stockpile area, storage building, laboratory, mining offices, laydown yard, stormwater storage tanks (4), brine pond and settlement pond.
- Waste infrastructure including an inflatable dome waste cell cover, temporary waste storage areas (East Yard, PFAS contaminated waste storage area, low level radiation waste warehouse/ liquid waste unloading area, low level radiation waste, liquid waste and sludge storage yard), temporary waste storage area stormwater drains and retention pond, waste inspection area, waste immobilisation plant, workshop and laydown yard, flammable goods store, radiation scanner and waste laboratory.
- Other infrastructure including an accommodation camp, access roads, water pipelines, wastewater treatment plant, flood levee, and a putrescible landfill. The putrescible landfill services the accommodation camp and office. Only wastes generated at the Facility will be disposed in this landfill.

A Regional Location plan is presented as **Figure 1-1** at the end of this Section. Monitoring locations at the Facility are presented in **Figure 1-2**.

1.2 Purpose and scope

This CAR is submitted in accordance with the requirements set out in Condition 4-6 of MS 1078, which requires the following:

Condition 4-6 – Compliance Reporting

The proponent shall submit to the CEO the first Compliance Assessment Report fifteen (15) months from the date of issue of this Statement addressing the twelve (12) month period from the date of issue of this Statement and then annually from the date of submission of the first Compliance Assessment Report, or as otherwise agreed in writing by the CEO.

The Compliance Assessment Report shall:

- (1) be endorsed by the proponent’s CEO or a person delegated to sign on the CEO’s behalf;*
- (2) include a statement as to whether the proponent has complied with the conditions;*
- (3) identify all potential non-compliances and describe corrective and preventative actions taken;*
- (4) be made publicly available in accordance with the approved Compliance Assessment Plan; and*
- (5) indicate any proposed changes to the Compliance Assessment Plan required by condition 4-1.*

The reporting period for this CAR has been defined as from 27 June 2020 to 26 June 2021. This CAR is based on Tellus’ assessment of compliance with the conditions of MS 1078 and in accordance with the approved Compliance Assessment Plan (CAP), as required by Condition 4-2. The Facility’s current CAP (V0) was approved by the Department of Water and Environmental Regulation (DWER) on 17 December 2018.

Table 1-1 describes the characteristics of the Project of MS 1078.

Table 1-1 – Key characteristics of proposal, Ministerial Statement No. 1078

Element	Description of Proposal
Sandy Ridge Facility	The proposal is to construct and operate a dual open cut kaolin clay mine and a near-surface geological waste repository accepting Class IV and Class V waste, approximately 75 kilometres northeast of Koolyanobbing.

Table 1-2 summarises the physical extent and operational limits of the Facility.

Table 1-2 – Extent of physical and operational limits

Element	Extent
Physical Elements	
Mine pits/waste cells	Clearing up to 202.3 hectares (ha) of native vegetation within a 1,061 ha development envelope
Associated infrastructure	Clearing up to 73.75 ha of native vegetation within a 1,061 ha development envelope
Operational Elements	
Class IV & V wastes accepted at gate	up to 100,000 tpa
Temporary waste storage on surface	up to 15,000 tonnes (t)
Maximum temporary storage time	up to 12 months
Waste (including treated waste) disposed to waste cells	up to 280,000 tpa
Water use	up to 0.18 Gigalitres per annum

1.3 Report methodology

This CAR has been prepared in accordance with the requirements of the Office of the Environmental Protection Authority (OEPA) *Post Assessment Guideline No.2 – Preparing a Compliance Assessment Report* (PAG 3) (OEPA, 2012c).

1.4 Retention of compliance assessments

Tellus will retain CARs (including all associated compliance assessments) and evidence used to verify compliance for the life of the proposal and then for a minimum of seven years after the end of the life of the proposal. Tellus will continue to implement the proposal until the CEO has determined all conditions of MS 1078 (including rehabilitation and decommissioning) have been satisfactorily addressed.

1.5 Public availability of reports

Tellus will make this CAR publicly available in accordance with the OEPA's Post Assessment Guideline No. 4 – Post Assessment Guideline for Making Information Publicly Available (PAG 4) (OEPA, 2012d). The CAR will be available on the Sandy Ridge Regulatory Information page of the Tellus website (www.tellusholdings.com) as per the 2018/2019 and 2019/2020 CARs.

1.6 Proposed changes to the compliance assessment plan

No changes were made to the CAP, required by Condition 4-1 of MS 1078, during the reporting period.

This section of subsequent CARs may include proposed changes to the CAP that were identified during the relevant reporting period. Proposed changes to the CAP for future reporting periods will be submitted to the CEO for approval as part of maintaining the CAP to the satisfaction of the CEO.

1.7 Format of the report

The format of this CAR is as follows:

- Chief Operating Officer's endorsement, including Tellus' statement of compliance.
- Executive Summary.
- Section 1 is an introduction and provides the scope and nature of the audit.
- Section 2 briefly describes the implementation status of the Facility during the reporting period.
- Section 3 summarises the compliance issues identified and provides corrective and preventative measures to improve the environmental performance at the Facility.
- Section 4 provides the limitations of the report.
- Section 5 provides references used in this CAR.

Appendix A is the Statement of Compliance against the requirements of MS 1078.

Appendix B is the Audit Table, a tabulated review of the audit results against the requirements of MS 1078.

Appendix C is the is the Compliance Status of Key Characteristics identified in Table 2, Schedule 1 of MS 1078.

This CAR provides a summary of findings including details of non-compliances identified during the audit and recommended actions to improve compliance status.

Figure 1-1 Sandy Ridge Facility Regional Location.

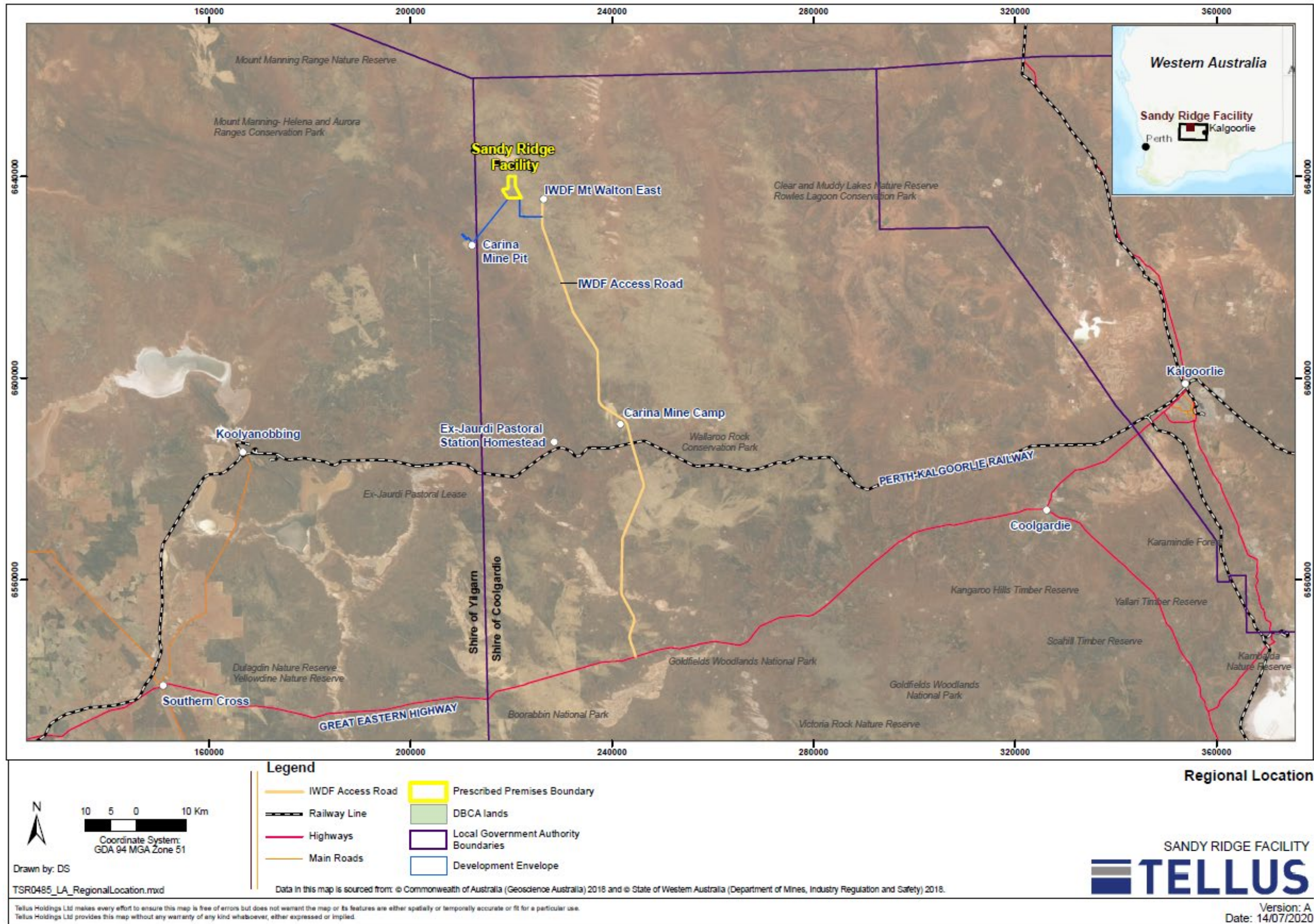
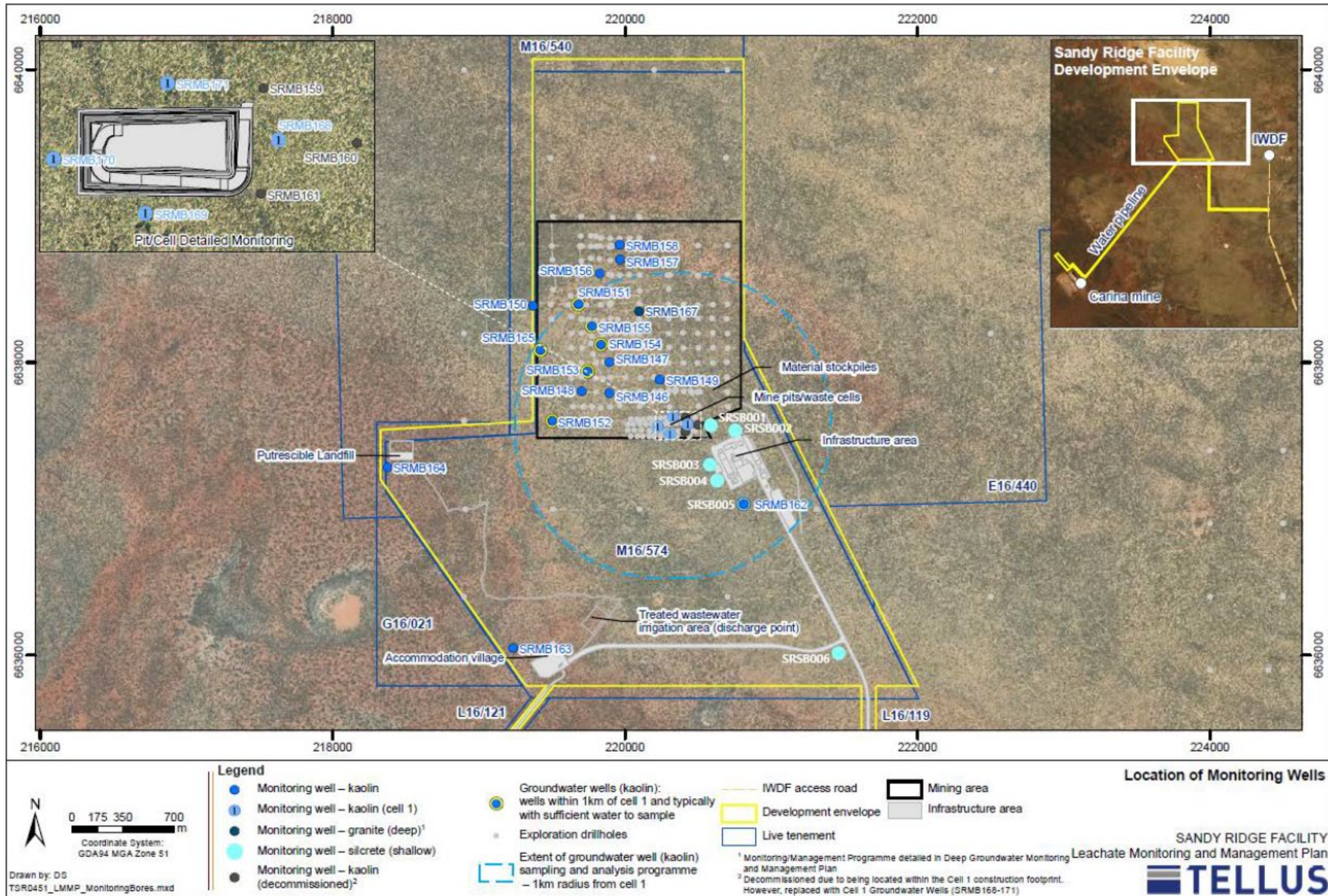


Figure 1-2 Sandy Ridge Facility Monitoring Stations.



2 IMPLEMENTATION STATUS

2.1 Approvals

Table 2-1 summarises the project approvals secured under the EP Act.

Table 2-1 – Approvals summary

Approvals	Issued	Finish
Ministerial Statement 1078 - Proposal to construct and operate a dual open cut kaolin clay mine and a near-surface geological waste repository accepting Class IV and Class V waste, approximately 75 kilometres north east of Koolyanobbing.	27/07/2018	
Section 45C – Attachment 1 to MS 1078 – Changes: <ul style="list-style-type: none"> Amend the development envelope from 1004.2 hectares to 1061 hectares to allow for relocation of groundwater abstraction infrastructure Installation of a 1.5 megawatt solar farm for power generation Addition of two stormwater sumps on internal roads in the infrastructure area Reduction in the width of internal roads to the Class II landfill and along the groundwater pipeline to Carina Iron Ore Mine Addition of an access road adjacent to Mt Dimer Road Addition of a flood levee Change in orientation and size of accommodation camp 	05/02/2019	
Ministerial Statement 1152 (Condition 13-11 Financial Assurance Requirements)	24/09/2020	
Major approvals, permits and licences from the Australian, WA and Local Government required to temporarily store waste on-site	-	29/06/2020
Site Registration – Controlled Waste Facility No. 39106650	-	21/01/2020
W6305/2019/1 – Works Approval #2 – to authorise the construction of the temporary waste storage area.	20/12/2019	19/12/2022
W6308/2019/1 – Works Approval #3 – to authorise the construction of the main processing and treatment infrastructure of the Facility.	07/02/2020	06/02/2023
Operating Licence – Surface storage licence (Cat. 61 liquid waste and 61A solid waste activities) – L9240/2020/1	29/06/2020	28/06/2040

Registration R2498/2019/1 was granted in November 2019 for the operation of the wastewater treatment plant, and registration R2501/2020/1 was granted in February 2020 for the premises domestic putrescible landfill.

2.2 Construction

The balance of works on Stage 2B was completed during the reporting period, consisting predominantly of commissioning and performance testing of Facility infrastructure. Contract completion occurred on 09 October 2020. There is a 12 months defects liability period that ends on 09 October 2021.

2.3 Operations

During the reporting period the facility accepted its first waste, on 6 July 2020. A total of 5956 tonnes was received on site during the reporting period. A breakdown by controlled waste type and radioactive waste

received during the reporting period (27 June 2020 and 26 June 2021) is detailed in Table 2-2 and Table 2-3 below.

Table 2-2 – Controlled waste accepted during reporting period

Waste Type	Normalised tonnes
A100 – Waste resulting from surface treatment of metals and plastics	18
A130 – Inorganic cyanide	0.2
B100 – Acidic solutions or acids in solid form	1.1
D120 – Mercury and mercury compounds	0.8
D130 – Arsenic and arsenic compounds	671
D140 – Chromium compounds	17
D210 – Nickel compounds	75
D220 – Lead and lead compounds	1,742
G110 – Non-halogenated organic solvents	0.02
H100 – Waste from the production, formulation or use of biocides and phytopharmaceuticals	9.6
H170 – Waste wood-preserving chemicals	2,079
J100 – Waste mineral oils unfit for their intended purpose	125
J160 – Waste tarry residues arising from refining, distillation or pyrolytic treatment	618
J180 – Oil sludge	54
M100 – Waste substances and articles containing polychlorinated biphenyls (PCBs)	39
M270 – Per- and poly- fluoroalkyl substance (PFAS) contaminated materials, including waste PFAS containing products and contaminated containers	404
N120 – Soils contaminated with a controlled waste	36
Total tonnes received during reporting period	5890

Table 2-3 – Radiation waste accepted during reporting period

Waste Type	Normalised tonnes
NORM soil samples	65
Exempt DSRS	0.2*
Exempt LLW	0.2*
Total tonnes received during reporting period	66

* Exempt DSRS and LLW received in same delivery, therefore total package weight divided by two.

During the reporting period, only one liquid waste has been treated through the Waste Isolation Plant (WIP) and disposed of to the waste disposal cell. This material was PFAS contaminated liquid waste. Treatment commenced on 18 May 2021 and a total of 87 tonnes of PFAS waste was treated in the WIP, producing 631 tonnes of solidified waste that was disposed of to the waste cell.

Permanent disposal to the waste cell commenced on 23rd March 2021. Permanently disposed waste during the reporting period is summarised in **Table 2-4**.

Table 2-4 – Permanently disposed waste during reporting period

Waste Type	Normalised tonnes
D130 – Arsenic trioxide (includes dolocrete)	137
J160 – Power Poles	1663
D220 – Lead and lead compounds	821
M270 – PFAS	698
Other	23
Total tonnes disposed of during reporting period	3343

2.4 Decommissioning

No decommissioning activities were conducted during the reporting period.

3 DETAILS OF DECLARED COMPLIANCE STATUS

Table 3-1 provides a summary of the performance categories in respect to the compliance status for each requirement of MS 1078 as defined in the OEPA *Post Assessment Guideline No. 1 – Post Assessment Guideline for Preparing an Audit Table (PAG 1)* (OEPA, 2012a, p.9).

Table 3-1 – Compliance status terms

Compliance Status Term	Acronym	Definition
Compliant	C	Implementation of the proposal has been carried out in accordance with the requirements of the audit element.
Completed	CLD	A requirement with a finite period of application has been satisfactorily completed.
Not Required at this Stage	NR	The requirements of the audit element were not triggered during the reporting period.
Potentially Non-compliant	PNC	Possible or likely failure to meet the requirements of the audit element.
Non-compliant	NC	Implementation of the proposal has not been carried out in accordance with the requirements of the audit element.
In Process	IP	Where an audit element requires a management or monitoring plan be submitted to the OEPA or another government agency for approval, that submission has been made and no further information or changes have been requested by the OEPA or the other government agency and assessment by the OEPA or other government agency for approval is still pending.

The overall status of compliance with the Conditions of MS 1078 for the reporting period is summarised in **Table 3-2**. Requirements considered non-compliant are summarised in **Table 3-3**. The Statement of Compliance as required by PAG 1 is provided in **Appendix A**.

Tellus has provided comments and evidence next to each requirement. Where considered relevant, observations have been made regarding specific compliance issues.

The Compliance Status of Key Characteristics is presented in **Appendix C**.

Table 3-2 – Overall compliance assessment of MS 1078

Number of Compliant Conditions	Number of Completed Conditions	Number of Not Required Conditions	Number of Potentially Non-compliant Conditions	Number of Non-compliant Conditions	Number of In Process Conditions
50	38	26	0	3	0

Table 3-3 – Summary of non-compliances with conditions of MS 1078

Audit Code	Subject	Requirement	Further Information
1078:P7.3.4	Waste Management System	Provide details about the waste characteristics, quantity, storage duration and specific coordinates for the location of each waste package stored in the waste cells and temporary storage area.	As detailed in the annual waste audit, records about the waste characteristics, quantity and storage duration were readily available. The audit identified that specific coordinates for the location of each waste package stored in the waste cells and temporary storage area was not fully recorded.
1078:P8.1.2	Independent Annual Audit	The proponent shall manage the implementation of the proposal to meet the following objectives: (1) that the facility is managed in accordance with all regulatory requirements.	An audit of the site Environmental Licence L9240-2020 identified 4 non-compliances, which were reported through the 2020/21 Annual Audit Compliance Report (AACR).
1078:M13.7	Insurance Policies	Each 1 July, and each time the Insurance Policies are renewed, the proponent must provide a certificate of currency or alternative evidence in a form acceptable to the CEO of the existence of the Insurance Policies.	Discussions with Tellus personnel indicate that a certificate of currency for the insurance policy was not provided to the CEO by 1 July.

3.1 Management plans

Table 3-4 summarises the management plans required by MS 1078 that were submitted to the CEO and their approval status during the reporting period.

Table 3-4 – Submitted and approved management plans

Condition No.	Management Plan	Date Prepared / Revised	Approval Date
9-2	Leachate Monitoring and Management Plan, VE ¹	7 May 2020	14 May 2020
10-5	Flora and Vegetation Management Plan, V1	19 June 2019	1 July 2019
11-2	Construction Fauna Management Plan, V1	13 June 2019	25 June 2019
12-1	Waste Facility Decommissioning and Closure Plan, V3	6 February 2020	27 February 2020

Condition 9-4(1), Condition 10-7(1), Condition 11-4(1) and Condition 12-3 of MS 1078 require Tellus to implement management plans, or any subsequent revisions as approved by the CEO. The following management plans and sub-plans/procedures were reviewed as part of this compliance assessment:

- Flora and Vegetation Management Plan.
 - Appendix E: Vegetation Clearance Procedure, Draft, February 2019
 - Appendix G: Bushfire Management Plan, V1, March 2019
 - Bushfire Risk Management Plan, V0, March 2019
 - Appendix H: Air Quality Management Plan, V0, March 2019
 - Appendix I: Construction Erosion and Sedimentation Management Plan, V0, March 2019
- Leachate Monitoring and Management Plan.
- Construction Environmental Management Plan / Fauna Management Plan.
- Waste Facility Decommissioning and Closure Plan.

3.2 Management plan implementation

Table 3-5 presents the findings of the review of implementation of required management plans.

Table 3-5 – Implementation review of management plans

Management Plan	Implementation Review
Leachate Monitoring and Management Plan, VE, 7 May 2020	<p>The Leachate Monitoring and Management Plan (LMMP) has been prepared to address Condition 9-2 of MS 1078.</p> <p>Tellus submitted the LMMP to the CEO on 7 May 2020 who approved the plan in a letter to Tellus dated 14 May 2020. The LMMP has not been updated during the reporting period. Condition 9-4(1) requires Tellus to implement the LMMP, or any subsequent revisions.</p> <p>In addition to meeting the requirement of Condition 9-2 of MS 1078 the LMMP was prepared to meet following environmental objective “ensure that impacts to soil quality are minimised”.</p> <p>Implementation of the LMMP is described below:</p>

¹ E being the first approved version of this plan (i.e. Version 0).

Management Plan	Implementation Review
	<ul style="list-style-type: none"> • Twelve sampling events were undertaken to establish a baseline to establish trigger and threshold criteria. At the time of preparing this report the LMMP was being updated to reflect the results of the 12 GMEs and updated trigger and threshold levels. • Biannual sampling against the parameters defined in Appendix H1 and H2 of the LMMP has been undertaken. <p>The Summary Groundwater Monitoring Event 1 (Summary Letter Report) indicates that due to water levels and distances of some monitoring wells from current waste cells only six shallow groundwater bores met the requirements to be sampled in April 2021. The results indicated the following</p> <ul style="list-style-type: none"> • Multiple metals and nutrients were detected in all samples. • Metals and nutrients are present naturally in the environment. • Metals and Nutrients have been detected in past groundwater monitoring events at similar concentrations. <p>Analysis of the data also indicated the presence of Polyfluoroalkyl Substances (PFAS) at levels as low as 0.0002 µg /L. It is likely that these levels of PFAS has been caused by the development of the wells and sampling and are not indicative of leaching from the waste cells.</p> <ul style="list-style-type: none"> • Tellus installed and monitored four groundwater bores around the perimeters of Pit 1/Cell 1 for the presence of water.
<p>Flora and Vegetation Management Plan, V1 19 June 2019</p>	<p>The Flora and Vegetation Management Plan (FVMP) was prepared to address Condition 10-6 of MS 1078. Tellus submitted the FVMP to the CEO on 19 June 2019 who approved plan on 1 July 2019. Condition 10-7(1) requires Tellus to implement the FVMP, or any subsequent revisions. Implementation of the FVMP is described below.</p> <p>The FVMP references the following documents as controls for flora and vegetation management. Therefore, implementation of these subordinate documents, with regards to impacts to flora and vegetation, have also been assessed against this condition:</p> <ul style="list-style-type: none"> • Appendix E: Vegetation Clearance Procedure, Draft, 28th February 2019. • Appendix G: Bushfire Management Plan, V1, March 2019. • Appendix H: Air Quality Management Plan, V0, March 2019. • Appendix I: Construction Erosion and Sedimentation Management Plan, V0, March 2019. <p>The following are the controls defined in the FVMP to avoid direct impacts and manage indirect impacts on <i>Calytrix creswellii</i>, <i>Lepidosperma lyonsii</i>, and the “undescribed <i>Lepidosperma sp.</i>” where practicable.</p> <p>Avoid direct disturbance of conservation significant flora species.</p> <p>The FVMP allows for the removal of up to 276.05 Hectares (ha) native vegetation within a 1,061 ha development envelope broken down as follows:</p> <ul style="list-style-type: none"> • A maximum of 202.3 ha of native vegetation may be cleared for mine pits/waste cells. • A maximum of 73.75 ha of native vegetation may be cleared for associated infrastructure. • A total of 2.08 ha of vegetation was cleared during the reporting period. • Since construction activities commenced a total of 92.85 ha has been cleared in the development area. <p>Tellus manages clearance of native vegetation through a Permit to Work system. A total of one Vegetation Clearance Permits was issued by Tellus during the reporting period. The Tellus permits are maintained in the INX InControl module (INX SR-REG-003).</p> <p>The permit requires an assessment that the clearing has regard for the following clearing principles:</p> <ul style="list-style-type: none"> • Avoid the clearing of native vegetation • Minimise the amount native vegetation to be cleared; and • Reduce the impact of clearing on any environmental value.

Management Plan	Implementation Review
	<p>The Clearing Permit identified that these principles had been applied.</p> <p>The Vegetation Clearing Procedure (SR-08.503) includes the requirement to hold a pre-clearing meeting (for contractors/ personnel conducting clearing) to ensure that the clearing plan is understood by relevant personnel Clearing commenced only after pre-clearing inspections were conducted. The following requirements of the procedure were also met:</p> <ul style="list-style-type: none"> • Locations of conservation significant flora were recorded in GIS. • Approved clearing polygons and the as-cleared polygons are recorded in GIS. • Clearing records are maintained in the Clearing Permit Register in INX InControl. • Any unauthorised clearing records are maintained in the INX InControl module (no unauthorised clearing occurred in the reporting period). <p>Pre-clearing inspections were conducted, there were no further records of identified flora species referenced in the FVMP as being present.</p> <p>Prevent the introduction and spread of weeds.</p> <p>No weed species were recorded within the development envelope during pre-development field surveys and the Western Botanical Condition Assessment survey of <i>Lepidosperma sp</i> colonies in September 2020 did not identify any weeds in the vicinity of the colonies.</p> <p>Monthly area inspections are progressively undertaken across site, including all disturbance areas and stockpiles for weeds. These inspections are recorded in INX InControl. During the reporting period weeds were detected at the accommodation camp and these were removed. Subsequent inspections in the reporting period had detected no further weeds.</p> <p>Conservation Species Condition Monitoring</p> <p>Vegetation and conservation significant species condition monitoring – Quarterly during construction then annually in Spring during operations. Construction activities ceased in October 2020, after which the monthly contractor environmental reports ceased.</p> <p>A condition assessment of identified subject and control groups of <i>Lepidosperma sp</i> was undertaken by Western Botanical (botanical specialist) in June and September 2020. No variance was identified between the controls and subject groups, with all being classified as ‘vegetative’; largely a result of pre-existing and dry seasonal conditions which had prevailed for the prior 3-4 years.</p> <p>Prevent the incidents of bushfires</p> <p>The Bushfire Management Plan was developed in accordance with State Planning Policy 3.7 Planning in Bushfire Prone Areas, as required by the Development Application to the Shire of Coolgardie. It was updated during the reporting period. At the time of reporting the most recent version was V3, dated 27 June 2019. A Bushfire Risk Management Plan, V0, dated 19 March 2019 was appended to the Bushfire Management Plan. The requirements of the Bushfire MP had been largely met.</p> <p>Given the Bushfire Management Plan and Bushfire Risk Management Plan do not include requirements specific to flora or vegetation, Tellus proposes the following improvement actions:</p> <ul style="list-style-type: none"> • Detach the Bushfire Management Plan and Bushfire Risk Management Plan from the FVMP. • Include the requirement to meet the requirements of the current Bushfire Management Plan. <p>Protect air quality</p> <p>The Western Botanical Condition Assessment survey did not indicate that dust deposition was impacting the <i>Lepidosperma sp</i> colonies.</p> <p>The Air Quality Management Plan (AQMP) is not an MS 1078 required document but was appended to the approved FVMP, V1, 2019. The AQMP was developed to manage air quality-related impacts associated with the construction of the facility and outlines potential risks to air quality and mitigation/management measures that will be implemented to</p>

Management Plan	Implementation Review
	<p>ensure that air quality impacts are as low as reasonably practicable during construction activities.</p> <p>Upon review of the AQMP Tellus considers the impacts of air quality on flora and vegetation to be suitably addressed in the FVMP. Tellus proposes the following improvement actions:</p> <ul style="list-style-type: none"> • Detach the AQMP from the FVMP during the current revision of FVMP. • Ensure that air mitigation measures concerning flora and vegetation are included in the revised FVMP. <p>Reporting</p> <p>The FVMP includes the requirement to prepare a monthly environmental report in relation to compliance with environmental management controls on site. Including results of inspections and monitoring and identify any improvement opportunities or non-conformances.</p> <p>Monthly reports had been prepared for the reporting period and corrective actions had been managed via INX InControl.</p>
<p>Construction Environmental Management Plan [Fauna Management Plan], V1, 13 June 2019</p>	<p>It is noted that Tellus renamed the Construction Environmental Management Plan the Construction Fauna Management Plan (CFMP) in agreement with DWER to address Condition 11-2 of MS 1078.</p> <p>Tellus prepared the CFMP and submitted it to the CEO on 13 June 2019. The CEO approved the CFMP on 25 June 2019. Condition 11-4(1) requires Tellus to implement the CFMP, or any subsequent revisions.</p> <p>Implementation of the CFMP is described below:</p> <ul style="list-style-type: none"> • Pre-clearing inspections were conducted. • Clearing records are maintained in the Clearing Permit Register in INX InControl. • The INX InControl module is used to log events of sightings/mortalities for trends in location of sighting or mortality or reason of mortality. One mortality event occurred during the reporting period on 12 January 2021 (INX Ref: 2398). The event was a dead juvenile Black Swan found in the yard containment pond.
<p>Waste Facility Decommissioning and Closure Plan, V3, 6 February 2020</p>	<p>The Waste Facility Decommissioning and Closure Plan (WFDCP) has been prepared to address Condition 12-1 of MS 1078.</p> <p>Tellus submitted the WFDCP to the CEO on 6 February 2020 who approved the plan in a letter to Tellus dated 27 February 2020. The WFDCP has not been updated during the reporting period. Condition 12-3 requires Tellus to implement the WFDCP, or any subsequent revisions.</p> <p>The WFDCP objectives will be implemented over three phases:</p> <ul style="list-style-type: none"> • Phase I – Will consist of receiving, handling, and emplacing Class IV and Class V intractable waste in the near-surface geological repository (i.e. cells) for permanent isolation and will occur over the next 25 year period. • Phase II – The Facility will be prepared for permanent closure. • Phase III – The implementation of active and passive institutional controls. <p>The first scheduled activity under the WFDCP will occur in Phase I and is the progressive closure of waste cells including tasks such as cell cap design verification, plant species investigation followed by backfilling and capping of each cell. Given the first cell was still in use, implementation of the WFDCP is expected to commence in approximately 2022.</p>

3.3 External audits

The Department of Water and Environmental Regulation (DWER) conducted an inspection on 28 July 2020 against the requirements of the Environmental Licence L9240/2020/1. The scope included assessing the operational and regulatory controls in place to manage and mitigate environmental impacts but did not specifically cover requirements of MS 1078. No material issues were identified at the time of the inspection.

4 LIMITATIONS OF THIS REPORT

This Report has been prepared by Tellus Holdings Ltd (Tellus) based on generally accepted practices and standards and information (including site conditions) available/present when it was prepared (in September 2021).

No other warranty, expressed or implied, is made as to the professional advice included in this Report. This Report was prepared in accordance with the purpose outlined in Ministerial Statement 1078, dated 27 June 2018.

Where this Report indicates that information has been provided to Tellus by third parties, Tellus has made no independent verification of this information except as expressly stated in the report. Tellus assumes no liability for any inaccuracies in or omissions to that information. This Report should be read in full.

5 REFERENCES

5.1 Supporting, verifying information, documentation

[01] Tellus, 2020, 2019/2020 Compliance Assessment Report (Ref.GRACE-552978189)	Report
[02] Tellus, 2018, Sandy Ridge Compliance Assessment Plan, 29/11/2018, Ref: HS00-1760150200/TSR-5-HO-0220-AP-PLN-0001, V0.	Plan
[03] Transmittal No.: THL001-000413, Subject: MS 1078 Sandy Ridge Facility - Compliance Assessment Plan, 29/11/2018.	Plan
[04] Letter, DWER, 2018, Statement 1078 Sandy Ridge Facility CAO, 17/12/2018, Ref: DWERA-001158.	Letter
[05] Tellus, 2019, Compliance Assessment Report 2018/2019, Ref: HS00-1760150200-22284, 23 September 2019.	Report
[06] Tellus to DWER, 2019, Ministerial Statement 1078 – Compliance Assessment Report 2018/2019 – Tellus Holdings Ltd, Transmittal No.: SRDP001-000121, 23/09/2019, 01:07:00 PM.	Transmittal
[07] Safe Work Procedure SR-08.808 Waste Acceptance Verification (07 July 2020)	Procedure
[08] SWP SR-08.221 Offsite Waste Verification Testing (20 Feb 21)	Procedure
[09] Safe Work Procedure SR-08. 809 Waste Quarantine (25 Mar 21)	Procedure
[10] Sandy Ridge Waste Acceptance Procedure – TCO-6-SR-01400-GE-PRO-0001, August 2016.	Procedure
[11] Draft Sandy Ridge 2021 Annual Waste Audit Report – 2021-026/01, KASA Consulting (17 Sept 2021)	Report
[12] Tellus, Leachate Monitoring and Management Plan, Version E2, 7 May 2020, Ref: HS00-1760150200-49173.	Plan
[13] Tellus to DWER, 2019, Sandy Ridge Facility MS 1078 – revised LMMP Rev E, Transmittal No.: SRDP001-000345, 07 May 2020, 02:42:00 PM.	Transmittal
[14] Letter, DWER, 2020, Sandy Ridge Facility Ministerial Statement 1078 Leachate Monitoring and Management Plan Approved, 14/05/2020, Ref: DWERDT280973; DWERT463	Letter
[15] Tellus, 2019, Flora and Vegetation Management Plan, V1, 19/06/2019, Ref: HS00-1760150200-22152.	Plan
[16] DWER, 2019, Sandy Ridge Facility MS 1078 Flora and Vegetation Management Plan Approved, 01/07/2019, Ref: DWERA-002019.	Letter
[17] DWER_CAR 2018-2019_Desktop Audit Report_2020 10 24.pdf	Report
[18] Condition Assessment, <i>Lepidosperma spp.</i> Sandy Ridge. Report WB932, Western Botanical, June 2021.	Report
[19] Tellus, 2019c, Construction Fauna Management Plan, 13/06/2019, V1, Ref: HS00-1760150200-22117.	Letter
[20] Letter, DWER, 2019, Sandy Ridge Facility MS 1078 Construction Fauna Management Plan Approved, 25/06/2019, Ref: DWERA-002019.	Form

² Version E being the first approved version of this plan (i.e. Version 0).

[21] Tellus, 2018, Sandy Ridge Facility Statement Number 1078 Condition 12-1 – request for extension, 07/12/2018, Ref: HS00-1760150200-20468.	Letter
[22] DWER, 2018, Statement 1078, Sandy Ridge Facility, Request for Extension on Condition 12-1, 17/12/2018, Ref: DWERA-001158.	Letter
[23] DWER, 2019, Sandy Ridge Facility, Ministerial Statement 1078, Waste Facility Decommissioning Closure Plan, Amendments Required, Ref: DWERDG 676/19, 29 November 2019.	Letter
[24] 2020, Sandy Ridge Facility Waste Facility Decommissioning Closure Plan, Ref: HS00-1760150200-45, V3, 6 February 2020.	Plan
[25] DWER, 2020, Sandy Ridge Facility, Ministerial Statement 1078, Waste Facility Decommissioning Closure Plan, Approved, Ref: DWERT4733, 27 February 2020.	Letter
[26] Tellus to DWER, 2020, Tellus Holdings Ltd - Ministerial Statement 1078 - Condition 13, Transmittal No.: SRDP001-000200, 28/01/2020, 02:04:56 PM.	Transmittal
[27] Environmental Liability Insurance_2019-2022.pdf	Certificate
[28] Environmental Business Insurance_2019-2022.pdf	Certificate
[29] Tellus Environmental Liability Insurance Update_2020 03 05.pdf	Email
[30] DWER_MS 1078_Financial Assurance Acceptance, Ref: DWERA-001158, 5 June 2020	Email
[31] DWER_Insurance Policy Change Alignment_2020 06 15.msg	Email
[32] Tellus_Final Updated Pollution Insurance_2020 07 13.msg	Email
[33] EPA_ Reports and Recommendations of the Environmental Protection Authority, Sandy Ridge Facility – inquiry under section 46 of the <i>Environmental Protection Act 1986</i> to amend Ministerial Statement 1078, Ref: 1685, 3 July 2020.	Report
[34] DWER_Acceptance of Bank Guarantee Ref: DWERA-001158, 12 June 2020	Letter
[35] Landloch_Sandy Ridge Soil Sampling_DRAFT_2020 07 16.pdf	Report

5.2 External references

- A OEPA. 2012a. Post Assessment Guideline for Preparing an Audit Table, Post Assessment Guideline No. 1. August. Office of the Environmental Protection Authority. Perth, Western Australia.
- B OEPA. 2012b. Post Assessment Guideline for Preparing a Compliance Assessment Plan, Post Assessment Guideline No. 2. August. Office of the Environmental Protection Authority. Perth, Western Australia.
- C OEPA. 2012c. Post Assessment Guideline for Preparing a Compliance Assessment Report, Post Assessment Guideline No. 3. August. Office of the Environmental Protection Authority. Perth, Western Australia.
- D OEPA. 2012d. Post Assessment Guideline for Making Information Publicly Available, Post Assessment Guideline No. 4. August. Office of the Environmental Protection Authority. Perth, Western Australia.

Appendix A – Statement of Compliance

Statement of Compliance

1. Proposal and Proponent Details

Proposal Title	<i>Sandy Ridge Facility</i>
Statement Number	<i>1078</i>
Proponent Name	<i>Tellus Holdings Ltd</i>
Proponent's Australian Company Number (where relevant)	138 119 829

2. Statement of Compliance Details

Reporting Period	<i>27/06/20 to 26/06/21</i>
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Implementation phase(s) during reporting period (please tick ✓ relevant phase(s))							
Pre-construction	<input type="checkbox"/>	Construction	<input checked="" type="checkbox"/>	Operation	<input checked="" type="checkbox"/>	Decommissioning	<input type="checkbox"/>

Audit Table for Statement addressed in this Statement of Compliance is provided at Attachment:	2
<p>An audit table for the Statement addressed in this Statement of Compliance must be provided as Attachment 2 to this Statement of Compliance. The audit table must be prepared and maintained in accordance with the Department of Water and Environmental Regulation (DWER) <i>Post Assessment Guideline for Preparing an Audit Table</i>, as amended from time to time. The 'Status Column' of the audit table must accurately describe the compliance status of each implementation condition and/or procedure for the reporting period of this Statement of Compliance. The terms that may be used by the proponent in the 'Status Column' of the audit table are limited to the Compliance Status Terms listed and defined in Table 1 of Attachment 1.</p> <p>NOTE: this statement of compliance includes the findings of the Independent Annual Audit required by condition 8-2.</p>	

Were all implementation conditions and/or procedures of the Statement complied with within the reporting period? (please tick ✓ the appropriate box)			
No (please proceed to Section 3)	<input checked="" type="checkbox"/>	Yes (please proceed to Section 4)	<input type="checkbox"/>

Each page (including Attachment 2) must be initialed by the person who signs Section 4 of this Statement of Compliance.
INITIALS: _____

3. Details of Non-compliance(s) and/or Potential Non-compliance(s)

The information required Section 3 must be provided for each non-compliance or potential non-compliance identified during the reporting period covered by this Statement of Compliance.

Non-compliance/potential non-compliance 3-1

Which implementation condition or procedure was non-compliant or potentially non-compliant?
7-3(4)
Was the implementation condition or procedure non-compliant or potentially non-compliant?
Non-compliant
On what date(s) did the non-compliance or potential non-compliance occur (if applicable)?
N/A

Was this non-compliance or potential non-compliance reported to the Chief Executive Officer, DWER?	
<input type="checkbox"/> Yes <input type="checkbox"/> Reported to DWER verbally Date _____ <input type="checkbox"/> Reported to DWER in writing Date _____	<input checked="" type="checkbox"/> No

What are the details of the non-compliance or potential non-compliance and where relevant, the extent of and impacts associated with the non-compliance or potential non-compliance?

Details of waste characteristics, quantity and storage duration were readily available; however, the specific coordinates for the locations of each waste package stored in the waste cells and temporary storage area were not available. The annual waste audit identified that the location of waste in the waste cell was only surveyed as being within a particular lift. The specific coordinates of the location of each waste were not recorded.

What is the precise location where the non-compliance or potential non-compliance occurred (if applicable)? (please provide this information as a map or GIS co-ordinates)

Cell 1

What was the cause(s) of the non-compliance or potential non-compliance?

Temporary above-ground waste storage locations were not surveyed because they were readily identifiable and tracked daily on a white board in the office.

Tellus's interpretation of the condition was that by surveying each lift of the cell the waste location was being provided with sufficient accuracy. Due to some compatible wastes being co-disposed and not being in packaging it is not possible to define a precise location. In addition to each lift of the waste cell being surveyed, a daily photographic record of the disposal location of each waste package was maintained.

What remedial and/or corrective action(s), if any, were taken or are proposed to be taken in response to the non-compliance or potential non-compliance?

Apply for an amendment to Condition 7-3(4) to accept surveying each waste cell and removing the requirement to survey temporary storage locations, which may change multiple times.

What measures, if any, were in place to prevent the non-compliance or potential non-compliance before it occurred? What, if any, amendments have been made to those measures to prevent re-occurrence?

None

Please provide information/documentation collected and recorded in relation to this implementation condition or procedure:

- in the reporting period addressed in this Statement of Compliance; and
- as outlined in the approved Compliance Assessment Plan for the Statement addressed in this Statement of Compliance.

(the above information may be provided as an attachment to this Statement of Compliance)

Non-compliance/potential non-compliance 3-2

Which implementation condition or procedure was non-compliant or potentially non-compliant?
8-1(2)
Was the implementation condition or procedure non-compliant or potentially non-compliant?
Non-compliant
On what date(s) did the non-compliance or potential non-compliance occur (if applicable)?
N/A

Was this non-compliance or potential non-compliance reported to the Chief Executive Officer, DWER?	
<input type="checkbox"/> Yes <input type="checkbox"/> Reported to DWER verbally Date _____ <input type="checkbox"/> Reported to DWER in writing Date _____	<input checked="" type="checkbox"/> No
What are the details of the non-compliance or potential non-compliance and where relevant, the extent of and impacts associated with the non-compliance or potential non-compliance?	
The facility has not been managed in accordance with all regulatory requirements. An audit of the site Environmental Licence L9240-2020 identified 4 non-compliances, which were reported through the 2020/21 Annual Audit Compliance Report (AACR).	
What is the precise location where the non-compliance or potential non-compliance occurred (if applicable)? (please provide this information as a map or GIS co-ordinates)	
N/A	
What was the cause(s) of the non-compliance or potential non-compliance?	
Failure to comply with requirements defined in the Environmental Licence L9240-2020 (see Sandy Ridge 2020/21 Annual Environmental Report).	
What remedial and/or corrective action(s), if any, were taken or are proposed to be taken in response to the non-compliance or potential non-compliance?	
Remedial actions are defined in the 2020/21 AACR.	
What measures, if any, were in place to prevent the non-compliance or potential non-compliance before it occurred? What, if any, amendments have been made to those measures to prevent re-occurrence?	
Non-compliances were administrative. See 2020/21 AACR.	
Please provide information/documentation collected and recorded in relation to this implementation condition or procedure:	
<ul style="list-style-type: none"> • in the reporting period addressed in this Statement of Compliance; and • as outlined in the approved Compliance Assessment Plan for the Statement addressed in this Statement of Compliance. (the above information may be provided as an attachment to this Statement of Compliance)	

Non-compliance/potential non-compliance 3-5

Which implementation condition or procedure was non-compliant or potentially non-compliant?
13.7
Was the implementation condition or procedure non-compliant or potentially non-compliant?
Non-compliant
On what date(s) did the non-compliance or potential non-compliance occur (if applicable)?
N/A

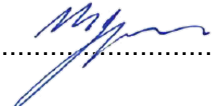
Was this non-compliance or potential non-compliance reported to the Chief Executive Officer, DWER?	
<input type="checkbox"/> Yes <input type="checkbox"/> Reported to DWER verbally Date _____ <input type="checkbox"/> Reported to DWER in writing Date _____	<input checked="" type="checkbox"/> No

What are the details of the non-compliance or potential non-compliance and where relevant, the extent of and impacts associated with the non-compliance or potential non-compliance?
A certificate of currency for the insurance policy was not provided to the CEO on 1 July 2021.
What is the precise location where the non-compliance or potential non-compliance occurred (if applicable)? (please provide this information as a map or GIS co-ordinates)
N/A
What was the cause(s) of the non-compliance or potential non-compliance?
Failure to provide the certificate of currency for the insurance policy to the CEO by the required date.
What remedial and/or corrective action(s), if any, were taken or are proposed to be taken in response to the non-compliance or potential non-compliance?
A certificate of currency for the insurance policy is to be forwarded to the CEO.
What measures, if any, were in place to prevent the non-compliance or potential non-compliance before it occurred? What, if any, amendments have been made to those measures to prevent re-occurrence?
There was no formal reminder scheduled and the Environmental Compliance Manager had left the business. A formal reminder will be scheduled in the INX InControl system.
Please provide information/documentation collected and recorded in relation to this implementation condition or procedure: <ul style="list-style-type: none"> • in the reporting period addressed in this Statement of Compliance; and • as outlined in the approved Compliance Assessment Plan for the Statement addressed in this Statement of Compliance. (the above information may be provided as an attachment to this Statement of Compliance)

Each page (including Attachment 2) must be initialed by the person who signs Section 4 of this Statement of Compliance.
 INITIALS: _____

4. Proponent Declaration

I, Michael Ingram, (Chief Operating Officer), declare that I am authorised on behalf of Tellus Holdings Ltd [ABN 97 138 119 829] (*being the person responsible for the proposal*) to submit this form and that the information contained in this form is true and not misleading.

Signature:.......... Date: 22 September 2021.....

Please note that:

- it is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give or cause to be given information that to his knowledge is false or misleading in a material particular; and
- the Chief Executive Officer of the DWER has powers under section 47(2) of the *Environmental Protection Act 1986* to require reports and information about implementation of the proposal to which the statement relates and compliance with the implementation conditions.

5. Submission of Statement of Compliance

One hard copy and one electronic copy (preferably PDF on CD or thumb drive) of the Statement of Compliance are required to be submitted to the Chief Executive Officer, DWER, marked to the attention of Manager, Compliance (Ministerial Statements).

Please note, the DWER has adopted a procedure of providing written acknowledgment of receipt of all Statements of Compliance submitted by the proponent, however, the DWER does not approve Statements of Compliance.

6. Contact Information

Queries regarding Statements of Compliance, or other issues of compliance relevant to a Statement may be directed to Compliance (Ministerial Statements), DWER:

Manager, Compliance (Ministerial Statements)

Department of Water and Environmental Regulation

Postal Address: Locked Bag 10
Joondalup DC
WA 6919

Phone: (08) 6364 7000

Email: compliance@dwer.wa.gov.au

7. Post Assessment Guidelines and Forms

Post assessment documents can be found at www.epa.wa.gov.au

Each page (including Attachment 2) must be initialed by the person who signs Section 4 of this Statement of Compliance.
INITIALS: _____

ATTACHMENT 1**Table 1 Compliance Status Terms**

Compliance Status Terms	Abbrev	Definition	Notes
Compliant	C	Implementation of the proposal has been carried out in accordance with the requirements of the audit element.	This term applies to audit elements with: <ul style="list-style-type: none"> ongoing requirements that have been met during the reporting period; and requirements with a finite period of application that have been met during the reporting period, but whose status has not yet been classified as 'completed'.
Completed	CLD	A requirement with a finite period of application has been satisfactorily completed.	This term may only be used where: <ul style="list-style-type: none"> audit elements have a finite period of application (e.g. construction activities, development of a document); the action has been satisfactorily completed; and the DWER has provided written acceptance of 'completed' status for the audit element.
Not required at this stage	NR	The requirements of the audit element were not triggered during the reporting period.	This should be consistent with the 'Phase' column of the audit table.
Potentially Non-compliant	PNC	Possible or likely failure to meet the requirements of the audit element.	This term may apply where during the reporting period the proponent has identified a potential non-compliance and has not yet finalized its investigations to determine whether non-compliance has occurred.
Non-compliant	NC	Implementation of the proposal has not been carried out in accordance with the requirements of the audit element.	This term applies where the requirements of the audit element are not "complete" have not been met during the reporting period.
In Process	IP	Where an audit element requires a management or monitoring plan be submitted to the DWER or another government agency for approval, that submission has been made and no further information or changes have been requested by the DWER or the other government agency and assessment by the DWER or other government agency for approval is still pending.	The term 'In Process' may not be used for any purpose other than that stated in the Definition Column. The term 'In Process' may not be used to describe the compliance status of an implementation condition and/or procedure that requires implementation throughout the life of the project (e.g. implementation of a management plan).

Appendix B – MS 1078 Audit Table

- **Phases that apply in this Audit Table:** Pre-Construction, Construction, Operation, Decommissioning, Overall (several phases).
- **This Audit Table is a summary of the requirements applying to this Proposal.** Refer to the Ministerial Statement issued for the proposal under Part IV of the EP Act for details/precise wording of audit elements.
- **Code prefixes:** M = Minister’s condition, P = Proponent’s commitment, N = Procedure.
- **Abbreviations:** CAR = Compliance Assessment Report; CEO = Chief Executive Officer of Department of Water and Environmental Regulation; Minister for Env = Minister for the Environment; OEPA = Office of the Environmental Protection Authority.
- **Compliance Status:** C = Compliant, CLD = Completed, NR = Not Required at this stage, PNC = Partial Non-compliance, NC = Non-compliant, IP = In Process.

Table B-1 – Audit Table

Audit Code	Subject	Requirement	How	Evidence ¹	Phase	Timeframe	Status	Further Information
1078:M1.1	Proposal Implementation	When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Table 2 of Schedule 1, unless amendments to the proposal and the authorised extent of the proposal have been approved under the EP Act.	Project to be implemented in accordance with the criteria outlined in Table 2 of Schedule 1 of MS 1078.	[01] Tellus, 2020, 2019/2020 Compliance Assessment Report (Ref. GRACE-552978189-22917).	Overall	Annually	C	The authorised extent of the proposal as defined in Table 2 of Schedule 1 has not been exceeded during the reporting period (see appendix 3 of CAR).
1078:M2.1	Contact Details	The proponent shall notify the CEO of any change of its name, physical address or postal address for the serving of notices or other correspondence within twenty-eight (28) days of such change. Where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or of the principal office in the State.	Notify the CEO in writing of any change to proponent details.	-	Overall	Within 28 days of such a change.	C	Tellus’ principal place of business, Sydney, New South Wales, remained unchanged during the reporting period. The Facility’s Project office remained unchanged during the reporting period.
1078:M3.1	Time Limit for Proposal Implementation	The proponent shall not commence implementation of the proposal after five (5) years from the date on this Statement, and any commencement, prior to this date, must be substantial.	Provide written evidence to the CEO to demonstrate that the proposal has substantially commenced.	[01]	Construction	Implement proposal within five years from the date MS 1078 was granted.	CLD	Substantial works commenced during the reporting period. <ul style="list-style-type: none"> • Stage 1 enabling works commenced on 7 July 2019. • Stage 2A construction works commenced in Quarter 3 2019. • Stage 2B balance of works commence in Q1 2020. DWER notified via submission of the 2019/2020 CAR.
1078:M3.2	Time Limit for Proposal Implementation	Any commencement of implementation of the proposal, on or before five (5) years from the date of this Statement, must be demonstrated as substantial by providing the CEO with written evidence, on or before the expiration of five (5) years from the date of this Statement.	Provide written evidence to the CEO to demonstrate that the proposal has substantially commenced.	[01]	Construction	Implement proposal within five years from the date MS 1078 was granted.	CLD	As above
1078:N4.1	Compliance Reporting	The proponent shall prepare and maintain a Compliance Assessment Plan which is submitted to the CEO at least six (6) months prior to the first Compliance Assessment Report required by condition 4-6, or prior to implementation of the proposal, whichever is sooner.	Develop and implement a CAP. Submit the Compliance Assessment Plan to the CEO.	[02] Tellus, 2018, Sandy Ridge Compliance Assessment Plan, 29/11/2018, Ref: HS00-1760150200/TSR-5-HO-0220-AP-PLN-0001, V0. [03] Transmittal No.: THL001-000413, Subject: MS 1078 Sandy Ridge Facility - Compliance Assessment Plan, 29/11/2018. [04] Letter, DWER, 2018, Statement 1078 Sandy Ridge Facility CAO, 17/12/2018, Ref: DWERA-001158.	Pre-construction	At least six months prior to the first CAR required by MS 1078, Condition 4-6, or prior to implementation, whichever is sooner.	CLD	A Compliance Assessment Plan (CAP) [01, 02] prepared by Tellus was submitted to the CEO on 29 November 2018. The CAP was approved by the CEO on 17 December 2018. The first Compliance Assessment Report (CAR) to be submitted for MS 1078 was submitted on 23 September 2019, ten months after the CAP was submitted to the CEO and prior to implementation of the proposal. In their letter of approval dated 17 December 2018 DWER [3] stated that “ <i>as per Condition 4-6 of Statement 1078, your first compliance assessment report is due by 27 September 2019</i> ”. There were no changes made to the CAP during the reporting period.

¹ Refer to Section 5.1 Supporting, verifying information, documentation.

Audit Code	Subject	Requirement	How	Evidence ¹	Phase	Timeframe	Status	Further Information
1078:N4.2	Compliance Reporting	The Compliance Assessment Plan shall indicate:	-	-	-	-	-	-
1078:N4.2.1	Compliance Reporting	<ul style="list-style-type: none"> the frequency of compliance reporting; 	Submit the CAP to the CEO.	[02]	Pre-construction	At least six months prior to the first CAR required by MS 1078, Condition 4-6, or prior to implementation, whichever is sooner.	CLD	In their letter of approval dated 17 December 2018 DWER [3] stated that “DWER had reviewed the CAP and determined that it meets the requirements of Conditions 4-1 and 4-2 of Statement 1078”.
1078:N4.2.2	Compliance Reporting	<ul style="list-style-type: none"> the approach and timing of compliance assessments; 	Submit the CAP to the CEO.	[02]	Pre-construction	As above	CLD	As above
1078:N4.2.3	Compliance Reporting	<ul style="list-style-type: none"> the retention of compliance assessments; 	Submit the CAP to the CEO.	[02]	Pre-construction	As above	CLD	As above
1078:N4.2.4	Compliance Reporting	<ul style="list-style-type: none"> the method of reporting of potential non-compliances and corrective actions taken; 	Submit the CAP to the CEO.	[02]	Pre-construction	As above	CLD	As above
1078:N4.2.5	Compliance Reporting	<ul style="list-style-type: none"> the table of contents of Compliance Assessment Reports; and 	Submit the CAP to the CEO.	[02]	Pre-construction	As above	CLD	As above
1078:N4.2.6	Compliance Reporting	<ul style="list-style-type: none"> public availability of Compliance Assessment Reports. 	Submit the CAP to the CEO.	[02]	Pre-construction	As above	CLD	As above
1078:M4.3	Compliance Reporting	After receiving notice in writing from the CEO that the Compliance Assessment Plan satisfies the requirements of condition 4-2, the proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by condition 4-1.	Once notice is received that the CEO is satisfied, commence compliance assessment in accordance with the CAP.	[05] Tellus, 2019, Compliance Assessment Report 2018/2019, Ref: HS00-1760150200-22284, 23 September 2019.	Overall	Once written approval of the CAP is received from the CEO.	C	This 2020/21 CAR reports on the assessment undertaken against the CAP for the 2020/21 reporting period.
1078:P4.4	Compliance Reporting	The proponent shall retain reports of all compliance assessments described in the Compliance Assessment Plan required by condition 4-1 and shall make those reports available when requested by the CEO.	Retain CAR's and make available to the CEO when requested.	[01], [05] Tellus Website www.tellusholdings.com	Overall	When requested by the CEO.	C	The first CAR dated 23 September 2019 and second CAR dated 21 September 2020 are available in the Sandy Ridge Regulatory Information section of the Tellus website (www.tellusholdings.com).
1078:P4.5	Compliance Reporting	The proponent shall advise the CEO of any potential non-compliance within seven (7) days of that non-compliance being known.	Notify the CEO of potential non-compliances in accordance with the process described in Section 2.5.2 of the CAP.	-	Overall	Within seven days of that potential non-compliance being known.	C	Through the process of preparing this current report 3 non-compliances against the requirements of MS 1078 have been identified. Compliance with this Condition with respect to these three non-compliances will be reported via submission of this 2020-2021 CAR.
1078:P4.6	Compliance Reporting	The proponent shall submit to the CEO the first Compliance Assessment Report fifteen (15) months from the date of issue of this Statement addressing the twelve (12) month period from the date of issue of this Statement and then annually from the date of submission of the first Compliance Assessment Report , or as otherwise agreed in writing by the CEO.	Submit a CAR within required timeframe reporting on the previous 12 months.	[05] [06] Transmittal – Tellus to DWER, 2019, Ministerial Statement 1078 – Compliance Assessment Report 2018/2019 – Tellus Holdings Ltd, Transmittal No.: SRDP001-000121, 23/09/2019, 01:07:00 PM.	Overall	Initial CAR within 15 months from date of MS 1078 (i.e. 27 September 2019). Subsequent CARs annually from date of submission of first CAR or a date as agreed in writing by CEO.	C	The first CAR dated 23 September 2019 and second CAR dated 21 September 2020 are available in the Sandy Ridge Regulatory Information section of the Tellus website (www.tellusholdings.com). In accordance with the approved CAP [02], this CAR will be made publicly available.
1078:M4.6	Compliance Reporting	The Compliance Assessment Report shall:	-	-	-	-	-	-
1078:M4.6.1	Compliance Reporting	<ul style="list-style-type: none"> be endorsed by the proponent’s CEO or a person delegated to sign on the CEO’s behalf; 	The Tellus CEO, or delegate to endorse the CAR.	[01], [05]	Overall	Initial CAR within 15 months from date of MS 1078. Subsequent CARs annually from date of submission of first CAR	C	The first CAR dated 23 September 2019 and second CAR dated 21 September 2020 both included a Statement of Compliance signed by the Chief Operating Officer of Tellus Holdings Ltd., Michael Ingram.

Audit Code	Subject	Requirement	How	Evidence ¹	Phase	Timeframe	Status	Further Information
1078:M4.6.2	Compliance Reporting	<ul style="list-style-type: none"> include a statement as to whether the proponent has complied with the conditions; 	Include a statement as to whether the Facility has complied with the conditions of MS 1078.	[01], [05]	Overall	or a date as agreed in writing by CEO.	C	The first CAR dated 23 September 2019 and second CAR dated 21 September 2020 both included a Statement of Compliance signed by the Chief Operating Officer of Tellus Holdings Ltd., Michael Ingram.
1078:M4.6.3	Compliance Reporting	<ul style="list-style-type: none"> identify all potential non-compliances and describe corrective and preventative actions taken; 	Include a statement as to whether there have been any potential non-compliances associated with MS 1078 for the reporting period.	[01], [05]	Overall		C	The first CAR dated 23 September 2019 and second CAR dated 21 September 2020 both included a Statement of Compliance signed by the Chief Operating Officer of Tellus Holdings Ltd., Michael Ingram. Identified non-compliances were documented within the CAR (Table 3-3) and are raised within the Tellus corrective action system (INX InControl, see below), including corrective actions, which are tracked to completion. INX InControl event 11 (closed) INX InControl event 3043 (closed)
1078:M4.6.4	Compliance Reporting	<ul style="list-style-type: none"> be made publicly available in accordance with the approved Compliance Assessment Plan; and 	Make the CAR publicly available.	[05] Tellus Website www.tellusholdings.com	Overall		C	In accordance with the approved CAP, this CAR will be made publicly available via the Sandy Ridge Regulatory Information section of the Tellus website (www.tellusholdings.com).
1078:M4.6.5	Compliance Reporting	<ul style="list-style-type: none"> indicate any proposed changes to the Compliance Assessment Plan required by condition 4-1. 	Indicate in the CAR any proposed changes to the CAP required by MS 1078, Condition 4-1.	[01], [05]	Overall		C	No changes were made to the CAP during the reporting period.
1078:P5.1	Public Availability of Data	Subject to condition 5-2, within a reasonable time period approved by the CEO of the issue of this Statement and for the remainder of the life of the proposal, the proponent shall make publicly available, in a manner approved by the CEO, all validated environmental data (including sampling design, sampling methodologies, empirical data and derived information products (e.g. maps)) relevant to the assessment of this proposal and implementation of this Statement.	Validated environmental data (including sampling design, sampling methodologies, empirical data and derived information products (e.g. maps)) relevant to the assessment of this proposal and implementation of this Statement to be made available on the Sandy Ridge Facility section of the Tellus website.	Tellus website: www.tellusholdings.com	Overall	For the life of the proposal as approved by the CEO.	C	All environmental data associated with the assessment of the proposal was made available through the Sandy Ridge Public Environmental Review link on the Sandy Ridge Regulatory Information page of the Tellus website. Environmental data relevant to implementation of the project with this CAR will also be made progressively available as through the Tellus website as the project progresses.
1078:M5.2	Public Availability of Data	If any data referred to in condition 5-1 contains particulars of: <ul style="list-style-type: none"> a secret formula or process; or confidential commercially sensitive information; the proponent may submit a request for approval from the CEO to not make these data publicly available. In making such a request the proponent shall provide the CEO with an explanation and reasons why the data should not be made publicly available.	Submit a request for approval to the CEO not make sensitive information publicly available.	-	Overall	As required.	NR	This requirement was not triggered during the reporting period.
1078:M6.1	Boundary for Waste Generation	The proponent shall ensure that only wastes generated within Western Australia, other Australian States and Territories, and the Australian Exclusive Economic Zone are accepted at the Sandy Ridge Facility.	Tellus will implement a Waste Acceptance Criteria for each client that will specify: <ul style="list-style-type: none"> The criteria that will be applied for the exclusion of certain types of wastes. The criteria that will be applied to the acceptance of certain types of wastes. The requirement for suitable packaging and the criteria that will be applied for packaging acceptance. 	-	Operations	During the operational life of the proposal.	C	The first waste was accepted at the Facility on 6 July 2020. An audit of waste received on site during the reporting period (annual waste audit undertaken by KASA Consulting in July 2021, as required by Condition 8 of this proposal) identified that all waste received on site was generated within Australia (report currently in draft, due for submission by 28 September 2021).
1078:M7.1	Waste Management System	The proponent shall manage the proposal to meet the following objective: <ul style="list-style-type: none"> ensure that detailed records are kept of all wastes accepted on site. 	Develop and implement a Waste Management System.	-	Operations	During the operational life of the proposal.	C	The annual waste audit for the 2020-2021 reporting period confirmed that detailed records were maintained for all wastes kept on site.

Audit Code	Subject	Requirement	How	Evidence ¹	Phase	Timeframe	Status	Further Information
1078:P7.2	Waste Management System	The proponent shall implement and maintain a Waste Management System to record all wastes accepted on site.	Develop and implement a Waste Management System.	[11] Draft Sandy Ridge 2021 Annual Waste Audit Report – 2021-026/01, KASA Consulting (17 Sept 21)	Operations	During the operational life of the proposal.	C	The annual waste audit for the 2020-2021 reporting period confirmed a waste management system had been established and was maintained.
1078:M7.3	Waste Management System	The Waste Management System shall:	-	-	-	-	-	-
1078:N7.3.1	Waste Management System	<ul style="list-style-type: none"> detail monitoring procedures to track and record incoming waste to the site; 	The Waste Management System will detail monitoring procedures to track and record incoming waste to the site.	[07] SWP SR-08.808 Waste Acceptance Verification (07 July 2020) [08] SWP SR-08.221 Offsite Waste Verification Testing (20 Feb 21) [09] SWP SR-08.809 Waste Quarantine (25 Mar 21)	Operations	During the operational life of the proposal.	C	The Sandy Ridge Waste Acceptance procedure broadly defines the process for accepting waste on site and this is supported by a flow chart for waste receipt that maps the processes for tracking and recording waste that arrives on site, including waste verification. The on-site procedures; Waste Acceptance Verification (SR-08.808), Offsite Waste Verification Testing (SR-08.221) and Waste Quarantine (SR-08.809), provide additional detail on the process for tracking and monitoring incoming waste.
1078:P7.3.2	Waste Management System	<ul style="list-style-type: none"> record the origins, quantity, and the physical and chemical characteristics of all waste accepted on site; 	The Waste Management System will record the origins, quantity, and the physical and chemical characteristics of all waste accepted on site.	[11]	Operations	During the operational life of the proposal.	C	Extensive records are generated and maintained regarding the quantity, and the physical and chemical characteristics of all waste accepted on site. These include: <ul style="list-style-type: none"> Incoming waste vehicle spreadsheet; Waste receipt ticket; Controlled waste tracking form; Inbound heavy vehicle checklist; Waste verification records (in LIMS system).
1078:P7.3.3	Waste Management System	<ul style="list-style-type: none"> provide details about any treatment of the waste undertaken on site; 	The Waste Management System will provide details about any treatment of the waste undertaken on site.	-	Operations	During the operational life of the proposal.	C	During the reporting period, only one liquid waste has been treated through the Waste Isolation Plant (WIP) and disposed of to the waste disposal cell. This material was PFAS contaminated liquid waste generated by Veolia that originated from RAAF Pearce Air Base. Details of treatment of this waste were sighted, including, procedures for sampling and testing, for operation of the WIP, and QC/QA testing requirements. Details of treatment of this waste were sighted, including QC/QA test results. It is noted that a non-compliance was raised against Condition 16 b) of the site Environmental Licence L9420/2020/1 in the Annual Audit Compliance Report regarding the lack of a documented procedure for the treatment of PFAS waste. After the identification of this issue a procedure was developed titled Chemical Treatment of PFAS Waste (SR-08.811).

Audit Code	Subject	Requirement	How	Evidence ¹	Phase	Timeframe	Status	Further Information
1078:P7.3.4	Waste Management System	<ul style="list-style-type: none"> provide details about the waste characteristics, quantity, storage duration and specific coordinates for the location of each waste package stored in the waste cells and temporary storage area; and 	The Waste Management System will provide details about the waste characteristics, quantity, storage duration and specific coordinates for the location of each waste package stored in the waste cells and temporary storage area.	-	Operations	During the operational life of the proposal.	NC	<p>The annual waste audit identified that records of waste characteristics, quantity and storage duration were readily available; however, the audit identified that specific coordinates for the location of each waste package stored in the waste cells and temporary storage area was not fully recorded.</p> <p>Each lift of the waste cell was surveyed and a daily photographic record of the disposal location of each waste package was maintained, however the coordinates of each waste package were not recorded. The boundaries of each lift are known in three dimensions, being the bottom surface (top of prior surveyed lift, or the final mining survey), the top surface of that lift by survey, and the lateral extent of the lift obtained from the final mining cell survey. The final location of each waste package is not accurately recorded in three dimensions (northing, easting and elevation). The locations of particular waste packages (eg, radioactive wastes and other high-risk waste types) are surveyed separately to the lift survey.</p> <p>Many wastes are not delivered in packaged form, and hence cannot be uniquely identified once tipped out of the delivery container or truck.</p> <p>Temporary waste storage locations were not surveyed because they were readily identifiable and tracked on a white board in the office.</p>
1078:P7.3.5	Waste Management System	<ul style="list-style-type: none"> be reviewed every five (5) years to ensure that all data stored in the Waste Management System remain compatible with contemporary information technology. 		-	Operations	Every five years.	NR	This requirement was not triggered during the reporting period.
1078:M7.4	Waste Management System	The proponent shall continue to record all wastes accepted on site as required by condition 7-2 until cessation of waste receipt operations at the Sandy Ridge Facility.	Tellus will develop, implement and maintain a Waste Management System that will be available from the first waste receipt until the last waste receipt at the Sandy Ridge Facility.	-	Operations	Until cessation of waste receipt operations at the Sandy Ridge Facility.	C	Records of waste accepted on site during the reporting period were readily available.
1078:M7.5	Waste Management System	The proponent shall retain and maintain the data required by condition 7-2 and provide the data to the Western Australian Government at the completion of Phase I of the Institutional Control Period.	Tellus will provide Waste Management System data to the WA Government at completion of Phase I of the Institutional Control Period subject to successful criteria being reached.	-	Decommissioning	At the completion of Phase I of the Institutional Control Period.	NR	This requirement was not triggered during the reporting period.
1078:P7.6	Waste Management System	The proponent shall provide the data required by condition 7-2 to the CEO when requested within four (4) weeks of the request date.	Tellus will provide Waste Management System data to the CEO when requested.	-	Overall	Within four weeks of a data request from the CEO.	NR	This requirement was not triggered during the reporting period. At the time of preparing this CAR there had been no requests from the CEO during the reporting period for data required by Condition 7-2.
1078:M8.1	Independent Annual Audit	The proponent shall manage the implementation of the proposal to meet the following objectives:	-	-	-	-	-	-
1078:P8.1.1	Independent Annual Audit	<ul style="list-style-type: none"> ensure that only permitted wastes are accepted at the facility for placement in the repository; and 	Tellus will develop and implement a Waste Acceptance Criteria (WAC) to determine waste types which can and cannot be accepted when considering the characteristics and design of the site to achieve safe operation of the facility and to ensure long term environmental protection through containment of potential pollutants present within the wastes.	<p>[10] Sandy Ridge Waste Acceptance Procedure – TCO-6-SR-01400-GE-PRO-0001, August 2016.</p> <p>[11]</p>	Operations	Annually	C	The annual independent waste audit undertaken in July 2021 identified that there was a robust and well implemented process to ensure only permitted wastes are accepted at the facility. The process is defined in the Sandy Ridge Facility Waste Acceptance Procedure and involved detailed waste characterisation and assessment of all waste using the Tellus Gated Waste Acceptance Form.

Audit Code	Subject	Requirement	How	Evidence ¹	Phase	Timeframe	Status	Further Information
1078:P8.1.2	Independent Annual Audit	<ul style="list-style-type: none"> that the facility is managed in accordance with all regulatory requirements. 	<p>Tellus will develop and implement a comprehensive legal obligations register for the Sandy Ridge Facility. The register will include accountabilities for specific legislative requirements.</p> <p>Tellus will engage an on-site compliance officer who will be supported by the Tellus corporate compliance department.</p>	[11]	Operations	Annually	NC	<p>An audit of the site Environmental Licence L9240-2020 identified 4 non-compliances, which were reported through the 2020/21 Annual Audit Compliance Report (AACR).</p> <p>Tellus had established an Obligations Register within the Assurance module of INX InControl. Environmental legal obligations associated with government approvals for Sandy Ridge are documented in this module with defined responsibilities for evaluating compliance. Compliance check records were sighted, including internal audits undertaken by the Environmental Compliance Manager against the Construction Fauna MP (27 Jan 21), the Leachate Monitoring and MP (03 Mar 21), the PFAS NEMP (04 Nov 20) and the Flora and Vegetation MP (05 May 21).</p>
1078:M8.2	Independent Annual Audit	The proponent shall engage an independent waste expert approved by the CEO to undertake an annual audit of the waste disposal operations at the Sandy Ridge Facility. The first audit shall be undertaken twelve (12) months from the date of waste acceptance. The audit shall address site operations, including whether:	Tellus will engage an independent waste specialist, approved by the CEO, to assesses waste disposal operations in accordance with the requirements of MS 1078, Condition 8-2.	[11]	Operations	Within 12 months from the date of the first waste acceptance.	C	Tellus engaged Nick Croston of KASA Consulting as the independent auditor. Tellus Environmental Compliance Manager received approval from DWER to use Nick on June 2 nd 2021 in an email that stated <i>“The department acknowledges the independence of Kasa consulting and advises that the department is satisfied that the appointment meets the requirements of Condition 8-2 of Ministerial Statement 1078”</i> .
1078:M8.2.1	Independent Annual Audit	<ul style="list-style-type: none"> each waste is uniquely identified; 		[11]	Operations	Within 12 months from the date of the first waste acceptance.	C	The annual independent waste audit was undertaken in July 2021, including a site visit conducted from 12-14 July. The waste audit report included an assessment or whether each waste was uniquely identified.
1078:M8.2.2	Independent Annual Audit	<ul style="list-style-type: none"> the origin, quantity and characterisation of each waste is recorded; 		[11]	Operations	Within 12 months from the date of the first waste acceptance.	C	The draft annual independent waste audit report confirmed that an assessment of whether the origin, quantity and characterisation of each waste was included in the audit.
1078:M8.2.3	Independent Annual Audit	<ul style="list-style-type: none"> the waste acceptance criteria and procedures have been adhered to; 		[07], [10], [11]	Operations	Within 12 months from the date of the first waste acceptance.	C	The draft annual independent waste audit report included an assessment of whether waste acceptance criteria and procedures had been adhered to.
1078:M8.2.4	Independent Annual Audit	<ul style="list-style-type: none"> all required regulatory approvals and permits were in place for transport and disposal of the waste; 		[11]	Operations	Within 12 months from the date of the first waste acceptance.	C	The draft annual independent waste audit report included an assessment of whether regulatory approvals and permits were well managed for transport and disposal of the waste (based on an audited sample of wastes). This included dangerous goods and radioactive waste approvals.
1078:M8.2.5	Independent Annual Audit	<ul style="list-style-type: none"> there is a clear and documented chain of custody from client to waste receipt; 		[11]	Operations	Within 12 months from the date of the first waste acceptance.	C	The draft annual independent waste audit report included an assessment of whether there was a clear and documented chain of custody from client to waste receipt.
1078:M8.2.6	Independent Annual Audit	<ul style="list-style-type: none"> the final location of each waste in the waste cell is accurately recorded in three dimensions (northing, easting and elevation); 		[11]	Operations	Within 12 months from the date of the first waste acceptance.	C	The draft annual independent waste audit report included an assessment of the final location of each waste in the waste cell was included in the audit
1078:M8.2.7	Independent Annual Audit	<ul style="list-style-type: none"> all regulatory requirements have been met; and 		[11]	Operations	-	C	The draft annual independent waste audit report identified that an assessment whether all regulatory requirements had been met was included.
1078:M8.2.8	Independent Annual Audit	<ul style="list-style-type: none"> other options have become available to reuse, recycle or recover wastes that are being accepted at the Sandy Ridge Facility. 		[11]	Operations	-	C	The draft annual independent waste audit report included an assessment whether other options have become available to reuse, recycle or recover wastes that are being accepted at the Sandy Ridge Facility

Audit Code	Subject	Requirement	How	Evidence ¹	Phase	Timeframe	Status	Further Information
1078:M8.3	Independent Annual Audit	The proponent shall provide the annual audit report required by condition 8-2 to the CEO within twelve (12) weeks of the audit date until the CEO has confirmed by notice, in writing, that provision of the annual audit report is no longer required.	Tellus will provide the Annual Audit Report to the CEO within 12 weeks of the audit date until such time as the CEO has confirmed in writing that the provision of the Annual Audit Report is no longer required.	[11]	Operations	Within 12 weeks of the audit date. The audit date is taken to be last day of the site audit (i.e. the date of the audit closing meeting).	NR	The first independent annual audit was undertaken by an independent waste expert (Nick Croston of KASA Consulting, approved by DWER on 3 rd June 2021) in July 2021 and is due for submission by 28 th September 2021.
1078:M8.4	Independent Annual Audit	In the event that the annual audit report identifies issues with waste acceptance, waste tracking or compliance with regulatory requirements, the proponent shall immediately notify the CEO, and other relevant regulators where a non-compliance against other legislation has occurred and implement investigations to identify the cause.	Notify the CEO of issues with waste acceptance, waste tracking or compliance with regulatory requirements, including those not related to the EP Act, in accordance with the process described in Section 2.5.1 of the CAP.	[11]	Operations	Immediately ²	NR	The first independent annual audit was undertaken by an independent waste expert (Nick Croston of KASA Consulting, approved by DWER on 3 rd June 2021) in July 2021. At the time of preparing this CAR the audit report had not been received by Tellus. The audit report is due for submission to the CEO by 28 th September 2021.
1078:M8.5	Independent Annual Audit	Should the cause identified in condition 8-4 result in a potential risk to human health or a sensitive environmental receptor, then the proponent shall commence remedial actions immediately until otherwise advised by the CEO.	Tellus will implement remedial actions following detailed confirmatory investigation should the cause identified in MS 1078, Condition 8-4 result in a potential risk to human health or a sensitive environmental receptor. Tellus may seek external advice and guidance concerning the most appropriate remedial action depending on the potential risk to human health or a sensitive environmental receptor.	[11]	Operations	Immediately	NR	The first independent annual audit was undertaken by an independent waste expert (Nick Croston of KASA Consulting, approved by DWER on 3 rd June 2021) in July 2021. At the time of preparing this CAR the audit report had not been received by Tellus. The audit report is due for submission to the CEO by 28 th September 2021.
1078:M9.1	Terrestrial Environmental Quality	The proponent shall manage the implementation of the proposal to meet the following environmental objective: <ul style="list-style-type: none"> ensure that impacts to soil quality are minimised. 	<p>Construction and Operation - Emergency spill response kits will be available at strategic locations at the Sandy Ridge Facility.</p> <p>Construction and Operation - Staff will be trained in the use of emergency spill response kits and general environmental management awareness.</p> <p>Operations - Activities with the potential to impact soil quality will typically be conducted on hard stand with in-built drainage and sumps.</p> <p>Operations – Only authorised areas will be disturbed.</p> <p>Operations – Groundwater monitoring bores will be installed in the vicinity of the cells and periodically monitored to assess the potential impact to soil/groundwater from waste emplacement.</p>	<p>[12] Tellus, Leachate Monitoring and Management Plan, Version E³, 7 May 2020, Ref: HS00-1760150200-49173.</p> <p>[30] Landloch Pty Ltd, 2020, Sandy Ridge Project: Baseline Soil Audit for the Facility, Mt Walton Access Road and Sandy Ridge Facility Access Road, Ref: 2230.19b, 16 July 2020, Draft.</p>	Overall	During the construction and operational life of the proposal.	C	To address a requirement of the site’s Crown Lease and to provide a baseline from which to compare changes in soil properties over time Tellus engaged soil consultants to undertake two campaigns of soil sampling and analysis for selected analytes at specific locations. The first campaign was conducted in April 2019, the second campaign was conducted in January 2020. A draft report was issued to Tellus in August 2020 [30] which concluded that “the audit results indicate that no significant environmental concerns currently exist for the soils that have been sampled”.

² ‘Immediately’ means within eight hours or less from when the Company or its employees becomes aware of the non-compliance.

³ Version E being the first approved version of this plan (i.e. Version 0).

Audit Code	Subject	Requirement	How	Evidence ¹	Phase	Timeframe	Status	Further Information
1078:N9.2	Terrestrial Environmental Quality	Prior to the commencement of waste receipt, the proponent shall prepare and submit a Leachate Monitoring and Management Plan to the CEO, to demonstrate that the environmental objective in condition 9-1 will be met.	Develop and submit a Leachate Monitoring and Management Plan .	[12] [13] Transmittal – Tellus to DWER, 2019, Sandy Ridge Facility MS 1078 – revised LMMP Rev E, Transmittal No.: SRDP001-000345, 07 May 2020, 02:42:00 PM. [14] Letter, DWER, 2020, Sandy Ridge Facility Ministerial Statement 1078 Leachate Monitoring and Management Plan Approved, 14/05/2020, Ref: DWERDT280973; DWERT463.	Operations	Prior to the commencement of waste receipt.	CLD	Tellus prepared a Leachate Monitoring and Management Plan (LMMP) [07 and submitted] to the CEO for approval on 7 May 2020 [08]. The CEO approved the LMMP in a letter to Tellus [09] dated 14 May 2020 stating that “I am satisfied with the preparation of the Sandy Ridge Leachate Monitoring and Management Plan (Version E, 7 May 2020), and consider the requirements of condition 9-2 and 9-3 of Ministerial Statement 1078 have been met”.
1078:N9.3	Terrestrial Environmental Quality	The Leachate Monitoring and Management Plan shall specify:	-	-	-	-	-	-
1078:N9.3.1	Terrestrial Environmental Quality	<ul style="list-style-type: none"> monitoring procedures and protocols, including monitoring location points and frequency of monitoring (minimum every six (6) months); 	The Leachate Monitoring and Management Plan will specify monitoring procedures and protocols, including monitoring location points and frequency of monitoring.	[12]	Overall	Monitoring to be conducted at a minimum period of every six months.	CLD	Table 2-1 Provisions of the LLMP and Appendix F Groundwater Monitoring Procedure address this requirement.
1078:N9.3.2	Terrestrial Environmental Quality	<ul style="list-style-type: none"> mitigation and management measures; 	The Leachate Monitoring and Management Plan will include mitigation and management measures.	[12]	Overall	During the operational life of the proposal.	CLD	Table 2-1 Provisions of the LLMP addresses this requirement.
1078:N9.3.3	Terrestrial Environmental Quality	<ul style="list-style-type: none"> an adaptive management framework, including trigger criteria, monitoring design and methodologies, and trigger management actions; 	The Leachate Monitoring and Management Plan will include an adaptive management framework, including trigger criteria, monitoring design and methodologies, and trigger management actions.	[12]	Overall	During the operational life of the proposal.	CLD	Section 3 Adaptive Management Framework and Section 3.1 Early Response Indicators address this requirement.
1078:N9.3.4	Terrestrial Environmental Quality	<ul style="list-style-type: none"> incident reporting; 	The Leachate Monitoring and Management Plan will refer to the corporate incident reporting procedure for internal incident reporting requirements as well as external reporting requirements (e.g. to the OEPA).	[12]	Overall	During the operational life of the proposal.	CLD	Section 3.3 Incident Reporting addresses this requirement.
1078:N9.3.5	Terrestrial Environmental Quality	<ul style="list-style-type: none"> review periods; and 	The Leachate Monitoring and Management Plan will include review periods.	[12]	Overall	During the operational life of the proposal.	CLD	Section 3.4 Continuous Improvement addresses this requirement.
1078:N9.3.6	Terrestrial Environmental Quality	<ul style="list-style-type: none"> implementation reporting and auditing. 	The Leachate Monitoring and Management Plan will include requirements for implementation and auditing.	[12]	Overall	During the operational life of the proposal.	CLD	Section 3.4 Continuous Improvement and Section 3.5 Change Management addresses this requirement.
1078:M9.4	Terrestrial Environmental Quality	After receiving notice in writing from the CEO that the Leachate Monitoring and Management Plan satisfies the requirements of condition 9-1, the proponent shall:	-	-	-	-	-	-
1078:M9.4.1	Terrestrial Environmental Quality	<ul style="list-style-type: none"> implement the Leachate Monitoring and Management Plan, or any subsequent revisions as approved by the CEO; and 	Once notice is received that the CEO is satisfied, commence implementation of the Leachate Monitoring and Management Plan.	[12]	Overall	Once written approval of the Leachate Monitoring and Management Plan is received from the CEO.	C	Refer to Table 3-5 of the CAR for details concerning implementation of the LLMP.

Audit Code	Subject	Requirement	How	Evidence ¹	Phase	Timeframe	Status	Further Information
1078:M9.4.2	Terrestrial Environmental Quality	<ul style="list-style-type: none"> continue to implement the Leachate Monitoring and Management Plan, or any subsequent revisions as approved by the CEO, until the CEO has confirmed by notice in writing that the proponent has demonstrated the objective specified in condition 9-1 has been met and therefore the implementation of the management plan is no longer required. 	Once written approval of the Leachate Monitoring and Management Plan is received from the CEO.	[12]	Overall	Until the CEO has confirmed by notice in writing that the implementation of the management plan is no longer required.	C	The LMMP was implemented during the reporting period.
1078:M9.5	Terrestrial Environmental Quality	The proponent may review and revise the Leachate Monitoring and Management Plan or any subsequently revisions as approved by the CEO.	Once written approval of the Leachate Monitoring and Management Plan is received from the CEO.	[12]	Overall	During the operational life of the proposal.	NR	The Leachate Monitoring and Management Plan was not reviewed or revised during the reporting period.
1078:M9.6	Terrestrial Environmental Quality	The proponent shall review and revise the Leachate Monitoring and Management Plan or any subsequently approved revisions, as and when directed by the CEO.	Once notice is received from the CEO that the Leachate Monitoring and Management Plan must be reviewed and revised.	-	Overall	As and when directed by the CEO.	NR	This requirement was not triggered during the reporting period.
1078:M10.1	Flora and Vegetation	The proponent shall manage the implementation of the proposal to meet the following environmental objectives:	Tellus will develop and implement a Flora and Vegetation Management Plan for construction and operational activities.	[15] Tellus, 2019, Flora and Vegetation Management Plan, V1, 19/06/2019, Ref: HS00-1760150200-22152.	Overall	During the construction and operational life of the proposal.	C	<p>Tellus have prepared a Flora and Vegetation Management Plan (FVMP) [15] detailing how direct and indirect impacts to <i>Calytrix creswellii</i>, <i>Lepidosperma lyonsii</i>, and the undescribed <i>Lepidosperma</i> sp. were to be avoided and managed. The FVMP was approved by the CEO on 1 July 2019 [16].</p> <p><u>Implementation</u></p> <p>Although <i>C. creswellii</i> was identified within the mine infrastructure area, it was believed that no impact on <i>C. creswellii</i> would occur as no individuals were within the footprint of the mine pits/waste cell and the infrastructure was designed to specifically avoid impacts to <i>C. creswellii</i>. No further populations of <i>Calytrix creswellii</i>, were identified.</p> <p>A condition assessment of identified subject and control groups of <i>Lepidosperma spp</i> was undertaken by Western Botanical (botanical specialist) in June and September 2020.</p> <p>Additional <i>Lepidosperma spp</i> were attributed to groups both North and South of the infrastructure area; however, due to the lack of fruiting material the species <i>Lepidosperma lyonsii</i> were not able to be identified.</p> <p>No variance was identified between the controls and subject groups with all being classified as vegetative; largely a result of pre-existing and dry seasonal conditions which had prevailed for the prior 3-4 years.</p>
1078:M10.1.1	Flora and Vegetation	<ul style="list-style-type: none"> avoid direct impacts to <i>Calytrix creswellii</i>, <i>Lepidosperma lyonsii</i>, and the undescribed <i>Lepidosperma</i> sp. where practicable; and 	Induction material for construction and operational staff will include species avoidance awareness.	[18] Western Botanical, June 2021. Condition Assessment, <i>Lepidosperma spp.</i> , Sandy Ridge. WB931				
1078:M10.1.2	Flora and Vegetation	<ul style="list-style-type: none"> manage indirect impacts to <i>Calytrix creswellii</i>, <i>Lepidosperma lyonsii</i>, and the undescribed <i>Lepidosperma</i> sp. 		[20] Letter, DWER, 2019, Sandy Ridge Facility MS 1078 Flora and Vegetation Management Plan Approved, 01/07/2019, Ref: DWERA-002019.				
1078:M10.2	Flora and Vegetation	Prior to the commencement of ground disturbing activities, the proponent shall prepare and submit a Targeted Flora Survey Plan for <i>Calytrix creswellii</i> , <i>Lepidosperma lyonsii</i> , and the undescribed <i>Lepidosperma</i> sp. to the CEO.	Develop and submit a Targeted Flora Survey Plan.	[17] DWER, 2019, Compliance Audit Report, 24 October 2019.	Overall	Prior to the commencement of ground disturbing activities.	CLD	This requirement was completed in the 2018/2019 reporting period.

Audit Code	Subject	Requirement	How	Evidence ¹	Phase	Timeframe	Status	Further Information
1078:M10.3	Flora and Vegetation	The Targeted Flora Survey Plan required by condition 10-2 shall: <ol style="list-style-type: none"> detail the methodology for the targeted survey; quantify the number of <i>Calytrix creswellii</i>, <i>Lepidosperma lyonsii</i>, and the undescribed <i>Lepidosperma</i> sp. found within the development envelope; and meet the requirements of EPA Flora and Vegetation Guidance. 	The Targeted Flora Survey Plan will detail the methodology for the targeted survey, quantify the number of <i>Calytrix creswellii</i> , <i>Lepidosperma lyonsii</i> , and the undescribed <i>Lepidosperma</i> sp. found within the development envelope and meet the requirements of EPA Flora and Vegetation Guidance.	[17]	Overall	As detailed in the Targeted Flora Survey Plan.	CLD	This requirement was completed in the 2018/2019 reporting period.
1078:M10.4	Flora and Vegetation	The proponent shall undertake the Targeted Flora Survey in accordance with the Targeted Flora Survey Plan as required by condition 10-2.	A competent person to undertake the Targeted Flora Survey in accordance with the Targeted Flora Survey Plan.	[17]	Overall	As detailed in the Targeted Flora Survey Plan.	CLD	This requirement was completed in the 2018/2019 reporting period.
1078:M10.5	Flora and Vegetation	Prior to commencement of ground disturbing activities, and after completion of the Targeted Flora Survey , the proponent shall submit a Flora and Vegetation Management Plan to the CEO.	Develop and submit a Flora and Vegetation Management Plan.	[15], [16]	Overall	Prior to commencement of ground disturbing activities, and after completion of the Targeted Flora Survey.	CLD	Tellus prepared a Flora and Vegetation Management Plan (FVMP) (Tellus, 2019a), V1 and submitted it to the CEO on 19 June 2019 [15]. The CEO approved the FVMP (V1) on 1 July 2019 [16] stating that the CEO was “satisfied with the preparation of the Flora and Vegetation Management Plan (Version 1, 19 June 2019), and consider the requirements of conditions 10-5 to 10-6 of Ministerial Statement 1078 have been met”. The CEO also noted that “the findings of the peer review report that the plan is consistent with the requirements in condition 10-6, and if implemented, should achieve the objectives of condition 10-1 which is to avoid direct impacts to <i>Calytrix creswellii</i> , <i>Lepidosperma lyonsii</i> , and the undescribed <i>Lepidosperma</i> sp. where practicable, and manage indirect impacts to impacts to <i>Calytrix creswellii</i> , <i>Lepidosperma lyonsii</i> , and the undescribed <i>Lepidosperma</i> sp.”
1078:M10.6	Flora and Vegetation	The Flora and Vegetation Management Plan shall include detailed information on potential direct and indirect impacts to <i>Calytrix creswellii</i> , <i>Lepidosperma lyonsii</i> , and the undescribed <i>Lepidosperma</i> sp. and include the following:	The Flora and Vegetation Management Plan will include information on potential direct and indirect impacts to <i>Calytrix creswellii</i> , <i>Lepidosperma lyonsii</i> , and the undescribed <i>Lepidosperma</i> sp.	[15], [16]	Overall	Prior to commencement of ground disturbing activities, and after completion of the Targeted Flora Survey.	CLD	Section 2, Table 2-1 of the FVMP [15, pp.16-24] includes details concerning potential direct and indirect impacts to <i>Calytrix creswellii</i> , <i>Lepidosperma lyonsii</i> , and the undescribed <i>Lepidosperma</i> sp.
1078:M10.6.1	Flora and Vegetation	<ul style="list-style-type: none"> targeted flora survey results required by condition 10-4; 	The Flora and Vegetation Management Plan will include the targeted flora results required by MS 1078, Condition 10-2.	[15], [16]	Overall	Prior to commencement of ground disturbing activities, and after completion of the Targeted Flora Survey.	CLD	Targeted flora survey results, required by Condition 10-4 were included in Appendix B of the Flora and Vegetation Management Plan [15].
1078:M10.6.2	Flora and Vegetation	<ul style="list-style-type: none"> avoidance of direct impacts where practicable; and 	The Flora and Vegetation Management Plan will include the requirement to avoid direct impacts, where practicable.	[15], [16]	Overall	Prior to commencement of ground disturbing activities, and after completion of the Targeted Flora Survey.	CLD	Section 2, Table 2-1 of the FVMP [15, pp.16-24] includes details concerning avoidance of direct impacts.
1078:M10.6.3	Flora and Vegetation	<ul style="list-style-type: none"> mitigation, monitoring and management measures for indirect impacts, including those for fire, dust suppression and water quality, and weeds. 	The Flora and Vegetation Management Plan will include mitigation, monitoring and management measures for indirect impacts, including those for fire, dust suppression and water quality, and weeds.	[15], [16]	Overall	Prior to commencement of ground disturbing activities, and after completion of the Targeted Flora Survey.	CLD	Section 2, Table 2-1 of the FVMP [15, pp.16-24] includes details concerning mitigation, monitoring and management measures for indirect impacts, including those for fire, dust suppression and water quality, and weeds.
1078:M10.7	Flora and Vegetation	<ul style="list-style-type: none"> After receiving notice in writing from the CEO that the Flora and Vegetation Management Plan satisfies the requirements of condition 10-6, the proponent shall: 	Once notice is received that the CEO is satisfied, commence implementation of the Flora and Vegetation Management Plan.	[15], [16]	Overall	During the life of the proposal	-	The CEO approved the FVMP (V1) on 1 July 2019 [16] stating that the CEO was “satisfied with the preparation of the Flora and Vegetation Management Plan (Version 1, 19 June 2019), and consider the requirements of conditions 10-5 to 10-6 of Ministerial Statement 1078 have been met”.

Audit Code	Subject	Requirement	How	Evidence ¹	Phase	Timeframe	Status	Further Information
1078:M10.7.1	Flora and Vegetation	<ul style="list-style-type: none"> implement the Flora and Vegetation Management Plan, or any subsequent revisions as approved by the CEO; and 	Once notice is received that the CEO is satisfied, commence implementation of the Flora and Vegetation Management Plan.	[15], [16]	Overall	Once written approval of the Flora and Vegetation Management Plan is received from the CEO.	C	Refer to Table 3-5 of the CAR for details concerning implementation of the FVMP.
1078:M10.7.2	Flora and Vegetation	<ul style="list-style-type: none"> continue to implement the Flora and Vegetation Management Plan, or any subsequent revisions as approved by the CEO, until the CEO has confirmed by notice in writing that the proponent has demonstrated the objectives specified in condition 10-1 have been met and therefore the implementation of the management plan is no longer required. 	Once written approval of the Flora and Vegetation Management Plan is received from the CEO.	[18] Condition Assessment, <i>Lepidosperma spp.</i> Sandy Ridge. Report WB932, Western Botanical, June 2021.	Overall	Until the CEO has confirmed by notice in writing that the implementation of the management plan is no longer required.	C	The FVMP was implemented during the reporting period. Refer to Table 3-5 of the CAR for details.
1078:M10.8	Flora and Vegetation	The proponent may review and revise the Flora and Vegetation Management Plan , or any subsequent revisions as approved by the CEO.	Once written approval of the Flora and Vegetation Management Plan is received from the CEO.	-	Overall	During the operational life of the proposal.	NR	The FVMP states that the FVMP shall be reviewed no less than five years prior to the rehabilitation of the first cell. This trigger has not been met and no revisions or the FVMP occurred for other reasons during the reporting period.
1078:M10.9	Flora and Vegetation	The proponent shall review and revise the Flora and Vegetation Management Plan or any subsequently approved revisions, as and when directed by the CEO.	Once notice is received from the CEO that the Flora and Vegetation Management Plan must be reviewed and revised.	-	Overall	As and when directed by the CEO.	NR	No request by the CEO to revise the FVMP have been received by Tellus.
1078:M11.1	Terrestrial Fauna	<p>The proponent shall manage the implementation of the proposal to meet the following environmental objective:</p> <p>ensure that impacts to terrestrial fauna are minimised.</p>	<p>Tellus will develop and implement a Construction Environmental Management Plan.</p> <p>Induction material for construction and operational staff will include terrestrial fauna avoidance awareness.</p>	<p>[19] Tellus, 2019c, Construction Fauna Management Plan, 13/06/2019, V1, Ref: HS00-1760150200-22117.</p> <p>[20] Letter, DWER, 2019, Sandy Ridge Facility MS 1078 Construction Fauna Management Plan Approved, 25/06/2019, Ref: DWERA-002019.</p>	Overall	During the construction and operational life of the proposal.	C	<p>A Construction Fauna Management Plan (CFMP) (V1) [19] was prepared which defines actions required to ensure impacts to terrestrial fauna are minimised. The CFMP was originally called the Construction Environmental Management Plan (as required by Condition 11.2 below); However, in agreement with DWER this was renamed the CFMP.</p> <p>Refer to Table 3-5 of the CAR for details concerning implementation of the CFMP.</p>
8:M11.2	Terrestrial Fauna	Prior to the commencement of ground disturbing activities, the proponent shall prepare and submit a Construction Environmental Management Plan to the CEO, to demonstrate that the environmental objective in condition 11-1 will be met.	Develop and submit a Construction Environment Management Plan.	[19] / [20]	Overall	Prior to commencement of ground disturbing activities.	CLD	Clearing activities commenced on 7 July 2019, construction activities commenced formally on 15 September 2019. The CFMP was approved on 25 June 2019 [20] by the CEO who stated they were “satisfied with the preparation of the Construction Fauna Management Plan (Version 1, 13 June 2019), and consider the requirements of condition 11-2 to 11-3 of Ministerial Statement 1078 have been met”. The CEO also noted that “from the findings of the peer review report that the plan is consistent with condition 11-3 and when implemented, should achieve the environmental objective in condition 11-1 which is to ensure that impacts to terrestrial fauna are minimised”.
1078:M11.3	Terrestrial Fauna	The Construction Environmental Management Plan shall include:	-	-	-	-	-	-
1078:M11.3.1	Terrestrial Fauna	<ul style="list-style-type: none"> results from a pre-clearing survey; 	<p>The Construction Environmental Management Plan will include results from a pre-clearing survey.</p> <p>The Construction Environmental Management Plan will include the scope of pre-clearing surveys, including, but not limited to, any staging and timeframes for completion.</p>	[19]	Overall	Prior to commencement of ground disturbing activities.	CLD	Results from pre-clearing fauna survey were included in the plan.

Audit Code	Subject	Requirement	How	Evidence ¹	Phase	Timeframe	Status	Further Information
1078:M11.3.2	Terrestrial Fauna	<ul style="list-style-type: none"> avoidance, mitigation and management measures, including but not limited to recording sightings of conservation significant species including the Malleefowl and Rainbow Bee-eater; detailed clearing procedures, implementation of a boundary fence, control measures for feral fauna, and restricting vehicle speed limits; 	The Construction Environmental Management Plan will be developed and implemented that meets the requirements of MS 1078, Condition M11-3.2.	[19]	Overall	Prior to commencement of ground disturbing activities.	CLD	<p>Section 2, Table 2-1 of the CFMP [19, pp.15-21] includes avoidance, mitigation and management measures, including but not limited to recording sightings of conservation significant species including the Malleefowl; detailed clearing procedures, implementation of a boundary fence, control measures for feral fauna, and restricting vehicle speed limits.</p> <p>It is noted that the Rainbow Bee-eater (<i>Merops ornatus</i>) was recorded within the development envelope during surveys for the Public Environmental Review. This species was previously listed as Migratory under the BC Act and EPBC Act; however, this species has recently been de-listed from both the BC Act and the EPBC Act.</p>
1078:M11.3.3	Terrestrial Fauna	<ul style="list-style-type: none"> an adaptive management framework, including trigger criteria, monitoring design and methodologies, and trigger management actions; 	The Construction Environmental Management Plan will include an adaptive management framework, including trigger criteria, monitoring design and methodologies, and trigger management actions.	[19]	Overall	Prior to commencement of ground disturbing activities.	CLD	<p>Section 2, Table 2-1 of the CFMP [19, pp.15-21] addresses trigger criteria, monitoring design and methodologies, and trigger management actions.</p> <p>Section 3 of the CFMP [16] address adaptive management.</p>
1078:M11.3.4	Terrestrial Fauna	<ul style="list-style-type: none"> incident reporting; 	The Construction Environmental Management Plan will refer to the corporate incident reporting procedure for internal incident reporting requirements as well as external reporting requirements (e.g. to the OEPA).	[19]	Overall	During the operational life of the proposal.	CLD	<p>Section 2, Table 2-1 of the CFMP [19, pp.15-21] addresses incident reporting.</p> <p>Section 2, Table 2-4 [19, p.23] includes requirements for pollution incidents.</p> <p>Appendix B, Roles and Responsibilities [19] includes requirements for managing incidents.</p> <p>Appendix F, Vehicle Strike [19] includes requirements for incident management.</p>
1078:M11.3.5	Terrestrial Fauna	<ul style="list-style-type: none"> review periods; and 	The Construction Environmental Management Plan will include review periods.	[19]	Overall	During the operational life of the proposal.	CLD	<p>Section 3.1 of the CFMP [19, p.24] addresses review periods.</p> <p>The CFMP was not updated during the reporting period.</p>
1078:M11.3.6	Terrestrial Fauna	<ul style="list-style-type: none"> implementation reporting and auditing. 	The Construction Environmental Management Plan will include requirements for implementation and auditing.	[19]	Overall	During the operational life of the proposal.	CLD	Section 2.3 of the CFMP [19, p.23] addresses reporting requirements including timing and responsibility.
1078:M11.4	Terrestrial Fauna	After receiving notice in writing from the CEO that the Construction Environmental Management Plan satisfies the requirements of condition 11-1, the proponent shall:	Once notice is received that the CEO is satisfied, commence implementation of the Construction Environmental Management Plan.	[20]	Overall	Once written approval of the Construction Environmental Management Plan is received from the CEO.	C	The CEO approved the CFMP (V1) on 25 June 2019 [20] stating that the CEO was “satisfied with the preparation of the Construction Fauna Management Plan (Version 1, 13 June 2019), and consider the requirements of condition 11-2 to 11-3 of Ministerial Statement 1078 have been met”.
1078:M11.4.1	Terrestrial Fauna	<ul style="list-style-type: none"> implement the Construction Environmental Management Plan, or any subsequent revisions as approved by the CEO; and 	Once notice is received that the CEO is satisfied, commence implementation of the Construction Environmental Management Plan.	[19] / [20]	Overall	Once written approval of the Construction Environmental Management Plan is received from the CEO.	C	Refer to Table 3-5 of the CAR for details concerning implementation of the CFMP.
1078:M11.4.2	Terrestrial Fauna	<ul style="list-style-type: none"> continue to implement the Construction Environmental Management Plan, or any subsequent revisions as approved by the CEO, until the CEO has confirmed by notice in writing that the proponent has demonstrated the objective specified in condition 11-1 has been met and therefore the implementation of the management plan is no longer required. 	Once written approval of the Construction Environmental Management Plan is received from the CEO.	[19] / [20]	Overall	Until the CEO has confirmed by notice in writing that the implementation of the management plan is no longer required.	C	The CFMP was implemented during the reporting period. Refer to Table 3-5 of the CAR for details concerning implementation.

Audit Code	Subject	Requirement	How	Evidence ¹	Phase	Timeframe	Status	Further Information
1078:M11.5	Terrestrial Fauna	The proponent may review and revise the Construction Environmental Management Plan , or any subsequent revisions as approved by the CEO.	Once written approval of the Construction Environmental Management Plan is received from the CEO.	[19] / [20]	Overall	During the operational life of the proposal.	NR	This requirement was not triggered during the reporting period. No revisions of the CFMP have occurred since the document was approved on 25 June 2019 by the CEO. The CFMP [19, p.24] states that <i>“At a minimum, this FMP will be revised to address terrestrial fauna management aspects related to rehabilitation and closure no less than five years prior to the rehabilitation of the first cell”</i> .
1078:M11.6	Terrestrial Fauna	The proponent shall review and revise the Construction Environmental Management Plan , or any subsequently approved revisions, as and when directed by the CEO.	Once notice is received from the CEO that the Construction Environmental Management Plan must be reviewed and revised.	[19] / [20]	Overall	As and when directed by the CEO.	NR	This requirement was not triggered during the reporting period.
1078:M12.1	Waste Facility Decommissioning and Closure	Within six (6) months of the date of this Statement or as otherwise agreed in writing by the CEO, and after consulting with, and obtaining the advice of the Radiological Council and the Department of Planning, Lands, and Heritage, the proponent shall update and submit the Waste Facility Decommissioning and Closure Plan (Plan) to the CEO demonstrating how the site will be rehabilitated, remediated and decommissioned to ensure it is physically safe to members of the public and non-human biota, and is geotechnically and geomorphically stable, and chemically and radiologically non-polluting, in the long term.	Develop and submit a Waste Facility Decommissioning and Closure Plan in consultation with the Radiological Council and the Department of Planning, Lands, and Heritage.	[21] Letter, Tellus, 2018, Sandy Ridge Facility Statement Number 1078 Condition 12-1 – request for extension, 07/12/2018, Ref: HS00-1760150200-20468. [22] Letter, DWER, 2018, Statement 1078, Sandy Ridge Facility, Request for Extension on Condition 12-1, 17/12/2018, Ref: DWERA-001158. [23] Letter, DWER, 2019, Sandy Ridge Facility, Ministerial Statement 1078, Waste Facility Decommissioning Closure Plan, Amendments Required, Ref: DWERDG 676/19, 29 November 2019. [24] Tellus, 2020, Sandy Ridge Facility Waste Facility Decommissioning Closure Plan, Ref: HS00-1760150200-45, V3, 6 February 2020. [25] Letter, DWER, 2020, Sandy Ridge Facility, Ministerial Statement 1078, Waste Facility Decommissioning Closure Plan, Approved, Ref: DWERT4733, 27 February 2020.	Pre-construction	Within six (6) months of the date of MS 1078 (i.e. 27 December 2018) or as otherwise agreed in writing by the CEO.	CLD	Tellus requested an extension to the due date for the Sandy Ridge Waste Facility Decommissioning Closure Plan (WFDCP) from DWER on 7 December 2018 [21]. DWER wrote to Tellus on 17 December 2018 [22] granting an extension to the submission of the WFDCP until prior to commencement of waste receipt. Tellus first submitted the WFDCP to DWER in October 2019. Following several iterations, a revised WFDCP (V3) [24] was submitted to DWER on 6 February 2020. DWER approved the WFDCP on 27 February 2020 [25] noting that <i>“...the requirements of Condition 12 (Waste Facility Decommissioning and Closure) of Ministerial Statement 1078 have been met”</i> . It is noted that Version 3 (V3) is the first approved version of the WFDCP.
1078:M12.2	Waste Facility Decommissioning and Closure	The Plan shall:	-	-	-	-	-	-

Audit Code	Subject	Requirement	How	Evidence ¹	Phase	Timeframe	Status	Further Information
1078:M12.2.1	Waste Facility Decommissioning and Closure	<ul style="list-style-type: none"> specify the environmental objective in condition 12-1; 	The Waste Facility Decommissioning and Closure Plan will include details concerning how the site will be rehabilitated, remediated and decommissioned to ensure it is physically safe to members of the public and non-human biota, and is geotechnically and geomorphically stable, and chemically and radiologically non-polluting, in the long term.	[24] / [25]	Pre-construction	During the life of the proposal.	CLD	Environmental objectives were included in Sections 5, 8 and 9 of the WFDCP [24].
1078:M12.2.2	Waste Facility Decommissioning and Closure	<ul style="list-style-type: none"> detail outcomes based upon completion criteria that would need to be quantitative or semi-quantitative; 	Following consultation with the Radiological Council and the Department of Planning, Lands, and Heritage the Waste Facility Decommissioning and Closure Plan will detail outcomes based upon completion criteria that would need to be quantitative or semi-quantitative.	[24] / [25]	Pre-construction	During the life of the proposal.	CLD	Completion criteria was included in Section 9, Table 9-2 and Section 9.3 of the WFDCP [24].
1078:M12.2.3	Waste Facility Decommissioning and Closure	<ul style="list-style-type: none"> specify rehabilitation, remediation and decommissioning actions that would result in the site meeting the completion criteria of condition 12-2(2) above; 	Following consultation with the Radiological Council and the Department of Planning, Lands, and Heritage the Waste Facility Decommissioning and Closure Plan will specify rehabilitation, remediation and decommissioning actions that will result in the site meeting the completion criteria.	[24] / [25]	Pre-construction	During the life of the proposal.	CLD	Rehabilitation, remediation and decommissioning actions were included in Section 5.2, 8.2 and 9 and Table 8-1 of the WFDCP [24].
1078:M12.2.4	Waste Facility Decommissioning and Closure	<ul style="list-style-type: none"> specify modelling or projection techniques that are being developed and used to predict the site would meet the completion criteria of condition 12-2(2) above in the long term; 	Following consultation with the Radiological Council and the Department of Planning, Lands, and Heritage the Waste Facility Decommissioning and Closure Plan will specify the modelling or projection techniques to predict the site will meet the completion criteria.	[24] / [25]	Pre-construction	During the life of the proposal.	CLD	Modelling/projection techniques used to predict the site would meet the completion criteria of condition was included in Sections 8 and 9 of the WFDCP [24].
1078:M12.2.5	Waste Facility Decommissioning and Closure	<ul style="list-style-type: none"> specify monitoring to measure the effectiveness of remediation, rehabilitation and decommissioning actions against completion criteria, including but not limited to, parameters to be measured, baseline data, monitoring locations, and frequency and timing of monitoring; 	Following consultation with the Radiological Council and the Department of Planning, Lands, and Heritage the Waste Facility Decommissioning and Closure Plan will specify the monitoring required to measure the effectiveness of remediation, rehabilitation and decommissioning actions against completion criteria.	[24] / [25]	Pre-construction	During the life of the proposal.	CLD	Monitoring requirements to measure the effectiveness of remediation, rehabilitation and decommissioning actions against completion criteria was included in Section 9 of the WFDCP [24].
1078:M12.2.6	Waste Facility Decommissioning and Closure	<ul style="list-style-type: none"> provide the format and timing to demonstrate the objective in condition 12-1 has been met for the reporting period in the Compliance Assessment Report required by condition 4-6 including, but not limited to: 	Following consultation with the Radiological Council and the Department of Planning, Lands, and Heritage the Waste Facility Decommissioning and Closure Plan will report on the effectiveness of rehabilitation, remediation and decommissioning actions against completion criteria for the 12 month period from the date of issue of MS 1078, and then annually from the date of submission of the first Compliance Assessment Report.	[24] / [25]	Pre-construction	During the life of the proposal.	CLD	Sections 8 and 9 of the WFDCP included the format and timing to demonstrate the objective in condition 12-1 has been met for the reporting period in the Compliance Assessment Report. Section 8.2 (24, p.36) of the WFDCP notes that “Cells will be progressively rehabilitated throughout operations. It is anticipated that nominally one Cell will be completed and closed each year during the operations phase (25 years). It is envisaged that each Cell will be monitored for 10 years for subsidence, topsoil replaced and vegetated, and that vegetation monitored for 10 years”. Mining of the first waste cell in the air dome commenced on 27 April 2020 and was completed in October 2020.
1078:M12.2.6.A	Waste Facility Decommissioning and Closure	<ul style="list-style-type: none"> verification of the implementation of rehabilitation, remediation and decommissioning actions; and 						
1078:M12.2.6.B	Waste Facility Decommissioning and Closure	<ul style="list-style-type: none"> reporting on the effectiveness of rehabilitation, remediation and decommissioning actions against completion criteria. 						

Audit Code	Subject	Requirement	How	Evidence ¹	Phase	Timeframe	Status	Further Information
1078:M12.3	Waste Facility Decommissioning and Closure	After receiving notice in writing from the CEO that the Plan satisfies the requirements of conditions 12-1 and 12-2, the proponent shall implement the Plan.	Once notice is received that the CEO is satisfied, commence implementation of the Waste Facility Decommissioning and Closure Plan.	[24] / [25]	Overall	Once written approval of the Waste Facility Decommissioning and Closure Plan is received from the CEO.	C	The first scheduled activity will occur in Phase I and is the progressive closure of waste cells including tasks such as cell cap design verification, plant species investigation followed by backfilling and capping of each cell. Given the first pit was still in use during this reporting period implementation of the WFDCP [24] is not expected to occur for a couple of years.
1078:M12.4	Waste Facility Decommissioning and Closure	The proponent shall review and revise the Plan required by conditions 12-1 and 12-2 at intervals not exceeding three years, or as otherwise agreed by the CEO, and submit the Plan to the CEO. The revision of the Plan shall include, in addition to the requirements of condition 12-2:	At intervals not exceeding three years review and revise, where necessary, the Waste Facility Decommissioning and Closure Plan. Submit the Waste Facility Decommissioning and Closure Plan to the CEO.	[24] / [25]	Operations	At intervals not exceeding three years, or as otherwise agreed by the CEO.	NR	The WFDCP [24] has not been reviewed and revised following approval by DWER on 27 February 2020 therefore this requirement was not triggered during the reporting period. Refer to M12.1 for further information.
1078:M12.4.1	Waste Facility Decommissioning and Closure	<ul style="list-style-type: none"> an estimate of the liability represented by the site should it require closure when the revised Plan is implemented; 	Revised versions of the Waste Facility Decommissioning and Closure Plan to include an estimate of the liability represented by the site should it require closure when the revised Plan is implemented.	[24] / [25]	Operations	At intervals not exceeding three years, or as otherwise agreed by the CEO.	NR	This requirement was not triggered during the reporting period. Refer to M12.1 for further information.
1078:M12.4.2	Waste Facility Decommissioning and Closure	<ul style="list-style-type: none"> actions that would need to be undertaken should the site require closure when the revised Plan is implemented; and 	Revised versions of the Waste Facility Decommissioning and Closure Plan to include actions that would need to be undertaken should the site require closure when the revised Plan is implemented.	[24] / [25]	Operations	At intervals not exceeding three years, or as otherwise agreed by the CEO.	NR	This requirement was not triggered during the reporting period. Refer to M12.1 for further information.
1078:M12.4.3	Waste Facility Decommissioning and Closure	<ul style="list-style-type: none"> the matters set out in condition 12-4(1) and condition 12-4(2) must be reviewed by an independent person with suitable expertise. 	Tellus to engage an independent and competent person to review the revised Waste Facility Decommissioning and Closure Plan.	[24] / [25]	Operations	At intervals not exceeding three years, or as otherwise agreed by the CEO.	NR	This requirement was not triggered during the reporting period. Refer to M12.1 for further information.
1078:M12.5	Waste Facility Decommissioning and Closure	The proponent shall implement the latest revision of the Plan, which the CEO has confirmed by notice in writing, satisfies the requirements of condition 12-4.	Once notice is received that the CEO is satisfied, commence implementation of the latest version of the Waste Facility Decommissioning and Closure Plan.	[24] / [25]	Operations	Once written approval of the revised Waste Facility Decommissioning and Closure Plan is received from the CEO.	NR	This requirement was not triggered during the reporting period. Refer to M12.1 for further information.
1078:M12.6	Waste Facility Decommissioning and Closure	The proponent shall not commence Phase I of the Institutional Control Period until a Plan that satisfies the requirements of condition 12-4 has been approved by the CEO.	Only once notice is received that the CEO is satisfied, commence implementation of the latest version of the Waste Facility Decommissioning and Closure Plan.	[24] / [25]	Operations	Only when the CEO is satisfied and has approved the revised Plan against the requirements of MS 1078, Condition 12-4.	NR	This requirement was not triggered during the reporting period. Refer to M12.1 for further information.
1078:M12.7	Waste Facility Decommissioning and Closure	After receiving notice in writing from the CEO that the final Plan satisfies the requirements of conditions 12-4, the proponent shall implement the final Plan.	Implement the final Waste Facility Decommissioning and Closure Plan only once notice is received that the CEO is satisfied.	[24] / [25]	Decommissioning	Only when the CEO is satisfied and has approved the revised Plan against the requirements of MS 1078, Condition 12-4.	NR	This requirement was not triggered during the reporting period. Refer to M12.1 for further information.
1078:M12.8	Waste Facility Decommissioning and Closure	The proponent shall not stop implementing the final Plan until it has demonstrated the completion criteria of the final Plan will be met in the long term.	Implement the Final Waste Facility Decommissioning and Closure Plan until the CEO has confirmed by notice in writing that completion criteria of the final Plan will be met in the long term.	[24] / [25]	Decommissioning	Until it is demonstrated that the completion criteria of the Final Waste Facility Decommissioning and Closure Plan will be met in the long term.	NR	This requirement was not triggered during the reporting period. Refer to M12.1 for further information.

Audit Code	Subject	Requirement	How	Evidence ¹	Phase	Timeframe	Status	Further Information
1078:M13.1	Financial Assurance Requirement	Pursuant to Part VA of the EP Act, the proponent must provide to the CEO financial assurance in the form of:	Obtain Insurance Policies and Bank Guarantee and submit to CEO.	[26] Transmittal – Tellus to DWER, 2020, Tellus Holdings Ltd - Ministerial Statement 1078 - Condition 13, Transmittal No.: SRDP001-000200, 28/01/2020, 02:04:56 PM. [27] Environmental Liability Insurance (19 December 2019 to 19 December 2022). [28] Business Environmental Insurance (19 December 2019 to 19 December 2022). [29] Email, Tellus to DWER, 2020, Tellus Sandy Ridge - Environmental Insurance, Thursday 5 March 2020 @16:43pm. [30] Letter, DWER, 2020, Tellus Holdings Ltd - Sandy Ridge Waste Management Facility-Ministerial Statement 1078 Condition 13 – Financial Assurance - Proposed Insurance, Ref: DWERA-001158, 5 June 2020. [31] Email, DWER to Tellus, 2020, Statement 1078 - Sandy Ridge Project - Letter DWER to Tellus - Insurance Policy changes to align with agreed - 15 June 2020, Monday 15 June 2020 @17:49. [232] Email, Tellus to DWER, 2020, Tellus - Final Updated Pollution Insurance, Monday 13 July 2020 @11:48am. [33] EPA, 2020, Reports and Recommendations of the EPA, Sandy Ridge Facility – inquiry under section 46 of the <i>Environmental Protection Act 1986</i> to amend Ministerial Statement 1078, Ref: 1685, 3 July 2020.	Operations	Before accepting any waste at the Sandy Ridge Facility.	C	<p>The following two insurance policies were provided to the CEO on 28 January 2020 [26]:</p> <ul style="list-style-type: none"> Environmental Liability Insurance (19 December 2019 to 19 December 2022) [27]. Business Environmental Insurance 2019-2022 (19 December 2019 to 19 December 2022) [28]. <p>An additional environmental liability insurance policy was provided by Tellus to DWER on 5 March 2020 [29]. Refer to Statement No. 1152.</p> <p>On 5 June 2020 DWER issued a letter to Tellus [30] stating that “DWER is satisfied that the proposed insurance policies, with amendments offered and accepted in Memoranda are satisfactory for the purpose of Ministerial Statement 1078, Condition 13”. Tellus were required to provide to DWER marked up and a clean copy of the policies of insurance for final approval.</p> <p>On 15 June 2020 DWER responded to Tellus [31] noting that provided agreed amendments were made no further sign-off was required and that DWER were satisfied the requirements of Condition 13 had been met.</p> <p>On 13 July 2020 [32] Tellus provided DWER with an updated endorsement to the Environmental Liability Insurance (19 December 2019 to 19 December 2022) and revised Business Environmental Insurance ((19 December 2019 to 19 December 2022).</p> <p>In a report issued by the Environmental Protection Authority (EPA) on 3 July 2020 concerning an inquiry under section 46 of the <i>Environmental Protection Act 1986</i> to amend Ministerial Statement 1078. It was confirmed that Tellus provided evidence of the required insurance policies on 15 June 2020 [33, p.16].</p>
1078:M13.1.1	Financial Assurance Requirement	<ul style="list-style-type: none"> a current insurance policy or policies (Insurance Policies); and 						

Audit Code	Subject	Requirement	How	Evidence ¹	Phase	Timeframe	Status	Further Information
1078:M13.1.2	Financial Assurance Requirement	<ul style="list-style-type: none"> a bank guarantee (Bank Guarantee), before accepting any waste at the site (collectively, Financial Assurance). 		[34] Letter, DWER, 2020, Acceptance of Bank Guarantee (G660077) – Sandy Ridge Facility – Ministerial Statement 1078 – Condition 13, Ref: DWERA-001158, 12 June 2020.			C	<p>Tellus provided a Bank Guarantee for the amount of AU\$6.12 million to the CEO of DWER on 9 June 2020.</p> <p>In a letter to Tellus dated 12 June 2020 the Chief Executive Officer of DWER advised that the Bank Guarantee met the requirements of Condition 13.9 of MS 1078 [34].</p> <p>In a report issued by the Environmental Protection Authority (EPA) on 3 July 2020 concerning an inquiry under section 46 of the <i>Environmental Protection Act 1986</i> to amend Ministerial Statement 1078 it was confirmed that Tellus lodged the Bank Guarantee on 9 June 2020 [33, p.16].</p>
1078:M13.2	Financial Assurance Requirement	The Financial Assurance may be called upon or used in accordance with section 86E of the EP Act if the proponent fails to comply with the EP Act, or these conditions.	Comply with all requirements of the EP Act and MS 1078.	-	Overall	If the Sandy Ridge Facility fails to comply with the EP Act or MS 1078.	NR	<p>This requirement was not triggered during the reporting period.</p> <p>Refer to Condition 13-1 for further details.</p>
1078:M13.3	Financial Assurance Requirement	The Financial Assurance or any part of it shall be discharged by the CEO and the Minister when the CEO has given the proponent written notice pursuant to section 86F(1) of the EP Act.	Only once written notice is received from the CEO that the CEO and Minister have discharged the Financial Assurance or any part of it.	-	Decommissioning	Only when the CEO is satisfied and has approved the revised Plan against the requirements of MS 1078, Condition 12-4.	NR	<p>This requirement was not triggered during the reporting period.</p>
1078:M13.4	Insurance Policies	The Insurance Policies must:	-	-	-	-	-	-
1078:M13.4.1	Insurance Policies	<ul style="list-style-type: none"> be with an insurer authorised by the Australian Prudential Regulation Authority to conduct insurance business in Australia; 	Obtain Insurance Policies from insurer authorised by the Australian Prudential Regulation Authority to conduct insurance business in Australia	[27] / [28] / [29] / [30] Australian Prudential Regulation Authority, 2020, Information of Lloyd's operations in Australia, Accessed 16 June 2020, www.apra.gov.au	Overall	During the life of the proposal.	C	<p>The Insurance Policies are issued by or on behalf of Lloyd's of London (Lloyd's).</p> <p>The 'Information of Lloyd's operations in Australia' page of the Australian Prudential Regulation Authority (APRA) website states "Part VII, section 93 of the <i>Insurance Act 1973 (the Act)</i> authorises Lloyd's Underwriters to write Australian insurance business".</p>
1078:M13.4.2	Insurance Policies	<ul style="list-style-type: none"> be in the name, or in favour of the Minister and the CEO, or list the Minister and CEO as 'insured parties'; 	Obtain Insurance Policies in the name, or in favour of the Minister and the CEO, or list the Minister and CEO as 'insured parties'.	[27] / [28] / [29] / [30]	Overall	During the life of the proposal.	C	<p>The Business Environmental Insurance [33] includes the minister and the CEO as insured parties.</p>
1078:M13.4.3	Insurance Policies	<ul style="list-style-type: none"> be in a form acceptable to the CEO, and provide for payment of any costs incurred by the Minister or the CEO: 	Obtain Insurance Policies that are in a form acceptable to the CEO, and provide for payment of any costs incurred by the Minister or the CEO.	[27] / [28] / [29] / [30]	Overall	During the life of the proposal.	C	<p>On 5 June 2020 DWER issued a letter to Tellus [30] stating that "DWER is satisfied that the proposed insurance policies, with amendments offered and accepted in Memoranda are satisfactory for the purpose of Ministerial Statement 1078, Condition 13". Tellus were required to provide to DWER marked up and a clean copy of the policies of insurance for final approval.</p> <p>On 15 June 2020 DWER responded to Tellus [31] noting that provided agreed amendments were made no further sign-off was required and that DWER were satisfied the requirements of Condition 13 had been met.</p>
1078:M13.4.3.A	Insurance Policies	<ul style="list-style-type: none"> pursuant to Part VA of the EP Act; or 						
1078:M13.4.3.B	Insurance Policies	<ul style="list-style-type: none"> as a consequence of a breach of these conditions by the proponent; and 						
1078:M13.4.4	Insurance Policies	<ul style="list-style-type: none"> provide policy limits of not less than AUD\$50 million in respect of any one event, and AUD\$50 million in the aggregate for any three year period of cover. 	Obtain Insurance Policies that provide policy limits of not less than AUD\$50 million in respect of any one event, and AUD\$50 million in the aggregate for any three year period of cover.	[27] / [28] / [29] / [30]	Overall	Over any three-year period of cover.	C	<p>The insurance policies provide limits of not less than AUD\$50 million in respect of any one event, and AUD\$50 million in the aggregate for a three year period of cover.</p>
1078:M13.5	Insurance Policies	The proponent must maintain the Insurance Policies and not cancel them, allow them to lapse, or do or allow anything to be done which will adversely affect the Insurance Policies.	Obtain and maintain Insurance Policies.	[27] / [28] / [29] / [30]	Overall	During the life of the proposal.	C	<p>The Insurance Policies were not canceled, allowed to lapse, or were adversely affected during the reporting period.</p> <p>Refer to Condition 13-1 for further details.</p>

Audit Code	Subject	Requirement	How	Evidence ¹	Phase	Timeframe	Status	Further Information
1078:M13.6	Insurance Policies	The proponent must not vary the Insurance Policies without the prior written approval of the CEO.	Tellus will obtain written approval from the CEO if it intends to vary the Insurance Policies.	[27] / [28] / [29] / [30]	Overall	During the life of the proposal.	C	This requirement was not triggered during the reporting period. Refer to Condition 13-1 for further details.
1078:M13.7	Insurance Policies	Each 1 July, and each time the Insurance Policies are renewed, the proponent must provide a certificate of currency or alternative evidence in a form acceptable to the CEO of the existence of the Insurance Policies.	Provide a certificate of currency or alternate evidence to the CEO when the Insurance Policies are renewed.	[27] / [28] / [29] / [30]	Overall	On or by 1 July each year or each time the Insurance Policies are renewed.	NC	Discussions with Tellus personnel indicate that a certificate of currency for the insurance policy was not provided to the CEO by 1 July. However, it was confirmed that a current insurance policy was in place throughout the reporting period and certificates were submitted on 17 September 2021.
1078:M13.8	Insurance Policies	Within 15 months of accepting waste at the site, and thereafter every 3 years or such other period agreed with the CEO, or upon request by the CEO in the event of a change of circumstance at the site material to any matter relating to the EP Act, the proponent must review and provide a report to the CEO in relation to the adequacy of the Insurance Policies.	Review the adequacy of the Insurance Policies. Prepare and submit a report to the CEO concerning the adequacy of the Insurance Policies.	-	Overall	Within 15 months of accepting waste at the site, and thereafter every three years or such other period agreed with the CEO, or upon request by the CEO.	NR	This requirement was not triggered during the reporting period. First waste was accepted at the Facility on 6 July 2020 therefore the first scheduled review and report to the CEO in relation to the adequacy of the Insurance Policies is due on 6 October 2021, subject to any other period agreed with the CEO, or upon request by the CEO in the event of a change of circumstance at the site material to any matter relating to the EP Act.
1078:M13.9	Bank Guarantee	The Bank Guarantee shall:	-	-	-	-	-	-
1078:M13.9.1	Bank Guarantee	<ul style="list-style-type: none"> be in the form of an unconditional and irrevocable bank guarantee in favour of the Minister and the CEO from a guarantor acceptable to the CEO; 	Confirm in writing acceptable guarantors from the CEO prior to obtaining a Bank Guarantee. Obtain a Bank Guarantee from a guarantor acceptable to the CEO.	[34]	Overall	During the life of the proposal.	C	Tellus provided a Bank Guarantee for the amount stated in Condition 13-9(2) to the CEO of DWER on 9 June 2020. In a letter to Tellus dated 12 June 2020 the Chief Executive Officer of DWER confirmed the Bank Guarantee was for the amount stated in Condition 13-9(2) and advised that the Bank Guarantee met the requirements of Condition 13.9 of MS 1078 [34].
1078:M13.9.2	Bank Guarantee	<ul style="list-style-type: none"> be for AUD\$6.12 million; and 	Obtain a Bank Guarantee from a guarantor acceptable to the CEO to the value of AUD\$6.12 million.	[34]	Overall	During the life of the proposal.	C	
1078:M13.9.3	Bank Guarantee	<ul style="list-style-type: none"> be substituted every five years after the provision of the first Bank Guarantee with the fixed initial amount of each successive guarantee being indexed to inflation (being the Consumer Price Index, Perth). 	Obtain a Bank Guarantee from a guarantor acceptable to the CEO that is indexed to inflation (being the Consumer Price Index, Perth).	-	Overall	Every five years.	NR	This requirement is not triggered until 2025.
1078:M13.10	Bank Guarantee	The proponent may by agreement with the CEO terminate its liability under the Bank Guarantee by paying to the Minister or the CEO the amount of the Bank Guarantee remaining unpaid, and the CEO will hold that amount as security for any liability of the proponent arising pursuant to the EP Act or these conditions in an interest bearing account nominated by the CEO, with interest accruing for the benefit of the Minister and / or the CEO.	Obtain written agreement from the CEO that Tellus intends to terminate its liability under the Bank Guarantee. Terminate the Bank Guarantee in accordance with the terms and conditions of the agreement.	-	Overall	During the life of the proposal.	NR	This requirement was not triggered during the reporting period.

Appendix C – Compliance Status of Key Characteristics

Table C-1 – Compliance status of key characteristics, Table 2, Schedule 1 MS 1078

Audit Code	Subject	Requirement		Status	Further Information
1078:M1.1	Proposal Implementation	When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Table 2 of Schedule 1, unless amendments to the proposal and the authorised extent of the proposal have been approved under the EP Act.		Compliant	The authorised extent of the proposal was not exceeded during the reporting period.
		Key Characteristic	Description		
		Mine pit/waste cells	Clearing up to 202.3 hectares of native vegetation within a 1,061 ha development envelope	Compliant	As of 26 June 2021, a total of 23.0 ³ hectares of native vegetation within the development envelope had been cleared for mine pit/waste cells.
		Associated infrastructure	Clearing up to 73.75 hectares of native vegetation with a 1,061 ha development envelope	Compliant	As of 26 June 2021, a total of 71.93 ⁴ hectares of native vegetation within the development envelope had been cleared for associated infrastructure.
		Class IV & V waste accepted at gate	up to 100,000 tonnes per annum	Compliant	A total of 5956 tonnes (normalised) of waste was received during the reporting period.
		Temporary waste storage on surface	up to 15,000 tonnes	Compliant	A total of 5956 tonnes (normalised) of waste was received during the reporting period; therefore, the temporary storage quantity was not exceeded.
		Maximum temporary storage time	up to 12 months	Compliant	Waste was first received on site on 6 th July 2020; therefore, the 12 month storage requirement was not exceeded during the reporting period.
		Waste (including treated waste) disposed to waste cells	up to 280,000 tonnes per annum	Compliant	A total of 3343 tonnes (normalised) of waste was permanently disposed of during the reporting period.
		Water use	up to 0.18 gigalitres per annum	Compliant	A total of 0.05 gigalitres was used on site during the reporting period.

³ Note: The mine pit/ waste cells clearing area is less than reported last year (35.9 ha) due to last year's CAR mistakenly including clearing for exploration and firebreaks, which are exempt, and have now been removed.

⁴ Note: The associated infrastructure clearing area is less than reported last year (72.6 ha) due to last year's CAR mistakenly including exploration clearing and firebreaks, which are exempt, and have now been removed.