

Annual Compliance Report - Mardie Project (EPBC 2018/8236)

REPORTING PERIOD: 22 FEBRUARY 2024 TO 13 JANUARY 2025

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1. DECLARATION OF ACCURACY

In making this declaration, I am aware that sections 490 and 491 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

A handwritten signature in blue ink, appearing to read "Shaun Meredith", is shown within a light grey rectangular box.

Signed:

Name: Shaun Meredith

Position: Head of Environment and Cultural Heritage

Organisation: Mardie Minerals Pty Ltd
ABN 50 152 574 457

Date: 11 February 2025

2. MARDIE MINERALS PTY LTD AND BCI MINERALS LIMITED

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).

3. DESCRIPTION OF ACTION AND ACTIVITIES

3.1 Action and Compliance Report details

Mardie was granted approval EPBC 2018/8236 (the Approval) on 12 January 2022 by the Department of Agriculture, Water and the Environment, now the Department of Climate Change, Energy, the Environment and Water (DCCEEW), to construct and operate the Mardie salt and sulphate of potash project.

Table 1: Summary of Action and Compliance Report Details

EPBC Number	2018/8236
Project Name	Mardie Project
Approval Holder and ABN	Mardie Minerals Pty Ltd ABN: 50 152 574 457
Approved Action	Construct and operate 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.
Location of Project	80 kilometres south-west of Karratha, in the Pilbara region of Western Australia.
Person accepting responsibility for this Compliance Report	Shaun Meredith
Reporting period	22 February 2024 to 13 January 2025*
Date of Compliance Report	10 February 2025

* Reporting period amended by variation to EPBC 2018/8236 issued on 9 October 2024.

3.2 Description of activities undertaken in reporting period

The Proposal is currently in the construction phase with activities undertaken during the reporting period including:

- Pond construction progressing – Evaporation Ponds 3 to 9 and commencement of crystalliser ponds.
- Jetty construction – bents J30 to J90.
- Several infrastructure upgrades including to access roads and communications.
- Federal approval for the Optimised Mardie Project in accordance with EPBC 2022/9169.
- Commencement of pond commissioning through filling of Ponds 1, 2 and 3 with sea water.

4. PURPOSE AND SCOPE

This Annual Compliance Report (ACR) has been prepared to satisfy conditions 106 and 107 of EPBC 2018/8236 as varied on 9 October 2024 as detailed below.

Condition 106

The approval holder must prepare a compliance report for each Annual Compliance Report period (ACR period).

Condition 107

The approval holder must ensure each compliance report includes:

- a) accurate and complete details of compliance and any non-compliance with:
 - i) WA Approval, if a condition attached to this approval decision requires compliance with that WA Approval condition,
 - ii) each condition attached to this approval decision, and
 - iii) all commitments made in each plan;
- b) a schedule of all plans in effect in relation to these conditions during the ACR period;
- c) accurate and complete details of how each plan was implemented during the ACR period; and
- d) if any incident occurred, accurate and complete details of each incident.

5. OVERVIEW OF MANAGEMENT PLANS

Several management plans are required to be developed, approved and implemented at varying stages of the Action. In accordance with the Annual Compliance Reporting Guidelines 2014, a summary of the Management Plans conditionally required under EPBC 2018/8236 and Western Australian Government Approval (Ministerial Statement 1211), their approval status and implementation are summarised below.

5.1 Benthic Communities and Habitat Monitoring and Management Plan

The Benthic Communities and Habitat Monitoring and Management Plan (BCHMMP) provides monitoring and management measures to be implemented by Mardie Minerals to protect the health, diversity, and extent of benthic communities and habitat (BCH). The BCHMMP was developed by O2 Marine in consultation with leading ecologists and marine scientists from Hydrobiology, Phoenix Environmental Sciences, Preston Consulting, Actis Environmental Services and the WAMSI Mardie Projects Intertidal Research Offsets Program team. In addition, leading ecologists have been engaged by Mardie Minerals to advise on intertidal ecology and have contributed to the content and methods presented in the BCHMMP.

During the reporting period, the following activities were undertaken:

- Quarterly Subtidal, Algal Mat, Samphire and landward mangrove monitoring
- Annual seaward mangrove monitoring
- NDVI Pilot study

The plan has been implemented as per the commitments made within the approved plan and no adverse results were detected as part of the BCHMMP monitoring activities undertaken.

5.2 Marine Pest Management Procedure

The Marine Pest Management Procedure sets out the procedures for mitigating the risk of Introduced Marine Pests and for managing all vessels and immersible equipment operating during the Project prior to mobilisation.

The procedure has been implemented but was not required for the majority of the reporting period because marine construction works were conducted from the crane traveller installed on top of the jetty structure and did not involve the use of vessels.

A jack-up barge was mobilised to the project site in December 2024 to commence the demobilisation of the jetty traveller and complete jetty head works. This is the only project related vessel that has entered the project area during the reporting period.

No compliance issues or adverse impacts were detected during the reporting period.

5.3 Groundwater Monitoring and Management Plan

The purpose of the Groundwater Monitoring and Management Plan (GMMP) is to monitor changes to groundwater quality and levels from pond filling and operations, to ensure that implementation of the Project does not compromise the environmental values and water quality objectives for the Mardie Project area.

The collection of baseline groundwater data continued during the reporting period with the progressive establishment of the coastal monitoring bore network being finalised in August 2024. The new bores commenced recording in March 2024.

The GMMP (Revision K) was conditionally approved by the Department of Water and Environmental Regulation (DWER) in April 2024 and GMMP (Revision M) by DCCEEW in September 2024 in accordance with EPBC 2022/9169 and in accordance with EPBC 2018/8236 as varied on 9 October 2024. On 10 September 2024, the filling of evaporation pond 1 and operational monitoring of groundwater commenced.

Table 2 provides a summary of the triggers and thresholds detected during the reporting period.

Table 2: Summary of Groundwater monitoring triggers and thresholds.

Type	Triggers		Thresholds	
	Prior to 10/9/2024	After 10/9/2024	Prior to 10/9/2024	After 10/9/2024
Groundwater level				
1 day forecast	1	30	0	0
7 day forecast	37	179	0	7
Salinity				
1 day forecast	27	67	1	0
7 day forecast	75	152	3	6

There has been one compliance issue with the GMMP as reported to the department on 8 January 2025. Several of the groundwater monitoring units stopped providing data over the December 2024 to January 2025 period. It is thought to be an issue with the data loggers at each of the impacted locations, however, the investigation into this issue is yet to be finalised. Safe access to the monitoring locations has not been possible due to storm activity.

The GMMP has been implemented as per the conditions of EPBC 2018/8236 and the commitments made within the approved plan except for the issue with the data loggers above.

5.4 Marine Environmental Quality Monitoring and Management Plan

The purpose of the Marine Environmental Quality Monitoring and Management Plan (MEQMMP) is to establish a management framework to ensure that the implementation of the Project does not compromise the environmental values and water quality objectives for the Mardie coastal area.

Monitoring under the MEQMMP was limited to baseline data collection which was undertaken quarterly. The baseline data will be used to derive locally relevant environmental quality criteria (EQC) to inform ongoing monitoring and management.

No compliance issues or environmental impacts were identified during the reporting period.

5.5 Illumination Plan

The Illumination Plan has been developed to monitor and manage potential impacts of artificial light on fauna of conservation significance and their habitats.

During the reporting period, a minor update to the Illumination Plan was undertaken to accommodate changes to lighting at the Mardie Village which was to be replaced in order to meet all required standards. The update to the Plan was approved by the department on 15 July 2024.

The annual light audit was conducted in September 2024, prior to the annual marine turtle nesting season. The lighting assessment identified that the flood lights at the Mardie Village were contributing to light pollution and needed to be replaced; this replacement work has since been completed. The report also identified a number of light fittings that need to be altered to conform with health and safety standards.

Annual light monitoring was undertaken in December 2023 and February 2024 alongside the annual turtle monitoring program. No new light sources were detected and there was a marginal difference between the latest monitoring results and those of previous years. Mardie Creek East, Mardie Creek West and Sholl Island East recorded increases in brightness ranging from 1.86% to 7.65%. Long Island recorded a decrease in brightness of 14.49%.

All activities were undertaken as per the commitments made within the approved Illumination Plan.

5.6 Marine Turtle Monitoring and Management Plan

The Marine Turtle Monitoring Program (MTMP) has been implemented to further describe the marine turtle nesting population and habitat, and to assess any impacts Project-attributable artificial light emissions may be having on marine turtle behaviour on the nesting beach.

Annual monitoring for the 2023-2024 campaign was undertaken during October 2023, December 2023 and February 2024; these periods were selected to target the peak nesting and hatching periods for hawksbill (*Eretmochelys imbricata*), flatback (*Natator depressus*) and green turtles (*Chelonia mydas*).

The Marine Turtle Monitoring Program 2023/24 report provided by Pendoley Environmental shows that all monitoring was undertaken as per the commitments within the approved plan and no issues were

identified as part of the annual monitoring program. No compliance issues or impacts were detected during the reporting period.

Monitoring for the 2024-2025 season has commenced with surveys undertaken during October 2024 and December 2024. The final survey is planned late February to early March 2025.

5.7 Dredge Management Plan

The purpose of the Dredge Management Plan is to set out the Management Targets (MTs) and specific management and monitoring actions to be implemented before, during and after dredging activities to ensure that the project-specific Environmental Protection Outcomes are achieved.

Dredging activities at the Mardie Salt Project are yet to commence and, as such, monitoring required under the Dredge Management Plan was not undertaken during the reporting period. Dredging activities are expected to commence in the next reporting period, triggering the requirement to commence monitoring.

No compliance issues were identified during the reporting period.

5.8 Underwater Noise Management Procedure

The Underwater Noise Management Procedure has been developed to manage underwater noise generated from piling works and marine vessel operations during construction.

As part of the procedure, sound measurements are taken during piling activities. Noise monitoring results have shown that sound levels have remained under the specified level during piling works undertaken during the reporting period.

There were three incidents where noise monitoring equipment failed, resulting in a loss of data. These were reported to the department on 11 July 2024, 15 August 2024 and 26 August 2024. All other commitments were complied with and no impacts detected.

Marine Fauna Observers (MFOs) were also deployed during the piling activities conducted during the reporting period. Records from the MFOs show that no protected marine fauna were adversely impacted by piling works.

5.9 Mesquite Management Plan

The Mesquite Management Plan has been developed to provide management actions for the Mesquite infestation present within the Mardie Project area, in order to protect flora and native vegetation so that biological diversity and ecological integrity are maintained.

Mesquite control activities were undertaken in July 2024 through the use of chemical agents in targeted areas. The physical removal of mesquite continues as part of clearing activities associated with the construction of the project. Any mesquite physically removed is burnt to reduce the potential for seed spread and germination.

No compliance issues were identified during the reporting period.

5.10 *Minuria tridens* Research and Offset Strategy

It has been determined that avoidance of impacts to some plants of *Minuria tridens* (M. tridens) at the Project is unavoidable, hence a Research and Offset Strategy was developed to build a knowledge base and inform the potential for re-establishment of a population of M. tridens in the region.

A part of the Research and Offset Strategy, a regional survey was undertaken in September 2024. The field survey identified six new populations of M. tridens, with a total of over 500 individuals recorded.

During September 2024 the annual *M. tridens* health survey was also undertaken to monitor the known populations of *M. tridens* within the development envelope and to determine if there are any threats to the viability of these populations. BCI is currently awaiting the results of this survey.

A revised Research and Offset Strategy was submitted to the department on 8 November 2024 and is under assessment.

5.11 Impact Reconciliation Procedure

The Mardie Project is predicted to have a significant residual impact on environmental values and Matters of National Environmental Significance (MNES), and as such, is required to contribute funds to offset projects.

The Impact Reconciliation Procedure (IRP) was updated during the reporting period to account for the approval of the Optimised Mardie Project by DWER and DCCEEW; the updated IRP was submitted to the department on 13 September 2024. Comments on the submitted plan were received and a revised IRP submitted to DCCEEW on 24 January 2025.

No compliance issues were identified during the reporting period.

6. COMPLIANCE WITH APPROVAL CONDITIONS

Mardie has considered and assessed its compliance with each of the 49 conditions of EPBC 2018/8236 as approved 12 January 2022. An overview of compliance with the original approval is contained in Table 5. Mardie has also assessed the 126 conditions of EPBC 2018/8236 as varied on 9 October 2024, and an overview of compliance with these conditions is presented in Table 6.

Mardie is reporting non-compliance with four conditions, two of which are administrative, against EPBC 2018/8236 as approved on 12 January 2022. Mardie is also reporting non-compliance with two conditions, both of which are administrative, against EPBC 2018/8236 as varied on 9 October 2024. Table 3 details the reported non-compliances.

Mardie is reporting that four conditions are potentially non-compliant as these incidents are currently under investigation by BCI. Table 4 details the potential non-compliances.

Table 3: Details of Non-compliances

Condition	Issue	Corrective Actions
EPBC 2018/8236 as approved 12 January 2022		
17	Noise monitoring was not undertaken as per the Underwater Noise Management Procedure. There were three incidents where noise monitoring equipment failed resulting in a loss of data. These were reported to the department on 11 July 2024, 15 August 2024 and 26 August 2024.	Marine Fauna Observers were also deployed during these events and records show that no protected marine fauna were adversely impacted by piling works at the time. BCI has worked with contractors to implement processes to ensure equipment is in good working order before being deployed.
19	An audit undertaken by DWER during the reporting period identified a non-	BCI is currently liaising with DWER regarding this matter. All other

	compliance with condition 10-1(1) of MS 1175 where the length of clearing on the sandy beach habitat exceeded the specified length.	requirements of condition 10 were complied with.
35	All plans have been published to the BCI website, however, as per correspondence sent on 22 April 2024, not all were published within 20 days.	Internal processes were reviewed and updated to improve publishing of documents on BCI website.
42	The approved compliance audit was not published to the BCI website within 10 days.	As this issue was identified during the finalisation of this report, the approved compliance audit is currently in the process of being published to the BCI website, and will be published within days.

2018/8236 as varied on 9 October 2024

114	BCI identified two non-compliances during the period 9 October 2024 to 13 January 2025. One investigation report was submitted one day late, 13 business days after becoming aware of the incident. The other report is due after the current reporting period but has been delayed due to Tropical Cyclone Sean restricting safe access for Project personnel to the investigation area.	The outstanding report will be submitted as soon as practicable once safe access for Project personnel to the investigation area is restored.
115(b)	All 11 threshold events were investigated and reports containing the required information submitted to the department. Three of the reports were submitted outside the 15 business day timeframe with two being 1 day and one being 2 days late.	No corrective measures proposed.

Table 4: Details of Non-compliances

Condition	Issue	Corrective Actions
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EPBC 2018/8236 as approved 12 January 2022

3	As notified on 13 September 2024, a potential non-compliance was identified regarding the health of the algal mat community north of the Temporary Access Track (TAT).	Additional algal mat monitoring has been undertaken to investigate the cause and impact to the algal mats north of the TAT.
23		Temporary culverts were installed in the TAT to improve surface water flows.

Construction of the permanent causeway commenced in January 2025, including the installation of culverts as per the approved design.

2018/8236 as varied on 9 October 2024

8	BCI has identified a potential non-compliance with conditions B7-1(2) of the WA Approval. Populations of <i>M. tridens</i> in Pond 1 are at risk due to water within the temporary protective dam installed prior to pond filling.	BCI has undertaken additional health surveys of the populations of <i>M. tridens</i> that are impacted by rising water levels.
10	This potential incident was reported to the department on 16 October 2024.	<p>Water within the protective dam has been pumped out to reduce water levels.</p> <p>Regular irrigation using fresh water has been undertaken on an ongoing basis.</p> <p>An ex-situ custodial collection of <i>M.tridens</i> plants has been established.</p>

Table 5: Compliance with Approval Conditions of EPBC 2018/8236 – 22 February 2024 to 8 October 2024

Condition Number	Condition	Compliance Status	Evidence/Comments
1.	To minimise impacts to protected matters, the approval holder must not clear or impact within the development envelope more than: 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.	Compliant	All disturbance for the project is surveyed/picked-up and provided to the GIS team monthly. This data is loaded into our GIS and verified against the activities approved within the Ground Disturbance Permit (GDP). Every 6 months, BCI captures high resolution aerial imagery which is used to verify and cross-check the survey disturbance data. For the reporting period 22 February 2024 to 8 October 2024, the following clearing has occurred: a) 73.85 ha cleared of Triodia grassland habitat. b) No clearing within open riparian woodlands. c) No clearing within low rocky hill habitat. d) No clearing within marine turtle nesting beach. e) No clearing of mangroves. f) 0.0114 ha of clearing in subtidal Benthic Communities and Habitat. g) 0.0117 ha tidal channel and ocean habitat cleared. h) 3.73 ha of coastal samphire cleared. i) 16.4 ha of algal mat cleared.
2.	To minimise impacts to protected matters, the approval holder must not clear outside the development envelope.	Compliant	No clearing has been undertaken outside of the development envelope during the reporting period.
3.	To minimised 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.	Non-compliant	Ministerial Statement 1175 (MS 1175) was superseded on 19 October 2023. As notified on 13 September 2024, a potential non-compliance was identified regarding the health of the algal mat community north of the Temporary Access Track. This issue is a potential non-compliance with condition 3-1(3) of MS 1175.
4.	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: a) be consistent with the Environmental Management Plan Guidelines. b) 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. c) include the information required under condition 3-4 of the WA Approval and how the Groundwater Objective will be met. d) 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. e) 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.	Compliant	The GMMP (Revision M) was approved by the Minister on 9 September 2024 through the approval of EPBC 2022/9169. Operations commenced on 10 September 2024, and the department was notified as such on 13 September 2024. a) The GMMP is consistent with the guidelines. b) As discussed with DCCEEW during assessment of EPBC 2022/9169, BCI could not meet the requirements of the memo and this issue was to be addressed through the revised GMMP (rev M) and new approval conditions. The approved GMMP did not include all the outcomes of the Mardie Project Groundwater Memo. This was not a requirement of EPBC 2022/9169. To the extent there exist inconsistent requirements between EPBC 2018/8236 and EPBC 2022/9169, established principles of interpretation are such that the later dated approval, EPBC 2022/9169, is to be preferred. c) The GMMP includes the information required by condition 3-4 of MS 1175. d) The GMMP contains additional measures based on the modelling undertaken. e) The GMMP was reviewed by an independent suitably qualified hydrologist and all comments were addressed.

5.	<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> <ul style="list-style-type: none"> a) 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. b) 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. c) 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). d) 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. e) 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. 	Compliant	<ul style="list-style-type: none"> a) The actions and reporting required by condition 3-7 of MS 1175 were undertaken in response to two threshold events which occurred during the reporting period. These threshold events were reported to the department on 28 September 2024 and 17 October 2024 and investigation reports provided on 12 and 31 October 2024 respectively. b) Not required at time of report. c) Not required at time of report. d) Not required. e) Not required.
6.	<p>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.</p>	Not applicable	The 10 year revision of the GMMP is due in September 2034.
7.	<p>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</p>	Not applicable	

	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.		
8.	<p>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:</p> <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. 	Compliant	The evaporation pond walls have been inspected at least weekly since the commencement of operations. No seepage or brine spill was identified during the reporting period.
9.	<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> <ul style="list-style-type: none"> a) 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. b) Install flood ways and culverts at the locations which the latest inundation modelling demonstrates will ensure that the Intertidal Flow Objective is met. 	Not applicable	<p>The intertidal rock causeway, as defined in EPBC 2018/8236 as approved on 12 January 2022, was not constructed during the reporting period. Mardie has constructed a temporary access track (TAT) to allow safe movement of construction resources and vehicles access to the jetty area to enable construction of the jetty. The TAT will in part, eventually become the foundation for the intertidal rock causeway which will be developed in accordance with the latest inundation modelling and approved design.</p> <p>In September 2024, temporary culverts were installed in the TAT to allow the flow of water past the infrastructure; they are located in accordance with the latest inundation modelling and design approved by DWER.</p>

	<p>c) 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.</p> <p>d) 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:</p> <ul style="list-style-type: none"> i) sufficient additional field monitoring to determine the quantitative extent of the flow restriction. ii) 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. iii) 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. iv) 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. <p>e) 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.</p> <p>f) If the intertidal flow objectives are not being met, then the requirements of condition 9(d) must be undertaken.</p>		
10	<p>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:</p> <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. 	Compliant	<p>Surface water diversions and channels have been included in the project design at the locations specified in Attachment 6. Corridor A has been removed in accordance with the redesign of Ponds 1 and 2 to avoid the Robe River Delta Mangrove Management Area.</p> <p>Corridors B and C have been partially constructed in conjunction with the evaporation ponds, with the final rock armour yet to be completed.</p> <ul style="list-style-type: none"> a) Compliant with MS 1175 conditions 3-1(1) and 3-1(2). b) Surface water diversion corridors have been partially constructed, with final rock armour for the corridor yet to be installed. Surface water monitoring has not been undertaken during the period up to 8 October 2024 as corridors are yet to be fully constructed. There has been no surface water flows during the period up to 8 October 2024 due to low rainfall. BCI conducted quarterly surface water monitoring at Mardie Pool during the reporting period.
11	<p>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.</p>	Not applicable	

12.	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).	Not applicable	
13.	<p>To minimise impacts to protected matters from the impacts of weed infestation, the approval holder must undertake weed management actions, including the following:</p> <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. 	Compliant	<ul style="list-style-type: none"> a) The Project has implemented the Mesquite Management Plan and a Weed Hygiene Checklist which monitors vehicles for soil and vegetative matter. b) The BCI Weed Hygiene Checklist has been implemented to ensure soil is not moved between areas. c) The Mesquite Management Plan has been developed and implemented for the project. The Pilbara Mesquite Management Committee has reviewed the management plan but is not a regulatory body and as such has not approved the plan. The Mesquite Management Plan has also been submitted to the Department of Primary Industry and Regional Development for review, and was subsequently approved. d) The Mesquite Management Plan (Rev 4) has been implemented. e) Due by February 2027.
14.	<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. 	Compliant	<ul style="list-style-type: none"> a) There has been no clearing within 1km of Mardie Pool during the reporting period. The Ground Disturbance Permit (GDP) procedure has been established to ensure construction and clearing requirements are met. b) Requirement included as a condition in all GDPs to ensure all ground clearing activities progress gradually to allow fauna to escape. c) All clearing undertaken in the specified habitats has been overseen by a fauna spotter. d) The majority of trenches are constructed with fauna egress points. Where trenches do not have egress points, they are inspected each morning and any trapped fauna removed by a fauna catcher. These requirements have been included as part of the Disturbance Activity Permit issued for any works involving ground disturbance. e) Water carts are used to suppress dust along roads and at construction sites. f) All site-based staff and contractors undergo inductions, which includes information on the Pilbara Olive Python. g) Speed limit zones have been established in the areas outlined in Attachment 7.
15.	<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 	Compliant	<ul style="list-style-type: none"> a) The Construction Environmental Management Plan has been implemented on-site. b) A reference site has been established at Mardie Station and monitoring of pest fauna has commenced. c) Monitoring of pest fauna has commenced in November 2023.

	<p>the Minister for approval. The Minister approved plan and any other subsequently approved plan must be implemented.</p> <ul style="list-style-type: none"> 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. 		<ul style="list-style-type: none"> d) BCI Minerals have not brought domestic animals into the development envelope. e) No fishing occurs from the jetty or at Mardie Pool. f) All site-based staff and contractors undergo inductions, which includes information on which areas are accessible to staff. As detailed in the 2022-2023 report, part of the area outlined in Attachment 3 overlaps with the approved footprint for Pond 1 and has been entered to allow for construction activities. In order to complete required monitoring associated with the BCHMMP as approved by the Minister, the use of drones has also been undertaken in areas above migratory shorebird habitat (. To date drone use has been outside the season when migratory shorebirds are likely to be present. g) All solid wastes are contained, collected and removed from the development envelope as required. Solid wastes are removed from site with putrescible wastes being removed weekly and other waste types as required. Sewage wastes are treated by the on-site WWTP and treated wastewater discharged to the irrigation area as per Registration R2537/2022/1 approved under the <i>Environmental Protection Act 1986</i>. BCI received approval from DWER to install a landfill within the development envelope. When operational, putrescible wastes will no longer be removed from site. h) Windblown waste is managed on-site to prevent any waste reaching migratory shorebird habitats. Site inspections are conducted which includes checking waste management and wind-blown wastes. i) Ponds have been constructed using the natural elevation on the eastern sides of the ponds. The natural slope allows for fauna egress from the ponds. Pond walls have been constructed at gradients that allow fauna to escape if they enter the pond area.
16.	<p>The approval holder must implement measures to minimise vessel strikes of marine fauna including:</p> <ul style="list-style-type: none"> a) 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 transhipment for the life of the project. b) 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. c) Ensure that all vessels remain within port operational waters during normal operations to reduce the spatial extent of vessel strike risk. d) 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. e) 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. 	Not applicable	No vessels that are over 20 metres in length have entered the project area during the reporting period

	f) 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.		
17.	<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>	Non-compliant	<p>a) The Dredge Management Plan has been approved and implemented; however, no dredging has occurred during the reporting period. All marine construction activities have been undertaken to avoid impacts to marine fauna during key environmental windows. No impacts to marine fauna from marine construction activities were recorded during the reporting period.</p> <p>b) The Underwater Noise Management Procedure has been implemented, however, there were non-compliances with a requirement within the approved Underwater Noise Management Procedure. There were three incidents where noise monitoring equipment failed resulting in a loss of data. These were reported to the department on 11 July 2024, 15 August 2024 and 26 August 2024. Marine Fauna Observers were also deployed during these events and records show that no protected marine fauna were adversely impacted by piling works at the time.</p>
18.	<p>To minimise impacts to marine fauna and their habitats from dredging operations, the approval holder must:</p> <p>a) implement condition 7-1 of the WA Approval.</p> <p>b) only undertake dredging operations within the dredge channel of the development envelope as defined in Attachment 4.</p> <p>c) 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.</p> <p>d) Ensure that impacts to subtidal habitats are confined to the Zone of High Influence as defined in Attachment 4.</p> <p>e) Ensure that all dredged material is deposited onshore within the ponds and terrestrial infrastructure within the development envelope.</p> <p>f) Implement the Mardie Dredge Management Plan.</p> <p>g) 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.</p> <p>h) prior to undertaking any maintenance dredging, revise the Mardie Dredge Management Plan and submit the revised plan to the Minister for approval and not commence any maintenance dredging until the revised plan has been approved by the Minister in writing.</p> <p>i) Notify the Department if any threshold criterion specified in the Mardie Dredge Management Plan is exceeded, within the same timeframes specified in condition 7-5 of the WA Approval for notifying the CEO, notify the Department of the same information as specified in condition 7-5 of the WA Approval. If any threshold criterion specified in the Mardie Dredge Management Plan is exceeded, the dredging operations must cease until the following has been undertaken:</p> <p>i) within 6 months of any such exceedance, have the Mardie Dredge Management Plan reviewed by an independent suitably qualified intertidal and subtidal benthic ecologist to advise if the Mardie Dredge Management Plan needs to be revised to prevent recurrence of the exceedance of the threshold criterion. If the review</p>	Not applicable	No dredging activities were undertaken during the reporting period.

	<p>of the Mardie Dredge Management Plan by an independent suitably qualified intertidal and subtidal benthic ecologist recommends that the Mardie Dredge Management Plan be revised, the approval holder must submit the revised Mardie Dredge Management Plan to the Department for Minister approval within 8 months of any such exceedance.</p> <p>ii) if the Minister determines, based on the review undertaken by the independent suitably qualified intertidal and subtidal benthic ecologist as required under condition 18(i) that remediation of the impacts resulting from the exceedance of the threshold criterion 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 9 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.</p>		
19.	<p>To minimise impacts to marine turtles, the approval holder must:</p> <p>a) comply with condition 10 of the WA Approval.</p> <p>b) 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.</p> <p>c) 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.</p> <p>d) 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:</p> <p>i) revised and additional avoidance and mitigation measures to reduce impacts to marine turtles; or</p> <p>ii) an Offset Strategy specifying how the impact will be offset in accordance with the Environmental Offsets Policy.</p> <p>e) 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.</p>	Non-compliant	<p>a) An audit undertaken by DWER during the reporting period identified a non-compliance with condition 10-1(1) of MS 1175. BCI is currently liaising with DWER regarding this matter. All other requirements of condition 10 were complied with.</p> <p>b) Minister's approval received 20 July 2023. Installation of bent J3 (associated with the jetty construction) within the marine turtle nesting beach commenced on 23 July 2023.</p> <p>c) The Marine Turtle Monitoring Program was approved on 20 July 2023 and implemented.</p> <p>d) No impacts from the action have been identified during the reporting period.</p> <p>e) No revised or additional measures are required.</p>

<p>20.</p>	<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 12 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 	<p>Compliant</p>	<ul style="list-style-type: none"> a) Condition 4 of MS 1175 relates to the disposal of brine which has not commenced. b) The Primary Seawater Intake (PSWI) has commenced extraction of sea water for the evaporation ponds on 10 September 2024 with less than 18 GL of seawater transferred until 8 October 2024. c) The PSWI has been constructed with automatic start/stops which have been programmed for mean sea level. The water level is continuously measured and when the sea level goes above mean sea level the pumps will start and when the tide falls to mean sea level the pumps will shut down. d) All intakes have been fitted with enclosed screens. e) Pumping rates have been calculated to ensure that the velocity at the screen remains below 0.15 m/s. f) No bitterns disposal has occurred. g) Bitterns outfall diffuser has not been installed. h) No bitterns disposal has occurred. i) No bitterns disposal has occurred. j) No bitterns disposal has occurred. k) The MEQMMP has been implemented with baseline monitoring occurring during the reporting period. l) Not required. m) Revision 4A as approved by the Minister has been implemented. n) No exceedance of thresholds has been recorded.
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	<p>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.</p> <p>ii) If the Minister determines, based on the review undertaken by the independent suitably qualified marine environmental water quality expert as 13 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.</p>		
21.	<p>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:</p> <p>a) 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.</p> <p>b) Provide the approved plan or any subsequently approved plans to the Minister within 2 months of the date of approval.</p>	Compliant	The Marine Pest Management Procedures have been approved and implemented; however, no vessels have entered the project area during the period to 8 October 2024.
22.	<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> <p>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.</p> <p>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.</p> <p>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:</p> <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 	Compliant	<p>a) The Long-term migratory shorebird monitoring program was submitted and approved by the EPA on 16 February 2022 prior to ground disturbing activities commencing. A revised plan was submitted to DCCEEW during the reporting period and the updated plan is being implemented.</p> <p>b) The monitoring program continues to be undertaken every year as required.</p> <p>c) A revision of the plan was undertaken during the reporting period and submitted to the department on 30 September 2024 in accordance with condition 46 of EPBC 2022/9169..</p> <p>d) No impacts have been detected during the reporting period.</p>

	<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> <ul 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 suitability qualified migratory shorebird expert of the investigation and its findings, accompanied by the review by the independent suitability qualified migratory shorebird expert, which includes: <ul 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. 		
23.	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	Non-compliant	<ul style="list-style-type: none"> a) As notified on 13 September 2024, BCI is currently investigating an incident involving the algal mat habitat to the north of the TAT. b) The BCHMMP was approved by the Minister on 22 December 2023.

<p>in groundwater, and surface water from to the installation of surface water diversions, the approval holder must:</p> <ul style="list-style-type: none"> a) Comply with condition 6 of the WA Approval. b) Submit a Benthic Communities and Habitat Monitoring and Management Plan (BCHMMP) to meet the outcomes of condition 6-1 and the objectives in 6-2 of the WA Approval to the Minister for approval. c) Not commence operations until the BCHMMP has been approved by the Minister in writing. d) The BCHMMP must be consistent with the Department's Environmental Management Plan Guidelines. e) The BCHMMP must be consistent with the Environmental Management Plan Guidelines and include: <ul style="list-style-type: none"> i) The details specified in condition 6-4 of the WA Approval. ii) Trigger criteria and threshold criteria for each intertidal and subtidal habitat type. iii) Management actions that will be implemented, if any trigger criterion is reached and/or any threshold criterion exceeded. iv) A monitoring program that specifies how monitoring will be undertaken routinely, during and following events such as a toxicant spill, instances of death, disease and/or lesions being detected in protected species, and following disturbance events such as cyclones, heatwaves, and as directed by an exceedance of Environmental Quality Guidelines outlined in the Marine Environmental Quality Monitoring and Management Plan. v) Details of how the predicted coastal inundation or sea level rise will be monitored (as outlined in Mardie Mardie Salt Project Coastal Inundation Studies Rev3 29 November 2019). vi) Details for how coastal inundation and/or sea level rise will be addressed. vii) Details of how the implementation of the plan will inform the implementation of monitoring of surface water flows and the intertidal rock causeway required by these conditions and the other plans: <ol 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) viii. describe how the combination of on-ground, underwater and remote monitoring will be undertaken every 5 years or after a trigger event. described in condition 23(e)(ii). f) Notify the Department in the event that any threshold criterion specified in the approved BCHMMP is at any time exceeded, within the same information and timeframes as specified in condition 6-8 of the WA Approval, undertake the actions specified in condition 6-8 of the WA Approval and include the following: <ul style="list-style-type: none"> i) within 6 months of any such exceedance have the BCHMMP reviewed by a suitably qualified intertidal and subtidal benthic ecologist to advise if the BCHMMP needs to be revised to prevent any possibility of the exceedance reoccurring and submit the report of the suitably qualified intertidal and subtidal benthic ecologist to the Department. If the review of the BCHMMP by a suitably qualified intertidal and subtidal benthic ecologist recommends that the BCHMMP be revised, the approval holder must submit the revised BCHMMP to the Department for the approval of the Minister within 8 months of any such exceedance. ii) within 6 months of any such exceedance develop a Remediation Plan that will need to be reviewed by suitably qualified intertidal and subtidal benthic ecologist 	<ul style="list-style-type: none"> c) The BCHMMP was approved on 22 December 2023 prior to the commencement of operations on 10 September 2024. d) The BCHMMP is consistent with the guidelines. e) The BCHMMP is consistent with the guidelines and includes the required information. f) No threshold criterion has been exceeded during the reporting period. g) The 5-year review is due by 22 December 2028. h) The BCHMMP has been implemented for the Mardie Project.
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	<p>to be submitted to the Department for the Minister's approval for any impact(s) to protected matters arising from the exceedance as detailed in the report required under condition 23(f).</p> <p>iii) If a Remediation Plan is submitted in accordance with condition 23(f) 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.</p> <p>iv) 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.</p> <p>g) The BCHMMP must be reviewed and adapted according to best practices and data gathered from the plan to be submitted to the Minister for approval every five (5) years in alignment with condition 6-9 (3) of the WA Approval. The data outcomes of the monitoring program will need to be provided with this amended plan every five (5) years. The approval holder may update the plan at any time and the updated plan must be approved by the Minister.</p> <p>h) Implement the approved BCHMMP for the life of the project.</p>		
24.	<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>	Compliant	<p>a) The Illumination Plan has been developed in accordance with the WA approval. The Illumination Plan (Revision 5) was approved by DCCEEW on 31 January 2024.</p> <p>b) The Illumination Plan (Revision 7) was approved on 15 July 2024, prior to the commencement of operations on 10 September 2024, and is being implemented.</p> <p>c) The review of the Illumination Plan is due 31 January 2029.</p> <p>d) The plan continues to be implemented.</p>
25.	To minimise impacts on EPBC Act listed <i>Minuria tridens</i> , the proponent must:	Compliant	<p>a) BCI has complied with conditions 5-1(2) to 5-3 of MS 1175. The report required by condition 5-3(2) of the WA Approval (<i>M. tridens</i> Research Strategy) has been provided to DCCEEW but has not been approved by the Minister.</p>

	<p>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.</p> <p>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:</p> <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. <p>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.</p> <p>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.</p> <p>e) If the report identifies that mitigation and management actions are not possible, then condition 25(b)(iii) must be followed.</p>		<p>b) Where possible BCI avoids disturbance of individuals or populations of <i>M. tridens</i>. The construction of the temporary access track for the jetty construction in February and March 2023 identified 16 individual plants that could not be avoided, and these were relocated in consultation with DBCA. A population within Pond 1 can't be avoided and a temporary dam has been constructed to protect plants until they can be translocated or the Offsets Strategy is approved. An Offset Strategy has been submitted and is waiting approval.</p> <p>c) The Monitoring and Adaptive Management Program was submitted to DWER on 23 November 2022 as per condition 12-1. The program was not assessed or approved by DWER due to the subsequent submission of the Optimised Mardie Project proposal. Monitoring and management of weeds is guided by the Mesquite Management Plan, Weed Hygiene checklist; feral animals are monitored and changes to groundwater and surface water are monitored and managed by the GMMP (pending approval).</p> <p>d) No changes have been identified during the reporting period up to 8 October 2024.</p> <p>e) Not applicable</p>
26.	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).	Compliant	Funds have been contributed to the PEOF as per requirements. A 10% contribution was made on 12 May 2023. No further invoices were received during the reporting period.
27.	<p>In making the contribution to the Pilbara Environmental Offsets Fund, the approval holder must</p> <ul 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: <ul 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 	Compliant	<ul style="list-style-type: none"> a) The Impact Reconciliation Procedure (IRP) has been approved by DWER. b) The Pilbara Environmental Offsets Fund funds activities that meet the requirements. c) The IRP was submitted on 25 January 2022 prior to commencement of the action. d) Completed. e) The first reporting period for 7 February 2022 to 30 June 2023 has been submitted to DWER and is awaiting approval and issuance of invoice from PEOF for payment by BCI. f) To be provided when available. g) Progress reports are available. h) Not applicable

	<p>v) requires regular reporting to the approval holder of the outcomes of the monitoring.</p> <p>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.</p> <p>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).</p> <p>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:</p> <ul 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. <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>		<p>i) Not applicable</p>
<p>28.</p>	<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</p>	<p>Not Applicable</p>	

	<p>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> <ul style="list-style-type: none"> i) how the strategy will achieve the outcomes required under condition 27(b); ii) how it accounts for relevant approved conservation advices, recovery plans and threat abatement plans; iii) the party to be responsible for implementing the proposed offset(s); iv) the location and nature of the proposed offset(s); v) detailed objectives, outcomes, and timeframes for their achievement; vi) budget; vii) performance and completion criteria for evaluating conservation or research outcomes; viii) project monitoring (with indicators and measures) capable of detecting progress towards and achievement of the required outcomes, ix) reporting of specified outputs/offset activities, progress towards and achievement of the required outcomes, and evaluation of appropriateness of measures implemented; x) 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); xi) 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; xii) processes to adaptively manage the proposed offset; xiii) how the proposed offset is consistent with the Environmental Offsets Policy; and xiv) 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. 		
29.	<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 	Compliant	<ul style="list-style-type: none"> a) Contributions for the research projects were transferred in 2022. b) The Research Offsets were approved on 3 July 2024. No funds were contributed during the reporting period as the finalisation of the agreement is yet to be completed. c) The Research Offsets were approved on 3 July 2024. d) Research projects are ongoing. e) Research projects are ongoing. f) It has not been identified that any research project is likely to fail.

	<p>region that support Short-nosed Sea Snake, which are increasingly at threat from development and climate change impacts.</p> <p>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:</p> <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. 		
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	<p>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.</p> <p>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).</p> <p>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.</p>		
30.	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.	Compliant	Operations commenced on 10 September 2024. The Research Offsets were approved on 3 July 2024 prior to the commencement of operations.
31.	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.	Compliant	Notification was provided to the Department on 4 March 2022.
32.	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.	Not Applicable	
33.	The approval holder must maintain accurate and complete compliance records.	Compliant	
34.	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.	Not Applicable	No written requests were received from the Department during the reporting period.
35.	<p>The approval holder must:</p> <p>a) submit plans electronically to the Department.</p> <p>b) unless otherwise agreed to in writing by the Minister, publish each plan on the website within 20 business days of the date:</p> <p>i) of this approval, if the version of the plan to be implemented is specified in these conditions;</p> <p>ii) 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;</p>	Partially Compliant	<p>a) All plans have been submitted electronically to the Department.</p> <p>b) All plans have been published to the BCI website, however, as per correspondence sent on 22 April 2024 not all were published within 20 days.</p> <p>c) No sensitive information has been redacted from the plans.</p> <p>d) Plans will remain on the company's website.</p>

	<ul style="list-style-type: none"> iii) that the plan was approved by the Minister in writing, if the plan requires the approval of the Minister; or iv) or of the date a revised action management plan is submitted to the Minister or the Department; c) exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public. d) keep plans published on the website until the end date of this approval. 		
36.	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.	Compliant	Monitoring data will be prepared in accordance with the Department's guidelines and submitted to the department.
37.	<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 	Compliant	<ul style="list-style-type: none"> a) The Compliance Report for the 2023-2024 period was prepared and published to the website. The report was approved on 20 May 2024 which is within 60 days following the 12 month period. b) The department was notified on 21 May 2024 which is within 5 days of completion of the report. c) The report is available publicly on the BCI website. d) No information was redacted. e) No information was redacted.
38.	<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. 	Compliant	There have been five incidents or non-compliances during the reporting period up to 8 October 2024. The department has been notified of these incidents at the time of discovery.
39.	<p>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:</p> <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. 	Compliant	There have been five incidents during the reporting period up to 8 October 2024. The Department has been provided with the details of these incidents within the specified timeframe.

40.	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.	Compliant	An independent audit for the 2022-2023 reporting period was conducted and audit findings provided to the department.
41.	For each independent audit, the approval holder must: 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.	Compliant	The auditor, criteria and timeframe for the audit have been approved by the Department.
42.	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.	Non-compliant	The approved audit was not published to the BCI website within 10 days.
43.	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.	Not Applicable	
44.	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.	Compliant	The Illumination Plan was updated in May 2024. Changes made to the plan were the updating of references to approvals and the update to lighting requirements at the Mardie Village. The department approved the Illumination Plan (Revision 7) on 15 July 2024.
45.	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: a) notify the Department in writing that the approved action management plan has been revised and provide the Department with: i) an electronic copy of the RAMP; ii) an electronic copy of the RAMP marked up with track changes to show the differences between the approved action management plan and the RAMP; iii) an explanation of the differences between the approved action management plan and the RAMP; iv) 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 v) 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. b) subject to condition 47, implement the RAMP from the RAMP implementation date.	Compliant	The updated Illumination Plan was submitted to the department on 3 May 2024 and included the requirements of condition 45.
46.	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	Not Applicable	

	choice under condition 44, the approval holder must implement the action management plan in force immediately prior to the revision undertaken under condition 44.		
47.	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: a) condition 44 does not apply, or ceases to apply, in relation to the RAMP. b) the approval holder must implement the action management plan specified by the Minister in the notice.	Not Applicable	No notice was received from the Minister.
48.	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.	Not Applicable	
49.	Within 20 business days after the completion of the action, the approval holder must notify the Department in writing and provide completion data.	Not Applicable	

Table 6: Compliance with Approval Conditions of EPBC 2018/8236 as varied on 9 October 2024 – 9 October 2024 to 13 January 2025

Condition Number	Condition	Compliance Status	Evidence/Comments
1(a)	DEVELOPMENT ENVELOPE BOUND The approval holder must not: a) clear outside of the development envelope;	Compliant	Clearing associated with the project has occurred outside the development envelope as defined in EPBC 2018/8236 as varied on 9 October 2024 however this clearing is associated with the Optimised Mardie Project authorised by EPBC 2022/9169. No clearing has occurred outside the development envelope defined in 2022/9169.
1(b)	DEVELOPMENT ENVELOPE BOUND The approval holder must not: b) construct outside of the development envelope.	Compliant	Construction associated with the project has occurred outside the development envelope as defined in EPBC 2018/8236 as varied on 9 October 2024 however this construction is associated with the Optimised Mardie Project authorised by EPBC 2022/9169. No construction has occurred outside the development envelope defined in 2022/9169.
2(1)	CLEARING LIMITS Within the Original Proposed Development Envelope, the approval holder must not clear more than the following: 1. 2040 hectares (ha) of Triodia grassland habitat;	Compliant	198.48 ha of Triodia grassland habitat was cleared during the reporting period 9 October 2024 to 13 January 2025. The total combined annual clearing was 272.33 ha and the cumulative total for the project is 629 ha.
2(a)	CLEARING LIMITS Within the Original Proposed Development Envelope, the approval holder must not clear more than the following: a) 6 ha of open riparian woodlands vegetation;	Compliant	No clearing of open riparian woodlands vegetation was undertaken during the reporting period 9 October 2024 to 13 January 2025. The cumulative total for the project is 2.93 ha.
2(b)	CLEARING LIMITS Within the Original Proposed Development Envelope, the approval holder must not clear more than the following: b) 64.5 ha of low rocky hill habitat;	Compliant	No clearing of low rocky hill habitat was undertaken during the reporting period 9 October 2024 to 13 January 2025. The cumulative total for the project is 31 ha.
2(c)	CLEARING LIMITS Within the Original Proposed Development Envelope, the approval holder must not clear more than the following: c) 0.12 ha of marine turtle nesting habitat;	Compliant	No clearing of marine turtle nesting habitat was undertaken during the reporting period 9 October 2024 to 13 January 2025. The cumulative total for the project is 0.00016 ha.

2(d)	CLEARING LIMITS Within the Original Proposed Development Envelope, the approval holder must not clear more than the following: d) 17 ha of mangrove;	Compliant	0.39 ha of mangrove habitat was cleared during the reporting period 9 October 2024 to 13 January 2025. The total combined annual clearing was 0.39 ha and the cumulative total for the project is 12.35 ha.
2(e)	CLEARING LIMITS Within the Original Proposed Development Envelope, the approval holder must not clear more than the following: e) 296 ha of coastal samphire;	Compliant	109.28 ha of coastal samphire habitat was cleared during the reporting period 9 October 2024 to 13 January 2025. The total combined annual clearing was 113.01 ha and the cumulative total for the project is 147.13 ha.
2(f)	CLEARING LIMITS Within the Original Proposed Development Envelope, the approval holder must not clear more than the following: f) 880 ha of algal mat.	Compliant	138.97 ha of algal mat habitat was cleared during the reporting period 9 October 2024 to 13 January 2025. The total combined annual clearing was 155.37 ha and the cumulative total for the project is 359.03 ha.
3(a)	CLEARING LIMITS Within the dredge channel, the approval holder must not clear more than: a) 79 ha of subtidal Benthic Communities and Habitat;	Compliant	No subtidal Benthic Communities and Habitat was cleared during the reporting period 9 October 2024 to 13 January 2025. The total combined annual clearing was 0.0114 ha and the cumulative total for the project is 0.0114 ha.
3(b)	CLEARING LIMITS Within the dredge channel, the approval holder must not clear more than: b) 72 ha of tidal channel and ocean habitat.	Compliant	No tidal channel and ocean habitat was cleared during the reporting period 9 October 2024 to 13 January 2025. The total combined annual clearing was 0.0117 ha and the cumulative total for the project is 0.052 ha.
4(a)	CLEARING LIMITS To avoid and mitigate harm to protected matters as a result of noise, vibration and artificial light pollution associated with the Action, outside of daylight hours, the approval holder must not: a) clear within 1 kilometre (km) of Mardie Pool;	Compliant	No clearing within 1 km of Mardie Pool was undertaken outside of daylight hours.
4(b)	CLEARING LIMITS To avoid and mitigate harm to protected matters as a result of noise, vibration and artificial light pollution associated with the Action, outside of daylight hours, the approval holder must not: b) construct within 1 km of Mardie Pool.	Compliant	No construction within 1 km of Mardie Pool was undertaken outside of daylight hours.
5(a)	Fauna Management To avoid and mitigate harm to terrestrial fauna as a result of the Action, the approval holder must ensure: a) any clearing is undertaken in a manner so that it progresses gradually in a direction that enables any fauna to safely leave the vicinity of clearing and disperse into surrounding habitat;	Compliant	All clearing is progresses gradually to allow fauna to escape.
5(b)	Fauna Management To avoid and mitigate harm to terrestrial fauna as a result of the Action, the approval holder must ensure: b) On every day of the Action that clearing and construction activities are to be undertaken, that within two hours of sunrise and prior to the clearing or construction commencing, a fauna spotter catcher checks all open trenches to detect, safely remove and relocate any trapped terrestrial fauna to suitable habitat where clearing will not occur that day;	Compliant	All trenches within the development envelope are checked daily at the start construction activities. Any fauna found would be removed by the fauna catcher and relocated to a suitable area.
5(c)	Fauna Management To avoid and mitigate harm to terrestrial fauna as a result of the Action, the approval holder must ensure: c) a fauna spotter catcher is present during all clearing and construction, and given authority to supervise, halt and order the manner in which any clearing and construction is undertaken within any low rocky hill habitat, Triodia grassland habitat, migratory shorebird habitat, coastal samphire, and open riparian woodlands vegetation;	Compliant	A fauna spotter catcher is present for all clearing in the specified habitats and has the authority to halt or order the manner of clearing.
5(d)	Fauna Management To avoid and mitigate harm to terrestrial fauna as a result of the Action, the approval holder must ensure: d) if any terrestrial fauna individual is detected as present within an area undergoing clearing or construction, the fauna spotter catcher immediately halts the clearing or construction until the fauna spotter catcher has confirmed the terrestrial fauna individual is no longer present within the area of clearing or construction.	Compliant	If fauna is spotted clearing is halted until the animal moves or is relocated to a suitable area.

6	<p>Fauna Management</p> <p>The approval holder must maintain and keep accurate records of all fauna sightings, and the management of fauna sightings during clearing and construction to demonstrate compliance with condition 5.</p>	Compliant	All completed fauna spotter records are kept by BCI.
7	<p>Fauna Management</p> <p>Prior to commencing filling of each evaporative pond, the approval holder must install fauna egress mechanisms at all evaporative ponds to enable any wildlife within the evaporative ponds to escape. The approval holder must ensure that all fauna egress mechanisms remain effective for this purpose and are regularly maintained until the expiry date of this approval.</p>	Compliant	The pond walls have been designed at a gradient sufficient for fauna to escape.
8	<p>Flora Management</p> <p>To avoid and mitigate harm to <i>Minuria tridens</i> as a result of the Action, the approval holder must comply with conditions B7-1(2) and B7-2 of the WA Approval, to the extent that these WA Approval conditions relate to protected matters.</p>	Potentially non-compliant	See Compliance Assessment Report for MS 1211.
9	<p>Flora Management</p> <p>The approval holder must comply with the reporting requirements of condition C3-3 of the WA Approval. The approval holder must submit to the department a copy of all reporting documents provided to DWER in accordance with condition C3-3 of the WA Approval to the department for review and the Minister's approval within 10 business days of submitting any reporting documents to DWER.</p>	Compliant	Any report made to DWER under condition C3.3 will be made available within 10 days.
10	<p>Flora Management</p> <p>The approval holder must not harm any <i>Minuria tridens</i> within the development envelope from the 23 June 2023 until the completion of the Action.</p>	Compliant	As notified to the department on 16 October 2024, <i>M. tridens</i> located within Pond 1 are at risk from pond filling. No harm has been identified however the investigation into this issue is in progress.
11(a)	<p>Flora Management</p> <p>At least once each calendar year, the approval holder must undertake monitoring within the development envelope in accordance with the survey guidelines to:</p> <p>a) detect any changes to the abundance and distribution of <i>Minuria tridens</i> which has occurred as a result of the Action;</p>	Compliant	The annual <i>M. tridens</i> Health Survey was undertaken in September 2024.
11(b)	<p>Flora Management</p> <p>At least once each calendar year, the approval holder must undertake monitoring within the development envelope in accordance with the survey guidelines to:</p> <p>b) determine whether any threatening process to <i>Minuria tridens</i>, such as weed infestation or rabbits, within the development envelope has increased when compared to the baseline information detailed in the Detailed Flora and vegetation survey for the Mardie project, Phoenix, dated June 2020 and the Targeted Pre-clearance Survey, Phoenix, dated 2021, and the baseline established as required by condition 14;</p>	Compliant	Weed monitoring and feral fauna monitoring is conducted to determine any threatening processes.
11(c)	<p>Flora Management</p> <p>At least once each calendar year, the approval holder must undertake monitoring within the development envelope in accordance with the survey guidelines to:</p> <p>c) review the results of the annual <i>Minuria tridens</i> monitoring, including any reports of any new <i>Minuria tridens</i> individuals or populations that are found, and include these findings as part of annual compliance reporting to the department.</p>	Compliant	<i>M. tridens</i> monitoring was undertaken during the calendar year however the results and final report are not available at the time of submission. The report will be provided when available.
12	<p>Flora Management</p> <p>For impacts to <i>Minuria tridens</i> which have occurred prior to the date of this variation decision, the approval holder must submit an Offset Strategy specifying how the impact will be offset in accordance with the Environmental Offsets Policy. The Offset Strategy must be submitted to the department within two months of the date of this variation decision for approval by the Minister. The approval holder must implement the Offset Strategy from when it is approved by the Minister and continue to implement it for the remainder of the life of the Action.</p>	Compliant	The Offset Strategy was submitted to DCCEEW on 8 November 2024 and was still under assessment at the time of this report.
13(a)	<p>Weed Management</p> <p>The approval holder must undertake regular weed control measures across the development envelope from commencement of the Action until completion of the Action. Weed control measures include:</p> <p>a) ensuring that any vehicle associated with the Action moving from an area of weed infestation is cleaned of any soil and organic matter before it enters any area free of weed infestation;</p>	Compliant	Due to the extent of mesquite infestation, BCI considers the Mardie Project area to be contaminated with weeds. All vehicles entering and exiting the area are to be inspected and cleaned.

13(b)	<p>Weed Management</p> <p>The approval holder must undertake regular weed control measures across the development envelope from commencement of the Action until completion of the Action. Weed control measures include:</p> <p>b) not moving any soil from any area of weed infestation to any area free of weed infestation;</p>	Compliant	No soil is moved from areas of weed infestation.
13(c)	<p>Weed Management</p> <p>The approval holder must undertake regular weed control measures across the development envelope from commencement of the Action until completion of the Action. Weed control measures include:</p> <p>c) from the date of this variation decision, ensure all project vehicles entering or leaving the development envelope (excluding the location where the development envelope intersects with the North West Coastal Highway) are cleaned of any soil and organic matter at the Mardie access road washdown station;</p>	Compliant	All vehicles associated with the project are required to use the vehicle washdown station prior to entering and exiting the project area.
13(d)	<p>Weed Management</p> <p>The approval holder must undertake regular weed control measures across the development envelope from commencement of the Action until completion of the Action. Weed control measures include:</p> <p>d) from the date of this variation decision, ensure all public vehicles entering or leaving the development envelope (excluding the location where the development envelope intersects with the North West Coastal Highway) have access to the Mardie access road washdown station, and ensure that clearly legible and comprehensible signage that directs the public to clean vehicles of any soil and organic matter is erected on both sides of the road, for drivers entering and leaving the development envelope.</p>	Compliant	All vehicles using the Mardie Access Road have access to the vehicle washdown station.
14	<p>Terrestrial Pest and Domestic Animal Management</p> <p>The approval holder must, before 1 March 2025, provide to the department a report which establishes a baseline number for the number of cats, foxes, rabbits, pigs, and cane toads within the development envelope.</p>	Not required	
15	<p>Terrestrial Pest and Domestic Animal Management</p> <p>The approval holder must ensure that the number of cats, foxes, rabbits, pigs, and cane toads within the development envelope does not increase as a result of the Action when compared to the baseline number for each species as specified in the report required by condition 14.</p>	Compliant	Monitoring of feral animals is undertaken and management measures taken if required.
16	<p>Terrestrial Pest and Domestic Animal Management</p> <p>At least once each calendar year, and on a similar date or dates each year, the approval holder must undertake monitoring surveys in accordance with best practice to determine the number of cats, foxes, rabbits, pigs, and cane toads within the development envelope. The approval holder must provide a report to the department providing details of this survey data within 2 months of undertaking each survey in every calendar year.</p>	Not required	The baseline survey period was completed at the end of October 2024. The first annual survey will be required by November 2025.
17	<p>Terrestrial Pest and Domestic Animal Management</p> <p>The approval holder must ensure that domestic animals, including dogs and cats, are not brought into the development envelope.</p>	Compliant	No domestic animals are brought into the development envelope.
18	<p>Terrestrial Pest and Domestic Animal Management</p> <p>The approval holder must ensure that foreign pest species and diseases do not enter the development envelope as a result of vessels berthing at the trestle jetty.</p>	Compliant	One vessel has entered the development envelope during the reporting period being the jack-up barge used for the decommissioning of the jetty traveller. All requirements of the Marine Pest Management Plan were adhered to. No pests have been identified.
19(a)	<p>Staff and Recreational Activity Management</p> <p>The approval holder must induct all personnel associated with the Action prior to them entering the development envelope, to ensure that they are able to:</p> <p>a) identify the environmental values and protected matters present in the region;</p>	Compliant	Induction material details the environmental values and protected matters present at the Mardie Project.
19(b)	<p>Staff and Recreational Activity Management</p> <p>The approval holder must induct all personnel associated with the Action prior to them entering the development envelope, to ensure that they are able to:</p> <p>b) identify the environmental management requirements of the approval holder;</p>	Compliant	Induction material states the major approvals that apply to the Mardie Project.

19(c)	Staff and Recreational Activity Management The approval holder must induct all personnel associated with the Action prior to them entering the development envelope, to ensure that they are able to: c) detail the environmental management responsibilities of all personnel;	Compliant	Induction material explains the environmental responsibilities for all personnel.
19(d)	Staff and Recreational Activity Management The approval holder must induct all personnel associated with the Action prior to them entering the development envelope, to ensure that they are able to: d) 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.	Compliant	Induction material contains information on the Pilbara Olive Python. During the reporting period BCI enhanced the training by including Pilbara Olive Python information within the driver VOC course.
20(a)	Staff and Recreational Activity Management The approval holder must ensure no fishing is undertaken unless for First Nations cultural heritage purposes: (a) from the trestle jetty;	Compliant	No fishing from the trestle jetty has been undertaken.
20(b)	Staff and Recreational Activity Management The approval holder must ensure no fishing is undertaken unless for First Nations cultural heritage purposes: (b) within Mardie Pool.	Compliant	No fishing has occurred within Mardie Pool.
20(c)	Staff and Recreational Activity Management The approval holder must ensure no fishing is undertaken unless for First Nations cultural heritage purposes: (c) within the development envelope.	Compliant	No fishing has occurred within the development envelope.
21(a)	Staff and Recreational Activity Management . The approval holder must ensure: that no project aircraft flies above any migratory shorebirds habitat unless undertaking a flight as specified and approved in writing by the Minister or DWER for scientific survey or study.	Compliant	BCI has implemented a Restricted Access Procedure to require the any use of project aircraft to submit an application for a permit. This procedure ensures that aircraft flight does not encroach above restricted habitats. Drones have been used above migratory shorebird habitat for environmental monitoring associated with approved plans such as BCHMMP. There have been no reports of adverse impacts to any shorebirds through the use of drones.
21(b)	Staff and Recreational Activity Management . The approval holder must ensure: no personnel associated with the Action or members of the public have terrestrial access to the migratory shorebirds habitat unless undertaking clearing approved under this instrument, or works as specified and approved in writing by the Minister or DWER for scientific survey or study.	Compliant	There has been no access to migratory shorebird habitat except for clearing activities and environmental monitoring approved by DCCEEW such as the BCHMMP.
22(a)	Waste Management. The approval holder must securely contain all waste that is present within the development envelope from the commencement of the Action until completion of the Action and ensure: a) all waste is removed from the development envelope at least once each month or as required by any state approvals.	Compliant	All waste is removed from within the development area at least once per month.
22(b)	Waste Management . The approval holder must securely contain all waste that is present within the development envelope from the commencement of the Action until completion of the Action and ensure: b) all waste removed from within the development envelope is only disposed of at an appropriate waste disposal facility approved by the Western Australian Government.	Compliant	All waste removed from site is disposed of at a licensed waste facility.
22(c)	Waste Management. The approval holder must securely contain all waste that is present within the development envelope from the commencement of the Action until completion of the Action and ensure: c) no waste from the development envelope enters migratory shorebirds habitat.	Compliant	All waste within the development envelope is secured and no incidents of waste entering migratory shorebird habitat have been identified.
22(d)	Waste Management. The approval holder must securely contain all waste that is present within the development envelope from the commencement of the Action until completion of the Action and ensure: d) no waste from the development envelope enters marine fauna habitat.	Compliant	All waste within the development envelope is secured and no incidents of waste entering marine fauna habitat have been identified.

22(e)	<p>Waste Management</p> <p>The approval holder must securely contain all waste that is present within the development envelope from the commencement of the Action until completion of the Action and ensure:</p> <p>(e) no waste from the development envelope enters Mardie pool.</p>	Compliant	All waste within the development envelope is secured and no incidents of waste entering Mardie Pool have been identified.
23	<p>Dust Suppression.</p> <p>The approval holder must undertake dust suppression measures from the commencement of the Action until the completion of the Action, including use of water and/or dust suppressants on disturbed soils, during product transfers and within storage areas. The approval holder must, from the date of this variation decision, undertake dust suppression measures in accordance with the Construction Environment Management Plan.</p>	Compliant	BCI undertakes dust control measures including the use of water carts/trucks.
24(a)	<p>Vehicle Management.</p> <p>To avoid road strike to EPBC Act listed threatened fauna individuals as a result of the Action, the approval holder must:</p> <p>(a) ensure that no vehicle associated with the Action exceeds 40 kilometres per hour within the low-speed zone outside of daylight hours</p>	Compliant	BCI has implemented low speed zones at the Mardie Project.
24(b)	<p>Vehicle Management.</p> <p>To avoid road strike to EPBC Act listed threatened fauna individuals as a result of the Action, the approval holder must:</p> <p>(b) ensure that no vehicle associated with the Action exceeds 60 kilometres per hour at any other location within the development envelope at any time</p>	Compliant	BCI has implemented a 60 km/h speed limit across the site.
24(c)	<p>Vehicle Management.</p> <p>To avoid road strike to EPBC Act listed threatened fauna individuals as a result of the Action, the approval holder must</p> <p>(c) prior to commencement of the Action, on both sides of all roads within the development envelope where vehicles enter the low-speed zone, erect clearly legible and comprehensible signage alerting drivers to the speed limit and the likelihood of encountering wildlife.</p>	Compliant	Road speed signage has been installed at all low speed zones.
24(d)	<p>Vehicle Management</p> <p>To avoid road strike to EPBC Act listed threatened fauna individuals as a result of the Action, the approval holder must:</p> <p>(d) maintain, until the completion of the Action, the clearly legible and comprehensible signage alerting drivers to the speed limit and the likelihood of encountering wildlife.</p>	Compliant	All road signage is maintained.
25	<p>Vessel Management .</p> <p>The approval holder must ensure that any vessel strike or incident involving marine turtles, Green Sawfish, Short-nosed Sea snake, Giant 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.</p>	Not required	There has been no vessel strike incidents.
26	<p>Vessel Management .</p> <p>To avoid harm to marine fauna individuals as a result of vessel use, the approval holder must comply with condition B5-2 and B5-5 of the WA Approval, to the extent that the WA Approval conditions relate to protected matters.</p>	Compliant	No project vessels have exceeded 8 knots within 5 km of the export jetty during the reporting period.
27(a)	<p>Vessel Management.</p> <p>To avoid vessel strikes to marine fauna individuals as a result of the Action, the approval holder must ensure all:</p> <p>(a) vessels which are at least 20 metres in length do not exceed:</p> <p>i) 8 knots within the port operational waters, and</p> <p>ii) 12 knots outside the port operational waters</p>	Compliant	No project related vessel has exceeded the 8 knot limit within port operational waters.
27(b)	<p>To avoid vessel strikes to marine fauna individuals as a result of the Action, the approval holder must ensure all:</p> <p>b) vessels are only operated within the port operational waters during product loading operations to reduce the spatial extent of vessel strike risk;</p>	Compliant	No project related vessels have been involved with product loading at the project during the reporting period.
27(c)	<p>Vessel Management.</p> <p>To avoid vessel strikes to marine fauna individuals as a result of the Action, the approval holder must ensure all:</p>	Compliant	No project related vessel has exceeded the 8 knot limit within 500 m of a protected species.

	(c) Ensure that no vessels operated or contracted by the approval holder exceeds 8 knots while within 500 metres of any identified cetacean, dugong, or marine turtle.		
27(d)	Vessel Management. To avoid vessel strikes to marine fauna individuals as a result of the Action, the approval holder must ensure all: (d) Vessel operators have completed training on observing marine fauna and techniques to avoid vessel strikes to marine fauna individuals, and immediately report any sightings of marine fauna to other vessel operators in the area to enable them to be tracked and avoided.	Compliant	
27(e)	Vessel Management. To avoid vessel strikes to marine fauna individuals as a result of the Action, the approval holder must ensure all: (e) All sightings of marine fauna individuals are reported immediately to all other vessel operators within 5 km of the location where the marine fauna individual was observed.	Compliant	
28(a)	Vessel Management. The approval holder must ensure a record is taken of all sightings of marine fauna individuals, including details of the: a) date and time of the sighting;	Compliant	
28(b)	Vessel Management. The approval holder must ensure a record is taken of all sightings of marine fauna individuals, including details of the: (b) observed marine fauna species.	Compliant	
28(c)	Vessel Management. The approval holder must ensure a record is taken of all sightings of marine fauna individuals, including details of the: (c) location where the marine fauna individual was observed from.	Compliant	
28(d)	Vessel Management. The approval holder must ensure a record is taken of all sightings of marine fauna individuals, including details of the: (d) location of the observed marine fauna individual.	Compliant	
28(e)	Vessel Management. The approval holder must ensure a record is taken of all sightings of marine fauna individuals, including details of the: (e) identity of all other vessels notified of the presence of the marine fauna and the time at which each vessel was notified;	Compliant	
28(f)	vessel Management. The approval holder must ensure a record is taken of all sightings of marine fauna individuals, including details of the: (f) qualifications and experience of the person who observed the marine fauna individual.	Compliant	
29	Vessel Management. The approval holder must ensure that all marine fauna sightings are reported in the next compliance report and published on the website when each compliance report is submitted to the department.	Not applicable	First fauna sighting report not due within the reporting period.
30	Groundwater Objective. To avoid and mitigate harm to protected matters as a result of groundwater changes associated with the Action, the approval holder must comply with conditions B3-1, B3-2, B3-3, C3-1 and C4-1 of the WA Approval, to the extent that the WA Approval conditions relate to protected matters.	Compliant	See Compliance Assessment Report for MS 1211.
31	Groundwater Objective. The approval holder must, prior to commencement of operations, document and maintain records that demonstrate a detailed understanding of the hydrological regimes and processes operating prior to the taking of the Action, including but not limited to the existing coastal tidal inundation regime, natural water flows, and groundwater regimes to the extent that it demonstrates the potential for the Action to cause impacts to	Compliant	The required information is detailed within the GMMP.

	protected matters, validates the monitoring approach and management measures in the Groundwater Monitoring and Management Plan required by condition 61, and in line with the Australian and New Zealand guidelines for fresh and marine water quality (2018).		
32(a)	Intertidal Flow Objective. To minimise harm to protected matters and their habitats, including Mardie Pool, open riparian woodlands vegetation and Benthic Communities and Habitat, the approval holder must ensure that the construction, operation and presence of the intertidal rock causeway does not impede or alter any natural water flows to and from Benthic Communities and Habitat or Mardie Pool or otherwise harm the existing coastal tidal inundation regime (the Intertidal Flow Objective). To ensure the Intertidal Flow Objective is achieved, the approval holder must: a) comply with condition B3-1(3) of the WA Approval to ensure that the Intertidal Flow Objective can be achieved;	Compliant	See Compliance Assessment Report for MS 1211.
32(b)	Intertidal Flow Objective. To minimise harm to protected matters and their habitats, including Mardie Pool, open riparian woodlands vegetation and Benthic Communities and Habitat, the approval holder must ensure that the construction, operation and presence of the intertidal rock causeway does not impede or alter any natural water flows to and from Benthic Communities and Habitat or Mardie Pool or otherwise harm the existing coastal tidal inundation regime (the Intertidal Flow Objective). To ensure the Intertidal Flow Objective is achieved, the approval holder must: (b) not construct the intertidal rock causeway unless the Intertidal Flow Objective will be achieved.	Compliant	The intertidal rock causeway is currently under construction and will be built as per the approved design which is designed to meet the Intertidal Flow Objective.
32(c)	Intertidal Flow Objective. To minimise harm to protected matters and their habitats, including Mardie Pool, open riparian woodlands vegetation and Benthic Communities and Habitat, the approval holder must ensure that the construction, operation and presence of the intertidal rock causeway does not impede or alter any natural water flows to and from Benthic Communities and Habitat or Mardie Pool or otherwise harm the existing coastal tidal inundation regime (the Intertidal Flow Objective). To ensure the Intertidal Flow Objective is achieved, the approval holder must: (c) install floodways and culverts at the locations which the Causeway Tidal Inundation Assessment – technical memorandum (Advisian 25 July 2022, Doc No: 311012-A01000-HYD-MEM-0034) demonstrates will ensure that the Intertidal Flow Objective will be achieved.	Compliant	The causeway which is under construction will have culverts and floodways installed at the locations specified.
32(d)	Intertidal Flow Objective. To minimise harm to protected matters and their habitats, including Mardie Pool, open riparian woodlands vegetation and Benthic Communities and Habitat, the approval holder must ensure that the construction, operation and presence of the intertidal rock causeway does not impede or alter any natural water flows to and from Benthic Communities and Habitat or Mardie Pool or otherwise harm the existing coastal tidal inundation regime (the Intertidal Flow Objective). To ensure the Intertidal Flow Objective is achieved, the approval holder must: (d) undertake daily visual monitoring at the peak of every high tide and at least once at the midpoint between high tides, commencing within 1 month of the commencement of the construction of the intertidal rock causeway and continuing until at least 1 month after all construction of the intertidal rock causeway has been completed, to determine whether the Intertidal Flow Objective is being achieved.	Not applicable	Construction of the causeway did not commence during the reporting period.
32(e)	Intertidal Flow Objective. To minimise harm to protected matters and their habitats, including Mardie Pool, open riparian woodlands vegetation and Benthic Communities and Habitat, the approval holder must ensure that the construction, operation and presence of the intertidal rock causeway does not impede or alter any natural water flows to and from Benthic Communities and Habitat or Mardie Pool or otherwise harm the existing coastal tidal inundation regime (the Intertidal Flow Objective). To ensure the Intertidal Flow Objective is achieved, the approval holder must: (e) if any monitoring detects that the Intertidal Flow Objective is not being achieved, the	Not applicable	Daily visual monitoring has not determined if the Intertidal Flow Objective has not been achieved.

	approval holder must report this to the department in writing within 2 business days of the monitoring event that detected that the Intertidal Flow Objective was not achieved.		
32(f)	<p>Intertidal Flow Objective. To minimise harm to protected matters and their habitats, including Mardie Pool, open riparian woodlands vegetation and Benthic Communities and Habitat, the approval holder must ensure that the construction, operation and presence of the intertidal rock causeway does not impede or alter any natural water flows to and from Benthic Communities and Habitat or Mardie Pool or otherwise harm the existing coastal tidal inundation regime (the Intertidal Flow Objective). To ensure the Intertidal Flow Objective is achieved, the approval holder must:</p> <p>(f) undertake daily visual monitoring at the peak of every high tide and at least once at the midpoint between high tides at least once each month and for 7 days following each large storm event, until the completion of the Action to determine whether the Intertidal Flow Objective continues to be met.</p>	Not applicable	<p>Construction of the causeway is yet to be completed. Visual monitoring for 7 days after a large storm event is not likely to be possible as the project site is shutdown as any large storm event approaches. Relevant staff may not return to site for several days following a large storm event and access to the causeway area is likely to cut-off due to road conditions.</p>
32(g)	<p>Intertidal Flow Objective. To minimise harm to protected matters and their habitats, including Mardie Pool, open riparian woodlands vegetation and Benthic Communities and Habitat, the approval holder must ensure that the construction, operation and presence of the intertidal rock causeway does not impede or alter any natural water flows to and from Benthic Communities and Habitat or Mardie Pool or otherwise harm the existing coastal tidal inundation regime (the Intertidal Flow Objective). To ensure the Intertidal Flow Objective is achieved, the approval holder must:</p> <p>(g) 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 is unlikely to be achieved, then the intertidal rock causeway must be removed to ensure the Intertidal Flow Objective is 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 must be submitted to the department within 6 months of completion of the construction of the causeway. The Minister will provide advice in writing on whether the intertidal rock causeway will need to be removed or can be retained.</p>	Not applicable	Causeway is under construction and no intertidal flow issues have been identified.
33(a)	<p>Surface Water Objective. To minimise harm to protected matters, the approval holder must ensure that surface water diversions do not impede or alter any existing intertidal flows or surface water flows to the Mardie Pool, open riparian woodlands vegetation or Benthic Communities and Habitat, and that the intertidal flows and surface water flows are equivalent to the modelled predictions described in the Mardie Project Environmental Review (the Surface Water Objective). To ensure these outcomes, commencing no later than one month after commencing the construction of any surface water diversion, and continuing until the completion of the Action, the approval holder must:</p> <p>(a) comply with conditions B3-1(1) and B3-1(2) of the WA Approval.</p>	Compliant	See Compliance Assessment Report for MS 1211.

33(b)	<p>Surface Water Objective. To minimise harm to protected matters, the approval holder must ensure that surface water diversions do not impede or alter any existing intertidal flows or surface water flows to the Mardie Pool, open riparian woodlands vegetation or Benthic Communities and Habitat, and that the intertidal flows and surface water flows are equivalent to the modelled predictions described in the Mardie Project Environmental Review (the Surface Water Objective). To ensure these outcomes, commencing no later than one month after commencing the construction of any surface water diversion, and continuing until the completion of the Action, the approval holder must:</p> <p>(b) monitor surface water flows at least once each month to determine whether the surface water flows to the Mardie Pool are maintained and equivalent to the modelled predictions in the Causeway Tidal Inundation Assessment – technical memorandum (Advisian 25 July 2022, Doc No: 311012-A01000-HYD-MEM-0034). The monitoring must include data collection from Mardie Pool, the intertidal zone, and at least three points within each of the drainage channels.</p>	Not Applicable	<p>BCI is unable to comply with this condition. Construction of the surface water diversions commenced in previous reporting periods when condition 10 of EPBC 2018/8236 as approved on 12 January 2022 applied. Condition 10 only required monitoring to be undertaken once construction had been completed. BCI was compliant with condition 10 of EPBC 2018/8236 as approved on 12 January 2022. The requirement to commence monitoring within 1 month of commencing construction as per this condition has already passed at the time that this condition came into effect.</p> <p>In response, BCI installed a network of surface water monitoring stations along the drainage corridors during November and December 2024. This network will continuously monitor surface water flows through the drainage corridors and complements the intertidal monitoring network which had previously been installed.</p> <p>There were no significant rain events during the reporting period and no flows through the diversion channels. Future monitoring will be captured and compared to the technical memorandum.</p>
34	<p>Surface Water Objective. If the approval holder detects that the Surface Water Objective has not been met, the approval holder must report this to the department in writing within 2 business days of the monitoring event that detected that the Surface Water Objective was not achieved.</p>	Not Applicable	No adverse impacts to the Surface Water Objective have been identified.
35(a)	<p>Dredge Management. During all marine clearing and marine construction, and until all marine clearing and marine construction has been completed, the approval holder must:</p> <p>(a) undertake all marine clearing so as to not cause harm to marine fauna as specified in Section 3.3.1 of the Mardie Dredge Management Plan.</p>	Compliant	No marine clearing was undertaken during the reporting period.
35(b)	<p>Dredge Management. During all marine clearing and marine construction, and until all marine clearing and marine construction has been completed, the approval holder must:</p> <p>(b) comply with conditions B5-2, B5-6, B5-7, B5-8, and B5-9 of the WA Approval, to the extent that the WA Approval conditions relate to protected matters, avoid and mitigate harm as a result of marine noise associated with the Action.</p>	Compliant	See Compliance Assessment Report for MS 1211.
35(c)	<p>Dredge Management. During all marine clearing and marine construction, and until all marine clearing and marine construction has been completed, the approval holder must:</p> <p>(c) undertake all marine clearing and marine construction in accordance with the EPBC Act Policy Statement 2.1 - Interaction between offshore seismic exploration and whales: Industry guidelines, Commonwealth of Australia 2008.</p>	Compliant	No marine clearing was undertaken during the reporting period.
36(a)	<p>Dredge Management . To avoid and mitigate harm to marine fauna and their habitats from dredging operations, the approval holder must:</p> <p>(a) comply with condition B1-1 of the WA Approval, to the extent that this WA Approval condition relates to protected matters.</p>	Compliant	See Compliance Assessment Report for MS 1211.
36(b)	<p>Dredge Management . To avoid and mitigate harm to marine fauna and their habitats from dredging operations, the approval holder must:</p> <p>(b) not dredge outside of the dredge channel.</p>	Not Applicable	Dredging is yet to commence.
36(c)	<p>Dredge Management . To avoid and mitigate harm to marine fauna and their habitats from dredging operations, the approval holder must:</p> <p>(c) not dredge more than 800,000 cubic metres (m3) of substrate.</p>	Not Applicable	Dredging is yet to commence.
36(d)	<p>Dredge Management . To avoid and mitigate harm to marine fauna and their habitats from dredging operations, the approval holder must:</p> <p>(d) not dredge deeper than -6.9m below the lowest astronomical tide (mLAT) within the berth pocket.</p>	Not Applicable	Dredging is yet to commence.
36(e)	<p>Dredge Management . To avoid and mitigate harm to marine fauna and their habitats from dredging operations,</p>	Not Applicable	Dredging is yet to commence.

	the approval holder must: (e) not dredge deeper than -3.9 mLAT within the dredge channel.		
36(f)	Dredge Management . To avoid and mitigate harm to marine fauna and their habitats from dredging operations, the approval holder must: (f) not harm any subtidal habitat for marine fauna outside of the Zone of High Influence – Best Case.	Not Applicable	Dredging is yet to commence.
36(g)	Dredge Management . To avoid and mitigate harm to marine fauna and their habitats from dredging operations, the approval holder must: (g) ensure that all dredged material is deposited onshore within the ponds and terrestrial infrastructure.	Not applicable	No dredge spoil has been removed.
36(h)	Dredge Management . To avoid and mitigate harm to marine fauna and their habitats from dredging operations, the approval holder must: (h) undertake post-dredging surveys according to the schedule specified in the Mardie Dredge Management Plan.	Not applicable	Dredging activities have not commenced.
36(i)	Dredge Management . To avoid and mitigate harm to marine fauna and their habitats from dredging operations, the approval holder must: (i) at least once during each compliance reporting period, submit to the department a report of the outcomes of the monitoring required by the Marine Environmental Quality Monitoring and Management Plan and the Benthic Communities and Habitat Monitoring and Management Plan, and include in the report an assessment of whether the environmental objectives of condition B1-1 of the WA Approval have been achieved;	Not Applicable	Dredging is yet to commence.
36(j)	Dredge Management To avoid and mitigate harm to marine fauna and their habitats from dredging operations, the approval holder must: (j) continue to undertake post-dredging surveys at the same frequency as specified in the Mardie Dredge Management Plan unless the department notifies the approval holder in writing that it can reduce or discontinue undertaking post-dredging surveys.	Not applicable	Dredging activities have not commenced.
36(k)	Dredge Management. To avoid and mitigate harm to marine fauna and their habitats from dredging operations, the approval holder must: (k) at least 12 months prior to undertaking any maintenance dredging, the approval holder must submit to the department for the Minister's approval a version of the Mardie Dredge Management Plan revised to address how maintenance dredging will be undertaken to achieve the environmental objectives of condition B1-1 of the WA Approval. The approval holder must not commence any maintenance dredging until the revised plan has been approved by the Minister in writing.	Not applicable	No maintenance dredging is planned within the next 12 months.
37	Marine Turtles. To avoid and mitigate harm to marine turtles, the approval holder must comply with conditions B5-1, B5-3, and B5-9 of the WA Approval, to the extent that the WA Approval conditions relate to protected matters.	Compliant	See Compliance Assessment Report for MS 1211.
38	Marine Turtles. Prior to commencing any marine construction within the marine turtle nesting beach, submit the findings of the Marine Turtle Monitoring Surveys specified in conditions, B5-3, and of the WA Approval electronically to the department.	Not applicable	Marine construction within the turtle nesting beach was undertaken in 2023 prior to this condition being implemented. Condition B5-3 of Ministerial Statement 1211 does not specify any surveys.
39(a)	Seawater Extraction. To minimise impacts to marine fauna and their habitats from the extraction of seawater and the disposal of brine impacting water quality during operation of the Action, the approval holder must: (a) comply with conditions B4-1, B4-2, B4-3, B4-4, C2-1, C2-2 and D1-1 of the WA Approval, to the extent that these conditions relate to protected matters.	Compliant	See Compliance Assessment Report for MS 1211.

39(b)	<p>Seawater Extraction</p> <p>To minimise impacts to marine fauna and their habitats from the extraction of seawater and the disposal of brine impacting water quality during operation of the Action, the approval holder must:</p> <p>b) not extract more than 150 Gigalitres of seawater per annum by the primary seawater intake;</p>	Compliant	65.547 GL has been extracted via the primary seawater intake from commencement of operations until 13 January 2025.
39(c)	<p>Seawater Extraction.</p> <p>To minimise impacts to marine fauna and their habitats from the extraction of seawater and the disposal of brine impacting water quality during operation of the Action, the approval holder must:</p> <p>(c) not extract more than 12.4 Gigalitres of seawater per annum by the secondary seawater intake</p>	Not applicable	The secondary seawater intake is yet to be constructed.
39(d)	<p>Seawater Extraction.</p> <p>To minimise impacts to marine fauna and their habitats from the extraction of seawater and the disposal of brine impacting water quality during operation of the Action, the approval holder must:</p> <p>d) not extract more than 17.6 Gigalitres of seawater per annum by the bittern diffuser intake on the Trestle Jetty;</p>	Not applicable	The bitterns diffuser intake is yet to be constructed.
39(e)	<p>Seawater Extraction.</p> <p>To minimise impacts to marine fauna and their habitats from the extraction of seawater and the disposal of brine impacting water quality during operation of the Action, the approval holder must:</p> <p>(e) not alter the intake locations of the primary seawater intake, secondary seawater intake or bittern diffuser intake.</p>	Compliant	
39(f)	<p>Seawater Extraction.</p> <p>To minimise impacts to marine fauna and their habitats from the extraction of seawater and the disposal of brine impacting water quality during operation of the Action, the approval holder must:</p> <p>(f) only abstract seawater when the sea level is at, or above, mean sea level at both the primary seawater intake and secondary seawater intake.</p>	Compliant	The primary seawater intake has been developed to only extract seawater when the tide is above mean sea level.
39(g)	<p>Seawater Extraction.</p> <p>To minimise impacts to marine fauna and their habitats from the extraction of seawater and the disposal of brine impacting water quality during operation of the Action, the approval holder must:</p> <p>(g) fit all seawater intake pipes, including the primary seawater intake, desalination seawater intake, and bittern diffuser intake, with enclosed mesh screens which have no opening larger than 75mm.</p>	Compliant	The primary seawater intake has a mesh screen with opening no larger than 75 mm.
39(h)	<p>Seawater Extraction.</p> <p>To minimise impacts to marine fauna and their habitats from the extraction of seawater and the disposal of brine impacting water quality during operation of the Action, the approval holder must:</p> <p>(h) ensure that no seawater intake at the primary seawater intake, secondary seawater intake, or bittern diffuser intake exceeds a velocity of 0.15 metres per second at any of the enclosed mesh screen</p>	Compliant	The primary seawater intake is operated to ensure that the velocity at the mesh screen remains below 0.15 m/s.
39(i)	<p>Seawater Extraction.</p> <p>To minimise impacts to marine fauna and their habitats from the extraction of seawater and the disposal of brine impacting water quality during operation of the Action, the approval holder must:</p> <p>(i) dispose of all waste brine either into the evaporation ponds or by discharge through the bitterns outfall diffuser.</p>	Not applicable	No waste brine has been produced.

39(j)	<p>Seawater Extraction. To minimise impacts to marine fauna and their habitats from the extraction of seawater and the disposal of brine impacting water quality during operation of the Action, the approval holder must:</p> <p>(j) install the bitterns outfall diffuser along the trestle jetty within the dredge channel using the multi-port diffuser design as detailed in the Mardie Project Bitterns Outfall Modelling Report.</p>	Not applicable	The bitterns outfall has not been constructed to date.
39(k)	<p>Seawater Extraction. To minimise impacts to marine fauna and their habitats from the extraction of seawater and the disposal of brine impacting water quality during operation of the Action, the approval holder must:</p> <p>(k) not release more than 3.6 Gigalitre of bitterns per year.</p>	Not applicable	No bitterns has been released.
39(l)	<p>Seawater Extraction. To minimise impacts to marine fauna and their habitats from the extraction of seawater and the disposal of brine impacting water quality during operation of the Action, the approval holder must:</p> <p>(l) not release any bitterns with specific gravity of more than 1.25 g/ml.</p>	Not applicable	No bitterns has been released.
39(m)	<p>Seawater Extraction To minimise impacts to marine fauna and their habitats from the extraction of seawater and the disposal of brine impacting water quality during operation of the Action, the approval holder must:</p> <p>(m) diffuse all released bitterns into the marine environment, so the released bitterns remain within the Zone of High Influence – Best Case.</p>	Not applicable	No bitterns has been released.
40(a)	<p>Groundwater Monitoring Bores To detect changes to groundwater regimes, groundwater quality, and groundwater levels associated with the Action, the approval holder must not commence operations unless it has:</p> <p>(a) established a network of groundwater monitoring bores that is able to detect changes in groundwater levels, and groundwater quality.</p>	Compliant	The Mardie groundwater monitoring network consists of 18 Terrestrial Monitoring Bores, 6 Gas Pipeline Monitoring Bores and 5 Coastal Monitoring Bores.
40(b)	<p>Groundwater Monitoring Bores To detect changes to groundwater regimes, groundwater quality, and groundwater levels associated with the Action, the approval holder must not commence operations unless it has:</p> <p>(b) assigned and calibrated all reference bores and impact bores, installed to comply with condition 40a, and to enable implementation of the monitoring program outlined in the Groundwater Monitoring and Management Plan (GMMP).</p>	Compliant	Reference and Impact bores as detailed in the GMMP (Rev M) have been assigned and calibrated.
40(c)	<p>Groundwater Monitoring Bores To detect changes to groundwater regimes, groundwater quality, and groundwater levels associated with the Action, the approval holder must not commence operations unless it has:</p> <p>(c) completed the development and deployment of all software, equipment and monitoring protocols required to undertake monitoring and be able to detect whether any change in groundwater levels, and groundwater quality has occurred and to enable implementation of the monitoring program specified in the GMMP.</p>	Compliant	All software, equipment and protocols have been developed and deployed.
41(a)	<p>Groundwater Monitoring Bores. The approval holder must maintain and ensure the working order of all groundwater monitoring bores, reference bores and impact bores installed to comply with condition 40a or to enable implementation of the monitoring program specified in the GMMP, from the commencement of the Action until the expiry date of this approval. The approval holder must undertake bore monitoring on at least a monthly basis from the commencement of operations until the expiry date of this approval which is capable of:</p> <p>(a) demonstrating compliance with conditions C3-1 and C4-1 of the WA Approval.</p>	Compliant	The monitoring bore network is capable of demonstrating compliance with WA approval conditions.

41(b)	<p>Groundwater Monitoring Bores.</p> <p>The approval holder must maintain and ensure the working order of all groundwater monitoring bores, reference bores and impact bores installed to comply with condition 40a or to enable implementation of the monitoring program specified in the GMMP, from the commencement of the Action until the expiry date of this approval. The approval holder must undertake bore monitoring on at least a monthly basis from the commencement of operations until the expiry date of this approval which is capable of:</p> <p>(b) detecting if any of the trigger value and thresholds specified in these conditions, including plans, are exceeded and determine if the exceedance is a result of the Action.</p>	Compliant	The monitoring bore network is capable of detecting any trigger or thresholds.
41(c)	<p>Groundwater Monitoring Bores.</p> <p>The approval holder must maintain and ensure the working order of all groundwater monitoring bores, reference bores and impact bores installed to comply with condition 40a or to enable implementation of the monitoring program specified in the GMMP, from the commencement of the Action until the expiry date of this approval. The approval holder must undertake bore monitoring on at least a monthly basis from the commencement of operations until the expiry date of this approval which is capable of:</p> <p>(c) detecting incremental change over time to groundwater level, and groundwater quality as a result of the Action.</p>	Compliant	The monitoring bore network is capable of detecting incremental changes over time.
42	<p>Groundwater Monitoring Bores.</p> <p>After two years from the commencement of operations, the approval holder must provide to the department a report that documents compliance with conditions 40 and 41. The report must include assessment by a suitably qualified expert as to whether the outcomes of trigger and threshold exceedance investigations were scientifically validated and justified. The report must also assess whether any trigger and threshold exceedance investigations were conducted in accordance with commitments in the GMMP and whether management responses were conducted in accordance with the GMMP.</p>	Not applicable	Due by 10 September 2026.
43	<p>Evaporation Pond Walls.</p> <p>To minimise impacts to protected matters and their habitats, including the Mardie Pool, open riparian woodlands vegetation and Benthic Communities and Habitat, the approval holder must, at least once per week, from the commencement of the Action until the completion of the Action, monitor the evaporation pond walls to detect any for surface expressions of seepage, brine spill or loss of structural integrity.</p>	Compliant	Since commencement of operations the pond walls have been inspected at least once per week. Pond walls were not inspected from the commencement of the Action until to 10 September 2024 as EPBC 2018/8236 as approved on 12 January 2022 did not require inspections to be undertaken.
44(a)	<p>Evaporation Pond Walls.</p> <p>If any seepage and/or brine spill and/or loss of structural integrity is detected at the evaporation pond walls, the approval holder must:</p> <p>(a) Report the incident to the department in writing within 2 business days of the detection in accordance with condition 113.</p>	Not applicable	No seepage, spill or loss of integrity was identified during the reporting period.
44(b)	<p>Evaporation Pond Walls,</p> <p>If any seepage and/or brine spill and/or loss of structural integrity is detected at the evaporation pond walls, the approval holder must:</p> <p>(b) Investigate the seepage and/or brine spill and/or loss of structural integrity incident to determine its cause and the extent of any harm to protected matters and submit a report of the findings of this investigation to the department in writing within 15 business days of detecting the seepage and/or brine spill and/or loss of structural integrity. This report must include:</p> <p>i) the findings of the seepage and/or brine spill and/or loss of structural integrity incident investigation,</p> <p>ii) details of any corrective measures implemented,</p> <p>iii) an evaluation of the effectiveness of the corrective measures implemented, and</p> <p>iv) measures to prevent another seepage and/or brine spill event and/or loss of structural integrity incident occurring in the future.</p>	Not applicable	No seepage, spill or loss of integrity was identified during the reporting period.
45(a)	<p>Marine Turtle Monitoring Program.</p> <p>To achieve the environmental outcomes specified in conditions B5-1(2-3) of the WA Approval, the approval holder must:</p> <p>(a) implement the Marine Turtle Monitoring Program. The approval holder must commence implementing the Marine Turtle Monitoring Program no later than the</p>	Compliant	The Marine Turtle Monitoring Program has been implemented.

	commencement of the Action and continue to implement it at least until the expiry date of this approval.		
45(b)	Marine Turtle Monitoring Program. To achieve the environmental outcomes specified in conditions B5-1(2-3) of the WA Approval, the approval holder must: (b) comply with condition B5-1, B5-3 and C4-2 of the WA Approval.	Compliant	See Compliance Assessment Report for MS 1211.
46(a)	Migratory Shorebird Monitoring and Management Program. To avoid and mitigate harm to migratory shorebirds the approval holder must submit a revised Migratory Shorebird Monitoring and Management Program (previously titled Long-term Migratory Shorebird Monitoring Program) to the department within six months of this variation decision for the Minister's approval that addresses the following: (a) be prepared in accordance with the requirements of conditions B6-4 and C4-3 of the WA Approval.	Compliant	The Migratory Shorebird Monitoring and Management Plan was submitted to the department on 30 September 2024 and contains the requirements of condition 46.
46(b)	Migratory Shorebird Monitoring and Management Program. To avoid and mitigate harm to migratory shorebirds the approval holder must submit a revised Migratory Shorebird Monitoring and Management Program (previously titled Long-term Migratory Shorebird Monitoring Program) to the department within six months of this variation decision for the Minister's approval that addresses the following: (b) be consistent with the Environmental Management Plan Guidelines.	Compliant	The Migratory Shorebird Monitoring and Management Plan was submitted to the department on 30 September 2024 and contains the requirements of condition 46.
46(c)	Migratory Shorebird Monitoring and Management Program. To avoid and mitigate harm to migratory shorebirds the approval holder must submit a revised Migratory Shorebird Monitoring and Management Program (previously titled Long-term Migratory Shorebird Monitoring Program) to the department within six months of this variation decision for the Minister's approval that addresses the following: (c) specify a process by which possible harm occurring during the initial monitoring and data gathering period can be detected and managed that is not contingent on the monitoring and data gathering program and contain interim triggers and thresholds and management measures.	Compliant	The Migratory Shorebird Monitoring and Management Plan was submitted to the department on 30 September 2024 and contains the requirements of condition 46.
46(d)	Migratory Shorebird Monitoring and Management Program. To avoid and mitigate harm to migratory shorebirds the approval holder must submit a revised Migratory Shorebird Monitoring and Management Program (previously titled Long-term Migratory Shorebird Monitoring Program) to the department within six months of this variation decision for the Minister's approval that addresses the following: (d) detail how harm caused to migratory shorebirds as a result of the Action will be appropriately monitored and managed.	Compliant	The Migratory Shorebird Monitoring and Management Plan was submitted to the department on 30 September 2024 and contains the requirements of condition 46.
46(e)	Migratory Shorebird Monitoring and Management Program. To avoid and mitigate harm to migratory shorebirds the approval holder must submit a revised Migratory Shorebird Monitoring and Management Program (previously titled Long-term Migratory Shorebird Monitoring Program) to the department within six months of this variation decision for the Minister's approval that addresses the following: (e) detail a monitoring program.	Compliant	The Migratory Shorebird Monitoring and Management Plan was submitted to the department on 30 September 2024 and contains the requirements of condition 46.
46(f)	Migratory Shorebird Monitoring and Management Program. To avoid and mitigate harm to migratory shorebirds the approval holder must submit a revised Migratory Shorebird Monitoring and Management Program (previously titled Long-term Migratory Shorebird Monitoring Program) to the department within six months of this variation decision for the Minister's approval that addresses the following: (f) specify management measures that will be implemented if trigger values are detected.	Compliant	The Migratory Shorebird Monitoring and Management Plan was submitted to the department on 30 September 2024 and contains the requirements of condition 46.
46(g)	Migratory Shorebird Monitoring and Management Program. To avoid and mitigate harm to migratory shorebirds the approval holder must submit a revised Migratory Shorebird Monitoring and Management Program (previously titled Long-term Migratory Shorebird Monitoring Program) to the department within six months of this variation decision for the Minister's approval that addresses the following: (g) specify the methods by which monitoring data will be gathered, recorded analysed, and reported.	Compliant	The Migratory Shorebird Monitoring and Management Plan was submitted to the department on 30 September 2024 and contains the requirements of condition 46.

46(h)	Migratory Shorebird Monitoring and Management Program. To avoid and mitigate harm to migratory shorebirds the approval holder must submit a revised Migratory Shorebird Monitoring and Management Program (previously titled Long-term Migratory Shorebird Monitoring Program) to the department within six months of this variation decision for the Minister's approval that addresses the following: (h) include a peer review of the proposed Migratory Shorebird Monitoring and Management Program, conducted by a suitably qualified expert including detailed review of the proposed data analysis methodology.	Compliant	The Migratory Shorebird Monitoring and Management Plan was submitted to the department on 30 September 2024 and contains the requirements of condition 46.
47	Migratory Shorebird Monitoring and Management Program. The approval holder must commence implementing the Migratory Shorebird Monitoring and Management Program once approved by the Minister and must continue to implement the program at least until the expiry date of this approval.	Not applicable	The Migratory Shorebird Monitoring and Management Plan was submitted to the department on 30 September 2024 but was not approved within the reporting period.
48(a)	Migratory Shorebird Monitoring and Management Program. If harm to migratory shorebird populations as a result of the Action is detected, the approval holder must: (a) Within 7 days of becoming aware of the harm, implement management actions that will remove the most likely cause of the harm and implement management actions that will mitigate the harm.	Not applicable	No harm to migratory shorebirds has been detected.
48(b)	Migratory Shorebird Monitoring and Management Program. If harm to migratory shorebird populations as a result of the Action is detected, the approval holder must: (b) Within 2 months of becoming aware of the harm, complete investigation of the likely cause/s of the harm such as clearing of migratory shorebird habitat and/or changes to hydrology of migratory shorebird habitat, changes in water quality, increased presence of feral predators, human influences or loss of preferred foraging/prey items. This investigation must include a review of the most appropriate management changes to prevent the harm and improve migratory shorebird habitat.	Not applicable	No harm to migratory shorebirds has been detected.
48(c)	Migratory Shorebird Monitoring and Management Program. If harm to migratory shorebird populations as a result of the Action is detected, the approval holder must: (c) Within 4 months of becoming aware of the harm, 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: i) The outcomes of the investigation and the likely threatening processes that cause the harm, ii) Proposed measures to remove the threatening processes and/or mitigate the harm, iii) Assessment of whether any trigger values, thresholds, limits or management actions in relevant management plans need to be revised, including the Groundwater Monitoring and Management Plan, the Benthic Communities and Habitat Monitoring and Management Plan, Illumination Plan and the Marine Environmental Quality Monitoring and Management Plan, and iv) Assessment of whether a remediation plan is required to address the harm.	Not applicable	No harm to migratory shorebirds has been detected.
49	Construction Environmental Management Plan (CEMP). To avoid and mitigate harm as a result of the Action on protected matters, the approval holder must implement the CEMP from the commencement of the Action and continue to implement the CEMP at least until completion of all clearing and construction associated with the Action.	Compliant	The CEMP has been implemented.
50(a)	Construction Environmental Management Plan (CEMP). Within 1 month of the date of this variation decision, the approval holder must submit a revised version of the CEMP for approval by the Minister. The revised version must include the following additions: (a) all construction related conditions in this approval.	Compliant	A revised CEMP was submitted to the department on 11 October 2024 and contains all the requirements of condition 50.
50(b)	Construction Environmental Management Plan (CEMP). Within 1 month of the date of this variation decision, the approval holder must submit a revised version of the CEMP for approval by the Minister. The revised version must	Compliant	A revised CEMP was submitted to the department on 11 October 2024 and contains all the requirements of condition 50.

	include the following additions: (b) measures to protect the Minuria tridens during construction.		
51	Construction Environmental Management Plan (CEMP). The approval holder must update the CEMP at least every five years while construction activities are being undertaken. If the currently approved version of the CEMP was approved by the Minister more than five years ago or if the approval holder proposes to undertake any construction activity that is not specified in the currently approved version of the CEMP, then the approval holder must submit a revised version of the CEMP to the department for the Minister's approval prior to undertaking the construction activity and must not undertake any further construction until it is approved by the Minister. The revised plan must be consistent with the Environmental Management Plan Guidelines, include an evaluation of the effectiveness of the current version in minimising impacts to protected matters, and propose improved measures to prevent harm to protected matters and to achieve the environmental objectives of condition B1-1 of the WA Approval.	Not applicable	Next update to CEMP due in 2029.
52	Illumination Plan. To avoid and mitigate harm on migratory shorebirds, marine fauna, and terrestrial fauna as a result of artificial light pollution associated with the Action, the approval holder must implement the Illumination Plan from the commencement of the Action and continue to implement the Illumination Plan until the expiry date of this approval.	Not applicable	Mardie Minerals is unable to comply with this condition in that it is not possible to implement the Illumination plan from the commencement of the Action which occurred in February 2022, prior to this condition coming into effect. EPBC 2018/8236 as approved on 12 January 2022 required the Illumination Plan to be submitted and approved prior to the commencement of operations. The Illumination Plan was approved by the department on 31 January 2024, prior to the commencement of operations but after the commencement of the Action. The plan was implemented on 31 January 2024 and continues to be implemented.
53(a)	Illumination Plan. Prior to operation of the Sulphate of Potash Plant, secondary seawater intake, or any additional lighted structures not included in the modelling provided in Appendix 1 of the Illumination Plan, the approval holder must submit to the department for the Minister's approval, a revised Illumination Plan. The approval holder must not operate any structures which will use artificial light at night which were not included in the Illumination Plan until a revised Illumination Plan has been approved by the Minister in writing. The revised plan must: (a) meet the requirements of conditions B5-3(1), B6-5, and C4-2(4) of the WA Approval.	Compliant	No additional lighted structures have been operated during the reporting period.
53(b)	Illumination Plan. Prior to operation of the Sulphate of Potash Plant, secondary seawater intake, or any additional lighted structures not included in the modelling provided in Appendix 1 of the Illumination Plan, the approval holder must submit to the department for the Minister's approval, a revised Illumination Plan. The approval holder must not operate any structures which will use artificial light at night which were not included in the Illumination Plan until a revised Illumination Plan has been approved by the Minister in writing. The revised plan must: (b) incorporate the final lighting design for the any new lighting elements.	Compliant	No additional lighted structures have been operated during the reporting period.
53(c)	Illumination Plan. Prior to operation of the Sulphate of Potash Plant, secondary seawater intake, or any additional lighted structures not included in the modelling provided in Appendix 1 of the Illumination Plan, the approval holder must submit to the department for the Minister's approval, a revised Illumination Plan. The approval holder must not operate any structures which will use artificial light at night which were not included in the Illumination Plan until a revised Illumination Plan has been approved by the Minister in writing. The revised plan must: (c) include methods of monitoring the light impacts from the Action on marine turtles, migratory shorebirds and terrestrial fauna.	Compliant	No additional lighted structures have been operated during the reporting period.

53(d)	<p>Illumination Plan.</p> <p>Prior to operation of the Sulphate of Potash Plant, secondary seawater intake, or any additional lighted structures not included in the modelling provided in Appendix 1 of the Illumination Plan, the approval holder must submit to the department for the Minister's approval, a revised Illumination Plan. The approval holder must not operate any structures which will use artificial light at night which were not included in the Illumination Plan until a revised Illumination Plan has been approved by the Minister in writing. The revised plan must:</p> <p>(d) incorporate the design and mitigation measures within the Artificial Light Pollution Guidelines.</p>	Compliant	No additional lighted structures have been operated during the reporting period.
54	<p>Illumination Plan.</p> <p>The approval holder must review the effectiveness of the Illumination Plan at least once every 5 years following the commencement of the action. Each review must consider the monitoring data collected through the Marine Turtle Monitoring Program, and the approved Migratory Shorebird Monitoring and Management Plan to propose adaption of the operational lighting to further minimise impacts.</p>	Not applicable	Not due until 2027.
55	<p>Marine Environmental Quality Monitoring and Management Plan (MEQMMP)</p> <p>To avoid and mitigate harm to marine fauna and their habitats from the extraction of sea water for the evaporative ponds, discharge of waste bitterns, port operations, and the storage and handling of potentially contaminating materials, the approval holder must commence implementing the MEQMMP no later than the commencement of the Action and continue to implement the MEQMMP at least until the completion of the Action.</p>	Compliant	
56(a)	<p>MEQMMP Review.</p> <p>The approval holder must review the MEQMMP at least once within every 5-year period following commencement of the Action. The approval holder must submit the findings of each review to the department for approval by the Minister. The review must include detailed reviews of the:</p> <p>(a) monitoring required by the MEQMMP.</p>	Not applicable	Review due in 2027.
56(b)	<p>MEQMMP Review.</p> <p>The approval holder must review the MEQMMP at least once within every 5-year period following commencement of the Action. The approval holder must submit the findings of each review to the department for approval by the Minister. The review must include detailed reviews of the:</p> <p>(b) implementation of the MEQMMP.</p>	Not applicable	Review due in 2027.
56(c)	<p>MEQMMP Review.</p> <p>The approval holder must review the MEQMMP at least once within every 5-year period following commencement of the Action. The approval holder must submit the findings of each review to the department for approval by the Minister. The review must include detailed reviews of the:</p> <p>(c) effectiveness of the MEQMMP in avoiding and mitigating harm to marine fauna and their habitats from the extraction of sea water for the evaporative ponds.</p>	Not applicable	Review due in 2027.
56(d)	<p>MEQMMP Review.</p> <p>The approval holder must review the MEQMMP at least once within every 5-year period following commencement of the Action. The approval holder must submit the findings of each review to the department for approval by the Minister. The review must include detailed reviews of the:</p> <p>(d) findings of the monitoring required by the approved BCHMMP.</p>	Not applicable	Review due in 2027.
57	<p>Benthic Communities and Habitat Monitoring and Management Plan (BCHMMP)</p> <p>To avoid and mitigate harm to migratory shorebirds and marine fauna due to the loss of benthic communities and habitat, or as a result of dredging operations, or poor water quality, or changes in groundwater, or changes in surface water flow from the installation of surface water diversions, the approval holder must comply with conditions B1-1, B1-2, B1-3 and B1-4 of the WA Approval, to the extent that the WA Approval conditions relate to protected matters.</p>	Compliant	See Compliance Assessment Report for MS 1211.

58	Benthic Communities and Habitat Monitoring and Management Plan (BCHMMP). The approval holder must implement the Benthic Communities and Habitat Monitoring and Management Plan (BCHMMP) to avoid and mitigate harm 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 changes to surface water flows from the installation of surface water diversions. The approval holder must implement the BCHMMP until the expiry date of this approval.	Compliant	The BCHMMP has been implemented.
59(a)	Benthic Communities and Habitat Monitoring and Management Plan (BCHMMP). The approval holder must revise the BCHMMP in accordance with condition B1-4 of the WA Approval and submit the revised version to the department within two months of this variation decision for the Minister's approval. All commitments in the revised BCHMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators in the BCHMMP must be SMART and based on referenced or included evidence of effectiveness. The BCHMMP must: (a) be consistent with the Environmental Management Plan Guidelines.	Compliant	A revised BCHMMP was submitted to the department on 19 October 2024 and contained the requirements of condition 59.
59(b)	Benthic Communities and Habitat Monitoring and Management Plan (BCHMMP). The approval holder must revise the BCHMMP in accordance with condition B1-4 of the WA Approval and submit the revised version to the department within two months of this variation decision for the Minister's approval. All commitments in the revised BCHMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators in the BCHMMP must be SMART and based on referenced or included evidence of effectiveness. The BCHMMP must: (b) be prepared in accordance with conditions B1-1, B1-2, B1-3 and B1-4 of the WA Approval.	Compliant	A revised BCHMMP was submitted to the department on 19 October 2024 and contained the requirements of condition 59.
59(c)	Benthic Communities and Habitat Monitoring and Management Plan (BCHMMP). The approval holder must revise the BCHMMP in accordance with condition B1-4 of the WA Approval and submit the revised version to the department within two months of this variation decision for the Minister's approval. All commitments in the revised BCHMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators in the BCHMMP must be SMART and based on referenced or included evidence of effectiveness. The BCHMMP must: (c) include the information required by condition C4-1 of the WA Approval	Compliant	A revised BCHMMP was submitted to the department on 19 October 2024 and contained the requirements of condition 59.
59(d)	Benthic Communities and Habitat Monitoring and Management Plan (BCHMMP). The approval holder must revise the BCHMMP in accordance with condition B1-4 of the WA Approval and submit the revised version to the department within two months of this variation decision for the Minister's approval. All commitments in the revised BCHMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators in the BCHMMP must be SMART and based on referenced or included evidence of effectiveness. The BCHMMP must: (d) specify trigger values and thresholds for each intertidal and subtidal habitat type relevant to the Action.	Compliant	A revised BCHMMP was submitted to the department on 19 October 2024 and contained the requirements of condition 59.
59(e)	Benthic Communities and Habitat Monitoring and Management Plan (BCHMMP). The approval holder must revise the BCHMMP in accordance with condition B1-4 of the WA Approval and submit the revised version to the department within two months of this variation decision for the Minister's approval. All commitments in the revised BCHMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators in the BCHMMP must be SMART and based on referenced or included evidence of effectiveness. The BCHMMP must: (e) detail management measures that will be implemented if any trigger value is reached.	Compliant	A revised BCHMMP was submitted to the department on 19 October 2024 and contained the requirements of condition 59.

59(f)	<p>Benthic Communities and Habitat Monitoring and Management Plan (BCHMMP). The approval holder must revise the BCHMMP in accordance with condition B1-4 of the WA Approval and submit the revised version to the department within two months of this variation decision for the Minister's approval. All commitments in the revised BCHMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators in the BCHMMP must be SMART and based on referenced or included evidence of effectiveness. The BCHMMP must:</p> <p>(f) detail management measures that will be implemented if any threshold is exceeded.</p>	Compliant	A revised BCHMMP was submitted to the department on 19 October 2024 and contained the requirements of condition 59.
59(g)	<p>Benthic Communities and Habitat Monitoring and Management Plan (BCHMMP). The approval holder must revise the BCHMMP in accordance with condition B1-4 of the WA Approval and submit the revised version to the department within two months of this variation decision for the Minister's approval. All commitments in the revised BCHMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators in the BCHMMP must be SMART and based on referenced or included evidence of effectiveness. The BCHMMP must:</p> <p>(g) include monitoring program that specifies how monitoring will be undertaken routinely, during and following events such as:</p> <ul style="list-style-type: none"> i) a toxicant spill, ii) death, disease and/or lesions being detected in any EPBC Act listed fauna and flora species, iii) following disturbance events such as cyclones, heatwaves, and iv) an exceedance of any thresholds or Environmental Quality Guidelines specified in the MEQMMP, 	Compliant	A revised BCHMMP was submitted to the department on 19 October 2024 and contained the requirements of condition 59.
59(h)	<p>Benthic Communities and Habitat Monitoring and Management Plan (BCHMMP). The approval holder must revise the BCHMMP in accordance with condition B1-4 of the WA Approval and submit the revised version to the department within two months of this variation decision for the Minister's approval. All commitments in the revised BCHMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators in the BCHMMP must be SMART and based on referenced or included evidence of effectiveness. The BCHMMP must:</p> <p>h) detail how the predicted coastal inundation or sea level rise will be monitored in accordance with the BCI Mardie Salt Project Coastal Inundation Studies, Rev3 29, dated November 2019;</p>	Compliant	A revised BCHMMP was submitted to the department on 19 October 2024 and contained the requirements of condition 59.
59(i)	<p>Benthic Communities and Habitat Monitoring and Management Plan (BCHMMP). The approval holder must revise the BCHMMP in accordance with condition B1-4 of the WA Approval and submit the revised version to the department within two months of this variation decision for the Minister's approval. All commitments in the revised BCHMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators in the BCHMMP must be SMART and based on referenced or included evidence of effectiveness. The BCHMMP must:</p> <p>i) specify measures which will be implemented to manage coastal inundation and/or sea level rise;</p>	Compliant	A revised BCHMMP was submitted to the department on 19 October 2024 and contained the requirements of condition 59.

59(j)	<p>Benthic Communities and Habitat Monitoring and Management Plan (BCHMMP). The approval holder must revise the BCHMMP in accordance with condition B1-4 of the WA Approval and submit the revised version to the department within two months of this variation decision for the Minister's approval. All commitments in the revised BCHMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators in the BCHMMP must be SMART and based on referenced or included evidence of effectiveness. The BCHMMP must:</p> <p>(j) include a discussion on how the implementation of the BCHMMP will inform the implementation of monitoring of surface water flows and the intertidal rock causeway required by these conditions and the following plans:</p> <p>i) Mardie Dredge Management Plan, ii) MEQMMP, iii) the approved Migratory Shorebird Monitoring and Management Program, and iv) Groundwater Monitoring and Management Plan (GMMP).</p>	Compliant	A revised BCHMMP was submitted to the department on 19 October 2024 and contained the requirements of condition 59.
59(k)	<p>Benthic Communities and Habitat Monitoring and Management Plan (BCHMMP). The approval holder must revise the BCHMMP in accordance with condition B1-4 of the WA Approval and submit the revised version to the department within two months of this variation decision for the Minister's approval. All commitments in the revised BCHMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators in the BCHMMP must be SMART and based on referenced or included evidence of effectiveness. The BCHMMP must:</p> <p>k) detail the monitoring program to be undertaken, including a description of how the combination of on-ground, underwater and remote monitoring will be undertaken every 5 years or after a trigger value or trigger threshold specified as required under condition 59) d) is exceeded;</p>	Compliant	A revised BCHMMP was submitted to the department on 19 October 2024 and contained the requirements of condition 59.
59(l)	<p>Benthic Communities and Habitat Monitoring and Management Plan (BCHMMP). The approval holder must revise the BCHMMP in accordance with condition B1-4 of the WA Approval and submit the revised version to the department within two months of this variation decision for the Minister's approval. All commitments in the revised BCHMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators in the BCHMMP must be SMART and based on referenced or included evidence of effectiveness. The BCHMMP must:</p> <p>l) include of an assessment of the effectiveness of the BCHMMP in detecting impacts to Benthic Communities and Habitat; and</p>	Compliant	A revised BCHMMP was submitted to the department on 19 October 2024 and contained the requirements of condition 59.
59(m)	<p>Benthic Communities and Habitat Monitoring and Management Plan (BCHMMP). The approval holder must revise the BCHMMP in accordance with condition B1-4 of the WA Approval and submit the revised version to the department within two months of this variation decision for the Minister's approval. All commitments in the revised BCHMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators in the BCHMMP must be SMART and based on referenced or included evidence of effectiveness. The BCHMMP must:</p> <p>(m) include an assessment of the effectiveness of any interventions or management actions which have been implemented to protect Benthic Communities and Habitat as a result of the plans listed in condition 59(j).</p>	Compliant	A revised BCHMMP was submitted to the department on 19 October 2024 and contained the requirements of condition 59.
60(a)	<p>Mesquite Management Plan. To minimise harm to protected matters as a result of weed infestation, the approval holder must:</p> <p>(a) not commence operations, unless the Department of Primary Industries and Regional Development has approved in writing a Mesquite Management Plan.</p>	Compliant	The Mesquite Management Plan was approved by DPIRD on 22 October 2023 prior to the commencement of operations.
60(b)	<p>Mesquite Management Plan. To minimise harm to protected matters as a result of weed infestation, the approval holder must:</p> <p>(b) implement the approved Mesquite Management Plan for remainder of the life of the Action unless otherwise approved by the Department of Primary Industries and Regional Development</p>	Compliant	

60(c)	<p>Mesquite Management Plan. To minimise harm to protected matters as a result of weed infestation, the approval holder must:</p> <p>(c) 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 approved Mesquite Management Plan.</p>	Not applicable	Weed survey due in 2027.
61	<p>Groundwater Monitoring and Management Plan (GMMP). The approval holder must implement the Groundwater Monitoring and Management Plan (GMMP) to avoid and mitigate harm to protected matters as a result of groundwater changes associated with the Action. The approval holder must commence implementing the GMMP no later than the commencement of operations and continue to implement it for the life of the Action.</p>	Compliant	The GMMP (Rev M) was implemented on 9 September 2024 prior to the commencement of operations.
62(a)	<p>Groundwater Monitoring and Management Plan (GMMP). By implementing the GMMP, the approval holder must achieve the following environmental outcome:</p> <p>(a) Prevent any harm to protected matters and their habitats within and outside the development envelope as a result of changes to groundwater regimes, groundwater quality, and groundwater levels associated with the Action.</p>	Compliant	
63	<p>GMMP Review. The approval holder must review and revise the approved GMMP at the conclusion of the first instance of filling evaporation ponds 1, 2 and 3.</p>	Compliant	The GMMP was reviewed and revised at the conclusion of filling ponds 1-3.
64(a)	<p>GMMP Review. At the conclusion of filling evaporation ponds 1, 2 and 3 the approval holder must undertake the following investigations:</p> <p>(a) All groundwater monitoring data collected to date and throughout the staged filling to be included in the groundwater model and an automatic model calibration process applied for the successively growing calibration period, which will allow for model uncertainty to be quantified as a by-product of the model calibration. The model uncertainty must then be considered in the predictive model simulations.</p>	Compliant	The review of the GMMP included all requirements of condition 64.
64(b)	<p>GMMP Review. At the conclusion of filling evaporation ponds 1, 2 and 3 the approval holder must undertake the following investigations:</p> <p>(b) Model predictions must be undertaken for the life of the Action to consider the full impact of the Action, including the more slowly occurring impact of salinity changes.</p>	Compliant	The review of the GMMP included all requirements of condition 64.
64(c)	<p>GMMP Review. At the conclusion of filling evaporation ponds 1, 2 and 3 the approval holder must undertake the following investigations:</p> <p>(c) Determine approximate aquifer residence times by collecting environmental tracer data (groundwater age tracers) to provide greater evidence supporting the proposed "slow" groundwater flow.</p>	Compliant	The review of the GMMP included all requirements of condition 64.
64(d)	<p>GMMP Review. At the conclusion of filling evaporation ponds 1, 2 and 3 the approval holder must undertake the following investigations:</p> <p>(d) Independent review of the modified Before/After Control Impact approach proposed by Data Analysis Australia (as required in GMMP Rev M, dated 31 August 2024).</p>	Compliant	The review of the GMMP included all requirements of condition 64.
64(e)	<p>GMMP Review. At the conclusion of filling evaporation ponds 1, 2 and 3 the approval holder must undertake the following investigations:</p> <p>(e) A regional groundwater model that demonstrates an understanding of, and supports the ability to predict, the potential impacts of the proposed action on the regional groundwater system and nearby receptors. This must include groundwater hydrology in areas upstream of the evaporation ponds, for input into the groundwater modelling.</p>	Compliant	The review of the GMMP included all requirements of condition 64.

65	<p>GMMP Review. The approval holder must within 3 months of the conclusion of the initial filling of evaporation ponds 1, 2 and 3, submit a revised GMMP to the department for approval by the Minister. The approval holder must not undertake any further filling of the ponds until the revised GMMP is approved in writing by the Minister. At the completion of filling evaporation ponds 1, 2 and 3, the GMMP must be updated with sufficient information and data to address the above requirements and be resubmitted to the department and DWER. The approval holder must not fill any other ponds prior to the revised GMMP being approved by the Minister in writing.</p>	Not applicable	Due within 2025 reporting period.
66(1)	<p>GMMP Review. The revision required by condition 63 must be revised based on the conclusions of the investigations required by condition 64. All commitments in the revised GMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators must be SMART and based on referenced or included evidence of effectiveness. The revised GMMP must be consistent with the Environmental Management Plan Guidelines, and must include: i) reporting and review mechanisms to demonstrate compliance with the commitments made in the plan and the requirement specified in condition B3-1 of the WA Approval, including a commitment to review the GMMP at least once every 5 years;</p>	Compliant	The revision contains all requirements of condition 66.
66(a)	<p>GMMP Review. The revision required by condition 63 must be revised based on the conclusions of the investigations required by condition 64. All commitments in the revised GMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators must be SMART and based on referenced or included evidence of effectiveness. The revised GMMP must be consistent with the Environmental Management Plan Guidelines, and must include: (a) a table of commitments made in the plan to achieve the environmental outcome, and a reference to exactly where these commitments are detailed in the plan.</p>	Compliant	The revision contains all requirements of condition 66.
66(b)	<p>GMMP Review. The revision required by condition 63 must be revised based on the conclusions of the investigations required by condition 64. All commitments in the revised GMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators must be SMART and based on referenced or included evidence of effectiveness. The revised GMMP must be consistent with the Environmental Management Plan Guidelines, and must include: (b) details of the data collection and modelling undertaken to inform the revised GMMP.</p>	Compliant	The revision contains all requirements of condition 66.
66(c)	<p>GMMP Review. The revision required by condition 63 must be revised based on the conclusions of the investigations required by condition 64. All commitments in the revised GMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators must be SMART and based on referenced or included evidence of effectiveness. The revised GMMP must be consistent with the Environmental Management Plan Guidelines, and must include: (c) impact avoidance, mitigation and/or repair measures, and the timing of those measures.</p>	Compliant	The revision contains all requirements of condition 66.
66(d)	<p>GMMP Review. The revision required by condition 63 must be revised based on the conclusions of the investigations required by condition 64. All commitments in the revised GMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators must be SMART and based on referenced or included evidence of effectiveness. The revised GMMP must be consistent with the Environmental Management Plan Guidelines, and must include: (d) commitments capable of ensuring that the environmental outcomes are achieved.</p>	Compliant	The revision contains all requirements of condition 66.

66(e)	<p>GMMP Review.</p> <p>The revision required by condition 63 must be revised based on the conclusions of the investigations required by condition 64. All commitments in the revised GMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators must be SMART and based on referenced or included evidence of effectiveness. The revised GMMP must be consistent with the Environmental Management Plan Guidelines, and must include:</p> <ul style="list-style-type: none"> (e) a monitoring program, which must include: <ul style="list-style-type: none"> i) The early warning trigger values for groundwater regimes, groundwater quality, and groundwater levels that will trigger the implementation of management and/or contingency actions to prevent non-compliance with conditions B3-1 of the WA Approval, ii) the thresholds for groundwater regimes, groundwater quality, and groundwater levels to demonstrate compliance with condition B3-1 of the WA Approval, iii) the final design of monitoring that will meet the requirement of condition B3-1 of the WA Approval, including the timing and frequency of monitoring, ensuring monitoring can detect trigger values and thresholds, iv) corrective measures which must be implemented in response to trigger value exceedances, v) corrective measures which must be implemented in response to threshold exceedances, vi) proposed corrective measures if trigger values are reached, and vii) details of how trigger value and threshold exceedances will be assessed to determine if the exceedance is a result of the Action. 	Compliant	The revision contains all requirements of condition 66.
66(f)	<p>GMMP Review.</p> <p>The revision required by condition 63 must be revised based on the conclusions of the investigations required by condition 64. All commitments in the revised GMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators must be SMART and based on referenced or included evidence of effectiveness. The revised GMMP must be consistent with the Environmental Management Plan Guidelines, and must include:</p> <ul style="list-style-type: none"> (f) The approval holder must provide written justification in the form of a report as an appendix to the revised GMMP, for the proposed triggers, limits triggers and indicators as they relate to the protection of protected matters habitat by providing analysis of baseline data (from relevant locations in the receiving environment) and comparison with Australian and New Zealand guidelines for fresh and marine water quality (2018), or default guideline values for high conservation/ecological value systems. 	Compliant	The revision contains all requirements of condition 66.
66(g)	<p>GMMP Review.</p> <p>The revision required by condition 63 must be revised based on the conclusions of the investigations required by condition 64. All commitments in the revised GMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators must be SMART and based on referenced or included evidence of effectiveness. The revised GMMP must be consistent with the Environmental Management Plan Guidelines, and must include:</p> <ul style="list-style-type: none"> (g) details of seepage recovery measures that will be implemented where seepage from evaporation ponds to groundwater is detected. 	Compliant	The revision contains all requirements of condition 66.

66(h)	<p>GMMP Review. The revision required by condition 63 must be revised based on the conclusions of the investigations required by condition 64. All commitments in the revised GMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators must be SMART and based on referenced or included evidence of effectiveness. The revised GMMP must be consistent with the Environmental Management Plan Guidelines, and must include:</p> <p>(h) an assessment of the effectiveness and reliability of the proposed monitoring system, including:</p> <p>i) demonstration of whether and how the monitoring system will be able to detect changes to groundwater regimes, groundwater quality, and groundwater levels until at least the anticipated completion of the Action, and</p> <p>ii) demonstrate if and how the monitoring system will be able to determine if exceedances are attributable to the Action;</p>	Compliant	The revision contains all requirements of condition 66.
66(j)	<p>GMMP Review. The revision required by condition 63 must be revised based on the conclusions of the investigations required by condition 64. All commitments in the revised GMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators must be SMART and based on referenced or included evidence of effectiveness. The revised GMMP must be consistent with the Environmental Management Plan Guidelines, and must include:</p> <p>j) an assessment of risks relating to achieving the environmental outcomes and risk management strategies and/or mitigation measures that will be applied to address identified risks; and</p>	Compliant	The revision contains all requirements of condition 66.
66(k)	<p>GMMP Review. The revision required by condition 63 must be revised based on the conclusions of the investigations required by condition 64. All commitments in the revised GMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators must be SMART and based on referenced or included evidence of effectiveness. The revised GMMP must be consistent with the Environmental Management Plan Guidelines, and must include:</p> <p>k) references to other relevant plans or conditions of approval (including WA Approval conditions).</p>	Compliant	The revision contains all requirements of condition 66.
67(a)	<p>GMMP Review. If the revised GMMP required in condition 63 has not been revised to the satisfaction of the Minister and therefore is not approved within 12 months of the date of evaporation ponds 1, 2 and 3 being filled, the approval holder must undertake the following:</p> <p>(a) Cease operations until the revised GMMP is approved in writing by the Minister.</p>	Not applicable	Due not due until January 2026.
67(b)	<p>GMMP Review. If the revised GMMP required in condition 63 has not been revised to the satisfaction of the Minister and therefore is not approved within 12 months of the date of evaporation ponds 1, 2 and 3 being filled, the approval holder must undertake the following:</p> <p>(b) If directed by the department, empty evaporative ponds 1, 2, and 3. Contents of evaporative ponds are to be disposed in a manner approved in writing by the department.</p>	Not applicable	Due not due until January 2026.
68(a)	<p>GMMP Review. The approval holder must review the GMMP 2 years after commencement of operations. The approval holder must submit the findings of the review to the department. The review must be completed by a reviewer, or reviewers approved by the department and must include detailed reviews of the:</p> <p>(a) Monitoring required by the approved GMMP, including monitoring bore network, monitoring methodology, monitoring frequency, and trigger and thresholds.</p>	Not applicable	Due not due until October 2026.

68(b)	<p>GMMP Review. The approval holder must review the GMMP 2 years after commencement of operations. The approval holder must submit the findings of the review to the department. The review must be completed by a reviewer, or reviewers approved by the department and must include detailed reviews of the:</p> <p>(b) Implementation of the GMMP.</p>	Not applicable	Due not due until October 2026.
68(c)	<p>GMMP Review. The approval holder must review the GMMP 2 years after commencement of operations. The approval holder must submit the findings of the review to the department. The review must be completed by a reviewer, or reviewers approved by the department and must include detailed reviews of the:</p> <p>(c) Effectiveness of the GMMP regarding the achievement of its environmental objective.</p>	Not applicable	Due not due until October 2026.
68(d)	<p>GMMP Review. The approval holder must review the GMMP 2 years after commencement of operations. The approval holder must submit the findings of the review to the department. The review must be completed by a reviewer, or reviewers approved by the department and must include detailed reviews of the:</p> <p>(d) Capacity to measure incremental impacts that may occur during the life of the Action.</p>	Not applicable	Due not due until October 2026.
68(e)	<p>GMMP Review. The approval holder must review the GMMP 2 years after commencement of operations. The approval holder must submit the findings of the review to the department. The review must be completed by a reviewer, or reviewers approved by the department and must include detailed reviews of the:</p> <p>(e) Assessment of whether the GMMP requires revision at this time.</p>	Not applicable	Due not due until October 2026.
69(a)	<p>GMMP Review. The approval holder must revise the GMMP to address all recommendations of the review required by condition 68 and submit the revised version to the department for approval by the Minister. The revised GMMP must include:</p> <p>(a) Revised modelling that includes all data collected to date</p>	Not applicable	
69(b)	<p>GMMP Review. The approval holder must revise the GMMP to address all recommendations of the review required by condition 68 and submit the revised version to the department for approval by the Minister. The revised GMMP must include:</p> <p>(b) Revised monitoring and management measures in accordance with recommendations of the review undertaken in condition 68.</p>	Not applicable	
70(a)	<p>GMMP Review. The approval holder must review the approved GMMP at least once within every subsequent 5-year period following the approval of the GMMP. The approval holder must submit the findings and recommendations of each review to the department. The review must be completed by a suitably qualified expert and must include:</p> <p>(a) A detailed review of the monitoring required by the approved GMMP, including monitoring bore network, monitoring methodology, monitoring frequency, trigger values and thresholds.</p>	Not applicable	Due not due until 2030.
70(b)	<p>GMMP Review. The approval holder must review the approved GMMP at least once within every subsequent 5-year period following the approval of the GMMP. The approval holder must submit the findings and recommendations of each review to the department. The review must be completed by a suitably qualified expert and must include:</p> <p>(b) A detailed review of the implementation of the GMMP.</p>	Not applicable	Due not due until 2030.

70(c)	<p>GMMP Review. The approval holder must review the approved GMMP at least once within every subsequent 5-year period following the approval of the GMMP. The approval holder must submit the findings and recommendations of each review to the department. The review must be completed by a suitably qualified expert and must include: (c) A detailed review of the effectiveness of the GMMP regarding the achievement of its environmental objective.</p>	Not applicable	Due not due until 2030.
70(d)	<p>GMMP Review. The approval holder must review the approved GMMP at least once within every subsequent 5-year period following the approval of the GMMP. The approval holder must submit the findings and recommendations of each review to the department. The review must be completed by a suitably qualified expert and must include: (d) Revised modelling that includes all data collected to date.</p>	Not applicable	Due not due until 2030.
70(e)	<p>GMMP Review. The approval holder must review the approved GMMP at least once within every subsequent 5-year period following the approval of the GMMP. The approval holder must submit the findings and recommendations of each review to the department. The review must be completed by a suitably qualified expert and must include: (e) Revised monitoring and management measures in accordance with recommendations of the review undertaken in condition 68.</p>	Not applicable	Due not due until 2030.
71	<p>GMMP Review. For any revision of the GMMP, all commitments in the GMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators must be SMART and based on referenced or included evidence of effectiveness and in accordance with condition 66. The GMMP must be consistent with the Environmental Management Plan Guidelines.</p>	Compliant	
72	<p>Mardie Dredge Management Plan. To avoid and mitigate harm to marine fauna and their habitats from dredging operation, the approval holder must commence implementation of the approved Mardie Dredge Management Plan prior to the commencement of dredging operations and continue to implement the Mardie Dredge Management Plan until the completion of all dredging operations.</p>	Compliant	The Dredge Management Plan has been implemented however dredging activities are yet to commence.
73(a)	<p>Mardie Dredge Management Plan. To avoid and mitigate harm to protected matters and their habitats from onshore spoil disposal, the approval holder must submit to the Minister for approval a revised Mardie Dredge Management Plan. The approval holder must not commence dredging operations unless the Minister has approved the revised Mardie Dredge Management Plan in writing. The revised Mardie Dredge Management Plan must: (a) be consistent with the Environmental Management Plan Guidelines.</p>	Compliant	Dredging activities are yet to commence.
73(b)	<p>Mardie Dredge Management Plan To avoid and mitigate harm to protected matters and their habitats from onshore spoil disposal, the approval holder must submit to the Minister for approval a revised Mardie Dredge Management Plan. The approval holder must not commence dredging operations unless the Minister has approved the revised Mardie Dredge Management Plan in writing. The revised Mardie Dredge Management Plan must: (b) include a risk assessment of the proposed onshore dredge spoil disposal location to ensure there will be no harm to protected matters.</p>	Compliant	Dredging activities are yet to commence.
73(c)	<p>Mardie Dredge Management Plan. To avoid and mitigate harm to protected matters and their habitats from onshore spoil disposal, the approval holder must submit to the Minister for approval a revised Mardie Dredge Management Plan. The approval holder must not commence dredging operations unless the Minister has approved the revised Mardie Dredge Management Plan in writing. The revised Mardie Dredge Management Plan must: (c) include and consider results of surveys undertaken to determine the presence of <i>Minuria tridens</i> within the dredge spoil disposal location.</p>	Compliant	Dredging activities are yet to commence.

73(d)	Mardie Dredge Management Plan. To avoid and mitigate harm to protected matters and their habitats from onshore spoil disposal, the approval holder must submit to the Minister for approval a revised Mardie Dredge Management Plan. The approval holder must not commence dredging operations unless the Minister has approved the revised Mardie Dredge Management Plan in writing. The revised Mardie Dredge Management Plan must: (d) identify the dredge spoil disposal location as informed by condition 73c, and ensure the dredge disposal location will not result in any impact to Minuria tridens.	Compliant	Dredging activities are yet to commence.
73(e)	Mardie Dredge Management Plan. To avoid and mitigate harm to protected matters and their habitats from onshore spoil disposal, the approval holder must submit to the Minister for approval a revised Mardie Dredge Management Plan. The approval holder must not commence dredging operations unless the Minister has approved the revised Mardie Dredge Management Plan in writing. The revised Mardie Dredge Management Plan must: (e) The approval holder must implement the approved revised Dredge Management Plan from when it is approved by the Minister.	Compliant	Dredging activities are yet to commence.
74(a)	Marine Pest Prevention Plan. To avoid and mitigate harm to marine fauna and their habitats from marine pests, the approval holder must: (a) comply with conditions B2-1 and B2-2 of the WA Approval.	Compliant	See Compliance Assessment Report for MS 1211.
74(b)	Marine Pest Prevention Plan. To avoid and mitigate harm to marine fauna and their habitats from marine pests, the approval holder must: (b) implement the Marine Pest Management Procedure until the expiry date of this approval.	Compliant	
75(a)	Decommissioning . The approval holder must commence decommissioning activities at least 5 years prior to the expiry date of this approval. The approval holder must: (a) Comply with condition B4-4 of the WA Approval.	Not applicable	
75(b)	Decommissioning. The approval holder must commence decommissioning activities at least 5 years prior to the expiry date of this approval. The approval holder must: (b) Ensure that all infrastructure that could impede natural surface water flows in the intertidal area and to Mardie Pool are completely removed prior to the expiry date of this approval. This includes but is not limited to the intertidal rock causeway, evaporation ponds, and crystallisers.	Not applicable	
76	OFFSETS. The purpose of the following conditions are to compensate for the residual significant impact of the Action on protected matters.	Not applicable	Condition contains no requirement.
77	OFFSETS. To compensate for the residual significant impacts of clearing and/or impacts on and for critical and supporting habitat of the Pilbara Leaf-nosed bat, the Pilbara Olive Python, and the Northern Quoll, the approval holder must make financial contributions to the Pilbara Environmental Offsets Fund (PEOF).	Compliant	No funds were due to be contributed during the reporting period however BCI has previously contributed funds as required.

78(a)	<p>OFFSETS. In contributing to the PEOF the approval holder must: (a) Contribute funds toward an offset activity or activities that: i) reduces the rate of decline of the Pilbara Leaf-nosed bat, the Pilbara Olive Python, and the Northern Quoll; ii) ensures a viable population of the Pilbara Leaf-nosed bat, Pilbara Olive Python, and the Northern Quoll remain in the Pilbara region; iii) have 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 holders of the outcomes of the offset activity or activities their funding has contributed towards.</p>	Compliant	The Pilbara Environmental Offsets Fund funds activities that meet the requirements.
79(a)	<p>OFFSETS. The approval holder must, prior to commencement of the action, submit to the Minister for approval the Mardie Impact Reconciliation Procedure. (a) The Impact Reconciliation Procedure may be revised at any time. The approval holder must seek approval from the Minister prior to the approval of any revised Impact Reconciliation Procedure if revisions have been made to offset requirements for the species named in Condition 77 of this variation decision.</p>	Compliant	The IRP was submitted on 25 January 2022 prior to commencement of the action.
79(b)	<p>OFFSETS. The approval holder must, prior to commencement of the action, submit to the Minister for approval the Mardie Impact Reconciliation Procedure. (b) The Impact Reconciliation Procedure must be revised in accordance with the Impact Reconciliation Report Guidelines and include the financial contributions values described in Condition 79) d) of this approval for each protected matter per hectare of critical habitat and supporting habitat cleared over the life of the action.</p>	Compliant	A revised IRP was submitted on 25 January 2022 prior to commencement of the action.
79(c)	<p>OFFSETS. The approval holder must, prior to commencement of the action, submit to the Minister for approval the Mardie Impact Reconciliation Procedure. (c) Following receipt of approval of the Impact Reconciliation Procedure by the Minister and prior to the commencement of the action, the approval holder must make a payment of 10 per cent of the possible total contribution that will be paid into the PEOF, which will contribute towards achieving the requirements of Condition 78) a) of this approval.</p>	Not applicable	The commencement of the action occurred in February 2022 when EPBC 2018/8236 as approved on 12 January 2022 applied. The conditions in force at the time required the 10% contribution to be paid within 1 month of approval of the IRP. A 10% payment was made on 12 May 2023 which was within 1 month of approval of the IRP.
79(d)	<p>OFFSETS. The approval holder must, prior to commencement of the action, submit to the Minister for approval the Mardie Impact Reconciliation Procedure. (d) Make biennial payments to the PEOF based on evidence of the actual clearing footprint in accordance with the timing specified in the approved Impact Reconciliation Procedure. Biennial payments must be equivalent to or greater than the value of the following amounts, adjusted in accordance with the CPI from the date of the original approval decision of 12 January 2022, until the date on which any payment is made, of: 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; 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.</p>	Not applicable	The biennial payment was not due during the reporting period.
79(e)	<p>OFFSETS. The approval holder must, prior to commencement of the action, submit to the Minister for approval the Mardie Impact Reconciliation Procedure. (e) Submit evidence of each payment made to the department within 10 business days of the date of making the payment.</p>	Not applicable	The biennial payment was not due during the reporting period.

79(f)	<p>OFFSETS. The approval holder must, prior to commencement of the action, submit to the Minister for approval the Mardie Impact Reconciliation Procedure. (f) Include details of progress towards, or achievement of, the outcomes specified under condition 78) a) of this approval for the Pilbara Leaf-nosed bat, Pilbara Olive Python, and Northern Quoll in each compliance report submitted to the department.</p>	Compliant	BCI does not manage the PEOF and is not responsible for reporting on the progress of projects. Information regarding projects can be found on the WA government website. https://www.wa.gov.au/government/document-collections/pilbara-environmental-offsets-fund-document-collection
80	<p>OFFSETS. Write to the Minister, within 10 business days of being aware or having concerns, that the offset outcomes specified for the offset projects funded through the PEOF may not be achieved for the Pilbara Leaf-nosed bat, Pilbara Olive Python, or Northern Quoll.</p>	Not applicable	
81(a)	<p>OFFSETS. Should the Minister determine that an offset activity funded by the approval holder through the PEOF is likely to fail for one or more protected matter(s), the Minister may write to the approval holder asking to provide evidence that failure has not occurred or is unlikely to occur and nominating a deadline by which this must be provided. If, after considering any information provided by the approval holder: (a) The Minister determines that an offset activity funded by the approval holder through the PEOF has failed for one or all species named in Condition 77 of this approval, 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 to the satisfaction of the Minister.</p>	Not applicable	
81(b)	<p>OFFSETS. Should the Minister determine that an offset activity funded by the approval holder through the PEOF is likely to fail for one or more protected matter(s), the Minister may write to the approval holder asking to provide evidence that failure has not occurred or is unlikely to occur and nominating a deadline by which this must be provided. If, after considering any information provided by the approval holder: (b) If the Minister considers that a draft Offset Strategy consistent with the requirements specified by condition 81a, has not been received within 4 months of the approval holder being notified by the Minister of a failure under condition 77, the Minister may notify the approval holder: i) That the Offset strategy does not adequately offset the impacts of the relevant protected matters; ii) That it must submit a draft Offset Strategy to the Minister that is suitable for approval; iii) To cease any clearing and/or construction activities; and/or iv) To cease taking the Action or part of the Action.</p>	Not applicable	
82(a)	<p>OFFSETS. The Offset Strategy must: (a) include summary information on the original quality of the areas impacted by the Action that will be compensated for.</p>	Not applicable	
82(b)	<p>OFFSETS. The Offset Strategy must: (b) identify one or more suitable environmental offset(s) for the impacts of the Action on EPBC Act listed threatened species, including detailed baseline information, location, specified achievable ecological benefits and commitments to timeframes for their achievement.</p>	Not applicable	
82(c)	<p>OFFSETS. The Offset Strategy must: (c) specify how the Offset Strategy will achieve the outcomes required under condition 76 of this approval.</p>	Not applicable	
82(d)	<p>OFFSETS. The Offset Strategy must: (d) describe how the Offset Strategy accounts for relevant approved conservation advices, recovery plans and threat abatement plans.</p>	Not applicable	
82(e)	<p>OFFSETS. The Offset Strategy must: (e) specify the party or parties to be responsible for implementing the proposed offset(s).</p>	Not applicable	

82(f)	<p>OFFSETS. The Offset Strategy must: (f) describe the monitoring program(s) to be implemented that will determine progress towards, attainment of and maintenance of the ecological benefits for the EPBC Act listed threatened species at the proposed offset(s).</p>	Not applicable	
82(g)	<p>OFFSETS. The Offset Strategy must: (g) specify how and at what frequency offset(s) management results, monitoring program findings and assessments of ecological benefits will be reported to the department and the public.</p>	Not applicable	
82(h)	<p>OFFSETS. The Offset Strategy must: (h) detail how the offset(s) will be protected, and ecological benefits maintained, in perpetuity.</p>	Not applicable	
82(i)	<p>OFFSETS. The Offset Strategy must: (i) an analysis of the potential risks to the successful implementation of each proposed offset (including but not limited to environmental, administrative, financial, and governance risks).</p>	Not applicable	
82(j)	<p>OFFSETS. The Offset Strategy must: (j) 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.</p>	Not applicable	
82(k)	<p>OFFSETS. The Offset Strategy must: (k) how the approval holder will ensure that the measures to be implemented as part of the Offsets Strategy have no detrimental impact on any EPBC Act listed species.</p>	Not applicable	
83(a)	<p>OFFSETS. 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 habitat, 17 hectares of mangrove that supports migratory shorebirds and green sawfish and 79 hectares of benthic communities and habitat which supports the short-nosed sea snake, the approval holder must commission research project(s) to inform the strategic protection, better management and long-term ecological functionality of migratory shorebirds, habitat (the Marine Research Objectives). The approval holder must: (a) Comply with the research objectives in condition B10-1 of the WA Approval for the contribution funding of, and responsibility for, achieving the outcomes for a research project(s) for the intertidal coastal samphire as outlined in Schedule 2 of the WA Approval.</p>	Compliant	See Compliance Assessment Report for MS 1211.
83(b)	<p>OFFSETS. 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 habitat, 17 hectares of mangrove that supports migratory shorebirds and green sawfish and 79 hectares of benthic communities and habitat which supports the short-nosed sea snake, the approval holder must commission research project(s) to inform the strategic protection, better management and long-term ecological functionality of migratory shorebirds, habitat (the Marine Research Objectives). The approval holder must: (b) Contribute, in addition to condition 83(a), the equivalent (by yearly adjustment of CPI since the original decision date of 12 January 2022) 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.</p>	Compliant	Contribution to the Short-nosed Sea Snake project was approved on 3 July 2024 however the project agreement is still being progressed. The contribution of funds will be completed as soon as possible once the agreement is finalised

83(c) (i)	<p>OFFSETS. 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 habitat, 17 hectares of mangrove that supports migratory shorebirds and green sawfish and 79 hectares of benthic communities and habitat which supports the short-nosed sea snake, the approval holder must commission research project(s) to inform the strategic protection, better management and long-term ecological functionality of migratory shorebirds, habitat (the Marine Research Objectives). The approval holder must: (c) within six (6) months of the commencement of the action, submit a detailed Research Project Proposal for the research requirements of condition 83(a) and 83(b) that will meet the Marine Research Objectives, to the department for approval by the Minister. The Research Project Proposal must include: (i) The information required under condition B10-1 of the WA Approval.</p>	Not applicable	<p>The action commenced in February 2022 and at that time EPBC 2018/8236 as approved on 12 January 2022 did not require the Research Project Proposal to be submitted. BCI is unable to comply with the requirements of this condition. Approval of the Research Project Proposal was granted on 3 July 2024 prior to the commencement of operations as was the requirement of condition 29 of EPBC 2018/8236 as approved on 12 January 2022.</p>
83(c)(ii)	<p>OFFSETS. 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 habitat, 17 hectares of mangrove that supports migratory shorebirds and green sawfish and 79 hectares of benthic communities and habitat which supports the short-nosed sea snake, the approval holder must commission research project(s) to inform the strategic protection, better management and long-term ecological functionality of migratory shorebirds, habitat (the Marine Research Objectives). The approval holder must: (c) within six (6) months of the commencement of the action, submit a detailed Research Project Proposal for the research requirements of condition 83(a) and 83(b) that will meet the Marine Research Objectives, to the department for approval by the Minister. The Research Project Proposal must include: (ii) Details of how the proposed research projects will achieve the Marine Research Objectives.</p>	Not applicable	<p>The action commenced in February 2022 and at that time EPBC 2018/8236 as approved on 12 January 2022 did not require the Research Project Proposal to be submitted. BCI is unable to comply with the requirements of this condition. Approval of the Research Project Proposal was granted on 3 July 2024 prior to the commencement of operations as was the requirement of condition 29 of EPBC 2018/8236 as approved on 12 January 2022.</p>
83(c)(iii)	<p>OFFSETS. 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 habitat, 17 hectares of mangrove that supports migratory shorebirds and green sawfish and 79 hectares of benthic communities and habitat which supports the short-nosed sea snake, the approval holder must commission research project(s) to inform the strategic protection, better management and long-term ecological functionality of migratory shorebirds, habitat (the Marine Research Objectives). The approval holder must: (c) within six (6) months of the commencement of the action, submit a detailed Research Project Proposal for the research requirements of condition 83(a) and 83(b) that will meet the Marine Research Objectives, to the department for approval by the Minister. The Research Project Proposal must include: (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.</p>	Not applicable	<p>The action commenced in February 2022 and at that time EPBC 2018/8236 as approved on 12 January 2022 did not require the Research Project Proposal to be submitted. BCI is unable to comply with the requirements of this condition. Approval of the Research Project Proposal was granted on 3 July 2024 prior to the commencement of operations as was the requirement of condition 29 of EPBC 2018/8236 as approved on 12 January 2022.</p>

83(c)(iv)	<p>OFFSETS. 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 habitat, 17 hectares of mangrove that supports migratory shorebirds and green sawfish and 79 hectares of benthic communities and habitat which supports the short-nosed sea snake, the approval holder must commission research project(s) to inform the strategic protection, better management and long-term ecological functionality of migratory shorebirds, habitat (the Marine Research Objectives). The approval holder must:</p> <p>(c) within six (6) months of the commencement of the action, submit a detailed Research Project Proposal for the research requirements of condition 83(a) and 83(b) that will meet the Marine Research Objectives, to the department for approval by the Minister. The Research Project Proposal must include:</p> <p>(iv) A risk assessment of the third party/ies not being able to achieve the Marine Research Objectives.</p>	Not applicable	<p>The action commenced in February 2022 and at that time EPBC 2018/8236 as approved on 12 January 2022 did not require the Research Project Proposal to be submitted. BCI is unable to comply with the requirements of this condition.</p> <p>Approval of the Research Project Proposal was granted on 3 July 2024 prior to the commencement of operations as was the requirement of condition 29 of EPBC 2018/8236 as approved on 12 January 2022.</p>
83(c)(ix)	<p>OFFSETS. 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 habitat, 17 hectares of mangrove that supports migratory shorebirds and green sawfish and 79 hectares of benthic communities and habitat which supports the short-nosed sea snake, the approval holder must commission research project(s) to inform the strategic protection, better management and long-term ecological functionality of migratory shorebirds, habitat (the Marine Research Objectives). The approval holder must:</p> <p>(c) within six (6) months of the commencement of the action, submit a detailed Research Project Proposal for the research requirements of condition 83(a) and 83(b) that will meet the Marine Research Objectives, to the department for approval by the Minister. The Research Project Proposal must include:</p> <p>(ix) Details of how the research projects will take into consideration and utilise the following monitoring and management plans:</p> <p>A) Mardie Dredge Management Plan, B) Marine Environmental Quality Monitoring and Management Plan, C) approved Migratory Shorebird Monitoring and Management Plan, D) Groundwater Monitoring and Management Plan (GMMP), E) Benthic Community Habitat Monitoring and Management Plan (BCHMMP), F) Marine Turtle Monitoring Program, G) Illumination Plan</p>	Not applicable	<p>The action commenced in February 2022 and at that time EPBC 2018/8236 as approved on 12 January 2022 did not require the Research Project Proposal to be submitted. BCI is unable to comply with the requirements of this condition.</p> <p>Approval of the Research Project Proposal was granted on 3 July 2024 prior to the commencement of operations as was the requirement of condition 29 of EPBC 2018/8236 as approved on 12 January 2022.</p>
83(c)(v)	<p>OFFSETS. 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 habitat, 17 hectares of mangrove that supports migratory shorebirds and green sawfish and 79 hectares of benthic communities and habitat which supports the short-nosed sea snake, the approval holder must commission research project(s) to inform the strategic protection, better management and long-term ecological functionality of migratory shorebirds, habitat (the Marine Research Objectives). The approval holder must:</p> <p>(c) within six (6) months of the commencement of the action, submit a detailed Research Project Proposal for the research requirements of condition 83(a) and 83(b) that will meet the Marine Research Objectives, to the department for approval by the Minister. The Research Project Proposal must include:</p> <p>(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</p>	Not applicable	<p>The action commenced in February 2022 and at that time EPBC 2018/8236 as approved on 12 January 2022 did not require the Research Project Proposal to be submitted. BCI is unable to comply with the requirements of this condition.</p> <p>Approval of the Research Project Proposal was granted on 3 July 2024 prior to the commencement of operations as was the requirement of condition 29 of EPBC 2018/8236 as approved on 12 January 2022.</p>

83(c)(vi)	<p>OFFSETS. 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 habitat, 17 hectares of mangrove that supports migratory shorebirds and green sawfish and 79 hectares of benthic communities and habitat which supports the short-nosed sea snake, the approval holder must commission research project(s) to inform the strategic protection, better management and long-term ecological functionality of migratory shorebirds, habitat (the Marine Research Objectives). The approval holder must:</p> <p>(c) within six (6) months of the commencement of the action, submit a detailed Research Project Proposal for the research requirements of condition 83(a) and 83(b) that will meet the Marine Research Objectives, to the department for approval by the Minister. The Research Project Proposal must include:</p> <p>(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.</p>	Not applicable	<p>The action commenced in February 2022 and at that time EPBC 2018/8236 as approved on 12 January 2022 did not require the Research Project Proposal to be submitted. BCI is unable to comply with the requirements of this condition.</p> <p>Approval of the Research Project Proposal was granted on 3 July 2024 prior to the commencement of operations as was the requirement of condition 29 of EPBC 2018/8236 as approved on 12 January 2022. The initial contribution was made to the fund on 4 August 2022.</p>
83(c)(vii)	<p>OFFSETS. 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 habitat, 17 hectares of mangrove that supports migratory shorebirds and green sawfish and 79 hectares of benthic communities and habitat which supports the short-nosed sea snake, the approval holder must commission research project(s) to inform the strategic protection, better management and long-term ecological functionality of migratory shorebirds, habitat (the Marine Research Objectives). The approval holder must:</p> <p>(c) within six (6) months of the commencement of the action, submit a detailed Research Project Proposal for the research requirements of condition 83(a) and 83(b) that will meet the Marine Research Objectives, to the department for approval by the Minister. The Research Project Proposal must include:</p> <p>(vii) Details of how the Research Project Proposal takes into consideration relevant conservation advices, recovery plans and threat abatement plans for the relevant species.</p>	Not applicable	<p>The action commenced in February 2022 and at that time EPBC 2018/8236 as approved on 12 January 2022 did not require the Research Project Proposal to be submitted. BCI is unable to comply with the requirements of this condition.</p> <p>Approval of the Research Project Proposal was granted on 3 July 2024 prior to the commencement of operations as was the requirement of condition 29 of EPBC 2018/8236 as approved on 12 January 2022.</p>
83(c)(viii)	<p>OFFSETS. 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 habitat, 17 hectares of mangrove that supports migratory shorebirds and green sawfish and 79 hectares of benthic communities and habitat which supports the short-nosed sea snake, the approval holder must commission research project(s) to inform the strategic protection, better management and long-term ecological functionality of migratory shorebirds, habitat (the Marine Research Objectives). The approval holder must:</p> <p>(c) within six (6) months of the commencement of the action, submit a detailed Research Project Proposal for the research requirements of condition 83(a) and 83(b) that will meet the Marine Research Objectives, to the department for approval by the Minister. The Research Project Proposal must include:</p> <p>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,</p>	Not applicable	<p>The action commenced in February 2022 and at that time EPBC 2018/8236 as approved on 12 January 2022 did not require the Research Project Proposal to be submitted. BCI is unable to comply with the requirements of this condition.</p> <p>Approval of the Research Project Proposal was granted on 3 July 2024 prior to the commencement of operations as was the requirement of condition 29 of EPBC 2018/8236 as approved on 12 January 2022.</p>

83(c)(x)	<p>OFFSETS. 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 habitat, 17 hectares of mangrove that supports migratory shorebirds and green sawfish and 79 hectares of benthic communities and habitat which supports the short-nosed sea snake, the approval holder must commission research project(s) to inform the strategic protection, better management and long-term ecological functionality of migratory shorebirds, habitat (the Marine Research Objectives). The approval holder must:</p> <p>(c) within six (6) months of the commencement of the action, submit a detailed Research Project Proposal for the research requirements of condition 83(a) and 83(b) that will meet the Marine Research Objectives, to the department for approval by the Minister. The Research Project Proposal must include:</p> <p>(x) Details of permissions and permits that will need to be obtained (or have already been obtained) to conduct the research projects.</p>	Not applicable	<p>The action commenced in February 2022 and at that time EPBC 2018/8236 as approved on 12 January 2022 did not require the Research Project Proposal to be submitted. BCI is unable to comply with the requirements of this condition.</p> <p>Approval of the Research Project Proposal was granted on 3 July 2024 prior to the commencement of operations as was the requirement of condition 29 of EPBC 2018/8236 as approved on 12 January 2022.</p>
83(c)(xi)	<p>OFFSETS. 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 habitat, 17 hectares of mangrove that supports migratory shorebirds and green sawfish and 79 hectares of benthic communities and habitat which supports the short-nosed sea snake, the approval holder must commission research project(s) to inform the strategic protection, better management and long-term ecological functionality of migratory shorebirds, habitat (the Marine Research Objectives). The approval holder must:</p> <p>(c) within six (6) months of the commencement of the action, submit a detailed Research Project Proposal for the research requirements of condition 83(a) and 83(b) that will meet the Marine Research Objectives, to the department for approval by the Minister. The Research Project Proposal must include:</p> <p>(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 and their habitats.</p>	Not applicable	<p>The action commenced in February 2022 and at that time EPBC 2018/8236 as approved on 12 January 2022 did not require the Research Project Proposal to be submitted. BCI is unable to comply with the requirements of this condition.</p> <p>Approval of the Research Project Proposal was granted on 3 July 2024 prior to the commencement of operations as was the requirement of condition 29 of EPBC 2018/8236 as approved on 12 January 2022.</p>
83(c)(xii)	<p>OFFSETS. 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 habitat, 17 hectares of mangrove that supports migratory shorebirds and green sawfish and 79 hectares of benthic communities and habitat which supports the short-nosed sea snake, the approval holder must commission research project(s) to inform the strategic protection, better management and long-term ecological functionality of migratory shorebirds, habitat (the Marine Research Objectives). The approval holder must:</p> <p>(c) within six (6) months of the commencement of the action, submit a detailed Research Project Proposal for the research requirements of condition 83(a) and 83(b) that will meet the Marine Research Objectives, to the department for approval by the Minister. The Research Project Proposal must include:</p> <p>(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, 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 Action.</p>	Not applicable	<p>The action commenced in February 2022 and at that time EPBC 2018/8236 as approved on 12 January 2022 did not require the Research Project Proposal to be submitted. BCI is unable to comply with the requirements of this condition.</p> <p>Approval of the Research Project Proposal was granted on 3 July 2024 prior to the commencement of operations as was the requirement of condition 29 of EPBC 2018/8236 as approved on 12 January 2022.</p>

83(c)(xiii)	<p>OFFSETS. 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 habitat, 17 hectares of mangrove that supports migratory shorebirds and green sawfish and 79 hectares of benthic communities and habitat which supports the short-nosed sea snake, the approval holder must commission research project(s) to inform the strategic protection, better management and long-term ecological functionality of migratory shorebirds, habitat (the Marine Research Objectives). The approval holder must: (c) within six (6) months of the commencement of the action, submit a detailed Research Project Proposal for the research requirements of condition 83(a) and 83(b) that will meet the Marine Research Objectives, to the department for approval by the Minister. The Research Project Proposal must include: (xiii) Details of a communication and engagement program to promote the achievement of the research outcomes.</p>	Not applicable	<p>The action commenced in February 2022 and at that time EPBC 2018/8236 as approved on 12 January 2022 did not require the Research Project Proposal to be submitted. BCI is unable to comply with the requirements of this condition. Approval of the Research Project Proposal was granted on 3 July 2024 prior to the commencement of operations as was the requirement of condition 29 of EPBC 2018/8236 as approved on 12 January 2022.</p>
83(d)	<p>OFFSETS. 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 habitat, 17 hectares of mangrove that supports migratory shorebirds and green sawfish and 79 hectares of benthic communities and habitat which supports the short-nosed sea snake, the approval holder must commission research project(s) to inform the strategic protection, better management and long-term ecological functionality of migratory shorebirds, habitat (the Marine Research Objectives). The approval holder must: (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 83(c)(v), which includes the published outcomes and reports as outlined in condition 83(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.</p>	Not applicable	<p>The research project is progressing and is yet to be completed.</p>
83(e)	<p>OFFSETS. 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 habitat, 17 hectares of mangrove that supports migratory shorebirds and green sawfish and 79 hectares of benthic communities and habitat which supports the short-nosed sea snake, the approval holder must commission research project(s) to inform the strategic protection, better management and long-term ecological functionality of migratory shorebirds, habitat (the Marine Research Objectives). The approval holder must: (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 83)c) ix).</p>	Not applicable	<p>The research project is progressing and is yet to be completed.</p>

83(f)	<p>OFFSETS. 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 habitat, 17 hectares of mangrove that supports migratory shorebirds and green sawfish and 79 hectares of benthic communities and habitat which supports the short-nosed sea snake, the approval holder must commission research project(s) to inform the strategic protection, better management and long-term ecological functionality of migratory shorebirds, habitat (the Marine Research Objectives). The approval holder must:</p> <p>(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, must cease operations until the Research Project Proposal is approved.</p>	Not applicable	
84	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 the following 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 any previous version of the action management plan.	Not applicable	
85	The approval holder may choose to revise plans specified in condition 45, 46, 49, 52, 55, 58, 72 or 74, 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 revised action management plan (RAMP) would not be likely to have a new or increased impact.	Not applicable	
86(a)(i)	<p>If the approval holder makes the choice under condition 85 to revise an action management plan without submitting it for approval, the approval holder must:</p> <p>a) Notify the department electronically that the approved action management plan has been revised and provide the department with:</p> <p>i) An electronic copy of the RAMP,</p>	Not applicable	
86(a)(ii)	<p>If the approval holder makes the choice under condition 85 to revise an action management plan without submitting it for approval, the approval holder must:</p> <p>a) Notify the department electronically that the approved action management plan has been revised and provide the department with:</p> <p>ii) An electronic copy of the RAMP marked up with track changes to show the differences between the approved action management plan and the RAMP,</p>	Not applicable	
86(a)(iii)	<p>If the approval holder makes the choice under condition 85 to revise an action management plan without submitting it for approval, the approval holder must:</p> <p>a) Notify the department electronically that the approved action management plan has been revised and provide the department with:</p> <p>iii) An explanation of the differences between the approved action management plan and the RAMP,</p>	Not applicable	
86(a)(iv)	<p>If the approval holder makes the choice under condition 85 to revise an action management plan without submitting it for approval, the approval holder must:</p> <p>a) Notify the department electronically that the approved action management plan has been revised and provide the department with:</p> <p>iv) 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</p>	Not applicable	
86(a)(v)	<p>If the approval holder makes the choice under condition 85 to revise an action management plan without submitting it for approval, the approval holder must:</p> <p>a) Notify the department electronically that the approved action management plan has been revised and provide the department with:</p> <p>v) 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</p>	Not applicable	

	notice of the revision of the action management plan, or a date agreed to in writing with the department		
86(b)	If the approval holder makes the choice under condition 85 to revise an action management plan without submitting it for approval, the approval holder must: b) Subject to conditions 87 and 88, implement the RAMP from the RAMP implementation date.	Not applicable	
87	The approval holder may revoke its choice to implement a RAMP under condition 85 at any time by giving written notice to the department. If the approval holder revokes the choice under condition 85, the approval holder must implement the action management plan in force immediately prior to the revision undertaken under condition 85.	Not applicable	
88(a)	If the Minister notifies 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: a) Condition 85 does not apply, or ceases to apply, in relation to the RAMP	Not applicable	
88(b)	If the Minister notifies 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: b) The approval holder must implement the action management plan specified by the Minister in the notice.	Not applicable	
89	At the time of giving the notice under condition 88, the Minister may also notify that for a specified period of time, condition 85 does not apply for one or more specified action management plans.	Not applicable	
90	If the Minister makes a written request to the approval holder to make specified revisions to a plan, the approval holder must revise the plan in accordance with any such request and submit the revised version of the plan to the department within the timeframe specified in the request for the Minister's approval.	Not applicable	
91	Wherever these conditions require the approval holder to submit any plan to the department, all such plans must be submitted to the department electronically.	Compliant	All management plans are submitted electronically to the department.
92(a)	Unless otherwise agreed to in writing by the Minister, the approval holder must publish each plan on the website within 15 business days of the date: a. of this approval, if the version of the plan to be implemented is specified in these conditions;	Compliant	All approved management plans have been published to the website.
92(b)	Unless otherwise agreed to in writing by the Minister, the approval holder must publish each plan on the website within 15 business days of the date: b. the plan is approved by the Minister in writing, if the plan requires the approval of the Minister;	Compliant	All approved management plans have been published to the website.
92(c)	Unless otherwise agreed to in writing by the Minister, the approval holder must publish each plan on the website within 15 business days of the date: c. the plan is approved by a state government official as required under a WA Approval condition which must be complied with in accordance with these EPBC Act conditions;	Compliant	All approved management plans have been published to the website.
92(d)	Unless otherwise agreed to in writing by the Minister, the approval holder must publish each plan on the website within 15 business days of the date: d. the plan is submitted to the department in accordance with a requirement of these conditions, if the plan does not require the approval of the Minister or a state government official.	Compliant	All approved management plans have been published to the website.
93	The approval holder must keep all approved plans published on the website, in a format that is easily accessible and downloadable, from the first date which that plan must be published and until the expiry date of this approval. This requirement applies to all current and superseded versions of plans. This requirement applies to all current and superseded versions of approved plans.	Compliant	
94	The approval holder is required to exclude or redact sensitive ecological data from any version of a plan before that plan is published on the website or otherwise provided to a member of the public. If sensitive ecological data is excluded or redacted from a plan, the approval holder must notify the department in writing what exclusions and redactions have been made in the version published on the website.	Not Applicable	

95	The approval holder must notify the department in writing of any proposed change to the WA Approval that may relate to protected matters within 2 business days of formally proposing such a change and within 5 business days of becoming aware of any formally proposed change imposed by the WA EPA.	Compliant	BCI notified the department in writing on 8 November 2024 regarding a change to the WA Approval. BCI submitted a 45C application to the WA EPA on 16 December 2024.
96	The approval holder must notify the department in writing of any change to WA Approval conditions that may relate to protected matters, within 5 business days of such a change to conditions coming into effect. Such notification must include a copy of the changed WA Approval conditions showing what changes have been made.	Not Applicable	
97	The approval holder must notify the department electronically of the date of commencement of the Action, 10 business days following commencement of the Action.	Compliant	Notification was provided to the department on 4 March 2022.
98	The approval holder must not commence the Action later than 5 years after the date of this approval decision.	Compliant	Action commenced within 5 years of the approval decision.
99	The approval holder must notify the department electronically of the date of the commencement of operations within 5 business days following the commencement of operations.	Compliant	Notification was provided to the department on 13 September 2024.
100	The approval holder must notify the department electronically of the date all clearing and construction associated with the Action is complete within 5 business days following all clearing and construction associated with the Action being completed. The approval holder must not undertake any clearing nor construction after sending this notification.	Not Applicable	Given the definition of clearing and construction within the EPBC approval, this condition is not likely to come into effect.
101	The approval holder must maintain accurate and complete compliance records and document the procedure for recording and storing compliance records.	Compliant	
102	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.	Compliant	A request was received on 28 October 2024 and the requested information was provided within the specified timeframe.
103	The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the Guidelines for biological survey and mapped data, Commonwealth of Australia 2018, or as otherwise specified by the Minister in writing.	Compliant	
104	The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the Guide to providing maps and boundary data for EPBC Act projects, Commonwealth of Australia 2021, or as otherwise specified by the Minister in writing.	Compliant	
105	As specified in any plan, the approval holder must submit all monitoring data (including sensitive ecological data), surveys, maps, other spatial and metadata and all species occurrence record data (sightings and evidence of presence) electronically to the department until the date of this variation decision. Thereafter, the approval holder must submit all monitoring data (including sensitive ecological data), surveys, maps, other spatial and metadata and all species occurrence record data (sightings and evidence of presence) electronically to the department within 20 business days of each anniversary of the date of this variation decision, except where otherwise specified in a plan.	Not applicable	First anniversary on 9 October 2025.
106	The approval holder must prepare a compliance report for each Annual Compliance Report period (ACR period).	Not applicable	No compliance report was due to be prepared during the period 9 October 2024 to 13 January 2024. First compliance report for EPBC 2018/8236 as varied on 9 October 2024 is due during the 2025 reporting period.
107(a)(i)	The approval holder must ensure each compliance report includes: a) accurate and complete details of compliance and any non-compliance with: i) WA Approval, if a condition attached to this approval decision requires compliance with that WA Approval condition,	Not applicable	No compliance report was due to be submitted during the period 9 October 2024 to 13 January 2024.
107(a)(ii)	The approval holder must ensure each compliance report includes: a) accurate and complete details of compliance and any non-compliance with: ii) each condition attached to this approval decision,	Not applicable	No compliance report was due to be submitted during the period 9 October 2024 to 13 January 2024.
107(a)(iii)	The approval holder must ensure each compliance report includes: a) accurate and complete details of compliance and any non-compliance with: iii) all commitments made in each plan;	Not applicable	No compliance report was due to be submitted during the period 9 October 2024 to 13 January 2024.

107(b)	The approval holder must ensure each compliance report includes: b) a schedule of all plans in effect in relation to these conditions during the ACR period;	Not applicable	No compliance report was due to be submitted during the period 9 October 2024 to 13 January 2024.
107(c)	The approval holder must ensure each compliance report includes: c) accurate and complete details of how each plan was implemented during the ACR period; and	Not applicable	No compliance report was due to be submitted during the period 9 October 2024 to 13 January 2024.
107(d)	The approval holder must ensure each compliance report includes: d) if any incident occurred, accurate and complete details of each incident.	Not applicable	No compliance report was due to be submitted during the period 9 October 2024 to 13 January 2024.
108	The approval holder must ensure each compliance report is completed to the satisfaction of the Minister and is consistent with the Annual Compliance Report Guidelines, Commonwealth of Australia 2023.	Not applicable	No compliance report was due to be submitted during the period 9 October 2024 to 13 January 2024.
109(a)	The approval holder must, within 20 business days following the end each ACR period, in a format that is easily accessible and downloadable, publish on the website: a) each compliance report;	Not applicable	No compliance report was due to be submitted during the period 9 October 2024 to 13 January 2024.
109(b)	The approval holder must, within 20 business days following the end each ACR period, in a format that is easily accessible and downloadable, publish on the website: b) a shapefile showing all clearing of protected matters, and their habitat, undertaken within the ACR period.	Not applicable	No compliance report was due to be submitted during the period 9 October 2024 to 13 January 2024.
110(a)	The approval holder must: a) Exclude or redact sensitive ecological data from each compliance report and shapefile published on the website or otherwise provided to a member of the public;	Not applicable	No compliance report was due to be submitted during the period 9 October 2024 to 13 January 2024.
110(b)	The approval holder must: b) If sensitive ecological data is excluded or redacted from a version of a compliance report published or otherwise provided to a member of the public, submit the full compliance report to the department within 5 business days of its publication on the website and notify the department in writing what exclusions and redactions have been made in the version published on the website or otherwise provided to a member of the public;	Not applicable	No compliance report was due to be submitted during the period 9 October 2024 to 13 January 2024.
110(c)	The approval holder must: c) If sensitive ecological data is excluded or redacted from a version of a shapefile published or otherwise provided to a member of the public, submit the full shapefile to the department within 5 business days of its publication on the website and notify the department in writing what exclusions and redactions have been made in the version published on the website or otherwise provided to a member of the public.	Not applicable	No compliance report was due to be submitted during the period 9 October 2024 to 13 January 2024.
111	The approval holder must notify the department electronically, within 5 business days of each date of publication that the compliance report has been published on the website. In this notification, the approval holder must provide the department with the web address for where the compliance report and related shapefile are published on the website.	Not applicable	No compliance report was due to be submitted during the period 9 October 2024 to 13 January 2024.
112	The approval holder must keep each compliance report and related shapefile published on the website from the first date which that compliance report must be published and until the expiry date of this approval.	Compliant	All compliance reports are published to the BCI website.
113(a)	The approval holder must notify the department electronically, within 2 business days of becoming aware of any incident. The approval holder must specify in each notification: a) any condition or commitment made in a plan which has been or may have been not complied with;	Compliant	BCI identified two potential non-compliances during the period 9 October 2024 to 13 January 2025. Notifications for both incidents were provided within 2 business days. The notification contained all information as required by condition 113.
113(b)	The approval holder must notify the department electronically, within 2 business days of becoming aware of any incident. The approval holder must specify in each notification: b) a short description of the incident;	Compliant	BCI identified two potential non-compliances during the period 9 October 2024 to 13 January 2025. Notifications for both incidents were provided within 2 business days. The notification contained all information as required by condition 113.
113(c)	The approval holder must notify the department electronically, within 2 business days of becoming aware of any incident. The approval holder must specify in each notification: c) the location (if applicable, including co-ordinates), date and time of the incident.	Compliant	BCI identified two potential non-compliances during the period 9 October 2024 to 13 January 2025. Notifications for both incidents were provided within 2 business days. The notification contained all information as required by condition 113.

114(a)	The approval holder must provide to the department in writing, within 12 business days of becoming aware of an incident, the details of that incident. The approval holder must specify: a) all corrective measures and investigations which the approval holder has already taken in respect of the incident;	Non-compliant	BCI identified two potential non-compliances during the period 9 October 2024 to 13 January 2025. One investigation report was submitted one day late, 13 days after becoming aware of the incident. The other report was due after the reporting period but has been delayed due to Cyclone Sean restricting access to the investigation area. The investigation reports contain all information as required by condition 114.
114(b)	The approval holder must provide to the department in writing, within 12 business days of becoming aware of an incident, the details of that incident. The approval holder must specify: b) the potential impacts of the incident;	Non-compliant	BCI identified two potential non-compliances during the period 9 October 2024 to 13 January 2025. One investigation report was submitted one day late, 13 days after becoming aware of the incident. The other report was due after the reporting period but has been delayed due to Cyclone Sean restricting access to the investigation area. The investigation reports contain all information as required by condition 114.
114(c)	The approval holder must provide to the department in writing, within 12 business days of becoming aware of an incident, the details of that incident. The approval holder must specify: c) the method and timing of any corrective measures that the approval holder proposes to undertake to address the incident;	Non-compliant	BCI identified two potential non-compliances during the period 9 October 2024 to 13 January 2025. One investigation report was submitted one day late, 13 days after becoming aware of the incident. The other report was due after the reporting period but has been delayed due to Cyclone Sean restricting access to the investigation area. The investigation reports contain all information as required by condition 114.
114(d)	The approval holder must provide to the department in writing, within 12 business days of becoming aware of an incident, the details of that incident. The approval holder must specify: d) any variation of these conditions or revision of a plan that will be required to prevent recurrence of the incident and/or to address its consequences.	Non-compliant	BCI identified two potential non-compliances during the period 9 October 2024 to 13 January 2025. One investigation report was submitted one day late, 13 days after becoming aware of the incident. The other report was due after the reporting period but has been delayed due to Cyclone Sean restricting access to the investigation area. The investigation reports contain all information as required by condition 114.
115(a)	In the event that any threshold specified in any Plan is exceeded, the approval holder must: a) Report the exceedance to the department in writing within 5 business days of the exceedance being identified;	Compliant	There were 11 Threshold events during the period 9 October 2024 to 13 January 2025. All notifications were provided within 5 business days of identification.
115(b)	In the event that any threshold specified in any Plan is exceeded, the approval holder must: b) Investigate the exceedance to determine its cause and submit a report of the findings of this investigation to the department in writing within 15 business days of the exceedance being identified. This investigation must aim to determine the cause of the threshold being exceeded the extent of any harm to protected matters as a result of the exceedance. This report must include: i) the findings of the exceedance investigation, ii) details of corrective measures implemented, iii) an evaluation of the effectiveness of the corrective measures implemented, and iv) propose measures to be implemented by the approval holder to prevent the threshold being exceeded in the future; v) Comply with condition D1-1 of the WA Approval where the plan that exceedance occurred under is also approved in accordance with the WA Approval.	Non-compliant	All 11 threshold events were investigated and reports containing the required information submitted to the department. Three of the reports were submitted outside the 15 business day timeframe with two being 1 day and one being 2 day late.
116	The approval holder must ensure that an independent audit of compliance with the conditions is conducted for every audit period.	Not applicable	The audit is not due within the reporting period.
117	The approval holder must submit details of the proposed independent auditor and their qualifications to the department within 10 business days following the end of each audit period.	Not applicable	The audit is not due within the reporting period.
118	The approval holder must ensure the scope of each independent audit is sufficient to determine the compliance status for each condition of approval, and each commitment made in each plan.	Not applicable	The audit is not due within the reporting period.
119	The approval holder must ensure the criteria for each independent audit and the undertaking of each independent audit are consistent with the Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines, Commonwealth of Australia 2019 to the extent that it does not contradict the conditions attached to this approval decision.	Not applicable	The audit is not due within the reporting period.
120	The approval holder must submit an audit report to the department for written agreement from the department within 3 months following the end of each audit period, or as otherwise directed by the Minister in writing.	Not applicable	The audit is not due within the reporting period.

121	The approval holder must ensure each audit report is completed to the satisfaction of the Minister and is consistent with the Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines, Commonwealth of Australia 2019.	Not applicable	The audit is not due within the reporting period.
122	The approval holder must publish each audit report on the website, in a format that is easily accessible and downloadable, within 10 business days of the date of the department agrees to the audit report in writing.	Not applicable	The audit is not due within the reporting period.
123	The approval holder must notify the department within 5 business days of the date the audit report is published on the website. In this notification, the approval holder must provide the department with the web address for where the audit report is published on the website	Not applicable	The audit is not due within the reporting period.
124	The approval holder must keep each audit report published on the website from the first date which that audit report must be published and until the expiry date of this approval.	Compliant	
125	Within 20 business days after the completion of the Action, and, in any event, at least 20 business days before this approval expires, the approval holder must notify the department electronically of the date of completion of the Action and provide completion data. The approval holder must submit any spatial data that comprises completion data as a shapefile.	Not applicable	
126	The approval holder must notify the department electronically 60 business days prior to the expiry date of this approval, that the approval is due to expire.	Not applicable	