



Mardie Project, 80 km south west of Karratha, WA (EPBC 2018/8236)

Mardie Minerals Pty Ltd

2022 Independent Audit Report

JBS&G 66055

6 June 2024





We acknowledge the Traditional Custodians of Country throughout Australia and their connections to land, sea and community.

We pay respect to Elders past and present and in the spirit of reconciliation, we commit to working together for our shared future.

Caring for Country The Journey of JBS&G
Artist: Patrick Caruso, Eastern Arrernte



Executive Summary

JBS&G have conducted an independent audit of EPBC Approval EPBC 2018/8236. The audit involved the assessment of 444 criteria across the Approval and two Management Plans. For the stage of activities being undertaken in the audit period 2022/23 there were 257 criteria that were not applicable in the audit period.

Compliance assessed against EPBC Approval EPBC 2018/8236 found that 76 conditions were found to be compliant, and 13 conditions were found to be potentially non-compliant.

Conformance assessed against the Management Plans found that 57 commitments were conformant and 21 commitments were assessed to be potentially non-conformant.

Table of Contents

| | |
|---|------------|
| Abbreviations | iii |
| 1. Introduction | 1 |
| 1.1 Project Background | 1 |
| 1.2 Objectives and Scope | 1 |
| 1.3 Proponent Details | 1 |
| 1.4 Environmental approval to implement the project | 1 |
| 2. Current Status | 2 |
| 3. Audit Methodology | 4 |
| 3.1 Audit Plan | 4 |
| 3.1.1 Audit Period | 4 |
| 3.1.2 Purpose & Scope | 4 |
| 3.1.3 Methodology | 4 |
| 3.1.4 Terminology | 4 |
| 4. Audit Results | 5 |
| 4.1 Compliance Assessment | 5 |
| 4.1.1 Compliance with conditions of EPBC Approval 2018/8236 | 5 |
| 4.1.2 Conformance with Commitments of the CEMP | 5 |
| 4.1.3 Conformance with Commitments of the MPIRP | 5 |
| 4.2 Potential non-compliances and non-conformances (reported) | 1 |
| 4.3 Potential non-compliances and non-conformances (to be reported) | 4 |
| 4.4 Opportunities for Improvement | 1 |
| 5. References | 53 |

List of Tables

| | |
|---|----|
| Table 3.1: Terminology used for the Audit (DCCEEW 2019) | 4 |
| Table 4.1: Potential Non-compliances notified to DCCEEW | 1 |
| Table 4.2: Potential Non-compliances to be notified to DCCEEW | 4 |
| Table 4.3: EPBC 2018/8236 Audit Table | 2 |
| Table B.1: CEMP (Rev 1) Audit Table | 55 |
| Table C.1: IRP Audit Table | 67 |
| Table D.1: Evidence Register | 70 |

List of Figures

| | |
|---|---|
| Figure 2-1: Development Envelope and Actual Disturbance | 3 |
|---|---|

Appendices

| | |
|-------------------|--------------------------------|
| Appendix A | EPBC 2018/8236 Approval |
|-------------------|--------------------------------|

| | |
|-------------------|--|
| Appendix B | Construction Environmental Management Conformance Assessment |
| Appendix C | Mardie Project Impact Reconciliation Procedure Conformance Assessment |
| Appendix D | Evidence Register |

Abbreviations

| Term | Definition |
|--------|--|
| ACR | Annual Compliance Report |
| BCHMMP | Benthic Communities and Habitat Monitoring and Management Plan |
| BCI | BCI Minerals Limited |
| CEMP | Construction Environmental Management Plan |
| CEO | DWER Chief Executive Officer |
| DAWE | Commonwealth Department of Agriculture, Water and the Environment predecessor to the Department of Climate Change, Energy, the Environment and Water |
| DBCA | WA Department of Biodiversity, Conservation and Attractions |
| DCCEEW | Commonwealth Department of Climate Change, Energy, the Environment and Water |
| DMP | Dredge Management Plan |
| DPIRD | WA Department of Primary Industries and Regional Development |
| DWER | WA Department of Water and Environmental Regulation |
| EPA | WA Environmental Protection Authority |
| EPBC | Environment Protection and Biodiversity Conservation Act 1999 |
| EQG | Environmental Quality Guidelines |
| EQS | Environmental Quality Standards |
| ERD | Environmental Review Document |
| GDP | Ground Disturbing Permit |
| GMMP | Groundwater Monitoring and Management Plan |
| HSEC | Health, Safety, Environment and Community |
| LTMSMP | Long-term migratory shorebird monitoring program |
| MAMP | Monitoring and adaptive management plan |
| Mardie | Mardie Minerals Pty Ltd |
| MEQMMP | Marine Environmental Quality Monitoring and Management Plan |
| MMP | Mesquite Management Plan |
| MPIRP | Mardie Project Impact Reconciliation Procedure |
| MOU | Memorandum of Understanding |
| MPPP | Marine Pest Prevention Plan |
| MTMP | Marine Turtle Monitoring Program |
| OFI | Opportunity for Improvement |
| PEOF | Pilbara Environmental Offsets Fund |
| RAMP | Revised Action Management Plan |
| SDA | Site Disturbance Application |

1. Introduction

1.1 Project Background

The Mardie Project involves the construction and operation of a solar salt and sulphate of potash production plant and export facility located 80 kilometres south-west of Karratha, in the Pilbara region of Western Australia. The Action includes seawater intakes, evaporation and crystalliser ponds, processing plant, trestle jetty and supporting infrastructure.

The project was approved under Part IV of the *Environmental Protection Act 1986* (EP Act) under Ministerial Statement MS1175 and under the *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act) EPBC 2018/8236 Approval.

The EPBC Act approval requires Annual Compliance Reporting and Independent Auditing of the approval to address the status and compliance of the Mardie Project with the conditions and key actions of the Management Plans.

Implementation of the Mardie Project commenced on 22 February 2022.

1.2 Objectives and Scope

The objective of this document is to accord with Condition 40 of EPBC 2018/8236, which requires submission of an annual independent audit of compliance with the conditions of the approval.

The scope of this document covers the reporting period commencing 22 February 2022 and concluding 21 February 2023.

1.3 Proponent Details

The Mardie Project is 100% owned by the Approval Holder, Mardie Minerals Pty Ltd, ABN 50 152 574 457 (Mardie).

Mardie is a wholly owned subsidiary of BCI Minerals Limited, ACN 120 646 924 (BCI).

1.4 Environmental approval to implement the project

Mardie Minerals Pty Ltd was granted environmental approval for the Mardie Project under EPBC 2018/8236 on 12 January 2022. The approval includes environmental conditions under which the proposal is to be implemented. Of the 49 environmental conditions assigned to the EPBC Act approval, many relate to the preparation and implementation of management plans listed below which address areas of potential environmental risk identified during the assessment:

- Construction Environmental Management Plan
- Mardie Dredge Management Plan
- Underwater Noise Management Procedure
- Groundwater Monitoring and Management Plan
- Marine Turtle Monitoring Program
- Marine Environmental Quality Monitoring and Management Plan
- Benthic Communities and Habitat Monitoring and Management Plan
- Illumination Plan
- Mardie Project Impact Reconciliation Procedure

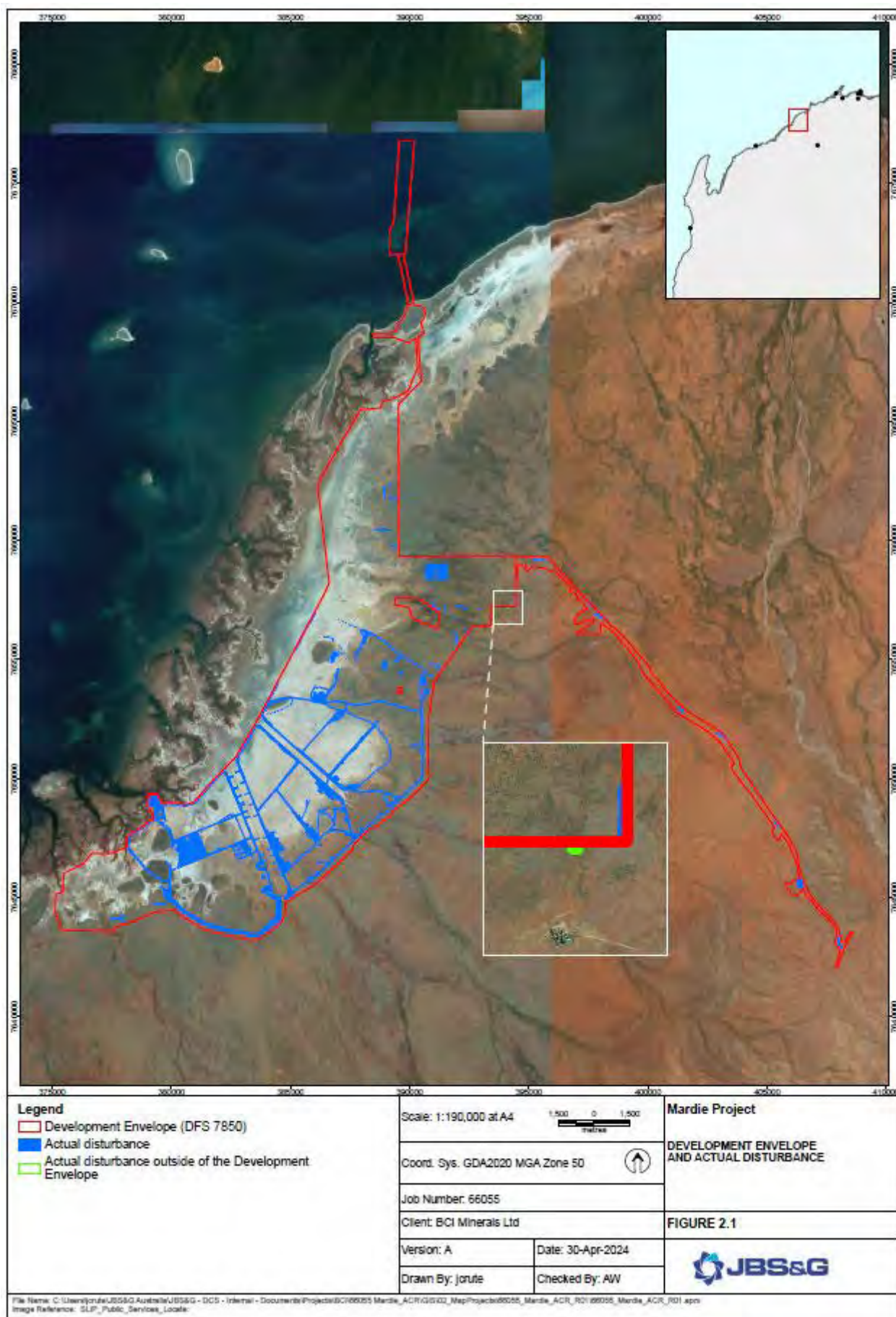
- Long-term migratory shorebird monitoring program
- Mesquite Management Plan
- Marine Pest Prevention Plan

2. Current Status

Major milestones completed in the Mardie Project during the reporting period are as follows:

- Construction of Mardie Village complete – occupancy certificates received for 400-bed accommodation.
- Primary seawater intake station completed – commissioning commenced January 2023.
- Pond construction well progressed – completion rate of ~97% for Ponds 0, 1 & 2 and ~43% for Ponds 3-5.
- Pond 5 Embankment Trial complete.
- Several infrastructure upgrades including to access roads and communications.
- disturbance within the development envelope (Figure 2-1) and clearing of 0.043 ha outside the disturbance envelope.

Figure 2-1: Development Envelope and Actual Disturbance



3. Audit Methodology

3.1 Audit Plan

3.1.1 Audit Period

This Independent Audit Report has been prepared for the reporting period from 22 February 2022 to 21 February 2023 to fulfil the requirements of Condition 40.

3.1.2 Purpose & Scope

Conditions 40 and 42 both require the approval holder (Mardie Minerals Pty Ltd) to publish an independent audit report on a 12-month basis, addressing compliance against conditions in EPBC Decision 2018/8236 approval (Appendix A).

Condition 40 states:

The approval holder must ensure that independent audits of compliance with the conditions are conducted for the 12-month period from commencement of the action and for every subsequent 12-month period, or as otherwise requested in writing by the Minister.

Condition 42 states:

The approval holder must publish the audit report on the website within 10 business days of receiving the Department's approval of the audit report and keep the audit report published on the website until the end date of this approval.

3.1.3 Methodology

An independent desktop audit (the 'Audit') was undertaken by JBS&G in April 2024, the outcome of which was used to inform this independent audit report. The audit primarily involved consultation with Antony Crum, BCI Minerals Specialist Environmental Compliance associated with the Action and review of relevant documentation to assess the status of compliance against the approval conditions of the EPBC Decision 2018/8236 approval.

3.1.4 Terminology

The 'Status' field of audit table (refer to Section 4.1) describes the level of compliance against the approval conditions. In 2019, the DCCEEW issued the *Independent Audit and Audit Report Guidelines for controlled actions which have been approved under Chapter 4 of the Environment Protection and Biodiversity Conservation Act 1999* (DCCEEW 2019). Terminology from this guidance has been applied in the audit and is listed below in Table 3.1.

Table 3.1: Terminology used for the Audit (DCCEEW 2019)

| Term | Definition |
|----------------------------------|--|
| Compliant | A rating of 'compliance' is given when the auditee has complied with a condition, element of a condition or measure required by a management plan, report or program, <i>etc.</i> |
| Potentially non-compliant | A rating of 'non-compliance' is given when the auditee has not met the condition, element of a condition, or measure required by a management plan, report or program, <i>etc.</i> |
| Not applicable | A rating of 'not applicable at the time of the audit' is given when the condition or element of a condition falls outside the scope of the audit, <i>e.g.</i> , if any activity has not commenced. |
| Conformant | All the requirements of a key management action detailed within a subsidiary plan or program have been satisfactorily met. |

| | |
|-----------------------------------|--|
| Potentially non-conformant | All the requirements of a key management actions detailed within a subsidiary plan or program have not been met satisfactorily. |
| Not applicable | The requirements of a management action fall outside of the scope of the current reporting period. For example, a condition which applies to an activity that has not yet commenced. |

4. Audit Results

Compliance with the 49 conditions of EPBC Approval 2018/8236 has been assessed and reported using the Audit Table provided in Table 4.1. The key actions from the Management Plans listed below which are relevant to the Reporting Period have been assessed and are provided in Appendix B and C:

- Construction Environmental Management Plan (CEMP); and
- Mardie Project Impact Reconciliation Procedure (MPIRP).

4.1 Compliance Assessment

4.1.1 Compliance with conditions of EPBC Approval 2018/8236

This assessment of compliance with the 307 sub-conditions of the EPBC Approval 2018/8236 for this reporting period has found that:

- 76 conditions were assessed as compliant;
- 218 conditions were assessed as not applicable at this time; and
- 13 conditions were assessed to be potentially non-compliant.

Appendix D contains a register of the evidence utilised to assess compliance against EPBC Approval 2018/8236 for the Independent Audit.

4.1.2 Conformance with Commitments of the CEMP

This assessment of conformance with the 87 commitments of the Construction Environmental Management Plan (Rev 1) approved for this reporting period has found that:

- 51 commitments were assessed as conformant;
- 17 commitments were assessed as not applicable at this time; and
- 19 commitments were assessed to be potentially non-conformant.

Appendix D contains a register of the evidence utilised to assess compliance against the CEMP.

4.1.3 Conformance with Commitments of the MPIRP

This assessment of conformance with the 30 commitments of the Mardie Project Impact Reconciliation Procedure (Rev 1) approved for this reporting period has found that:

- Six commitments were assessed as conformant;
- 22 commitments were assessed as not applicable at this time; and
- Two commitments were assessed to be potentially non-conformant.

Appendix D contains a register of the evidence utilised to assess compliance against the MPIRP.

4.2 Potential non-compliances and non-conformances (reported)

BCI Minerals have notified the DCCEEW of potential non-compliances and potential non-conformances with the following conditions of EPBC 2018/8236 Approval and Management Plan Commitments in the 2022/23 ACR or by notice on 30/05/2023 (Table 4.1).

Table 4.1: Potential Non-compliances notified to DCCEEW

| Reference | Notification | Condition | Potential non-compliance / conformance | Action taken / to be taken |
|-----------|---|---|---|--|
| EPBC 2 | Condition 39 report : 2022/23 ACR | 2. To minimise impacts to protected matters, the approval holder must not clear outside the development envelope. | 0.043 ha was cleared outside the development envelope in the audit period (Figure 2-1). | <ol style="list-style-type: none"> Revisions were made to the Ground Disturbance Procedure to prevent recurrence of this type of event. The GDP went through a major revision in March 2022, clearing is now undertaken by BCI staff instead of contractors and involves multiple layers of sign off by senior staff to check spatial information. Mardie has introduced a site-specific clearing permit procedure since this event that validates development boundaries in the field. GDP process now utilises web viewer as opposed to hard copies so boundary checks are thorough and all constraint boundaries can be checked, regardless of what is on the prepared map. Reinforcement of internal clearing permit requirements and process undertaken with Mardie staff in the field to establish the necessary operational discipline. |
| EPBC 14C | Condition 39 report : 2022/23 ACR | 14c During any clearing have a fauna spotter catcher present and authorised to halt or order the manner in which any clearing or other works are undertaken within Northern Quoll Low rocky hill habitat, Pilbara Leaf-nosed Bat Triodia grassland habitat and Pilbara Olive Python open riparian woodlands so as to prevent harm to terrestrial fauna. | BCI Minerals reported to DCCEEW that a fauna catcher had not been present on the 06/09/2022 during clearing activities. | <p>Corrective Actions:</p> <ol style="list-style-type: none"> At all times during the reporting period Mardie has had at least one accredited fauna spotter catcher on site. Mardie has also established an internal process whereby contractors and staff, prior to commencing activities each day, will undertake an inspection of the work site for the purposes of ascertaining whether there are in any trenches any trapped fauna. In the event trapped fauna is identified, the process required the accredited fauna spotter catcher to be notified and to attend the site immediately. <p>Actions taken to prevent recurrence:</p> <ol style="list-style-type: none"> From the first quarter of 2023, all Mardie's scopes of work require contractors to provide their own fauna spotter catcher to undertake inspections in line with Condition 14 (d) and the Fauna Management Procedures. At all times during the reporting period Mardie has had at least one accredited fauna spotter catcher on site. |
| EPBC 14D | Condition 39 report: 2022/23 ACR and by notice 30/05/2023 | 14d This fauna spotter catcher will also check all open trenches less than two hours after sunrise and before commencing any continued construction to detect and safely remove any trapped terrestrial fauna. | A fauna catcher had not been present to check all open trenches. | <p>Actions taken to prevent recurrence:</p> <ol style="list-style-type: none"> From the first quarter of 2023, all Mardie's scopes of work require contractors to provide their own fauna spotter catcher to undertake inspections in line with Condition 14 (d) and the Fauna Management Procedures. At all times during the reporting period Mardie has had at least one accredited fauna spotter catcher on site. |

| Reference | Notification | Condition | Potential non-compliance / conformance | Action taken / to be taken |
|-----------|---|--|---|---|
| | | | | <p>3. Mardie maintains efforts to recruit additional fauna spotter catchers.</p> <p>4. Mardie regularly engages a third party to provide accredited fauna handling and spotter training to Mardie personnel.</p> <p>5. BCI's Fauna Management Procedure requires open trenches to be inspected daily for trapped fauna, at dusk and dawn.</p> |
| EPBC 15B | Condition 39 report: 2022/23 ACR and by notice 30/05/2023 | 15b Ensure that the number of cats, foxes, rabbits, pigs, and cane toads within the development envelope is lower than the number for each species prior to the commencement of the action that starts with the baselines as outlined in the Mardie Project Environmental Review. A reference site at Mardie Station will be used to provide evidence of these numbers against yearly natural fluctuations of cats, foxes, rabbits, pigs, and cane toads. | <p>Annual monitoring of cats, foxes, rabbits, pigs, and cane toads at the reference site and in the development envelope was not undertaken in the audit period.</p> <p>Pre-commencement survey of the number of cats, foxes, rabbits, pigs, and cane toads within the development envelope was not undertaken to provide the data required for EPBC 15C.</p> | Mardie has engaged with a specialist third party to undertake feral animal monitoring. Monitoring will be conducted via a network of strategically positioned motion sensitive cameras around the Project. Data will be interpreted on a quarterly basis and provided in a detailed annual report. The camera network is expected to be installed in the second half of 2023. |
| EPBC 15D | Condition 39 report: 2022/23 ACR | 15c Each year undertake monitoring according to best survey practices to determine the number of cats, foxes, rabbits, pigs, and cane toads within the development envelope and provide the findings of the surveys for each year in the compliance report that immediately follows that year. | Reported in the 2022/23 ACR: Pre-commencement survey of the number of cats, foxes, rabbits, pigs, and cane toads within the development envelope was not undertaken to provide the data required for EPBC 15C. | |
| EPBC 15H | Condition 39 report: 2022/23 ACR and by notice 30/05/2023 | 15f Adequately induct all personnel associated with the action and/or entering the development envelope prior to them entering the development envelope, so that no person or low-flying craft (including drones) enters any area of habitat of migratory shorebirds as outlined in the green polygon in Attachment 3 within the development envelope for any purpose other than scientific survey or study approved by the Minister or Western Australian Government. | <p>The BCI induction does not mention the presence of migratory shorebirds habitat.</p> <p>Reported in the 2022/23 ACR and by notice 30/05/2023: DCCEEW notification (C16) reports access has been made to small sections of Migratory Shorebird Habitat.</p> | <p>1. Update the BCI induction to include the presence of migratory shorebirds habitat and EPBC 15f requirements.</p> <p>2. All Mardie personnel and contractors are inducted prior to attending site to ensure access is strictly restricted to within the development envelope, and to areas required to undertake approved activities.</p> <p>3. Small sections of Migratory Shorebird Habitat overlap with the approved design footprint. Mardie has engaged with DCCEEW's Post Approvals branch for the purposes of negotiating an amendment to Condition 15(f) to allow entry to the Migratory Shorebird Habitat which falls within the development envelope for approved activities.</p> |

| Reference | Notification | Condition | Potential non-compliance / conformance | Action taken / to be taken |
|-----------|-----------------------------------|--|--|--|
| 21B | Condition 39 report : 2022/23 ACR | 21b Develop a Marine Pest Prevention Plan and Provide the approved plan or any subsequently approved plans to the Minister within 2 months of the date of approval. | MPPP was provided to DCCEEW on 28/02/2023 over 5 months from the date of DWER approval (required within two months). | <ol style="list-style-type: none"> 1. Mardie has implemented a Licence to Operate (LTO) process which incorporates required environmental and social obligations into a package of information to which staff and contractors are required to comply. 2. Mardie is undergoing a comprehensive review of processes, roles and accountabilities for ensuring compliance with environmental conditions. |
| EPBC 25D | Condition 39 report : 2022/23 ACR | 25a Comply with conditions 5-1(2) to 5-3 of WA Approval. Reporting in condition 5-3(2) of the WA Approval must also be provided to the Department for review and the Minister's approval. | BCI submitted the survey 25/08/2022 and commenced clearing prior to receipt of DWER confirmation notice 20/09/2022 (C09). | <ol style="list-style-type: none"> 1. Mardie has undertaken an update to its Ground Disturbance Procedure to better aid understanding of the requirements. 2. Mardie implements a Licence to Operate (LTO) process which incorporates required environmental and social obligations into a package of information to which staff and contractors are required to comply. 3. Mardie is undergoing a comprehensive review of processes, roles and accountabilities for ensuring compliance with environmental conditions. |
| CEMP 01 | Condition 39 report : 2022/23 ACR | Key performance indicators Zero ground disturbance permit breaches verified by event reports | CEMP key performance indicators are not tracked. 0.043 ha was cleared outside the development envelope in the audit period (Figure 2-1). | Refer to EPBC Condition 2 (EPBC 2). |
| CEMP 17 | Condition 39 report : 2022/23 ACR | No occurrence of unlawful clearing. | 0.043 ha was cleared outside the development envelope in the audit period (Figure 2-1). | Refer to EPBC Condition 2 (EPBC 2). |
| CEMP 18 | Condition 39 report : 2022/23 ACR | No disturbance outside of the scope of the approved project activities. | 0.043 ha was cleared outside the development envelope in the audit period (Figure 2-1). | Refer to EPBC Condition 2 (EPBC 2). |
| CEMP 28 | Condition 39 report: 2022/23 ACR | Excavations will be fitted with fauna egress and will be inspected for trapped fauna at the beginning of each shift. Evidence: Daily pre-start inspection Supporting Documents: Daily inspection checklist | This non-conformance is in line with non-compliance report Condition 14(d) of EPBC 2018/8236 reports that not all trenches have been checked at the times specified in accordance with this condition. | Refer to EPBC Condition 14c and 14d (EPBC 14C and EPBC 14D) |

| Reference | Notification | Condition | Potential non-compliance / conformance | Action taken / to be taken |
|-----------|----------------------------------|--|---|---|
| CEMP 34 | Condition 39 report: 2022/23 ACR | Annual feral fauna survey and control. Evidence: Feral fauna survey and control records. Supporting Documents: Annual monitoring report. | Annual monitoring of cats, foxes, rabbits, pigs, and cane toads at the reference site was not undertaken in the audit period. | Refer to EPBC Condition 15c (EPBC 15D). |

4.3 Potential non-compliances and non-conformances (to be reported)

Potential non-compliances with the following conditions of EPBC 2018/8236 Approval and potential non-conformances with the Management Plan Commitments are to be notified to DCCEEW following this Independent Audit. (Table 4.2).

Table 4.2: Potential Non-compliances to be notified to DCCEEW

| Condition # | Condition | Potential non-compliance / conformance | Action taken / to be taken |
|-------------|--|--|---|
| EPBC 14F | 14f Induct and educate all personnel associated with the action and/or entering the development envelope prior to them entering the development envelope, to ensure that they can correctly identify the Pilbara Olive Python by sight both on the ground and from inside vehicles and know that the Pilbara Olive Python must not be killed or injured. | There is no information within the induction on the Pilbara Olive Python. | BCI to update induction. |
| EPBC 27A | 27a the approval holder must provide an upfront payment of 10% of the total contribution to the Pilbara Environmental Offsets Fund as detailed by the approved Impact Reconciliation Procedure, within one month of the Minister approving the IRP, which will contribute towards achieving the outcomes set out in condition 27(b). | The PEOF payment was made after the due date. The PEOF payment was required within one month of EPBC Act approval of the MPIRP (27/10/2022). The payment was made 12/05/2023 (6 months after the approval). | Mardie has undergone a comprehensive review of processes, roles and accountabilities for ensuring compliance with environmental conditions to prevent recurrence of systems failures. |
| EPBC 38 | 38 The approval holder must notify DCCEEW as soon as practicable, and no later than 2 business days after becoming aware of the incident, non-compliance or non-conformance of the details given in Condition 38 a to e of any: <ul style="list-style-type: none"> incident; non-compliance with the conditions; or non-conformance with the commitments made in plans. | <p>Notifications given for the potential non-compliances listed in table 4.1 in some instances were within the 2 day notification period requirement, the others were not.</p> <p>Not all potential non-compliances were reported.</p> | Mardie has undergone a comprehensive review of processes, roles and accountabilities for ensuring compliance with environmental conditions to prevent recurrence of systems failures. |

| Condition # | Condition | Potential non-compliance / conformance | Action taken / to be taken |
|-------------|---|--|--|
| EPBC 39 | <p>39 The approval holder must provide the details given in Condition 39 a to c to the DCCEEW as soon as practicable, and no later than 10 business days after becoming aware of the incident, non-compliance or non-conformance of any:</p> <ul style="list-style-type: none"> • incident; • non-compliance with the conditions; or • non-conformance with the commitments made in plans. | <p>A detailed report was not provided for all of the potential non-compliances.</p> | <p>The approval holder will provide to DCCEEW details given in condition 39 a to c within 10 business days of provision of the draft of this independent audit for the potential non-compliances listed in Table 4.2 and potential non-conformances listed in Table 4.4.</p> |
| CEMP 02 | <p>Key performance indicators 100%</p> <ul style="list-style-type: none"> • Segregation, removal and disposal of rubbish to appropriate waste stream • Scrap materials, redundant electrical equipment, packaging from equipment and materials. <p>Verified by Waste Management procedure, Correct waste stream segregation and Records of disposal</p> | <p>CEMP key performance indicators are not tracked.</p> <p>No waste disposal register provided. Cleanaway invoices record multiple bins taken offsite but no record of waste type transported.</p> | <ol style="list-style-type: none"> 1. Waste Management Procedure and Waste Register to be developed. 2. Waste key performance indicators to be tracked and reported. |
| CEMP 03 | <p>Key performance indicators No spills > 200L</p> | <p>CEMP key performance indicators are not tracked.</p> <p>Event reporting identified two 2000L diesel spills in the audit period. Environmental event target is <200L.</p> | <ol style="list-style-type: none"> 1. Spill response was initiated and completed. 2. Spill key performance indicators to be tracked and reported. |
| CEMP 05 | <p>Key performance indicators 100% of vehicles have a weed inspection report completed</p> | <p>CEMP key performance indicators are not tracked.</p> <p>Vehicles undertake hygiene inspections on entry (E07, E08) and exit (E09, E10) from the project area.</p> <p>BCI Minerals notified DCCEEW of a breach of hygiene requirements on 12/10/2022.</p> <p>The induction includes requirements for driving vehicles but does not include the requirement to undertake hygiene inspections.</p> | <ol style="list-style-type: none"> 1. Inspection key performance indicators to be tracked and reported. 2. Induction to be updated to include hygiene requirements. 3. Systems to be in place and checked to ensure check sheets are in place and hygiene bays are operational. |
| CEMP 06 | <p>Key performance indicators Minimum of 95% of Environmental audit completed</p> | <p>CEMP key performance indicators are not tracked.</p> | <ol style="list-style-type: none"> 1. Develop audit schedule and system to ensure implementation. 2. Audit key performance indicators to be tracked and reported. |

| Condition # | Condition | Potential non-compliance / conformance | Action taken / to be taken |
|-------------|---|---|--|
| | | <p>The scheduled quarterly GDP Desktop disturbance audits and field GDP Audit were not completed in the audit period.</p> <p>No other audit schedule could be provided to the auditor.</p> | |
| CEMP 07 | <p>Key performance indicators</p> <p>Incident investigations are closed within 28 days (INX Event Reporting)</p> | <p>CEMP key performance indicators are not tracked.</p> <p>The incident register does not state when incident investigations are closed.</p> | <p>Environmental incident closeout key performance indicators to be tracked and reported.</p> |
| CEMP 08 | <p>Key performance indicators</p> <p>Zero overdue corrective actions</p> | <p>CEMP key performance indicators are not tracked.</p> <p>The incident register does not state when corrective actions are closed.</p> | <p>Environmental overdue corrective actions key performance indicators to be tracked and reported.</p> |
| CEMP 09 | <p>Key performance indicators</p> <p>100% attendance at toolbox meetings (1 per week).</p> | <p>CEMP key performance indicators are not tracked.</p> <p>Toolbox meetings attendance is not documented.</p> | <p>Toolbox attendance rates to be tracked and reported.</p> |
| CEMP 10 | <p>Induction training (All project personnel and visitors seeking to attend site) will include the following in relation to environmental awareness:</p> <ul style="list-style-type: none"> • Overview of the Environment and Social Management System (ESMS); • Company legal and other obligations; • Project specific potential environmental impacts and controls including: <ul style="list-style-type: none"> • weed controls and wash down procedures; • ground disturbance and topsoil management; • fauna management* (both native and pest species); • Speed limits and hazards of dawn/dusk driving; • incident notification and procedures; • waste management, including litter control and recycling; • spill response procedures; and • aboriginal heritage awareness. | <p>The induction does not contain:</p> <ul style="list-style-type: none"> • Project specific potential environmental impacts and controls including: <ul style="list-style-type: none"> • weed controls and wash down procedures; • fauna management* (both native and pest species); • Hazards of dawn/dusk driving; • Vehicle head lights to be on at all times; and • waste management, including litter control and recycling. | <p>Revise the induction to include:</p> <ul style="list-style-type: none"> • Project specific potential environmental impacts and controls including: <ul style="list-style-type: none"> • weed controls and wash down procedures; • fauna management* (both native and pest species); • Hazards of dawn/dusk driving; • Vehicle head lights to be on at all times; and • waste management, including litter control and recycling. |

| Condition # | Condition | Potential non-compliance / conformance | Action taken / to be taken |
|-------------|---|--|---|
| | <p>*Fauna and flora training in inductions will address the requirements of the Fauna Management Procedure, including how to identify conservation-significant species in the field and the prohibition on feeding/disturbing/taking such species.</p> | | |
| CEMP 26 | <p>Inductions will explain:</p> <ul style="list-style-type: none"> • conservation significant species potentially in the Project area • that native fauna are protected and are not to be interfered with. • elevated risks of fauna strike during dawn and dusk. • vehicle and vessel speed limits. • Ban on having pets/domesticated animals. • Ban on recreational fishing or access to fauna habitats beyond the approved disturbance footprint. <p>Evidence: Inductions and training records Supporting Documents: Training records, Fauna Management Procedure.</p> | <p>Inductions do not explain:</p> <ul style="list-style-type: none"> • conservation significant species potentially in the Project area • that native fauna are protected and are not to be interfered with. • elevated risks of fauna strike during dawn and dusk. • vehicle and vessel speed limits. • Ban on having pets/domesticated animals. • Ban on recreational fishing or access to fauna habitats beyond the approved disturbance footprint. | Induction to be updated. |
| CEMP 49 | <p>All hazardous substance will be sent off site for disposal. Evidence: Controlled waste tracking forms. Supporting Documents: Controlled Waste Tracking Procedure</p> | No controlled waste tracking procedure or controlled waste tracking forms provided. | Develop / update a waste management procedure to account for all waste produced on site and to document the legislative requirements and processes in place for management of waste on site (including the management of controlled waste). |
| CEMP 51 | <ul style="list-style-type: none"> • All liquid chemicals are stored in accordance with Australian Standard 1940:2004 • No spills from bulk storage facilities. • All minor spills are remediated effectively. <p>No sites registered under the <i>Contaminated Sites Act 2003</i>.</p> | There were two 2000 L spills of diesel from the generator diesel day tank in the audit period. | <ol style="list-style-type: none"> 1. Spill response was initiated and completed. 2. Assess integrity of generator diesel day tank and bund with respect to AS1940:2017 (current standard) |
| CEMP 52 | <p>Hydrocarbon bunding will be of sufficient volume for the liquid chemical(s) stored. This required bunding volume will be the greater of, 25% of the total stored capacity or 110% of the capacity of the largest vessel. Liquid chemicals will be stored within a bund compliant with Australian Standards 1940 - 2004.– The storage and handling of flammable and combustible liquids and AS 1692 – Tanks for</p> | Generator diesel day tank is not stored in a bund of sufficient volume as the two 2000 L spills were to ground. | 1. Assess integrity of the generator diesel day tank bund with respect to AS1940:2017 (current standard) |

| Condition # | Condition | Potential non-compliance / conformance | Action taken / to be taken |
|-------------|---|--|--|
| | flammable and combustible liquids. Evidence: HSEC area inspections Supporting Documents: HSEC area inspections Form | | |
| CEMP 82 | Non-compliances raised by project audits are registered and controlled in accordance with Incident Reporting and Investigation and using INX InControl. Possible non-compliances include regulatory non-compliance, non-compliance with the management measures outlined in this CEMP, and mitigation strategies/ management measures outlined in the CEMP sub-plans. | There was no evidence of project audits being undertaken other than site inspections. Non-compliances identified during the 2022 ACR (EPBC 14 or EPBC 15) were not all entered into INX in accordance with Incident Reporting and Investigation. | Personnel to data entry all identified non-compliances and associated actions into INX. |
| CEMP 83 | All non-compliances are registered and controlled using INX InControl. | Refer to CEMP 82 | Refer to CEMP 82 |
| IRP 05 | The clearing database will be updated regularly using the current site plan which is provided monthly by the site survey department. | The GDP Register is updated regularly. Assessment of the site plan is not being undertaken as non-conformances with the GDP Permits are not being identified regularly (quarterly GDP audits not being undertaken). | Commence the post clearing inspections and quarterly GDP audits required under the CEMP. |
| IRP 15 | Upfront payment Within one month of EPBC Act approval of this MPIRP Initial payment of 10% of the overall clearing allowable, in accordance with CoA 27(d) of the EPBC Act approval | The payment was required within one month of EPBC Act approval of the MPIRP. The payment was made 12/05/2023 (6 months after the approval). | Nil |

4.4 Opportunities for Improvement

Opportunities for improvement identified during the audit are as follows:

EPBC Approval:

1. Wildlife alert signage to be erected where speed zone signage is in place.
2. Include reference in the induction presentation that domestic animals are not to be brought into the development envelope.
3. Include reference in the induction presentation that fishing from the trestle jetty or the Mardie Pool, or within the development envelope is not permitted.
4. The next ACR should assess compliance with the implementation of the applicable management plans.
5. Update the GDP process to ensure that all EPBC conditions are included on GDP Permits.

Construction Environmental Management Plan:

1. Update the induction to include the requirements for vehicles to undertake hygiene inspections.
2. Create a daily inspection checklist / register for recording fauna recorded in trenches.
3. Mechanical Inspections are to be completed by a suitably qualified trade (e.g. mechanic, fitter) prior to operating on site.
4. It is recommended that refuelling truck inspection for drip trays, spill recovery and clean up materials is completed as part of prestart for the refuelling truck and recorded on the prestart records.
5. The potential impact on aboriginal heritage should be assessed during incident investigation.
6. Modify HSEC checklists to include all aspects requiring inspection under the CEMP.
7. Improve incident investigation reports to include details of investigations undertaken to determine the potential for incidents to have adverse impacts on the abundance, species diversity, geographic distribution, and productivity of vegetation communities.
8. Improvements to be made to the GDP process including consistency in process and delineation, training of personnel, supervision and post clearing inspections.
9. Update the fauna management procedure to adhere to the speed limit (80 km/h) or as marked and slow down to 40km/h at all locations between dawn and dusk.
10. Undertake the quarterly clearing audits to ensure that deviations from approved clearing is identified.
11. Develop / update a waste management procedure to account for all waste produced on site and to document the legislative requirements and processes in place for management of waste on site (including the management of a waste register and controlled waste).
12. Include segregation of e-waste in the Waste Management Plan in line with the requirements of the CEMP.

Table 4.3: EPBC 2018/8236 Audit Table

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|--|--|---|--------------------------|---|---|
| EPBC Decision 2018/8236 Condition 1 [Clearance Limits]: | | To minimise impacts to protected matters, the approval holder must not clear or impact within the development envelope more than: | | | | |
| | | | | | | <ul style="list-style-type: none"> a. 2,562 hectares of Triodia grassland habitat. b. 6 hectares of open riparian woodlands vegetation. c. 64.5 hectares of low rocky hill habitat. d. 0.12 hectares of marine turtle nesting beach. e. 17 hectares of mangrove. f. 79 hectares of subtidal Benthic Communities and Habitat. g. 72 hectares of tidal channel and ocean habitat. h. 296 hectares of coastal samphire. i. 880 hectares of algal mat. |
| EPBC 1A | Impact no more than 2,562 hectares of Triodia grassland habitat. | Ongoing | <ul style="list-style-type: none"> • Survey Results • Comparison with Approval Boundary | G01_Impact Areas Spatial | In the audit period 114.82 ha Triodia grassland habitat was impacted. | Compliant |
| EPBC 1B | Impact no more than 6 hectares of open riparian woodlands vegetation. | Ongoing | <ul style="list-style-type: none"> • Survey Results • Comparison with Approval Boundary | G01_Impact Areas Spatial | In the audit period 0.03 ha open riparian woodlands vegetation was impacted. | Compliant |
| EPBC 1C | Impact no more than 64.5 hectares of low rocky hill habitat. | Ongoing | <ul style="list-style-type: none"> • Survey Results • Comparison with Approval Boundary | G01_Impact Areas Spatial | In the audit period 6.68 ha low rocky hill habitat was impacted. | Compliant |
| EPBC 1D | Impact no more than 0.12 hectares of marine turtle nesting beach. | Ongoing | <ul style="list-style-type: none"> • Survey Results • Comparison with Approval Boundary | G02_Actual Disturbance | There was no impact to marine turtle nesting beach in the audit period. | Compliant |
| EPBC 1E | Impact no more than 17 hectares of mangrove. | Ongoing | <ul style="list-style-type: none"> • Survey Results • Comparison with Approval Boundary | G01_Impact Areas Spatial | In the audit period 11.81 ha mangrove was impacted. | Compliant |
| EPBC 1F | Impact no more than 79 hectares of subtidal Benthic Communities and Habitat. | Ongoing | <ul style="list-style-type: none"> • Survey Results • Comparison with Approval Boundary | G02_Actual Disturbance | There was no impact to subtidal Benthic Communities and Habitat in the audit period. | Compliant |
| EPBC 1G | Impact no more than 72 hectares of tidal channel and ocean habitat. | Ongoing | <ul style="list-style-type: none"> • Survey Results • Comparison with Approval Boundary | G01_Impact Areas Spatial | In the audit period 0.04 ha tidal channel and ocean habitat was impacted. | Compliant |
| EPBC 1H | Impact no more than 296 hectares of coastal samphire. | Ongoing | <ul style="list-style-type: none"> • Survey Results • Comparison with Approval Boundary | G01_Impact Areas Spatial | In the audit period 14.73 ha coastal samphire was impacted. | Compliant |
| EPBC 1I | Impact no more than 880 hectares of algal mat. | Ongoing | <ul style="list-style-type: none"> • Survey Results • Comparison with Approval Boundary | G01_Impact Areas Spatial | In the audit period 29.54 ha algal mat was impacted. | Compliant |
| EPBC Decision 2018/8236 Condition 2 [Clearance Limits]: | | To minimise impacts to protected matters, the approval holder must not clear outside the development envelope. | | | | |
| EPBC 2 | Restrict all clearing to within the development envelope. | Ongoing | <ul style="list-style-type: none"> • Survey Results • Comparison with Approval Boundary | G02_Actual Disturbance | 0.043 ha was cleared outside the development envelope in the audit period (Figure 2-1). | Potentially non-compliant (reported ACR) |
| EPBC Decision 2018/8236 Condition 3 [Groundwater Impacts]: | | To minimise impacts to protected matters from changes to groundwater (the Groundwater Objective), the approval holder must comply with conditions 3-1 to 3-9 of the WA Approval. | | | | |
| MS1175 condition 3-1 [Inland Water]: | | The proponent shall ensure that the following outcomes are achieved: | | | | |
| | | | | | | <ol style="list-style-type: none"> (1) no adverse impact to water levels or water quality in Mardie pool as a result of changes to groundwater regimes or groundwater quality; (2) no adverse impact to water levels or water quality in Mardie pool as a result of surface water flows associated with the proposal; (3) no changes to the extent of surface water flooding extent during a one (1)-year ARI or changes to tidal inundation as a result of the construction of the intertidal causeway that are greater than predicted in Mardie Project – Environmental Review Document (June 2020); (4) no changes to the health, extent of diversity of more than five (5) ha of intertidal benthic communities and habitat, including mangrove, samphire and algal mat as a result of changes to groundwater regimes or groundwater quality associated with the proposal; (5) decreased freshwater inundation attributable to the project of no more than fifty-two (52) ha of coastal samphire; (6) decreased freshwater inundation attributable to the project of no more than thirteen (13) ha mangroves outside the RRDMMMA; and (7) decreased freshwater inundation attributable to the project of no more than 130 ha mangroves within the RRDMMMA, subject to the requirements of condition 2-3. |
| EPBC 3A | The approval holder must comply with MS 1175 condition 3-1. | At all times | Listed verification methods | EPBC 3B to EPBC 3H | The approval holder was compliant with the relevant conditions of MS 1175 3-1. | Compliant |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|---|--|---|---|---|-------------------|
| EPBC 3B MS 3-1(1) | There will be no adverse impact on Mardie pool water levels or water quality as a result of changes to groundwater regimes or groundwater quality. | Ongoing, commencing one month after the construction of any surface water diversion | <ul style="list-style-type: none"> Monitoring Results of Mardie pool water levels and water quality | E06_Mardie Pool Monitoring Bores | The Mardie Pools monitoring bores were installed December 2022. Baseline monitoring commenced December 2022. | Not applicable |
| EPBC 3C MS 3-1(2) | There will be no adverse impact to Mardie pool water levels or water quality as a result of surface water flows associated with the proposal. | Ongoing, commencing one month after the construction of any surface water diversion | <ul style="list-style-type: none"> Monitoring Results of Mardie pool water levels and water quality | M01_BCI Evidence Request Response Rev 1 | The surface water diversion was not constructed during the audit period. | Not applicable |
| EPBC 3D MS 3-1(3) | Surface water flooding extent during a one (1)-year ARI or changes to tidal inundation as a result of the construction of the intertidal causeway will not change. | Ongoing | <ul style="list-style-type: none"> Comparison of ERD (June 2020) with flooding extent | C02_DWER MS1175 causeway | Advisian Technical Memorandum 311012-01000-HYD-MEM-0034 25 July 2022 provided to DWER was confirmed as satisfying condition MS3-1(3) in a letter from EPA dated 04/08/2022. | Compliant |
| EPBC 3E MS 3-1(4) | There will be no changes to the health, extent of diversity of more than five (5) ha of intertidal benthic communities and habitat, including mangrove, samphire and algal mat as a result of changes to groundwater regimes or groundwater quality associated with the proposal. | Ongoing | <ul style="list-style-type: none"> Monitoring Results of intertidal benthic communities and habitat | M01_BCI Evidence Request Response Rev 1 | Monitoring of these parameters will commence when the BCHMMP is approved. | Not applicable |
| EPBC 3F MS 3-1(5) | Decreased freshwater inundation attributable to the project will be to no more than fifty-two (52) ha of coastal samphire. | Ongoing | <ul style="list-style-type: none"> Monitoring Results of freshwater inundation of coastal samphire | M01_BCI Evidence Request Response Rev 1 | Monitoring of this parameter will commence when the BCHMMP is approved. | Not applicable |
| EPBC 3G MS 3-1(6) | Decreased freshwater inundation attributable to the project will be to no more than thirteen (13) ha mangroves outside the RRDMMMA. | Ongoing | <ul style="list-style-type: none"> Monitoring Results of freshwater inundation of mangroves | M01_BCI Evidence Request Response Rev 1 | Monitoring of this parameter will commence when the BCHMMP is approved. | Not applicable |
| EPBC 3H MS 3-1(7) | Decreased freshwater inundation attributable to the project will be to no more than 130 ha mangroves within the RRDMMMA subject to the approval holder avoiding all direct and indirect impacts within the RRDMMMA unless approved by the Minister. | Ongoing | <ul style="list-style-type: none"> Monitoring Results of freshwater inundation of mangroves | M01_BCI Evidence Request Response Rev 1 | Monitoring of this parameter will commence when the BCHMMP is approved. | Not applicable |
| MS1175 condition 3-2 [Inland Water]: | | Prior to ground disturbing activities associated with the intertidal causeway, the proponent shall submit and have approved by the CEO the final design of the intertidal causeway, including modelling to demonstrate that the impacts associated with the causeway do not exceed that predicted in Mardie Project – Environmental Review Document (June 2020). | | | | |
| EPBC 3I MS 3-2 | Submit the final design of the intertidal causeway, including modelling to demonstrate that the impacts associated with the causeway do not exceed that predicted in Mardie Project ERD. | Pre-construction | <ul style="list-style-type: none"> Final Design Submission to DWER DWER CEO Approval Correspondence of Final Design | C02_DWER MS1175 causeway | EPA letter dated 04/08/2022 confirmed DWER satisfaction with the outcome of condition 3-2. | Compliant |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|---|---|---|---|--------------------------|-------------------|
| EPBC Decision 2018/8236 Condition 4 [Groundwater Impacts]: | | <p>The approval holder must submit a Groundwater Monitoring and Management Plan (GMMP) to the Minister for approval. The approval holder must not commence operations until the GMMP has been approved by the Minister in writing. The approval holder must implement the approved GMMP. The GMMP must:</p> <ol style="list-style-type: none"> be consistent with the Environmental Management Plan Guidelines. include the outcomes of the Mardie Project Groundwater Memo that is to be implemented, which specifies the locations for the monitoring bores and specifies the modelling to be undertaken to inform the GMMP in order to prevent impacts to the Mardie Pool, terrestrial, intertidal and subtidal protected matters and habitats (the Groundwater Objective). The outcomes of the modelling proposed in the Mardie Project Groundwater Memo must be included as an appendix to the GMMP. include the information required under condition 3-4 of the WA Approval and how the Groundwater Objective will be met. present additional measures based on the outcomes of the modelling undertaken as part of the Mardie Project Groundwater Memo that identify further impacts that may result on protected matters within and/or outside the development envelope. include the details of a review of the draft GMMP by an independent suitably qualified hydrologist and how the recommendations of the independent suitably qualified hydrologist's review have been addressed and resulted in changes to the GMMP. | | | | |
| MS1175 condition 3-3 [Inland Water]: | | <p>The proponent shall prepare and submit to the CEO a Groundwater Monitoring and Management Plan.</p> <ol style="list-style-type: none"> The proponent shall submit with the Groundwater Monitoring and Management Plan, a peer review of the plan carried out by an independent person or independent persons with relevant expertise determined by the CEO, that provides an analysis of the suitability of the plan to meet the outcomes of conditions 3-1(1) and 3-1(4). The proponent shall not commence transfer of seawater, brine or waste product into any evaporation or crystalliser ponds associated with the proposal until the CEO confirmed by notice in writing that the Groundwater Monitoring and Management Plan meets the requirements of condition 3-4. | | | | |
| MS1175 condition 3-4 [Inland Water]: | | <p>The Groundwater Monitoring and Management Plan required by condition 3-3 shall:</p> <ol style="list-style-type: none"> when implemented, substantiate and ensure that the outcome of conditions 3-1(1) and 3-1(4) will be met; provide the details, including timing, of hydrogeological investigations to be carried out that will: <ol style="list-style-type: none"> provide a detailed understanding of the hydrological regime in the project area; inform the final design of monitoring that will meet the requirement of condition 3-4(1); and inform the final design of management and mitigation actions that will be implemented to meet the outcomes of conditions 3-1(1) and 3-1(4); detail the timing of monitoring bore installation and collection of baseline data, providing justification to demonstrate that data will represent baseline where it is collected after the commencement of operations; detail the methodology of seepage recovery actions that will be implemented where seepage from evaporation ponds to groundwater is detected; specify early warning trigger criteria that will trigger the implementation of management and/or contingency actions to prevent non-compliance with conditions 3-1(1) and 3-1(4). specify threshold criteria to demonstrate compliance with condition 3-1(3). specify the methodology of a monitoring program to determine if trigger criteria and threshold criteria have been met and meet the requirement of condition 3-4(1). specify management and/or contingency actions to be implemented if the trigger criteria required by condition 3-4(5) and/or the threshold criteria required by condition 3-4(6) have not been met; and provide the format and timing for the reporting of monitoring results against trigger criteria and threshold criteria to demonstrate that the outcomes in conditions 3-1(1) and 3-1(4) have been met over the reporting period in the Compliance Assessment Report required by condition 18-6. | | | | |
| EPBC 4A MS 3-4 | The approval holder must develop a Groundwater Monitoring and Management Plan to contain the aspects listed in EPBC condition 4 (a) to (e) above and MS 1175 . Condition 3-4 above. | Prior to transfer of seawater, brine or waste product into any evaporation or crystalliser ponds | <ul style="list-style-type: none"> GMMP Contents | GMMP is not applicable to the 2022 independent audit as the approval and implementation was not required in the audit period. The plan was approved in December 2023. | | Not applicable |
| EPBC 4B MS 3-3(1) | The approval holder shall have an independent review of the GMMP carried out by a DWER CEO approved independent reviewer. | Prior to transfer of seawater, brine or waste product into any evaporation or crystalliser ponds | <ul style="list-style-type: none"> DWER Approval of GMMP Independent reviewer Independently Reviewed GMMP | GMMP is not applicable to the 2022 independent audit. | | Not applicable |
| EPBC 4C MS 3-3(2) | Submit an independently reviewed Groundwater Monitoring and Management Plan | Prior to transfer of seawater, brine or waste product into any evaporation or crystalliser ponds | <ul style="list-style-type: none"> GMMP Submission including hydrologists review of GMMP DCCEEW GMMP Submission Correspondence DCCEEW GMMP Submission Correspondence | GMMP is not applicable to the 2022 independent audit. | | Not applicable |
| EPBC 4D MS 3-3(2) | The approval holder must implement the approved GMMP. | Ongoing | <ul style="list-style-type: none"> DWER CEO approval of GMMP DCCEEW Approval of GMMP Independent audit of implementation of GMMP | GMMP is not applicable to the 2022 independent audit. | | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|---|--|--|---|--------------------------|-------------------|
| MS1175 condition 3-5 [Inland Water]: | | The exceedance of a threshold criteria, regardless of whether management actions or threshold contingency actions have been or are being implemented, constitutes non-compliance with these conditions. | | | | |
| EPBC 4E MS 3-5 | Note: All exceedances of a threshold criteria constitute non-compliance with the MS1175 conditions. | Ongoing | <ul style="list-style-type: none"> • GMMP Exceedance Incident Reports • GMMP Monitoring Reports • Inspection Records • Independent audit of implementation of GMMP (n/a post approval December 2023) | Implementation of the GMMP is not applicable to the 2022 independent audit. | | Not applicable |
| MS1175 condition 3-6 [Inland Water]: | | The proponent shall implement the most recent version of the Groundwater Monitoring and Management Plan which the CEO has confirmed by notice in writing, addresses the outcomes of conditions 3-1(1) and 3-1(4). | | | | |
| EPBC 4F MS 3-6 | Implement the current Groundwater Monitoring and Management Plan | Ongoing | <ul style="list-style-type: none"> • Independent audit of implementation of GMMP (n/a post approval December 2023) | GMMP is not applicable to the 2022 independent audit. | | Not applicable |
| MS1175 condition 3-8 [Inland Water]: | | The proponent: <ol style="list-style-type: none"> (1) may review and submit proposed amendments to the Groundwater Monitoring and Management Plan; (2) shall review and submit proposed amendments to the Groundwater Monitoring and Management Plan as and when directed by the CEO; and (3) shall review and submit proposed amendments to the Groundwater Monitoring and Management Plan every five (5) years. | | | | |
| EPBC 4G | The approval holder must comply with MS 1175 condition 3-8. | At all times | Listed verification methods below | GMMP is not applicable to the 2022 independent audit. | | Not applicable |
| EPBC 4H MS 3-8(1) | The approval holder can review and submit the GMMP | Ongoing | <ul style="list-style-type: none"> • Revised GMMP • Revised GMMP Submission Correspondence • Revised DWER and DCCEEW GMMP Approval | GMMP is not applicable to the 2022 independent audit. | | Not applicable |
| EPBC 4I MS 3-8(2) | The approval holder shall review and submit the GMMP when directed by the DWER CEO. | Ongoing | <ul style="list-style-type: none"> • Revised GMMP • Revised GMMP Submission Correspondence • Revised DWER and DCCEEW GMMP Approval | GMMP is not applicable to the 2022 independent audit. | | Not applicable |
| EPBC 4J MS 3-8(3) | The approval holder shall review and submit the GMMP every five years. | Ongoing | <ul style="list-style-type: none"> • Revised GMMP • Revised GMMP Submission Correspondence • Revised DWER and DCCEEW GMMP Approval | GMMP is not applicable to the 2022 independent audit. | | Not applicable |
| MS1175 condition 3-9 [Inland Water]: | | The proponent shall continue to implement the Groundwater Monitoring and Management Plan or any subsequent revisions as confirmed by the CEO in condition 3-3, until the CEO has confirmed by notice in writing that the proponent has demonstrated that the environmental outcomes detailed in conditions 3-1(1) and 3-1(4) have been met. | | | | |
| EPBC 4K MS 3-9 | Implement the current Groundwater Monitoring and Management Plan until notified by the DWER CEO. | Ongoing | <ul style="list-style-type: none"> • Independent audit of implementation of GMMP (n/a post approval December 2023) • DWER notification on requirement to cease implementation of the GMMP | GMMP is not applicable to the 2022 independent audit. | | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|--|--|--|---|--------------------------|-------------------|
| EPBC Decision 2018/8236 Condition 5 [Groundwater Impacts]: | | <p>In the event that any threshold criterion specified in the GMMP, in accordance with condition 3-4(5) and 3-4(6) of the WA Approval is exceeded, the approval holder must:</p> <ol style="list-style-type: none"> undertake the actions required under condition 3-7 of the WA Approval and provide the same information and the report required under condition 3-7(5) of the WA Approval, to the Department, within the same timeframes as specified under condition 3-7 of the WA Approval. within 6 months of any such exceedance, have the GMMP reviewed by an independent suitably qualified hydrologist to advise if the GMMP needs to be revised to prevent any possibility of the exceedance reoccurring and submit the report of the independent suitably qualified hydrologist to the Department. If the review of the GMMP by an independent suitably qualified hydrologist recommends that the GMMP be revised, the approval holder must submit the revised GMMP to the Department for the approval of the Minister within 8 months of any such exceedance. within 6 months of any such exceedance develop a Remediation Plan to be submitted to the Department for the Minister's approval for the any impact(s) to protected matters arising from the exceedance as detailed in the report required under condition 3-7(5) of the WA Approval and condition 5(b). If a Remediation Plan is submitted in accordance with condition 5(c) and that Remediation Plan has not been approved by the Minister in writing within 9 months of the exceedance event, and the Minister notifies the approval holder that the Remediation Plan is not suitable for approval, the Minister may, at least two months after so notifying the approval holder, approve a version of the Remediation Plan revised by the Department. The approval holder must implement the approved Remediation Plan. If the Minister determines that it is not possible to remediate the impact of the exceedance, then the approval holder must, within 10 months of the exceedance of the threshold criterion, submit an Offset Strategy specifying how the impact will be offset in accordance with the Environmental Offsets Policy. If the Offset Strategy has not been approved by the Minister in writing within 11 months of the exceedance event, and the Minister notifies the approval holder that the Offset Strategy is not suitable for approval, the Minister may, at least two months after so notifying the approval holder, approve a version of the Offset Strategy revised by the Department. The approval holder must implement the approved Offset Strategy for the remainder of the life of the project. | | | | |
| MS1175 condition 3-7 [Inland Water]: | | <p>In the event that monitoring or investigations at any time indicate an exceedance of threshold criteria specified in the Groundwater Monitoring and Management Plan confirmed under condition 3-6, the proponent shall:</p> <ol style="list-style-type: none"> report the exceedance in writing to the CEO within seven (7) days of the exceedance being identified; implement the contingency actions required by the Groundwater Monitoring and Management Plan within seven (7) days of the exceedances being reported and continue implementation of those actions until the CEO has confirmed by notice in writing that it has been demonstrated that the threshold criteria are being met and implementation of the threshold contingency actions are no longer required; investigate to determine the cause of the threshold criteria being exceeded; investigate to provide information for the CEO to determine potential environmental harm or alteration of the environment that occurred due to threshold criteria being exceeded; provide a report to the CEO within twenty-one (21) days of the threshold criteria exceedance being reported. The report shall include: <ol style="list-style-type: none"> details of contingency actions implemented; the effectiveness of the contingency actions implemented against the threshold criteria; the findings of the investigations required by conditions 3-7(3) and 3-7(4); measures to prevent the threshold criteria being exceeded in the future; measures to prevent, control or abate impacts which may have occurred; and justification of the threshold criteria remaining, or being adjusted based on better understanding, demonstrating that the outcome in conditions 3-1(1) and 3-1(4) will be met. | | | | |
| EPBC 5A | The approval holder must comply with MS 1175 condition 3-7. | At all times | Listed verification methods below | GMMP is not applicable to the 2022 independent audit. | | Not applicable |
| EPBC 5B MS 3-7(1) | Report any exceedance of threshold criteria to DWER CEO and DCCEEW Minister within 7 days. | On exceedance of Threshold | <ul style="list-style-type: none"> GMMP Exceedance Reporting Correspondence to DWER CEO and DCCEEW Minister | Implementation of the GMMP is not applicable to the 2022 independent audit. | | Not applicable |
| EPBC 5C MS 3-7(2) | Implement contingency actions within 7 days until DWER CEO and DCCEEW Minister has confirmed in notice that implementation of the threshold contingency actions is no longer required. | On exceedance of Threshold | <ul style="list-style-type: none"> Activity Reports GMMP / Exceedance Monitoring Reports DWER and DCCEEW Correspondence on GMMP Exceedance | Implementation of the GMMP is not applicable to the 2022 independent audit. | | Not applicable |
| EPBC 5D MS 3-7(3&4) | Investigate cause of exceedance of threshold and determine potential environmental harm or alteration of the environment that occurred due to threshold criteria being exceeded. | On exceedance of Threshold | <ul style="list-style-type: none"> Incident Investigation Report GMMP / Exceedance Monitoring Reports Benchmarking against Baseline Data | Implementation of the GMMP is not applicable to the 2022 independent audit. | | Not applicable |
| EPBC 5E MS 3-7(5) | Provide a report to DWER CEO and DCCEEW Minister within 21 days containing the aspects in 3-7(5) above. | On exceedance of Threshold | <ul style="list-style-type: none"> DWER Exceedance Report DWER Exceedance Correspondence DCCEEW Exceedance Report DCCEEW Exceedance Correspondence | Implementation of the GMMP is not applicable to the 2022 independent audit. | | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|-----------|---|--|---|---|--------------------------|-------------------|
| EPBC 5F | The GMMP must be reviewed by an independent suitably qualified hydrologist within 6 months of an exceedance to advise if the GMMP needs to be revised to prevent any possibility of the exceedance reoccurring and submit the report of the independent suitably qualified hydrologist to the Department. | On exceedance of Threshold | <ul style="list-style-type: none"> Independent Hydrologist Review of GMMP Submission Correspondence to DCCEEW | Implementation of the GMMP is not applicable to the 2022 independent audit. | | Not applicable |
| EPBC 5G | If the review of the GMMP by an independent suitably qualified hydrologist recommends that the GMMP be revised, the approval holder must submit the revised GMMP to the Department for the approval of the Minister within 8 months of any such exceedance. | On recommendation of GMMP Revision | <ul style="list-style-type: none"> Revised GMMP Submission Correspondence to DCCEEW DCCEEW Approval | Implementation of the GMMP is not applicable to the 2022 independent audit. | | Not applicable |
| EPBC 5H | Submit Remediation Plan within 6 months if required under MS 3-7(5) or EPBC 5B above. | On impact to protected matters | <ul style="list-style-type: none"> Remediation Plan Submission of Remediation Plan Correspondence to DCCEEW | Implementation of the GMMP is not applicable to the 2022 independent audit. | | Not applicable |
| EPBC 5I | The Minister to approve the Remediation Plan within 9 months of submission or provide an approved DCCEEW revised version of the Remediation Plan within 2 months | Approval 9 months after submission of where Remediation Plan required, revised plan 11 months after submission | <ul style="list-style-type: none"> DCCEEW Approval of Remediation Plan | Implementation of the GMMP is not applicable to the 2022 independent audit. | | Not applicable |
| EPBC 5J | The approval holder must implement the approved Remediation Plan. | Where Remediation Plan is in place following exceedance of Threshold | <ul style="list-style-type: none"> Independent audit of approved Remediation Plan in ACR Incident Investigation and Follow up Action Reports Activity Reports Remediation Plan Monitoring Reports | Implementation of the GMMP is not applicable to the 2022 independent audit. | | Not applicable |
| EPBC 5K | If the impact of the exceedance cannot be remediated then the approval holder must submit an Offset Strategy within 10 months of the exceedance of the threshold criterion. | Where Offset Strategy is required as exceedance of Threshold cannot be remediated | <ul style="list-style-type: none"> Independent Incident Investigation Report Monitoring Reports and Recommendations GMMP Offset Strategy submission correspondence to DCCEEW | Implementation of the GMMP is not applicable to the 2022 independent audit. | | Not applicable |
| EPBC 5L | The Offset Strategy will specify how the impact will be offset in accordance with the Environmental Offsets Policy | Upon determination that impact of exceedance cannot be remediated | <ul style="list-style-type: none"> GMMP Offset Strategy Content | Implementation of the GMMP is not applicable to the 2022 independent audit. | | Not applicable |
| EPBC 5M | If the Offset Strategy has not been approved by the Minister within 11 months of the exceedance event, an approved a revised version of the Offset Strategy will be provided by DCCEEW within 2 months | Approval 9 months after submission of plan, revised plan 11 months after submission | <ul style="list-style-type: none"> GMMP Offset Strategy DCCEEW Approval Correspondence | Implementation of the GMMP is not applicable to the 2022 independent audit. | | Not applicable |
| EPBC 5N | The approval holder must implement the approved Offset Strategy for the remainder of the life of the project. | Ongoing | <ul style="list-style-type: none"> Independent audit of implementation of Approved GMMP Offset Strategy in ACR | Implementation of the GMMP is not applicable to the 2022 independent audit. | | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|--|---|---|---|---|-------------------|
| EPBC Decision 2018/8236 Condition 6 [Groundwater Impacts]: | | The approval holder must have the GMMP reviewed by an independent suitably qualified hydrologist at least once before every 10-year anniversary of the first approval of the GMMP and subsequently every 10 years for the life of the project or unless specified by the Minister in writing. If the independent suitably qualified hydrologist recommends revision of the GMMP, the approval holder must, within 6 months of receiving the recommendation of the independent suitably qualified hydrologist, submit a revised GMMP addressing the recommendations of the independent suitably qualified hydrologist accompanied by the recommendations of the independent suitably qualified hydrologist to the Department within 3 months of the most recent 10-year anniversary of the first approval of the GMMP, for approval by the Minister. | | | | |
| EPBC 6A | The GMMP must be independently reviewed prior to the 10 year anniversary of first approval and every subsequent 10 years for the life of the project. | 10 years following GMMP approval and subsequent 10 year periods | <ul style="list-style-type: none"> Independent Hydrologist GMMP Review Report and Recommendations | Implementation of the GMMP is not applicable to the 2022 independent audit. | | Not applicable |
| EPBC 6B | The approval holder must submit a revised GMMP within 6 months of the independent review where recommendations are made. | 6 months following the independent review or 3 months post the anniversary of EPBC 6A | <ul style="list-style-type: none"> Revised GMMP Submission Correspondence of GMMP and Independent Recommendations to DCCEEW | Implementation of the GMMP is not applicable to the 2022 independent audit. | | Not applicable |
| EPBC Decision 2018/8236 Condition 7 [Groundwater Impacts]: | | If a revised GMMP is submitted in accordance with condition 5(b) or condition 6 and that GMMP has not been approved by the Minister in writing within 10 months of the exceedance event, and the Minister notifies the approval holder that the GMMP is not suitable for approval, the Minister may, at least two months after so notifying the approval holder, approve a version of the GMMP revised by the Department. | | | | |
| EPBC 7 | If the GMMP has not been approved by the Minister within 10 months of the exceedance event, an approved a revised version of the GMMP will be provided by DCCEEW within 2 months | Approval 10 months after submission of plan, revised plan 12 months after submission | <ul style="list-style-type: none"> DCCEEW GMMP Approval Correspondence | Implementation of the GMMP is not applicable to the 2022 independent audit. | | Not applicable |
| EPBC Decision 2018/8236 Condition 8 [Groundwater Impacts]: | | To minimise impacts to protected matters and their habitats that include the Mardie Pool, open riparian woodlands vegetation and Benthic Communities and Habitat, the approval holder must, at least once per week, monitor the evaporation pond walls for surface expressions of seepage, brine spill and structural integrity. In the event that seepage and/or brine spill does occur then the approval holder must do the following: <ul style="list-style-type: none"> (a) notify the Minister within 7 days of the event. (b) investigate the potential harm and impact to the environment due to the seepage and/or brine spill event. (c) provide an investigation report to the Minister for review within 7 days of the seepage and/or brine spill event being reported. The Report must provide the outcomes of the investigation. (d) If the investigation report prepared in condition 8(c) above recommends the implementation of a remediation plan, within 6 months of any seepage and/or brine spill event, the approval holder must develop a Remediation Plan and submit to the Department for the Minister's approval for the impact(s) to protected matters arising from the seepage and/or brine spill event. (e) If a Remediation Plan is submitted in accordance with condition 8(d) and that Remediation Plan has not been approved by the Minister in writing within 9 months of the seepage and/or brine spill event, and the Minister notifies the approval holder that the Remediation Plan is not suitable for approval, the Minister may, at least two months after so notifying the approval holder, approve a version of the Remediation Plan revised by the Department. The approval holder must implement the approved Remediation Plan. (f) If the Minister determines that it is not possible to remediate the impact of the seepage and/or brine spill event, then the approval holder must, within 10 months of the seepage and/or brine spill event, submit an Offset Strategy specifying how the impact will be offset in accordance with the Environmental Offsets Policy. If the Offset Strategy has not been approved by the Minister in writing within 11 months of the exceedance event, and the Minister notifies the approval holder that the Offset Strategy is not suitable for approval, the Minister may, at least two months after so notifying the approval holder, approve a version of the Offset Strategy revised by the Department. The approval holder must implement the approved Offset Strategy for the remainder of the life of the project. | | | | |
| EPBC 8A | Monitor the evaporation pond walls for surface expressions of seepage, brine spill and structural integrity | Ongoing | <ul style="list-style-type: none"> Evaporation Pond Inspection Registers Evaporation Pond Wall Monitoring Reports | M01_BCI Evidence Request Response Rev 1 | The evaporation ponds have not been filled in the audit period. | Not applicable |
| EPBC 8B | In the event that seepage and/or brine spill (an event) does occur then the approval holder must notify DCCEEW within 7 days | Ongoing | <ul style="list-style-type: none"> Incident Report Incident Notification Correspondence to DCCEEW | Refer to EPBC 8A | Refer to EPBC 8A | Not applicable |
| EPBC 8C | The approval holder must investigate the potential harm and impact to the environment due to the event | In the event of seepage and/or brine spill | <ul style="list-style-type: none"> Investigation Report Monitoring Reports | Refer to EPBC 8A | Refer to EPBC 8A | Not applicable |
| EPBC 8D | The approval holder must provide an investigation report containing the outcomes of the investigation to the Minister for review within 7 days of the event being reported. | In the event of seepage and/or brine spill | <ul style="list-style-type: none"> Investigation Report Investigation Report Submission Correspondence to DCCEEW | Refer to EPBC 8A | Refer to EPBC 8A | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|-----------|--|--|--|------------------|--------------------------|-------------------|
| EPBC 8E | A Remediation Plan is to be developed and submitted to DCCEEW where the implementation of a Remediation Plan within 6 months of the event is recommended in the investigation report in 8D | within 6 months of the event where a Remediation Plan is required in the event of a seepage and/or brine spill | <ul style="list-style-type: none"> Submission of Remediation Plan Correspondence to DCCEEW | Refer to EPBC 8A | Refer to EPBC 8A | Not applicable |
| EPBC 8F | The Minister to approve the Remediation Plan within 9 months of the event or provide an approved DCCEEW revised version of the Remediation Plan within 2 months | Approval 9 months after submission of where Remediation Plan required, revised plan 11 months after submission | <ul style="list-style-type: none"> DCCEEW Approval of Remediation Plan | Refer to EPBC 8A | Refer to EPBC 8A | Not applicable |
| EPBC 8G | The approval holder must implement the approved Remediation Plan. | Where Remediation Plan is in place following event of a seepage and/or brine spill | <ul style="list-style-type: none"> Independent audit of implementation of approved Remediation Plan (where applicable) Incident Investigation and Follow up Action Reports Activity Reports Monitoring Reports | Refer to EPBC 8A | Refer to EPBC 8A | Not applicable |
| EPBC 8H | If the impact of the event cannot be remediated then the approval holder must submit an Offset Strategy within 10 months of the exceedance of the event. | Where Offset Strategy is required as impact of the seepage and/or brine spill cannot be remediated | <ul style="list-style-type: none"> Incident Investigation Report Monitoring Reports and Recommendations Offset Strategy submission correspondence to DCCEEW | Refer to EPBC 8A | Refer to EPBC 8A | Not applicable |
| EPBC 8I | The Offset Strategy will specify how the impact will be offset in accordance with the Environmental Offsets Policy | Upon determination that impact of the seepage and/or brine spill cannot be remediated | <ul style="list-style-type: none"> Offset Strategy Content | Refer to EPBC 8A | Refer to EPBC 8A | Not applicable |
| EPBC 8J | If the Offset Strategy has not been approved by the Minister within 11 months of the exceedance event, an approved a revised version of the Offset Strategy will be provided by DCCEEW within 2 months | Approval 9 months after submission of plan, revised plan 11 months after submission | <ul style="list-style-type: none"> Offset Strategy Approval Correspondence to DCCEEW | Refer to EPBC 8A | Refer to EPBC 8A | Not applicable |
| EPBC 8K | The approval holder must implement the approved Offset Strategy for the remainder of the life of the project. | Ongoing | <ul style="list-style-type: none"> Independent audit of the implementation of the Approved Offset Strategy (where applicable) | Refer to EPBC 8A | Refer to EPBC 8A | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|--|--|--|--|---|---|-------------------|
| EPBC Decision 2018/8236 Condition 9 [Surface Water and Tidal Change Impacts]: | | <p>To minimise impacts to the protected matters and their habitats that includes the Mardie Pool, open riparian woodlands vegetation and Benthic Communities and Habitat, the construction, operation and presence of the intertidal rock causeway must not impede water flows to and from the Benthic Communities and Habitat and the Mardie Pool or otherwise impact the coastal tidal inundation regime (the Intertidal Flow Objective) and as detailed in Attachment 5. To ensure these objectives are achieved, the approval holder must:</p> <ol style="list-style-type: none"> Comply with condition 3-2 of the WA Approval to ensure that the Intertidal Flow Objective can be achieved. If they cannot be achieved the causeway cannot be built until further engineering solutions are found to achieve the Intertidal Flow Objective. Install floodways and culverts at the locations which the latest inundation modelling demonstrates will ensure that the Intertidal Flow Objective is met. Within 1 month of the construction of the intertidal rock causeway undertake daily visual monitoring once every peak high tide and once mid tide for a minimum of 2 tidal cycles to determine whether the Intertidal Flow Objective has been achieved. If the Intertidal Flow Objective has not been achieved and do not align with the outcomes predicted by the latest inundation modelling, then the approval holder must undertake the following actions within 3 months of the construction of the intertidal rock causeway: <ol style="list-style-type: none"> sufficient additional field monitoring to determine the quantitative extent of the flow restriction. re-run the inundation model using site-specific data from the monitoring undertaken since the completion of the construction of the intertidal rock causeway to determine if the flow restriction(s) can be achieved by further engineering solutions to meet the Intertidal Flow Objective. If the monitoring, inundation modelling and further engineering solutions undertaken and implemented after the construction of the intertidal rock causeway shows that the Intertidal Flow Objective are unlikely to be achieved, then the intertidal rock causeway must be removed to ensure the Intertidal Flow Objective are achieved within 6 months of the completion of the construction of the causeway. Unless the approval holder provides suitable evidence that impacts from not meeting the Intertidal Flow Objective due to the intertidal rock causeway are likely to not result in a significant impact. This evidence will need to be submitted to the Department within 6 months of completion of the construction of the causeway. The Minister will provide approval in writing on whether the intertidal rock causeway will need to be removed or can be retained. Further modelling and engineering evidence, that will meet the Intertidal Flow Objective, will need to be submitted to the Department for Minister approval prior to the construction of a new causeway. undertake monitoring at least once each month and after each large storm event, for the life of the project to determine whether the Intertidal Flow Objective continues to be met. Monitoring must continue unless the Minister has provided written agreement that ongoing monthly monitoring is no longer required. If the intertidal flow objectives are not being met, then the requirements of condition 9(d) must be undertaken. | | | | |
| EPBC 9A | The Approval Holder is not to build the causeway until condition MS1175:3-2 is achieved (Final Design is approved). | Prior to ground disturbing activities | <ul style="list-style-type: none"> Independent audit Final Design Submission DCCEEW Approval Correspondence for EPBC condition 9(a) [EPBC 3B] | M01_BCI Evidence Request Response Rev 1 | The causeway was not built in the audit period. | Not applicable |
| EPBC 9B | If EPBC 9A cannot be achieved the causeway cannot be built until further engineering solutions are found to achieve the Intertidal Flow Objective. | Prior to ground disturbing activities | <ul style="list-style-type: none"> Final Design Submission DCCEEW Approval Correspondence | Refer to EPBC 9A | Refer to EPBC 9A | Not applicable |
| EPBC 9C | The approval holder is to install flood ways and culverts at the locations which the latest inundation modelling demonstrates will ensure that the Intertidal Flow Objective is met. | During Construction | <ul style="list-style-type: none"> Design Reports Environmental Review Document Modelling As Constructed Survey | Refer to EPBC 9A | Refer to EPBC 9A | Not applicable |
| EPBC 9D | The approval holder will undertake daily visual monitoring once every peak high tide and once mid tide for a minimum of 2 tidal cycles to determine whether the Intertidal Flow Objective has been achieved. | Within one month post construction | <ul style="list-style-type: none"> Monitoring Results | Refer to EPBC 9A | Refer to EPBC 9A | Not applicable |
| EPBC 9E | If the flow objective in EPBC 9D was not achieved the additional monitoring, modelling and engineering solutions must be taken within 3 months as per Condition 9(d) above. | If post construction monitoring shows objective not achieved | <ul style="list-style-type: none"> Monitoring Results Modelling Results Engineering Analysis and Designs | Refer to EPBC 9A | Refer to EPBC 9A | Not applicable |
| EPBC 9F | If additional monitoring, modelling and engineering solutions show that Intertidal Flow Objective cannot be achieved then removal is required within 6 months or evidence provided to DCCEEW within 6 months that the Intertidal Flow Objective can be achieved. | If post construction monitoring shows objective not achieved | <ul style="list-style-type: none"> Removal Activity Reports Submission of Removal Activity Reports correspondence with DCCEEW | Refer to EPBC 9A | Refer to EPBC 9A | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|---|---|--|---|--|-------------------|
| EPBC 9G | Undertake monitoring monthly and after each large storm event to determine whether the Intertidal Flow Objective continues to be met. | Monthly, life of project | <ul style="list-style-type: none"> Monitoring Reports | Refer to EPBC 9A | Refer to EPBC 9A | Not applicable |
| EPBC 9H | If the intertidal flow objectives are not being met, then the requirements of condition 9(d) must be undertaken. | If post construction monitoring shows objective not achieved | <ul style="list-style-type: none"> Additional Monitoring Results Additional Modelling Results Additional Engineering Analysis and Designs Alternate causeway design submission to DCCEEW | Refer to EPBC 9A | Refer to EPBC 9A | Not applicable |
| EPBC Decision 2018/8236 Condition 10 [Surface Water and Tidal Change Impacts]: | | To minimise impacts to protected matters, the surface water diversions must ensure that the intertidal flows and surface water flows have been maintained to the Mardie Pool, open riparian woodlands vegetation and Benthic Communities and Habitat, and that the water flows align with the modelled predictions in the Mardie Project Environmental Review (the Surface Water Objective) and as outlined in Attachment 6. To ensure these outcomes, commencing one month after the construction of any surface water diversion, the approval holder must: <ul style="list-style-type: none"> (a) Comply with conditions 3-1(1) and 3-1(2) of the WA Approval. (b) monitor surface water flows at least once each month for at least 12 months to determine whether the surface water flows to the Mardie Pool are maintained and equivalent to the modelled predictions in the Mardie Project Environmental Review. The monitoring must include collection from at least three points within each of the drainage channels, the intertidal zone and the Mardie Pool. | | | | |
| EPBC 10 | The approval holder must monitor surface water flows at least once each month for at least 12 months from at least three points within each of the drainage channels, the intertidal zone and the Mardie Pool. | Monthly for one year from one month after construction of any surface water diversion. | <ul style="list-style-type: none"> Surface water flow monitoring results | M01_BCI Evidence Request Response Rev 1 | Surface water diversion was not constructed in the audit period. | Not applicable |
| EPBC Decision 2018/8236 Condition 11 [Surface Water and Tidal Change Impacts]: | | If the monthly monitoring under condition 10 identifies that the Surface Water Objective has not been met for the Mardie Pool, the approval holder must undertake the actions outlined in condition 5. | | | | |
| EPBC 11 | The approval holder must undertake the actions outlined in EPBC condition 5 if the monthly monitoring under condition EPBC 10 identifies that the Surface Water Objective has not been met for the Mardie Pool. | If surface water objective has not been met | <ul style="list-style-type: none"> Surface water flow monitoring reports Surface water flow monitoring reporting Correspondence to DCCEEW Incident Investigation Report DCCEEW Report Report submission Correspondence to DCCEEW Remediation Plan DCCEEW Approval of Remediation Plan Independent audit of implementation of approved Remediation Plan in ACR Offset Strategy submission correspondence DCCEEW Offset Strategy Approval Correspondence Independent audit of implementation of Approved Offset Strategy in ACR | Refer to EPBC 10 | Refer to EPBC 10 | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|---|--|--|---|---|-------------------|
| EPBC Decision 2018/8236 Condition 12 [Surface Water and Tidal Change Impacts]: | | If the monthly monitoring under condition 10 identifies that the Surface Water Objective has not been met for the Benthic Communities and Habitat, the approval holder must undertake the actions outlined in condition 23(f). | | | | |
| EPBC 12 | The approval holder must undertake the actions outlined in condition 23(f) if the monitoring in condition 10 identifies that the Surface Water Objective has not been met for the Benthic Communities and Habitat (notify an exceedance of a threshold criteria specified in the BCHMMP). | Where Surface Water Objective has not been met for the Benthic Communities and Habitat | <ul style="list-style-type: none"> Incident Reports Monitoring Data DWER CEO notification correspondence DCCEEW Minister notification correspondence Activity Reports Incident Investigation and Follow up Action Reports Remediation Plan DCCEEW Remediation Plan submission correspondence DCCEEW Approval of Remediation Plan Independent audit of approved Remediation Plan in ACR | Refer to EPBC 10 | Refer to EPBC 10 | Not applicable |
| EPBC Decision 2018/8236 Condition 13 [Impacts to Protected Matters]: | | To minimise impacts to protected matters from the impacts of weed infestation, the approval holder must undertake weed management actions, including the following: <ul style="list-style-type: none"> (a) ensure that any vehicle moving from an area of weed infestation is cleaned of any soil and organic matter before it enters any area free of weed infestation. (b) not move any soil from any area of weed infestation to any area free of weed infestation. (c) prior to the commencement of the operation have a Mesquite Management Plan approved by the Pilbara Mesquite Management Committee. (d) implement the approved Mesquite Management Plan for the life of the project. (e) prior to each five-year anniversary of the commencement of the action, survey the development envelope for weeds and submit to the Department a map of current weed distribution in the development envelope and a report on the progress in controlling weeds in the development envelope and the outcomes from implementing the Mesquite Management Plan. | | | | |
| EPBC 13A | The approval holder must ensure that any vehicle moving from an area of weed infestation is cleaned of any soil and organic matter before it enters any area free of weed infestation. | Ongoing | <ul style="list-style-type: none"> Project Vehicle Hygiene Register Project Induction Presentation Project Induction Records | E07_20221219 Weed Hygiene Checklist - 1HBJ027 E08_20230109 Weed Hygiene Checklist - 1EYL063 E09_20230111 Weed Hygiene Exit Checklist - LV28001 E10_20230208 Weed Hygiene Exit Checklist - Qbirt truck - 1HBV295 C03_EPBC 20188236 Condition 39 Non compliance (14c) C04_EPBC 20188236 Condition 39 Non compliance (13a) 10 day | Vehicles undertake hygiene inspections on entry (E07, E08) and exit (E09, E10) from the project area. BCI Minerals notified DCCEEW of a breach of hygiene requirements on 12/10/2022. The induction includes requirements for driving vehicles but does not include the requirement to undertake hygiene inspections. | Compliant |
| EPBC 13B | The approval holder must not move any soil from any area of weed infestation to any area free of weed infestation. | Ongoing | <ul style="list-style-type: none"> Borrow Pit Procedures Soil Certification Requirements | M02_BCI Evidence Request Response Rev 2 | The whole Mardie Project is considered infested by mesquite however controls are in place. There was 62.5 ha of mesquite infested area cleared in the audit period. No soil is moved from these areas. Hygiene is required on entry and exit for all vehicles and equipment. | Compliant |
| EPBC 13C | The Mesquite Management Plan is to be approved by the Pilbara Mesquite Management Committee. | Prior to the commencement of operation | <ul style="list-style-type: none"> Mesquite Management Plan Approval Correspondence from Pilbara Mesquite Management Committee | MMP is not applicable to the 2022 independent audit as the approval and implementation was not required in the audit period. The plan was approved in October 2023. | | Not applicable |
| EPBC 13D | The approval holder must implement the approved Mesquite Management Plan for the life of the project. | Ongoing | <ul style="list-style-type: none"> Independent Audit of implementation of the Mesquite Management Plan (n/a post approval October 2023) | MMP is not applicable to the 2022 independent audit. | | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|---|---|---|---|---|--|
| EPBC 13E | The approval holder must survey the development envelope for weeds. | Prior to each five-year anniversary of the commencement of the action | <ul style="list-style-type: none"> Development Envelope Weed Survey | R01_2022 Independent Audit | Audit period is prior to the five-year anniversary of the commencement of the action. | Not applicable |
| EPBC 13F | The approval holder must submit to the Department a map of current weed distribution in the development envelope and a report on the progress in controlling weeds in the development envelope and the outcomes from implementing the Mesquite Management Plan. | Prior to each five-year anniversary of the commencement of the action | <ul style="list-style-type: none"> Report on Weed control progress outcomes of implementing MMP Submission correspondence to DCCEEW | MMP is not applicable to the 2022 independent audit. | | Not applicable |
| EPBC Decision 2018/8236 Condition 14 [Impacts to Protected Matters]: | | <p>The approval holder must implement the following measures during any construction or clearing and until all terrestrial construction has been completed:</p> <ul style="list-style-type: none"> (a) Any construction and/or clearing within 1 kilometre from the nearest part of Mardie Pool must only occur in daylight hours to minimise noise, vibration and artificial lighting impacts on terrestrial fauna. (b) Undertake any clearing so that it progresses gradually in a direction that enables any fauna to safely leave the vicinity of clearing. (c) During any clearing have a fauna spotter catcher present and authorised to halt or order the manner in which any clearing or other works are undertaken within Northern Quoll Low rocky hill habitat, Pilbara Leaf-nosed Bat Triodia grassland habitat and Pilbara Olive Python open riparian woodlands so as to prevent harm to terrestrial fauna. (d) This fauna spotter catcher will also check all open trenches less than two hours after sunrise and before commencing any continued construction to detect and safely remove any trapped terrestrial fauna. (e) Minimise airborne dust by using water and/or dust suppressants on disturbed soils, during product transfers and within storage areas. (f) Induct and educate all personnel associated with the action and/or entering the development envelope prior to them entering the development envelope, to ensure that they can correctly identify the Pilbara Olive Python by sight both on the ground and from inside vehicles and know that the Pilbara Olive Python must not be killed or injured. (g) Ensure that no vehicle travels faster than 40 kilometres per hour (kph) within the low speed zone and erect clearly legible and comprehensible signage alerting drivers to the likelihood of encountering wildlife and the speed limit on both sides of all roads where any vehicles enter the low speed zone as outlined in Attachment 7. | | | | |
| EPBC 14A | Any construction and/or clearing within 1 kilometre from the nearest part of Mardie Pool must only occur in daylight hours. | During Clearing and Construction | <ul style="list-style-type: none"> Daily Reports (1km from Mardie Pool) HSE Inspections | M01_BCI Evidence Request Response Rev 1 E11_GDP31 Monitoring Bore Installation | Clearing for monitoring bores (within 1 km of Mardie Pool) in the audit period was conducted during daylight hours (E11). Nightworks were not approved for the project during the audit period. | Compliant |
| EPBC 14B | Undertake any clearing so that it progresses gradually in a direction that enables any fauna to safely leave the vicinity of clearing. | During Clearing | <ul style="list-style-type: none"> HSE Inspections | <i>Management Advice 12/06/2024</i> E11_GDP31 Monitoring Bore Installation | Clearing is undertaken gradually from one horizon in a straight line to the opposite horizon enabling fauna to safely leave the vicinity of clearing. The GDP procedure does not document this requirement and GDP31 (E11) did not mention this requirement or any other condition under the EPBC Approval. OFI Update the GDP process to ensure that all EPBC conditions are included on GDP Permits. | Compliant |
| EPBC 14C | During any clearing have a fauna spotter catcher present and authorised to halt or order the manner in which any clearing or other works are undertaken within Northern Quoll Low rocky hill habitat, Pilbara Leaf-nosed Bat Triodia grassland habitat and Pilbara Olive Python open riparian woodlands so as to prevent harm to terrestrial fauna. | During Clearing | <ul style="list-style-type: none"> Daily Reports | C03_EPBC 20188236 Condition 39 Non compliance (14c) | BCI Minerals reported to DCCEEW that a fauna catcher had not been present on the 06/09/2022 during clearing activities. | Potentially non-compliant (reported ACR) |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|-----------|--|--|---|--|--|---|
| EPBC 14D | The fauna spotter catcher will check all open trenches less than two hours after sunrise and before commencing any continued construction to detect and safely remove any trapped terrestrial fauna | During Construction | <ul style="list-style-type: none"> Daily Reports | R02_Mardie Minerals EPBC 2022_23 ACR C16_Condition 39 Notification of Non-Compliance | The 2022/23 ACR (R02) reports that “not all trenches across the site have been checked at the times specified in accordance with the condition”. Fauna spotter reports were not provided to confirm level of compliance with this condition. This non-compliance was also reported to DCCEEW 30/05/2023 (C16). | Potentially non-compliant (reported 30/05/2023 and ACR) |
| EPBC 14E | Minimise airborne dust by using water and/or dust suppressants on disturbed soils, during product transfers and within storage areas. | Operations | <ul style="list-style-type: none"> HSE Inspection Dust Monitoring Results | E12_Groundwater Extraction Summary E05_Environmental Incident Register | Water carts were in use to suppress dust in the audit period. No dust monitoring was undertaken in the audit period. No incidents of high dust emissions were experienced in the audit period. | Compliant |
| EPBC 14F | All personnel entering the development envelope to undertake induction and education to ensure they can correctly identify the Pilbara Olive Python by sight both on the ground and from inside vehicles and know that the Pilbara Olive Python must not be killed or injured. | Prior to entering the development envelope | <ul style="list-style-type: none"> Project Induction presentation (all personnel entering DE) Induction register Incident report | E04_BCI Mardie Site Induction R9 | There is no information within the induction on the Pilbara Olive Python. | Potentially non-compliant |
| EPBC 14G | Erect clearly legible and comprehensible signage on both sides of the road alerting drivers to the likelihood of encountering wildlife where any vehicles enter the low speed zone | Ongoing | <ul style="list-style-type: none"> HSE Inspection | E13_Mardie Pool Low Speed Zone 1 E14_Mardie Pool Low Speed Zone 2 E15_Northern Quoll Low Speed Zone 1 E16_Northern Quoll Low Speed Zone 2 | Speed limit signage is in place for low speed zones however no wildlife alert signage is erected. OFI Wildlife alert signage to be erected where speed zone signage is in place. | Compliant |
| EPBC 14H | Erect speed limit signage on all roads where any vehicles enter the low speed zone to ensure that no vehicle travels faster than 40 kilometres per hour (kph) | Ongoing | <ul style="list-style-type: none"> HSE Inspection | E13_Mardie Pool Low Speed Zone 1 E14_Mardie Pool Low Speed Zone 2 E15_Northern Quoll Low Speed Zone 1 E16_Northern Quoll Low Speed Zone 2 | Speed limit signage (40 km/hr) is in place for low speed zones. | Compliant |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|---|--|--|---|---|---|
| EPBC Decision 2018/8236 Condition 15 [Impacts to Protected Matters]: | | <p>The approval holder must implement the following measures for the life of the project:</p> <ul style="list-style-type: none"> (a) Implement the Construction Environmental Management Plan. The approval holder may submit a revised Construction Environmental Management Plan at any time to the Minister for approval. The Minister approved plan and any other subsequently approved plan must be implemented. (b) Ensure that the number of cats, foxes, rabbits, pigs, and cane toads within the development envelope is lower than the number for each species prior to the commencement of the action that starts with the baselines as outlined in the Mardie Project Environmental Review. A reference site at Mardie Station will be used to provide evidence of these numbers against yearly natural fluctuations of cats, foxes, rabbits, pigs, and cane toads. (c) Each year undertake monitoring according to best survey practices to determine the number of cats, foxes, rabbits, pigs, and cane toads within the development envelope and provide the findings of the surveys for each year in the compliance report that immediately follows that year. (d) Ensure that the approval holder will not bring domestic animals into the development envelope. (e) Ensure that no fishing occurs from the trestle jetty or the Mardie Pool, as defined in Attachment 4, or within the development envelope. (f) Adequately induct all personnel associated with the action and/or entering the development envelope prior to them entering the development envelope, so that no person or low-flying craft (including drones) enters any area of habitat of migratory shorebirds as outlined in the green polygon in Attachment 3 within the development envelope for any purpose other than scientific survey or study approved by the Minister or Western Australian Government. (g) Securely contain all waste that is present in the development envelope and ensure that all waste is removed from the development envelope at least once each month and disposed of at the appropriate waste disposal facilities approved by the Western Australian Government. (h) Ensure that no waste from the development envelope reaches migratory shorebirds habitat as outlined in the green polygon at Attachment 3 or marine fauna habitat as outlined in the dark blue polygon at Attachment 3. (i) Install fauna egress mechanisms at all evaporative ponds to ensure that they are fully effective to enable any wildlife escape for the life of the project. | | | | |
| EPBC 15A | Implement the Construction Environmental Management Plan (CEMP). The approval holder may submit a revised Construction Environmental Management Plan at any time to the Minister for approval. The Minister approved plan and any other subsequently approved plan must be implemented. | Ongoing | <ul style="list-style-type: none"> • Current Revision of the CEMP • Approval of CEMP Correspondence from DCCEEW • Independent Audit of the implementation of the CEMP: <ul style="list-style-type: none"> • Project Impacts • Management Action Compliance • Responsibilities • Contingency Measures • Emissions and Discharges • Incident Management • Reporting | R01_2022 Independent Audit Appendix B | <p>The CEMP [MAR-0000-EV-STR-EGM-020-0002 rev 1] applicable to the audit period was implemented.</p> <p>Assessment of the implementation of the 87 commitments in the CEMP the audit (Appendix B) found that:</p> <ul style="list-style-type: none"> • 50 commitments were assessed as conformant; • 17 commitments were assessed as not applicable at this time; and • 20 commitments were assessed to be potentially non-conformant. | Compliant |
| EPBC 15B | Monitor a reference site at Mardie Station for yearly natural fluctuations of cats, foxes, rabbits, pigs, and cane toads. | Prior to the commencement of the action | <ul style="list-style-type: none"> • Monitoring Data for cats, foxes, rabbits, pigs, and cane toads. | M01_BCI Evidence Request Response Rev 1 | Annual monitoring of cats, foxes, rabbits, pigs, and cane toads at the reference site was not undertaken in the audit period. | Potentially non-compliant (reported 30/05/2023 and ACR) |
| EPBC 15C | Ensure that the number of cats, foxes, rabbits, pigs, and cane toads within the development envelope is lower than the number for each species prior to the commencement of the action. | Annually from commencement | <ul style="list-style-type: none"> • Comparison of Data with ERD Baseline | Not applicable | Activity commenced at the start of the audit period. | Not applicable |
| EPBC 15D | Survey the number of cats, foxes, rabbits, pigs, and cane toads within the development envelope each year | Prior to the commencement of the action and annually thereafter | <ul style="list-style-type: none"> • Survey Report for cats, foxes, rabbits, pigs, and cane toads. | M01_BCI Evidence Request Response Rev 1 | Pre-commencement survey of the number of cats, foxes, rabbits, pigs, and cane toads within the development envelope was not undertaken to provide the data required for EPBC 15C. | Potentially non-compliant (reported ACR) |
| EPBC 15E | Provide the previous year's survey report of cats, foxes, rabbits, pigs, and cane toads with the ACR. | Ongoing | <ul style="list-style-type: none"> • ACR • ACR submission correspondence to DCCEEW | M01_BCI Evidence Request Response Rev 1 | There are no survey reports for provision to DCCEEW in the ACR. | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|--|--|---|--|--|---------------------------|
| EPBC 15F | The approval holder will not bring domestic animals into the development envelope. | Ongoing | <ul style="list-style-type: none"> Project Induction Presentation Induction Register Incident Report | E04_BCI Mardie Site Induction R9 E05_Environmental Incident Register | There were no incidents recorded where domestic animals were brought on site in the audit period. OFI Include reference in the induction presentation that domestic animals are not to be brought into the development envelope. | Compliant |
| EPBC 15G | Ensure that no fishing occurs from the trestle jetty or the Mardie Pool, or within the development envelope. | Ongoing | <ul style="list-style-type: none"> Project Induction Presentation Induction Register Incident Report | E04_BCI Mardie Site Induction R9 E05_Environmental Incident Register | There were no incidents involving fishing recorded in the audit period. OFI Include reference in the induction presentation that fishing from the trestle jetty or the Mardie Pool, or within the development envelope is not permitted. | Compliant |
| EPBC 15H | Induct all personnel associated with the action and/or entering the development envelope, so that no person or low-flying craft (including drones) enters any area of habitat of migratory shorebirds for any purpose other than scientific survey or study approved by the Minister or Western Australian Government. | Prior to personnel entering the development envelope | <ul style="list-style-type: none"> Project Induction Presentation Induction Register Incident Report | E04_BCI Mardie Site Induction R9 C16_Condition 39 Notification of Non-Compliance | The BCI induction does not mention the presence of migratory shorebirds habitat. DCCEEW notification (C16) reports access has been made to small sections of Migratory Shorebird Habitat. | Potentially non-compliant |
| EPBC 15I | Securely contain all waste that is present in the development envelope and ensure that all waste is removed from the development envelope at least once each month and disposed of at the appropriate waste disposal facilities approved by the Western Australian Government. | Ongoing | <ul style="list-style-type: none"> Waste Disposal Register HSE Inspection | E30_Cleanaway June Invoice E31_Cleanaway August Invoice E32_Environmental_workplace_inspection-NRW | Evidence was provided for waste being removed from the development envelope once every two months by Cleanaway. Environmental inspection (E32) shows no evidence of feral animal activity. | Compliant |
| EPBC 15J | Ensure that no waste from the development envelope reaches migratory shorebirds habitat. | Ongoing | <ul style="list-style-type: none"> HSE Inspection Incident Report | M01_BCI Evidence Request Response Rev 1 E05_Environmental Incident Register | No waste from the development envelope reached migratory shorebirds habitat in the audit period. | Not applicable |
| EPBC 15K | Install fauna egress mechanisms at all evaporative ponds to ensure that they are fully effective to enable any wildlife escape for the life of the project. | Operations | <ul style="list-style-type: none"> HSE Inspection Incident Report | M01_BCI Evidence Request Response Rev 1 E05_Environmental Incident Register | Evaporation ponds were not filled in the audit period. There were no fauna egress incidents in the audit period. | Not applicable |
| EPBC Decision 2018/8236 Condition 16 [Impacts to Protected Matters]: | | <p>The approval holder must implement measures to minimise vessel strikes of marine fauna including:</p> <ol style="list-style-type: none"> Ensure that any vessels operated or contracted by the approval holder that is over 20 metres in length does not exceed 8 knots within the port operational waters and 12 knots outside the port operational waters during dredging, piling and transshipment for the life of the project. Ensure that all vessels operated or contracted by the approval holder do not exceed 8 knots within 500 metres of any identified cetacean, dugong or marine turtle. Ensure that all vessels remain within port operational waters during normal operations to reduce the spatial extent of vessel strike risk. Ensure that all vessel operators have been trained to avoid vessel strikes of marine fauna and to report any sightings of marine fauna to other vessel operators in the area to enable them to be tracked and avoided. Ensure that all marine fauna sightings are recorded (including the location, date and time of the sighting and the name, qualifications and experience of the vessel operator that made the sighting) and reported in the next compliance reporting and published on the website when each compliance report is submitted to the Department. Ensure that any vessel strike or incident involving marine turtles, Green Sawfish, Short-nosed Sea snake, manta ray, Humpback Whale, Australian Humpback Dolphin, or Dugong is reported to DBCA within 2 hours of the occurrence of the vessel strike and/or incident and that any consequent request made by DBCA is implemented. | | | | |
| EPBC 16A | The approval holder must ensure that any vessels over 20 metres in length do not exceed 8 knots within the port operational waters. | During dredging, piling and transshipment | <ul style="list-style-type: none"> Vessel Logs Incident Reports Compliance Audit | M01_BCI Evidence Request Response Rev 1 | There were no vessels in the audit period. | Not applicable |
| EPBC 16B | The approval holder must ensure that any vessels over 20 metres in length do not exceed 12 knots outside the port operational waters. | During dredging, piling and transshipment | <ul style="list-style-type: none"> Vessel Logs Incident Reports Compliance Audit | Refer to EPBC 16A | Refer to EPBC 16A | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|---|---|---|---|--|-------------------|
| EPBC 16C | The approval holder must ensure that all vessels do not exceed 8 knots within 500 metres of any identified cetacean, dugong or marine turtle. | Ongoing | <ul style="list-style-type: none"> Vessel Logs Incident Reports Compliance Audit | Refer to EPBC 16A | Refer to EPBC 16A | Not applicable |
| EPBC 16D | The approval holder must ensure that all vessels remain within port operational waters during normal operations to reduce the spatial extent of vessel strike risk. | Ongoing | <ul style="list-style-type: none"> Vessel Logs Incident Reports Compliance Audit | Refer to EPBC 16A | Refer to EPBC 16A | Not applicable |
| EPBC 16E | The approval holder must ensure that all vessel operators have been trained to avoid vessel strikes of marine fauna and to report any sightings of marine fauna to other vessel operators in the area to enable them to be tracked and avoided. | Ongoing | <ul style="list-style-type: none"> Training material Training register | Refer to EPBC 16A | Refer to EPBC 16A | Not applicable |
| EPBC 16F | The approval holder must ensure that all marine fauna sightings are recorded (including the location, date and time of the sighting and the name, qualifications and experience of the vessel operator that made the sighting). | Ongoing | <ul style="list-style-type: none"> Marine Fauna Sighting Register | Refer to EPBC 16A | Refer to EPBC 16A | Not applicable |
| EPBC 16G | The approval holder must ensure that all marine fauna sightings are reported in the ACR for the reporting year. | Ongoing | <ul style="list-style-type: none"> ACR DCCEEW submission correspondence for ACR | Refer to EPBC 16A | Refer to EPBC 16A | Not applicable |
| EPBC 16H | The approval holder must ensure that any vessel strike or incident involving marine turtles, Green Sawfish, Short-nosed Sea snake, manta ray, Humpback Whale, Australian Humpback Dolphin, or Dugong is reported to DBCA and that any consequent request made by DBCA is implemented. | within 2 hours of the occurrence | <ul style="list-style-type: none"> DBCA Incident Report and Follow-up Correspondence | Refer to EPBC 16A | Refer to EPBC 16A | Not applicable |
| EPBC Decision 2018/8236 Condition 17 [Impacts to Protected Matters]: | | <p>The approval holder must implement the following measures during any construction or clearing and until all marine construction has been completed:</p> <p>(a) Undertake construction so as to not cause impacts to marine fauna during key environmental windows as specified in the Mardie Dredge Management Plan.</p> <p>(b) Comply with condition 10-7 of the WA Approval to minimise impacts of marine noise by implementing the Underwater Noise Management Procedure. The approval holder may submit a revised Underwater Noise Management Procedure at any time to the Minister for approval. Any revision of the plan must be aligned with the EPBC Act Policy Statement 2.1 - Interaction between offshore seismic exploration and whales: Industry guidelines. The Minister approved plan and any other subsequently approved plan must be implemented.</p> | | | | |
| EPBC 17A | Implement the Mardie Dredge Management Plan. | During construction or clearing | <p>Independent Audit of the implementation of the Mardie Dredge Management Plan:</p> <ul style="list-style-type: none"> Evidence of Management Action compliance Environmental performance Restrictions compliance Contingency management Monitoring Data analysis Triggers and thresholds Spoil disposal monitoring Reporting | M01_BCI Evidence Request Response Rev 1 | There was no dredging in the audit period. | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|---|--|--|---|--|-------------------|
| EPBC 17B MS 10-7 | Implement the current approved Underwater Noise Management Procedure (MAR-0000-EV-PRO-BCI-000-0007, 22 June 2021). | During construction or clearing until all marine construction has been completed | Independent Audit of implementation of Underwater Noise Management procedure: <ul style="list-style-type: none"> • Adherence to restrictions • Dredging noise management • Action Management • Observation Zones • Exclusion Zones • Low visibility Conditions | Refer to EPBC 17A | Refer to EPBC 17A | Not applicable |
| EPBC 17C | The approval holder may submit a revised Underwater Noise Management Procedure at any time to the Minister for approval. Any revision of the plan must be aligned with the EPBC Act Policy Statement 2.1 - Interaction between offshore seismic exploration and whales: Industry guidelines. | At any time | <ul style="list-style-type: none"> • Submission correspondence to DCCEEW of Underwater Noise Management Procedure • DCCEEW approval correspondence of Underwater Noise Management Procedure | M01_BCI Evidence Request Response Rev 1 | There were no revisions of the Underwater Noise Management Procedure post approval. | Not applicable |
| EPBC Decision 2018/8236 Condition 18 [Impacts to Protected Matters]: | To minimise impacts to marine fauna and their habitats from dredging operations, the approval holder must: <ol style="list-style-type: none"> implement condition 7-1 of the WA Approval. only undertake dredging operations within the dredge channel of the development envelope as defined in Attachment 4. not dredge more than 800,000 m3 (cubic metres) and not dredge deeper than -6.7 m below the lowest astronomical tide (mLAT) within the berth pocket and -3.9 mLAT within the dredge channel as defined in Attachment 4. Ensure that impacts to subtidal habitats are confined to the Zone of High Influence as defined in Attachment 4. Ensure that all dredged material is deposited onshore within the ponds and terrestrial infrastructure within the development envelope. Implement the Mardie Dredge Management Plan. Undertake post-dredging surveys according to the schedule outlined in the Mardie Dredge Management Plan and continue until a report has been provided to the Department that has demonstrated with suitable evidence, including the outcomes from the Marine Environmental Quality Monitoring and Management Plan and Benthic Communities and Habitat Monitoring and Management Plan, that the environmental objectives in condition 7-1 of the WA Approval have been met. | | | | | |
| MS1175 condition 7-1 [Dredge Management Plan]: | The proponent shall ensure implementation of the proposal achieves the following environmental protection outcomes: <ol style="list-style-type: none"> no irreversible loss of, or serious damage to, benthic communities and habitats outside of the authorised Zone of High Influence as spatially defined in Figure 4; and no negative change from the baseline state of benthic communities and habitats outside of the authorised Zone of High Influence and authorised Zone of Moderate Influence as spatially defined in Figure 4. | | | | | |
| EPBC 18A MS 7-1(1) | The approval holder will cause no irreversible loss of, or serious damage to, benthic communities and habitats outside of the authorised Zone of High Influence. | Ongoing | <ul style="list-style-type: none"> • Benthic Communities and Habitats Monitoring Reports | M01_BCI Evidence Request Response Rev 1 | No marine dredging or construction activities were undertaken in the audit period to result in impact to benthic communities and habitats. | Not applicable |
| EPBC 18B MS 7-1(2) | The approval holder will have no negative change from the baseline state of benthic communities and habitats outside of the authorised Zone of High Influence and authorised Zone of Moderate Influence. | Ongoing | <ul style="list-style-type: none"> • Benthic Communities and Habitats Monitoring Reports | Refer to EPBC 18A | Refer to EPBC 18A | Not applicable |
| EPBC 18C | The approval holder will only undertake dredging operations within the dredge channel of the development envelope. | During dredging | <ul style="list-style-type: none"> • Activity reports • As constructed survey | M01_BCI Evidence Request Response Rev 1 | No dredging was undertaken in the audit period. | Not applicable |
| EPBC 18D | The approval holder will not dredge more than 800,000 m3 and not dredge deeper than -6.7 m below the lowest astronomical tide (mLAT) within the berth pocket and -3.9 mLAT within the dredge channel. | During dredging | <ul style="list-style-type: none"> • Activity reports • As constructed survey | Refer to EPBC 18C | Refer to EPBC 18C | Not applicable |
| EPBC 18E | The approval holder will ensure that impacts to subtidal habitats are confined to the Zone of High Influence. | Ongoing | <ul style="list-style-type: none"> • Benthic Communities and Habitats Monitoring Reports | Refer to EPBC 18C | Refer to EPBC 18C | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|--|---|--|----------------------|--|-------------------|
| EPBC 18F | The approval holder must ensure that all dredged material is deposited onshore within the ponds and terrestrial infrastructure within the development envelope. | During construction | <ul style="list-style-type: none"> Activity reports HSE Inspection | Refer to EPBC 18C | Refer to EPBC 18C | Not applicable |
| EPBC 18G | The approval holder will implement the Mardie Dredge Management Plan. | During construction | Independent Audit of the implementation of the Mardie Dredge Management Plan: <ul style="list-style-type: none"> Evidence of Management Action compliance Environmental performance Restrictions compliance Contingency management Monitoring Data analysis Triggers and thresholds Spoil disposal monitoring Reporting | Refer to EPBC 18C | Refer to EPBC 18C | Not applicable |
| EPBC 18H | The approval holder will undertake post-dredging surveys according to the schedule outlined in the Mardie Dredge Management Plan | Ongoing | <ul style="list-style-type: none"> Results of post-dredging surveys | Refer to EPBC 18C | Refer to EPBC 18C | Not applicable |
| EPBC 18I | The approval holder will continue undertaking post-dredging surveys until a report has been provided to the Department that has demonstrated with suitable evidence, including the outcomes from the MEQMMP and BCHMMP, that the environmental objectives in condition MS 7-1 (EPBC 18A and EPBC 18B) have been met. | Ongoing | <ul style="list-style-type: none"> Results of post-dredging surveys Submission correspondence to DCCEEW of post-dredging survey report Acceptance of post-dredging survey report from DCCEEW | Refer to EPBC 18C | Refer to EPBC 18C | Not applicable |
| EPBC Decision 2018/8236 Condition 19 [Impacts to Protected Matters]: | | To minimise impacts to marine turtles, the approval holder must: <ol style="list-style-type: none"> comply with condition 10 of the WA Approval. not commence any marine construction within the marine turtle nesting beach unless the Minister has also been consulted the mitigation measures required under condition 10-3 of the WA Approval and have approved these measures in writing. not commence any marine construction within the marine turtle nesting beach unless the Minister has approved in writing the Marine Turtle Monitoring Program required under condition 10-4 of the WA Approval. The approval holder must implement the approved Marine Turtle Monitoring Program for the life of the project or until the Minister has confirmed in writing that the Marine Turtle Monitoring Program is no longer required. Evidence that condition 10-4(2) of the WA Approval is met must be developed with, and reviewed by, a suitably qualified expert in marine turtle ecology and be provided to the Minister for review. Contact the Department if the outcomes of the monitoring data from Marine Turtle Monitoring Program, identifies further impacts to marine turtles arising from the action, exceed, or are predicted to exceed, from the baseline data within the Pendoley Environmental 2019, Mardie Salt Project Marine Turtle Monitoring Program 2018/2019. Rev 0, Report No. RP-59001, then the approval holder must, within 3 months of identifying any such exceedance, or predicted exceedance, submit either a: <ol style="list-style-type: none"> revised and additional avoidance and mitigation measures to reduce impacts to marine turtles; or an Offset Strategy specifying how the impact will be offset in accordance with the Environmental Offsets Policy. If the revised and additional avoidance and mitigation measures or Offset Strategy has not been approved by the Minister in writing within 5 months of the exceedance event, and the Minister notifies the approval holder that the avoidance and mitigation measures or Offset Strategy is not suitable for approval, the Minister may, at least two months after so notifying the approval holder, approve a version of the avoidance and mitigation measures or Offset Strategy revised by the Department. The approval holder must implement the approved avoidance and mitigation measures or Offset Strategy for the remainder of the life of the project. | | | | |
| MS1175 condition 10-1 [Marine Fauna]: | | The proponent shall implement the proposal to meet the following environmental outcomes: <ol style="list-style-type: none"> clearing in the fauna habitat type identified as low-quality turtle nesting habitat (sandy beach habitat) in the Mardie project – Environmental Review Document (June 2020) is limited to a width of 50 metres, parallel to the high water mark; no adverse impact to marine turtle behaviour on offshore islands as a result of project attributable light; no entrainment or entrapment of marine turtles and fauna within seawater intake pipes (primary, desalination, and diffuser intake), which will be fitted using a four (4) side screen with no larger than 5 millimetres mesh width. Seawater intake on these pipes must not exceed 0.15 metres per second. | | | | |
| EPBC 19A | The approval holder will comply with MS 1175 condition 10-1. | Ongoing | Verification Methods listed below | EPBC 19B to EPBC 19F | The approval holder has complied with the relevant sub-conditions of MS 1175 condition 10-1 in the audit period. | Compliant |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|--|---|--|---|---|---|-------------------|
| EPBC 19B MS 10-1(1) | The approval holder will limit clearing to a width of 50m parallel to the high water mark in the fauna habitat type identified as low-quality turtle nesting habitat (sandy beach habitat). | Clearing | <ul style="list-style-type: none"> As constructed survey | M01_BCI Evidence Request Response Rev 1 | There was no clearing of marine turtle nesting habitat in the audit period. | Not applicable |
| EPBC 19C MS 10-1(2) | The approval holder will have no adverse impact to marine turtle behaviour on offshore islands attributable light as a result of project. | Ongoing | <ul style="list-style-type: none"> Marine Turtle Monitoring Report | R06_2022 Pendoley Marine Turtle Monitoring Report | Baseline marine turtle monitoring was at completion stage prior to the commencement of construction and operations during the audit period. The monitoring report (R06) reports skies were clear of artificial light from the Mardie project. | Compliant |
| EPBC 19D MS 10-1(3) | The intake pipes (primary, desalination, and diffuser intake) will be fitted using a four (4) side screen with no larger than 5 millimetres mesh width. | Construction | <ul style="list-style-type: none"> Design Drawings As constructed survey | M01_BCI Evidence Request Response Rev 1 | No infrastructure has been installed in the marine turtle nesting habitat in the audit period. | Not applicable |
| EPBC 19E MS 10-1(3) | Seawater intake on the intake pipes (primary, desalination, and diffuser intake) pipes must not exceed 0.15 metres per second | Ongoing | <ul style="list-style-type: none"> Activity Reports | Refer to EPBC 19D | Refer to EPBC 19D | Not applicable |
| EPBC 19F MS 10-1(3) | There will be no entrainment or entrapment of marine turtles and fauna within seawater intake pipes. | Ongoing | <ul style="list-style-type: none"> Marine Turtle Monitoring Report HSE Inspection | Refer to EPBC 19D | Refer to EPBC 19D | Not applicable |
| MS1175 condition 10-2 [Marine Fauna]: | | In order to demonstrate that direct impacts to significant marine turtle habitat will be minimised as far as practicable, the proponent shall conduct a pre-construction marine turtle survey within habitat identified as sandy beach habitat in the Mardie project – Environmental Review Document (June 2020). | | | | |
| EPBC 19G MS 10-2 | The approval holder will conduct a pre-construction marine turtle survey within habitat identified as sandy beach habitat in the Mardie project. | Pre-construction | <ul style="list-style-type: none"> Pre-construction Marine Turtle Survey | R06_2022 Pendoley Marine Turtle Monitoring Report R07_2019 Pendoley Marine Turtle Monitoring Report | Pre-construction Marine Turtle Surveys have been conducted in 2019 and 2022. | Compliant |
| MS1175 condition 10-3 [Marine Fauna]: | | The proponent shall avoid any construction activity within habitat identified as sandy beach habitat in the Mardie project – Environmental Review Document (June 2020), until the CEO has confirmed by notice in writing that: <ol style="list-style-type: none"> the surveys required by condition 10-2 have been conducted in accordance with best practice, by a qualified fauna (marine turtle) specialist and completed during the entire breeding and hatchling season of marine turtles; outcomes of the surveys required by condition 10-2 have been provided to DAWE, DBCA, DWER; and where significant turtle nesting habitat has been identified by surveys required by condition 10-2, mitigation measures to reduce potential impacts to the beach area as far as practicable have been identified and the proponent has committed to implementing the identified mitigation measures. | | | | |
| EPBC 19H | The approval holder will comply with MS 1175 condition 10-3. | Prior to marine construction | Verification Methods listed below | EPBC 19I to EPBC 19M | The approval holder has complied with the relevant sub-conditions of MS 1175 condition 10-3 in the audit period. | Compliant |
| EPBC 19I MS 10-3(1) | The pre-construction marine turtle survey must be conducted in accordance with best practice, by a qualified fauna (marine turtle) specialist. | Prior to marine construction | <ul style="list-style-type: none"> Pre-construction Marine Turtle Survey | R06_2022 Pendoley Marine Turtle Monitoring Report R07_2019 Pendoley Marine Turtle Monitoring Report https://penv.com.au/marine-conservation-biology/services/marine-turtle-monitoring/ | Pendoley Environmental conducted the marine turtle surveys in accordance with DBCA recommendations. Pendoley specialise in marine turtle monitoring. | Compliant |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|--|--|--|--|--|--|-------------------|
| EPBC 19J MS 10-3(1) | The pre-construction marine turtle survey must be completed during the entire breeding and hatchling season of marine turtles. | Prior to marine construction | <ul style="list-style-type: none"> Pre-construction Marine Turtle Survey | R06_2022 Pendoley Marine Turtle Monitoring Report R07_2019 Pendoley Marine Turtle Monitoring Report | The surveys were conducted over two complete inter-nesting cycles: 2019 Monitoring: Field survey 1 (nesting): 1 st to 15 th Dec 2018 Field survey 2 (hatching): 30 th Jan to 12 th Feb 2019 2022 Monitoring: Field Survey 1 (nesting): 20 th Oct to 4 th Nov 2021 Field survey 2 (nesting/hatching): 3 rd to 17 th Dec 2021 Field survey 3 (hatching): 4 th to 14 th Feb 2022 | Compliant |
| EPBC 19K MS 10-3(2) | The pre-construction marine turtle survey outcomes must be provided to DCCEEW, DBCA, DWER | Prior to marine construction | <ul style="list-style-type: none"> Submission of pre-construction marine turtle survey outcomes correspondence to DCCEEW, DBCA, DWER | R06_2022 Pendoley Marine Turtle Monitoring Report C06_20230426 Turtle Survey Reports Submission DCCEEW acknowledgement C07_20220630 Turtle Survey Report Submission DBCA | The pre-construction marine turtle survey (R06) was provided to DBCA 30/06/2022 and DCCEEW 21/04/2023. No evidence of provision to DWER was provided however marine construction has not commenced. | Compliant |
| EPBC 19L MS 10-3(3) | The approval holder must identify mitigation measures to reduce potential impacts to the beach area as far as practicable where significant turtle nesting habitat has been identified by surveys. | Prior to marine construction | <ul style="list-style-type: none"> Submission of mitigation measures correspondence to DCCEEW Approval of measures from DCCEEW | M01_BCI Evidence Request Response Rev 1 | Marine construction did not commence in the audit period. | Not applicable |
| EPBC 19M MS 10-3(3) | The approval holder must commit to implementing the mitigation measures identified in MS 10-3(3) (EPBC 19-3D). | Prior to marine construction | <ul style="list-style-type: none"> Submission of commitments correspondence to DCCEEW Approval from of commitments from DCCEEW | Refer to EPBC 19L | Refer to EPBC 19L | Not applicable |
| MS1175 condition 10-4 [Marine Fauna]: | | Prior to the commencement of operations the proponent shall submit to the CEO a Marine Turtle Monitoring Program. This plan shall: <ol style="list-style-type: none"> when implemented, substantiate that the outcome required by condition 10-1(2) is being met; when implemented, determine whether artificial light emissions are influencing nesting and mis-orientation or disorientation of turtles on the offshore islands (including but not limited to Long and Sholl Islands), and any areas determined to be significant turtle nesting habitat by surveys required by condition 10-3; specify the details of the methodology of monitoring of the nesting turtle population in the proposal area and offshore islands, including nesting adults and hatchlings, during the species-specific reproductive period, which is to include (but not be limited to): <ol style="list-style-type: none"> identification of the species of turtles nesting on the beaches; identification of the abundance and the distribution of adult tracks on the nesting beaches; collection of data on the health of the nesting habitat; collection of data on hatchling orientation; and measurements on the intensity and extent of light sources visible from nesting beaches. include a commitment to annually compare cumulative results against the baseline assessment (Pendoley Environmental 2019, Mardie Salt Project Marine Turtle Monitoring Program 2018/2019. Rev 0, Report No. RP-59001); include measures to reduce light to offshore islands to be implemented in the event that adverse impacts from the proposal are detected, including a decrease in percentage range and usage of nesting sites (from the baseline study (Pendoley Environmental 2019, Mardie Salt Project Marine Turtle Monitoring Program 2018/2019. Rev 0, Report No. RP-59001); and provide criteria for when the Illumination Plan required by condition 9-1 will be revised in response to outcomes of the monitoring required by condition 10-6. | | | | |
| MS1175 condition 10-5 [Marine Fauna]: | | Unless otherwise agreed by the CEO, the proponent shall not commence operations until the CEO has confirmed in writing that the Marine Turtle Monitoring Program addresses the requirements of condition 10-4. | | | | |
| EPBC 19N MS 10-5 | Submit a Marine Turtle Monitoring Program(MTMP) to the DWER CEO for approval. | Prior to the commencement of marine construction within the marine turtle nesting beach | <ul style="list-style-type: none"> Submission of MTMP correspondence to DCCEEW DCCEEW MTMP Approval | M01_BCI Evidence Request Response Rev 1 | Marine construction did not commence during the audit period. | Not applicable |
| EPBC 19O | The approval holder must not commence any marine construction within the marine turtle nesting beach unless the Minister has approved in writing the Marine Turtle Monitoring Program. | Prior to the commencement of marine construction within the marine turtle nesting beach | <ul style="list-style-type: none"> DCCEEW MTMP Approval correspondence | Refer to EPBC 19N | Refer to EPBC 19N | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|--|---|---|--|--|---|-------------------|
| EPBC 19P MS 10-4(1) | Implement the Marine Turtle Monitoring Program once approved. | During operations | <ul style="list-style-type: none"> Marine Turtle Monitoring Report Independent Audit of implementation of the MTMP <ul style="list-style-type: none"> Method compliance Action management Triggers and thresholds Reporting | Not applicable | As per the MTMP, the marine turtle monitoring is to commence in October 2023. | Not applicable |
| EPBC 19Q MS 10-4(1) | Marine Turtle Monitoring will substantiate that there is no adverse impact to marine turtle behaviour on offshore islands attributable light as a result of the project. | During operations | <ul style="list-style-type: none"> MTMP Monitoring Reports MTMP Monitoring Report Correspondence to DCCEEW | Refer to 19P | Refer to 19P | Not applicable |
| EPBC 19R MS 10-4(2) | Marine Turtle Monitoring will determine whether artificial light emissions are influencing nesting and mis-orientation or disorientation of turtles on the offshore islands. | During operations | <ul style="list-style-type: none"> MTMP Monitoring Reports MTMP Monitoring Report Correspondence to DCCEEW | Refer to 19P | Refer to 19P | Not applicable |
| EPBC 19S MS 10-4(3) | The Marine Turtle Monitoring Program will specify the details in MS 10-4(3) a to e above. | Prior to the commencement of operations | <ul style="list-style-type: none"> Independent Audit of implementation of the MTMP <ul style="list-style-type: none"> Method compliance Action management Triggers and thresholds Reporting | R04_BCI Marine Turtle Monitoring Plan Rev1 FINAL | The methodology of the MTMP specifies how the details in MS 10-4(3) a to e will be identified / collected. | Compliant |
| EPBC 19T MS 10-4(4) | The Marine Turtle Monitoring Program will include a commitment to annually compare cumulative results against the baseline assessment. | Prior to the commencement of operations | <ul style="list-style-type: none"> Independent Audit of implementation of the MTMP <ul style="list-style-type: none"> Method compliance Action management Triggers and thresholds Reporting | R04_BCI Marine Turtle Monitoring Plan Rev1 FINAL | The MTMP contains the commitment “The annual monitoring results and cumulative monitoring results will be compared against the baseline assessment results” | Compliant |
| EPBC 19U MS 10-4(5) | The Marine Turtle Monitoring Program will provide criteria for when the Illumination Plan required by condition 9-1 will be revised in response to outcomes of the monitoring required by condition MS 10-4(1) / MS 10-6 (EPBC 19Q / EPBC 19V). | Prior to the commencement of operations | <ul style="list-style-type: none"> Independent Audit of implementation of the MTMP <ul style="list-style-type: none"> Method compliance Action management Triggers and thresholds Reporting | R04_BCI Marine Turtle Monitoring Plan Rev1 FINAL | Section 5 of the MTMP contains mitigation measures which will be implemented in the event of adverse impacts of light on turtles which would trigger a revision of the Illumination Plan. | Compliant |
| MS1175 condition 10-6 [Marine Fauna]: | | The proponent shall continue to implement the Marine Turtle Monitoring Program until the CEO has confirmed by notice in writing, on advice from DBCA and DWER, that the outcome of condition 10-1(2) has been, and will continue to be met. | | | | |
| EPBC 19V MS 10-6 | The approval holder must implement the approved Marine Turtle Monitoring Program for the life of the project or until the DWER CEO and DCCEEW Minister have confirmed in writing that the Marine Turtle Monitoring Program is no longer required. | Ongoing | <ul style="list-style-type: none"> DWER CEO and DCCEEW Notification that MTMP is no longer required DBCA Advice on MTMP DWER Advice on MTMP | Refer to 19P | Refer to 19P | Not applicable |
| EPBC 19W | A suitably qualified expert in marine turtle ecology will be required to provide for DCCEEW Minister for review evidence developed and reviewed to determine evidence of whether artificial light emissions are influencing nesting and mis-orientation or disorientation of turtles on the offshore islands. | Ongoing | <ul style="list-style-type: none"> Marine Turtle Monitoring Program Expert Review Report | Refer to 19P | Refer to 19P | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|--|---|--|--|---|--|-------------------|
| MS1175 condition 10-7 [Marine Fauna]: | | In order to demonstrate that impacts to marine fauna from marine noise associated with the proposal are minimised as far as practicable, the proponent shall implement the Underwater Noise Management procedure (MAR-0000-EV-PRO-BCI-000-0007, 22 June 2021). | | | | |
| EPBC 19X MS 10-7 | The approval holder will implement the Underwater Noise Management procedure. | Ongoing | Independent Audit of implementation of Underwater Noise Management procedure: <ul style="list-style-type: none"> • Adherence to restrictions • Dredging noise management • Action Management • Observation Zones • Exclusion Zones • Low visibility Conditions | M01_BCI Evidence Request Response Rev 1 | No dredging or marine construction was undertaken in the audit period. | Not applicable |
| EPBC 19Y | The approval holder will contact the Department if the outcomes of the monitoring data from Marine Turtle Monitoring Program, identifies further impacts to marine turtles arising from the action, exceed, or are predicted to exceed, from the baseline data. | Ongoing | <ul style="list-style-type: none"> • DCCEEW MTMP impact notification correspondence | Refer to 19P | Refer to 19P | Not applicable |
| EPBC 19Z | Within 3 months of identifying any such exceedance, or predicted exceedance, the approval holder will submit either a: <ol style="list-style-type: none"> revised and additional avoidance and mitigation measures to reduce impacts to marine turtles; or an Offset Strategy specifying how the impact will be offset in accordance with the Environmental Offsets Policy. | Within 3 months of any exceedance or predicted exceedance | <ul style="list-style-type: none"> • Submission MTMP impact follow-up correspondence | Refer to 19P | Refer to 19P | Not applicable |
| EPBC 19AA | The Minister to approve the avoidance and mitigation measures or Offset Strategy within 5 months of the exceedance event or provide an approved DCCEEW revised version of the avoidance and mitigation measures or Offset Strategy within 2 months | In the event of an exceedance or predicted exceedance | <ul style="list-style-type: none"> • DCCEEW MTMP impact follow-up Approval Correspondence | Refer to 19P | Refer to 19P | Not applicable |
| EPBC 19AB | The approval holder must implement the approved avoidance and mitigation measures or Offset Strategy for the remainder of the life of the project. | In the event of an exceedance or predicted exceedance | <ul style="list-style-type: none"> • Independent Audit of implementation of approved avoidance and mitigation measures or approved Offset Strategy (where applicable) | Refer to 19P | Refer to 19P | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|---|--|---|----------------|--|-------------------|
| EPBC Decision 2018/8236 Condition 20 [Impacts to Protected Matters]: | | <p>To minimise impacts to marine fauna and their habitats from the extraction of sea water for the evaporative ponds, for desalination purposes and the disposal of brine impacting water quality during operation of the action, the approval holder must:</p> <ul style="list-style-type: none"> (a) Comply with condition 4 of the WA Approval. (b) Not extract more than 150 Gigalitres by the primary seawater intake, 12.4 Gigalitres by the secondary seawater intake, and 17.6 Gigalitres by the bittern diffuser intake on the Trestle Jetty of sea water per annum. The primary, secondary and bittern diffuser (at the Trestle Jetty) intake locations must not change from areas identified in Attachment 1. (c) Only abstract sea water when the sea level is at or above mean sea level at the primary intakes. (d) Fit all sea water intake pipes, including the primary, desalination, and bittern diffuser intakes, with enclosed screens with no larger than 5-millimetre mesh width. (e) Limit sea water intake of the primary, desalination, and bittern diffuser velocity to 0.15 metres per second or less at the screen. (f) Dispose of all waste brine either into the concentrator ponds or by discharge through the bitterns outfall diffuser. (g) Install the bitterns outfall diffuser along the jetty and locate the outlet within the dredge channel within the development envelope using the multi-port diffuser design as detailed in the Mardie Project Bitterns Outfall modelling Report (12979.101.R5.Rev0, 14 April 2020). Unless suitable evidence was provided to the Department to review another diffuser design, which will need to be approved by the Minister in writing before implementing any other diffuser design. (h) Release no more than 3.6 Gigalitre of bitterns per year. (i) Release no bitterns with specific gravity of more than 1.25. (j) Diffuse all released bitterns into the marine environment, such that it remains within Zone of High Impact. (k) Implement the Marine Environmental Quality Monitoring and Management Plan and any subsequent revised version of the Marine Environmental Quality Monitoring and Management Plan that the Minister has approved. (l) Review the Marine Environmental Quality Monitoring and Management Plan each 5 (five) year anniversary of the commencement of the action and submit a revised version to the Minister for approval that has been revised to address the findings of: <ul style="list-style-type: none"> i. the review of monitoring required by the approved Marine Environmental Quality Monitoring and Management Plan. ii. a review of the findings of the monitoring required by the Benthic Communities and Habitat Monitoring and Management Plan (BCHMMP). iii. The review process and subsequent plans must be implemented for the life of the project or until the Minister has confirmed in writing that the Marine Environmental Quality Monitoring and Management Plan is no longer required. (m) Implement the version of the Marine Environmental Quality Monitoring and Management Plan recently approved by the Minister in writing. (n) Notify the Department in the event that there has been exceedance of a threshold criterion specified in the approved Marine Environmental Quality Monitoring and Management Plan, and in addition to implementing the requirements of condition 4-6 of the WA Approval, within the same timeframes specified in condition 4-6 of the WA Approval for notifying the CEO with of the same information and include the following: <ul style="list-style-type: none"> i. Submit a version of the Marine Environmental Quality Monitoring and Management Plan revised to prevent recurrence of the exceedance of the threshold criterion, reviewed by an independent suitably qualified marine environmental water quality expert and submit the revised Marine Environmental Quality Monitoring and Management Plan, accompanied by the signed report of the review undertaken by the independent suitably qualified marine environmental water quality expert to the Department within 4 months of the exceedance event for the approval of the Minister. ii. If the Minister determines, based on the review undertaken by the independent suitably qualified marine environmental water quality expert as required under condition 20(n)(i), that remediation of the impact of the exceedance event is not possible, then the approval holder must, within 8 months of the exceedance event, submit an Offset Strategy specifying how the impact will be offset in accordance with the Environmental Offsets Policy. If the Offset Strategy has not been approved by the Minister in writing within 6 months of the exceedance event, and the Minister notifies the approval holder that the Offset Strategy is not suitable for approval, the Minister may, at least two months after so notifying the approval holder, approve a version of the Offset Strategy revised by the Department. The approval holder must implement the approved Offset Strategy for the remainder of the life of the project. | | | | |
| MS1175 condition 4-1 [Marine Environmental Quality (operations)]: | | <p>Within five (5) years of the end of the mine life, the proponent shall ensure that all infrastructure associated with the proposal including the trestle jetty, bitterns diffuser, boat launching facilities and loading facilities that:</p> <ul style="list-style-type: none"> (1) is not located on a mining tenement administered under the Mining Act 1978; and (2) has not been agreed by notice in writing from the CEO to be retained through transfer of responsibility to a responsible authority or operator, is safely decommissioned and removed from the development envelopes for disposal. | | | | |
| EPBC 20A | The approval holder will comply with MS 1175 condition 4-1. | Within five (5) years of the end of the mine life | Verification Methods listed below: | Not applicable | The proposal is not within five years of the end of mine life. | Not applicable |
| EPBC 20B MS 4-1(1) | The approval holder shall ensure that all infrastructure associated with the proposal is not located on a mining tenement. | Within five (5) years of the end of the mine life | <ul style="list-style-type: none"> • GIS Mapping | Not applicable | The proposal is not within five years of the end of mine life. | Not applicable |
| EPBC 20C MS 4-1(2) | The approval holder shall ensure that all infrastructure associated with the proposal is safely decommissioned and removed from the development envelopes for disposal. | Within five (5) years of the end of the mine life | <ul style="list-style-type: none"> • Decommissioning Plan • Compliance Audit (inspection) | Not applicable | The proposal is not within five years of the end of mine life. | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|--|--|---|--|-------------------|--|-------------------|
| MS1175 condition 4-2 [Marine Environmental Quality (operations)]: | | The proponent shall manage all aspects of the proposal, including bitterns discharge, to meet the following outcome: (1) the levels of ecological protection to be achieved inside of the: (a) Low Ecological Protection Area shown in Figure 2 and described in the spatial data in schedule 1; (b) Moderate Ecological Protection Area shown in Figure 2 and described in the spatial data in schedule 1; (c) High Ecological Protection Area shown in Figure 2 and described in the spatial data in schedule 1; and (d) Maximum Ecological Protection Area shown in Figure 2 and described in the spatial data in schedule 1, are consistent with the method for deriving Environmental Quality Guidelines (EQG) and Environmental Quality Standards (EQS) for the corresponding level of ecological protection described in Appendix 1, Table 1 of the EPA's Technical Guidance for protecting the quality of Western Australia's marine environment. | | | | |
| EPBC 20D MS 4-2(1) | The approval holder shall manage bitterns discharge to meet the outcomes specified in condition MS 4-2. | Ongoing | <ul style="list-style-type: none"> Independent audit of the implementation of the MEQMMP <ul style="list-style-type: none"> Method Data Analysis Management Actions Triggers and thresholds Reporting | Not applicable | There were no bitterns discharged in the audit period. | Not applicable |
| MS1175 condition 4-3 [Marine Environmental Quality (operations)]: | | To ensure that the outcome of condition 4-2 is met, the proponent shall implement the Marine Environmental Quality Monitoring and Management Plan (R190108 Rev4A, 24 June 2021). This plan shall: (1) specify early warning trigger criteria (Environmental Quality Guidelines - EQG) that will trigger the implementation of management and/or contingency actions to prevent non-compliance with condition 4-2; (2) specify threshold criteria (Environmental Quality Standards - EQS) to demonstrate compliance with condition 4-2; (3) specify monitoring program to determine if trigger criteria (Environmental Quality Guidelines - EQG) and threshold criteria (Environmental Quality Standards - EQS) have been met; (4) specify management and/or contingency actions to be implemented if the trigger criteria (Environmental Quality Guidelines - EQG) required by condition 4-3(1) and/or the threshold criteria (Environmental Quality Standards - EQS) required by condition 4-3(2) have not been met; and (5) provide the format and timing for the reporting of monitoring results against trigger criteria (Environmental Quality Guidelines - EQG) and threshold criteria (Environmental Quality Standards - EQS) to demonstrate that the outcomes in condition 4-2 have been met over the reporting period in the Compliance Assessment Report required by condition 18-6. | | | | |
| EPBC 20E MS 4-3(1) | The approval holder must implement the approved Marine Environmental Quality Monitoring and Management Plan. | Ongoing | <ul style="list-style-type: none"> DCCEEW MEQMMP Approval Document Independent audit of the implementation of the MEQMMP <ul style="list-style-type: none"> Method Data Analysis Management Actions Triggers and thresholds Reporting | Not applicable | The action was not in operations undertaking the extraction of sea water for the evaporative ponds, for desalination purposes and the disposal of brine. | Not applicable |
| EPBC 20F MS 4-3(2) | The MEQMMP will contain the aspects listed in condition MS 4-3 (1) to (5). | Ongoing | <ul style="list-style-type: none"> MEQMMP Contents | Refer to EPBC 20E | Refer to EPBC 20E | Not applicable |
| MS1175 condition 4-4 [Marine Environmental Quality (operations)]: | | The exceedance of a threshold criteria (Environmental Quality Standards - EQS), regardless of whether management actions or threshold contingency actions have been or are being implemented, constitutes non-compliance with these conditions, if the exceedance is attributable to the proposal. | | | | |
| EPBC 20G MS 4-4(1) | The exceedance of a threshold criteria (EQS), regardless of whether management actions or threshold contingency actions have been or are being implemented, constitutes non-compliance with these conditions, if the exceedance is attributable to the proposal. | Ongoing | <ul style="list-style-type: none"> MEQMMP Monitoring Data Incident Reports Inspection Records Independent audit of the implementation of the MEQMMP <ul style="list-style-type: none"> Method Data Analysis Management Actions Triggers and thresholds Reporting | Refer to EPBC 20E | Refer to EPBC 20E | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|--|--|--|---|-------------------|--------------------------|-------------------|
| MS1175 condition 4-5 [Marine Environmental Quality (operations)]: | | The proponent shall implement the Marine Environmental Quality Monitoring and Management Plan (R190108 Rev4A, 24 June 2021) or the most recent version of the Marine Environmental Quality Monitoring and Management Plan (R190108 Rev4A, 24 June 2021) which the CEO has confirmed by notice in writing, addresses the requirements of condition 4-2. | | | | |
| EPBC 20H MS 4-5(1) | The approval holder must implement the current approved revision of the MEQMMP. | Ongoing | <ul style="list-style-type: none"> • DCCEEW MEQMMP approval correspondence • Independent audit of the implementation of the MEQMMP <ul style="list-style-type: none"> • Method • Data Analysis • Management Actions • Triggers and thresholds • Reporting | Refer to EPBC 20E | Refer to EPBC 20E | Not applicable |
| MS1175 condition 4-6 [Marine Environmental Quality (operations)]: | | <p>In the event that monitoring or investigations at any time indicate an exceedance of threshold criteria (Environmental Quality Standards - EQS) specified in the Marine Environmental Quality Monitoring and Management Plan (R190108 Rev4A, 24 June 2021) confirmed under condition 4-5, the proponent shall:</p> <ol style="list-style-type: none"> (1) report the exceedance in writing to the CEO within seven (7) days of the exceedance being identified; (2) implement the contingency actions required by the Marine Environmental Quality Monitoring and Management Plan (R190108 Rev4A, 24 June 2021) within seven (7) days of the exceedances being reported and continue implementation of those actions until the CEO has confirmed by notice in writing that it has been demonstrated that the threshold criteria (Environmental Quality Standards - EQS) are being met and implementation of the threshold contingency actions are no longer required; (3) investigate to determine the cause of the threshold criteria (Environmental Quality Standards - EQS) being exceeded; (4) investigate to provide information for the CEO to determine potential environmental harm or alteration of the environment that occurred due to threshold criteria (Environmental Quality Standards - EQS) being exceeded; (5) provide a report to the CEO within twenty-one (21) days of the exceedance being reported. The report shall include: <ol style="list-style-type: none"> (a) details of contingency actions implemented; (b) the effectiveness of the contingency actions implemented against the threshold criteria (Environmental Quality Standards - EQS); (c) the findings of the investigations required by conditions 4-6(3) and 4-6(4); (d) measures to prevent the threshold criteria (Environmental Quality Standards - EQS) being exceeded in the future; (e) measures to prevent, control or abate impacts which may have occurred; and (f) justification of the threshold criteria (Environmental Quality Standards - EQS) remaining, or being adjusted based on better understanding, demonstrating that the outcomes in condition 4-2 will be met. | | | | |
| EPBC 20I MS 4-6(1) | The approval holder is to report to DWER CEO in the event that monitoring or investigations at any time indicate an exceedance of MEQMMP threshold criteria (EQS). | Within seven (7) days of the exceedance being identified | <ul style="list-style-type: none"> • DWER CEO Exceedance Notification Correspondence • DCCEEW Minister Exceedance Notification Correspondence | Refer to EPBC 20E | Refer to EPBC 20E | Not applicable |
| EPBC 20J MS 4-6(2) | The approval holder shall implement the MEQMMP contingency actions. | Within seven (7) days of the exceedances being reported | <ul style="list-style-type: none"> • Activity Reports • Monitoring Data | Refer to EPBC 20E | Refer to EPBC 20E | Not applicable |
| EPBC 20K MS 4-6(2) | The approval holder will continue to implement contingency actions until the DWER CEO has confirmed that it has been demonstrated that the threshold criteria are being met and implementation of the threshold contingency actions are no longer required. | Ongoing following exceedance of MEQMMP EQS | <ul style="list-style-type: none"> • DWER CEO Notice • DCCEEW Notice • Activity Reports • Monitoring Data | Refer to EPBC 20E | Refer to EPBC 20E | Not applicable |
| EPBC 20L MS 4-6(3&4) | The approval holder shall investigate the exceedance to determine the cause of the threshold criteria exceedance and to provide information to determine potential environmental harm or alteration of the environment that occurred due to threshold criteria exceedance. | Following exceedance of MEQMMP EQS | <ul style="list-style-type: none"> • Investigation Report | Refer to EPBC 20E | Refer to EPBC 20E | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|--|--|--|--|---|---------------------------|
| EPBC 20M MS 4-6(5) | The approval holder will provide a report to the DWER CEO containing the details listed in condition MS 4-6(5). | within twenty-one (21) days of the exceedance being reported | <ul style="list-style-type: none"> DWER Report Submission Correspondence DWER CEO Threshold Criteria Exceedance Response Correspondence DCCEEW Report Submission Correspondence DCCEEW Minister Threshold Criteria Exceedance Response Correspondence | Refer to EPBC 20E | Refer to EPBC 20E | Not applicable |
| MS1175 condition 4-7 [Marine Environmental Quality (operations)]: | | The proponent: <ol style="list-style-type: none"> may review and submit proposed amendments to the Marine Environmental Quality Monitoring and Management Plan (R190108 Rev4A, 24 June 2021); shall review and submit proposed amendments to the Marine Environmental Quality Monitoring and Management Plan (R190108 Rev4A, 24 June 2021) as and when directed by the CEO; shall review and submit proposed amendments to the Marine Environmental Quality Monitoring and Management Plan (R190108 Rev4A, 24 June 2021) every five (5) years. | | | | |
| EPBC 20N | The approval holder will comply with MS 1175 condition 4-7. | At the times specified | Verification Methods listed below: | Refer to EPBC 20E | Refer to EPBC 20E | Not applicable |
| EPBC 20O MS 4-7(1) | The approval holder may review and submit proposed amendments to the MEQMMP. | Ongoing | <ul style="list-style-type: none"> DWER Submission Correspondence DCCEEW Submission Correspondence Tracked changes MEQMMP | Refer to EPBC 20E | Refer to EPBC 20E | Not applicable |
| EPBC 20P MS 4-7(2) | The approval holder shall review and submit proposed amendments to the MEQMMP as and when directed by the CEO. | Ongoing | <ul style="list-style-type: none"> DWER Submission Correspondence Tracked changes MEQMMP | Refer to EPBC 20E | Refer to EPBC 20E | Not applicable |
| EPBC 20Q MS 4-7(3) | The approval holder shall review and submit proposed amendments to the MEQMMP every five (5) years. | every five (5) years | <ul style="list-style-type: none"> DWER and DCCEEW Submission Correspondence Tracked changes MEQMMP | Refer to EPBC 20E | Refer to EPBC 20E | Not applicable |
| MS1175 condition 4-8 [Marine Environmental Quality (operations)]: | | The proponent shall continue to implement the Marine Environmental Quality Monitoring and Management Plan (R190108 Rev4A, 24 June 2021) or any subsequent revisions as confirmed by the CEO in condition 4-5, until the CEO has confirmed by notice in writing that the proponent has demonstrated that the environmental outcomes detailed in condition 4-2 has been met. | | | | |
| EPBC 20R MS 4-7(1) | The proponent shall continue to implement the MEQMMP until the levels of ecological protection to be achieved are consistent with the method for deriving Environmental Quality Guidelines (EQG) and Environmental Quality Standards (EQS) for the corresponding level of ecological protection. | Ongoing | <ul style="list-style-type: none"> Independent audit of the implementation of the MEQMMP <ul style="list-style-type: none"> Method Data Analysis Management Actions Triggers and thresholds Reporting Monitoring Report Notification from DCCEEW that outcome met | Refer to EPBC 20E | Refer to EPBC 20E | Not applicable |
| EPBC Decision 2018/8236 Condition 21 [Impacts to Protected Matters]: | | The approval holder must comply with conditions 7-8, 7-9, 7-10 and 7-11 of the WA Approval to minimise impacts to marine fauna from marine pests. The approval holder must: <ol style="list-style-type: none"> develop a Marine Pest Prevention Plan consistent with Commonwealth of Australia 2018 National Strategic Plan for Marine Pest Biosecurity 2018–2023 and use the best available scientific information to design procedures to prevent the introduction of marine pests through any part of the action. Provide the approved plan or any subsequently approved plans to the Minister within 2 months of the date of approval. | | | | |
| EPBC 21A | The approval holder must develop a Marine Pest Prevention Plan (MPPP) to prevent the introduction of marine pests through any part of the action. | Ongoing | Independent audit of the implementation of the MPPP <ul style="list-style-type: none"> Scope of plan / procedures Actions Triggers and thresholds Reporting | R14_BCI_Marine Pest Management Procedures Rev1 | DWER approved the MPPP on 13/09/2022 | Compliant |
| EPBC 21B | Provide the approved MPPP or any subsequently approved plans to the Minister. | Within 2 months of the date of DWER approval | <ul style="list-style-type: none"> DCCEEW MPPP submission correspondence | R02_Mardie Minerals EPBC 2022_23 ACR | MPPP was provided to DCCEEW on 28/02/2023 over 5 months from the date of DWER approval. | Potentially non-compliant |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|--|--|---|--|---|--|-------------------|
| MS1175 condition 7-8 [Marine Pest Procedures]: | | The proponent shall ensure the implementation of the proposal achieves the following outcome: (1) No introduction of marine pests into the state or within the state as a result of the proposal. | | | | |
| EPBC 21C MS 7-8(1) | The approval holder shall ensure that there is no introduction of marine pests into the state or within the state as a result of the proposal. | Ongoing | Independent audit of the implementation of the MPPP <ul style="list-style-type: none"> • Scope of plan / procedures • Actions • Triggers and thresholds • Reporting | M01_BCI Evidence Request Response Rev 1 | There were no vessels in the audit period. | Not applicable. |
| MS1175 condition 7-9 [Marine Pest Procedures]: | | To achieve the environmental outcome in 7-8 (1), prior to construction the proponent shall develop and submit to the CEO procedures for managing all vessels and immersible equipment prior to mobilisation and during the proposal to the requirements of the CEO, on advice of the Department of Primary Industries and Regional Development. | | | | |
| EPBC 21D MS 7-9 | Develop marine pest management procedures (MPPP) for managing all vessels and immersible equipment on advice from DPIRD. | Prior to mobilisation | <ul style="list-style-type: none"> • MPPP Contents • DPIRD Advice on MPPP | Refer to EPBC 21C | Refer to EPBC 21C | Not applicable. |
| MS1175 condition 7-10 [Marine Pest Procedures]: | | The proponent shall not commence any marine construction or dredging activities until the CEO has confirmed by notice in writing that the marine pest management procedures required by condition 7-9 have been prepared to the CEO's satisfaction on advice from DPIRD. | | | | |
| EPBC 21E MS 7-10 | The approval holder will not commence any marine construction or dredging activities until the MPPP have been approved by the DWER CEO. | Prior to construction and dredging | <ul style="list-style-type: none"> • DWER Approval of MPPP • Activity commencement date | M01_BCI Evidence Request Response Rev 1 | Marine construction and dredging did not commence in the audit period. | Not applicable |
| MS1175 condition 7-11 [Marine Pest Procedures]: | | The proponent shall implement the procedures required by condition 7-9 during the construction of the proposal. | | | | |
| EPBC 21F MS 7-11(1) | Implement the MPPP. | During construction | Independent audit of the implementation of the MPPP: <ul style="list-style-type: none"> • Scope of plan / procedures • Actions • Triggers and thresholds • Reporting | Refer to EPBC 21E | Refer to EPBC 21E | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|--|----------|---|--|----------|--------------------------|-------------------|
| <p>EPBC Decision 2018/8236 Condition 22 [Impacts to Protected Matters]:</p> | | <p>To minimise impacts on migratory shorebirds, the approval holder must implement the Long-term migratory shorebird monitoring program.</p> | <p>(a) Comply with 8-2 of the WA Approval.</p> <p>(b) The Long-term migratory shorebird monitoring program must be implemented each year for a minimum of 5 years after the commencement of the action and must only cease once the approval holder provides suitable evidence to the Minister. The evidence provided to the Minister must include:</p> <ol style="list-style-type: none"> i. A report that has been reviewed by a suitably qualified expert in migratory shorebirds, using the data from the monitoring program and baseline data collected in the Phoenix 2020 Level 2 Targets terrestrial fauna surveys assessment for the Mardie Project report. ii. This report must be able to demonstrate the impacts from the action has not caused any changes to the migratory shorebird populations as a result of the action. iii. Take into consideration evidence from other data collected as part of the monitoring and management plans for the action, including but not limited to: <ol style="list-style-type: none"> 1. Groundwater Monitoring and Management Plan (GMMP) 2. Benthic Communities and Habitat Monitoring and Management Plan (BCHMMP) 3. Illumination Design and Management Plan 4. Marine Environmental Quality Monitoring and Management Plan <p>(c) The Long-term migratory shorebird monitoring program may be reviewed at any time. The revised plan must meet the objectives of the Long-term migratory shorebird monitoring program, take into consideration data collected from the monitoring data and include a review of efficacy, adaptive management strategies, and the best available scientific and management strategies for migratory shorebirds. The approved plan must be implemented.</p> <p>(d) If the Long-term migratory shorebird monitoring program demonstrates that there has been impact or changes to migratory shorebird populations as a result of the action, the approval holder must:</p> <ol style="list-style-type: none"> i. Within 7 days of becoming aware of the impact, implement management actions that will remove the most likely cause of the impact and implement management actions that will mitigate the impact. ii. Within 2 months of becoming aware of the impact, complete investigation of the likely cause/s of the impact/s such as clearing of migratory shorebird habitat and/or changes to hydrology of migratory shorebird habitat, changes in water quality, increase presence of feral predators, human influences or loss of preferred foraging/prey items. This investigation needs to include a review of the most appropriate management changes to prevent the impacts and improve migratory shorebird habitat. iii. Within 4 months of becoming aware of the impact/s, submit to the Department a report, reviewed by an independent suitably qualified migratory shorebird expert of the investigation and its findings, accompanied by the review by the independent suitably qualified migratory shorebird expert, which includes: <ol style="list-style-type: none"> 1. The outcomes of the investigation and the likely threatening processes that cause the impact/s. 2. Proposed measures to remove the threatening processes and/or mitigate the impact/s. 3. Assessment of whether any thresholds and management actions in relevant management plans in condition 22(a)(iii) need to be revised. 4. Assessment of whether a remediation plan is required to address the impact/s. iv. If a report prepared in condition 22(c)(iii) above recommends the implementation of a remediation plan, submit a Remediation Plan to the Department within 6 months of becoming aware of the impact. This Remediation Plan must be reviewed and endorsed by suitably qualified expert in migratory shorebirds within the Pilbara region. The Remediation Plan must be approved by the Minister and implemented once the plan is approved. v. If a report prepared under 22(c)(iii) above advises that remediation is not possible, the approval holder must submit to the Department, within 6 months of becoming aware of the impact, an Offset Strategy specifying how the impact will be offset in accordance with the Environmental Offsets Policy. If the Offset Strategy has not been approved by the Minister in writing, within 8 months of the approval holder becoming aware of the impact, and the Minister notifies the approval holder that the Offset Strategy is not suitable for approval, the Minister may, at least two months after so notifying the approval holder, approve a version of the Offset Strategy revised by the Department. The approval holder must implement the approved Offset Strategy for the remainder of the life of the project. | | | |
| <p>MS1175 condition 8-2 [Terrestrial Fauna]:</p> | | <p>Prior to ground disturbing activities, unless otherwise agreed in writing by the CEO, the proponent shall prepare and submit to the CEO a Long-term migratory shorebird monitoring program, which shall:</p> | <ol style="list-style-type: none"> (1) be conducted at the ponds and in proximity to the trestle jetty (impact areas) and in representative habitats in control areas, as per the requirements of the EPBC Act Policy Statement 3.21—Industry guidelines for avoiding, assessing and mitigating impacts on EPBC Act listed migratory shorebird species; (2) continue for a minimum of five (5) years to capture construction and post construction phases of the project; (3) include a commitment and timing for the results of each completed survey to be submitted to the 'Shorebirds 2020' initiative, DAWE and DBCA; (4) include trigger and threshold criteria and management actions to be implemented if change in the richness and abundance of migratory shorebirds and other birds are identified; (5) ensure the annual monitoring program will continue until the CEO has confirmed by notice in writing that the outcomes of condition 8-1 have been met. | | | |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|--------------------|--|--|--|--|---|-------------------|
| EPBC 22A MS 8-2 | Prepare and submit to the DWER CEO a Long-term migratory shorebird monitoring program (LTMSMP) to the requirements of MS 8-2 i to v above. | Prior to ground disturbing activities | <ul style="list-style-type: none"> LTMSMP DWER LTMSMP submission correspondence | R08_Long-term migratory shorebird monitoring program 2022 C18_DWER MS1175 Condition review and endorsement Ltr V3 | <p>The LTMSMP was prepared by Phoenix and included:</p> <ol style="list-style-type: none"> conducted at the ponds and in proximity to the trestle jetty (impact areas) and in representative habitats in control areas (Figure 1-1) using EPBC Act Policy Statement 3.21—Industry guidelines (Section 3.1) Results of the long-term migratory shorebird monitoring program will be reviewed every five years (Section 3.5) Making results available to DCCEEW, DBCA, the Birdlife Shorebird2020 program (Section 4) Reference requirement to initiate immediate review of the shorebird monitoring data and monitoring program where BCHMMP triggers and thresholds are exceeded (Section 3.5) Data will need to be collected annually (Section 3.4) <p>DWER advised that the LTMSMP submitted October 2021(prior to ground disturbing activities) satisfied the requirements of MS 8-2.</p> | Compliant |
| EPBC 22B MS 8-2 | The approval holder shall not commence any construction of evaporation ponds, crystalliser ponds, intertidal causeway or trestle jetty until the LTMSMP is approved by the DWER CEO. | Prior to construction | <ul style="list-style-type: none"> DWER CEO LTMSMP Approval | M02_BCI Evidence Request Response Rev 2 C18_DWER MS1175 Condition review and endorsement Ltr V3 | DWER advised on 16/02/2022 that the LTMSMP satisfies the requirements for condition 8-2 prior to construction of the evaporation ponds. | Compliant |
| EPBC 22C MS 8-2 | The LTMSMP will be conducted at the ponds and in proximity to the trestle jetty (impact areas) and in representative habitats in control areas. | Ongoing | <ul style="list-style-type: none"> LTMSMP Monitoring Report | R08_Long-term migratory shorebird monitoring program 2022 M01_BCI Evidence Request Response Rev 1 | The long-term migratory shorebird monitoring program was finalised in 2022 (R08), monitoring did not commence in the audit period (M01). | Not applicable |
| EPBC 22D MS 8-2 | The LTMSMP will continue for a minimum of five (5) years. | During construction and post construction phases | <ul style="list-style-type: none"> LTMSMP Monitoring Report | Refer to EPBC 22C | Refer to EPBC 22C | Not applicable |
| EPBC 22E | The LTMSMP will only cease when the Minister is provided with the requirements listed in EPBC 22(b) above. | Ongoing | <ul style="list-style-type: none"> Expert Review Report DCCEEW submission correspondence | Refer to EPBC 22C | Refer to EPBC 22C | Not applicable |
| EPBC 22F | Long-term migratory shorebird monitoring will be submitted to the 'Shorebirds 2020' initiative. | Ongoing | <ul style="list-style-type: none"> Evidence of submission of monitoring to 'Shorebirds 2020' | Refer to EPBC 22C | Refer to EPBC 22C | Not applicable |
| EPBC 22G | The approval holder may review and revise the LTMSMP. The revised plan must meet the objectives of the Long-term migratory shorebird monitoring program, take into consideration data collected from the monitoring data and include a review of efficacy, adaptive management strategies, and the best available scientific and management strategies for migratory shorebirds. | Ongoing | <ul style="list-style-type: none"> Revised LTMSMP | Refer to EPBC 22C | Refer to EPBC 22C | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|-----------|---|---|--|-------------------|--------------------------|-------------------|
| EPBC 22H | The approved LTMSMP must be implemented. | Ongoing | Independent audit of the implementation of the LTMSMP: <ul style="list-style-type: none"> • Methods • Data Analysis • Outputs • Information for Closure Planning | Refer to EPBC 22C | Refer to EPBC 22C | Not applicable |
| EPBC 22I | If the LTMSMP demonstrates that there has been impact or changes to migratory shorebird populations as a result of the action, the approval holder must implement management actions that will remove the most likely cause of the impact and implement management actions that will mitigate the impact. | Within 7 days of becoming aware of the impact | <ul style="list-style-type: none"> • Notification of LTMSMP impact correspondence to DCCEEW | Refer to EPBC 22C | Refer to EPBC 22C | Not applicable |
| EPBC 22J | If the LTMSMP demonstrates that there has been impact or changes to migratory shorebird populations as a result of the action, complete investigation of the likely cause/s of the impact/s. | Within 2 months of becoming aware of the impact | <ul style="list-style-type: none"> • Investigation report | Refer to EPBC 22C | Refer to EPBC 22C | Not applicable |
| EPBC 22K | If the LTMSMP demonstrates that there has been impact or changes to migratory shorebird populations as a result of the action, submit to the Department a report, reviewed by an independent suitability qualified migratory shorebird expert of the investigation and its findings. | Within 4 months of becoming aware of the impact | <ul style="list-style-type: none"> • Submission to DCCEEW of Investigation Report and independent expert review | Refer to EPBC 22C | Refer to EPBC 22C | Not applicable |
| EPBC 22L | Prepare a Remediation Plan reviewed and endorsed by suitably qualified expert if recommended by the investigation in EPBC 22K. | Within 6 months of becoming aware of the impact | <ul style="list-style-type: none"> • Remediation Plan • Expert endorsement | Refer to EPBC 22C | Refer to EPBC 22C | Not applicable |
| EPBC 22M | Submit the Remediation Plan prepared in EPBC 22L | Within 6 months of becoming aware of the impact | <ul style="list-style-type: none"> • DCCEEW Remediation Plan Submission Correspondence • DCCEEW Approval of Remediation Plan | Refer to EPBC 22C | Refer to EPBC 22C | Not applicable |
| EPBC 22N | Implement the Remediation Plan prepared in EPBC 22L on approval. | Immediately | <ul style="list-style-type: none"> • Independent audit of the implementation of the Remediation Plan (where applicable) | Refer to EPBC 22C | Refer to EPBC 22C | Not applicable |
| EPBC 22O | If the impact cannot be remediated then the approval holder must submit an Offset Strategy within 6 months of becoming aware of the impact. | Within 6 months of becoming aware of the impact | <ul style="list-style-type: none"> • Investigation report • Offset Strategy submission correspondence | Refer to EPBC 22C | Refer to EPBC 22C | Not applicable |
| EPBC 22P | The Offset Strategy will specify how the impact will be offset in accordance with the Environmental Offsets Policy | Upon determination that impact cannot be remediated | <ul style="list-style-type: none"> • Offset Strategy Content (where applicable) | Refer to EPBC 22C | Refer to EPBC 22C | Not applicable |
| EPBC 22Q | If the Offset Strategy has not been approved by the Minister within 8 months of the approval holder becoming aware of the impact, an approved a revised version of the Offset Strategy will be provided by DCCEEW within 2 months | Approval 8 months after submission of plan, revised plan 10 months after submission | <ul style="list-style-type: none"> • Offset Strategy Approval Correspondence | Refer to EPBC 22C | Refer to EPBC 22C | Not applicable |
| EPBC 22R | The approval holder must implement the approved Offset Strategy for the remainder of the life of the project. | Ongoing | <ul style="list-style-type: none"> • Independent audit of the implementation of the Approved Offset Strategy (where applicable) | Refer to EPBC 22C | Refer to EPBC 22C | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|-----------|---|---|------------------------------------|----------------------|-------------------------------------|-------------------|
| | EPBC Decision 2018/8236 Condition 23 [Impacts to Protected Matters]: | To minimise impacts to migratory shorebirds and marine fauna due to the loss of Benthic Communities and Habitat as a result of dredging operations, poor water quality, changes in groundwater, and surface water from to the installation of surface water diversions, the approval holder must: | | | | |
| | MS1175 condition 6-1 [Benthic Communities and Habitat Monitoring and Management Plan]: | The proponent shall ensure the implementation of the proposal achieves the following outcomes: | | | | |
| EPBC 23A | The approval holder will comply with MS 1175 condition 6-1. | Ongoing | Verification Methods Listed below: | EPBC 23B to EPBC 23F | Compliant with relevant conditions. | Compliant |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|---|------------------------------------|---|---|--|-------------------|
| EPBC 23B MS 6-1(1) | The approval holder shall ensure that there is no more than 7.2% direct impact to coastal samphire within the study area. | Ongoing | <ul style="list-style-type: none"> Surveyed impact | M02_BCI Evidence Request Response Rev 2 | An area of 4,102 ha of coastal samphire has been mapped in the study area. There has been 7.22% direct impact to coastal samphire within the study area. | Compliant |
| EPBC 23C MS 6-1(2) | The approval holder shall ensure that there is no more than 25% direct and project attributable indirect disturbance to algal mat within the study area. | Ongoing | <ul style="list-style-type: none"> Surveyed impact | M02_BCI Evidence Request Response Rev 2 | An area of 3,456 ha of algal mat has been mapped in the study area. There has been 25.46% direct impact to algal mat within the study area. | Compliant |
| EPBC 23D MS 6-1(3) | The approval holder shall ensure that there is no more than 8% project attributable direct and indirect impacts of algal mat on the west Pilbara coast. | Ongoing | <ul style="list-style-type: none"> Surveyed impact | M02_BCI Evidence Request Response Rev 2 | The extent of Algal mat on the west Pilbara coast is currently not know. Project A (under condition 27 of this approval) aims to map this extent. | Not applicable |
| EPBC 23E MS 6-1(4) | The approval holder shall not have long-term (greater than five (5) years) project attributable net detectable loss of algal mat outside the proposal footprint. | Ongoing | <ul style="list-style-type: none"> Surveyed impact | G02_ActualDisturbance | There was no project attributable loss of algal mat outside the proposal footprint in the audit period. | Compliant |
| EPBC 23F MS 6-1(5) | The approval holder shall not have project attributable loss of subtidal benthic communities and habitat (including subtidal macroalgae) within the area specified in condition 4-2(1)(d) and outside the Zones of impact authorised in condition 7. | Ongoing | <ul style="list-style-type: none"> Surveyed impact | G02_ActualDisturbance M01_BCI Evidence Request Response Rev 1 | There was no project attributable loss of subtidal benthic communities and habitat in the audit period. | Not applicable |
| MS1175 condition 6-2 [Benthic Communities and Habitat Monitoring and Management Plan]: | <p>The proponent shall ensure the proposal is constructed and operated to meet the following objectives:</p> <ol style="list-style-type: none"> changes to the health, diversity, and extent of benthic communities and habitat (including subtidal macroalgae) as a result of changes to surface water, groundwater quality groundwater regimes, and marine environmental quality associated with the proposal are detected as early as possible; loss of benthic communities and habitat (including subtidal macroalgae) as a result of the proposal, including loss of health, abundance or diversity as a result of project attributable indirect impacts, are accurately recorded and reported to meet the requirements of condition 14-1(4); and project attributable adverse impacts to benthic communities and habitat (including subtidal macroalgae) are addressed using best-practice available management mitigation and contingency measures. | | | | | |
| EPBC 23G | The approval holder will comply with MS 1175 condition 6-2. | During construction and operations | Verification Methods Listed below: | BCHMMP was not required to be implemented in the 2022 audit period EPBC 23H to EPBC 23J | | Compliant |
| EPBC 23H MS 6-2(1) | The approval holder shall ensure any changes to the health, diversity, and extent of benthic communities and habitat (including subtidal macroalgae) as a result of changes to surface water, groundwater quality groundwater regimes, and marine environmental quality associated with the proposal are detected as early as possible. | During construction and operations | <ul style="list-style-type: none"> BCHMMP Monitoring Reports Compliance Assessment | BCHMMP was not required to be implemented in the 2022 audit period EPBC 23H to EPBC 23J | | Not applicable |
| EPBC 23I MS 6-2(2) | The approval holder shall ensure that any changes to loss of benthic communities and habitat (including subtidal macroalgae) as a result of the proposal, including loss of health, abundance or diversity as a result of project attributable indirect impacts, are accurately recorded and reported to meet the requirements of marine and intertidal research offsets. | During construction and operations | <ul style="list-style-type: none"> BCHMMP Monitoring Reports Incident Reports / Investigations Reporting in accordance with BCHMMP | BCHMMP was not required to be implemented in the 2022 audit period EPBC 23H to EPBC 23J | | Not applicable |
| EPBC 23J MS 6-2(3) | The approval holder shall ensure that any project attributable adverse impacts to benthic communities and habitat (including subtidal macroalgae) are addressed using best-practice available management mitigation and contingency measures. | During construction and operations | <ul style="list-style-type: none"> BCHMMP Monitoring Report | BCHMMP was not required to be implemented in the 2022 audit period EPBC 23H to EPBC 23J | | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|---|---|---|---|--------------------------|-------------------|
| MS1175 condition 6-3 [Benthic Communities and Habitat Monitoring and Management Plan]: | | Prior to the construction of any pond walls, intertidal causeway, or other structure that could potentially impact on intertidal benthic communities and habitat, including mangrove habitat, algal mat and samphire habitat, unless otherwise approved by the CEO in writing, the proponent shall prepare and submit to the CEO a Benthic Communities and Habitat Monitoring and Management Plan. | | | | |
| EPBC 23K MS 6-3 | The approval holder will prepare and submit to the CEO a Benthic Communities and Habitat Monitoring and Management Plan. | Prior to the construction of any pond walls, intertidal causeway, or other structure that could potentially impact on intertidal benthic communities and habitat, including mangrove habitat, algal mat and samphire habitat | <ul style="list-style-type: none"> BCHMMP DWER BCHMMP Submission Correspondence | BCHMMP is not applicable to the 2022 independent audit as the approval and implementation was not required in the audit period. The plan was approved in December 2023. | | Not applicable |
| MS1175 condition 6-4 [Benthic Communities and Habitat Monitoring and Management Plan]: | | <p>The Benthic Communities and Habitat Monitoring and Management Plan shall:</p> <ol style="list-style-type: none"> when implemented, substantiate and ensure that the outcomes of conditions 2-1 and 6-1 will be met, and the objectives of condition 6-2 will be achieved; substantiate whether the outcomes of conditions 3-1(4) and 4-2 are being met. take account of all available data to determine whether the outcome of condition 6-1(3) will be met; include the details of mitigation actions to be implemented if the outcomes of condition 6-1 are not being met; include the methodology of a monitoring program for mangroves in the RRDMMA shown in Figure 1, to ensure no indirect impacts occur within this area as a result of the proposal subject to the requirements of condition 2-3, and to demonstrate that the outcome of condition 2-1 is met; specify early warning trigger criteria that will trigger the implementation of management and/or contingency actions to prevent non-compliance with the outcomes of conditions 2-1 and 6-1 or non-achievement of the objectives in condition 3-1 (4) and 6-2; specify threshold criteria to demonstrate compliance with conditions 2-1 3-1 (4) and 6-1 and that the objectives in condition 6-2 are being achieved; specify the details of a monitoring program to determine if trigger criteria required by condition 6-4(6) and threshold criteria required by condition 6-4(7) have been met; specify management and/or contingency actions to be implemented if the trigger criteria required by condition 6-4(6) and/or the threshold criteria required by condition 6-4(7) have not been met; and provide the format and timing for the reporting of monitoring results against trigger criteria and threshold criteria to demonstrate that the outcomes in condition 6-1 have been met and the objectives in condition 6-2 have been achieved over the reporting period in the Compliance Assessment Report required by condition 18-6. | | | | |
| EPBC 23L MS 6-4 | The BCHMMP will include the aspects listed in Condition 6-4 above. | Ongoing | <ul style="list-style-type: none"> BCHMMP contents | BCHMMP is not applicable to the 2022 independent audit | | Not applicable |
| EPBC 23M | The BCHMMP will adhere to the requirements of EPBC 23 d to e. | Prior to operations | <ul style="list-style-type: none"> BCHMMP contents | BCHMMP is not applicable to the 2022 independent audit | | Not applicable |
| MS1175 condition 6-5 [Benthic Communities and Habitat Monitoring and Management Plan]: | | The proponent must not commence operations until the CEO has confirmed in writing that the Benthic Communities and Habitat Monitoring and Management Plan submitted under condition 6-3 addresses the requirements of condition 6-4, the outcomes of conditions 2-1, 3-1(4), and 6-1, and the objectives of condition 6-2. | | | | |
| EPBC 23N MS 6-5 | The DWER CEO and DCCEEW Minister must approve the BCHMMP. | Prior to operations | <ul style="list-style-type: none"> DWER CEO approval for BCHMMP DCCEEW Minister approval for BCHMMP | BCHMMP is not applicable to the 2022 independent audit | | Not applicable |
| MS1175 condition 6-6 [Benthic Communities and Habitat Monitoring and Management Plan]: | | The exceedance of a threshold criteria (regardless of whether management actions or threshold contingency actions have been or are being implemented), and/or comply with the requirements of the Benthic Communities and Habitat Monitoring and Management Plan represents non-compliance with these conditions. | | | | |
| EPBC 23O MS 6-6 | The exceedance of a threshold criteria (regardless of whether management actions or threshold contingency actions have been or are being implemented), and/or comply with the requirements of the Benthic Communities and Habitat Monitoring and Management Plan represents non-compliance with these conditions. | Ongoing | <ul style="list-style-type: none"> Incident Reports BCHMMP Monitoring Data Inspection Records Independent audit of implementation of BCHMMP (n/a post approval December 2023) | BCHMMP was not required to be implemented in the 2022 audit period | | Not applicable |
| MS1175 condition 6-7 [Benthic Communities and Habitat Monitoring and Management Plan]: | | The proponent shall implement the most recent version of the Benthic Communities and Habitat Monitoring and Management Plan which the CEO has confirmed by notice in writing, addresses the requirements of conditions 2-1, 3-1(4), 6-1 and 6-2. | | | | |
| EPBC 23P MS 6-7 | The approval holder shall implement the approved BCHMMP. | Ongoing | <ul style="list-style-type: none"> Independent Audit of the implementation of the BCHMMP (n/a post approval December 2023) | BCHMMP is not applicable to the 2022 independent audit | | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|--|---|--|--|--------------------------|-------------------|
| MS1175 condition 6-8 [Benthic Communities and Habitat Monitoring and Management Plan]: | | In the event that monitoring or investigations at any time indicate an exceedance of threshold criteria specified in the Benthic Communities and Habitat Monitoring and Management Plan confirmed under condition 6-5, the proponent shall: | | | | |
| | | <ol style="list-style-type: none"> (1) report the exceedance in writing to the CEO within seven (7) days of the exceedance being identified; (2) implement the contingency actions required by the Benthic Communities and Habitat Monitoring and Management Plan within seven (7) days of the exceedances being reported and continue implementation of those actions until the CEO has confirmed by notice in writing that it has been demonstrated that the threshold criteria are being met and implementation of the threshold contingency actions are no longer required; (3) investigate to determine the cause of the threshold criteria being exceeded; (4) investigate to provide information for the CEO to determine potential environmental harm or alteration of the environment that occurred due to threshold criteria being exceeded; (5) provide a report to the CEO within twenty-one (21) days of the exceedance being reported. The report shall include: <ol style="list-style-type: none"> (a) details of contingency actions implemented; (b) the effectiveness of the contingency actions implemented against the threshold criteria; (c) the findings of the investigations required by conditions 6-8(3) and 6-8(4); (d) measures to prevent the threshold criteria being exceeded in the future; (e) measures to prevent, control or abate impacts which may have occurred; and (f) justification of the threshold criteria remaining, or being adjusted based on better understanding, demonstrating that the objectives in condition 6-1 will be met. | | | | |
| EPBC 23Q | The approval holder will comply with MS 1175 condition 6-8. | In the event of an exceedance | Verification Methods Listed below: | BCHMMP was not required to be implemented in the 2022 audit period | | Not applicable |
| EPBC 23R MS 6-8(1) | The approval holder must report to the DWER CEO and DCCEEW Minister if monitoring or investigation indicates an exceedance of threshold criteria specified in the BCHMMP. | within seven (7) days of the exceedance being identified | <ul style="list-style-type: none"> • DWER CEO exceedance notification correspondence • DCCEEW Minister exceedance notification correspondence | BCHMMP was not required to be implemented in the 2022 audit period | | Not applicable |
| EPBC 23S MS 6-8(2) | The approval holder must implement the BCHMMP contingency actions. | within seven (7) days of the exceedances being reported | <ul style="list-style-type: none"> • Activity Reports • Monitoring Data | BCHMMP was not required to be implemented in the 2022 audit period | | Not applicable |
| EPBC 23T MS 6-8(2) | The approval holder must continue to implement contingency actions until the DWER CEO and DCCEEW Minister confirms that it has been demonstrated that the threshold criteria are being met and implementation of the threshold contingency actions are no longer required | Ongoing following exceedance of BCHMMP threshold criteria | <ul style="list-style-type: none"> • DWER CEO Notice actions no longer required • DCCEEW Minister Notice actions no longer required • Activity Reports • Monitoring Data | BCHMMP was not required to be implemented in the 2022 audit period | | Not applicable |
| EPBC 23U MS 6-8(3) | The approval holder shall investigate the exceedance to determine the cause of the threshold criteria exceedance and to provide information to determine potential environmental harm or alteration of the environment that occurred due to threshold criteria exceedance. | Following exceedance of BCHMMP threshold criteria | <ul style="list-style-type: none"> • Investigation Report | BCHMMP was not required to be implemented in the 2022 audit period | | Not applicable |
| EPBC 23V MS 6-8(4) | The approval holder will provide a report to the DWER CEO and DCCEEW Minister containing the details listed in condition MS 6-8(5). | within twenty-one (21) days of the exceedance being reported | <ul style="list-style-type: none"> • DWER and DCCEEW Investigation Report Submission Correspondence • DWER CEO and DCCEEW Minister Threshold Criteria Exceedance Response Correspondence | BCHMMP was not required to be implemented in the 2022 audit period | | Not applicable |
| EPBC 23W | The BCHMMP is to be reviewed by a suitably qualified intertidal and subtidal benthic ecologist to advise if revision is required to prevent any possibility of exceedance reoccurrence. | 6 months of any exceedance | <ul style="list-style-type: none"> • BCHMMP ecologist review report | BCHMMP was not required to be implemented in the 2022 audit period | | Not applicable |
| EPBC 23X | Submit the report of the suitably qualified intertidal and subtidal benthic ecologist to DCCEEW. | 6 months of any exceedance | <ul style="list-style-type: none"> • DCCEEW ecologist review submission correspondence | BCHMMP was not required to be implemented in the 2022 audit period | | Not applicable |
| EPBC 23Y | If a review is recommended, the BCHMMP is to be revised and submitted to DCCEEW for approval. | within 8 months of any such exceedance. | <ul style="list-style-type: none"> • Tracked changes version of BCHMMP • DCCEEW revised BCHMMP submission correspondence • DCCEEW revised BCHMMP approval | BCHMMP was not required to be implemented in the 2022 audit period | | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|--|--|---|--|--------------------------|-------------------|
| EPBC 23Z | Develop and submit within 6 months of any such exceedance a reviewed by suitably qualified intertidal and subtidal benthic ecologist Remediation Plan. | On impact to protected matters | <ul style="list-style-type: none"> Remediation Plan DCCEEW Remediation Plan submission correspondence | BCHMMP was not required to be implemented in the 2022 audit period | | Not applicable |
| EPBC 23AA | The Minister to approve the Remediation Plan within 9 months of submission or provide an approved DCCEEW revised version of the Remediation Plan within 2 months | Approval 9 months after submission of where Remediation Plan required, revised plan 11 months after submission | <ul style="list-style-type: none"> DCCEEW Approval of Remediation Plan | BCHMMP was not required to be implemented in the 2022 audit period | | Not applicable |
| EPBC 23AB | The approval holder must implement the approved Remediation Plan. | Where Remediation Plan is in place following exceedance of Threshold | <ul style="list-style-type: none"> Independent audit of implementation of approved Remediation Plan Incident Investigation and Follow up Action Reports Activity Reports Monitoring Reports | BCHMMP was not required to be implemented in the 2022 audit period | | Not applicable |
| EPBC 23AC | If the impact of the exceedance cannot be remediated then the approval holder must submit an Offset Strategy within 10 months of the exceedance of the threshold criterion. | Where Offset Strategy is required as exceedance of Threshold cannot be remediated | <ul style="list-style-type: none"> Independent Incident Investigation Report Monitoring Reports and Recommendations Offset Strategy submission correspondence | BCHMMP was not required to be implemented in the 2022 audit period | | Not applicable |
| EPBC 23AD | The Offset Strategy will specify how the impact will be offset in accordance with the Environmental Offsets Policy | Upon determination that impact of exceedance cannot be remediated | <ul style="list-style-type: none"> Offset Strategy Content | BCHMMP was not required to be implemented in the 2022 audit period | | Not applicable |
| EPBC 23AE | If the Offset Strategy has not been approved by the Minister within 11 months of the exceedance event, an approved a revised version of the Offset Strategy will be provided by DCCEEW within 2 months | Approval 9 months after submission of plan, revised plan 11 months after submission | <ul style="list-style-type: none"> DCCEEW Offset Strategy Approval Correspondence | BCHMMP was not required to be implemented in the 2022 audit period | | Not applicable |
| EPBC 23AF | The approval holder must implement the approved Offset Strategy for the remainder of the life of the project. | Ongoing | <ul style="list-style-type: none"> Independent audit of implementation of Approved Offset Strategy in ACR | BCHMMP was not required to be implemented in the 2022 audit period | | Not applicable |
| MS1175 condition 6-9 [Benthic Communities and Habitat Monitoring and Management Plan]: | | The proponent: <ol style="list-style-type: none"> may review and submit proposed amendments to the Benthic Communities and Habitat Monitoring and Management Plan; shall review and submit proposed amendments to the Benthic Communities and Habitat Monitoring and Management Plan as and when directed by the CEO; and shall review and submit proposed amendments to the Benthic Communities and Habitat Monitoring and Management Plan every five (5) years. | | | | |
| EPBC 23AG | The approval holder will comply with MS 1175 condition 6-9. | Ongoing | Verification Methods Listed below: | BCHMMP was not required to be implemented in the 2022 audit period | | Not applicable |
| EPBC 23AH MS 6-9(1) | The approval holder can review and submit the BCHMMP | Ongoing | <ul style="list-style-type: none"> Revised BCHMMP BCHMMP Submission Correspondence to DWER and DCCEEW Revised BCHMMP Approval by DWER CEO and DCCEEW Minister | BCHMMP was under initial approval with DCCEEW in the 2022 audit period | | Not applicable |
| EPBC 23AI MS 6-9(2) | The approval holder shall review and submit the BCHMMP when directed by the DWER CEO. | Ongoing | <ul style="list-style-type: none"> Revised tracked changes BCHMMP BCHMMP Submission Correspondence to DWER and DCCEEW Revised BCHMMP Approval by DWER CEO and DCCEEW Minister | BCHMMP was under initial approval with DCCEEW in the 2022 audit period | | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|--|---|---|---|--|---|-------------------|
| EPBC 23AJ MS 6-9(3) | The approval holder shall review and submit the BCHMMP every five years. | Ongoing | <ul style="list-style-type: none"> Revised tracked changes BCHMMP BCHMMP Submission Correspondence to DWER and DCCEEW Revised BCHMMP Approval by DWER CEO and DCCEEW Minister | BCHMMP was under initial approval with DCCEEW in the 2022 audit period | | Not applicable |
| EPBC 23-9AK | The approval holder must provide the data outcomes of the monitoring program in the amended BCHMMP. | every five (5) years | <ul style="list-style-type: none"> Revised tracked changes BCHMMP BCHMMP Submission Correspondence to DCCEEW Revised BCHMMP Approval by DCCEEW Minister | BCHMMP was under initial approval with DCCEEW in the 2022 audit period | | Not applicable |
| MS1175 condition 6-10 [Benthic Communities and Habitat Monitoring and Management Plan]: | | The proponent shall continue to implement the Benthic Communities and Habitat Monitoring and Management Plan or any subsequent revisions as confirmed by the CEO in condition 6-5, until the CEO has confirmed by notice in writing that the proponent has demonstrated that the environmental outcomes detailed in conditions 2-1 and 6-1 and the objectives in condition 6-2 have been met. | | | | |
| EPBC 23AL MS 6-10 | The approval holder shall implement the approved BCHMMP. | Ongoing | <ul style="list-style-type: none"> Independent audit of the implementation of the BCHMMP (n/a post approval December 2023) | BCHMMP was not required to be implemented in the 2022 audit period | | Not applicable |
| EPBC Decision 2018/8236 Condition 24 [Impacts to Protected Matters]: | | <p>The approval holder must comply with condition 9 of the WA Approval to minimise impacts due to artificial illumination and light spill on migratory shorebirds and marine fauna.</p> <p>(a) The approval holder must develop the Illumination Plan according to condition 9-1 of the WA Approval. The Illumination Plan must also include methods of monitoring the light impacts from the action on marine turtles and migratory shorebirds.</p> <p>(b) The plan must be submitted and approved by the Minister prior to the commencement of the operation. The Illumination Plan must be implemented once the Illumination Plan is approved.</p> <p>(c) The approval holder may review and submit a revised Illumination Plan to the Department for the Minister's approval at any time, but the Illumination Plan must be reviewed every 5 years starting after the commencement of the action. The review must consider the monitoring data collected through the Marine Turtle Monitoring Program (condition 19(c)), the Migratory Shorebird Monitoring and Management Plan (condition 22) to adapt the operational lighting to further minimise impacts.</p> <p>(d) The approval holder shall continue to implement the Illumination Plan, or any subsequent revisions, as approved by the Minister for the life of the project.</p> | | | | |
| MS1175 condition 9-1 [Illumination and Lighting]: | | <p>Prior to ground disturbing activities, unless otherwise agreed in writing by the CEO, the proponent shall develop and submit to the CEO an Illumination Plan for marine and terrestrial fauna, which shall:</p> <p>(1) incorporate the design and mitigation measures within the EPA 2010 Environmental Assessment Guideline No. 5 – Environmental Assessment Guideline for Protecting Marine Turtles from Light Impacts or subsequent updates; and</p> <p>(2) incorporate the design and mitigation measures within the DotEE (2020) Light Pollution Guidelines: National Light Pollution Guidelines for Wildlife Including Marine Turtles, Seabirds and Migratory Shorebirds, Commonwealth of Australia.</p> | | | | |
| EPBC 24A MS 9-1 | The approval holder will develop an Illumination Plan containing the aspects in MS 1175 (1) and (2) and EPBC a. | Prior to ground disturbing activities | <ul style="list-style-type: none"> Illumination Plan contents | M01_BCI Evidence Request Response Rev 1 | The Illumination Plan was in development in the audit period. | Not applicable |
| EPBC 24B MS 9-1 | The approval holder will submit an Illumination Plan for approval. | Prior to ground disturbing activities | <ul style="list-style-type: none"> DCCEEW Approval Document DWER Approval Document | Refer to EPBC 24A | Refer to EPBC 24A | Not applicable |
| MS1175 condition 9-2 [Illumination and Lighting]: | | Unless otherwise agreed by the CEO, the proponent shall not operate or install any lighting equipment associated with the construction or operation of the proposal until the CEO has confirmed by notice in writing that the Illumination Plan meets the requirements of condition 9-1. | | | | |
| EPBC 24C MS 9-2 | The approval holder will not install or operate lighting equipment until the Illumination Plan is approved. | construction or operation | <ul style="list-style-type: none"> DWER Illumination Plan Approval Correspondence | C01_Approved Management Plans | The Illumination Plan was not approved during the reporting period. Nightworks were not approved for the project during the audit period. | Compliant |
| MS1175 condition 9-3 [Illumination and Lighting]: | | The proponent shall implement the most recent version of the Illumination Plan which the CEO has confirmed by notice in writing, addresses the requirements of condition 9-1. | | | | |
| EPBC 24D MS 9-3 | The approved Illumination Plan must be implemented. | Ongoing | <ul style="list-style-type: none"> DCCEEW Illumination Plan Approval Correspondence DWER Illumination Plan Approval Correspondence Independent Audit of Implementation of Illumination Plan (not yet approved): <ul style="list-style-type: none"> Compliance with Actions Triggers and Thresholds Reporting | C01_Approved Management Plans | The Illumination Plan was not approved during the audit period. | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|--|---|--|---|----------------------|---|-------------------|
| MS1175 condition 9-4 [Illumination and Lighting]: | | The proponent: (1) may review and submit proposed amendments to the Illumination Plan; (2) shall review and submit proposed amendments to the Illumination Plan as and when directed by the CEO; and (3) shall review and submit proposed amendments to the Illumination Plan every five (5) years. | | | | |
| EPBC 24E | The approval holder will comply with MS 1175 condition 9-4. | Ongoing | Verification Methods Listed below: | EPBC 24F to EPBC 24I | The approval holder has complied with the relevant sub-conditions of MS 1175 condition 9-4 in the audit period. | Compliant |
| EPBC 24F MS 9-4(1) | The approval holder can review and submit the Illumination Plan. | Ongoing | <ul style="list-style-type: none"> Revised Illumination Plan DWER and DCCEEW Illumination Plan Submission Correspondence Revised Illumination Plan Approval by DWER CEO and DCCEEW Minister | Refer to EPBC 24A | Refer to EPBC 24A | Not applicable |
| EPBC 24G MS 9-4(2) | The approval holder shall review and submit the Illumination Plan when directed by the DWER CEO. | Ongoing | <ul style="list-style-type: none"> Revised tracked changes Illumination Plan DWER and DCCEEW Illumination Plan Submission Correspondence Revised Illumination Plan Approval by DWER CEO and DCCEEW Minister | Refer to EPBC 24A | Refer to EPBC 24A | Not applicable |
| EPBC 24H MS 9-4(3) | The approval holder shall review and submit the Illumination Plan every five years. | From the commencement of the action | <ul style="list-style-type: none"> Revised tracked changes Illumination Plan DWER and DCCEEW Illumination Plan Submission Correspondence Revised Illumination Plan Approval by DWER CEO and DCCEEW Minister | Refer to EPBC 24A | Refer to EPBC 24A | Not applicable |
| EPBC 24I | The Illumination Plan review must consider the Marine Turtle Monitoring Program and the Migratory Shorebird Monitoring and Management Plan. | every five (5) years | <ul style="list-style-type: none"> Revised tracked changes Illumination Plan DWER and DCCEEW Illumination Plan Submission Correspondence Revised Illumination Plan Approval by DWER CEO and DCCEEW Minister | Refer to EPBC 24A | Refer to EPBC 24A | Not applicable |
| MS1175 condition 9-5 [Illumination and Lighting]: | | The proponent shall continue to implement the Illumination Plan or any subsequent revisions as confirmed by the CEO in condition 9-3, until the CEO has confirmed by notice in writing that the implementation of the Plan may cease. | | | | |
| EPBC 24J MS 9-5 | The approval holder shall implement the approved Illumination Plan. | Ongoing | <ul style="list-style-type: none"> Independent audit of the implementation of the Illumination Plan (not yet approved): <ul style="list-style-type: none"> Compliance with Actions Triggers and Thresholds Reporting | Refer to EPBC 24A | Refer to EPBC 24A | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|--|--|---|---|---|--|
| EPBC Decision 2018/8236 Condition 25 [Impacts to Protected Matters]: | | <p>To minimise impacts on EBPC Act listed <i>Minuria tridens</i>, the proponent must:</p> <ul style="list-style-type: none"> (a) Comply with conditions 5-1(2) to 5-3 of WA Approval. Reporting in condition 5-3(2) of the WA Approval must also be provided to the Department for review and the Minister's approval. (b) If any <i>Minuria tridens</i> individuals or populations are found within the development envelope during the pre-clearance surveys required in condition 5-2 of the WA Approval, the proponent must do the following: <ul style="list-style-type: none"> i. avoid the individual or population, if practicable. ii. If avoidance is not practicable then liaise with the Department to seek the possibly of translocating the individual(s) or populations(s). iii. If avoidance and translocation is not possible, then the approval holder must, prior to impact on the <i>Minuria tridens</i> individual or population, submit an Offset Strategy specifying how the impact will be offset in accordance with the Environmental Offsets Policy. If the Offset Strategy has not been approved by the Minister in writing within 9 months of the impact, and the Minister notifies the approval holder that the Offset Strategy is not suitable for approval, the Minister may, at least two months after so notifying the approval holder, approve a version of the Offset Strategy revised by the Department. The approval holder must implement the approved Offset Strategy for the remainder of the life of the project. (c) Comply with condition 12-1 of the WA Approval to monitor and manage weed infestation, feral rabbits, and indirect impacts of changes to groundwater and surface hydrology to the <i>Minuria tridens</i> individuals and populations identified in Phoenix – Detailed Flora and vegetation survey for the Mardie project (June 2020) and any <i>Minuria tridens</i> found during the pre-clearance surveys. This monitoring must be undertaken yearly for the life of the project or until suitable evidence is presented to the Minister who confirms in writing that ongoing monitoring is no longer required. (d) If any changes are recorded to <i>Minuria tridens</i> individuals and/or populations during this monitoring, the approval holder must contact the Minister within 6 months of known changes with a report that details further mitigation measures and management actions that will be implemented to mitigate the possible impacts to the <i>Minuria tridens</i> individuals and populations. (e) If the report identifies that mitigation and management actions are not possible, then condition 25(b)(iii) must be followed. | | | | |
| MS1175 condition 5-1(2) [Flora and Vegetation]: | | <p>The proponent shall ensure that the following outcomes are achieved:</p> <ul style="list-style-type: none"> (2) no direct or indirect impacts to the known locations of <i>Minuria tridens</i> identified in Phoenix – Detailed Flora and vegetation survey for the Mardie project (June 2020); | | | | |
| EPBC 25A MS 5-1(2) | The approval holder will have no direct or indirect impacts to the known locations of <i>Minuria tridens</i> . | Ongoing | <ul style="list-style-type: none"> • Post impact survey | M01_BCI Evidence Request Response Rev 1 | The post impact survey of <i>Minuria tridens</i> has not been undertaken to date. | Not applicable |
| MS1175 condition 5-2 [Flora and Vegetation]: | | <p>The proponent shall conduct targeted pre-clearance surveys of all areas of vegetation mapped as AcAjTE, Tspp or TtSvTc in Phoenix – Detailed Flora and vegetation survey for the Mardie project (June 2020).</p> | | | | |
| EPBC 25B MS 5-2 | The approval holder shall conduct targeted surveys of all areas of vegetation mapped as AcAjTE, Tspp or TtSvTc. | pre-clearance | <ul style="list-style-type: none"> • Pre-clearance targeted survey | R09_Minuria tridens AcAjTE Targeted Flora Survey Nov 2021 R10_Tecticornia TtSvTc Tspp Targeted Flora Survey Feb 2022 | Targeted survey of all areas of vegetation mapped as AcAjTE, Tspp or TtSvTc has been undertaken. | Compliant |
| MS1175 condition 5-3 [Flora and Vegetation]: | | <p>The proponent shall not clear in any area of AcAjTE, Tspp or TtSvTc vegetation as mapped in Phoenix – Detailed Flora and vegetation survey for the Mardie project (June 2020), until the CEO has confirmed by notice in writing that:</p> <ul style="list-style-type: none"> (1) the pre-clearance survey of that area was conducted in accordance with EPA Technical Guidance – Flora and Vegetation Surveys for Environmental Impact Assessment (EPA 2016); (2) the proponent has demonstrated avoidance and minimisation of direct and indirect impacts to any significant flora identified during pre-clearance surveys required by condition 5-2 as far as practicable, including: <ul style="list-style-type: none"> (a) revision of the development envelope to avoid any significant individual where possible; and (b) where individuals of <i>Minuria tridens</i> are identified during pre-clearance surveys and cannot be avoided, development of a research strategy to inform the potential for re-establishment of a population of <i>Minuria tridens</i> in the region. | | | | |
| EPBC 25C | The approval holder will comply with MS 1175 condition 5-3. | At the times specified | Verification Methods Listed below: | EPBC 25D to EPBC 25F | The approval holder has not complied with all the sub-conditions of MS 1175 condition 5-3 in the audit period. | Potentially non-compliant (reported ACR) |
| EPBC 25D MS 5-3(1) | The approval holder will submit the survey under MS 1175 5-2 to the DWER CEO to confirm MS 1175 5-3(2). | Pre-clearance | <ul style="list-style-type: none"> • DWER CEO confirmation correspondence | C19_20230130 MS1175 5-3_1 DWER Acceptance | BCI submitted the survey 25/08/2022 and commenced clearing prior to receipt of DWER confirmation notice 20/09/2022 (C19). | Potentially non-compliant (reported ACR) |
| EPBC 25E MS 5-3(2) | Avoid the individual or population <i>Minuria tridens</i> , if practicable. | Pre-clearance | <ul style="list-style-type: none"> • Pre-clearance targeted survey | Refer to EPBC 25A | Refer to EPBC 25A | Not applicable |
| EPBC 25F MS 5-3(2) | Develop a research strategy where individuals of <i>Minuria tridens</i> are identified during pre-clearance surveys and cannot be avoided. | Pre-clearance | <ul style="list-style-type: none"> • Research Strategy • DWER CEO confirmation correspondence | E17_Ministerial Statement MS 1211 R11_Minuria tridens Research_Offset Strategy V5 | The <i>Minuria tridens</i> Research Strategy was developed and approved 20/09/2022 (E17). | Compliant |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|--|--|--|---|--|---|-------------------|
| EPBC 25G | Seek the possibly of translocating the individual(s) or populations(s) if avoidance is not practicable. | Pre-clearance | <ul style="list-style-type: none"> Specialist Investigation Report DCCEEW Submission Correspondence | R11_Minuria tridens Research_Offset Strategy V5 | The <i>Minuria tridens</i> MS1175 Research Strategy and EPBC 2018/8236 Offset Strategy includes propagation / translocation trials for <i>Minuria tridens</i> (R11). | Compliant |
| EPBC 25H | The approval holder must submit an Offset Strategy if avoidance and translocation is not possible. | Prior to impact on the <i>Minuria tridens</i> | <ul style="list-style-type: none"> DCCEEW Offset Strategy submission correspondence | C08_20230130 <i>Minuria tridens</i> Offsets Submission R11_Minuria tridens Research_Offset Strategy V5 | Offset Plan was submitted 30/01/2023 (C08). | Compliant |
| EPBC 25I | The Offset Strategy will specify how the impact will be offset in accordance with the Environmental Offsets Policy. | Prior to impact on the <i>Minuria tridens</i> | <ul style="list-style-type: none"> Offset Strategy Content | C09_20230131 DCCEEW Submission Receipt <i>Minuria tridens</i> Offset Strategy R11_Minuria tridens Research_Offset Strategy V5 | DCCEEW acknowledge receipt of Offset Plan 31/01/2023 (C09). The <i>Minuria tridens</i> Offset Strategy was not approved in the audit period. The <i>Minuria tridens</i> MS1175 Research Strategy and EPBC 2018/8236 Offset Strategy does not specify how the impact will be offset in accordance with the EPBC Act Environmental Offsets Policy (2012). | Not applicable |
| EPBC 25J | If the Offset Strategy has not been approved by the Minister within 9 months of the impact, an approved a revised version of the Offset Strategy will be provided by DCCEEW within 2 months | Approval 9 months after submission of plan, revised plan 11 months after submission | <ul style="list-style-type: none"> DCCEEW Offset Strategy Approval Correspondence | C09_20230131 DCCEEW Submission Receipt <i>Minuria tridens</i> Offset Strategy | DCCEEW acknowledge receipt of Offset Plan 31/01/2023 (C09). | Not applicable |
| EPBC 25K | The approval holder must implement the approved Offset Strategy for the remainder of the life of the project. | Ongoing | Independent audit of the implementation of the Approved Offset Strategy: <ul style="list-style-type: none"> Individual offset commitments Commitments for offset locations / activities Triggers and thresholds Reporting | C09_20230131 DCCEEW Submission Receipt <i>Minuria tridens</i> Offset Strategy | The <i>Minuria tridens</i> Offset Strategy was not approved in the audit period. | Not applicable |
| MS1175 condition 12-1 [Monitoring and Adaptive Management Program]: | | The proponent must implement a monitoring and adaptive management plan to meet the outcomes and objectives of conditions 3-1(2), 3-1(3), 3-1(5), 3-1(6), 3-1(7), 4-1, 5-1(1), 5-1(2), 5-1(3), 5-1(4), 7-8, 10-1(1), 10-1(3), 10-3(3) and 11-1(1) which includes: <ol style="list-style-type: none"> threshold criteria to determine compliance with all condition limits and outcomes; trigger criteria that provide an early warning that any condition limits are not likely to be met; monitoring parameters, sites, control/reference sites, methodology, timing and frequencies which will be used to measure threshold and trigger criteria. Include methodology for: <ol style="list-style-type: none"> baseline data; data collection and analysis methods; adaptive management methodology; contingency; and reporting; details of monitoring of <i>Minuria tridens</i> individuals and populations identified in Phoenix – Detailed Flora and vegetation survey for the Mardie project (June 2020) and any found during the pre-clearance surveys required by condition 5-2 must be undertaken yearly for the life of the project to assess indirect impacts of changes to groundwater and surface hydrology; and details of reporting requirements in the event that any changes to individuals and populations of <i>Minuria tridens</i> are detected, including requirements to provide mitigation measures to protect this species. | | | | |
| EPBC 25L MS 12-1 | The approval holder will develop a monitoring and adaptive management plan (MAMP) to monitor and manage weed infestation, feral rabbits, and indirect impacts of changes to groundwater and surface hydrology to <i>Minuria tridens</i> individuals and populations. | Prior to 24 November 2022 | <ul style="list-style-type: none"> MAMP contents | E17_Ministerial Statement MS 1211 | The MAMP was submitted in the audit period however it was not assessed or approved by DWER as the requirement for the plan was removed from the project approval by Ministerial Statement MS 1211 (E17). | Not applicable |
| EPBC 25M MS 12-1 | The approval holder will submit the MAMP to the DWER CEO. | By 24 November 2022 | <ul style="list-style-type: none"> DWER CEO MAMP Submission Correspondence | Refer to EPBC 25L | Refer to EPBC 25L | Not applicable |
| EPBC 25N MS 12-1 | The MAMP is to provide the details listed in MS 1175 condition 12-1. | Ongoing | <ul style="list-style-type: none"> MAMP contents | Refer to EPBC 25L | Refer to EPBC 25L | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|--|---|--|--|--|---|-------------------|
| EPBC 25O | This monitoring under the MAMP must be undertaken yearly for the life of the project or until suitable evidence is presented to the DCCEEW Minister who confirms in writing that ongoing monitoring is no longer required. | Ongoing | <ul style="list-style-type: none"> Compliance Assessment of MAMP <ul style="list-style-type: none"> Methodology Action compliance Triggers and thresholds reporting DCCEEW Confirmation that monitoring is no longer required | Refer to EPBC 25L | Refer to EPBC 25L | Not applicable |
| EPBC 25P | If monitoring records changes to <i>Minuria tridens</i> individuals and/or populations the approval holder must contact the DCCEEW Minister with a report that details further mitigation measures and management actions that will be implemented. | within 6 months of known changes | <ul style="list-style-type: none"> Monitoring Records Mitigation measures and management actions report Report Submission to DCCEEW Correspondence | M01_BCI Evidence Request Response Rev 1 | Monitoring of changes to <i>Minuria tridens</i> individuals and/or populations to commence in 2024. | Not applicable |
| EPBC 25Q | If the report identifies that mitigation and management actions are not possible, then condition 25(b)(iii) (Offset Strategy) must be followed. | within 6 months of known changes | <ul style="list-style-type: none"> Offset Strategy DCCEEW Offset Strategy Submission Correspondence | Refer to EPBC 25P | Refer to EPBC 25P | Not applicable |
| EPBC Decision 2018/8236 Condition 26 [Offsets]: | | To compensate for the residual significant impacts of clearing Pilbara Leaf-nosed Bat supporting habitat, Pilbara Olive Python critical habitat and Northern Quoll supporting habitat, the approval holder must contribute funds to the Pilbara Environmental Offsets Fund (PEOF). | | | | |
| EPBC 26 | The approval holder must contribute funds to the Pilbara Environmental Offsets Fund (PEOF). | Biennially commencing from ground disturbing activities | <ul style="list-style-type: none"> Evidence of Payment | C10_2018-8236 DWER MPIRP decision letter R05_20220829 Mardie IRP Rev1 E18_PEOF Invoice 10% E33_PEOF EFT REMITTANCE-3368 | The approval holder contributed the required funds (as per PEOF invoice E18) on 12/05/2023 (E33). | Compliant |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|--|--|---|---|--|--|---------------------------|
| EPBC Decision 2018/8236 Condition 27 [Offsets]: | | <p>In making the contribution to the Pilbara Environmental Offsets Fund, the approval holder must</p> <ol style="list-style-type: none"> (a) Comply with condition 13-6 of the WA Approval. (b) contribute funds towards an offset or offset activity that: <ol style="list-style-type: none"> i. reduces the rate of decline of the Pilbara Leaf-nosed Bat, Pilbara Olive Python, and Northern Quoll; ii. ensures that viable populations of Pilbara Leaf-nosed Bat, Pilbara Olive Python, and Northern Quoll remain in the Pilbara bioregion; iii. has specified outcomes and performance indicators; timeframes and milestones for their achievement; iv. includes sufficient monitoring to detect achievement of performance indicators, milestones and the outcomes; and v. requires regular reporting to the approval holder of the outcomes of the monitoring. (c) not commence the action until the Mardie Project Impact Reconciliation Procedure has been submitted to the Minister for approval. If the Impact Reconciliation Procedure has not been approved by the Minister and in writing, within 6 months of submitting the Impact Reconciliation Procedure to the Minister, the Minister may, at least two months after so notifying the approval holder, approve a version of the Impact Reconciliation Procedure revised by the Department. The approval holder must implement the approved Impact Reconciliation Procedure for the remainder of the life of the project. (d) the approval holder must provide an upfront payment of 10 per cent of the total contribution to the Pilbara Environmental Offsets Fund as detailed by the approved Impact Reconciliation Procedure, within one month of the Minister approving the IRP, which will contribute towards achieving the outcomes set out in condition 27(b). (e) Make a payment once every two years, based on evidence of the actual clearing footprint starting from the date of commencement of the action and then for each subsequent 24-month period, to the Pilbara Environmental Offsets Fund that is equivalent to or greater than the value of the following amounts on the date of this approval, by adjustment in accordance with the CPI from the date of this approval decision until the date on which any payment is made, of: <ol style="list-style-type: none"> i. A minimum of \$3,306 AUD (excluding GST) per hectare of cleared Pilbara Olive Python critical habitat, up to an allowable clearing limit of 6 hectares, and ii. A minimum of \$1,653 AUD (excluding GST) per hectare of cleared Northern Quoll supporting habitat, up to an allowable clearing limit of 64.5 hectares and of good to excellent quality Pilbara Leaf-nosed Bat supporting habitat, up to an allowable clearing limit of 1,224 hectares. (f) Submit to the Department evidence of each payment made under conditions 27(c) and 27(d) within 10 business days of the date of the payment. (g) Include in each annual compliance report to the Department details of progress towards, or achievement of, the outcomes specified under condition 27(b) for the Pilbara Leaf-nosed Bat, Pilbara Olive Python, and Northern Quoll. (h) Write to the Minister, within 10 business days of being aware or having concerns, that the offset outcomes specified for the Pilbara Environmental Offsets Fund project(s) may not be achieved. (i) On completion of clearing, submit to the Department a final Impact Reconciliation Report. The Minister may agree to adjust the final year's payment and notify the approval holder in writing of the adjusted final payment amount based on evidence of the actual clearing footprint provided in the Impact Reconciliation Report. | | | | |
| EPBC 27A | The approval holder must provide an upfront payment of 10 per cent of the total contribution to the PEOF as detailed by the approved MPIRP. | within one month of the Minister approving the MPIRP | <ul style="list-style-type: none"> Submission to DCCEEW of evidence of payment | E18_PEOF Invoice 10% | The PEOF payment was required within one month of EPBC Act approval of the MPIRP. The payment was made 12/05/2023 (6 months after the approval). | Potentially non-compliant |
| MS1175 condition 13-6 [Terrestrial Offsets]: | | <p>To achieve the objective in condition 13-1, the proponent shall prepare and submit a Mardie Project Impact Reconciliation Procedure to the CEO prior to ground disturbing activities. This procedure shall:</p> <ol style="list-style-type: none"> (1) spatially define the environmental value(s) identified in condition 13-1; (2) spatially define the areas where offsets required by condition 13-1 are to be exempt; (3) include a methodology to calculate the amount of clearing undertaken during each year of the biennial reporting period for each of the environmental values identified in condition 13-3; (4) state that clearing calculation for the first biennial reporting period will commence from ground disturbing activities in accordance with condition 13-2 and end on the second 30 June following the commencement of ground disturbing activities; (5) state that clearing calculations for each subsequent biennial reporting period will commence on 1 July of the required reporting period, unless otherwise agreed by the CEO; (6) indicate the timing and content of the Impact Reconciliation Reports; and (7) be prepared in accordance with Instructions on how to prepare Environmental Protection Act 1986 Part IV Impact Reconciliation Procedures and Impact Reconciliation Reports (or any subsequent revisions). | | | | |
| EPBC 27B MS 13-6 | The approval holder shall prepare a Mardie Project Impact Reconciliation Procedure (MPIRP) in accordance with the requirements of MS 1175 condition 13-6 and EPBC 27b. | prior to ground disturbing activities | <ul style="list-style-type: none"> MPIRP Content | C10_2018-8236 DWER MPIRP decision letter R05_20220829 Mardie IRP Rev1 | The MPIRP (R05) was approved by DCCEEW 27/10/2022. <ol style="list-style-type: none"> 1. Environmental values (Figure 2) 2. Exempt Offsets (nil) 3. Methodology (Section 3.3) 4. Clearing Calculation first biennial period (reference to clearing database) 5. Clearing Calculation each subsequent biennial period (reference to clearing database) 6. Impact Reconciliation Reports (Section 4.1) | Compliant |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|--|--|---|---|--|---|-------------------|
| EPBC 27C MS 13-6 | The approval holder shall submit the MPIRP to the DWER CEO. | prior to commencing the action | <ul style="list-style-type: none"> MPIRP submission correspondence to DWER CEO MPIRP submission correspondence to DCCEEW Minister | C10_2018-8236 DWER MPIRP decision letter C11_Submission of MPIRP to DCCEEW | The MPIRP was submitted to DWER on 19/01/2022 and to DCCEEW on 06/02/2022. | Compliant |
| EPBC 27D | The Minister to approve the MPIRP within 6 months of submission or provide an approved DCCEEW revised version of the MPIRP within 2 months | Approval 6 months after submission of where MPIRP required, revised plan 8 months after submission | <ul style="list-style-type: none"> DCCEEW Approval Document | C12_DCCEEW MPIRP Approval | DCCEEW approved the MPIRP on 27/10/2022 (no requirement for an approved DCCEEW revision). | Not applicable |
| EPBC 27E | The approval holder must implement the approved MPIRP. | Ongoing | Independent audit of implementation of the approved MPIRP: <ul style="list-style-type: none"> Individual offset commitments Commitments for offsets activities Reporting | M01_BCI Evidence Request Response Rev 1 E18_PEOF Invoice 10% E33_PEOF EFT REMITTANCE-3368 R01_2022 Independent Audit Appendix C | The MPIRP was implemented in the audit period. Independent audit (R02) of implementation of the MPIRP found that of the 30 commitments in the MPIRP: <ul style="list-style-type: none"> Six commitments were assessed as conformant; 22 commitments were assessed as not applicable at this time; and Two commitments were assessed to be potentially non-conformant. | Compliant |
| EPBC Decision 2018/8236 Condition 28 [Offsets]: | | <p>Should the Minister determine that the Pilbara Environmental Offsets Fund is likely to fail, the Minister may write to the approval holder asking it to provide evidence that failure has not occurred or is unlikely to occur and nominating a deadline by which this must be provided.</p> <p>(a) If, after considering any information provided by the approval holder by the deadline nominated by the Minister under condition 27(g), the Minister determines that the Pilbara Environmental Offsets Fund has failed for one or all species in condition 26, the approval holder must submit for the Minister's approval, within 4 months of being notified by the Minister, an Offset Strategy consistent with the principles of the Environmental Offsets Policy. If the Offset Strategy has not been approved by the Minister in writing within 6 months of the notification by the Minister, and the Minister notifies the approval holder that the Offset Strategy is not suitable for approval, the Minister may, at least two months after so notifying the approval holder, approve a version of the Offset Strategy revised by the Department. The approval holder must commence implementation of the approved Offset Strategy within 2 months of the approval of the Offset Strategy by the Minister in writing, or another time as agreed in writing by the Minister. The approval holder must implement the approved Offset Strategy for the remainder of the life of the project.</p> <p>(b) The Offset Strategy to be provided for the Minister's approval, if required by condition 28(a), must provide a framework for how the residual significant impacts to the Pilbara Leaf-nosed Bat, Pilbara Olive Python and Northern Quoll specified in condition 26 will be offset and must detail:</p> <ol style="list-style-type: none"> how the strategy will achieve the outcomes required under condition 27(b); how it accounts for relevant approved conservation advices, recovery plans and threat abatement plans; the party to be responsible for implementing the proposed offset(s); the location and nature of the proposed offset(s); detailed objectives, outcomes, and timeframes for their achievement; budget; performance and completion criteria for evaluating conservation or research outcomes; project monitoring (with indicators and measures) capable of detecting progress towards and achievement of the required outcomes, reporting of specified outputs/offset activities, progress towards and achievement of the required outcomes, and evaluation of appropriateness of measures implemented; a description of the potential risks to the successful implementation of each proposed offset (including but not limited to environmental, administrative, financial, and governance risks); a description of the measures that will be implemented to mitigate risk associated with each proposed offset and a description of the contingency actions that will be implemented if performance or completion criteria are not met; processes to adaptively manage the proposed offset; how the proposed offset is consistent with the Environmental Offsets Policy; and how the approval holder will ensure that the measures to be implemented as part of the Offsets Strategy have no detrimental impact on any threatened species listed under the EPBC Act. | | | | |
| EPBC 28A | The approval holder shall provide evidence, on DCCEEW request, that failure or likely failure of PEOF has not occurred. | Where requested | <ul style="list-style-type: none"> Approval holder response to DCCEEW Request | M01_BCI Evidence Request Response Rev 1 | BCI report that failure of PEOF is not likely and that DCCEEW had not made a request for evidence of this in the audit period. | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|-----------|--|--|---|-------------------|--------------------------|-------------------|
| EPBC 28B | If by DCCEEW determination that the Offset Strategy is not consistent with the principles of the Environmental Offsets Policy, the approval holder must submit an Offset Strategy. | within 4 months of being notified by the Minister | <ul style="list-style-type: none"> Offset Strategy Submission of Offset Strategy to DCCEEW | Refer to EPBC 28A | Refer to EPBC 28A | Not applicable |
| EPBC 28C | The Offset Strategy will include the aspects listed in EPBC condition 28b. | On revision of Offset Plan due to PEOF failure | <ul style="list-style-type: none"> Offset Strategy Content | Refer to EPBC 28A | Refer to EPBC 28A | Not applicable |
| EPBC 28D | The Minister to approve the Offset Strategy within 6 months of submission or provide an approved DCCEEW revised version of the Offset Strategy within 2 months | Approval 6 months after submission of where MPIRP required, revised plan 8 months after submission | <ul style="list-style-type: none"> DCCEEW Offset Strategy Approval Correspondence | Refer to EPBC 28A | Refer to EPBC 28A | Not applicable |
| EPBC 28E | The approval holder must implement the approved Offset Strategy for the remainder of the life of the project | Ongoing | <ul style="list-style-type: none"> Independent audit of implementation of the Offset Strategy (where applicable) | Refer to EPBC 28A | Refer to EPBC 28A | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|----------|--------|---------------------|----------|--------------------------|--|
| <p>EPBC Decision 2018/8236 Condition 29 [Offsets]:</p> | | | | | | <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds habitats, 17 hectares of mangrove that supports migratory shorebirds and Green Sawfish and 79 hectares of subtidal Short-nosed Sea Snake habitat, the approval holder must commission research projects to inform the strategic protection, better management and long-term ecological functionality of migratory shorebirds, Green Sawfish and Short-nosed Sea Snake habitat (the Marine Research Objectives). The approval holder must:</p> <ul style="list-style-type: none"> (a) Comply with the research objectives in condition 14-1 of the WA Approval for the contribution funding of, and responsibility for, achieving the outcomes for three separate research projects for the intertidal algal mat, coastal samphire, and mangrove habitats as outlined in Schedule 2 of the WA Approval. (b) Contribute, in addition to condition 29(a), the equivalent (by yearly adjustment by CPI) of \$300,000, to research and/or management program that guides conservation efforts to maintain ecological functionality of nearshore subtidal habitats of the Pilbara region that support Short-nosed Sea Snake, which are increasingly at threat from development and climate change impacts. (c) within six (6) months of the commencement of the action, submit a detailed Research Project Proposal for the intertidal (condition 29(a)) and subtidal (condition 29(b)) research requirements that will meet the Marine Research Objectives, to the Department for approval by the Minister. The Research Project Proposal must include: <ul style="list-style-type: none"> i. The information required under condition 14-1 of the WA Approval; ii. Details of how the proposed research projects will achieve the Marine Research Objectives; iii. Details (including relevant capacity and expertise) of the party/ies proposed to undertake the research projects, and the proposed project governance, and roles and responsibilities of the approval holder and any other party, iv. A risk assessment of the third party/ies not being able to achieve the Marine Research Objectives; v. Details of the research methodologies, proposed project timelines, progress and completion criteria, schedule of progress monitoring and reporting to the Department, for each proposed research project; vi. Details of the funding arrangements and schedule of payments including an initial 10% contribution of the overall funding to be made within two (2) months of the Research Project Proposal being approved by the Minister; vii. Details of how the Research Project Proposal takes into consideration relevant conservation advices, recovery plans and threat abatement plans for the relevant species; viii. Details of how the Research Project Proposal is consistent with the criteria for research programs specified in Appendix A of the Environmental Offsets Policy; ix. Details of how the research projects will take into consideration and utilise the following monitoring and management plans: <ul style="list-style-type: none"> 1. Mardie Dredge Management Plan 2. Marine Environmental Quality Monitoring and Management Plan 3. Long-term migratory shorebird monitoring program 4. Groundwater Monitoring and Management Plan (GMMP). 5. Benthic Community Habitat Monitoring and Management Plan (BCHMMP). 6. Marine Turtle Monitoring Program. 7. Illumination Plan. x. Details of permissions and permits that will need to be obtained (or have already been obtained) to conduct the research projects; xi. Assurances that the research will be conducted to a standard that would allow the findings to be published in a peer-reviewed scientific journal or report and provide sound recommendations and information for management and conservation for migratory shorebirds, Green Sawfish and Short-nosed Sea Snake and their habitats; xii. Commitments that, within 6 months of completion of any research project, all reports, publications and supporting data will be provided to the Department, Birdlife Australia Shorebird Program, DBCA, and Department of Water and Environmental Regulation (DWER) and published, or the existence and locations of the reports and publications detailed, on the website for the remainder of the life of the project; and xiii. Details of a communication and engagement program to promote the achievement of the research outcomes. (d) The approval holder must provide the Department a report within 6 months of the finalisation of the research outcomes as per the schedule provided in condition 29(c)(v), which includes the published outcomes and reports as outlined in condition 29(c)(xi) as attachments. This report must demonstrate that the research undertaken through the Research Project Proposal has met the Marine Research Objectives and provide recommendations, based on the outcomes, that include, but not limited to, better management practices that meet the Marine Research Objectives and environmental impact assessments. (e) The approval holder must provide the Department a report within 6 months of the finalisation of the research outcomes, how the outcomes from the research undertaken through the Research Project Proposal will be used to adapt and revise any of the above listed monitoring and/or management plans listed in condition 29(c)(ix). (f) The approval holder must notify the Minister in writing within 2 months of determining that any of the research projects is likely to fail or has failed, providing evidence that failure has occurred or is likely to occur and committing to propose an alternative research project to be included in a revised Research Project Proposal, which must be submitted to the Department within twelve (12) months of making the notification for the approval of the Minister. If the revised Research Project Proposal has not been approved by the Minister within 15 months of making the notification, and the Minister notifies the approval holder that the revised Research Project Proposal is not suitable for approval, the Minister may, at least two months after so notifying the approval holder, approve a version of the Research Project Proposal revised by the Department. |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|---|---|---|--|--|-------------------|
| MS1175 condition 14-1(2) [Marine and Intertidal Research Offsets]: | | | | | | |
| | | <p>Given the significant residual impacts and risks of the proposal to mangroves, algal mat, and coastal samphire, the proponent shall undertake the following offset measures for the purpose of guiding the strategic protection and management of the ecological values of these habitats on the west Pilbara coast, which include migratory bird habitat and ecological maintenance of marine fauna habitat, consistent with the financial, governance and accountability arrangements described in schedule 2:</p> <ol style="list-style-type: none"> (1) contribution to a relevant scientific initiative, on the basis described in schedule 2 (Project A), which has the aim of mapping the original and current extent of Samphire and Algal mat on the west Pilbara coast; (2) contribution to a relevant scientific initiative, on the basis described in schedule 2 (Project B), which has the aim of identifying and quantifying the potential effects of sea level rise on the values of mangroves, samphire, and algal mat on the west Pilbara coast, and identifying the significance of salt projects in preventing the adaptation of intertidal BCH to sea-level rise; (3) contribution to a relevant scientific initiative, on the basis described in schedule 2 (Project C(i)), for the purposes of funding research with the aim of identifying the ecological roles, values and functions of intertidal benthic communities and habitat; (4) maintenance of a contingency fund, on the basis described in schedule 2 (Project C (ii)) for the purposes of funding research with the aim of identifying the ecological roles, values and functions of intertidal benthic communities and habitat, to be paid in the event that loss of intertidal benthic communities and habitat, or loss of health, percent cover or diversity of intertidal benthic habitat and communities is identified by the Benthic communities and habitat monitoring and management plans required by condition 6; and (5) contribution to a relevant scientific initiative, on the basis described in schedule 2 (Project C (iii)) for the purposes of funding research with the aim of identifying the ecological roles, values and functions of intertidal benthic habitat, to be paid in the event that disturbance to mangrove habitat in the RRDMMMA occurs subject to the requirements of condition 2. | | | | |
| EPBC 29A MS 14-1(2)(1) | The approval holder will contribute \$1,500,000 to mapping of the original and current extent of Samphire and Algal mat on the west Pilbara Coast (Project A). | Prior to the commencement of construction | <ul style="list-style-type: none"> Submission to DCCEEW of evidence of payment | E01_UWA contract payment A E19_Pilbara Research_Offsets Payment 20220805 | The payment for Project A was made 05/08/2022 (E19) (prior to marine construction). | Compliant |
| EPBC 29B MS 14-1(2)(2) | The approval holder will contribute \$500,000 to identify and quantify the potential effects of sea level rise on mangroves, samphire and algal mat on the west Pilbara Coast (Project B). | Prior to the commencement of construction | <ul style="list-style-type: none"> Submission to DCCEEW of evidence of payment | E01_UWA contract payment A E19_Pilbara Research_Offsets Payment 20220805 | The payment for Project B was made 05/08/2022 (E19) (prior to marine construction). | Compliant |
| EPBC 29C MS 14-1(2)(3) | The approval holder will contribute \$500,000 to identify the ecological roles, values and functions of algal mat on the west Pilbara coast (Project C(i)). | Prior to the commencement of construction | <ul style="list-style-type: none"> Submission to DCCEEW of evidence of payment | E01_UWA contract payment A E19_Pilbara Research_Offsets Payment 20220805 | The payment for Project C(i) was made 05/08/2022 (E19) (prior to marine construction). | Compliant |
| EPBC 29D MS 14-1(2)(4) | The approval holder will contribute \$2102 per hectare of algal mat, coastal samphire or mangroves that monitoring indicates has been lost due to project-attributable indirect impacts, or subject to loss of health, per cent cover or diversity of intertidal to identify the ecological roles, values and functions of intertidal benthic communities and habitat on the west Pilbara coast (Project C (ii)). | Within 3 months of the loss being identified | <ul style="list-style-type: none"> Survey of loss Submission to DCCEEW of evidence of payment | E01_UWA contract payment A E19_Pilbara Research_Offsets Payment 20220805 G02_ActualDisturbance | The payment for Project C(ii) listed in Schedule 2 of MS1175 for loss of algal mat (\$62,092.21), coastal samphire (\$30,957.84) and mangroves (\$24,818.51) was made 05/08/2022 (E19) within 3 months of loss being identified (G02). | Compliant |
| EPBC 29E MS 14-1(2)(5) | The approval holder will contribute \$2102 per hectare of mangroves approved to be disturbed within the RRDMMMA to identify the ecological roles, values and functions of intertidal benthic communities and habitat on the west Pilbara coast (Project C (iii)) | Prior to the commencement of disturbance within the RRDMMMA | <ul style="list-style-type: none"> DCCEEW approval of RRDMMMA Submission to DCCEEW of evidence of payment | E01_UWA contract payment A E19_Pilbara Research_Offsets Payment 20220805 | The payment for Project C(iii) listed in Schedule 2 of MS1175 for loss of mangroves (\$35,734) that the DWER CEO has approved was made 05/08/2022 (E19) prior to the commencement of disturbance. | Compliant |
| EPBC 29F | The approval holder will contribute \$300,000 to research and/or management program that guides conservation efforts to maintain ecological functionality of nearshore subtidal habitats of the Pilbara region that support Short-nosed Sea Snake, which are increasingly at threat from development and climate change impacts. | As per the Research Project Proposal | <ul style="list-style-type: none"> Submission to DCCEEW of evidence of payment | M01_BCI Evidence Request Response Rev 1 R12_Short-nosed Sea Snake Proposal | Short-nosed Sea Snake Proposal was not approved in the audit period. | Not applicable |
| EPBC 29G | The approval holder must submit a detailed Research Project Proposal for the proposals listed EPBC 29A to EPBC 29F including the details listed in EPBC 29c(ii) to EPBC 29c(xiii). | Within six (6) months of the commencement of the action | <ul style="list-style-type: none"> Research Project Proposal DCCEEW Research Project Proposal Submission Correspondence | C14_Summary Offset Plan Submission to DCCEEW | The Summary Offset Plan was submitted to DCCEEW approximately six months from the commencement of the action Note: it did not address sub-conditions EPBC 29c(ii) to EPBC 29c(xiii). | Compliant |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|--|--|---|---|--|-------------------|
| EPBC 29H | The approval holder must provide DCCEEW with a report demonstrating that the research undertaken through the Research Project Proposal has met the Marine Research Objectives and provide recommendations, based on the outcomes, that include, but not limited to, better management practices that meet the Marine Research Objectives and environmental impact assessments. | Within 6 months of the finalisation of the research outcomes | <ul style="list-style-type: none"> Finalisation of Research Outcomes Report Report Submission to DCCEEW Correspondence | M01_BCI Evidence Request Response Rev 1 | The research outcomes have not been finalised. | Not applicable |
| EPBC 29I | The approval holder must provide DCCEEW with a report on how the outcomes from the research undertaken through the Research Project Proposal will be used to adapt and revise any of the above listed monitoring and/or management plans listed in condition 29(c)(ix). | Within 6 months of the finalisation of the research outcomes | <ul style="list-style-type: none"> Finalisation of Research Outcomes Report Report Submission to DCCEEW Correspondence | M01_BCI Evidence Request Response Rev 1 | The research outcomes have not been finalised. | Not applicable |
| EPBC 29J | The approval holder must notify DCCEEW in writing if any of the research projects is likely to fail or has failed providing evidence that failure has occurred or is likely to occur and committing to propose an alternative research project to be included in a revised Research Project Proposal. | Within 2 months of determining that any of the research projects is likely to fail or has failed | <ul style="list-style-type: none"> DCCEEW Research Failure Notification Correspondence | M01_BCI Evidence Request Response Rev 1 | BCI report that failure of the research projects is not likely to occur. | Not applicable |
| EPBC 29K | In the event of EPBC 29J the approval holder must revise and submit the Research Project Proposal committing to a proposed alternative research project for DCCEEW approval. | Within 12 months of making the notification | <ul style="list-style-type: none"> Revised Research Project Proposal DCCEEW Revised Research Project Proposal Submission Correspondence | Refer to EPBC 29J | Refer to EPBC 29J | Not applicable |
| EPBC 29L | The Minister to approve the Revised Research Project Proposal within 15 months of submission or provide an approved DCCEEW revised version of the Offset Strategy within 2 months | Approval 15 months after submission of where Research Project Proposal required, revised plan 17 months after submission | <ul style="list-style-type: none"> DCCEEW Revised Research Project Proposal Approval | Refer to EPBC 29J | Refer to EPBC 29J | Not applicable |
| EPBC Decision 2018/8236 Condition 30 [Offsets]: | | The approval holder must not commence operations unless the Research Project Proposal has been approved in writing by the Minister. The approval holder must implement the approved Research Project Proposal. | | | | |
| EPBC 30 | The approval holder must implement the approved Research Project Proposal. | Prior to commencement of operations | <ul style="list-style-type: none"> DCCEEW Approval of Research Project Proposal Independent audit of the implementation of the Research Project Proposal: <ul style="list-style-type: none"> Research MOU Scope of research Progress reporting arrangements | Refer to EPBC 29H | Refer to EPBC 29H | Not applicable |
| EPBC Decision 2018/8236 Condition 31 [Notification of date of commencement of the action]: | | The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action. | | | | |
| EPBC 31 | Notify DCCEEW of the action commencement date within 30 days | Within 10 days of action commencement | <ul style="list-style-type: none"> Notification correspondence to DCCEEW | R01_2022 Independent Audit | The project commenced 22/02/2022. | Compliant |
| EPBC Decision 2018/8236 Condition 32 [Notification of date of commencement of the action]: | | If the commencement of the action does not occur within 5 years from the date of this approval, then the approval holder must not commence the action without the prior written agreement of the Minister. | | | | |
| EPBC 32 | Commencement of the action must occur within 5 years from the date of the approval. | Within 5 years from the date of the approval | <ul style="list-style-type: none"> Notification correspondence to DCCEEW Permission from Minister for commencement after 5 years | R01_2022 Independent Audit Appendix A | The date of the approval is 12/01/2022, the project commenced 22/02/2022 (within 5 years from the date of the approval). | Compliant |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|--|---|--|---|--|---|-------------------|
| EPBC Decision 2018/8236 Condition 33 [Compliance records]: | | The approval holder must maintain accurate and complete compliance records. | | | | |
| EPBC 33 | Accurate records substantiating compliance with the conditions of EPBC 2018/8236 approval must be maintained. | Ongoing | <ul style="list-style-type: none"> Determined during 2022 Independent Audit | R01_2022 Independent Audit Appendix E | Appendix E lists the records maintained to substantiate compliance with the approval in the audit period. | Compliant |
| EPBC Decision 2018/8236 Condition 34 [Compliance records]: | | If the Department makes a request in writing, the approval holder must provide electronic copies of compliance records to the Department within the timeframe specified in the request. Note: Compliance records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, and or used to verify compliance with the conditions. Summaries of the result of an audit may be published on the Department's website or through the general media. | | | | |
| EPBC 34 | Records of compliance must be made available to DCCEEW on request. | On request | <ul style="list-style-type: none"> Correspondence with DCCEEW | R01_2022 Independent Audit Appendix E | JBS&G maintains a record of the documents listed in Appendix E. | Compliant |
| EPBC Decision 2018/8236 Condition 35 [Submission and publication of plans]: | | The approval holder must: <ol style="list-style-type: none"> submit plans electronically to the Department. unless otherwise agreed to in writing by the Minister, publish each plan on the website within 20 business days of the date: <ol style="list-style-type: none"> of this approval, if the version of the plan to be implemented is specified in these conditions; Of the date the plan was approved by the responsible party specified in these conditions, or in the WA approval, if the approver is not the Minister; that the plan was approved by the Minister in writing, if the plan requires the approval of the Minister; or or of the date a revised action management plan is submitted to the Minister or the Department; exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public. keep plans published on the website until the end date of this approval. | | | | |
| EPBC 35A | The approval holder must submit all plans electronically to DCCEEW, | Ongoing | <ul style="list-style-type: none"> DCCEEW Submission Correspondence | C11_Submission of MPIRP to DCCEEW C13_Submission of Short-nosed Sea Snake Proposal C14_Summary Offset Plan Submission to DCCEEW C15_DCCEEW Submission of CEMP | Plans were submitted to DCCEEW electronically in the audit period. | Compliant |
| EPBC 35B | The approval holder must submit each plan to DCCEEW within 20 days of the period specified in EPBC 35(b) above. | Ongoing | <ul style="list-style-type: none"> DCCEEW Submission Correspondence | C11_Submission of MPIRP to DCCEEW C13_Submission of Short-nosed Sea Snake Proposal C14_Summary Offset Plan Submission to DCCEEW C15_DCCEEW Submission of CEMP | Plans were submitted electronically to DCCEEW prior to approval. | Compliant |
| EPBC 35C | The approval holder can exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public | Ongoing | <ul style="list-style-type: none"> Version control of Management Plans | M01_BCI Evidence Request Response Rev 1 | No sensitive ecological data has been excluded or redacted from plans published on the website. | Not applicable |
| EPBC 35D | The approval holder must keep all plans published on the website until the end date of this approval. | Ongoing | <ul style="list-style-type: none"> Current and historic ACRs on website | E02_Website Screenshot 20240415 | The Management Plans applicable to the audit period are published on the BCI website and include: <ul style="list-style-type: none"> IRP CEMP | Compliant |
| EPBC Decision 2018/8236 Condition 36 [Submission and publication of plans]: | | The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under conditions of this approval, is prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018) and submitted electronically to the in accordance with the requirements of the relevant plan. | | | | |
| EPBC 36A | The approval holder must ensure that any monitoring data is prepared in accordance with DCCEEW Guidelines for biological survey and mapped data (2018). | Ongoing | <ul style="list-style-type: none"> Monitoring undertaken by suitably qualified professionals | R06_2022 Pendoley Marine Turtle Monitoring Report | Marine turtle monitoring was undertaken by Pendoley Environmental, specialists in marine turtle monitoring and research in accordance with DBCA recommendations. | Compliant |
| EPBC 36B | The approval holder must submit monitoring data electronically to DCCEEW in accordance with the requirements of the relevant plan. | Ongoing | <ul style="list-style-type: none"> DCCEEW Submission Correspondence | C06_20230426 Turtle Monitoring Reports Submission DCCEEW acknowledgement | Marine turtle monitoring 2021/2022 has been provided to DCCEEW 26/04/2023. | Compliant |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|--|--|--|---|--|---|---------------------------|
| EPBC Decision 2018/8236 Condition 37 [Annual compliance reporting]: | | <p>The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must:</p> <ul style="list-style-type: none"> (a) publish each compliance report on the website within 60 business days following the relevant 12 month period. (b) notify the Department by email that a compliance report has been published on the website and provide the weblink for the compliance report within 5 business days of the date of publication. (c) keep all compliance reports publicly available on the website until this approval expires. (d) exclude or redact sensitive ecological data from compliance reports published on the website. (e) where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within 5 business days of publication. <p>Note: Compliance reports may be published on the Department's website.</p> | | | | |
| EPBC 37A | Provide evidence to the Department that a compliance report addressing compliance with each condition of the approval and implementation of the plans has been published on the approval holder website. | Within 60 business days of every 12-month anniversary of the commencement of the action | <ul style="list-style-type: none"> • Current and historic ACRs on website • DCCEEW notification | R02_Mardie_EPBC_ACR_2022_2023 E03_Website Screenshot 2024-04-15 | <p>The 2022/23 ACR (R02) confirms compliance / non-compliance with the conditions of EPBC 2018/8236.</p> <p>The 2022/23 ACR is available on the BCI website (E03) at: https://www.bciminerals.com.au/sustainability/environmental-protection.html OFI</p> <p>The next ACR should assess compliance with the implementation of the applicable management plans.</p> | Compliant |
| EPBC 37B | All ACRs must remain on the website for the life of the proposal. | Ongoing | <ul style="list-style-type: none"> • Website Check during 2022 independent audit | R02_Mardie_EPBC_ACR_2022_2023 E03_Website Screenshot 2024-04-15 | <p>The 2022/23 ACR (first ACR) is publicly available on the BCI website (E03). https://www.bciminerals.com.au/sustainability/environmental-protection.html</p> | Compliant |
| EPBC 37C | Submit the full compliance report to DCCEEW where sensitive ecological data has been excluded or redacted from ACRs published on the approval holder website. | within 5 business days of publication | <ul style="list-style-type: none"> • DCCEEW submission | M01_BCI Evidence Request Response Rev 1 | No sensitive ecological data has been excluded or redacted from the ACR published on the approval holder website. | Not applicable |
| EPBC Decision 2018/8236 Condition 38 [Reporting non-compliance]: | | <p>The approval holder must notify the Department in writing of any: incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than 2 business days after becoming aware of the incident or non-compliance. The notification must specify:</p> <ul style="list-style-type: none"> (a) any condition which is or may be in breach. (b) a short description of the incident and/or non-compliance. (c) the location (including co-ordinates), date, and time of the incident and/or non-compliance. In the event the exact information cannot be provided, provide the best information available. | | | | |
| EPBC 38 | <p>The approval holder must notify DCCEEW of the details given in Condition 38 a to e of any:</p> <ul style="list-style-type: none"> • incident; • non-compliance with the conditions; or • non-conformance with the commitments made in plans. | As soon as practicable, and no later than 2 business days after becoming aware of the incident, non-compliance or non-conformance | <ul style="list-style-type: none"> • DCCEEW Notification in writing | C16_Condition 39 Notification of Non-Compliance C04_EPBC 20188236 Condition 39 Non compliance (13a) 10 day R02_Mardie Minerals EPBC 2022_23 ACR E05_Environmental Incident Register | <p>BCI notified DCCEEW (C16) of breaches of conditions 14, 15, 21 and 25 on 29/05/2023 identified one business day prior.</p> <p>BCI Minerals notified DCCEEW of a breach of condition 13 on 12/10/2022 reported 21 days prior.</p> <p>BCI notified DCCEEW (R02) in the 2022/23 ACR (30/05/2023) of two breaches of condition 2 between 1 December 2022 and 21 February 2023.</p> <p>One breach of condition 2 on 30/05/2022 identified 19/04/2023 was not reported in the ACR.</p> | Potentially non-compliant |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|--|--|---|---|---|---------------------------|
| EPBC Decision 2018/8236 Condition 39 [Reporting non-compliance]: | | The approval holder must provide to the Department the details of any incident or non-compliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying: <ul style="list-style-type: none"> (a) any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future. (b) the potential impacts of the incident or non-compliance. (c) the method and timing of any remedial action that will be undertaken by the approval holder. | | | | |
| EPBC 39 | The approval holder must provide the details given in Condition 39 a to c to the DCCEEW of any: <ul style="list-style-type: none"> • incident; • non-compliance with the conditions; or • non-conformance with the commitments made in plans. | As soon as practicable, and no later than 10 business days after becoming aware of the incident, non-compliance or non-conformance | <ul style="list-style-type: none"> • Submission of investigation report to DCCEEW | C16_Condition 39 Notification of Non-Compliance R02_Mardie Minerals EPBC 2022_23 ACR E05_Environmental Incident Register | Refer to Condition 38 The details provided to DCCEEW after BCI became aware of the incidents included: <ul style="list-style-type: none"> • Description of the event • Corrective actions taken • Date actions were/will be taken commenced / date of completion • Measures taken / to be taken to avoid recurrence • Notification details These details were provided within 10 business days for the breaches of conditions 14, 15, 21 and 25 however this was not provided for the condition 2 breach in May 2022 and not within 10 days for the breaches of condition 2 between 1 December 2022 and 21 February 2023. | Potentially non-compliant |
| EPBC Decision 2018/8236 Condition 40 [Independent audit]: | | The approval holder must ensure that independent audits of compliance with the conditions are conducted for the 12-month period from commencement of the action and for every subsequent 12-month period, or as otherwise requested in writing by the Minister. | | | | |
| EPBC 40 | The approval holder must have an independent audit of the compliance with the conditions for every 12-month period from commencement of the action. | Upon approval of audit criteria for every 12-month anniversary of the commencement of the action | <ul style="list-style-type: none"> • 2022 Independent audit report | R01_2022 Independent Audit | This report details the results of the independent audit for the period 22/02/2022 to 21/02/2023. The audit was commenced following approval of the audit criteria by DCCEEW on 15/03/2024. | Compliant |
| EPBC Decision 2018/8236 Condition 41 [Independent audit]: | | For each independent audit, the approval holder must: <ul style="list-style-type: none"> (a) provide the name and qualifications of the independent auditor and the draft audit criteria to the Department. (b) only commence the independent audit once the audit criteria have been approved in writing by the Department. (c) submit an audit report to the Department within the timeframe specified in the approved audit criteria. | | | | |
| EPBC 41A | The approval holder must provide draft audit criteria to DCCEEW including the name and qualifications of the independent auditor and a timeframe for the submission of the independent audit report. | Prior to commencing the independent audit | <ul style="list-style-type: none"> • Audit Criteria Submission Correspondence to DCCEEW | L01_BCI EPBC 2018-8236 Audit Criteria Rev 0 C05_EPBC 2018_8236 - Mardie Project_ Approved Audit Criteria_SEC_OFFICIAL_ | The draft audit criteria and details of the proposed auditor was sent to DCCEEW on 06/02/2024 (L01). Approval was received from DCCEEW 15/03/2024 (C05) | Compliant |
| EPBC 41B | The approval holder must have the audit criteria agreed to by DCCEEW before the independent audit is commenced. | Prior to commencing the independent audit | <ul style="list-style-type: none"> • DCCEEW Approval of Audit Criteria | C05_EPBC 2018_8236 - Mardie Project_ Approved Audit Criteria_SEC_OFFICIAL_ | The independent audit commenced in April 2024 (after DCCEEW approved the audit criteria on 15/03/2024). | Compliant |
| EPBC 41C | The approval holder must submit an audit report to the Department within the timeframe specified in the approved audit criteria. | Within 2 months of DCCEEW approval of audit criteria | <ul style="list-style-type: none"> • 2022 Independent Audit Report • Independent Audit Report Submission Correspondence to DCCEEW | C05_EPBC 2018_8236 - Mardie Project_ Approved Audit Criteria_SEC_OFFICIAL_ L02_66055 Independent Audit Submission Extension Rev 0 C17_EPBC 2018_8236 audit report submission date - request for extension_SEC_OFFICIAL_ | This audit report is to be provided by the 15/06/2024 as per extension granted by DCCEEW on 30/05/2024. | Compliant |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|--|---|---|--|--|-------------------|
| EPBC Decision 2018/8236 Condition 42 [Independent audit]: | | The approval holder must publish the audit report on the website within 10 business days of receiving the Department's approval of the audit report and keep the audit report published on the website until the end date of this approval. | | | | |
| EPBC 42A | The approval holder must publish the audit report on the website. | Within 10 business days of receiving the Department's approval of the audit report | <ul style="list-style-type: none"> DCCEEW Approval of 2022 Independent Audit Report Website check | R01_2022 Independent Audit | This is the first audit report and it will be published on the BCI website. | Not applicable |
| EPBC 42B | The approval holder must keep independent audit reports published on the website until the end date of the approval. | Ongoing | <ul style="list-style-type: none"> Current and historic ACRs on website | R01_2022 Independent Audit | This is the first audit report and it will be published on the BCI website. | Not applicable |
| EPBC Decision 2018/8236 Condition 43 [Revision of action management plans]: | | The approval holder may, at any time, apply to the Minister for a variation to an action management plan approved by the Minister, or as subsequently revised in accordance with these conditions, by submitting an application in accordance with the requirements of section 143A of the EPBC Act. If the Minister approves a revised action management plan (RAMP) then, from the date specified, the approval holder must implement the RAMP in place of the previous action management plan. | | | | |
| EPBC 43A | The approval holder may, at any time, apply to the Minister for a variation to an action management plan. | Ongoing | <ul style="list-style-type: none"> Section 143A submission to DCCEEW | M01_BCI Evidence Request Response Rev 1 | The following management plans have had an application for variation: <ul style="list-style-type: none"> IRP – Rev 2 CEMP – Rev 2b | Compliant |
| EPBC 43B | The approval holder is to implement an approved revised action management plan (RAMP). | From the date specified in approval | <ul style="list-style-type: none"> DCCEEW Approval Independent audit of implementation of RAMP | R03_CEMP_2018-8236 CEMP MAR-0000-EV-STR-EGM-020-0002 19 Nov 2021 R05_20220829_Mardie_IRP_Rev1 R01_2022 Independent Audit Appendix B and Appendix C | The approved management plans for implementation in the audit period are: <ul style="list-style-type: none"> IRP – Rev 1 CEMP – Rev 1 Appendix B and C (R01) assess the implementation of these plans in the audit period. | Compliant |
| EPBC Decision 2018/8236 Condition 44 [Revision of action management plans]: | | The approval holder may choose to revise an action management plan approved by the Minister under the conditions above, or as subsequently revised in accordance with these conditions, without submitting it for approval under section 143A of the EPBC Act, if the taking of the action in accordance with the RAMP would not be likely to have a new or increased impact. | | | | |
| EPBC 44 | The approval holder may choose to revise an action management plan without submitting it for approval if the taking of the action in accordance with the RAMP would not be likely to have a new or increased impact. | Ongoing | <ul style="list-style-type: none"> Independent Audit of RAMP | M01_BCI Evidence Request Response Rev 1 | BCI did not choose to revise a management plan without submission in the audit period. | Not applicable |
| EPBC Decision 2018/8236 Condition 45 [Revision of action management plans]: | | If the approval holder makes the choice under condition 44 to revise an action management plan without submitting it for approval, the approval holder must: <ol style="list-style-type: none"> notify the Department in writing that the approved action management plan has been revised and provide the Department with: <ol style="list-style-type: none"> an electronic copy of the RAMP; an electronic copy of the RAMP marked up with track changes to show the differences between the approved action management plan and the RAMP; an explanation of the differences between the approved action management plan and the RAMP; the reasons the approval holder considers that taking the action in accordance with the RAMP would not be likely to have a new or increased impact; and written notice of the date on which the approval holder will implement the RAMP (RAMP implementation date), being at least 20 business days after the date of providing notice of the revision of the action management plan, or a date agreed to in writing with the Department. subject to condition 47, implement the RAMP from the RAMP implementation date. | | | | |
| EPBC 45A | The approval holder must notify DCCEEW if the approval holder revises the action management plan without application for approval as per EPBC 44. | Ongoing | <ul style="list-style-type: none"> DCCEEW Notification | Refer to EPBC 44 | Refer to EPBC 44 | Not applicable |
| EPBC 45B | The approval holder must provide DCCEEW with an electronic track changes version of the RAMP and an explanation of the differences between the approved action management plan and the RAMP. | On revision of the action management plan | <ul style="list-style-type: none"> DCCEEW Submission Correspondence | Refer to EPBC 44 | Refer to EPBC 44 | Not applicable |
| EPBC 45C | The approval holder must provide DCCEEW with the reasons the approval holder considers that taking the action in accordance with the RAMP would not be likely to have a new or increased impact. | On revision of the action management plan | <ul style="list-style-type: none"> DCCEEW Submission Correspondence | Refer to EPBC 44 | Refer to EPBC 44 | Not applicable |

| Condition | Criteria | Timing | Verification Method | Evidence | Determination Assessment | Compliance Status |
|---|--|---|--|--|--|-------------------|
| EPBC 45D | The approval holder must provide written notice of the date on which the approval holder will implement the RAMP. | At least 20 days before the planned implementation of the RAMP | <ul style="list-style-type: none"> DCCEEW Notification Correspondence | Refer to EPBC 44 | Refer to EPBC 44 | Not applicable |
| EPBC Decision 2018/8236 Condition 46 [Revision of action management plans]: | | The approval holder may revoke their choice to implement a RAMP under condition 44 at any time by giving written notice to the Department. If the approval holder revokes the choice under condition 44, the approval holder must implement the action management plan in force immediately prior to the revision undertaken under condition 44. | | | | |
| EPBC 46 | The approval holder may revoke their choice to implement a RAMP under condition 44 by giving written notice to the Department. If the approval holder revokes the choice under condition 44, the approval holder must implement the action management plan in force immediately prior to the revision undertaken under condition 44. | at any time | <ul style="list-style-type: none"> Notification to the Department Audit of implementation of current management plan | Refer to EPBC 44 | Refer to EPBC 44 | Not applicable |
| EPBC Decision 2018/8236 Condition 47 [Revision of action management plans]: | | If the Minister gives a notice to the approval holder that the Minister is satisfied that the taking of the action in accordance with the RAMP would be likely to have a new or increased impact, then: <ol style="list-style-type: none"> condition 44 does not apply, or ceases to apply, in relation to the RAMP. the approval holder must implement the action management plan specified by the Minister in the notice. | | | | |
| EPBC 47A | DCCEEW can notify the approval holder that the management plan submitted under condition EPBC 44 does not apply. | On notice from DCCEEW | <ul style="list-style-type: none"> Notification from DCCEEW | Refer to EPBC 44 | Refer to EPBC 44 | Not applicable |
| EPBC 47B | The approval holder must implement the plan approved by the Minister. | Ongoing | <ul style="list-style-type: none"> Independent Audit of implementation of management plan | C15_DCCEEW Submission of CEMP C12_DCCEEW MPIRP Approval R01_2022 Independent Audit Appendix B and Appendix C | Appendix B and C assess the implementation of the approved management plans in the audit period. | Compliant |
| EPBC Decision 2018/8236 Condition 48 [Revision of action management plans]: | | At the time of giving the notice under condition 46, the Minister may also notify that for a specified period of time, condition 44 does not apply for one or more specified action management plans. | | | | |
| EPBC 48A | DCCEEW can notify the approval holder that the management plan submitted under condition EPBC 44 does not apply. | On notice from DCCEEW | <ul style="list-style-type: none"> Notification from DCCEEW | Refer to EPBC 44 | Refer to EPBC 44 | Not applicable |
| EPBC 48B | The approval holder must implement the plan approved by the Minister. | Ongoing | <ul style="list-style-type: none"> Independent Audit of implementation of management plan | C15_DCCEEW Submission of CEMP C12_DCCEEW MPIRP Approval R01_2022 Independent Audit Appendix B and Appendix C | Appendix B and C assess the implementation of the approved management plans in the audit period. | Compliant |
| EPBC Decision 2018/8236 Condition 49 [Completion of the action]: | | Within 20 business days after the completion of the action, the approval holder must notify the Department in writing and provide completion data. | | | | |
| EPBC 49 | The approval holder must notify DCCEEW in writing and provide completion data. | Within 20 business days after the completion of the action | <ul style="list-style-type: none"> DCCEEW Notification Data submission to DCCEEW | Not applicable | The project has not reached completion. | Not applicable |

5. References

Department of the Environment and Energy (2019) *Independent Audit and Audit Report Guidelines for controlled actions which have been approved under Chapter 4 of the Environment Protection and Biodiversity Conservation Act 1999*

Appendix A EPBC 2018/8236 Approval

Appendix B Construction Environmental Management Conformance Assessment

Table B.1: CEMP (Rev 1) Audit Table

| Condition | Criteria | Timing | Evidence | Determination Assessment | Compliance Status |
|-----------|---|---------|---|--|----------------------------|
| CEMP 01 | Key performance indicators Zero ground disturbance permit breaches verified by event reports | Overall | G02_Actual Disturbance | CEMP key performance indicators are not formally tracked. 0.043 ha was cleared outside the development envelope in the audit period (Figure 2-1). | Potentially non-conformant |
| CEMP 02 | Key performance indicators 100% <ul style="list-style-type: none"> Segregation, removal and disposal of rubbish to appropriate waste stream Scrap materials, redundant electrical equipment, packaging from equipment and materials. Verified by Waste Management procedure, Correct waste stream segregation and Records of disposal | Overall | E29_Cleanaway April Invoice E30_Cleanaway June Invoice E31_Cleanaway August Invoice | CEMP key performance indicators are not formally tracked. No waste disposal register or waste management procedure provided. Cleanaway invoices record multiple bins taken offsite but no record of waste type transported. Waste segregated into: <ul style="list-style-type: none"> General (putrescible and inerts) Recyclable (Scrap metals, drink cans) Hydrocarbons (bins for solids and tanks for waste liquids) | Potentially non-conformant |
| CEMP 03 | Key performance indicators No spills > 200L | Overall | E05_Environmental Incident Register | Event reporting identified two 2000L diesel spills in the audit period. Environmental event target is <200L. | Potentially non-conformant |
| CEMP 04 | Key performance indicators Provide effective control of all dust and windborne material emanating from site works by use of ground and road watering verified by observation, daily timesheets and record keeping. | Overall | E05_Environmental Incident Register E12_Groundwater Extraction Summary | CEMP key performance indicators are not formally tracked. Water carts were in use to suppress dust in the audit period (E12). No incidents of high dust emissions were experienced in the audit period (E05). | Conformant |
| CEMP 05 | Key performance indicators 100% of vehicles have a weed inspection report completed | Overall | E07_20221219 Weed Hygiene Checklist - 1HBJ027 E08_20230109 Weed Hygiene Checklist - 1EYL063 E09_20230111 Weed Hygiene Exit Checklist - LV28001 E10_20230208 Weed Hygiene Exit Checklist - Qbirt truck - 1HBV295 C03_EPBC 20188236 Condition 39 Non compliance (14c) C04_EPBC 20188236 Condition 39 Non compliance (13a) 10 day | CEMP key performance indicators are not formally tracked. Vehicles undertake hygiene inspections on entry (E07, E08) and exit (E09, E10) from the project area. BCI Minerals notified DCCEEW of a breach of hygiene requirements on 12/10/2022. There was no weed inspection report completed. The induction includes requirements for driving vehicles but does not include the requirement to undertake hygiene inspections. OFI Update the induction to include the requirements for vehicles to undertake hygiene inspections. | Potentially non-conformant |
| CEMP 06 | Key performance indicators Minimum of 95% of Environmental audit completed | Overall | M02_BCI Evidence Request Response Rev 2 | CEMP key performance indicators are not formally tracked. The scheduled quarterly GDP Desktop disturbance audits and field GDP Audit were not completed in the audit period. No other audit schedule could be provided to the auditor. | Potentially non-conformant |
| CEMP 07 | Key performance indicators Incident investigations are closed within 28 days (INX Event Reporting) | Overall | E05_Environmental Incident Register | CEMP key performance indicators are not formally tracked. The incident register does not state when incident investigations are closed. | Potentially non-conformant |
| CEMP 08 | Key performance indicators Zero overdue corrective actions | Overall | M02_BCI Evidence Request Response Rev 2 | CEMP key performance indicators are not formally tracked. The incident register does not state when corrective actions are closed. | Potentially non-conformant |
| CEMP 09 | Key performance indicators 100% attendance at toolbox meetings (1 per week). | Overall | M02_BCI Evidence Request Response Rev 2 | CEMP key performance indicators are not formally tracked. Toolbox meetings attendance is not documented. | Potentially non-conformant |

| Condition | Criteria | Timing | Evidence | Determination Assessment | Compliance Status |
|-----------|--|--|--|---|----------------------------|
| CEMP 10 | <p>Induction training (All project personnel and visitors seeking to attend site) will include the following in relation to environmental awareness:</p> <ul style="list-style-type: none"> • Overview of the Environment and Social Management System (ESMS); • Company legal and other obligations; • Project specific potential environmental impacts and controls including: <ul style="list-style-type: none"> • weed controls and wash down procedures; • ground disturbance and topsoil management; • fauna management* (both native and pest species); • Speed limits and hazards of dawn/dusk driving; • incident notification and procedures; • waste management, including litter control and recycling; • spill response procedures; and • aboriginal heritage awareness. <p>*Fauna and flora training in inductions will address the requirements of the Fauna Management Procedure, including how to identify conservation-significant species in the field and the prohibition on feeding/disturbing/taking such species.</p> | Start of work, return from extended leave, or site access | E04_BCI Mardie Site Induction R9 | <p>The induction contains:</p> <ul style="list-style-type: none"> • Overview of the Environment and Social Management System (ESMS); Overview of management standards • Company legal and other obligations; Overview of the Mardie Licence to operate including environmental approvals • Aboriginal heritage awareness; Aboriginal heritage sites • Incident notification and procedures; Incident reporting • Speed limits and hazards of dawn/dusk driving; Speed limits and head lights to be on at all times; and • Spill response procedures; Spill response requirements. <p>The induction does not contain:</p> <ul style="list-style-type: none"> • Project specific potential environmental impacts and controls including: <ul style="list-style-type: none"> • weed controls and wash down procedures; • fauna management* (both native and pest species); • Hazards of dawn/dusk driving; • Vehicle head lights to be on at all times; and • waste management, including litter control and recycling. <p>Toolbox meetings contain details on:</p> <ul style="list-style-type: none"> • ground disturbance and topsoil management | Potentially non-conformant |
| CEMP 11 | An induction and training register will be used to record and monitor induction attendance by all personnel. | Overall | E20_Mardie Site Induction Register | Induction register is in place for the audit period. There were 714 personnel that completed the induction in the audit period (E20). | Conformant |
| CEMP 12 | Task specific environmental training (e.g. spill response training, fauna handling training) for some group or individual project personnel will be conducted. Training to be undertaken may be in response to an environmental occurrence or incident(s) or as determined by project leadership. All such training will be documented and participants may be assessed in relation to their competency, if applicable. | As required for activity with potential environmental risks or as a result of high risk task, specific incidents (s) trends. | M02_BCI Evidence Request Response Rev 2 | One individual is trained as a fauna handler. | Conformant |
| CEMP 13 | <p>An environmental awareness program will be implemented during the Project to assist in maintaining effective environmental management. Awareness training may consist of regular toolbox meetings, posters and memos/alerts. This program will be designed to periodically reiterate the environmental objectives and specific environmental controls for the Project. Topics may include:</p> <ul style="list-style-type: none"> • new controls or work instructions, • reinforcement of induction content, • results of inspections and audits, and • awareness of environmental events or incidents. | Overall | <p>M02_BCI Evidence Request Response Rev 2</p> <p>E35_Weekly Toolbox Report 05.02.2023</p> <p>E36_Weekly Toolbox Report 15.01.2023</p> <p>E37_Weekly Toolbox Report 06.11.2022</p> <p>E38_Weekly Toolbox Report 20.11.2022</p> <p>E39_GDP Training</p> | <p>Weekly toolbox meetings reviewed outlined new controls and work instructions, results of inspections and awareness of incidents.</p> <p>GDP training has been implemented to maintain effective environmental management.</p> | Conformant |
| CEMP 14 | All personnel directly involved in environmental management shall be appropriately qualified to undertake the tasks of the position to which they are appointed. | Overall | M01_BCI Evidence Request Response Rev 1 | Personnel directly involved in environmental management are degree qualified for the positions which they are appointed. | Conformant |

| Condition | Criteria | Timing | Evidence | Determination Assessment | Compliance Status |
|-----------|--|--|---|---|----------------------------|
| CEMP 15 | Minimise adverse impacts on the abundance, species diversity, geographic distribution, and productivity of vegetation communities. | Overall | E05_Environmental Incident Register E40_Incident Report 3118 E41_Incident Report 3977 E42_Incident Report 4177 E43_Incident Report 4469 E44_Incident Report 4478 E45_Incident Report 4479 | Incidents of clearing outside the ground disturbing permit areas were reported in the audit period. There was a low potential for these incidents to have adverse impacts on the abundance, species diversity, geographic distribution, and productivity of vegetation communities however investigation of this was not documented in the incident investigation reports (E41, E42, E43, E44, E45, E46). OFI Improve incident investigation reports to include details of investigations undertaken to determine the potential for incidents to have adverse impacts on the abundance, species diversity, geographic distribution, and productivity of vegetation communities. | Conformant |
| CEMP 16 | Minimise disturbance of any protected or listed flora species or ecological communities identified within the Project Area. | Overall | E05_Environmental Incident Register E44_Incident Report 4478 | Disturbance to protected ecological communities resulting from work activities were minimised. There was an incident of clearing 0.01 ha the Horseflats Priority Ecological Community (E45) in the audit period. | Conformant |
| CEMP 17 | No occurrence of unlawful clearing. | During clearing | G02_Actual Disturbance | 0.043 ha was cleared outside the development envelope in the audit period (Figure 2-1). | Potentially non-conformant |
| CEMP 18 | No disturbance outside of the scope of the approved project activities. | During disturbance | G02_Actual Disturbance | 0.043 ha was cleared outside the development envelope in the audit period (Figure 2-1). | Potentially non-conformant |
| CEMP 19 | Vegetation clearing conducted in accordance with an internal permitting procedure to facilitate progressive development. Evidence: Ground Disturbance Permits (GDP) Supporting Documents: Ground Disturbance Procedure | Prior to commencing each clearing package. | E11_GDP31 Monitoring Bore Installation E22_GDP Register | Ground Disturbance Permit Procedure in place with permits being utilised for ground disturbance in the audit period (E11) as per Register (E22). | Conformant |
| CEMP 20 | All vehicles and equipment movement will be restricted to existing tracks, roads and the area proposed for clearing. Evidence: Hard barriers, Road Signage Supporting Documents: Traffic Management Plans | Ongoing | R15_Traffic Management Plan P02_BCI-ENV-PRO-006_0_IFU Fauna Management Procedure | The Traffic Management Plan outlines the required access control and signage in place to restrict vehicles and equipment movement to existing tracks and roads. The Fauna Management Procedure states that vehicles are prohibited from leaving the designated project area footprint without an approved GDP. | Conformant |
| CEMP 21 | All areas proposed for clearing will be clearly delineated within an approved clearing area. Evidence: Ground Disturbance Permits, Ground Disturbance Survey Data Supporting Documents: Ground Disturbance and Topsoil Stockpiling Procedure, Ground Disturbance Register | During construction | M02_BCI Evidence Request Response Rev 2 E40_Incident Report 3118 E41_Incident Report 3977 E42_Incident Report 4177 E43_Incident Report 4469 E44_Incident Report 4478 E45_Incident Report 4479 | The ground disturbance permit specifies an area approved for clearing. Delineation is undertaken in all areas proposed for clearing. There were issues associated with the delineation process in the audit period (E40, E41, E42, E43, E44, E45). OFI Improvements to be made to the GDP process including consistency in process and delineation, training of personnel, supervision and post clearing inspections. | Conformant |
| CEMP 22 | <ul style="list-style-type: none"> Vegetation will be removed separately from topsoil and placed in stockpiles. Stockpiles will not impede drainage or present a fire hazard. A minimum of 100mm of topsoil will be removed and stockpiled where available. Topsoil stockpiles will be no greater than 2m high. Evidence: Topsoil stockpile inspections, Post clearing survey, Supporting Documents: Inspection reports | During construction | M02_BCI Evidence Request Response Rev 2 C20_Site Management Clarification 1 C21_Site Management Clarification 2 E58_Topsoil Locations | Vegetation is separated from topsoil. Topsoil is stockpiles in windrows (C21) no greater than 2 m high (C20) so that it will not impede drainage (E58) or present a fire hazard. | Conformant |

| Condition | Criteria | Timing | Evidence | Determination Assessment | Compliance Status |
|-----------|---|---|--|--|----------------------------|
| CEMP 23 | Any deviation from approved clearing will be reported as an incident to the Project Registered Manager. Evidence: Incident Report Supporting Documents: Incident reporting procedure | During construction | E05_Environmental Incident Register | Deviation from approved clearing on 30/05/2022 16/01/2023 and 30/01/2023 was not reported to the Project Registered Manager until April 2023 (on discovery). OFI Undertake the quarterly clearing audits to ensure that deviations from approved clearing is identified. | Conformant |
| CEMP 24 | Minimise actual or potential impacts to c. | Prior to disturbance activities taking place. Weekly during clearing activities. Annual aerial image to reconcile disturbance area. | E05_Environmental Incident Register | Potential or actual impacts to conservation-significant fauna resulting from work activities were minimised. One falcon drowned and Pilbara Leaf Nose Bat (PLNB) foraging habitat was cleared within the firebreak around the fuel farm under GDP 78 in the audit period. | Conformant |
| CEMP 25 | No impacts to native fauna from Project-related vehicle and equipment movements. | Weekly during clearing activities. Annual material balance reconciliation. | E05_Environmental Incident Register | There were no fauna sikes reported from clearing vehicles and equipment during clearing activities. Five fauna strikes occurred on access roads in the audit period. | Not applicable |
| CEMP 26 | Inductions will explain <ul style="list-style-type: none"> conservation significant species potentially in the Project area that native fauna are protected and are not to be interfered with. elevated risks of fauna strike during dawn and dusk. vehicle and vessel speed limits. Ban on having pets/domesticated animals. Ban on recreational fishing or access to fauna habitats beyond the approved disturbance footprint. Evidence: Inductions and training records Supporting Documents: Training records, Fauna Management Procedure. | Immediately after an incident being reported. | E04_BCI Mardie Site Induction R9 | The induction does not explain the following: <ul style="list-style-type: none"> conservation significant species potentially in the Project area that native fauna are protected and are not to be interfered with. elevated risks of fauna strike during dawn and dusk. vehicle and vessel speed limits. Ban on having pets/domesticated animals. Ban on recreational fishing or access to fauna habitats beyond the approved disturbance footprint. | Potentially non-conformant |
| CEMP 27 | Vehicle speed limited to 40 kmph near key fauna habitat areas: <ul style="list-style-type: none"> 5km radius of NQ habitat. 2km radius of Mardie Pool All locations between dusk and dawn. Evidence: Environmental inspections, Random speed observations. Supporting Documents: HSEC Area Inspection Form, Fauna Management Procedure, Speed check records. | Overall | P01_BCI-ENV-PRO-006_0_IFU Fauna Management Procedure E13_Mardie Pool Low Speed Zone 1 E14_Mardie Pool Low Speed Zone 2 E15_Northern Quoll Low Speed Zone 1 E16_Northern Quoll Low Speed Zone 2 | The speed limit is marked 40km/h at all times around NQ habitat (E15.E16) and Mardie Pool (E13, E14). The fauna management procedure says to adhere to the speed limit (80 km/h) and maintain awareness of fauna particularly at dawn, dusk and night-time. OFI Update the fauna management procedure to adhere to the speed limit (80 km/h) or as marked and slow down to 40km/h at all locations between dawn and dusk. | Conformant |
| CEMP 28 | Excavations will be fitted with fauna egress and will be inspected for trapped fauna at the beginning of each shift. Evidence: Daily pre-start inspection Supporting Documents: Daily inspection checklist | Overall | M01_BCI Evidence Request Response Rev 1 C16_Condition 39 Notification of Non-Compliance | Non-compliance report with Condition 14(d) of EPBC 2018/8236 reports that not all trenches have been checked at the times specified in accordance with this condition. | Potentially non-conformant |
| CEMP 29 | Pipeline trenches (e.g. fibre optic and natural gas) will be developed progressively. Evidence: Daily inspection Supporting Documents: Daily inspection checklist | Daily | M01_BCI Evidence Request Response Rev 1 P02_BCI-ENV-PRO-006_0_IFU Fauna Management Procedure | The fauna management procedure outlines that “the length of time an excavation or trench remains open will be minimised” with inspections for fauna undertaken at sunrise and sunset. There is no reference to the requirement to fill in a daily inspection checklist for this activity. OFI Create a daily inspection checklist / register for recording fauna recorded in trenches. | Conformant |
| CEMP 30 | Roads and tracks to be signposted with speed limits and warnings of conservation significant fauna risks. Traffic Management Plan Evidence: Signposts installed Supporting Documents: Fauna Management Procedure. | Weekly during construction | E13_Mardie Pool Low Speed Zone 1 E14_Mardie Pool Low Speed Zone 2 E15_Northern Quoll Low Speed Zone 1 E16_Northern Quoll Low Speed Zone 2 | Speed limit signage is in place for low speed zones however no wildlife alert signage is erected. | Conformant |

| Condition | Criteria | Timing | Evidence | Determination Assessment | Compliance Status |
|-----------|--|---------------------------------|---|---|----------------------------|
| CEMP 31 | Exclusion zone around Mardie Pool minimises potential impacts to PLNB and Pilbara Olive Python from construction (and operations). Evidence: Designed footprint, Field demarcation of exclusion zone. Supporting Documents: Fauna Management Procedure. | Daily within 2 hours of sunrise | E13_Mardie Pool Low Speed Zone 1 E14_Mardie Pool Low Speed Zone 2 | The exclusion zone around Mardie Pool is signposted. | Conformant |
| CEMP 32 | Schedule high-risk marine construction activities outside of known migration periods for conservation-significant marine fauna. Evidence: Schedule Supporting Documents: Mardie Salt Construction Schedule, Marine Fauna baseline survey reports (whales, Sawfish and turtles) | During construction | M01_BCI Evidence Request Response Rev 1 | No marine construction activities were undertaken in the audit period. | Not applicable |
| CEMP 33 | Construction vessels > 20 m speed limited to 8 knots at all times. Smaller vessels will reduce speed to 8 knots if whales or turtles are sighted within 500 m. Evidence: Random speed observations. Supporting Documents: Dredge Management Plan | During construction | M01_BCI Evidence Request Response Rev 1 | No dredging in the audit period. | Not applicable |
| CEMP 34 | Annual feral fauna survey and control. Evidence: Feral fauna survey and control records. Supporting Documents: Annual monitoring report. | Annual | R02_Mardie Minerals EPBC 2022_23 ACR | Annual monitoring of cats, foxes, rabbits, pigs, and cane toads at the reference site was not undertaken in the audit period. | Potentially non-conformant |
| CEMP 35 | Fauna injury or fatalities will be reported as incidents. Evidence: Incident management system. Supporting Documents: Refer to Section 13. | As required | E05_Environmental Incident Register | Incident reports are raised for fauna injury or fatalities (E05). | Conformant |
| CEMP 36 | Minimise actual or potential environmental harm to receiving environments associated with soil loss and disturbance resulting from work activities. Protect Benthic Community and Marine Habitats beyond the Project development envelope | Overall | M01_BCI Evidence Request Response Rev 1 | No impact to Benthic Community and Marine Habitats in the audit period. | Not applicable |
| CEMP 37 | No measure of sediment loss beyond the project footprint. | Overall | M01_BCI Evidence Request Response Rev 1 | No dredging in the audit period. | Not applicable |
| CEMP 38 | Roads, causeways, and embankments (>2.45 mAHD) will be constructed in accordance with the Embankment Construction Methodology which include provisions to: <ul style="list-style-type: none"> Construct site access roads to include crossfall drainage and erosion resistant surface Undertake initial civil works in the drier season months (Jul – Dec), as far as schedule allows Minimise disturbance to existing vegetation Promptly stabilise exposed areas once civil works are completed Protect the soil surface by placement of non- erosive material, protection with geotextile and/or use of soil binder Apply dust suppression by wetting of exposed surfaces (e.g. water truck) Evidence: Visual embankment inspections including photographic evidence during constructions. Supporting Documents: Daily construction report | Daily | E23_WHBO Daily Diary 20220302 E24_WHBO Daily Diary 20220303 E25_WHBO Daily Diary 20220304 | Daily Diary WHBO (E23, E24, E25) includes photographic evidence during construction. | Conformant |

| Condition | Criteria | Timing | Evidence | Determination Assessment | Compliance Status |
|-----------|--|---|---|---|-------------------|
| CEMP 39 | <p>Roads, causeways, and embankments (>2.45 mAHD) will be constructed in accordance with the Embankment Construction Methodology which include provisions to:</p> <ul style="list-style-type: none"> Construct site access roads to include crossfall drainage and erosion resistant surface Undertake initial civil works in the drier season months (Jul – Dec), as far as schedule allows Minimise disturbance to existing vegetation Promptly stabilise exposed areas once civil works are completed Protect the soil surface by placement of non- erosive material, protection with geotextile and/or use of soil binder Apply dust suppression by wetting of exposed surfaces (e.g. water truck) <p>Evidence: Water quality monitoring.as per the Marine Environmental Quality Monitoring and Management Plan (MEQMP).</p> <p>Supporting Documents: Marine Environmental Quality Monitoring and Management Plan</p> | As per the designated monitoring schedule within the MEQMP. | R02_Mardie Minerals EPBC 2022_23 ACR | No marine construction in the audit period. The MEQMP is not applicable in the audit period. | Not applicable |
| CEMP 40 | <p>Roads, causeways, and embankments (>2.45 mAHD) will be constructed in accordance with the Embankment Construction Methodology which include provisions to:</p> <ul style="list-style-type: none"> Construct site access roads to include crossfall drainage and erosion resistant surface Undertake initial civil works in the drier season months (Jul – Dec), as far as schedule allows Minimise disturbance to existing vegetation Promptly stabilise exposed areas once civil works are completed Protect the soil surface by placement of non- erosive material, protection with geotextile and/or use of soil binder Apply dust suppression by wetting of exposed surfaces (e.g. water truck) <p>Evidence: Visual dust monitoring</p> <p>Supporting Documents: HSEC area inspections Form</p> | Continuous during construction | E23_WHBO Daily Diary 20220302 E24_WHBO Daily Diary 20220303 E25_WHBO Daily Diary 20220304 | Dust suppression was being undertaken during camp works, on haul roads and for suite support during construction in the audit period. | Conformant |
| CEMP 41 | <p>Roads, causeways, and embankments (<2.45 mAHD) will be constructed in accordance Embankment Construction Methodology which include provisions to:</p> <ul style="list-style-type: none"> Stage works to suit favourable tidal periods (i.e. when site is not inundated), as far as practical Schedule works so that activities impacted by tides are completed in the early stages of construction Remove unsuitable material to outside of the area of tidal influence (e.g. designated protected stockpile area) Install floating sediment curtain <p>Evidence: Water quality monitoring.</p> <p>Supporting Documents: Marine Environmental Quality Monitoring and Management Plan</p> | As per the designated monitoring schedule within the MEQMP. | R02_Mardie Minerals EPBC 2022_23 ACR | No marine construction in the audit period. The MEQMP is not applicable in the audit period. | Not applicable |

| Condition | Criteria | Timing | Evidence | Determination Assessment | Compliance Status |
|-----------|--|--------------|--|--|----------------------------|
| CEMP 42 | <ul style="list-style-type: none"> Ensure general waste (industrial, inert, recyclable and putrescible waste) is effectively contained and does not interact with the surrounding environment. Apply principles of waste minimisation through careful product selection, reuse and recycling. <p>Waste management practices and procedures meet industry standards and satisfy statutory requirements.</p> | Overall | <p>E05_Environmental Incident Register E38_Weekly Toolbox Report 06.11.2022 E29_Cleanaway April Invoice E30_Cleanaway June Invoice E31_Cleanaway August Invoice C20_Site Management Clarification 1</p> | <p>Evidence was provided during the audit that general waste is effectively contained and does not interact with the surrounding environment (E38). Waste management is undertaken by Cleanaway to meet industry standards and satisfy statutory requirements. Waste segregated into (C20):</p> <ul style="list-style-type: none"> General (putrescible and inerts) Recyclable (Scrap metals, drink cans) Hydrocarbons (bins for solids and tanks for waste liquids) <p>OFI Develop / update a waste management procedure to account for all waste produced on site and to document the legislative requirements and processes in place for management of waste on site (including the management of a waste register and controlled waste).</p> | Conformant |
| CEMP 43 | <ul style="list-style-type: none"> All waste is either recycled or removed off site to the Shire of Ashburton waste disposal facility. No cross contamination of waste <p>Prevent discharge of litter to marine and terrestrial environments.</p> | Overall | E05_Environmental Incident Register | There were no reports of discharge of litter to marine or terrestrial environments. | Conformant |
| CEMP 44 | <p>All waste will be segregated.</p> <p>Evidence: Environmental Inspection Supporting Documents: Waste Segregation Register</p> | Weekly | M01_BCI Evidence Request Response Rev 1 | <p>Waste is segregated into (C20):</p> <ul style="list-style-type: none"> General (putrescible and inerts) Recyclable (Scrap metals, drink cans) Hydrocarbons (bins for solids and tanks for waste liquids) <p>OFI Include segregation of e-waste in the Waste Management Plan in line with the requirements of the CEMP.</p> | Conformant |
| CEMP 45 | <p>All wastes (putrescible, recyclable, non-reusable) will be sent offsite for recycling or disposal.</p> <p>Evidence: Environmental Inspection Supporting Documents: HSEC Area Inspection Form</p> | Weekly | <p>M01_BCI Evidence Request Response Rev 1 E38_Weekly Toolbox Report 06.11.2022 E29_Cleanaway April Invoice E30_Cleanaway June Invoice E31_Cleanaway August Invoice</p> | Results of HSEC area inspections reported in the 06/11/2022 weekly toolbox meeting (E38). Cleanaway take waste offsite for recycling or disposal. | Conformant |
| CEMP 46 | <p>Reusable wastes will be catalogued and stored within a designated laydown area.</p> <p>Evidence: Environmental Inspection Supporting Documents: Waste Segregation Register, HSEC Area Inspection Form</p> | Weekly | <p>M01_BCI Evidence Request Response Rev 1 E38_Weekly Toolbox Report 06.11.2022</p> | Results of HSEC area inspections reported in the 06/11/2022 weekly toolbox meeting (E38) show scrap metal stored within a designated skip bin. | Conformant |
| CEMP 47 | <p>All general purpose bins will be lidded and emptied regularly to ensure the lids remain completely shut.</p> <p>Evidence: HSEC Area Inspections Supporting Documents: HSEC Area Inspection Form</p> | Weekly | <p>M01_BCI Evidence Request Response Rev 1 E38_Weekly Toolbox Report 06.11.2022 E30_Cleanaway June Invoice E31_Cleanaway August Invoice</p> | Results of HSEC area inspections reported in the 06/11/2022 weekly toolbox meeting (E38) show bins are lidded. Invoices show that Cleanaway empty bins at least bi-monthly. | Conformant |
| CEMP 48 | <p>Vessels and equipment involved in coastal and marine construction works will carry secure waste storage containers.</p> <p>Evidence: HSEC Area Inspections Supporting Documents: HSEC Area Inspection Form</p> | Weekly | M01_BCI Evidence Request Response Rev 1 | No marine construction was undertaken in the audit period. | Not applicable |
| CEMP 49 | <p>All hazardous substance will be sent off site for disposal.</p> <p>Evidence: Controlled waste tracking forms. Supporting Documents: Controlled Waste Tracking Procedure</p> | As required. | M01_BCI Evidence Request Response Rev 1 | No controlled waste tracking procedure or controlled waste tracking forms provided. | Potentially non-conformant |

| Condition | Criteria | Timing | Evidence | Determination Assessment | Compliance Status |
|-----------|---|-------------------------------|--|---|----------------------------|
| CEMP 50 | Identify the potential direct and indirect impacts of chemical and hydrocarbons and develop management measures to minimise the potential environmental impacts associated with chemical and hydrocarbon transport, storage, handling and disposal. | Overall | R03_CEMP_2018-8236 CEMP MAR-0000-EV-STR-EGM-020-0002 19 Nov 2021 | Section 10.5 of the CEMP identifies the potential impacts associated with chemicals and hydrocarbons and has developed management measures to minimise the potential impacts of the proposal. | Conformant |
| CEMP 51 | <ul style="list-style-type: none"> All liquid chemicals are stored in accordance with Australian Standard 1940:2004 No spills from bulk storage facilities. All minor spills are remediated effectively. No sites registered under the Contaminated Sites Act 2003. | Overall | E05_Environmental Incident Register | Generator diesel day tank is not stored in accordance with AS1940. Two 2000 L spills to grade in the audit period from the generator diesel day tank. | Potentially non-conformant |
| CEMP 52 | Hydrocarbon bunding will be of sufficient volume for the liquid chemical(s) stored. This required bunding volume will be the greater of, 25% of the total stored capacity or 110% of the capacity of the largest vessel. Liquid chemicals will be stored within a bund compliant with Australian Standards 1940 - 2004.– The storage and handling of flammable and combustible liquids and AS 1692 – Tanks for flammable and combustible liquids. Evidence: HSEC area inspections Supporting Documents: HSEC area inspections Form | Weekly | M01_BCI Evidence Request Response Rev 1 | Generator diesel day tank is not stored in a bund of sufficient volume. | Potentially non-conformant |
| CEMP 53 | All mobile plant/equipment will be inspected for potential mechanical failure, that could lead to leaks or spills, by a suitably qualified trade (e.g. mechanic, fitter) prior to operating on Site. Evidence: Mechanical inspection. Supporting Documents: Mechanical Inspection Form, Mechanical Inspection Register. | Prior to utilising equipment. | E46_Vehicle and Mobile Plant Register E47_ENT022 - 1HHM861 - LV - Hilux E48_McNally - Toyota Hilux LV05 E49_ENT113 - 1HQX773 - LV Hilux | Mobile plant and equipment are inspected prior to operating on site as documented on the inspection forms and the Mechanical Inspection Register. The inspections (E47, E48, E49) were undertaken by the HSE Advisor / Logistics and not a mechanic or fitter. OFI Mechanical Inspections are to be completed by a suitably qualified trade (e.g. mechanic, fitter) prior to operating on site. | Conformant |
| CEMP 54 | Prestart mechanical and safety inspections are conducted. Evidence: Equipment prestart inspections. Supporting Documents: Prestart Inspection Form | Daily | E50_Prestart Records | Prestart records show inspections are conducted. | Conformant |
| CEMP 55 | All mobile equipment will be services within a designated service area equipped with an impermeable floor. Evidence: HSEC area inspections Supporting Documents: HSEC Area Inspections Form | Daily | M01_BCI Evidence Request Response Rev 1 E51_INS 004 Workshop Inspection | HSEC area inspections Form confirms designated service area equipped with an impermeable floor. | Conformant |
| CEMP 56 | The refuelling truck will be equipped with drip trays, spill recovery and clean up materials Evidence: Daily workplace inspection Supporting Documents: Daily Workplace Inspection Form | Daily | E59_Drip Tray E60_Spill Kits | The refuelling station is equipped with a drip tray and spill kits. No evidence was provided for mobile refuelling equipment servicing remotely based equipment. OFI It is recommended that refuelling truck inspection for drip trays, spill recovery and clean up materials is completed as part of prestart for the refuelling truck and recorded on the prestart records. | Conformant |
| CEMP 57 | All spills to ground will be recorded as an incident and reported to the Project Registered Manager. Evidence: Incident report forms Supporting Documents: Incident Report Procedure | As required | E05_Environmental Incident Register | 18 spills were reported as incidents in the audit period (E05). | Conformant |
| CEMP 58 | Hypersaline pipelines will be banded and/or double cased to ensure containment of spills. Evidence: Commissioning report | During commissioning | Not applicable | Commissioning did not occur in the audit period. | Not applicable |

| Condition | Criteria | Timing | Evidence | Determination Assessment | Compliance Status |
|-----------|--|---|---|--|-------------------|
| CEMP 59 | Pipeline pressure/flow leak detection monitoring will be installed and interlocked with the pump, resulting in a shutdown of pumping if the flow drops below a certain level. Evidence: Commissioning report | During commissioning | Not applicable | Commissioning did not occur in the audit period. | Not applicable |
| CEMP 60 | To ensure that new weed species are not introduced to the Project area and that weeds from within the Project area are not spread beyond the Project. | Overall | E07_20221219 Weed Hygiene Checklist - 1HBJ027 E08_20230109 Weed Hygiene Checklist - 1EYL063 E09_20230111 Weed Hygiene Exit Checklist - LV28001 E10_20230208 Weed Hygiene Exit Checklist - Qbirt truck - 1HBV295 | Vehicle inspections are being undertaken on entry and exit from the project boundary. Details of any cleaning required are recorded on the inspection record. | Conformant |
| CEMP 61 | <ul style="list-style-type: none"> No new weed species identified in the Project area. No earthmoving equipment enters the Project area containing soil and debris. No mobile equipment leaves site containing weed seeds and/or soil. | Overall | E05_Environmental Incident Register E07_20221219 Weed Hygiene Checklist - 1HBJ027 E08_20230109 Weed Hygiene Checklist - 1EYL063 E09_20230111 Weed Hygiene Exit Checklist - LV28001 E10_20230208 Weed Hygiene Exit Checklist - Qbirt truck - 1HBV295 | There were no reports of new weeds identified in the project area, earthmoving equipment entering the project area containing soil and debris or mobile equipment leaving site containing weed seeds and/or soil. | Not applicable |
| CEMP 62 | Earthmoving equipment will be free of all soil and debris prior to entering the Project area. Evidence: Vehicle Weed Inspection Form and Vehicle Weed Inspection Register Supporting Documents: Vehicle Weed Inspection and Cleaning Procedure, Vehicle Weed Inspection and Vehicle Weed Inspection Register | Prior to earthmoving equipment arriving onsite. | E07_20221219 Weed Hygiene Checklist - 1HBJ027 E08_20230109 Weed Hygiene Checklist - 1EYL063 | Vehicle Weed Inspection Forms were provided to the auditor to demonstrate that earthmoving equipment entering the project area was free of all soil and debris. | Conformant |
| CEMP 63 | All vehicles leaving the Project are inspected to ensure they are free of weed seeds and soil. Evidence: Vehicle Weed Inspection Form, Vehicle Weed Inspection Register Supporting Documents: Vehicle Weed Inspection and Cleaning Procedure, Vehicle Weed Inspection, Vehicle Weed Inspection Register | Prior to any vehicle leaving site. | E09_20230111 Weed Hygiene Exit Checklist - LV28001 E10_20230208 Weed Hygiene Exit Checklist - Qbirt truck - 1HBV295 | Vehicle Weed Inspection Forms were provided to the auditor to demonstrate that vehicles leaving the project area were free of seeds and soil. | Conformant |
| CEMP 64 | Implement Mesquite management strategy in consultation with PMMC. Evidence: Spatial mapping of treated areas, Annual monitoring of treated areas. Supporting Documents: Weed Management Plan (incorporates Mesquite management strategy). | Annual | Not applicable | The Mesquite Management Strategy is not applicable to the 2022 independent audit as the approval and implementation was not required in the audit period. The plan was approved in October 2023. | Not applicable |
| CEMP 65 | To identify and manage aboriginal heritage that may be affected by the Project in a manner that complies with Legislation, the Land Access Deeds with the Yaburara Mardudhunera and Kuruma Mardudhunera Native Title claim groups and the commitments made to these groups. | Overall | E26_GDP Procedure R03_CEMP_2018-8236 CEMP MAR-0000-EV-STR-EGM-020-0002 19 Nov 2021 E43_Incident Report INX 4469 | Aboriginal heritage is assessed during the GDP Procedure (E26). The clearing incident that occurred outside the development envelope (E43) occurred with the Land Access Deeds with the YM and KM Native Title claim groups however the approval holder did not notify them that clearing had occurred outside the project development envelope. OFI The potential impact on aboriginal heritage should be assessed during incident investigation. | Conformant |
| CEMP 66 | <ul style="list-style-type: none"> No unlawful disturbance of heritage areas. No Project activities to be conducted outside of the Land Access Deeds with the YM and KM Native Title claim groups. | Overall | E05_Environmental Incident Register | There was no unlawful disturbance of heritage sites or project activities conducted outside the Land Access Deeds with the YM and KM Native Title claim groups in the audit period. | Conformant |

| Condition | Criteria | Timing | Evidence | Determination Assessment | Compliance Status |
|-----------|---|--|---|---|-------------------|
| CEMP 67 | Heritage sites and their buffer zones will be clearly delineated in the field within the Project area. Access to these areas entry will be prohibited. Evidence: Hard barricades and signage Supporting Documents: Heritage Sites Register Inspection | Prior to construction | E52_mardie pool heritage boundary E53_mardie pool heritage boundary | Heritage sites and buffer zones are flagged during GDP process. Flagging but no signage was evident at Mardie Pool location. Note: Unsigned tagging tape (not necessarily unsigned heritage tagging tape) played a part in the clearing non-conformances in the audit period. | Conformant |
| CEMP 68 | Clearing activities to be conducted under the GDP process. Evidence: GDP Supporting Documents: Ground Disturbance Permit, Ground Disturbance and Topsoil Stockpiling Procedure, Ground Disturbance Register | Prior to disturbance activities taking place | E22_GDP Register E26_GDP Procedure E11_GDP31 Monitoring Bore Installation | Clearing activities are conducted under a GDP process (E26). | Conformant |
| CEMP 69 | Should the Contractor or employee become aware of a potential heritage site within an area of proposed clearing, all activity will cease immediately in this area and the Contractor will inform the Mardie Construction Supervisor. Evidence: Hazard report Supporting Documents: Incident and Hazard Reporting Procedure | As required. | E05_Environmental Incident Register | No contractor or employee became aware of a potential heritage site within an area of clearing during the audit period. | Not applicable |
| CEMP 70 | Any disturbance to heritage sites will be reported as an incident to the Mardie Environmental Advisor immediately. Evidence: Incident Report Supporting Documents: Incident and Hazard Reporting Procedure | As required | E05_Environmental Incident Register | There was no disturbance to heritage sites in the audit period. | Not applicable |
| CEMP 71 | Conditional Environmental Management Plans are required for this project approval: <ul style="list-style-type: none"> Dredge Management Plan, Marine Environmental Quality Monitoring and Management Plan, Illumination Plan for marine and terrestrial fauna, Migratory Shorebird Monitoring Programme, Weed Management Plan, Benthic Communities and Habitat Monitoring and Management Plan, and Underwater Noise Management Plan. | Prior to activities as per requirement of relevant EPBC Approval Condition | R08_Long-term migratory shorebird monitoring program 2022 | Conditional Environmental Management Plans were in development, under regulatory assessment or approved during the audit period. The plans required under EPBC approval in this audit period was the Migratory Shorebird Monitoring Programme. | Conformant |
| CEMP 72 | In addition to the above management plans, the drafted Ministerial conditions require development and approval of: <ul style="list-style-type: none"> Marine pest management procedures for vessels and immersible equipment, and Marine Turtle Monitoring Program. | Prior to activities as per requirement of relevant EPBC Approval Condition | R04_BCI Marine Turtle Monitoring Plan Rev1 FINAL | The Marine Turtle Monitoring Program (R04) was developed and approved in the audit period. The MPMP are applicable to a future audit period. | Conformant |
| CEMP 73 | The site-specific Emergency Management Plan has been developed and the Company Incident Management Procedure will be followed in the case of an environmental emergency. | Overall | R13_MAR-WHS-PLN-003_3_IFU Emergency Management Plan | BCI have an emergency management plan in place. There has been one small fire incident. | Conformant |
| CEMP 74 | All property damage, environmental harm and significant near misses will be verbally reported immediately to the Company as soon as practicable after the incident and in any case in writing within 24 hours of the incident occurring. | In the event of an incident | E27_Event 20220921 E28_Event 20220909 | Incidents E27 and E28 were both reported within 24 hours of occurrence of the incident. | Conformant |

| Condition | Criteria | Timing | Evidence | Determination Assessment | Compliance Status |
|-----------|---|---------------------------------------|---|--|-------------------|
| CEMP 75 | <p>The Company's Environmental and Corporate Affairs team shall ensure timely notification to the appropriate regulatory and statutory regulator in accordance with legislation. If a Notifiable Incident occurs in relation to the Work, the Contractor will complete the following:</p> <ul style="list-style-type: none"> • Immediately notify the Construction Manager of the Notifiable Incident. • Investigate the Notifiable Incident. • Where site preservation is required by the Environmental requirement, ensure, so far as is reasonably practicable, that the part of the Site where the Notifiable Incident occurred is not disturbed until further direction is given to the Contractor by the Company. • As soon as is practicable, provide the Company with evidence that the hazards or risks giving rise to the Notifiable Incident have been eliminated or reduced, so far as reasonably practicable, including (if required and subject to legal professional privilege) a copy of its incident investigation report. | In the event of a notifiable incident | E05_Environmental Incident Register E44_Incident Report INX 4469 E45_Incident Report INX 4478 | Notifiable incidents which occurred in the audit period were reported outside of the audit period (after 21/02/2023). | Not applicable |
| CEMP 76 | <p>The incident investigation shall include the following basic elements:</p> <ul style="list-style-type: none"> • identify the cause of the incident, • identify the necessary corrective and preventative action(s), • identify personnel responsible for carrying out corrective and preventative action (s), • implement or modifying controls necessary to avoid repetition, • record any changes in written procedures required, and • notify the Company of all site environmental issues. | In the event of an incident | E27_Event 20220921 E28_Event 20220909 | Incident investigations undertaken for events occurring in September 2022 identified causes, corrective actions, controls, responsibilities and notifications. | Conformant |
| CEMP 77 | <p>Information gathered from incident investigations will be analysed to identify lessons and monitor trends. The Contractor is responsible for this analysis and reporting of significant lessons or trends to the Project Team for the purpose of improving environmental systems or practices.</p> <p>The Company will share the lessons or trends findings across the Project Team, with project stakeholders and others if required.</p> | In the event of an incident | E40_Incident Report INX 3118 E41_Incident Report INX 3977 E39_GDP Training | Lessons on the GDP process (E39) have been communicated to personnel following incidents identified in the audit period (E40, E41) and into the 2022/23 audit period. | Conformant |
| CEMP 78 | <p>Audits will be conducted to ensure the ongoing compliance with regulatory requirements, adequacy and effectiveness of the CEMP, and to facilitate continuous improvement. Environmental audits are planned and scheduled with all other project audits, and detail the type of audit, duration, auditors (including the Lead Auditor), and dates.</p> | Overall | R01_2022 Independent Audit E54_Worplace Inspections Register E32_Environmental workplace inspection-NRW | <p>This audit (R01) has been conducted to ensure the ongoing compliance with regulatory requirements, adequacy and effectiveness of the CEMP, and to facilitate continuous improvement.</p> <p>Inspections are undertaken by site personnel on a regular basis to determine compliance with operational aspects however they do not assess all the elements required under the CEMP.</p> <p>OFI Modify HSEC checklists to include all aspects requiring inspection under the CEMP.</p> | Conformant |
| CEMP 79 | <p>Whenever practicable, personnel conducting an audit address the identified deficiencies immediately during the inspection. In all other cases the Action will be added into the INX InControl Event Management Register and a nominated person will be made responsible for ensuring the action is managed in accordance with the set date for completion.</p> | Overall | E55_Workplace Inspection Checklist InX 3464 E34_Workplace Inspection 3464 Follow-up | Workplace inspection checklist 3464 (E55) documents issues with spill kits, a fire extinguisher, electrical items not tagged, slings and hazardous substances needing to be separated, stored or banded. Actions associated with slings, tagging and hazardous substances are closed out in INX (E34). | Conformant |
| CEMP 80 | <p>Contractors are required to undertake audits of their workspace, as communicated to the Contractor through the tender and contract. Compliance with this requirement is a contract deliverable and is defined in the Contractor Data Requirements.</p> | Overall | E56_Contractor INS 004 - Workshop Inspection E57_Contractor INS 002 - General Workplace Inspection | Contractors are undertaking the required inspections of their workplace. | Conformant |
| CEMP 81 | <p>The Environmental Advisor monitors and reports on the progress of rectification of any outstanding corrective actions</p> | Overall | E21_Actions Register | The Environmental Advisor monitors and reports on the progress of rectification of outstanding actions (E21). | Conformant |

| Condition | Criteria | Timing | Evidence | Determination Assessment | Compliance Status |
|-----------|--|-----------------------------|--|--|----------------------------|
| CEMP 82 | Non-compliances raised by project audits are registered and controlled in accordance with Incident Reporting and Investigation and using INX InControl. Possible non-compliances include regulatory non-compliance, non-compliance with the management measures outlined in this CEMP, and mitigation strategies/management measures outlined in the CEMP sub-plans. | Overall | M02_BCI Evidence Request Response Rev 2 R02_Mardie Minerals EPBC 2022_23 ACR E55_Workplace Inspection Checklist InX 3464 | There was no evidence of project audits being undertaken other than site inspections. Non-compliances identified during the 2022 ACR (EPBC 14 or EPBC 15).were not all entered into INX in accordance with Incident Reporting and Investigation. | Potentially non-conformant |
| CEMP 83 | All non-compliances are registered and controlled using INX InControl. | Overall | E05_Environmental Incident Register | The following non-compliances are not registered in INX InControl EPBC 14 (fauna spotter) or EPBC 15 (feral animal monitoring). | Potentially non-conformant |
| CEMP 84 | All non-compliances are reported to the Company and clearly identify the corrective/ preventative actions to be taken and the close-out date. | Overall | E27_Event 20220921 E28_Event 20220909 | The non-compliances reported in INX InControl clearly identify the actions to be taken and the close out dates. | Conformant |
| CEMP 85 | Where detected, any non-compliance or environmental impact exceeding specified limits are investigated by the Environmental Advisor to determine the extent of possible non-compliance. The non-compliance is corrected as soon as possible with necessary action taken to prevent recurrence. | Overall | E40_Incident Report 3118 E41_Incident Report 3977 E42_Incident Report 4177 E43_Incident Report 4469 E44_Incident Report 4478 E45_Incident Report 4479 | Incident investigation reports document review by the environmental advisor and proposed action to prevent reoccurrence. | Conformant |
| CEMP 86 | Third party environmental complaints are managed in accordance with the Company Communication and Consultation processes. | In the event of a complaint | M02_BCI Evidence Request Response Rev 2 | No reported complaints in the audit period. | Not applicable |
| CEMP 87 | Contractors found to be in breach of this CEMP are managed in accordance with the contract under which they have been engaged. | Overall | M02_BCI Evidence Request Response Rev 2 | No contractors have been found to be in breach in the audit period. | Not applicable |

Appendix C Mardie Project Impact Reconciliation Procedure Conformance Assessment

Table C.2: IRP Audit Table

| Condition | Criteria | Timing | Evidence | Determination Assessment | Compliance Status |
|-----------|--|---------|---|---|----------------------------|
| IRP 01 | The process for undertaking clearing is outlined in the Mardie Minerals' Land Clearing Procedure and Site Disturbance Permit Procedure. | Overall | E26_GDP Procedure | The purpose of the Ground Disturbance Permit Procedure is to describe the process and requirements for obtaining, implementing, and closing out works related to any Ground Disturbance for all BCI Projects and Operations. | Conformant |
| IRP 02 | Clearing requirements are initially identified and planned through an internal Site Disturbance Application Form (SDA). The SDA ensures all clearing complies with the Proposal's environmental approvals. | Overall | E26_GDP Procedure | <p>The ground disturbance life cycle requires application & review, assessment, approval and implementation and closure with sub-steps within each of the steps. Environmental approvals are undertaken in the assessment step:</p> <ul style="list-style-type: none"> • Environmental approval boundaries. • Ministerial Statement disturbance limitations • Land tenure boundaries • Heritage survey and monitoring areas. • Cultural heritage sites and/or exclusion zones • Any known environmentally sensitive areas • Known major watercourses (if applicable). • Bore locations. • Pastoral station infrastructure. • Petroleum pipelines, affected area, safety zones and exclusion areas. • Utility services. <p>Note: The procedure refers to assessment against Ministerial Statement disturbance limitations and environmental approvals but not specifically against EPBC 2018/8236 Conditions.</p> | Conformant |
| IRP 03 | Clearing is progressively tracked using the Proposal's Clearing Database. This will track both clearing which has been applied for via a SDA and actual clearing that has been undertaken. | Overall | M02_BCI Evidence Request Response Rev 2 E22_GDP Register | There is no Clearing database however clearing is tracked using the GDP Register. | Conformant |
| IRP 04 | Once an area has been cleared, the survey department will generate coordinates for the cleared area and then revise the Site Plan and Clearing Database to provide a spatial representation of total clearing to-date. | Overall | G01_Impact Areas Spatial | Spatial data is compiled by the survey department. | Conformant |
| IRP 05 | The clearing database will be updated regularly using the current site plan which is provided monthly by the site survey department. | Overall | M02_BCI Evidence Request Response Rev 2 E22_GDP Register | The GDP Register is updated regularly. Assessment of the site plan is not being undertaken as non-conformances with the GDP Permits are not being identified regularly (quarterly GDP audits not being undertaken). | Potentially non-conformant |
| IRP 06 | In addition, an aerial survey will be undertaken annually (in July) to verify the clearing within the Clearing Register. The timing of survey will coincide with the submission of annual environmental reporting requirements to the Department of Mines, Industry Regulation and Safety. | Overall | Not applicable | Outside audit period due July 2023 | Not applicable |
| IRP 07 | Results of the aerial survey will be provided to the Department of Water and Environmental Regulation (DWER) to verify areas of impacts (when licensing permits). | Overall | Refer to IRP 06 | Refer to IRP 06 | Not applicable |
| IRP 08 | The verification involves a visual comparison of clearing area coordinates mapped on the Proposal's Site Plan with the aerial image. | Overall | Refer to IRP 06 | Refer to IRP 06 | Not applicable |
| IRP 09 | Any inaccuracies in the extent of clearing in the Site Plan will be rectified based on the aerial image to produce final clearing polygons. This data will be supplied as part of the IRR for submission to DWER and DCCEEW. | Overall | Refer to IRP 06 | Refer to IRP 06 | Not applicable |

| Condition | Criteria | Timing | Evidence | Determination Assessment | Compliance Status |
|-----------|---|--|---|--|----------------------------|
| IRP 10 | The Clearing Database includes the following information: <ul style="list-style-type: none"> Method of clearing; Reason / justification; Amount required; Timing; and Baseline ecological value. | Overall | M02_BCI Evidence Request Response Rev 2 R16_Mardie Project_Impact Reconciliation Report_18092023 | The GDP Register does not contain the requirements of the clearing database however the Mardie Project Impact Reconciliation Report contains the following: <ul style="list-style-type: none"> Method of clearing; Reason / justification; Amount required; Timing; and Baseline ecological value. OFI Update the GDP Register to include the following: <ul style="list-style-type: none"> Method of clearing; Reason / justification; Amount required; Timing; and Baseline ecological value. | Conformant |
| IRP 11 | The clearing calculation for the first biennial reporting period will commence from ground disturbing activities in accordance with condition 13-2 and end on the second 30 June following the commencement of ground disturbing activities. | Overall | M01_BCI Evidence Request Response Rev 1 | The first biennial period ends on the 30/06/2024 following the commencement of ground disturbing activities on the 22/02/2022. | Conformant |
| IRP 12 | Each subsequent clearing calculation will be from 1 July to 30 June, two years later. | Overall | M01_BCI Evidence Request Response Rev 1 | Refer to IRP 11. | Not applicable |
| IRP 13 | Each IRR will be provided to DWER. | Within three months of the end of each reporting period. | Not applicable | The first biennial period ends 30/06/2024 | Not applicable |
| IRP 14 | Evidence of payments will be provided to DCCEEW. | Within 10 business days of the date of payment. | Refer to IRP 13 | Refer to IRP 13 | Not applicable |
| IRP 15 | Upfront payment Initial payment of 10% of the overall clearing allowable, in accordance with CoA 27(d) of the EPBC Act approval | Within one month of EPBC Act approval of this IRP | M01_BCI Evidence Request Response Rev 1 E18_PEOF Invoice 10% E33_PEOF EFT REMITTANCE-3368 | The payment was required within one month of EPBC Act approval of the MPIRP. The payment was made 12/05/2023 (6 months after the approval). | Potentially non-conformant |
| IRP 16 | Upfront payment Approval holder to submit evidence of payment into PEOF account to DCCEEW. | Within 10 business days of the date of the payment | M02_BCI Evidence Request Response Rev 2 | The PEOF payment was made 12/05/2023. Evidence to be provided in 2023/24. | Not applicable |
| IRP 17 | Period 1 Aerial survey/ground truthing. | Must be undertaken annually July 2023 | Refer to IRP 13 | Refer to IRP 13 | Not applicable |
| IRP 18 | Period 1 IRR submitted to DWER | 30 September 2023 | Refer to IRP 17 | Refer to IRP 17 | Not applicable |
| IRP 19 | Period 1 Evidence of payment submitted to DCCEEW. | Within 10 business days of the date of the payment | Refer to IRP 18 | Refer to IRP 18 | Not applicable |
| IRP 20 | Period 2 Aerial survey/ground truthing. | Must be undertaken annually July 2025 | Not applicable | Outside audit period | Not applicable |
| IRP 21 | Period 2 IRR submitted to DWER | 30 September 2025 | Refer to IRP 20 | Refer to IRP 20 | Not applicable |
| IRP 22 | Period 2 Evidence of payment submitted to DCCEEW. | Within 10 business days of the date of the payment | Refer to IRP 21 | Refer to IRP 21 | Not applicable |
| IRP 23 | Period 3 Aerial survey/ground truthing. | Must be undertaken annually July 2027 | Not applicable | Outside audit period | Not applicable |
| IRP 24 | Period 3 IRR submitted to DWER | 30 September 2027 | Refer to IRP 23 | Refer to IRP 23 | Not applicable |
| IRP 25 | Period 3 Evidence of payment submitted to DCCEEW. | Within 10 business days of the date of the payment | Refer to IRP 24 | Refer to IRP 24 | Not applicable |
| IRP 26 | On completion of clearing Final IRR submitted to DCCEEW in accordance with CoA 27(i) of the EPBC Act approval | Within 10 business days of completion of clearing | Not applicable | Clearing was not completed in the audit perio. | Not applicable |

| Condition | Criteria | Timing | Evidence | Determination Assessment | Compliance Status |
|-----------|---|------------|----------------|---|-------------------|
| IRP 27 | The contribution to the PEOF will be paid biennially, with the amount to be contributed calculated based on the clearing undertaken in both years of the biennial reporting period, and the contribution calculated on the basis of the real value of the payment per hectare cleared being the same as the amounts specified in the EPBC Act approval decision at the date the approval decision was made, adjusted for CPI. | Biennially | Not applicable | The first biennial period ends 30/06/2024 | Not applicable |
| IRP 28 | The IRR will confirm the area and the relevant values of the vegetation cleared in order to determine the value of the biennial offset payment. Dollar/hectare rates will be as specified in Table 3. The real value of contributions will be derived in accordance with the percentage change in the CPI applicable to the financial year in which the payment is made. | Overall | Not applicable | The first biennial period ends 30/06/2024 | Not applicable |
| IRP 29 | Each IRR shall be structured in the manner prescribed in the DWER 'Instructions on How to Prepare EP Act Part IV IRPs and IRRs, March 2021' or the most recent version published on the EPA website. | Overall | Not applicable | The first biennial period ends 30/06/2024 | Not applicable |
| IRP 30 | <p>Each IRR shall include the following information:</p> <ul style="list-style-type: none"> • Project background; • Summary of MS and EPBC reporting condition requirements; • Summary of the environmental values covered by the IRP; • Purpose for clearing undertaken within the reporting period; • A table showing the current extent of clearing (ha), the rate/ha for each clearing matter and an estimate of the total amount due - DWER to calculate the final amount payable for the reporting period; and • A figure showing the current extent of clearing. | Overall | Not applicable | The first biennial period ends 30/06/2024 | Not applicable |

Appendix D Evidence Register

Table D.3: Evidence Register

| Code | Reference | Author | Electronic | Hard-copy | Topic |
|------|--|--------------|------------|-----------|---|
| C01 | C01_Aproved Management Plans | BCI Minerals | X | | Email advice from BCI on the approval status of Management Plans in the audit period. |
| C02 | C02_DWER MS1175 causeway | DWER | X | | Letter dated 04/08/2022 from the department notifying BCI that the outcomes of MS 1175 condition 3-1 and 3-2 have been satisfied. |
| C03 | C03_EPBC 20188236 Condition 39 Non compliance (14c) | BCI Minerals | X | | Correspondence between BCI and DCCEEW on a breach of condition 13 on 9/09/2022, including condition 38 notification on 21/09/2022 and a request for extension on the reporting timeframe for the requirements of condition 39. |
| C04 | C04_EPBC 20188236 Condition 39 Non compliance (13a) 10 day | BCI Minerals | X | | Submission of material required under condition 39 for the breach of condition 13 on 09/09/2022. |
| C05 | C05_EPBC 2018_8236 - Mardie Project_Aproved Audit Criteria_SEC_OFFICIAL_ | DCCEEW | X | | Letter from DCCEEW on 15/03/2024 accepting the audit criteria and proposed audit team for the EPBC 2018/8236 Independent Audit. |
| C06 | C06_20230426 Turtle Monitoring Reports Submission DCCEEW acknowledgement | DCCEEW | X | | Email acknowledgement of receipt on 26/04/2023 by DCCEEW of the Marine Turtle Monitoring Reports: <ul style="list-style-type: none"> • Marine turtle monitoring program 2018/19. • Pre-construction marine turtle monitoring program 2021/22. • Marine turtle monitoring program 2022/23 |
| C07 | C07_20220630 Turtle Survey Report Submission DBCA | BCI Minerals | X | | Email submission 30/06/2022 to DBCA of Pre-Construction Marine Turtle Monitoring Program 2021/22. |
| C08 | C08_20230130 Minuria tridens Offsets Submission | BCI Minerals | X | | BCI submission of the Minuria tridens Offset Strategy to DCCEEW on 30/01/2023 as per EPBC 2018/8236 condition 25(b)(iii). |
| C09 | C09_20230131 DCCEEW Submission Receipt Minuria tridens Offset Strategy | DCCEEW | X | | Acknowledgement of receipt from DCCEEW on 31/01/2023 of the Minuria tridens Offset Strategy |
| C10 | C10_2018-8236 DWER MPIRP decision letter | DCCEEW | X | | DCCEEW approval on 27/10/2022 of Rev 1 of the MPIRP. |
| C11 | C11_Submission of MPIRP to DCCEEW | BCI Minerals | X | | Email submission of MPIRP to DCCEEW on 06/02/2022. |
| C12 | C12_DCCEEW MPIRP Approval | DCCEEW | X | | Letter of approval from DCCEEW on 27/10/2022 for the MPIRP Revision 1. |

| Code | Reference | Author | Electronic | Hard-copy | Topic |
|------|--|--------------|------------|-----------|--|
| C13 | C13_Submission of Short-nosed Sea Snake Proposal | BCI Minerals | X | | Email submission to DCCEEW on 30/11/2022 of the Short-nosed Sea Snake Research Proposal |
| C14 | C14_Summary Offset Plan Submission to DCCEEW | BCI Minerals | X | | Email submission to DCCEEW on 30/08/2022 of the Summary Offset Plan. |
| C15 | C15_DCCEEW Submission of CEMP | BCI Minerals | X | | Email submission to DAWE (DCCEEW) on 19/11/2021 of the revised CEMP and BCI response notes to DAWE comments on the previous revision of the CEMP. |
| C16 | C16_Condition 39 Notification of Non-Compliance | BCI Minerals | X | | Section 39 notification to DCCEEW of non-compliances with Conditions 14, 15(b), (c) and (f), 21(b) and 25. |
| C17 | C17_EPBC 2018_8236 audit report submission date - request for extension _SEC_OFFICIAL_ | DCCEEW | X | | DCCEEW acceptance of extension for Independent Audit submission to 15 June 2024. |
| C18 | C18_DWER MS1175 Condition review and endorsement Ltr V3 | DWER | X | | DWER Approval for LTMSMP 16/02/2022 |
| C19 | C9_20230130 MS1175 5-3_1 DWER Acceptance | DWER | X | | Letter dated 20/09/2022 from the department notifying BCI that the Minuria tridens Research Strategy is sufficient to meet of MS 1175 condition 5-3(2)(b) subject to an additional season of on ground surveys. |
| C20 | C20_Site Management Clarification 1 | BCI Minerals | X | | Email notification of onsite waste segregation |
| C21 | C21_Site Management Clarification 2 | BCI Minerals | X | | Further information on topsoil stockpiling onsite |
| E01 | E01_UWA contract payment A | UWA | X | | Consultancy Services Agreement - Executed contract between Mardie Minerals Pty Ltd and The University of Western Australia |
| E02 | E02_Website Screenshot Management Plans 20240415 | JBS&G | X | | Screenshot from BCI website where management plans have been accessed on 15/04/2024 https://www.bciminerals.com.au/sustainability/environmental-protection.html |
| E03 | E03_Website Screenshot 2022_23 ACR 20240415 | JBS&G | X | | Screenshot from BCI website where the 2022/23 ACR has been accessed on 15/04/2024 https://www.bciminerals.com.au/sustainability/environmental-protection.html |
| E04 | E04_BCI Mardie Site Induction R9 | BCI Minerals | X | | Mardie Salt and Potash Early Works Site Induction (March 2022) |
| E05 | E05_Environmental Incident Register | BCI Minerals | X | | INX Incident Register for 2022/23 |
| E06 | E06_Mardie Pool Monitoring Bores | BCI Minerals | X | | Mardie Pool Monitoring Bore Water Levels for November 2022 (post installation) to March 2023 |

| Code | Reference | Author | Electronic | Hard-copy | Topic |
|------|--|--------------|------------|-----------|---|
| E07 | E07_20221219 Weed Hygiene Checklist - 1HBJ027 | BCI Minerals | X | | Weed Hygiene Exit Checklist – Trucks 1HBJ027 |
| E08 | E08_20230109 Weed Hygiene Checklist - 1EYL063 | BCI Minerals | X | | Weed Hygiene Exit Checklist – Trucks 1EYL063 |
| E09 | E09_20230111 Weed Hygiene Exit Checklist - LV28001 | BCI Minerals | X | | Weed Hygiene Exit Checklist – Light Vehicles 28V001 |
| E10 | E10_20230208 Weed Hygiene Exit Checklist - Qbirt truck - 1HBV295 | BCI Minerals | X | | Weed Hygiene Exit Checklist – Trucks 1HBV295 |
| E11 | E11_GDP31 Monitoring Bore Installation | BCI Minerals | X | | Ground Disturbance Permit GDP31 – Monitoring Bore Installation |
| E12 | E12_Groundwater Extraction Summary | BCI Minerals | X | | Groundwater Extraction Summary for groundwater bores under GWL205621(2) |
| E13 | E13_Mardie Pool Low Speed Zone 1 | BCI Minerals | X | | Photo on entry to low speed zone to Mardie Pool from approach 1 |
| E14 | E14_Mardie Pool Low Speed Zone 2 | BCI Minerals | X | | Photo on entry to low speed zone to Mardie Pool from approach 2 |
| E15 | E15_Northern Quoll Low Speed Zone 1 | BCI Minerals | X | | Photo on entry to Northern Quoll low speed zone from approach 1 |
| E16 | E16_Northern Quoll Low Speed Zone 2 | BCI Minerals | X | | Photo on entry to Northern Quoll low speed zone from approach 2 |
| E17 | E17_Ministerial Statement MS 1211 | EPA | X | | Ministerial Statement 1211 published 19/10/2023 for the Optimised Mardie Project |
| E18 | E18_PEOF Invoice 10% | DWER | X | | Invoice RI004380 from DWER for EPBC 2018/8236 Mardie Project Pilbara Environmental Offset Fund Payment |
| E19 | E19_Pilbara Research_Offsets Payment 20220805 | Westpac | X | | Bank transfer confirmation 05/08/2022 for Pilbara Research Offsets Payment \$2,750,000 made 04/08/2022. |
| E20 | E20_Mardie Site Induction Register | BCI Minerals | X | | Site Induction Register 2022/23 |
| E21 | E21_Actions Register | BCI Minerals | X | | Incident Action Register 2022/23 |
| E22 | E22_GDP Register | BCI Minerals | X | | Ground Disturbance Permit Register |
| E23 | E23_WHBO Daily Diary 20220302 | BCI Minerals | X | | BCI-Daily Diary-WHBO for Initial Earthworks in WBHO - Pond 0,1 & 2 Area 02/03/2022 |
| E24 | E24_WHBO Daily Diary 20220303 | BCI Minerals | X | | BCI-Daily Diary-WHBO for Initial Earthworks in WBHO - Pond 0,1 & 2 Area 03/03/2022 |

| Code | Reference | Author | Electronic | Hard-copy | Topic |
|------|--|-----------------|------------|-----------|---|
| E25 | E25_WHBO Daily Diary 20220304 | BCI Minerals | X | | BCI-Daily Diary-WHBO for Initial Earthworks in WBHO - Pond 0,1 & 2 Area 04/03/2022 |
| E26 | E26_GDP Procedure | BCI Minerals | X | | Ground Disturbance Permit Procedure [BCI-ENV-PRO-001] Rev 7 |
| E27 | E27_Event 20220921 | BCI Minerals | X | | INX Incident Report 2729 - Environment Report - Commencement of works without GDP or Excavation Permit (21/09/2022) |
| E28 | E28_Event 20220909 | BCI Minerals | X | | INX Incident Report 2576 - Environment Report - HDPE Pipework has leaked effluent onto the ground in the future village carpark. (09/09/2022) |
| E29 | E29_Cleanaway April Invoice | Cleanaway | X | | Cleanaway Invoice Number 19298247 for Mardie Minerals – Mardie Station April 2024 |
| E30 | E30_Cleanaway June Invoice | Cleanaway | X | | Cleanaway Invoice Number 19117345 for Mardie Minerals – Mardie Station June 2022 |
| E31 | E31_Cleanaway August Invoice | Cleanaway | X | | Cleanaway Invoice Number 19134339 for Mardie Minerals – Mardie Station August 2022 |
| E32 | E32_Environmental workplace inspection-NRW | BCI Minerals | X | | Contractor Temporary Laydown Environmental Inspection Form for 14/02/2023 inspection of NRW Laydown |
| E33 | E33_PEOF EFT REMITTANCE-3368 | Mardie Minerals | X | | EFT Remittance to DWER for PEOF Payment Invoice Reference RI004380 |
| E34 | E34_Workplace Inspection 3464 Follow-up | BCI Minerals | X | | Action closeout report from Workplace Inspection 3464 |
| E35 | E35_Weekly Toolbox Report 05.02.2023 | BCI Minerals | X | | Site Weekly Toolbox Presentation (05 February 2023) |
| E36 | E36_Weekly Toolbox Report 15.01.2023 | BCI Minerals | X | | Site Weekly Toolbox Presentation (15 January 2023) |
| E37 | E37_Weekly Toolbox Report 06.11.2022 | BCI Minerals | X | | Site Weekly Toolbox Presentation (06 November 2022) |
| E38 | E38_Weekly Toolbox Report 20.11.2022 | BCI Minerals | X | | Site Weekly Toolbox Presentation (20 November 2022) |
| E39 | E39_GDP Training | BCI Minerals | X | | BCI Ground Disturbance Procedure Induction (November 2021) |
| E40 | E40_Incident Report 3118 | BCI Minerals | X | | INX Incident Report 3118 - Near Miss Report - Near GDP boundary breach along the Mardie Access Road fence line GDP (12/10/2022) |
| E41 | E41_Incident Report 3977 | BCI Minerals | X | | INX Incident Report 3977 - Environment Report - Dozer operator tracked equipment beyond GDP boundary (16/02/2023) |
| E42 | E42_Incident Report 4177 | BCI Minerals | X | | INX Incident Report 4177 - Environment Report - Clearing outside of clearing boundary (25/01/2023) |
| E43 | E43_Incident Report 4469 | BCI Minerals | X | | INX Incident Report 4469 - Environment Report - GDP37 Borrow pit outside of DE Boundary (30/05/2022) |

| Code | Reference | Author | Electronic | Hard-copy | Topic |
|------|---|--------------|------------|-----------|---|
| E44 | E44_Incident Report 4478 | BCI Minerals | X | | INX Incident Report 4478 - Environment Report - Breach of GDP76 (31/01/2023) |
| E45 | E45_Incident Report 4479 | BCI Minerals | X | | INX Incident Report 4479 - Environment Report - Breach of GDP79 (31/12/2022) |
| E46 | E46_Vehicle and Mobile Plant Register | BCI Minerals | X | | Vehicles & Mobile Plant & EWP/Scissor Lifts Register |
| E47 | E47_ENT022 - 1HHM861 - LV - Hilux | BCI Minerals | X | | LV Pre Mobilisation Inspection Form for 1HHM861 |
| E48 | E48_McNally - Toyota Hilux LV05 | BCI Minerals | X | | LV Pre Mobilisation Inspection Form for 1HKT286 |
| E49 | E49_ENT113 - 1HQX773 - LV Hilux | BCI Minerals | X | | LV Pre Mobilisation Inspection Form for 1HQX773 |
| E50 | E50_Prestart Records | BCI Minerals | X | | INX Prestart Event Report Listing for 20 Feb 2022 to 22 Feb 2023 |
| E51 | E51_INS 004 Workshop Inspection | BCI Minerals | X | | INX Record 000142 for Workshop Inspection INS 004 (30/09/2022) |
| E52 | E52_mardie pool heritage boundary | BCI Minerals | X | | Photo showing flagging tape on Mardie Pool Heritage Boundary 1 |
| E53 | E53_mardie pool heritage boundary | BCI Minerals | X | | Photo showing flagging tape on Mardie Pool Heritage Boundary 2 |
| E54 | E54_Worplace Inspections Register | BCI Minerals | X | | Workplace Inspection Register 2022 |
| E55 | E55_Workplace Inspection Checklist InX 3464 | BCI Minerals | X | | Workplace Inspection 3464 Report Form |
| E56 | E56_Contractor INS 004 - Workshop Inspection | BCI Minerals | X | | INX Record 000121 for Workplace Inspection INS 004 (23/07/2022) |
| E57 | E57_Contractor INS 002 - General Workplace Inspection | BCI Minerals | X | | INX Record 000135 for General Workplace Inspection INS 002 (14/11/2022) |
| E58 | E58_Topsoil Locations | BCI Minerals | X | | Figure of Project Storage Topsoil and Drainage |
| E59 | E59_Drip Tray | BCI Minerals | X | | Photo showing refuelling station with drip tray under refuelling hose connection point. |
| E60 | E60_Spill Kits | BCI Minerals | X | | Photo showing refuelling station spill kits. |
| G01 | G01_Impact Areas Spatial | BCI Minerals | X | | Disturbance area shape files |
| G02 | G02_Actual Disturbance | JBS&G | X | | Calculated areas of disturbance by disturbance type taken from GIS data |
| G03 | G03_66055_Figure Actual disturbance | JBS&G | X | | Figure 1.1 indicating Development Envelope and actual disturbance |

| Code | Reference | Author | Electronic | Hard-copy | Topic |
|------|--|--------------------------------|------------|-----------|---|
| L01 | L01_BCI EPBC 2018-8236 Audit Criteria Rev 0 | DCCEEW | X | | Letter from DCCEEW to BCI 15/03/2024 accepting JBS&G as auditors for the EPBC 2018/8236 Independent Audit and the proposed Audit Criteria |
| L02 | L02_66055 Independent Audit Submission Extension Rev 0 | JBS&G | X | | Letter to DCCEEW requesting extension independent audit submission date to 15 June 2024. |
| M01 | M01_BCI Evidence Request Response Rev 1 | BCI Minerals | X | | BCI Minerals 26/04/2024 response to JBS&G request for evidence for 2022/23 independent audit |
| M02 | M02_BCI Evidence Request Response Rev 2 | BCI Minerals | X | | BCI Minerals 29/05/2024 response to JBS&G request for further evidence for 2022/23 independent audit |
| P01 | P01_BCI-ENV-PRO-006_0_IFU Fauna Management Procedure | BCI Minerals | X | | Mardie Salt and Potash Project Fauna Management Procedure [BCI-ENV-PRO-006] Rev 0 (4/11/2021) |
| R01 | R01_2022 Independent Audit | JBS&G | X | | This Report |
| R02 | R02_Mardie Minerals EPBC 2022_23 ACR | BCI Minerals | X | | Compliance Report Mardie Project (EPBC 2018/8236) Reporting period: 22 February 2022 to 21 February 2023 |
| R03 | R03_CEMP_2018-8236 CEMP MAR-0000-EV-STR-EGM-020-0002 19 Nov 2021 | BCI Minerals | X | | Mardie Salt and Potash Project Construction Environmental Management Plan [MAR-0000-EV-STR-EGM-020-0002] Rev 1 (19/11/2021) |
| R04 | R04_BCI Marine Turtle Monitoring Plan Rev1 FINAL | Pendoley Environmental | X | | Mardie Salt Project: Marine Turtle Monitoring Program (30 September 2022) |
| R05 | R05_20220829 Mardie IRP Rev1 | Preston Consulting | X | | Impact Reconciliation Procedure [BCI-MAR-IRP-01_REV1] (29 August 2022) |
| R06 | R06_2022 Pendoley Marine Turtle Monitoring Report | Pendoley Environmental | X | | Mardie Salt Project: Pre-Construction Marine Turtle Monitoring Program 2021/22 |
| R07 | R07_2019 Pendoley Marine Turtle Monitoring Report | Pendoley Environmental | X | | Mardie Salt Project: Marine Turtle Monitoring Program 2018/19 |
| R08 | R08_Long-term migratory shorebird monitoring program 2022 | Phoenix Environmental Sciences | X | | Long-term migratory shorebird monitoring program for the Optimised Mardie Project (November 2022) |
| R09 | R09_Minuria tridens AcAjTE Targeted Flora Survey Nov 2021 | Phoenix Environmental Sciences | X | | Memo report of targeted searches at Mardie Salt Project for <i>Minuria tridens</i> . |
| R10 | R10_Tecticornia TtSvTc Tspp Targeted Flora Survey Feb 2022 | Phoenix Environmental Sciences | X | | Pre-clearance targeted Tecticornia survey for the Mardie Salt Project |
| R11 | R11_Minuria tridens Research_Offset Strategy V5 | BCI Minerals | X | | Minuria Tridens MS1175 Research Strategy and EPBC 2018/8236 Offset Strategy to Tania Liaghati, Manager EIA North, EPA Services. |

| Code | Reference | Author | Electronic | Hard-copy | Topic |
|------|--|--------------|------------|-----------|--|
| R12 | R12_Short-nosed Sea Snake Proposal | O2 marine | X | | Offset Short-nosed Sea Snake Research Proposal |
| R13 | R13_MAR-WHS-PLN-003_3_IFU Emergency Management Plan | BCI Minerals | X | | Emergency Management Plan Mardie Rev 3 |
| R14 | R14_BCI_Marine Pest Management Procedures Rev1 | O2 marine | X | | Marine Pest Management Procedures 21WAU-0060-08/ T210234 (01/09/2022) |
| R15 | R15_Traffic Management Plan | BCI Minerals | X | | Mardie Salt and Potash Site Traffic Management Plan [MAR-WHS-PLN-007] Rev 1 |
| R16 | R16_Mardie Project_Impact Reconciliation Report_18092023 | BCI Minerals | X | | Impact Reconciliation Reports First Reporting Period 7 February 2022 to 30 June 2023 |

Appendix E Auditor's Certification

Andrea Wills, Auditor, JBS&G Level 9 Allendale Square, 77 St Georges Terrace, Perth WA

SAI Global Lead Auditor in Environmental Management Systems

SAI Global BSB51904 Diploma of Business (Quality Auditing)

I, Andrea Wills, certify that, to the best of my knowledge, all information provided in the audit report attached to this audit certification statement is true, correct and complete.

I am aware that section 491 of the EPBC Act makes it an offence in certain circumstances to knowingly provide false or misleading information or documents to specified persons who are known to be performing a duty or carrying out a function under the EPBC Act or the regulations. The offence is punishable on conviction by imprisonment for not more than 1 year, a fine not more than 60 penalty units, or both.

I am aware that section 461(4) of the EPBC Act makes it an offence in certain circumstances for an environmental auditor to include a statement in an audit report that is false or misleading in a material particular. The offence is punishable on conviction by imprisonment for not more than 6 months.

Signature:



Date: 14/06/2024

Appendix F Auditor's Certification

Andrew Winzer, Principal, JBS&G Level 9 Allendale Square, 77 St Georges Terrace, Perth WA

Exemplar Global Certified Environmental Management System Lead Auditor

SAI Global BSBAUD501 Initiate a Quality Audit

SAI Global BSBAUD503 Lead a Quality Audit

SAI Global BSBAUD504 Report on a Quality Audit

I, Andrew Winzer, certify that, to the best of my knowledge, all information provided in the audit report attached to this audit certification statement is true, correct and complete.

I am aware that section 491 of the EPBC Act makes it an offence in certain circumstances to knowingly provide false or misleading information or documents to specified persons who are known to be performing a duty or carrying out a function under the EPBC Act or the regulations. The offence is punishable on conviction by imprisonment for not more than 1 year, a fine not more than 60 penalty units, or both.

I am aware that section 461(4) of the EPBC Act makes it an offence in certain circumstances for an environmental auditor to include a statement in an audit report that is false or misleading in a material particular. The offence is punishable on conviction by imprisonment for not more than 6 months.

Signature:



Date: 14/06/2024

© JBS&G

This document is and shall remain the property of JBS&G. The document may only be used for the purposes for which it was commissioned and in accordance with the Terms of Engagement for the commission. Unauthorised use of this document in any form whatsoever is prohibited

Document Distribution

| Rev No. | Copies | Recipient | Date |
|---------|---------------|------------------|------------|
| 0 | 1: Electronic | DCCEEW | 13/06/2024 |
| 0 | 1: Electronic | Antony Crum, BCI | 13/06/2024 |

Document Status

| Rev No. | Author | Reviewer Name | Approved for Issue Name | Signature | Date |
|---------|----------|---------------|-------------------------|--|------------|
| 0 | A. Wills | A. Winzer | A. Winzer |  | 13/06/2024 |



Adelaide

Kaurna Country | 100 Hutt St,
Adelaide, SA 5000
T: 08 8431 7113

Brisbane

Turrbal/Yuggera Country | Level 37, 123
Eagle Street, Brisbane, QLD 4000
T: 07 3211 5350

Bunbury

Wardandi Noongar Country | 177
Spencer Street Bunbury, WA 6230
T: 08 9792 4797

Canberra

Ngunnawal Country | Level 1, The Realm
18 National Circuit Barton, ACT 2600
T: 02 6198 3278

Darwin

Larrakia Country | Suite G1, Level 1
48-50 Smith Street, Darwin NT 0800
T: 08 8943 0600

Hobart

Muwununa/Nuenon Country | Level 6,
111 Macquarie Street Hobart, TAS 7000
T: 03 6108 9054

Melbourne

Kulin Country | Level 5, 10 Queen
Street, Melbourne, VIC 3000
T: 03 9642 0599

Newcastle

Awabakal/Worimi Country | 61 / 63
Parry Street Newcastle West, NSW 2302
T: 02 8245 0300

Perth

Whadjuk Nyoongar Country | Allendale Square,
Level 9, 77 St Georges Terrace, WA 6000
T: 08 9380 3100

Sydney

Gadigal Country | Level 1, 50
Margaret Street, Sydney, NSW 2000
T: 02 8245 0300

Wollongong

Dharawal Country | Suite 1A, 280 - 286
Keira Street, Wollongong, NSW 2500
T: 02 4225 2647