



# Annual Compliance Report - Mardie Project (EPBC 2018/8236 & 2022/9169)

## REPORTING PERIODS:

EPBC 2018/8236 - 14 JANUARY TO 8 SEPTEMBER 2025  
EPBC 2022/9169 – 9 SEPTEMBER 2024 TO 8 SEPTEMBER 2025

## DOCUMENT CONTROL

				
0	7-Oct-2025	Issued for Use	A Crum	S Van Straaten
A	17-Mar-2025	Draft	A Crum	S Van Straaten
Revision	Date	Description	Author	Approver
DOCUMENT NUMBER:		0000-EV-REP-0046	Total Pages: 85	

*Electronic documents, once printed, are non-controlled and may become outdated.  
Refer to Document Management System for the current version.*

## Table of Contents

<b>1.</b>	<b>Declaration of Accuracy .....</b>	<b>3</b>
<b>2.</b>	<b>MARDIE MINERALS PTY LTD AND BCI MINERALS LIMITED.....</b>	<b>4</b>
<b>3.</b>	<b>DESCRIPTION OF ACTION AND ACTIVITIES .....</b>	<b>4</b>
3.1	Action and Compliance Report details .....	4
3.2	Description of activities undertaken in reporting period .....	4
<b>4.</b>	<b>Purpose and Scope .....</b>	<b>5</b>
<b>5.</b>	<b>Overview of Management Plans .....</b>	<b>5</b>
5.1	Benthic Communities and Habitat Monitoring and Management Plan .....	5
5.2	Marine Pest Management Procedure.....	6
5.3	Groundwater Monitoring and Management Plan .....	6
5.4	Marine Environmental Quality Monitoring and Management Plan.....	7
5.5	Illumination Plan.....	8
5.6	Marine Turtle Monitoring and Management Plan .....	8
5.7	Dredge Management Plan.....	8
5.8	Migratory Shorebird Monitoring and Management Plan.....	9
5.9	Mesquite Management Plan .....	9
5.10	Minuria tridens Research and Offset Strategy .....	9
5.11	Impact Reconciliation Procedure .....	10
<b>6.</b>	<b>Compliance with Approval Conditions .....</b>	<b>10</b>

## List of Tables

Table 1: Summary of Action and Compliance Report Details .....	4
Table 2: Summary of Groundwater monitoring triggers and thresholds. ....	7
Table 3: Details of Non-compliances.....	10
Table 4: Compliance with Approval Conditions of EPBC 2018/8236 – 14 January 2025 to 8 September 2025 .....	12
Table 5: Compliance with Approval Conditions of EPBC 2022/9169 – 9 September 2024 to 8 September 2025.....	51

## 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", on a light grey background.

Signed:

Name: Shaun Meredith

Position: Head of Environment and Heritage

Organisation: Mardie Minerals Pty Ltd  
ABN 50 152 574 457

Date: 7 October 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. EPBC 2018/8236 was varied on 9 October 2024 in response to the approval of EPBC 2022/9169 for the Optimised Mardie Project, which was approved on 9 September 2024.

**Table 1: Summary of Action and Compliance Report Details**

EPBC Numbers	2018/8236 & 2022/9169
Project Name	Mardie Salt 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	2018/8236 - 14 January 2025 to 8 September 2025 2022/9169 – 9 September 2024 to 8 September 2025
Date of Compliance Report	3 October 2025

### 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 completion – Evaporation Ponds 7 to 9 and commencement of crystalliser ponds.
- Jetty construction – Jetty head and conveyor system.
- Several infrastructure upgrades including to access roads and communications.
- Commencement of pond commissioning through initial filling of Evaporation Ponds 1 to 9 with sea water.

- Construction of Secondary Sea Water Intake, Intake Pond and pipelines.

#### **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 and conditions 106 and 107 of EPBC 2022/9169, 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 Report Guidelines, Commonwealth of Australia 2023, below is a summary of the Management Plans conditionally required under EPBC 2018/8236, EPBC 2022/9169 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 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 to advise on intertidal ecology and have contributed to the content and methods presented in the BCHMMP.

BCHMMP, Revision D was implemented during the reporting period and continues to be implemented. Updates to the BCHMMP have been submitted to DCCEE and the Western Australian Department of Water and Environmental Regulation (DWER) and BCI is awaiting approval of these.

Quarterly monitoring has shown that mangrove health remains good, with no threshold events recorded during the annual period. Trigger criteria were met on six occasions across five sites. In these instances, canopy cover fell to <80% of the pre-operational range and showed significantly greater

decline than reference sites. All mangrove sites remain in good health and the changes were concluded to be related to weather events during the reporting period where the Pilbara recorded above-average rainfall and temperatures in part caused by above average cyclone activity across northern Australia.

Monitoring of seagrass near the project area shows monitoring site SG34 met threshold criteria for percentage cover during all quarters for the annual period. A decline in percentage cover across all sites was observed, however, only SG34 had a significant difference to reference sites.

Percentage cover of seagrass at most sites in the study area has declined relative to pre-operational data, however, this downward trend was observed prior to the commencement of the filling of evaporation ponds with seawater (in September 2024), and the significant declines in seagrass percentage cover observed since pond filling are likely attributable to the two marine heatwave events that occurred prior to the Q3 2023 survey and during the Q1 2025 survey.

Quarterly samphire monitoring shows two monitoring locations recorded results that were below trigger levels for percentage cover but no threshold criteria were met. One location recorded two quarters below the trigger level then recovered, whilst the second location recorded all four quarters below the trigger level, however, this location contains naturally sparse vegetation compared to other locations.

Samphire health analysis shows that most locations recorded one quarter where the health score changed significantly however only one trigger level event was recorded in Q4 2024. Overall health across all locations remains stable or are improving.

Algal mat monitoring has been conducted quarterly as required across the project area. No threshold criteria have been met during the reporting period. Results show all but one location have remained above the trigger level value for percentage cover. Location AL7 recorded 76% and 77% cover in quarters Q1 2025 and Q2 2025 which is slightly below the trigger criteria of 80%.

## **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 this reporting period because marine construction works were conducted from a crane traveller installed on top of the jetty structure and did not involve the use of marine 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 GMMP (Revision K) was conditionally approved by DWER in April 2024 and GMMP (Revision M) by DCCEE 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 Ponds 1 to 3 and operational monitoring of groundwater commenced.

As per Conditions 63 to 65, at the conclusion of filling Ponds 1 to 3, a revised GMMP was submitted to DCCEEW and DWER. The revised GMMP was approved by DWER on 27 February 2025 and by DCCEEW on 15 April 2025. The filling of Ponds 4 to 9 and the crystalliser ponds commenced on 16 April 2025.

Table 2 provides a summary of the triggers and thresholds detected between 14 January 2025 and 8 September 2025.

**Table 2: Summary of Groundwater monitoring triggers and thresholds.**

Type	Triggers	Thresholds
<b>Groundwater level</b>		
Percentile model	4166	32
Prediction model	671	13
<b>Salinity</b>		
Percentile model	1103	13
Prediction model	987	38

Investigations into the trigger and threshold events have shown that all events have been caused by natural variations in groundwater levels and salinity and/or potential seepage from the unsealed ponds. Modelling undertaken by AQ2 predicted seepage to continue with groundwater and salinity levels to remain impacted for approximately one year from commencement of pond filling. Upon conditioning of the pond floor seepage flows will decrease, and groundwater and salinity levels should stabilise. The changes in water levels and salinity have been within the ranges predicted by modelling.

In response to the threshold events, Mardie has undertaken the following actions to ensure that there are no impacts to protected matters as a result of these changes:

- Additional vegetation and BCH monitoring
- Temporary cessation of pond filling
- Installation of seepage recovery sumps
- Investigation of alternative pond linings for crystalliser ponds.

The GMMP has been implemented as per the conditions of EPBC 2018/8236 and EPBC 2022/9169 and the commitments made within the approved plan.

## 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.

Bitterns discharge is yet to commence for the Mardie Salt Project and is not expected to commence until late 2026.

No compliance issues or environmental impacts relating to marine environmental quality 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 to meet all required standards. Revision 2 of the Illumination Plan was approved by DCCEEW 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. The 2025 light audit was conducted on 22-25 September 2025, results will be included in the next annual compliance report.

Annual light monitoring was undertaken in December 2024 and March 2025 alongside the annual turtle monitoring program. The monitoring results show an increase in whole-of-sky (WOS) brightness at Sholl Island (East), Sholl Island (West) and from Middle Passage Island and a decrease in WOS sky brightness was reported at Long Island and Mardie Creek (West). The increase in WOS is likely to be from the newly constructed Mardie Onshore Facilities and changes to vegetation height and/or dune profiles.

The measured increase in light at Sholl Island (West) of 55.6 % is below the modelled impacts for the Project which predicted changes between 58% and 73%. The brightest visible light sources in the area continue to be from Cape Preston Port and Sino Iron mining facilities.

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 2024-2025 campaign was undertaken during October 2024, December 2024 and March 2025; 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 2024-2025 report provided by Worley Consulting 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.

## 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 this 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 Migratory Shorebird Monitoring and Management Plan

The Migratory Shorebird Monitoring Program was reviewed and revised during the reporting period. The updated Migratory Shorebird Monitoring and Management Plan, Revision 3 was submitted to DCCEEW on 30 September 2024.

The plan was updated in accordance with Conditions B6-4 and C4-3 of MS 1211 and submitted as required by Condition 46 of EPBC 2022/9169. The plan is yet to receive approval from DCCEEW.

Migratory shorebird monitoring was undertaken during the reporting period as per the currently approved Long-term Migratory Shorebird Monitoring Program, Revision 1.1. The monitoring program incorporates both aerial and ground-based bird counts. Aerial surveys were used in the baseline surveys completed from 2017-2019 as they provide the greatest coverage and can be used to survey a range of habitat types that are otherwise inaccessible and ground surveys are an effective way of providing additional data at key sites and can also provide a more accurate count of species that occur in mixed flocks of birds that can be difficult to accurately identify to species level via aerial surveys.

Changes to the relative abundance and relative richness have been identified when comparing the 2025 data to pre-operational and baseline results. However, with the data currently available it is not able to determine if these changes are due to the Project, are caused by natural fluctuations, or by cyclone events in the lead up to this year's survey.

The 2025-2026 survey will provide further information to help determine if changes to relative abundance and relative richness are attributable to the Project. During the upcoming monitoring period, a second survey at the beginning of the season will be scheduled to help provide context around the influence of major weather events and seasonality on the shorebird assemblage in the study area.

## 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 minimise harm to protected matters and control the spread of weed distribution.

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.

The weed management contractor team treated 3296 mesquite plants during the 2024 campaign. Plants treated were predominantly under 1m in height and thus not of reproductive age. Many of the plants treated were in recently disturbed areas and were new growth (not seed-producing at time of treatment), indicating that regrowth is to be expected, particularly post wet season. High regrowth rates are also to be expected in future years as the existing seed bank germinates.

No compliance issues were identified during the reporting period.

The 2025 campaign is scheduled to commence in October 2025.

## 5.10 *Minuria tridens* Research and Offset Strategy

A part of the Research and Offset Strategy, a regional survey was undertaken in September 2024. The field survey identified six new populations of *Minuria tridens* (*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.

During the above surveys and previous vegetation surveys within the project area, specimens were collected and sent to the WA Herbarium for identification. Although, originally identified as *M. tridens*, the disjunct distribution of the species prompted a taxonomic revision utilising both morphological and genomic (DNA) analyses. In February 2025 the WA Herbarium confirmed that it considers all *Minuria* species within WA to be two new taxon (*Minuria sp. Murchison* and *Minuria sp. Onslow*) and not *Minuria tridens*. This is currently under review at the Commonwealth level, and is this subject of ongoing discussion between the Compliance unit and Mardie Minerals in response to the recent Notice of Intent. Mardie Minerals awaits confirmation of the outcome of the genomic and morphological by the Commonwealth prior to continuation of regional surveys as planned in the Research and Offset Strategy.

## 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. The revised procedure is yet to be approved.

The first biennial Impact Reconciliation Report (IRR) was approved in April 2025 and the first contribution of \$513,684 made to the Pilbara Environmental Offsets Fund in May 2025. The biennial IRR has been prepared and submitted to DWER as per the requirements of the IRP. The next contribution to the Pilbara Environment Offset Fund will be made once the IRR for the second reporting period has been assessed and invoice issued.

## 6. COMPLIANCE WITH APPROVAL CONDITIONS

Mardie has considered and assessed its compliance with each of the 126 conditions of EPBC 2018/8236 as varied on 9 October 2024 and EPBC 2022/9169, an assessment of compliance with these conditions is presented in Table 4 and Table 5.

Mardie is reporting non-compliance with ten conditions, four of which are administrative (late report submissions) and two are due to condition wording which cannot be complied with. The remaining two non-compliances are where project activities did not comply with condition requirements. Table 3 provides a summary of the reported non-compliances.

**Table 3: Details of Non-compliances**

Condition	Issue	Corrective Actions
25	As detailed in the incident report provided on 15 April 2025 (Ref: 0000-EV-LET-0164), a marine mammal believed to be a manta-ray became entangled in the rope securing the hydrophone which had been deployed to monitor noise during piling activities. This incident was not reported to DBCA within 2 hrs. The cause of the non-	As per advice from the department, any incident involving a marine mammal which could potentially be a species listed in Condition 25, will be treated as such and reported to DBCA. Mardie has updated procedures and undertaken further training to ensure all staff

Condition	Issue	Corrective Actions
	compliance was due to staff not being able to positively identify the animal as a Giant Manta-ray.	and contractors involved in marine construction are aware of this requirement.
29	<p>The marine fauna records for the 2024-2025 reporting period were not submitted or published at the time of the EPBC 2018/8236 annual compliance report.</p> <p>The records were not submitted due to an administrative error. The actions required to meet Condition 29 were inadvertently not entered into Mardie's compliance system, INX, which resulted in the records not being prepared and submitted to the Department as required.</p>	Mardie has undertaken corrective action by entering the details into INX. The marine fauna sightings for the reporting period were provided to the department on 29 May 2025 and published to the BCI website.
32(d)	Mardie is unable to fully comply with this condition due to not being able to undertake visual monitoring at the peak of every high tide and at least once at the midpoint between high tides. This is due to the tidal regime in the Mardie area consisting of a peak tide and mid-points which occur during nighttime hours. Mardie is not able to visually monitor during these times due to approval requirements limiting artificial light and health and safety concerns.	<p>Mardie notified the department of this on 29 May 2025 and discussed with department staff during the site visit undertaken on 5-6 June 2025.</p> <p>On 7 August 2025, Mardie received correspondence that the department intends to undertake a directed variation to conditions under section 143(1)(a) of the EPBC Act to address this non-compliance.</p>
32(f)	Mardie is unable to fully comply with this condition due to not being able to undertake visual monitoring for 7 days after a large storm event as the project site is shutdown as large storm events approach. Relevant staff may not return to site for several days following a large storm event and/or access to the causeway area may be cut-off due to road conditions.	<p>Mardie notified the department of this on 29 May 2025 and discussed with department staff during the site visit undertaken on 5-6 June 2025. Mardie has implemented alternative monitoring methods to determine if the Intertidal Flow Objective is being met.</p> <p>On 7 August 2025, Mardie received correspondence that the department intends to recommend a variation to conditions under section 143(1)(a) of the EPBC Act to address this non-compliance.</p>
113	One new incident was reported outside the two-business day notification timeframe.	Internal reporting processes have been improved to ensure notifications and investigation reports are provided within the specified timeframes.
114	One new investigation report was submitted outside the 12-business day timeframe.	
115(a)	Twelve new threshold notifications were provided outside of the 5-business day timeframe.	
115(b)	Five new threshold investigation reports were submitted outside the 15-business day timeframe.	

**Table 4: Compliance with Approval Conditions of EPBC 2018/8236 – 14 January 2025 to 8 September 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 EPBC 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 EPBC 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	32.02 ha of Triodia grassland habitat was cleared during the reporting period 14 January 2025 to 8 September 2025 within the EPBC 2018/8236 project area. The cumulative total for the EPBC 2018/8236 project is 486.35 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	0.87 ha of open riparian woodlands vegetation was cleared during the reporting period 14 January 2025 to 8 September 2025 within the EPBC 2018/8236 project area. The cumulative total for the EPBC 2018/8236 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 14 January 2025 to 8 September 2025 within the EPBC 2018/8236 project area. The cumulative total for the EPBC 2018/8236 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 14 January 2025 to 8 September 2025 within the EPBC 2018/8236 project area. The cumulative total for the EPBC 2018/8236 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	0.45 ha of mangrove habitat was cleared during the reporting period 14 January 2025 to 8 September 2025 within the EPBC 2018/8236 project area. The cumulative total for the EPBC 2018/8236 project is 12.32 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	48.78 ha of coastal samphire habitat was cleared during the reporting period 14 January 2025 to 8 September 2025 within the EPBC 2018/8236 project area. The cumulative total for the EPBC 2018/8236 project is 155.27 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	314.77 ha of algal mat habitat was cleared during the reporting period 14 January 2025 to 8 September 2025 within the EPBC 2018/8236 project area. The cumulative total for the EPBC 2018/8236 project is 564.32 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 14 January 2025 to 8 September 2025 within the EPBC 2018/8236 project area. The cumulative total for the EPBC 2018/8236 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 14 January 2025 to 8 September 2025 within the EPBC 2018/8236 project area. The cumulative total for the EPBC 2018/8236 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.

Condition Number	Condition	Compliance Status	Evidence/Comments
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 progressed 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	Fauna Management 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.	Compliant	All completed fauna spotter records are kept by BCI.
7	Fauna Management 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.	Compliant	The pond walls have been designed at a gradient sufficient for fauna to escape.
8	Flora Management 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.	Not Applicable	Analysis undertaken has found that <i>Minuria tridens</i> do not exist within Western Australia including the Mardie Project. The plants formerly identified as <i>M. tridens</i> have been found to be a distinct species named <i>Minuria sp. Onslow</i> .
9	Flora Management 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.	Not Applicable	Analysis undertaken has found that <i>Minuria tridens</i> do not exist within Western Australia including the Mardie Project. The plants formerly identified as <i>M. tridens</i> have been found to be a distinct species named <i>Minuria sp. Onslow</i> .
10	Flora Management 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.	Not Applicable	Analysis undertaken has found that <i>Minuria tridens</i> do not exist within Western Australia including the Mardie Project. The plants formerly identified as <i>M. tridens</i> have been found to be a distinct species named <i>Minuria sp. Onslow</i> .
11(a)	Flora Management At least once each calendar year, the approval holder must undertake monitoring within the development envelope in accordance with the survey guidelines to: a) detect any changes to the abundance and distribution of <i>Minuria tridens</i> which has occurred as a result of the Action;	Not Applicable	Analysis undertaken has found that <i>Minuria tridens</i> do not exist within Western Australia including the Mardie Project. The plants formerly identified as <i>M. tridens</i> have been found to be a distinct species named <i>Minuria sp. Onslow</i> .



Condition Number	Condition	Compliance Status	Evidence/Comments
11(b)	Flora Management At least once each calendar year, the approval holder must undertake monitoring within the development envelope in accordance with the survey guidelines to: 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;	Not Applicable	Analysis undertaken has found that <i>Minuria tridens</i> do not exist within Western Australia including the Mardie Project. The plants formerly identified as <i>M. tridens</i> have been found to be a distinct species named <i>Minuria sp. Onslow</i> .
11(c)	Flora Management At least once each calendar year, the approval holder must undertake monitoring within the development envelope in accordance with the survey guidelines to: 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 finding as part of annual compliance reporting to the department.	Not Applicable	Analysis undertaken has found that <i>Minuria tridens</i> do not exist within Western Australia including the Mardie Project. The plants formerly identified as <i>M. tridens</i> have been found to be a distinct species named <i>Minuria sp. Onslow</i> .
12	Flora Management 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.	Not Applicable	Analysis undertaken has found that <i>Minuria tridens</i> do not exist within Western Australia including the Mardie Project. The plants formerly identified as <i>M. tridens</i> have been found to be a distinct species named <i>Minuria sp. Onslow</i> .
13(a)	Weed Management 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: 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;	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)	Weed Management 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: b) not moving any soil from any area of weed infestation to any area free of weed infestation;	Compliant	No soil is moved from areas of weed infestation.
13(c)	Weed Management 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: 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;	Compliant	All vehicles associated with the project are required to use the vehicle washdown station prior to entering and exiting the project area. A register of vehicles that use the washdown facilities is kept by BCI Minerals.
13(d)	Weed Management 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: 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.	Compliant	All vehicles using the Mardie Access Road have access to the vehicle washdown station.
14	Terrestrial Pest and Domestic Animal Management 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.	Compliant	The Feral Fauna Baseline Report was submitted to the department on 25 February 2025.

Condition Number	Condition	Compliance Status	Evidence/Comments
15	Terrestrial Pest and Domestic Animal Management 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.	Compliant	Monitoring of feral animals is undertaken and management measures taken if required.
16	Terrestrial Pest and Domestic Animal Management 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.	Compliant	Feral fauna monitoring is undertaken continuously with the annual monitoring period running from November 2024 to November 2025.
17	Terrestrial Pest and Domestic Animal Management The approval holder must ensure that domestic animals, including dogs and cats, are not brought into the development envelope.	Compliant	No domestic animals are brought into the development envelope.
18	Terrestrial Pest and Domestic Animal Management 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.	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)	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: a) identify the environmental values and protected matters present in the region;	Compliant	Induction material details the environmental values and protected matters present at the Mardie Project.
19(b)	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: b) identify the environmental management requirements of the approval holder;	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 Verification of Competency (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: (a) 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 that prior to any use of project aircraft the operator is to submit an application for a permit. This procedure ensures that drone flight does not encroach above restricted habitats for purposes that have not been approved. Drones have been used above migratory shorebird habitat for environmental monitoring associated with plans such as BCHMMP which have been approved by the Minister/Department. There have been no reports of adverse impacts to any shorebirds through the use of drones.

Condition Number	Condition	Compliance Status	Evidence/Comments
21(b)	Staff and Recreational Activity Management. The approval holder must ensure: (b) 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 associated with plans such as BCHMMP which have been approved by the Minister/Department.
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 with high-risk wastes such as putrescible and hydrocarbon wastes removed 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)	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: (e) no waste from the development envelope enters Mardie pool.	Compliant	All waste within the development envelope is secured and no incidents of waste entering Mardie Pool have been identified.
23	Dust Suppression. 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.	Compliant	BCI undertakes dust control measures including the use of water carts/trucks on disturbed soils. No product transfers or storage has been undertaken to date.
24(a)	Vehicle Management. To avoid road strike to EPBC Act listed threatened fauna individuals as a result of the Action, the approval holder must: (a) ensure that no vehicle associated with the Action exceeds 40 kilometres per hour within the low-speed zone outside of daylight hours	Compliant	BCI has implemented low speed zones at the Mardie Project.
24(b)	Vehicle Management. To avoid road strike to EPBC Act listed threatened fauna individuals as a result of the Action, the approval holder must: (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	Compliant	BCI has implemented a 60 km/h speed limit across the site.
24(c)	Vehicle Management. To avoid road strike to EPBC Act listed threatened fauna individuals as a result of the Action, the approval holder must (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.	Compliant	Road speed signage has been installed at all low-speed zones.



Condition Number	Condition	Compliance Status	Evidence/Comments
24(d)	Vehicle Management To avoid road strike to EPBC Act listed threatened fauna individuals as a result of the Action, the approval holder must: (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.	Compliant	All road signage is maintained.
25	Vessel Management. 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.	Non-compliant	There have been no vessel strike incidents, however, one incident involving a manta ray was recorded. As detailed in the investigation report provided to the department, DBCA was not informed of the incident within 2 hrs.
26	Vessel Management. 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.	Compliant	No project vessels have exceeded 8 knots within 5 km of the export jetty during the reporting period.
27(a)	Vessel Management. To avoid vessel strikes to marine fauna individuals as a result of the Action, the approval holder must ensure all: (a) vessels which are at least 20 metres in length do not exceed: i) 8 knots within the port operational waters, and ii) 12 knots outside the port operational waters	Compliant	No project related vessel has exceeded the 8-knot limit within port operational waters.
27(b)	To avoid vessel strikes to marine fauna individuals as a result of the Action, the approval holder must ensure all: b) vessels are only operated within the port operational waters during product loading operations to reduce the spatial extent of vessel strike risk;	Compliant	No project related vessels have been involved with product loading at the project during the reporting period.
27(c)	Vessel Management. To avoid vessel strikes to marine fauna individuals as a result of the Action, the approval holder must ensure all: (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.	Compliant	No project related vessel has exceeded the 8-knot limit within 500 m of a protected species.
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	All vessel operators associated with the project are trained to observe and avoid marine fauna individuals.
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	No marine fauna sightings were observed whilst the vessel was in transit.
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	Records for all marine fauna sightings have been made and include the details required by this condition.
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	Records for all marine fauna sightings have been made and include the details required by this condition.
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	Records for all marine fauna sightings have been made and include the details required by this condition.
28(d)	Vessel Management. The approval holder must ensure a record is taken of all sightings of marine fauna individuals,	Compliant	Records for all marine fauna sightings have been made and include the details required by this condition.

Condition Number	Condition	Compliance Status	Evidence/Comments
	including details of the: (d) location of the observed marine fauna individual.		
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	Records for all marine fauna sightings have been made and include the details required by this condition.
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	Records for all marine fauna sightings have been made and include the details required by this condition.
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.	Non-compliant	The marine fauna records for the EPBC 2018/8236 2024-2025 reporting period were not submitted or published at the time of the annual compliance report. This was reported to the department on 23 May 2025 and investigation summary provided on 29 May 2025. The MFO register has since been published to the website.
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	The environmental outcomes detailed in Condition B3-1 of MS 1211 have been complied with. The implementation and revision of the Groundwater Monitoring and Management Plan (GMMP) as per Conditions B3-2, B3-3, C3-1 and C4-1 of MS 1211 has been completed.
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 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).	Compliant	The required information is detailed within the GMMP which was submitted to the department prior to the issue of this variation and will be included in future revisions of the GMMP.
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	As per Condition B3-1(3) there have been no changes to the extent of surface water flooding that are greater than those predicted in Causeway Tidal Inundation Assessment – technical memorandum (Advisian 2022).
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 was constructed 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	Compliant	The causeway was constructed with culverts and floodways installed at the locations specified.

Condition Number	Condition	Compliance Status	Evidence/Comments
	– technical memorandum (Advisian 25 July 2022, Doc No: 311012-A01000-HYD-MEM-0034) demonstrates will ensure that the Intertidal Flow Objective will be achieved.		
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.	Non-compliant	Mardie is unable to fully comply with this condition due to not being able to undertake visual monitoring at the peak of every high tide and at least once at the midpoint between high tides. This is due to the tidal regime in the Mardie area consisting of a peak tide and mid-points which occur during nighttime hours. Mardie is not able to visually monitor during these times due to approval requirements limiting artificial light and health and safety concerns. Mardie notified the department of this on 29 May 2025 and discussed with department staff during the site visit undertaken on 5-6 June 2025. Mardie has implemented alternative monitoring methods to determine if the Intertidal Flow Objective is being met. On 7 August 2025, Mardie received correspondence that the department intends to recommend a variation to conditions under section 143(1)(a) of the EPBC Act to address this non-compliance.
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 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.	Not applicable	Monitoring undertaken has not shown that the Intertidal Flow Objective has not been achieved.
32(f)	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: (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.	Non-compliant	Mardie is unable to fully comply with this condition due to not being able to undertake visual monitoring for 7 days after a large storm event as the project site is shutdown as large storm events approach. Relevant staff may not return to site for several days following a large storm event and/or access to the causeway area may be cut-off due to road conditions. Mardie notified the department of this on 29 May 2025 and discussed with department staff during the site visit undertaken on 5-6 June 2025. Mardie has implemented alternative monitoring methods to determine if the Intertidal Flow Objective is being met. On 7 August 2025, Mardie received correspondence that the department intends to recommend a variation to conditions under section 143(1)(a) of the EPBC Act to address this non-compliance.
32(g)	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: (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.	Not applicable	Monitoring undertaken has not shown that the Intertidal Flow Objective has not been achieved.

Condition Number	Condition	Compliance Status	Evidence/Comments
33(a)	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: (a) comply with conditions B3-1(1) and B3-1(2) of the WA Approval.	Compliant	The environmental outcomes detailed in Conditions B3-1(1) and B3-1(2) of MS 1211 have been complied with. There have been no adverse impacts to water quality at Mardie Pool due to changes in groundwater or surface water.
33(b)	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: (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.	Compliant	BCI installed a network of surface water monitoring stations along the drainage corridors during November and December 2024. This network continuously monitors surface water flows through the drainage corridors and complements the intertidal monitoring network which had previously been installed. There has been limited number of rain events in the Mardie area during the reporting period and monitoring data has not shown any impacts to date. A report analysing surface water will be completed after the first year of monitoring and provided with the next Annual Compliance Report.
34	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.	Not Applicable	No adverse impacts to the Surface Water Objective have been identified.
35(a)	Dredge Management. During all marine clearing and marine construction, and until all marine clearing and marine construction has been completed, the approval holder must: (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.	Compliant	No harm was caused to marine fauna specified in Section 3.3.1 of the Mardie Dredge Management Plan during the reporting period.
35(b)	Dredge Management. During all marine clearing and marine construction, and until all marine clearing and marine construction has been completed, the approval holder must: (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.	Compliant	The environmental objectives specified by Condition B5-2 of MS 1211 have been met with the risk of injury to significant marine fauna from vessel strike or noise being minimised. During pile driving activities, Mardie complied with the requirements of Conditions B5-6 and B5-8. Conditions B5-7 and B5-9 were not applicable during the reporting period as no dredging or clearing of turtle nesting habitat occurred.
35(c)	Dredge Management. During all marine clearing and marine construction, and until all marine clearing and marine construction has been completed, the approval holder must: (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.	Compliant	All marine clearing and construction undertaken during the reporting period was in accordance with the guidelines where relevant.
36(a)	Dredge Management. To avoid and mitigate harm to marine fauna and their habitats from dredging operations, the approval holder must: (a) comply with condition B1-1 of the WA Approval, to the extent that this WA Approval condition relates to protected matters.	Not Applicable	Dredging is yet to commence.
36(b)	Dredge Management. To avoid and mitigate harm to marine fauna and their habitats from dredging operations, the approval holder must: (b) not dredge outside of the dredge channel.	Not Applicable	Dredging is yet to commence.



Condition Number	Condition	Compliance Status	Evidence/Comments
36(c)	Dredge Management. To avoid and mitigate harm to marine fauna and their habitats from dredging operations, the approval holder must: (c) not dredge more than 800,000 cubic metres (m3) of substrate.	Not Applicable	Dredging is yet to commence.
36(d)	Dredge Management. To avoid and mitigate harm to marine fauna and their habitats from dredging operations, the approval holder must: (d) not dredge deeper than -6.9m below the lowest astronomical tide (mLAT) within the berth pocket.	Not Applicable	Dredging is yet to commence.
36(e)	Dredge Management. To avoid and mitigate harm to marine fauna and their habitats from dredging operations, the approval holder must: (e) not dredge deeper than -3.9 mLAT within the dredge channel.	Not Applicable	Dredging is yet to commence.
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, as dredging is yet to commence.
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	Monitoring has shown that there were no impacts to the environmental outcomes specified in Condition B5-1 of MS 1211. The management plans specified in Condition B5-3 have been implemented and no clearing of marine turtle habitat occurred during the reporting period (Condition B5-9).

Condition Number	Condition	Compliance Status	Evidence/Comments
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.
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	The environmental outcomes specified in Conditions B4-1 and B4-2 of MS 1211 have been complied with. The MEQMMP required by Condition B4-3 has been implemented. Condition B4-4 has not been triggered as this relates to the closure of the project. Conditions C2-1, C2-2 and D1-1 are requirements that require environmental management plans to be implemented, allow for their revision and require incidents to be reported. These have been complied with for plans associated with extraction of seawater and disposal of brine.
39(b)	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: b) not extract more than 150 Gigalitres of seawater per annum by the primary seawater intake;	Compliant	No more than 150 Gigalitres of seawater per annum was extracted for the Mardie Project.
39(c)	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: (c) not extract more than 12.4 Gigalitres of seawater per annum by the secondary seawater intake	Compliant	No more than 12.4 Gigalitres of seawater per annum was extracted for the Mardie Project
39(d)	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: d) not extract more than 17.6 Gigalitres of seawater per annum by the bittern diffuser intake on the Trestle Jetty;	Not applicable	The bitterns diffuser intake is yet to be constructed.
39(e)	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: (e) not alter the intake locations of the primary seawater intake, secondary seawater intake or bittern diffuser intake.	Compliant	The primary seawater intake and secondary seawater intake have been constructed at the locations specified in approval documents.
39(f)	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: (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.	Compliant	The primary and secondary seawater intakes have been constructed to only extract seawater when the tide is above mean sea level (MSL). Water levels are monitored, and pumps are only engaged if water levels are above MSL.
39(g)	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: (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.	Compliant	The primary seawater intake has a mesh screen with opening no larger than 75 mm.
39(h)	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: (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	Compliant	The primary seawater intake is operated to ensure that the velocity at the mesh screen remains below 0.15 m/s.
39(i)	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: (i) dispose of all waste brine either into the evaporation ponds or by discharge through the bitterns outfall diffuser.	Not applicable	No waste brine has been produced as yet.
39(j)	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:	Not applicable	The bitterns outfall has not been constructed to date.

Condition Number	Condition	Compliance Status	Evidence/Comments
	(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.		
39(k)	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: (k) not release more than 3.6 Gigalitre of bitterns per year.	Not applicable	No bitterns have been released as yet.
39(l)	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: (l) not release any bitterns with specific gravity of more than 1.25 g/ml.	Not applicable	No bitterns have been released as yet.
39(m)	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: (m) diffuse all released bitterns into the marine environment, so the released bitterns remain within the Zone of High Influence – Best Case.	Not applicable	No bitterns have been released as yet.
40(a)	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: (a) established a network of groundwater monitoring bores that is able to detect changes in groundwater levels, and groundwater quality.	Compliant	The Mardie groundwater monitoring network consists of 18 Terrestrial Monitoring Bores, 6 Gas Pipeline Monitoring Bores and 50 Coastal Monitoring Bores which were installed prior operations commencing on 10 September 2024.
40(b)	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: (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).	Compliant	Reference and Impact bores as detailed in the GMMP were assigned and calibrated prior to operations commencing on 10 September 2024.
40(c)	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: (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.	Compliant	All software, equipment and protocols have been developed and deployed prior to operations commencing on 10 September 2024.
41(a)	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: (a) demonstrating compliance with conditions C3-1 and C4-1 of the WA Approval.	Compliant	Mardie is not able to fully comply with this condition as the monitoring bore network was not fully operational from the commencement of the Action. The commencement of the Action occurred in 2022 prior to this condition coming into effect. The monitoring network has been undertaking monitoring at least monthly during the reporting period. The installed monitoring bore network is capable of demonstrating compliance with WA approval conditions.
41(b)	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: (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.	Compliant	The installed monitoring bore network is capable of detecting any trigger or thresholds.

Condition Number	Condition	Compliance Status	Evidence/Comments
41(c)	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: (c) detecting incremental change over time to groundwater level, and groundwater quality as a result of the Action.	Compliant	The installed monitoring bore network is capable of detecting incremental changes over time.
42	Groundwater Monitoring Bores. 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.	Not applicable	Due by 10 September 2026.
43	Evaporation Pond Walls. 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.	Compliant	Mardie is not able to fully comply with this condition. Pond walls were not inspected from the commencement of the Action until 10 September 2024 as EPBC 2018/8236, as approved on 12 January 2022, did not require inspections to be undertaken. Since commencement of operations, the pond walls have been inspected at least once per week.
44(a)	Evaporation Pond Walls. If any seepage and/or brine spill and/or loss of structural integrity is detected at the evaporation pond walls, the approval holder must: (a) Report the incident to the department in writing within 2 business days of the detection in accordance with condition 113.	Not applicable	No seepage, spill or loss of integrity was identified during the reporting period.
44(b)	Evaporation Pond Walls, If any seepage and/or brine spill and/or loss of structural integrity is detected at the evaporation pond walls, the approval holder must: (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: i) the findings of the seepage and/or brine spill and/or loss of structural integrity incident investigation, ii) details of any corrective measures implemented, iii) an evaluation of the effectiveness of the corrective measures implemented, and iv) measures to prevent another seepage and/or brine spill event and/or loss of structural integrity incident occurring in the future.	Not applicable	No seepage, spill or loss of integrity was identified during the reporting period.
45(a)	Marine Turtle Monitoring Program. To achieve the environmental outcomes specified in conditions B5-1(2-3) of the WA Approval, the approval holder must: (a) implement the Marine Turtle Monitoring Program. The approval holder must commence implementing the Marine Turtle Monitoring Program no later than the commencement of the Action and continue to implement it at least until the expiry date of this approval.	Compliant	The Marine Turtle Monitoring Program has been implemented and monitoring undertaken during the reporting period.
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	The environmental outcomes specified in Condition B5-1(2-3) of MS 1211 have been achieved through compliance with the environmental outcomes specified in Condition B5-1 and through the implementation of the environmental management plans specified in Condition B5-3. The Marine Turtle Monitoring Plan is yet to be updated in accordance with Condition C4-2 as Condition C1-1(2) requires this to be completed prior to dredging, which has not yet commenced.



Condition Number	Condition	Compliance Status	Evidence/Comments
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 Program was submitted to the department on 30 September 2024 and contains the requirements of condition 46. Mardie is awaiting DCCEEW approval of the plan.
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 Program was submitted to the department on 30 September 2024 and contains the requirements of condition 46. Mardie is awaiting DCCEEW approval of the plan.
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 Program was submitted to the department on 30 September 2024 and contains the requirements of condition 46. Mardie is awaiting DCCEEW approval of the plan.
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 Program was submitted to the department on 30 September 2024 and contains the requirements of condition 46. Mardie is awaiting DCCEEW approval of the plan.
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 Program was submitted to the department on 30 September 2024 and contains the requirements of condition 46. Mardie is awaiting DCCEEW approval of the plan.
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 Program was submitted to the department on 30 September 2024 and contains the requirements of condition 46. Mardie is awaiting DCCEEW approval of the plan.
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 Program was submitted to the department on 30 September 2024 and contains the requirements of condition 46. Mardie is awaiting DCCEEW approval of the plan.
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	Compliant	The Migratory Shorebird Monitoring and Management Program was submitted to the department on 30 September 2024 and contains the requirements of condition 46. Mardie is awaiting DCCEEW approval of the plan.

Condition Number	Condition	Compliance Status	Evidence/Comments
	Program, conducted by a suitably qualified expert including detailed review of the proposed data analysis methodology.		
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 Program 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 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: 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 was implemented from the commencement of the Action and continues to be 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. Mardie received review comments from the department on 4 August 2025.
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 include the following additions: (b) measures to protect the Minuria tridens during construction.	Compliant	A revised CEMP was submitted to the department on 11 October 2024 and contains all the requirements of condition 50. Mardie received review comments from the department on 4 August 2025.

Condition Number	Condition	Compliance Status	Evidence/Comments
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.	Compliant	Mardie is unable to fully 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	The Secondary Sea Water Intake was constructed during the reporting period. An updated Illumination Plan including the requirements of Condition 53 was submitted to the department on 8 April 2025. Mardie is awaiting DCCEEW approval of the revised plan.
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	The Secondary Sea Water Intake was constructed during the reporting period. An updated Illumination Plan including the requirements of Condition 53 was submitted to the department on 8 April 2025. Mardie is awaiting DCCEEW approval of the revised plan.
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	The Secondary Sea Water Intake was constructed during the reporting period. An updated Illumination Plan including the requirements of Condition 53 was submitted to the department on 8 April 2025. Mardie is awaiting DCCEEW approval of the revised plan.
53(d)	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: (d) incorporate the design and mitigation measures within the Artificial Light Pollution Guidelines.	Compliant	The Secondary Sea Water Intake was constructed during the reporting period. An updated Illumination Plan including the requirements of Condition 53 was submitted to the department on 8 April 2025. Mardie is awaiting DCCEEW approval of the revised plan.
54	Illumination Plan. 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	Not applicable	Not due until 2027.

Condition Number	Condition	Compliance Status	Evidence/Comments
	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.		
55	Marine Environmental Quality Monitoring and Management Plan (MEQMMP) 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.	Compliant	The MEQMMP has been implemented from the commencement of the Action.
56(a)	MEQMMP Review. 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: (a) monitoring required by the MEQMMP.	Not applicable	Review due in 2027.
56(b)	MEQMMP Review. 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: (b) implementation of the MEQMMP.	Not applicable	Review due in 2027.
56(c)	MEQMMP Review. 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: (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.	Not applicable	Review due in 2027.
56(d)	MEQMMP Review. 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: (d) findings of the monitoring required by the approved BCHMMP.	Not applicable	Review due in 2027.
57	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, 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.	Compliant	The environmental outcomes and objectives specified in Conditions B1-1, B1-2 and B1-3 of MS 1211 have been complied with during the reporting period. The BCHMMP specified in Condition B1-4 has been implemented and reviewed as per Conditions B1-4(1-2). The peer review required by Condition B1-4(3-4) is yet to be undertaken.
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	During the reporting period, the following activities were undertaken: <ul style="list-style-type: none"> <li>Quarterly Subtidal, Algal Mat, Samphire and landward mangrove monitoring</li> <li>Annual seaward mangrove monitoring</li> </ul> The plan has been implemented as per the commitments made within the approved plan. Monitoring identified potential changes to BCH, however, these are thought to be due to natural variations and weather patterns rather than project related. No adverse impacts to migratory shorebirds or marine fauna have been detected.
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. Mardie is awaiting DCCEE approval of the revised plan.



Condition Number	Condition	Compliance Status	Evidence/Comments
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. Mardie is awaiting DCCEEW approval of the revised plan.
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. Mardie is awaiting DCCEEW approval of the revised plan.
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. Mardie is awaiting DCCEEW approval of the revised plan.
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. Mardie is awaiting DCCEEW approval of the revised plan.
59(f)	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: (f) detail management measures that will be implemented if any threshold is exceeded.	Compliant	A revised BCHMMP was submitted to the department on 19 October 2024 and contained the requirements of condition 59. Mardie is awaiting DCCEEW approval of the revised plan.
59(g)	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: (g) include monitoring program that specifies how monitoring will be undertaken routinely, during and following events such as: 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	Compliant	A revised BCHMMP was submitted to the department on 19 October 2024 and contained the requirements of condition 59. Mardie is awaiting DCCEEW approval of the revised plan.

Condition Number	Condition	Compliance Status	Evidence/Comments
	MEQMMP,		
59(h)	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: 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;	Compliant	A revised BCHMMP was submitted to the department on 19 October 2024 and contained the requirements of condition 59. Mardie is awaiting DCCEEW approval of the revised plan.
59(i)	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: i) specify measures which will be implemented to manage coastal inundation and/or sea level rise;	Compliant	A revised BCHMMP was submitted to the department on 19 October 2024 and contained the requirements of condition 59. Mardie is awaiting DCCEEW approval of the revised plan.
59(j)	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: (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: i) Mardie Dredge Management Plan, ii) MEQMMP, iii) the approved Migratory Shorebird Monitoring and Management Program, and iv) Groundwater Monitoring and Management Plan (GMMP).	Compliant	A revised BCHMMP was submitted to the department on 19 October 2024 and contained the requirements of condition 59. Mardie is awaiting DCCEEW approval of the revised plan.
59(k)	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: 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;	Compliant	A revised BCHMMP was submitted to the department on 19 October 2024 and contained the requirements of condition 59. Mardie is awaiting DCCEEW approval of the revised plan.
59(l)	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: l) include of an assessment of the effectiveness of the BCHMMP in detecting impacts to Benthic Communities and Habitat; and	Compliant	A revised BCHMMP was submitted to the department on 19 October 2024 and contained the requirements of condition 59. Mardie is awaiting DCCEEW approval of the revised plan.

Condition Number	Condition	Compliance Status	Evidence/Comments
59(m)	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: (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).	Compliant	A revised BCHMMP was submitted to the department on 19 October 2024 and contained the requirements of condition 59. Mardie is awaiting DCCEEW approval of the revised plan.
60(a)	Mesquite Management Plan. To minimise harm to protected matters as a result of weed infestation, the approval holder must: (a) not commence operations, unless the Department of Primary Industries and Regional Development has approved in writing a Mesquite Management Plan.	Compliant	The Mesquite Management Plan was approved by DPIRD on 22 October 2023 prior to the commencement of operations.
60(b)	Mesquite Management Plan. To minimise harm to protected matters as a result of weed infestation, the approval holder must: (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	Compliant	The Mesquite Management Plan continues to be implemented.
60(c)	Mesquite Management Plan. To minimise harm to protected matters as a result of weed infestation, the approval holder must: (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.	Not applicable	Weed survey and report due by February 2027.
61	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.	Compliant	The GMMP (Rev M) was implemented on 9 September 2024 prior to the commencement of operations. The GMMP was implemented during the reporting period as per the conditions of EPBC 2018/8236 and the commitments made within the approved plan.
62(a)	Groundwater Monitoring and Management Plan (GMMP). By implementing the GMMP, the approval holder must achieve the following environmental outcome: (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.	Compliant	No harm to protected matters or their habitat from changes to groundwater has been detected.
63	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.	Compliant	The GMMP was reviewed and revised at the conclusion of filling ponds 1-3, which occurred in December 2024.
64(a)	GMMP Review. At the conclusion of filling evaporation ponds 1, 2 and 3 the approval holder must undertake the following investigations: (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.	Compliant	The review of the GMMP included all requirements of condition 64.
64(b)	GMMP Review. At the conclusion of filling evaporation ponds 1, 2 and 3 the approval holder must undertake the following investigations: (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.	Compliant	The review of the GMMP included all requirements of condition 64.

Condition Number	Condition	Compliance Status	Evidence/Comments
64(c)	GMMP Review. At the conclusion of filling evaporation ponds 1, 2 and 3 the approval holder must undertake the following investigations: (c) Determine approximate aquifer residence times by collecting environmental tracer data (groundwater age tracers) to provide greater evidence supporting the proposed “slow” groundwater flow.	Compliant	The review of the GMMP included all requirements of condition 64.
64(d)	GMMP Review. At the conclusion of filling evaporation ponds 1, 2 and 3 the approval holder must undertake the following investigations: (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).	Compliant	The review of the GMMP included all requirements of condition 64.
64(e)	GMMP Review. At the conclusion of filling evaporation ponds 1, 2 and 3 the approval holder must undertake the following investigations: (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.	Compliant	The review of the GMMP included all requirements of condition 64.
65	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.	Compliant	A revised GMMP (Rev N) was submitted to the department on 15 January 2025 which was within 3 months of the filling of Ponds 1-3.
66(1)	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;	Compliant	The revision contains all requirements of condition 66.
66(a)	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.	Compliant	The revision contains all requirements of condition 66.
66(b)	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.	Compliant	The revision contains all requirements of condition 66.



Condition Number	Condition	Compliance Status	Evidence/Comments
66(c)	<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> <p>(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.</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> <p>(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> <p>(e) a monitoring program, which must include;</p> <p>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,</p> <p>ii) the thresholds for groundwater regimes, groundwater quality, and groundwater levels to demonstrate compliance with condition B3-1 of the WA Approval,</p> <p>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,</p> <p>iv) corrective measures which must be implemented in response to trigger value exceedances,</p> <p>v) corrective measures which must be implemented in response to threshold exceedances,</p> <p>vi) proposed corrective measures if trigger values are reached, and</p> <p>vii) details of how trigger value and threshold exceedances will be assessed to determine if the exceedance is a result of the Action.</p>	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> <p>(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.</p>	Compliant	The revision contains all requirements of condition 66.

Condition Number	Condition	Compliance Status	Evidence/Comments
66(g)	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: (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)	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: (h) an assessment of the effectiveness and reliability of the proposed monitoring system, including: 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 ii) demonstrate if and how the monitoring system will be able to determine if exceedances are attributable to the Action;	Compliant	The revision contains all requirements of condition 66.
66(j)	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: 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	Compliant	The revision contains all requirements of condition 66.
66(k)	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: k) references to other relevant plans or conditions of approval (including WA Approval conditions).	Compliant	The revision contains all requirements of condition 66.
67(a)	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: (a) Cease operations until the revised GMMP is approved in writing by the Minister.	Not applicable	The GMMP (Rev P) was approved by the Minister on 15 April 2025 which is within 12 months of the date of evaporation ponds 1-3 being filled.
67(b)	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: (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.	Not applicable	The GMMP (Rev P) was approved by the Minister on 15 April 2025 which is within 12 months of the date of evaporation ponds 1-3 being filled.

Condition Number	Condition	Compliance Status	Evidence/Comments
68(a)	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: (a) Monitoring required by the approved GMMP, including monitoring bore network, monitoring methodology, monitoring frequency, and trigger and thresholds.	Not applicable	Not due until October 2026.
68(b)	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: (b) Implementation of the GMMP.	Not applicable	Not due until October 2026.
68(c)	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: (c) Effectiveness of the GMMP regarding the achievement of its environmental objective.	Not applicable	Not due until October 2026.
68(d)	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: (d) Capacity to measure incremental impacts that may occur during the life of the Action.	Not applicable	Not due until October 2026.
68(e)	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: (e) Assessment of whether the GMMP requires revision at this time.	Not applicable	Not due until October 2026.
69(a)	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: (a) Revised modelling that includes all data collected to date	Not applicable	
69(b)	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: (b) Revised monitoring and management measures in accordance with recommendations of the review undertaken in condition 68.	Not applicable	
70(a)	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: (a) A detailed review of the monitoring required by the approved GMMP, including monitoring bore network, monitoring methodology, monitoring frequency, trigger values and thresholds.	Not applicable	Not due until 2030.
70(b)	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	Not applicable	Not due until 2030.

Condition Number	Condition	Compliance Status	Evidence/Comments
	qualified expert and must include: (b) A detailed review of the implementation of the GMMP.		
70(c)	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.	Not applicable	Not due until 2030.
70(d)	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.	Not applicable	Not due until 2030.
70(e)	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.	Not applicable	Not due until 2030.
71	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.	Compliant	
72	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.	Compliant	The Dredge Management Plan has been implemented, however, dredging activities are yet to commence.
73(a)	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.	Not applicable	Dredging activities are yet to commence.
73(b)	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.	Not applicable	Dredging activities are yet to commence.

Condition Number	Condition	Compliance Status	Evidence/Comments
73(c)	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 Minuria tridens within the dredge spoil disposal location.	Not applicable	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.	Not applicable	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.	Not applicable	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	The environmental outcome specified in Condition B2-1 of MS 1211 has been complied with. The Marine Pest Management Procedure required by Condition B2-2 has been implemented.
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	The Marine Pest Management Procedure continues to be implemented.
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.



Condition Number	Condition	Compliance Status	Evidence/Comments
78(a)	<p>OFFSETS.</p> <p>In contributing to the PEOF the approval holder must:</p> <p>(a) Contribute funds toward an offset activity or activities that:</p> <p>i) reduces the rate of decline of the Pilbara Leaf-nosed bat, the Pilbara Olive Python, and the Northern Quoll;</p> <p>ii) ensures a viable population of the Pilbara Leaf-nosed bat, Pilbara Olive Python, and the Northern Quoll remain in the Pilbara region;</p> <p>iii) have specified outcomes and performance indicators; timeframes and milestones for their achievement;</p> <p>iv) includes sufficient monitoring to detect achievement of performance indicators, milestones, and the outcomes; and</p> <p>v) requires regular reporting to the approval holders of the outcomes of the offset activity or activities their funding has contributed towards.</p>	Compliant	Mardie is not able to dictate which activities or offsets are undertaken, however, the Pilbara Environmental Offsets Fund funds activities that meet the requirements.
79(a)	<p>OFFSETS.</p> <p>The approval holder must, prior to commencement of the action, submit to the Minister for approval the Mardie Impact Reconciliation Procedure.</p> <p>(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	An IRP was submitted on 25 January 2022 prior to commencement of the action. A revised IRP was submitted for the OMP approval and is yet to be approved by DCCEEW.
79(b)	<p>OFFSETS.</p> <p>The approval holder must, prior to commencement of the action, submit to the Minister for approval the Mardie Impact Reconciliation Procedure.</p> <p>(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	An IRP was submitted on 25 January 2022 prior to commencement of the action. A revised IRP was submitted for the OMP approval and is yet to be approved by DCCEEW.
79(c)	<p>OFFSETS.</p> <p>The approval holder must, prior to commencement of the action, submit to the Minister for approval the Mardie Impact Reconciliation Procedure.</p> <p>(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>	Compliant	Mardie is unable to fully comply with this condition. 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.</p> <p>The approval holder must, prior to commencement of the action, submit to the Minister for approval the Mardie Impact Reconciliation Procedure.</p> <p>(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:</p> <p>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;</p> <p>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>	Compliant	The first biennial payment was made on 13 May 2025 after assessment by DWER of the Impact Reconciliation Report required by EPBC 2018/8236 as approved on 12 January 2022.
79(e)	<p>OFFSETS.</p> <p>The approval holder must, prior to commencement of the action, submit to the Minister for approval the Mardie Impact Reconciliation Procedure.</p> <p>(e) Submit evidence of each payment made to the department within 10 business days of the date of making the payment.</p>	Compliant	Evidence of the PEOF payment was provided to DCCEEW on 15 May 2025.

Condition Number	Condition	Compliance Status	Evidence/Comments
79(f)	<p>OFFSETS.</p> <p>The approval holder must, prior to commencement of the action, submit to the Minister for approval the Mardie Impact Reconciliation Procedure.</p> <p>(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	<p>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.</p> <p><a href="https://www.wa.gov.au/organisation/departments-of-water-and-environmental-regulation/projects-delivered-through-the-pilbara-environmental-offsets-fund">https://www.wa.gov.au/organisation/departments-of-water-and-environmental-regulation/projects-delivered-through-the-pilbara-environmental-offsets-fund</a></p>
80	<p>OFFSETS.</p> <p>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.</p> <p>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:</p> <p>(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.</p> <p>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:</p> <p>(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:</p> <p>i) That the Offset strategy does not adequately offset the impacts of the relevant protected matters;</p> <p>ii) That it must submit a draft Offset Strategy to the Minister that is suitable for approval;</p> <p>iii) To cease any clearing and/or construction activities; and/or</p> <p>iv) To cease taking the Action or part of the Action.</p>	Not applicable	
82(a)	<p>OFFSETS.</p> <p>The Offset Strategy must:</p> <p>(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.</p> <p>The Offset Strategy must:</p> <p>(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.</p> <p>The Offset Strategy must:</p> <p>(c) specify how the Offset Strategy will achieve the outcomes required under condition 76 of this approval.</p>	Not applicable	
82(d)	<p>OFFSETS.</p> <p>The Offset Strategy must:</p> <p>(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.</p> <p>The Offset Strategy must:</p> <p>(e) specify the party or parties to be responsible for implementing the proposed offset(s).</p>	Not applicable	

Condition Number	Condition	Compliance Status	Evidence/Comments
82(f)	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).	Not applicable	
82(g)	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.	Not applicable	
82(h)	OFFSETS. The Offset Strategy must: (h) detail how the offset(s) will be protected, and ecological benefits maintained, in perpetuity.	Not applicable	
82(i)	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).	Not applicable	
82(j)	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.	Not applicable	
82(k)	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.	Not applicable	
83(a)	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.	Compliant	Mardie has undertaken the actions required by Condition B10-1 of MS 1211 to establish and fund the research projects.
83(b)	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.	Compliant	Contribution to the Short-nosed Sea Snake project was approved on 3 July 2024, and the agreement finalised in Q1 2025. The initial contribution of \$125,000 was made in March 2025.



Condition Number	Condition	Compliance Status	Evidence/Comments
83(c) (i)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>(i) The information required under condition B10-1 of the WA Approval.</p>	Compliant	<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 submission timeframe requirement 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. An updated plan was submitted to the department on 6 March 2025 and contains the information required by this condition.</p>
83(c)(ii)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>(ii) Details of how the proposed research projects will achieve the Marine Research Objectives.</p>	Compliant	<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 submission timeframe requirement 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. An updated plan was submitted to the department on 6 March 2025 and contains the information required by this condition.</p>
83(c)(iii)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>(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>	Compliant	<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 submission timeframe requirement 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. An updated plan was submitted to the department on 6 March 2025 and contains the information required by this condition.</p>

Condition Number	Condition	Compliance Status	Evidence/Comments
83(c)(iv)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>	Compliant	<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 submission timeframe requirement 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. An updated plan was submitted to the department on 6 March 2025 and contains the information required by this condition.</p>
83(c)(v)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>	Compliant	<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 submission timeframe requirement 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. An updated plan was submitted to the department on 6 March 2025 and contains the information required by this condition.</p>
83(c)(vi)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>	Compliant	<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 submission timeframe requirement 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. An updated plan was submitted to the department on 6 March 2025 and contains the information required by this condition. The initial contribution was made to the fund on 4 August 2022.</p>

Condition Number	Condition	Compliance Status	Evidence/Comments
83(c)(vii)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>	Compliant	<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 submission timeframe requirement 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. An updated plan was submitted to the department on 6 March 2025 and contains the information required by this condition.</p>
83(c)(viii)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>	Compliant	<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 submission timeframe requirement 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. An updated plan was submitted to the department on 6 March 2025 and contains the information required by this condition.</p>
83(c)(ix)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>	Compliant	<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 submission timeframe requirement 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. An updated plan was submitted to the department on 6 March 2025 and contains the information required by this condition.</p>

Condition Number	Condition	Compliance Status	Evidence/Comments
83(c)(x)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>	Compliant	<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 submission timeframe requirement 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. An updated plan was submitted to the department on 6 March 2025 and contains the information required by this condition.</p>
83(c)(xi)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>	Compliant	<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 submission timeframe requirement 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. An updated plan was submitted to the department on 6 March 2025 and contains the information required by this condition.</p>
83(c)(xii)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>	Compliant	<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 submission timeframe requirement 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. An updated plan was submitted to the department on 6 March 2025 and contains the information required by this condition.</p>



Condition Number	Condition	Compliance Status	Evidence/Comments
83(c)(xiii)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>(xiii) Details of a communication and engagement program to promote the achievement of the research outcomes.</p>	Compliant	<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 submission timeframe requirement 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. An updated plan was submitted to the department on 6 March 2025 and contains the information required by this condition.</p>
83(d)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>(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	The research project is progressing and is yet to be completed.
83(e)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>(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	The research project is progressing and is yet to be completed.



Condition Number	Condition	Compliance Status	Evidence/Comments
83(f)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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</p>	Not applicable	

Condition Number	Condition	Compliance Status	Evidence/Comments
	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		
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	Mardie informed the department via a pre-referral meeting conducted on 12 November 2024 that Mardie will apply for a variation to the WA Approval for a change from the approved disposal of dredge spoil on land to disposal at sea within a proposed new dredge material placement area, as EPBC Act listed marine fauna could be impacted by the proposal. BCI submitted a s45C application to the WA EPA on 16 December 2024. This application was subsequently withdrawn upon advice from EPA Services and Mardie submitted a s40AA application on 30 April 2025. Mardie has updated the

Condition Number	Condition	Compliance Status	Evidence/Comments
			Stakeholder Engagement summary for referral EPBC 2024/10054 and kept the department informed on progress with the assessment of the application to vary the WA Approval since February 2025.
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	The Action commenced on 22 February 2022 and 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	Operations commenced on 10 September 2024 and 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	All requests for information or compliance records were 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).	Compliant	First compliance report for EPBC 2018/8236 as varied on 9 October was completed on 11 February 2025.
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,	Compliant	The compliance report for EPBC 2018/8236 as varied on 9 October completed on 11 February 2025 contained the information as specified by Condition 107.
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,	Compliant	The compliance report for EPBC 2018/8236 as varied on 9 October completed on 11 February 2025 contained the information as specified by Condition 107.
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;	Compliant	The compliance report for EPBC 2018/8236 as varied on 9 October completed on 11 February 2025 contained the information as specified by Condition 107.
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;	Compliant	The compliance report for EPBC 2018/8236 as varied on 9 October completed on 11 February 2025 contained the information as specified by Condition 107.
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	Compliant	The compliance report for EPBC 2018/8236 as varied on 9 October completed on 11 February 2025 contained the information as specified by Condition 107.
107(d)	The approval holder must ensure each compliance report includes: d) if any incident occurred, accurate and complete details of each incident.	Compliant	The compliance report for EPBC 2018/8236 as varied on 9 October completed on 11 February 2025 contained the information as specified by Condition 107.

Condition Number	Condition	Compliance Status	Evidence/Comments
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.	Compliant	The compliance report for EPBC 2018/8236 as varied on 9 October completed on 11 February 2025. Mardie is yet to be informed if the report was completed to the satisfaction of the Minister.
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;	Compliant	The 2024-2025 ACR was published to the BCI website within 20 business days following the end of the ACR period.
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.	Compliant	The 2024-2025 clearing shapefiles were published to the BCI website within 20 business days following the end of the ACR period.
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	
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	
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	
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.	Compliant	BCI notified the department on 17 February 2025 of the publishing of the ACR and shapefiles to the BCI website.
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;	Non-compliant	Mardie identified nine potential non-compliances during the period 14 January to 9 September 2025. Notifications for eight incidents were provided within 2 business days however one incident was reported outside the two-day period. All notifications contained the condition or commitment that was potentially non-compliant.
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	All notifications for the period 14 January to 9 September 2025 contained a short description of the incident.
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	All notifications for the period 14 January to 9 September 2025 contained the location, date and time of the incident.
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	Mardie identified nine potential non-compliances during the period 14 January to 9 September 2025. One investigation report from the previous reporting period which was due during the current reporting period was submitted late. All investigation reports for the reporting period contained corrective measures and investigations taken in response to the incidents.
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;	Compliant	All investigation reports for the reporting period contained potential impacts of the incidents.
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;	Compliant	All investigation reports for the reporting period contained the method and timing of corrective measures undertaken to address the incidents.



Condition Number	Condition	Compliance Status	Evidence/Comments
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.	Compliant	All investigation reports for the reporting period contained any variation of the conditions or revision of a plan required to prevent reoccurrence of the incidents or to address consequences of the incidents.
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;	Non-compliant	There were 97 Threshold events during the period 14 January to 9 September 2025. Eleven notifications were provided outside of the 5-day timeframe.
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 97 threshold events were investigated and reports containing the required information submitted to the department. Four of the reports were submitted outside the 15-business day timeframe.
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	



**Table 5: Compliance with Approval Conditions of EPBC 2022/9169 – 9 September 2024 to 8 September 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	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	No construction has occurred outside the development envelope defined in 2022/9169.
2(a)	CLEARING LIMITS Within the Optimised Mardie development envelope, the approval holder must not clear more than: (a) 342 hectares (ha) of Triodia grassland habitat (inclusive of no more than 98 AcajTe habitat);	Compliant	337.75 ha of Triodia grassland habitat including 42.52 ha of AcajTe habitat was cleared during the reporting period 9 September 2024 to 8 September 2025 within the EPBC 2022/9169 project area.
2(b)	CLEARING LIMITS Within the Optimised Mardie development envelope, the approval holder must not clear more than: (b) 15.5 ha of low rocky hill habitat	Compliant	No clearing of low rocky hill habitat was cleared during the reporting period 9 September 2024 to 8 September 2025 within the EPBC 2022/9169 project area.
2(c)	CLEARING LIMITS Within the Optimised Mardie development envelope, the approval holder must not clear more than: (c) 34 ha of coastal samphire	Compliant	5.44 ha of coastal samphire habitat was cleared during the reporting period 9 September 2024 to 8 September 2025 for the EPBC 2022/9169 project area.
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 September 2024 to 8 September 2025 for the EPBC 2022/9169 project area.
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 September 2024 to 8 September 2025 for the EPBC 2022/9169 project area.
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, grassland habitat, migratory shorebird habitat, coastal samphire habitat, 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	Fauna Management 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.	Compliant	All completed fauna spotter records are kept by BCI.
7	Fauna Management 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.	Compliant	The pond walls have been designed at a gradient sufficient for fauna to escape.
8	Flora Management 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.	Not Applicable	Analysis undertaken has found that <i>Minuria tridens</i> do not exist within Western Australia including the Mardie Project. The plants formerly identified as <i>M. tridens</i> have been found to be a distinct species named <i>Minuria sp. Onslow</i> .
9	Flora Management 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.	Not Applicable	Analysis undertaken has found that <i>Minuria tridens</i> do not exist within Western Australia including the Mardie Project. The plants formerly identified as <i>M. tridens</i> have been found to be a distinct species named <i>Minuria sp. Onslow</i> .
10	Flora Management The approval holder must not harm any <i>Minuria tridens</i> within the development envelope from the date of this approval and until the completion of the Action	Not Applicable	Analysis undertaken has found that <i>Minuria tridens</i> do not exist within Western Australia including the Mardie Project. The plants formerly identified as <i>M. tridens</i> have been found to be a distinct species named <i>Minuria sp. Onslow</i> .
11(a)	Flora Management At least once each calendar year, the approval holder must undertake monitoring within the development envelope in accordance with the survey guidelines to detect: (a) any changes to the abundance and distribution of <i>Minuria tridens</i> which has occurred as a result of the Action;	Not Applicable	Analysis undertaken has found that <i>Minuria tridens</i> do not exist within Western Australia including the Mardie Project. The plants formerly identified as <i>M. tridens</i> have been found to be a distinct species named <i>Minuria sp. Onslow</i> .
11(b)	Flora Management At least once each calendar year, the approval holder must undertake monitoring within the development envelope in accordance with the survey guidelines to detect: (b) 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, or the baseline established as required by condition 15;	Not Applicable	Analysis undertaken has found that <i>Minuria tridens</i> do not exist within Western Australia including the Mardie Project. The plants formerly identified as <i>M. tridens</i> have been found to be a distinct species named <i>Minuria sp. Onslow</i> .
12	Flora Management For impacts to <i>Minuria tridens</i> which have occurred prior to the date of this approval, 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 within two months of the date of this approval. The Offset Strategy must be approved by the Minister and implemented for the remainder of the life of the project.	Not Applicable	Analysis undertaken has found that <i>Minuria tridens</i> do not exist within Western Australia including the Mardie Project. The plants formerly identified as <i>M. tridens</i> have been found to be a distinct species named <i>Minuria sp. Onslow</i> .
13(a)	Weed Management The approval holder must undertake regular weed management measures across the development envelope from commencement of the Action until completion of the Action, including the following measures: (a) ensure all road vehicles are washed down before entering the development envelope	Compliant	All vehicles associated with the project are required to use the vehicle washdown station prior to entering and exiting the project area.
13(b)	Weed Management The approval holder must undertake regular weed management measures across the development envelope from commencement of the Action until completion of the Action, including the following measures:	Compliant	No soil is moved from areas of weed infestation.

	(b) ensure that any road 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;		
13(c)	<p>Weed Management</p> <p>The approval holder must undertake regular weed management measures across the development envelope from commencement of the Action until completion of the Action, including the following measures:</p> <p>(c) not move any soil from any area of weed infestation to any area free of weed infestation;</p>	Compliant	All vehicles associated with the project are required to use the vehicle washdown station prior to entering and exiting the project area.
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>	Compliant	The Feral Fauna Baseline Report was submitted to the department on 25 February 2025.
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>	Compliant	Feral fauna monitoring is undertaken continuously with the annual monitoring period running from November 2024 to 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 and/or entering the development envelope 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 and/or entering the development envelope 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)	<p>Staff and Recreational Activity Management</p> <p>The approval holder must induct all personnel associated with the Action and/or entering the development envelope prior to them entering the development envelope, to ensure that they are able to:</p> <p>c) detail the environmental management responsibilities of all personnel;</p>	Compliant	Induction material explains the environmental responsibilities for all personnel.
19(d)	<p>Staff and Recreational Activity Management</p> <p>The approval holder must induct all personnel associated with the Action and/or entering the development envelope prior to them entering the development envelope, to ensure that they are able to:</p> <p>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.</p>	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)	<p>Staff and Recreational Activity Management</p> <p>The approval holder must ensure no fishing is undertaken unless for First Nations cultural heritage purposes:</p> <p>(a) from the trestle jetty;</p>	Compliant	No fishing from the trestle jetty has been undertaken.
20(b)	<p>Staff and Recreational Activity Management</p> <p>The approval holder must ensure no fishing is undertaken unless for First Nations cultural heritage purposes:</p> <p>(b) within Mardie Pool.</p>	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: a) that no project aircraft flies above any migratory shorebirds habitat or grey falcon 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 that prior to any use of project aircraft the operator is to submit an application for a permit. This procedure ensures that drone flight does not encroach above restricted habitats for purposes that have not been approved. Drones have been used above migratory shorebird habitat for environmental monitoring associated with plans such as BCHMMP which have been approved by the Minister/Department. 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: b) no personnel associated with the Action or members of the public have terrestrial access to the migratory shorebirds habitat unless undertaking 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: e) 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 with high-risk wastes such as putrescible and hydrocarbon wastes removed 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: f) 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: g) 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: h) 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)	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: (e) no waste from the development envelope enters Mardie pool.	Compliant	All waste within the development envelope is secured and no incidents of waste entering Mardie Pool have been identified.
23	Dust Suppression. 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 in accordance with the Construction Environment Management Plan.	Compliant	BCI undertakes dust control measures including the use of water carts/trucks.
24(a)	Vehicle Management. To avoid road strike to EPBC Act listed threatened fauna individuals as a result of the Action, the approval holder must: (a) ensure that no vehicle associated with the Action exceeds 40 kilometres per hour within the low-speed zone outside of daylight hours	Compliant	BCI has implemented low speed zones at the Mardie Project.
24(b)	Vehicle Management. To avoid road strike to EPBC Act listed threatened fauna individuals as a result of the Action, the approval holder must: (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	Compliant	BCI has implemented a 60 km/h speed limit across the site.
24(c)	Vehicle Management. To avoid road strike to EPBC Act listed threatened fauna individuals as a result of the Action, the approval holder must (c) prior to commencement of the Action, on both sides of all roads within the development	Compliant	Road speed signage has been installed at all low-speed zones.



	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.		
24(d)	Vehicle Management To avoid road strike to EPBC Act listed threatened fauna individuals as a result of the Action, the approval holder must: (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.	Compliant	All road signage is maintained.
25	Vessel Management. 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.	Non-compliant	There have been no vessel strike incidents however 1 incident involving a manta ray was recorded. As detailed in the investigation report provided to the department, DBCA was not informed of the incident within 2 hrs.
26	Vessel Management. 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.	Compliant	No project vessels have exceeded 8 knots within 5 km of the export jetty during the reporting period.
27(a)	Vessel Management. To avoid vessel strikes to marine fauna individuals as a result of the Action, the approval holder must ensure all: (a) vessels which are at least 20 metres in length do not exceed: i) 8 knots within the port operational waters, and ii) 12 knots outside the port operational waters	Compliant	No project related vessel has exceeded the 8-knot limit within port operational waters.
27(b)	To avoid vessel strikes to marine fauna individuals as a result of the Action, the approval holder must ensure all: (b) vessels are only operated within the port operational waters during operations to reduce the spatial extent of vessel strike risk;	Compliant	No project related vessels have been involved with product loading at the project during the reporting period.
27(c)	Vessel Management. To avoid vessel strikes to marine fauna individuals as a result of the Action, the approval holder must ensure all: (c) vessels operated or contracted by the approval holder do not exceed 8 knots within 500 metres of any identified cetacean, dugong, or marine turtle.	Compliant	No project related vessel has exceeded the 8-knot limit within 500 m of a protected species.
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	All vessel operators associated with the project are trained to observe and avoid marine fauna individuals.
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	No marine fauna sightings were observed whilst the vessel was in transit.
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	Records for all marine fauna sightings have been made and include the details required by this condition.
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	Records for all marine fauna sightings have been made and include the details required by this condition.
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	Records for all marine fauna sightings have been made and include the details required by this condition.
28(d)	Vessel Management. The approval holder must ensure a record is taken of all sightings of marine fauna individuals,	Compliant	Records for all marine fauna sightings have been made and include the details required by this condition.

	including details of the: (d) location of the observed marine fauna individual.		
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	Records for all marine fauna sightings have been made and include the details required by this condition.
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	Records for all marine fauna sightings have been made and include the details required by this condition.
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	The environmental outcomes detailed in Condition B3-1 of MS 1211 have been complied with. The implementation and revision of the Groundwater Monitoring and Management Plan (GMMP) as per Conditions B3-2, B3-3, C3-1 and C4-1 of MS 1211 has been completed.
31	Groundwater Objective. The approval holder must, prior to the commencement of the Action, 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 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).	Compliant	The required information is detailed within the GMMP which was submitted to the department prior to the issue of this variation.
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	As per Condition B3-1(3) there have been no changes to the extent of surface water flooding that are greater than those predicted in Causeway Tidal Inundation Assessment – technical memorandum (Advisian 2022).
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 was constructed 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 was constructed with culverts and floodways installed at the locations specified.

32(d)	<p>Intertidal Flow Objective.</p> <p>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>(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.</p>	Non-compliant	<p>Mardie is unable to fully comply with this condition due to not being able to undertake visual monitoring at the peak of every high tide and at least once at the midpoint between high tides. This is due to the tidal regime in the Mardie area consisting of a peak tide and mid-points which occur during nighttime hours. Mardie is not able to visually monitor during these times due to approval requirements limiting artificial light and health and safety concerns.</p> <p>Mardie notified the department of this on 29 May 2025 and discussed with department staff during the site visit undertaken on 5-6 June 2025. Mardie has implemented alternative monitoring methods to determine if the Intertidal Flow Objective is being met.</p> <p>On 7 August 2025, Mardie received correspondence that the department intends to recommend a directed variation to conditions under section 143(1)(a) of the EPBC Act to address this non-compliance.</p>
32(e)	<p>Intertidal Flow Objective.</p> <p>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>(e) if any monitoring detects that the Intertidal Flow Objective is not being achieved, the 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.</p>	Not applicable	Monitoring undertaken has not shown that the Intertidal Flow Objective has not been achieved.
32(f)	<p>Intertidal Flow Objective.</p> <p>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>	Non-compliant	<p>Mardie is unable to fully comply with this condition due to not being able to undertake visual monitoring for 7 days after a large storm event as the project site is shutdown as large storm events approach. Relevant staff may not return to site for several days following a large storm event and/or access to the causeway area may be cut-off due to road conditions.</p> <p>Mardie notified the department of this on 29 May 2025 and discussed with department staff during the site visit undertaken on 5-6 June 2025. Mardie has implemented alternative monitoring methods to determine if the Intertidal Flow Objective is being met.</p> <p>On 7 August 2025, Mardie received correspondence that the department intends to recommend a directed variation to conditions under section 143(1)(a) of the EPBC Act to address this non-compliance.</p>
33(a)	<p>Surface Water Objective.</p> <p>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	The environmental outcomes detailed in Conditions B3-1(1) and B3-1(2) of MS 1211 have been complied with. There have been no adverse impacts to water quality at Mardie Pool due to changes in groundwater or surface water.
33(b)	<p>Surface Water Objective.</p> <p>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>	Compliant	<p>BCI installed a network of surface water monitoring stations along the drainage corridors during November and December 2024. This network continuously monitors surface water flows through the drainage corridors and complements the intertidal monitoring network which had previously been installed.</p> <p>There has been limited number of rain events in the Mardie area during the reporting area and monitoring data has not shown any impacts to date. A report analysing surface water will be completed after the first year of monitoring and provided with the next Annual Compliance Report.</p>
34	<p>Surface Water Objective.</p> <p>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)	Dredge Management. During all marine clearing and marine construction, and until all marine clearing and marine construction has been completed, the approval holder must: (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.	Compliant	No harm was caused to marine fauna specified in Section 3.3.1 of the Mardie Dredge Management Plan during the reporting period.
35(b)	Dredge Management. During all marine clearing and marine construction, and until all marine clearing and marine construction has been completed, the approval holder must: (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.	Compliant	The environmental objectives specified by Condition B5-2 of MS 1211 have been met with the risk of injury to significant marine fauna from vessel strike or noise being minimised. During pile driving activities Mardie complied with the requirements of Conditions B5-6 and B5-8. Conditions B5-7 and B5-9 were not applicable during the reporting period as no dredging or clearing of turtle nesting habitat occurred.
35(c)	Dredge Management. During all marine clearing and marine construction, and until all marine clearing and marine construction has been completed, the approval holder must: (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.	Compliant	All marine clearing and construction undertaken during the reporting period was in accordance with the guidelines where relevant.
36(a)	Dredge Management. To avoid and mitigate harm to marine fauna and their habitats from dredging operations, the approval holder must: (a) comply with condition B1-1 of the WA Approval, to the extent that this WA Approval condition relates to protected matters.	Not Applicable	Dredging is yet to commence.
36(b)	Dredge Management. To avoid and mitigate harm to marine fauna and their habitats from dredging operations, the approval holder must: (b) not dredge outside of the dredge channel.	Not Applicable	Dredging is yet to commence.
36(c)	Dredge Management. To avoid and mitigate harm to marine fauna and their habitats from dredging operations, the approval holder must: (c) not dredge more than 800,000 cubic metres (m3) of substrate.	Not Applicable	Dredging is yet to commence.
36(d)	Dredge Management. To avoid and mitigate harm to marine fauna and their habitats from dredging operations, the approval holder must: (d) not dredge deeper than -6.9m below the lowest astronomical tide (mLAT) within the berth pocket.	Not Applicable	Dredging is yet to commence.
36(e)	Dredge Management. To avoid and mitigate harm to marine fauna and their habitats from dredging operations, the approval holder must: (e) not dredge deeper than -3.9 mLAT within the dredge channel.	Not Applicable	Dredging is yet to commence.
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.	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 as dredging is yet to commence.
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	Monitoring has shown that there were no impacts to the environmental outcomes specified in Condition B5-1 of MS 1211. The management plans specified in Condition B5-3 have been implemented and no clearing of marine turtle habitat occurred during the reporting period (Condition B5-9).
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.
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	The environmental outcomes specified in Conditions B4-1 and B4-2 of MS 1211 have been complied with. The MEQMMP required by Condition B4-3 has been implemented. Condition B4-4 has not been triggered as this relates to the closure of the project. Conditions C2-1, C2-2 and D1-1 are requirements that require environmental management plans to be implemented, allow for their revision and require incidents to be reported. These have been complied with for plans associated with extraction of seawater and disposal of brine.
39(b)	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: (b) not extract more than 180 Gigalitres of seawater per annum by the primary seawater intake (inclusive of the 150 Gigalitres per annum as approved under EPBC 2018/8236);	Compliant	171.478 GL has been extracted via the primary seawater intake in the annual period 9 September 2024 to 8 September 2025.
39(c)	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: (c) not extract more than 12.4 Gigalitres of seawater per annum by the secondary seawater intake, (per EPBC 2018/8236 approval),	Compliant	2.3337 GL has been extracted via the secondary seawater intake in the annual period 9 September 2024 to 8 September 2025.
39(d)	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: (d) not extract more than 17.6 Gigalitres of seawater per annum by the bittern diffuser intake on the Trestle Jetty, (per EPBC 2018/8236 approval).	Not applicable	The bitterns diffuser intake is yet to be constructed.
39(e)	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: (e) not alter the intake locations of the primary seawater intake, secondary seawater intake or bittern diffuser intake.	Compliant	

39(f)	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: (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.	Compliant	The primary and secondary seawater intakes have been developed with automated systems that are set to only extract seawater when the tide is above mean sea level.
39(g)	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: (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.	Compliant	The primary seawater intake has a mesh screen with opening no larger than 75 mm.
39(h)	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: (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	Compliant	The primary seawater intake and secondary seawater intake are operated to ensure that the velocity at the mesh screen remains below 0.15 m/s.
39(i)	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: (i) dispose of all waste brine either into the evaporation ponds or by discharge through the bitterns outfall diffuser.	Not applicable	No waste brine has been produced.
39(j)	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: (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.	Not applicable	The bitterns outfall has not been constructed to date.
39(k)	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: (k) not release more than 5.5 Gigalitre of bitterns per year (inclusive of 3.6 Gigalitres per annum approved under EPBC 2018/8236).	Not applicable	No bitterns have been released.
39(l)	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: (l) not release any bitterns with specific gravity of more than 1.25 g/ml.	Not applicable	No bitterns have been released.
39(m)	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: (m) diffuse all released bitterns into the marine environment, so the released bitterns remain within the Zone of High Impact.	Not applicable	No bitterns have been released.
40(a)	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: (a) established a network of groundwater monitoring bores that is able to detect changes in groundwater levels, and groundwater quality.	Compliant	The Mardie groundwater monitoring network consists of 18 Terrestrial Monitoring Bores, 6 Gas Pipeline Monitoring Bores and 5 Coastal Monitoring Bores which were installed prior to operations commencing on 10 September 2024.
40(b)	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: (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).	Compliant	Reference and Impact bores as detailed in the GMMP were assigned and calibrated prior to operations commencing on 10 September 2024.

40(c)	<p>Groundwater Monitoring Bores</p> <p>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 prior to operations commencing on 10 September 2024.
41(a)	<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>(a) demonstrating compliance with conditions C3-1 and C4-1 of the WA Approval.</p>	Compliant	The monitoring bore network was not fully operational prior to the commencement of the Action. The commencement of the Action occurred in 2022 prior to this condition coming into effect. The installed 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 installed 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 installed 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 the Action (as approved by EPBC 2022/9169) the pond walls have been inspected at least once per week.
44(a)	<p>Evaporation Pond Walls.</p> <p>If any seepage and/or brine spill is detected at the evaporation pond walls, the approval holder must:</p> <p>(a) Report the exceedance incident to the department in writing within 2 business days of the event in accordance with condition 113.</p>	Not applicable	No seepage, spill or loss of integrity was identified during the reporting period.

44(b)	Evaporation Pond Walls, If any seepage and/or brine spill is detected at the evaporation pond walls, the approval holder must b) Investigate the seepage and/or brine spill 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. This report must include: i) the findings of the seepage and/or brine spill event investigation, ii) details of any corrective measures implemented, iii) an evaluation of the effectiveness of the corrective measures implemented, iv) measures to prevent another seepage and/or brine spill event occurring in the future.	Not applicable	No seepage, spill or loss of integrity was identified during the reporting period.
45(a)	Marine Turtle Monitoring Program. To achieve the environmental outcomes specified in conditions B5-1(2-3) of the WA Approval, the approval holder must: (a) implement the Marine Turtle Monitoring Program. The approval holder must commence implementing the Marine Turtle Monitoring Program no later than the commencement of the Action and continue to implement it at least until the expiry date of this approval.	Compliant	The Marine Turtle Monitoring Program has been implemented.
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	The environmental outcomes specified in Condition B5-1(2-3) of MS 1211 have been achieved through compliance with the environmental outcomes specified in Condition B5-1 and through the implementation of the environmental management plans specified in Condition B5-3. The Marine Turtle Monitoring Plan is yet to be updated in accordance with Condition C4-2 as Condition C1-1(2) requires this to be completed prior to dredging which has not yet commenced.
46(a)	Migratory Shorebird Monitoring and Management Program. To avoid and mitigate harm to migratory shorebirds the approval holder must submit a Migratory Shorebird Monitoring and Management Program to the department for the Minister's approval. The Migratory Shorebird Monitoring and Management Program must: (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 Migratory Shorebird Monitoring and Management Program to the department for the Minister's approval. The Migratory Shorebird Monitoring and Management Program must: (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 Migratory Shorebird Monitoring and Management Program to the department for the Minister's approval. The Migratory Shorebird Monitoring and Management Program must: (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 Migratory Shorebird Monitoring and Management Program to the department for the Minister's approval. The Migratory Shorebird Monitoring and Management Program must: (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 Migratory Shorebird Monitoring and Management Program to the department for the Minister's approval. The Migratory Shorebird Monitoring and Management Program must: (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 Migratory Shorebird Monitoring and Management Program to the department for the Minister's approval. The Migratory Shorebird Monitoring and Management Program must: (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 Migratory Shorebird Monitoring and Management Program to the department for the Minister's approval. The Migratory Shorebird Monitoring and Management Program must: (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 Migratory Shorebird Monitoring and Management Program to the department for the Minister's approval. The Migratory Shorebird Monitoring and Management Program must: (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 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: 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 include the following	Compliant	A revised CEMP was submitted to the department on 11 October 2024 and contains all the requirements of condition 50.

	additions: (b) measures to protect the Minuria tridens during construction.		
51	Construction Environmental Management Plan (CEMP). Prior to undertaking any maintenance construction activities, the approval holder must submit to the department for the Minister's approval a revised version of CEMP, revised to address how maintenance construction activities will be undertaken to prevent harm to protected matters and achieve the environmental objectives of condition B1-1 of the WA Approval. The approval holder must not commence any maintenance construction activities until the revised plan has been approved by the Minister in writing.	Not applicable	No maintenance construction activities were undertaken.
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.	Compliant	The Illumination Plan was approved by the department on 31 January 2024, prior to 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 plan must be approved in writing by the Minister prior to the operation of any structures which will use artificial light at night which were not included in the Illumination Plan. The plan must: (a) meet the requirements of conditions B5-3(1), B6-5, and C4-2(4) of the WA Approval.	Compliant	The Secondary Sea Water Intake was constructed during the reporting period. An updated Illumination Plan including the requirements of Condition 53 was submitted to the department on 8 April 2025. Mardie is awaiting approval of the revised plan.
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 plan must be approved in writing by the Minister prior to the operation of any structures which will use artificial light at night which were not included in the Illumination Plan. The plan must: (b) incorporate the final lighting design for the any new lighting elements.	Compliant	The Secondary Sea Water Intake was constructed during the reporting period. An updated Illumination Plan including the requirements of Condition 53 was submitted to the department on 8 April 2025. Mardie is awaiting DCCEEW approval of the revised plan.
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 plan must be approved in writing by the Minister prior to the operation of any structures which will use artificial light at night which were not included in the Illumination Plan. The plan must: (c) include methods of monitoring the light impacts from the Action on marine turtles, migratory shorebirds and terrestrial fauna.	Compliant	The Secondary Sea Water Intake was constructed during the reporting period. An updated Illumination Plan including the requirements of Condition 53 was submitted to the department on 8 April 2025. Mardie is awaiting DCCEEW approval of the revised plan.
53(d)	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 plan must be approved in writing by the Minister prior to the operation of any structures which will use artificial light at night which were not included in the Illumination Plan. The plan must: (d) incorporate the design and mitigation measures within the Artificial Light Pollution Guidelines.	Compliant	The Secondary Sea Water Intake was constructed during the reporting period. An updated Illumination Plan including the requirements of Condition 53 was submitted to the department on 8 April 2025. Mardie is awaiting DCCEEW approval of the revised plan.
54	Illumination Plan. 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, the Long-term Migratory Shorebird Monitoring and Management Plan to adapt the operational lighting to further minimise impacts.	Not applicable	Not due until 2027.
55	Marine Environmental Quality Monitoring and Management Plan (MEQMMP) 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 implement the MEQMMP prior to the commencement of the Action and continue to implement the MEQMMP until the completion of the Action.	Compliant	The MEQMMP has been implemented from the commencement of the Action.
56(a)	MEQMMP Review. The approval holder must review the MEQMMP at least once within every subsequent 5-year period following commencement of the Action. The approval holder must submit the findings of each	Not applicable	Review due in 2027.

	review to the department. The review must include detailed reviews of the: (a) monitoring required by the MEQMMP.		
56(b)	MEQMMP Review. The approval holder must review the MEQMMP at least once within every subsequent 5-year period following commencement of the Action. The approval holder must submit the findings of each review to the department. The review must include detailed reviews of the: (b) implementation of the MEQMMP.	Not applicable	Review due in 2027.
56(c)	MEQMMP Review. The approval holder must review the MEQMMP at least once within every subsequent 5-year period following commencement of the Action. The approval holder must submit the findings of each review to the department. The review must include detailed reviews of the: (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.	Not applicable	Review due in 2027.
56(d)	MEQMMP Review. The approval holder must review the MEQMMP at least once within every subsequent 5-year period following commencement of the Action. The approval holder must submit the findings of each review to the department. The review must include detailed reviews of the: (d) findings of the monitoring required by the approved BCHMMP.	Not applicable	Review due in 2027.
57	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, 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.	Compliant	The environmental outcomes and objectives specified in Conditions B1-1, B1-2 and B1-3 of MS 1211 have been complied with during the reporting period. The BCHMMP specified in Condition B1-4 has been implemented and reviewed as per Conditions B1-4(1-2). The peer review required by Condition B1-4(3-4) is yet to be undertaken.
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 any revised version to the Minister for 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. Mardie is awaiting DCCEEW approval of the revised plan.
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 any revised version to the Minister for 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. Mardie is awaiting DCCEEW approval of the revised plan.
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 any revised version to the Minister for 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. Mardie is awaiting DCCEEW approval of the revised plan.

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 any revised version to the Minister for 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. Mardie is awaiting DCCEEW approval of the revised plan.
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 any revised version to the Minister for 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. Mardie is awaiting DCCEEW approval of the revised plan.
59(f)	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 any revised version to the Minister for 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: (f) detail management measures that will be implemented if any threshold is exceeded.	Compliant	A revised BCHMMP was submitted to the department on 19 October 2024 and contained the requirements of condition 59. Mardie is awaiting DCCEEW approval of the revised plan.
59(g)	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 any revised version to the Minister for 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: (g) include monitoring program that specifies how monitoring will be undertaken routinely, during and following events such as: 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. Mardie is awaiting DCCEEW approval of the revised plan.
59(h)	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 any revised version to the Minister for 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: 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;	Compliant	A revised BCHMMP was submitted to the department on 19 October 2024 and contained the requirements of condition 59. Mardie is awaiting DCCEEW approval of the revised plan.
59(i)	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 any revised version to the Minister for 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: i) specify measures which will be implemented to manage coastal inundation and/or sea level rise;	Compliant	A revised BCHMMP was submitted to the department on 19 October 2024 and contained the requirements of condition 59. Mardie is awaiting DCCEEW approval of the revised plan.



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 any revised version to the Minister for 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. Mardie is awaiting DCCEEW approval of the revised plan.
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 any revised version to the Minister for 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. Mardie is awaiting DCCEEW approval of the revised plan.
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 any revised version to the Minister for 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. Mardie is awaiting DCCEEW approval of the revised plan.
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 any revised version to the Minister for 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. Mardie is awaiting DCCEEW approval of the revised plan.
60(a)	<p>Mesquite Management Plan.</p> <p>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.</p> <p>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.</p> <p>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).</p> <p>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 GMMP must be implemented 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)	Groundwater Monitoring and Management Plan (GMMP). By implementing the GMMP, the approval holder must achieve the following environmental outcome: (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.	Compliant	
63	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.	Compliant	The GMMP was reviewed and revised at the conclusion of filling ponds 1-3.
64(a)	GMMP Review. At the conclusion of filling evaporation ponds 1, 2 and 3 the approval holder must undertake the following investigations: (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.	Compliant	The review of the GMMP included all requirements of condition 64.
64(b)	GMMP Review. At the conclusion of filling evaporation ponds 1, 2 and 3 the approval holder must undertake the following investigations: (b) Model predictions must be undertaken for the entire project lifetime to consider the full impact of the project, including the more slowly occurring impact of salinity changes.	Compliant	The review of the GMMP included all requirements of condition 64.
64(c)	GMMP Review. At the conclusion of filling evaporation ponds 1, 2 and 3 the approval holder must undertake the following investigations: (c) Determine approximate aquifer residence times by collecting environmental tracer data (groundwater age tracers) to provide greater evidence supporting the proposed “slow” groundwater flow.	Compliant	The review of the GMMP included all requirements of condition 64.
64(d)	GMMP Review. At the conclusion of filling evaporation ponds 1, 2 and 3 the approval holder must undertake the following investigations: (d) Independent review of the modified Before/After Control Impact approach proposed by Data Analysis Australia.	Compliant	The review of the GMMP included all requirements of condition 64.
64(e)	GMMP Review. At the conclusion of filling evaporation ponds 1, 2 and 3 the approval holder must undertake the following investigations: (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.	Compliant	The review of the GMMP included all requirements of condition 64.
65	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.	Compliant	A revised GMMP (Rev N) was submitted to the department on 15 January 2025 which was within 3 months of the filling of Ponds 1-3.
66(a)	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.	Compliant	The revision contains all requirements of condition 66.

66(b)	<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> <p>(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.</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> <p>(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.</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> <p>(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> <p>(e) a monitoring program, which must include:</p> <ul style="list-style-type: none"> <li>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,</li> <li>ii) the thresholds for groundwater regimes, groundwater quality, and groundwater levels to demonstrate compliance with condition B3-1 of the WA Approval,</li> <li>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,</li> <li>iv) corrective measures which must be implemented in response to trigger value exceedances,</li> <li>v) corrective measures which must be implemented in response to threshold exceedances,</li> <li>vi) proposed corrective measures if trigger values are reached, and</li> <li>vii) details of how trigger value and threshold exceedances will be assessed to determine if the exceedance is a result of the Action.</li> <li>viii) The approval holder must provide written justification in the form of a report as an appendix to the GMMP, for the proposed triggers, limits triggers and indicators as they relate to the protection of MNES 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.</li> </ul>	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>	Compliant	The revision contains all requirements of condition 66.

	(f) details of seepage recovery measures that will be implemented where seepage from evaporation ponds to groundwater is detected.		
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> <p>(g) 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(h)	<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> <p>(h) 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(i)	<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 GMMP must be consistent with the Environmental Management Plan Guidelines, and must include:</p> <p>(i) 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.</p>	Compliant	The revision contains all requirements of condition 66.
66(j)	<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> <p>j) references to other relevant plans or conditions of approval (including state approval conditions).</p>	Compliant	The revision contains all requirements of condition 66.
67(a)	<p>GMMP Review.</p> <p>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	The GMMP (Rev P) was approved by the Minister on 15 April 2025 which is within 12 months of the date of evaporation ponds 1-3 being filled.
67(b)	<p>GMMP Review.</p> <p>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	The GMMP (Rev P) was approved by the Minister on 15 April 2025 which is within 12 months of the date of evaporation ponds 1-3 being filled.



68(a)	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: (a) Monitoring required by the approved GMMP, including monitoring bore network, monitoring methodology, monitoring frequency, and trigger and thresholds.	Not applicable	Not due until October 2026.
68(b)	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: (b) Implementation of the GMMP.	Not applicable	Not due until October 2026.
68(c)	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: (c) Effectiveness of the GMMP regarding the achievement of its environmental objective.	Not applicable	Not due until October 2026.
68(d)	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: (d) Capacity to measure incremental impacts that may occur during the life of the Action.	Not applicable	Not due until October 2026.
68(e)	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: (e) Assessment of whether the GMMP requires revision at this time.	Not applicable	Not due until October 2026.
69(a)	GMMP Review. The GMMP must be revised to address all recommendations of the review required by condition 68 and submitted to the department for approval by the Minister. The revised GMMP must include: (a) Revised modelling that includes all data collected to date	Not applicable	
69(b)	GMMP Review. The GMMP must be revised to address all recommendations of the review required by condition 68 and submitted to the department for approval by the Minister. The revised GMMP must include: (b) Revised monitoring and management measures in accordance with recommendations of the review undertaken in condition 68.	Not applicable	
70(a)	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: (a) A detailed review of the monitoring required by the approved GMMP, including monitoring bore network, monitoring methodology, monitoring frequency, trigger values and thresholds.	Not applicable	Not due until 2030.
70(b)	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: (b) A detailed review of the implementation of the GMMP.	Not applicable	Not due until 2030.

70(c)	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.	Not applicable	Not due until 2030.
70(d)	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.	Not applicable	Not due until 2030.
70(e)	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.	Not applicable	Not due until 2030.
71	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.	Compliant	
72	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.	Compliant	The Dredge Management Plan has been implemented, however, dredging activities are yet to commence.
73(a)	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 Dredge Management Plan. The revised Dredge Management Plan must be approved in writing by the Minister prior to the commencement of dredging operations. The revised Dredge Management Plan must: (a) be consistent with the Environmental Management Plan Guidelines.	Not applicable	Dredging activities are yet to commence.
73(b)	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 Dredge Management Plan. The revised Dredge Management Plan must be approved in writing by the Minister prior to the commencement of dredging operations. The revised 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.	Not applicable	Dredging activities are yet to commence.
73(c)	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 Dredge Management Plan. The revised Dredge Management Plan must be approved in writing by the Minister prior to the commencement of dredging operations. The revised Dredge Management Plan must: (c) include and consider results of surveys undertaken to determine the presence of Minuria tridens within the dredge spoil disposal location.	Not applicable	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 Dredge Management Plan. The revised Dredge Management Plan must be approved in writing by the Minister prior to the commencement of dredging operations. The revised 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.	Not applicable	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 Dredge Management Plan. The revised Dredge Management Plan must be approved in writing by the Minister prior to the commencement of dredging operations. The revised Dredge Management Plan must: (e) The approval holder must implement the approved revised Dredge Management Plan from when it is approved by the Minister.	Not applicable	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	The environmental outcome specified in Condition B2-1 of MS 1211 has been complied with. The Marine Pest Management Procedure required by Condition B2-2 has been implemented.
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)	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.	Compliant	The Pilbara Environmental Offsets Fund funds activities that meet the requirements.
79(a)	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.	Compliant	An IRP for the original project was submitted on 25 January 2022 prior to commencement of the action. A revised IRP was submitted for the OMP approval on 13 September 2024 and in January 2025 and is yet to be approved by DCCEEW.

79(b)	<p>OFFSETS.</p> <p>The approval holder must, prior to commencement of the action, submit to the Minister for approval the Mardie Impact Reconciliation Procedure.</p> <p>(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	An IRP for the original project was submitted on 25 January 2022 prior to commencement of the action. A revised IRP was submitted for the OMP approval on 13 September 2024 and in January is yet to be approved by DCCEEW.
79(c)	<p>OFFSETS.</p> <p>The approval holder must, prior to commencement of the action, submit to the Minister for approval the Mardie Impact Reconciliation Procedure.</p> <p>(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>	Compliant	A 10% payment for OMP project impacts was made on 4 September 2024 which was prior to commencement of the Action for the OMP project.
79(d)	<p>OFFSETS.</p> <p>The approval holder must, prior to commencement of the action, submit to the Minister for approval the Mardie Impact Reconciliation Procedure.</p> <p>(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, 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> <p>i) A minimum of \$3,306 AUD (excluding GST) per hectare of critical habitat.</p> <p>ii) A minimum of \$1,653 AUD (excluding GST) per hectare of supporting habitat.</p>	Not applicable	The first biennial payment for the OMP project was not due during the reporting period.
79(e)	<p>OFFSETS.</p> <p>The approval holder must, prior to commencement of the action, submit to the Minister for approval the Mardie Impact Reconciliation Procedure.</p> <p>(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 first biennial payment for the OMP project was not due during the reporting period.
79(f)	<p>OFFSETS.</p> <p>The approval holder must, prior to commencement of the action, submit to the Minister for approval the Mardie Impact Reconciliation Procedure.</p> <p>(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. <a href="https://www.wa.gov.au/government/document-collections/pilbara-environmental-offsets-fund-document-collection">https://www.wa.gov.au/government/document-collections/pilbara-environmental-offsets-fund-document-collection</a>
80	<p>OFFSETS.</p> <p>Write to the Minister, within 10 business days of being aware or having concerns, that the offset outcomes specified for the PEOF project(s) may not be achieved for the Pilbara Leaf-nosed bat, Northern Quoll, and Grey Falcon.</p>	Not applicable	
81(a)	<p>OFFSETS.</p> <p>Should the Minister determine that 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:</p> <p>(a) The Minister determines that 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 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:</p> <p>(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:</p> <p>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.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>(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	Mardie has undertaken the actions required by Condition B10-1 of MS 1211 to establish and fund the research projects.
83(b)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>(b) contribute, in addition to condition 83(a), the equivalent (by yearly adjustment by CPI) the following amounts, to the projects specified in Schedule 2 of the WA Approval.</p> <ul style="list-style-type: none"> <li>i. \$75,000 to Project “A” (total of \$1,575,000) with the aim of mapping the original and current extent of samphire and algal mat on the west Pilbara Coast;</li> <li>ii. \$25,000 to Project “B” (total of \$525,000) which has the aim of identifying and quantifying the potential effects of sea level rise on the values of mangroves, samphire, and algal mat on the west Pilbara coast, and identifying the significance of salt projects in preventing the adaptation of intertidal BCH to sea-level rise; and</li> <li>iii. \$25,000 to Project “C” (\$525,000) for the purposes of funding research with the aim of identifying the ecological roles, values and functions of intertidal BCH.</li> </ul>	Compliant	Additional funding required under EPBC 2022/9169 for projects A, B and C was provided to WAMSI in March 2025.
83(c)(i)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>(i) The information required under condition B10-1 of the WA Approval.</p>	Compliant	An updated plan was submitted to the department on 6 March 2025 and contains the information required by this condition. The Research Project Proposal is yet to be approved.
83(c)(ii)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>(ii) Details of how the proposed research projects will achieve the Marine Research Objectives.</p>	Compliant	An updated plan was submitted to the department on 6 March 2025 and contains the information required by this condition. The Research Project Proposal is yet to be approved.

83(c)(iii)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>(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>	Compliant	An updated plan was submitted to the department on 6 March 2025 and contains the information required by this condition. The Research Project Proposal is yet to be approved.
83(c)(iv)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>	Compliant	An updated plan was submitted to the department on 6 March 2025 and contains the information required by this condition. The Research Project Proposal is yet to be approved.
83(c)(v)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>	Compliant	An updated plan was submitted to the department on 6 March 2025 and contains the information required by this condition. The Research Project Proposal is yet to be approved.
83(c)(vi)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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%</p>	Compliant	An updated plan was submitted to the department on 6 March 2025 and contains the information required by this condition. The Research Project Proposal is yet to be approved.

	contribution of the overall funding to be made within two (2) months of the Research Project Proposal being approved by the Minister.		
83(c)(vii)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>	Compliant	An updated plan was submitted to the department on 6 March 2025 and contains the information required by this condition. The Research Project Proposal is yet to be approved.
83(c)(viii)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>	Compliant	An updated plan was submitted to the department on 6 March 2025 and contains the information required by this condition. The Research Project Proposal is yet to be approved.
83(c)(ix)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>	Compliant	An updated plan was submitted to the department on 6 March 2025 and contains the information required by this condition. The Research Project Proposal is yet to be approved.



83(c)(x)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>	Compliant	An updated plan was submitted to the department on 6 March 2025 and contains the information required by this condition. The Research Project Proposal is yet to be approved.
83(c)(xi)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>	Compliant	An updated plan was submitted to the department on 6 March 2025 and contains the information required by this condition. The Research Project Proposal is yet to be approved.
83(c)(xii)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>	Compliant	An updated plan was submitted to the department on 6 March 2025 and contains the information required by this condition. The Research Project Proposal is yet to be approved.

83(c)(xiii)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>(xiii) Details of a communication and engagement program to promote the achievement of the research outcomes.</p>	Compliant	An updated plan was submitted to the department on 6 March 2025 and contains the information required by this condition. The Research Project Proposal is yet to be approved.
83(d)	<p>OFFSETS.</p> <p>To compensate for the residual significant impacts of clearing and directly impacting of up to 880 hectares of algal mat, 296 hectares of coastal samphire that supports migratory shorebirds 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>(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> <p>i)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> <p>ii)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	The research project is progressing and is yet to be completed.
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 an action management plan approved by the Minister 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.	Not applicable	
86(a)(i)	<p>If the approval holder makes the choice under condition 84 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)	If the approval holder makes the choice under condition 84 to revise an action management plan without submitting it for approval, the approval holder must: a) Notify the department electronically that the approved action management plan has been revised and provide the department with: 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,	Not applicable	
86(a)(iii)	If the approval holder makes the choice under condition 84 to revise an action management plan without submitting it for approval, the approval holder must: a) Notify the department electronically that the approved action management plan has been revised and provide the department with: iii) An explanation of the differences between the approved action management plan and the RAMP,	Not applicable	
86(a)(iv)	If the approval holder makes the choice under condition 84 to revise an action management plan without submitting it for approval, the approval holder must: a) Notify the department electronically that the approved action management plan has been revised and provide the department with: 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	Not applicable	
86(a)(v)	If the approval holder makes the choice under condition 84 to revise an action management plan without submitting it for approval, the approval holder must: a) Notify the department electronically that the approved action management plan has been revised and provide the department with: 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	Not applicable	
86(b)	If the approval holder makes the choice under condition 84 to revise an action management plan without submitting it for approval, the approval holder must: b) Subject to condition 87, implement the RAMP from the RAMP implementation date.	Not applicable	
87	The approval holder may revoke its choice to implement a RAMP under condition 84 at any time by giving written notice to the department. If the approval holder revokes the choice under condition 84, the approval holder must implement the action management plan in force immediately prior to the revision undertaken under condition 84.	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 84 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 86, the Minister may also notify that for a specified period of time, condition 84 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	Mardie informed the department via a pre-referral meeting conducted on 12 November 2024 that Mardie will apply for a variation to the WA Approval for a change from the approved disposal of dredge spoil on land to disposal at sea within a proposed new dredge material placement area, as EPBC Act listed marine fauna could be impacted by the proposal. BCI submitted a s45C application to the WA EPA on 16 December 2024. This application was subsequently withdrawn upon advice from EPA Services and Mardie submitted a s40AA application on 30 April 2025. Mardie has updated the Stakeholder Engagement summary for referral EPBC 2024/10054 and kept the department informed on progress with the assessment of the application to vary the WA Approval since February 2025.
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	The Action commenced on 10 September 2024 and notification was provided to the department on 13 September 2024.
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	The commencement of operations occurred on 10 September 2024 and 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	All requests for information or compliance records were 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	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 the each anniversary of the date of this approval decision except where otherwise specified in a plan.	Not applicable	First anniversary not within reporting period.
106	The approval holder must prepare a compliance report for each Annual Compliance Report period (ACR period).	Not applicable	First compliance report for EPBC 2022/9169 is not due during the 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	First compliance report for EPBC 2022/9169 is not due during the reporting period.
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	First compliance report for EPBC 2022/9169 is not due during the reporting period.
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	First compliance report for EPBC 2022/9169 is not due during the reporting period.
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	First compliance report for EPBC 2022/9169 is not due during the reporting period.
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	First compliance report for EPBC 2022/9169 is not due during the reporting period.
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	First compliance report for EPBC 2022/9169 is not due during the reporting period.
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	First compliance report for EPBC 2022/9169 is not due during the reporting period.
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	First compliance report for EPBC 2022/9169 is not due during the reporting period.
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	First compliance report for EPBC 2022/9169 is not due during the reporting period.
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	First compliance report for EPBC 2022/9169 is not due during the reporting period.
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	First compliance report for EPBC 2022/9169 is not due during the reporting period.
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	First compliance report for EPBC 2022/9169 is not due during the reporting period.
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	First compliance report for EPBC 2022/9169 is not due during the reporting period.
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.	Not applicable	First compliance report for EPBC 2022/9169 is not due during the reporting period.
113(a)	The approval holder must notify the department electronically, within 2 business days of becoming aware of any event. 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;	Non-compliant	Mardie identified eleven potential non-compliances during the period 9 September 2024 to 8 September 2025. Notifications for nine incidents were provided within two business days however two incident was reported outside the two-day period. All notifications contained the condition or commitment that was potentially non-compliant.
113(b)	The approval holder must notify the department electronically, within 2 business days of becoming aware of any event. The approval holder must specify in each notification: b) a short description of the incident;	Compliant	All notifications for the period 9 September 2024 to 8 September 2025 contained a short description of the incident.

113(c)	The approval holder must notify the department electronically, within 2 business days of becoming aware of any event. The approval holder must specify in each notification: c) the location (if applicable, including co-ordinates), date and time of the incident.	Compliant	All notifications for the period 9 September 2024 to 8 September 2025 contained the location, date and time of the incident.
114(a)	The approval holder must provide to the department in writing, within 12 business days of becoming aware of an event, the details of that event. The approval holder must specify: a) all corrective measures and investigations which the approval holder has already taken in respect of the event;	Non-compliant	Mardie identified eleven potential non-compliances during the period 9 September 2024 to 8 September 2025. One investigation report was submitted late. All investigation reports for the reporting period contained corrective measures and investigations taken in response to the incidents.
114(b)	The approval holder must provide to the department in writing, within 12 business days of becoming aware of an event, the details of that event. The approval holder must specify: b) the potential impacts of the event;	Compliant	All investigation reports for the reporting period contained potential impacts of the incidents.
114(c)	The approval holder must provide to the department in writing, within 12 business days of becoming aware of an event, the details of that event. The approval holder must specify: c) the method and timing of any corrective measures that the approval holder proposes to undertake to address the event;	Compliant	All investigation reports for the reporting period contained the method and timing of corrective measures undertaken to address the incidents.
114(d)	The approval holder must provide to the department in writing, within 12 business days of becoming aware of an event, the details of that event. 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 event and/or to address its consequences.	Compliant	All investigation reports for the reporting period contained any variation of the conditions or revision of a plan required to prevent reoccurrence of the incidents or to address consequences of the incidents.
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;	Non-compliant	There were 113 Threshold events during the period 9 September 2024 to 8 September 2025. Twelve notifications were provided outside of the 5-day timeframe.
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, iv) measures to prevent thresholds 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 by the WA Approval.	Non-compliant	All 113 threshold events were investigated and reports containing the required information submitted to the department. Ten of the reports were submitted outside the 15-business day timeframe.
116	The approval holder must ensure that an independent audit of compliance with the conditions is conducted for every audit period.	Not applicable	The first 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 first 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 first 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 first 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 first 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 first 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 first 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 first 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.	Not applicable	The first audit is not due within the reporting period.

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	