Overarching conditions and Interpretation

1. The following conditions set out in this document are in addition to the requirements imposed on Alcoa of Australia Limited (Alcoa) by the *Environmental Protection (Darling Range Bauxite Mining Proposals) Exemption Order 2026* (Exemption Order) however to the extent that the following conditions may be in their terms or operation inconsistent with the requirements of the Exemption Order in relation to the area of operation of the Exemption Order then the following conditions are subject to and do not detract from the requirements of the Exemption Order.

The following conditions are designed to accompany the State Development Minister's approval, in concurrence with the Ministers for Water and Environment, of Alcoa's 2025-2029 MMP. The conditions form part of an interim approvals process under the Government's Alcoa Transitional Approvals Framework, which remains in place until the conclusion of the current assessment of Alcoa's operations by the Environmental Protection Authority (EPA) under Part IV of the *Environmental Protection Act 1986* (EP Act). The following conditions cease to have effect should a Ministerial Statement be issued to Alcoa under Part IV of the EP Act, following the EPA's assessment.

The conditions in clauses 4(2)(d), 4(3), 4(4), 5, 7 and 22 of Schedule 1 to the Exemption Order apply to the carrying out of mining activities, as defined in the Exemption Order, by Alcoa in areas outside the Darling Range bauxite mining proposal, as if those areas were areas within the Darling Range bauxite mining proposal

Unless otherwise provided in this document, a reference to a term in this document that is defined in the Exemption Order will have the same meaning given to that term in the Exemption Order.

"date of the MMP approval" means the date that the State Development Minister made a decision on the MMP, and these conditions came into effect;

"failure of drainage control" means any runoff from –

a. mine pit overflows;
b. haul road drainage failures;
c. overflow of infiltration ponds; and
d. failure of settlement ponds.

"open areas" means cleared land that has not undergone rehabilitation landscaping, ripping, returning overburden and topsoil, contour ripping and seeding.

"mine pit" as meaning the designated areas where mining activities (excluding exploration) are proposed to be undertaken, including the location of all mining infrastructure

"DBCA Working Arrangements" means 'Alcoa/DEC Working Arrangements Bauxite Mining Operations 2011-2015', as co-signed by the then Director General of the Department of Environment and Conservation in January 2011 and Manager of Mines WA Operations, Alcoa of Australia in February 2011, as updated from time to time.

"Water Working Arrangements" means the 'Water Working Arrangements between Alcoa World Alumina, Department of Water and Environmental Regulation and Water Corporation' covering Alcoa's mining operations in Western Australia, effective for the years of operations 2018-2023 and subsequent revisions

"turbidity exceedance" means measured turbidity level greater than 25 NTU for more than one hour

Alcoa shall ensure, for the purpose of meeting the following conditions, that its officers, employees, contractors, subcontractors, and agents fully adhere to these requirements.

Acronyms used in conditions

BC Act – *Biodiversity Conservation Act 2016*

BSEC – Bauxite Strategic Executive Committee

CAR Reserve – Comprehensive, Adequate and Representative Reserve

CHMF – Cultural Heritage Management Framework

DBCA – Department of Biodiversity, Conservation and Attractions

DCMP – Drainage Control Management Plan

DMPE – Department of Mines, Petroleum and Exploration

DoH – Department of Health

DWER – Department of Water and Environmental Regulation

FCA – Forest Clearing Advice

GKBAC – Gnaala Karla Booja Aboriginal Corporation

ITAG – Independent Technical Advisory Group

MOG – Mining Operations Group

MCP – Mine Closure Plan

MMP – Mining and Management Program

PDWSA – Public Drinking Water Source Area

WRMP – Water Resources Management Plan

Operational restrictions

2. Alcoa must comply with Section 34(1) of the *Public Health Act 2016* and ensure all reasonable steps are taken to prevent harm to drinking water quality.

3. Alcoa must not discharge environmentally hazardous material outside of containment infrastructure.

4. Alcoa is prohibited from undertaking clearing for exploration, mining or other operations within fifty (50) metres of granite outcrops greater than or equal to 0.25 hectares.

5. Alcoa may seek exemption, in writing, to the application of condition 4:

a. From the BSEC Chair strictly for the purposes of:
    i. Stabilisation or rehabilitation of already cleared activities; or
    ii. Environmental monitoring activities
b. For the purposes of a), a written report containing detail to the satisfaction of the BSEC Chair or Minister for State Development (as relevant) why relevant avoidance cannot be met prior must be provided with the exemption request.
c. The BSEC chair may escalate any request to the Minister for State Development's consideration as they deem necessary.

Exemption must be obtained prior to doing any of the works an exemption is being sort for in accordance with the above.
6. If Alcoa is undertaking any new mining activities or disturbances within drinking water catchments classified as P1, it must do so in accordance with DWER's Water Quality Protection Note (WQPN) 25: Land use compatibility tables for public drinking water source areas and as WQPN 25 may be amended from time to time).
7. Alcoa must not undertake any MMP-related clearing until the Mine Operations Group (MOG) has provided its endorsement of the relevant FCA, associated DCMPs, and as required, a CAR reserve incursion report.
8. Alcoa will treat as not having been endorsed, any uncleared FCA endorsed prior to the date of the MMP approval, unless it appears on the FCA register as required by condition 29.
9. If a minimum of 24 months or two post-winter (12 months apart) groundwater data (as required by condition 17(e)) is not available, Alcoa must not undertake clearing for any purpose where the topographic wetness index is greater than or equal to nine (9).
10. Alcoa is prohibited from undertaking any mining activities within a two (2) kilometre radius of the full-service level of Logue Brook Dam until a Mining Avoidance Zone is developed and approved by BSEC.
11. Alcoa must maintain open areas to a maximum of 6,000 hectares at all times until 1 January 2027, after which it must demonstrate tangible reductions in this figure in each subsequent annual Rehabilitation Performance Report required by condition 28.
12. If groundwater is measured following monitoring conducted pursuant to condition 17(f) or observed in any other way, at any time within two (2) metres of the mine pit floor, mine operations in that location shall cease until: a. groundwater levels subside naturally; or b. Alcoa implements appropriate groundwater management controls (without deleterious disposal impacts) to achieve the required groundwater separation.
<u>Open area management, stabilisation, rehabilitation and mine closure</u>
13. Alcoa will not clear more than 800 hectares of native vegetation for mining activities per calendar year unless it can demonstrate a net reduction in open area hectarage for the same time period.
14. Following consultation and development throughout 2026, by 31 December 2026, Alcoa must submit to BSEC for consideration, a Mine Closure Plan (MCP) that: a. Incorporates updated rehabilitation completion criteria; b. Includes methodology for the monitoring of older rehabilitation; c. Includes monitoring regime for progression of species richness and assemblage in rehabilitation; d. Meets DMPE's most recently published MCP guidelines; and

e. Has been reviewed by an independent third-party rehabilitation and mine closure expert as agreed by BSEC

15. Alcoa may undertake rehabilitation within historically disturbed areas, including those with regrowth, provided that:

a. Rehabilitation is strictly restorative, using existing approved methodologies, limited to those required to achieve agreed rehabilitation outcomes:
   i. landform stabilisation and contouring
   ii. soil/topsoil placement
   iii. seeding and planting
   iv. habitat construction
   v. weed and erosion management; and
   vi. regrowth management (only where required to meet rehabilitation objectives) and not resulting in the clearing of native vegetation.
b. All areas of historical disturbance designated for rehabilitation, currently located outside the 'Open Area', must be spatially delineated in GIS and attributed according to Guideline BioCoE001. These details should then be included in the Compliance Assessment Report.
c. No clearing of native vegetation (as defined under the EP Act) is undertaken.

MOG endorsements

16. For all future FCA submissions, Alcoa may prepare and submit two FCAs per year to MOG. The FCAs will be prepared in accordance with the DBCA Working Arrangements unless otherwise agreed by MOG, or until such time as the working arrangements are revised and/or superseded.

In addition to the requirements set out in the DBCA Working Arrangements, the FCA must provide a representative understanding of the risks associated with the next 12 months of mining, including:

a. Alcoa's mining order prioritisation of areas proposed for clearing within the FCA;
b. the percentage of each sub-catchment proposed to be cleared;
c. adjacent previous clearing and recent rehabilitated/stabilised areas;
d. a summary of required applications to take or disturb threatened flora or fauna under section 40 of the BC Act, and/or modification of a threatened ecological community under section 45 the BC Act, relevant to the FCA;
e. the number of DCMPs expected to be submitted in accordance with condition 17;
f. potential CAR Reserve incursions for the period; and
g. all relevant spatial data associated with the FCA.

Alcoa may seek MOG's endorsement for an amended FCA if revisions are required.

17. Alcoa will submit to MOG individual DCMPs for all proposed clearing under an endorsed FCA. Each DCMP must demonstrate (but not be limited to) the following:

a. it has been reviewed and signed-off by an independent qualified person (in accordance with condition 37) prior to submission to MOG;

b. provision of a conceptual management plan including risk identification and passive and active drainage management actions through the full mine cycle associated with the area to be cleared;
c. clear reference to the relevant endorsed FCA;
d. engineering controls to adequately maintain a stable landform that will minimise risk of uncontrolled release of sediment at all times;
e. a minimum of two years (24 months) or two post-winter (12 months apart) of groundwater data that captures maximum groundwater level, or the application of clearing restrictions enforced by condition 9, when groundwater data is less than two years;
f. estimated groundwater depth and proposed monitoring to demonstrate maintenance of 2-metre clearance to groundwater;
g. maintenance of minimum 2-metre separation to groundwater at all times for all pit floors and drainage controls, or management response in accordance with condition 12; and
h. the maximum slope/angle required for each proposed mine pit for both pre and post mining; and
i. use groundwater monitoring points to interpolate a groundwater depth surface for the pit, unless groundwater bores cannot be adequately installed due to access or depth constraints.
j. conceptual rehabilitation designs that include drainage management to achieve a stable landform

Alcoa must comply with all conditions attached to a DCMP that has been endorsed by MOG. No vegetation clearing or ground disturbance activities relating to a DCMP shall commence until Alcoa has consulted with the MOG and reached agreement on the conditions imposed.

Failure to comply with any requirement of an endorsed DCMP condition will be considered a breach of the MMP approval conditions, in accordance with Condition 41.

18. During the life of this MMP only, Alcoa will submit for MOG's endorsement a report for proposed incursions into a CAR reserve.

Future MMP or 10 year mine plan-proposed CAR reserve incursions will be subject to the requirements of condition 26 and be approved as part of future MMP assessment and approval processes.

<u>Management plans</u>

19. From the date of the MMP approval, Alcoa will implement the current version of the plans referred to below, and as updated, with the endorsement of the BSEC Chair, from time to time:

a. Fauna Management Plan – Huntly and Willowdale Mines;
b. Recreational Trails and Facilities Management Plan;
c. Flora and Vegetation Management Plan;
d. Rehabilitation and Management Plan and Schedule – Huntly and Willowdale; and
e. Environmentally Hazardous Materials Management Plan.

20. Cultural Heritage Management Framework (CHMF)

(1) Alcoa must prepare and implement a comprehensive CHMF for active and planned mining areas within ML1SA within the area of the Gnaala Karla Booja ILUA area.

a. The CHMF must:

i. be prepared in consultation with Gnaala Karla Booja Aboriginal Corporation (GKBAC) and to the satisfaction of the BSEC Chair;
ii. clearly and comprehensively identify and address any issues or concerns raised by GKBAC;
iii. summarise the location and values of any Aboriginal heritage places;
iv. set out the proposed cultural heritage management activities for each Aboriginal heritage place type; and
v. require Alcoa to:
1. submit a Cultural Heritage Management Plan (CHMP), prepared in consultation with GKBAC, with any notice given to the Aboriginal Cultural Heritage Committee (ACHC) under section 18 of the *Aboriginal Heritage Act 1972* (AHA) should consent of the Minister for Aboriginal Affairs be required for any purpose; and
2. implement the CHMP in accordance with its terms, such requirement to be reiterated in the CHMP.

b. Alcoa must submit a finalised CHMF by 30 November 2026 or such other time period that the BSEC Chair determines following a request from Alcoa.
c. Alcoa must implement the CHMF in accordance with its terms.
d. Alcoa may review and revise, in consultation with GKBAC, and resubmit its CHMF to the BSEC Chair, providing it meets the requirements of (a) i – v above.

(2) If Alcoa's mining operations expand into parts of ML1SA within the area of the Whadjuk People ILUA, Alcoa must prepare and implement a comprehensive CHMF for active and planned mining areas within ML1SA within the area of the Whadjuk People ILUA area consistent with conditions 20(1)(a) to 20(1)(d) above, substituting Whadjuk Aboriginal Corporation for GKBAC, subject to the timeframes in condition 20(1)(b) being determined by the BSEC Chair in consultation with Alcoa.

21. Alcoa will review and update its Water Resources Management Plan (WRMP) by 30 April 2027 for submission to the BSEC Chair. The updated WRMP must:

a. include:
i. threshold criteria and trigger criteria that are relevant to the environmental impacts that the WRMP is preventing mitigating and managing;
ii. monitoring parameters, sites, control/reference sites, methodology, timing and frequencies, which will be used to measure threshold criteria and trigger criteria, in accordance with the Water Working Arrangements;
iii. methodology for determining alternate monitoring sites as a contingency if proposed sites are not suitable in the future;
iv. data collection and analysis methodologies;
v. adaptive management methodology;
vi. contingency measures which will be implemented if threshold criteria or trigger criteria are not met; and
vii. reporting requirements.
b. Satisfactorily addresses all other requirements of BSEC through regular consultation with ITAG;
c. be developed and updated in consultation with any relevant decision-making authority, as defined under the EP Act;
d. meet all applicable obligations under the Metropolitan Water Supply, Sewerage, and Drainage Act 1909;
e. upon submission, be implemented until it is either updated or superseded by any requirement under Part IV of the EP Act.

22. Within 24 months of the MMP approval date, Alcoa must consult with DBCA to update the DBCA Working Arrangements. As part of the update, Alcoa must consult with DBCA to develop an agreed dieback management plan. The management plan must include (but not be limited to):

a. Mapping protocols;

b. Hygiene procedures; and
c. Monitoring and reporting.

23. At the end of the first full quarter after the date of the MMP approval (and every three months thereafter), Alcoa must submit to DWER a quarterly drill and exploration plan in a format developed in consultation with DWER. The plan must include, but not be limited to:
   a. Proposed drill areas (next quarter and 12-month outlook); and
   b. Black Cockatoo tree pre-drilling field checks/survey spatial data relevant to the proposed area to be drilled

24. Within twelve (12) months of this MMP approval, Alcoa must prepare and submit a bush fire and extreme weather event management plan, for approval by the BSEC Chair.

Monitoring

25. Within six months from the MMP approval date, Alcoa will prepare and implement a feral animal monitoring program, in consultation with DBCA and in accordance with DBCA requirements. Alcoa will submit to the BSEC Chair the results of its feral animal monitoring program 18 months from the date of the MMP approval and every 12 months thereafter.

Reporting

26. Alcoa will submit with the next MMP or 10 year mine plan detailed and comprehensive biological surveys, undertaken in accordance with published EPA guidance, to adequately inform assessment of clearing impacts and any planned incursions into CAR reserves for the entire conceptual clearing footprint contemplated in the next MMP submission.

27. By the fifteenth day of the first month of each quarter following the date of the MMP approval, Alcoa will submit a clearing report to MOG for the prior quarter. Each report must include:
   a. details of clearing activity in the past quarter, reconciled against:
      i. the corresponding endorsed FCA and DCMP; and
      ii. proposed clearing from the previous quarterly clearing report.
   b. proposed clearing for the next quarter.
   c. spatial data files demonstrating:
      i. relevant FCA endorsement;
      ii. relevant DCMP endorsement;
      iii. actual clearing in the last quarter;
      iv. proposed clearing for next quarter; and
      v. compliance with Black Cockatoo tree requirements under the Exemption Order.

28. Alcoa will revise, and submit to the BSEC Chair by 31 December 2026, and then each subsequent year by 30 September, the annual Huntly and Willowdale Mines Rehabilitation Performance Report which will include but not be limited to, the following:

a. rehabilitation progress against targets in the MMP;
b. total area completed and verified by DBCA;
c. incomplete or staged areas by age class;
d. demonstrated tangible reduction in open areas from 1 January 2027;
e. spatial data of all rehabilitation areas; and
f. evidence of any species richness and ecological progression in older rehabilitation areas (as demonstrated by monitoring results).

It is expected that the above list continues to develop and expand through Alcoa's engagement and development of MCPs and completion criteria with ITAG and BSEC.

29. Within one month of the date of the MMP approval, and at least every six (6) months thereafter, Alcoa must provide to MOG, a register of all open areas and FCA endorsed areas from previous approved MMPs that it requires during the term of this MMP. The register must:

a. clearly identify (including through spatial data) all open areas, with a description of operational stage;
b. clearly identify (including through spatial data) the FCA area and provide justification/reasoning;
c. the expected timeframe for the FCA to remain enlivened; and the status of the FCA (cleared, pending, relinquished and forecasted).

30. Within two years of the date of the MMP approval, Alcoa must undertake, report to the BSEC Chair and publish studies on the impacts of mining and rehabilitation on surface and groundwater in the Northern Jarrah Forest.

31. At the end of the first full quarter after the date of the MMP approval and every quarter thereafter, Alcoa must submit a quarterly drilling report to the BSEC Chair which includes:

a. All drilling data referrable to the drilling proposed in the relevant quarterly drill and exploration plan required by condition 23; and
b. Black cockatoo tree pre-drilling field checks/survey spatial data reconciled against drill hole data.

32. In its next MMP submission or 10 year mine plan, Alcoa will provide a detailed exploration drilling plan that:

a. includes an exploration disturbance footprint that includes indicative proposed drill areas for the next 12-month outlook as per condition 23.
b. clearly considers exploration activities and outlines these in the relevant section of the MMP the Metropolitan Water Supply, Sewerage, and *Drainage Act 1909* and subsidiary legislation, PDWSA policies, and Government's guidelines, including:
    i. The *Guidelines for the protection of surface and groundwater resources during exploration drilling (November 2002)* and *Minimum Construction Requirements for Water Bores in Australia, 2020*.
    ii. Other water source protection aspects that need to be, included are:
        - Vegetation buffers along waterways and other water bodies
        - Details on legacy contamination including PFAS and heavy metals
        - Management of use of pesticides in drinking water catchments
        - Details on acid sulphate soils risk

- On-site diesel or petrol storage, apart from the fuel used for the drilling rigs and support vehicles or approved by the department
- Mechanical plant servicing (e.g., repair of equipment failures). This must occur outside a PDWSA
- Contingency measures for immediate clean-up of any spillage of diesel, petrol, or other potentially harmful substances
- Training and induction of all site personnel to ensure they understand the potential contamination risks to a PDWSA.

33. If Alcoa becomes aware of an incident of failure of drainage control, or discharge from containment infrastructure, including any potentially environmentally hazardous material or turbidity exceedance anywhere within the operation approved under this MMP, Alcoa must:

a. provide an incident notice to DWER, DoH, DBCA and the Water Corporation within 24 hours;
b. implement contingency measures;
c. investigate the cause;
d. investigate environmental impacts through:
    i. an assessment of the effectiveness of mine runoff control and sediment control practices; and
    ii. verified through turbidity monitoring of water in streams draining mined catchments advise rectification measures to be implemented;
e. advise any other measures to be implemented to ensure no further impact; and
f. provide an investigation report to DWER, DoH and Water Corporation within twenty-one (21) calendar days of being aware of the failure of drainage control or discharge.
g. the investigation report:
    iii. must include identification of potential environmentally hazardous materials through the provision of sampling results;
    iv. must detail the measures required in conditions (b)-(f) above;
    v. be independently verified and signed-off by the qualified third-party required by condition 37; and
    vi. is required for both mining and non-mining related incidents.

ITAG

34. Alcoa will provide adequate resourcing to ensure that the ITAG, with an independent chair, is maintained throughout the life of these conditions.

35. Alcoa will consult at least quarterly with the ITAG and as frequently as needed with any relevant decision-making authority, (as defined under the EP Act), and in conjunction with obligations under the *Metropolitan Water Supply, Sewerage, and Drainage Act 1909* where applicable, on the development of the following for submission to the BSEC Chair, in the timeframes indicated, or at a later time as recommended by the ITAG Chair and agreed by the BSEC Chair:

a. by 31 December 2026, methodologies for a full mining cycle planning approach; and
b. by 31 December 2027, cumulative hydrological assessment, based on spatially-specific, real water catchments to understand catchment water balances (including pre-mining), hydrological regimes, sediment loads and the way mining will affect them, through a range of research and modelling techniques developed in consultation with ITAG with consideration to:
    i. incorporate learnings from previous mining / rehabilitation / drainage management monitoring to understand additional and cumulative effects of future mining through modelling, up to at least twenty (20) years post-mining;

ii. understand catchment characteristics, rainfall and receptors;
iii. cater for individual catchment responses as well as cumulative catchment responses, particularly long term, to determine how small risks compound over larger spatial and temporal scales;
iv. understand and identify catchment yield, groundwater levels and turbidity/sediment load on streams under a range of climate scenarios including the reasonable worst-case scenario identified by Water Corporation of a fire followed by intense rainfall;
v. inform mine planning to avoid highest risk areas;
vi. plan mitigation and monitoring programs through modelling, which also must be able to incorporate the effect of mining to date on outcomes (in catchments that have already been mined but have further mining proposed);
vii. look for tipping points in terms of erosion – to inform avoidance strategies (where not to mine);
viii. inform mine planning that maintains catchment runoff as far as possible without causing erosion and increased sediment loads
ix. understand the relative effect of mitigation strategies – to inform mitigation
x. prioritise monitoring programs;
xi. inform future environmental impact assessments; and
xii. ensure outcomes are considered at the boundary of the mining areas and streams rather than focusing on reservoir effects.

c. Ongoing throughout the life of the conditions, work collaboratively with ITAG to identify and address knowledge gaps and research priorities to ensure continual improvement in environmental management, water management and rehabilitation.

36. Alcoa will consult with the ITAG to develop the following for submission to the BSEC Chair within 6 months of receiving final ITAG feedback or at a later time as recommended by the ITAG Chair and agreed by the BSEC Chair:

a. a drainage design manual; and
b. a rehabilitation design manual.

<u>Compliance</u>

37. Alcoa must ensure that an independent qualified third party (or parties) is appointed to:

a. as and when requested by BSEC, review any submission required by this condition set, unless already specified.
b. closely monitor for, identify and immediately notify Alcoa of any non-compliance with these conditions.
c. provide notice of all non-compliances with these conditions to the BSEC Chair within 24-hours of the non-compliance being identified
d. independently verify and sign off on any investigation report relating to an incident or drainage failure to be submitted to DWER, DoH, DBCA and the Water Corporation
e. prepare and sign-off on the Compliance Assessment Report required by condition 39.

38. Alcoa will ensure that surface water and groundwater monitoring data, collected in accordance with the relevant monitoring requirements detailed in condition 39, will be provided to DWER and the Water Corporation as per a reporting schedule agreed by those agencies. At a minimum this must include:

a. instream turbidity monitoring observations within streams draining mined catchments

b. Any available reference baseline turbidity and groundwater data relating to the unmined forest catchments and the catchment being monitored, to support comparative analysis and impact assessment.

39. Alcoa must submit an annual Compliance Assessment Report to the BSEC Chair, covering the period 6 June to 5 June. The Compliance Assessment Report must be provided to the BSEC Chair within three (months) following the end of the reporting period. The Compliance Assessment Report must detail whether the conditions in this MMP approval are being complied with. The Compliance Assessment Report must:

a. adhere to the agreed compliance assessment methodology contained in the approved Compliance Assessment Plan required by condition 40.
b. demonstrate adherence to all 'operational restrictions' conditions;
c. provide evidence to substantiate statements of compliance, or details of where there has been a non-compliance. This should include (where applicable):
    i. the results of any monitoring (inclusive of any raw data) that has been required under these conditions in order to demonstrate that the conditions have been met; and
    ii. demonstration that the monitoring was scientifically robust and capable of determining whether all conditions have been met;
d. include the corrective, remedial and preventative actions taken in response to any non-compliance;
e. outline what monitoring was undertaken in accordance with any Management Plan referenced in these conditions;
f. outlines the results of the monitoring and provides the data;
g. be endorsed by a Director (as defined in the Corporations Act 2001) of Alcoa, or a person approved by a Director of Alcoa to be delegated to sign on behalf of the Director.
h. be provided in a form suitable for publication on Alcoa's website; and
i. be prepared and published consistent with the latest version of Alcoa's approved Compliance Assessment Plan (as updated from time to time).

40. Alcoa must maintain a Compliance Assessment Plan, as previously submitted and approved prior to the date of the MMP approval. The Compliance Assessment Plan may be updated from time to time to the satisfaction of the BSEC Chair, providing it contains:

a. details of the independent qualified person engaged to undertake compliance monitoring;
b. what, when and how information will be collected and recorded to assess compliance;
c. the methods which will be used to assess compliance;
d. the methods which will be used to validate the adequacy of the compliance assessment to determine whether the conditions outlined in this condition set are being complied with;
e. a provision for the retention of previous compliance assessments;
f. the table of contents of Compliance Assessment Reports, including audit tables; and
g. how and when Compliance Assessment Reports will be made publicly available.

41. Failure to comply with the requirements of a condition, constitutes a non-compliance with these conditions. The BSEC Chair will report all non-compliances to the State Development Minister. The State Development Minister will consider the contingency measures, rectification or other measures immediately put in place by Alcoa to remedy the non-compliance, before determining further action in response to the non-compliance.

Transparency and confidentiality
42. Alcoa must make the following documents publicly available on its website: a. any approved Mining and Management Program (MMP), accompanying appendices and associated approval conditions, within seven (7) calendar days of receiving approval from the State Development Minister; b. any submission required in accordance with 'management plan' conditions, within twenty (21) business days of being implemented, or being required to be implemented (whichever is earlier); c. any other report submitted to the BSEC Chair in accordance with these conditions within sixty (60) days of submission and d. all geospatial data relevant to the MMP, management plans and or report required to be published as per sub conditions (a) to (c) of this condition.
43. If any information or data referred to in condition 42contains: a. copyright material; b. trade secrets; or c. confidential information (other than trade secrets) that has commercial value to a person that would be, or could reasonably be expected to be, destroyed or diminished if the confidential information were published; d. material that, if disclosed, presents a safety risk to people, environmental values or heritage values. Alcoa may submit a request, including an explanation and reasoning, for approval from the BSEC Chair to not make this information or data publicly available. The BSEC Chair may agree to such a request if the BSEC Chair is satisfied that the information or data meets the above criteria