



Variation of conditions attached to approval

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

This decision to vary conditions of approval is made under section 143 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).


Approved action

approval holder	Mardie Minerals Pty Ltd ACN: 152 574 457 ABN 50 152 574 457
approved action	To construct and operate the Mardie salt and sulphate of potash project, 80 km south west of Karratha, Pilbara region, Western Australia [See EPBC Act referral 2018/8236 and variation request dated 24 January 2020].

Variation

variation of conditions attached to approval	<p>The variation is:</p> <p>Delete conditions 1-49 attached to the approval and substitute with the conditions 1-126 specified in the table below.</p> <p>Delete all definitions attached to the approval with the exception of 'actual clearing footprint', 'clear, cleared or clearing', 'contingency action', 'CPI', 'dredge channel', 'evidence', 'fail/failed/failure', 'fauna spotter catcher', 'impact reconciliation procedure', 'mangrove', 'Minister', 'Northern Quoll supporting habitat', Pilbara Olive Python critical habitat', 'threat abatement plan', 'weed infestation', and 'website'. Substitute all other definitions with the definitions specified in the table below.</p> <p>Delete Attachments 1-7 attached to the approval and substitute Attachment 1-7 (including 2a, 2b, 2c, and 2d) with the attachments specified in the table below.</p>
date of effect	This variation has effect on the date this instrument is signed.

Person authorised to make decision

name and position	Rachel Short Branch Head, Environment Assessments (Vic, Tas) and Post Approvals Branch
signature	
date of decision	9 October 2024



Annexure A

date of decision	conditions attached to approval
As varied on the date this instrument was signed	Note: Words and terms appearing in bold (excluding headings) have the meaning assigned to them at Part C – Definitions .
Part A – Avoidance, mitigation, and compensation conditions	
DEVELOPMENT ENVELOPE BOUND	
As varied on the date this instrument was signed	1. The approval holder must not: <ol style="list-style-type: none"> a) clear outside of the development envelope; and b) construct outside of the development envelope.
CLEARING LIMITS	
As varied on the date this instrument was signed	2) Within the Original Proposed Development Envelope , the approval holder must not clear more than the following: <ol style="list-style-type: none"> 1. 2040 hectares (ha) of Triodia grassland habitat; a) 6 ha of open riparian woodlands vegetation; b) 64.5 ha of low rocky hill habitat; c) 0.12 ha of marine turtle nesting habitat; d) 17 ha of mangrove; e) 296 ha of coastal samphire; and f) 880 ha of algal mat.
As varied on the date this instrument was signed	3) Within the dredge channel , the approval holder must not clear more than: <ol style="list-style-type: none"> a) 79 ha of subtidal Benthic Communities and Habitat; and b) 72 ha of tidal channel and ocean habitat.
As varied on the date this instrument was signed	4) 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:

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	<ul style="list-style-type: none"> a) clear within 1 kilometre (km) of Mardie Pool; and b) construct within 1 km of Mardie Pool.
TERRESTRIAL AVOIDANCE AND MITIGATION MEASURES	
As varied on the date this instrument was signed	<p>Fauna Management</p> <ul style="list-style-type: none"> 5) To avoid and mitigate harm to terrestrial fauna as a result of the Action, the approval holder must ensure: <ul style="list-style-type: none"> 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; 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; 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; and 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.
As varied on the date this instrument was signed	<ul style="list-style-type: none"> 6) 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.
As varied on the date this instrument was signed	<ul style="list-style-type: none"> 7) 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.
As varied on the date this instrument was signed	<p>Flora Management</p> <ul style="list-style-type: none"> 8) To avoid and mitigate harm to Minuria tridens as a result of the Action, the approval holder must comply with conditions B7-1(2) and B7-2 of the

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	WA Approval , to the extent that these WA Approval conditions relate to protected matters .
As varied on the date this instrument was signed	9) 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 .
As varied on the date this instrument was signed	10) 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 .
As varied on the date this instrument was signed	11) At least once each calendar year, the approval holder must undertake monitoring within the development envelope in accordance with the survey guidelines to: <ul style="list-style-type: none"> <li data-bbox="485 943 1385 1010">a) detect any changes to the abundance and distribution of <i>Minuria tridens</i> which has occurred as a result of the Action; <li data-bbox="485 1032 1385 1301">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 <i>Detailed Flora and vegetation survey for the Mardie project</i>, Phoenix, dated June 2020 and the <i>Targeted Pre-clearance Survey</i>, Phoenix, dated 2021, and the baseline established as required by condition 14; and <li data-bbox="485 1323 1385 1476">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.
As varied on the date this instrument was signed	12) 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 .

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As varied on the date this instrument was signed	<p>Weed Management</p> <p>13) The approval holder must undertake regular weed control measures across the development envelope from commencement of the Action until completion of the Action. Weed control measures include:</p> <ul style="list-style-type: none"> 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; b) not moving any soil from any area of weed infestation to any area free of weed infestation; 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; and 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.
As varied on the date this instrument was signed	<p>Terrestrial Pest and Domestic Animal Management</p> <p>14) 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>
As varied on the date this instrument was signed	<p>15) 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>
As varied on the date this instrument was signed	<p>16) 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>

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As varied on the date this instrument was signed	17) The approval holder must ensure that domestic animals, including dogs and cats, are not brought into the development envelope .
As varied on the date this instrument was signed	18) 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 .
As varied on the date this instrument was signed	<p>Staff and Recreational Activity Management</p> <p>19) The approval holder must induct all personnel associated with the Action prior to them entering the development envelope, to ensure that they are able to:</p> <ul style="list-style-type: none"> a) identify the environmental values and protected matters present in the region; b) identify the environmental management requirements of the approval holder; c) detail the environmental management responsibilities of all personnel; and 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.
As varied on the date this instrument was signed	<p>20) The approval holder must ensure no fishing is undertaken unless for First Nations cultural heritage purposes:</p> <ul style="list-style-type: none"> a) from the trestle jetty; b) within Mardie Pool; and c) within the development envelope.
As varied on the date this instrument was signed	<p>21) The approval holder must ensure:</p> <ul style="list-style-type: none"> 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; and b) ensure no personnel associated with the Action or members of the public have terrestrial access to the migratory shorebirds habitat unless undertaking clearing approved under this instrument, or works as specified and approved in writing by the Minister or DWER for scientific survey or study.

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As varied on the date this instrument was signed	<p>Waste Management</p> <p>22) The approval holder must securely contain all waste that is present within the development envelope from the commencement of the Action until completion of the Action and ensure:</p> <ul style="list-style-type: none"> a) all waste is removed from the development envelope at least once each month or as required by any state approvals; 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; c) no waste from the development envelope enters migratory shorebirds habitat; d) no waste from the development envelope enters marine fauna habitat; and e) no waste from the development envelope enters Mardie pool.
As varied on the date this instrument was signed	<p>Dust Suppression</p> <p>23) The approval holder must undertake dust suppression measures from the commencement of the Action until the completion of the Action, including use of water and/or dust suppressants on disturbed soils, during product transfers and within storage areas. The approval holder must, from the date of this variation decision, undertake dust suppression measures in accordance with the Construction Environment Management Plan.</p>
As varied on the date this instrument was signed	<p>Vehicle Management</p> <p>24) To avoid road strike to EPBC Act listed threatened fauna individuals as a result of the Action, the approval holder must:</p> <ul style="list-style-type: none"> a) ensure that no vehicle associated with the Action exceeds 40 kilometres per hour within the low-speed zone outside of daylight hours; 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; 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; and 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.

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MARINE, TIDAL CHANGE, SURFACE WATER AND GROUNDWATER AVOIDANCE AND MITIGATION MEASURES	
As varied on the date this instrument was signed	<p>Vessel Management</p> <p>25) The approval holder must ensure that any vessel strike or incident involving marine turtles, Green Sawfish, Short-nosed Sea snake, Giant manta ray, Humpback Whale, Australian Humpback Dolphin, or Dugong is reported to DBCA within 2 hours of the occurrence of the vessel strike and/or incident and that any consequent request made by DBCA is implemented.</p>
As varied on the date this instrument was signed	<p>26) To avoid harm to marine fauna individuals as a result of vessel use, the approval holder must comply with condition B5-2 and B5-5 of the WA Approval, to the extent that the WA Approval conditions relate to protected matters.</p>
As varied on the date this instrument was signed	<p>27) To avoid vessel strikes to marine fauna individuals as a result of the Action, the approval holder must ensure all:</p> <ul style="list-style-type: none"> a) vessels which are at least 20 metres in length do not exceed: <ul style="list-style-type: none"> i) 8 knots within the port operational waters, and ii) 12 knots outside the port operational waters; b) vessels are only operated within the port operational waters during product loading operations to reduce the spatial extent of vessel strike risk; 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; 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; and 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.
As varied on the date this instrument was signed	<p>28) The approval holder must ensure a record is taken of all sightings of marine fauna individuals, including details of the:</p> <ul style="list-style-type: none"> a) date and time of the sighting; b) observed marine fauna species; c) location where the marine fauna individual was observed from;

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	<p>d) location of the observed marine fauna individual;</p> <p>e) identity of all other vessels notified of the presence of the marine fauna and the time at which each vessel was notified; and</p> <p>f) qualifications and experience of the person who observed the marine fauna individual.</p>
As varied on the date this instrument was signed	29) 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 .
Variation on the date this instrument was signed	<p>Groundwater Objective</p> <p>30) 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.</p>
As varied on the date this instrument was signed	31) 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 <i>Australian and New Zealand guidelines for fresh and marine water quality (2018)</i> .
As varied on the date this instrument was signed	<p>Intertidal Flow Objective</p> <p>32) 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>a) comply with condition B3-1(3) of the WA Approval to ensure that the Intertidal Flow Objective can be achieved;</p> <p>b) not construct the intertidal rock causeway unless the Intertidal Flow Objective will be achieved;</p>

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	<p>c) install floodways and culverts at the locations which the <i>Causeway Tidal Inundation Assessment – technical memorandum (Advisian 25 July 2022, Doc No: 311012-A01000-HYD-MEM-0034)</i> demonstrates will ensure that the Intertidal Flow Objective will be achieved;</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> <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> <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; and</p> <p>g) if the monitoring, inundation modelling and further engineering solutions undertaken and implemented after the construction of the intertidal rock causeway shows that the Intertidal Flow Objective is unlikely to be achieved, then the intertidal rock causeway must be removed to ensure the Intertidal Flow Objective is achieved within 6 months of the completion of the construction of the causeway. Unless the approval holder provides suitable evidence that impacts from not meeting the Intertidal Flow Objective due to the intertidal rock causeway are likely to not result in a significant impact. This evidence must be submitted to the department within 6 months of completion of the construction of the causeway. The Minister will provide advice in writing on whether the intertidal rock causeway will need to be removed or can be retained.</p>
As varied on the date this instrument was signed	<p>Surface Water Objective</p> <p>33) 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,</p>

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	<p>and continuing until the completion of the Action, the approval holder must:</p> <ul style="list-style-type: none"> a) comply with conditions B3-1(1) and B3-1(2) of the WA Approval; and 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 <i>Causeway Tidal Inundation Assessment – technical memorandum (Advisian 25 July 2022, Doc No: 311012-A01000-HYD-MEM-0034)</i>. The monitoring must include data collection from Mardie Pool, the intertidal zone, and at least three points within each of the drainage channels.
As varied on the date this instrument was signed	<p>34) 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>
As varied on the date this instrument was signed	<p>Dredge Management</p> <p>35) During all marine clearing and marine construction, and until all marine clearing and marine construction has been completed, the approval holder must:</p> <ul style="list-style-type: none"> 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; 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; and c) undertake all marine clearing and marine construction in accordance with the <i>EPBC Act Policy Statement 2.1 - Interaction between offshore seismic exploration and whales: Industry guidelines</i>, Commonwealth of Australia 2008.
As varied on the date this instrument was signed	<p>36) To avoid and mitigate harm to marine fauna and their habitats from dredging operations, the approval holder must:</p> <ul style="list-style-type: none"> a) comply with condition B1-1 of the WA Approval, to the extent that this WA Approval condition relates to protected matters; b) not dredge outside of the dredge channel; c) not dredge more than 800,000 cubic metres (m3) of substrate; d) not dredge deeper than -6.9m below the lowest astronomical tide (mLAT) within the berth pocket; e) not dredge deeper than -3.9 mLAT within the dredge channel;

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	<ul style="list-style-type: none"> f) not harm any subtidal habitat for marine fauna outside of the Zone of High Influence – Best Case; g) ensure that all dredged material is deposited onshore within the ponds and terrestrial infrastructure; h) undertake post-dredging surveys according to the schedule specified in the Mardie Dredge Management Plan; 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; 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; and 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.
As varied on the date this instrument was signed	<p>Marine Turtles</p> <p>37) 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.</p>
As varied on the date this instrument was signed	<p>38) 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.</p>
As varied on the date this instrument was signed	<p>Seawater Extraction</p> <p>39) To minimise impacts to marine fauna and their habitats from the extraction of seawater and the disposal of brine impacting water quality during operation of the Action, the approval holder must:</p> <ul style="list-style-type: none"> 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;

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	<ul style="list-style-type: none"> b) not extract more than 150 Gigalitres of seawater per annum by the primary seawater intake; c) not extract more than 12.4 Gigalitres of seawater per annum by the secondary seawater intake; d) not extract more than 17.6 Gigalitres of seawater per annum by the bittern diffuser intake on the Trestle Jetty; e) not alter the intake locations of the primary seawater intake, secondary seawater intake or bittern diffuser intake; 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; 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; 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; i) dispose of all waste brine either into the evaporation ponds or by discharge through the bitterns outfall diffuser; 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; k) not release more than 3.6 Gigalitre of bitterns per year; l) not release any bitterns with specific gravity of more than 1.25 g/ml; and m) diffuse all released bitterns into the marine environment, so the released bitterns remain within the Zone of High Influence – Best Case.

MONITORING

As varied on the date this instrument was signed	<p>Groundwater Monitoring Bores</p> <p>40) 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> <ul style="list-style-type: none"> a) established a network of groundwater monitoring bores that is able to detect changes in groundwater levels, and groundwater quality; b) assigned and calibrated all reference bores and impact bores, installed to comply with condition 40a, and to enable implementation of the
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	<p>monitoring program outlined in the Groundwater Monitoring and Management Plan (GMMP); and</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>
<p>As varied on the date this instrument was signed</p>	<p>41) 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> <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; and</p> <p>c) detecting incremental change over time to groundwater level, and groundwater quality as a result of the Action</p>
<p>As varied on the date this instrument was signed</p>	<p>42) 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>
<p>As varied on the date this instrument was signed</p>	<p>Evaporation Pond Walls</p> <p>43) 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>

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As varied on the date this instrument was signed	<p>44) If any seepage and/or brine spill and/or loss of structural integrity is detected at the evaporation pond walls, the approval holder must:</p> <ul style="list-style-type: none"> a) Report the incident to the department in writing within 2 business days of the detection in accordance with condition 113;and 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: <ul style="list-style-type: none"> 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.
As varied on the date this instrument was signed	<p>Marine Turtle Monitoring Program</p> <p>45) To achieve the environmental outcomes specified in conditions B5-1(2-3) of the WA Approval, the approval holder must:</p> <ul style="list-style-type: none"> 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; and b) comply with condition B5-1, B5-3 and C4-2 of the WA Approval.
As varied on the date this instrument was signed	<p>Migratory Shorebird Monitoring and Management Program</p> <p>46) 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:</p> <ul style="list-style-type: none"> a) be prepared in accordance with the requirements of conditions B6-4 and C4-3 of the WA Approval; b) be consistent with the Environmental Management Plan Guidelines, 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

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	<p>and contain interim triggers and thresholds and management measures;</p> <p>d) detail how harm caused to migratory shorebirds as a result of the Action will be appropriately monitored and managed;</p> <p>e) detail a monitoring program;</p> <p>f) specify management measures that will be implemented if trigger values are detected;</p> <p>g) specify the methods by which monitoring data will be gathered, recorded analysed, and reported; and</p> <p>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.</p>
As varied on the date this instrument was signed	47) 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.
As varied on the date this instrument was signed	<p>48) If harm to migratory shorebird populations as a result of the Action is detected, the approval holder must:</p> <p>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;</p> <p>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; and</p> <p>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:</p> <p>i) The outcomes of the investigation and the likely threatening processes that cause the harm,</p> <p>ii) Proposed measures to remove the threatening processes and/or mitigate the harm,</p>

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	<p>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</p> <p>iv) Assessment of whether a remediation plan is required to address the harm.</p>
ACTION MANAGEMENT PLANS	
As varied on the date this instrument was signed	<p>Construction Environmental Management Plan (CEMP)</p> <p>49) 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.</p>
As varied on the date this instrument was signed	<p>50) 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:</p> <p>a) all construction related conditions in this approval; and</p> <p>b) measures to protect the <i>Minuria tridens</i> during construction.</p>
As varied on the date this instrument was signed	<p>51) 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.</p>
As varied on the date this instrument was signed	<p>Illumination Plan</p> <p>52) 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</p>

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	the commencement of the Action and continue to implement the Illumination Plan until the expiry date of this approval.
As varied on the date this instrument was signed	<p>53) Prior to operation of the Sulphate of Potash Plant, secondary seawater intake, or any additional lighted structures not included in the modelling provided in Appendix 1 of the Illumination Plan, the approval holder must submit to the department for the Minister's approval, a revised Illumination Plan. The approval holder must not operate any structures which will use artificial light at night which were not included in the Illumination Plan until a revised Illumination Plan has been approved by the Minister in writing. The revised plan must:</p> <ul style="list-style-type: none"> a) meet the requirements of conditions B5-3(1), B6-5, and C4-2(4) of the WA Approval; b) incorporate the final lighting design for the any new lighting elements; c) include methods of monitoring the light impacts from the Action on marine turtles, migratory shorebirds and terrestrial fauna; and d) incorporate the design and mitigation measures within the Artificial Light Pollution Guidelines.
As varied on the date this instrument was signed	<p>54) The approval holder must review the effectiveness of the Illumination Plan at least once every 5 years following the commencement of the action. Each review must consider the monitoring data collected through the Marine Turtle Monitoring Program, and the approved Migratory Shorebird Monitoring and Management Plan to propose adaption of the operational lighting to further minimise impacts.</p>
As varied on the date this instrument was signed	<p>Marine Environmental Quality Monitoring and Management Plan (MEQMMP)</p> <p>55) To avoid and mitigate harm to marine fauna and their habitats from the extraction of sea water for the evaporative ponds, discharge of waste bitterns, port operations, and the storage and handling of potentially contaminating materials, the approval holder must commence implementing the MEQMMP no later than the commencement of the Action and continue to implement the MEQMMP at least until the completion of the Action.</p>
As varied on the date this instrument was signed	<p>MEQMMP Review</p> <p>56) The approval holder must review the MEQMMP at least once within every 5-year period following commencement of the Action. The approval holder must submit the findings of each review to the department for approval by the Minister. The review must include detailed reviews of the:</p> <ul style="list-style-type: none"> a) monitoring required by the MEQMMP; b) implementation of the MEQMMP;

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	<p>c) effectiveness of the MEQMMP in avoiding and mitigating harm to marine fauna and their habitats from the extraction of sea water for the evaporative ponds; and</p> <p>d) findings of the monitoring required by the approved BCHMMP.</p>
As varied on the date this instrument was signed	<p>Benthic Communities and Habitat Monitoring and Management Plan (BCHMMP)</p> <p>57) To avoid and mitigate harm to migratory shorebirds and marine fauna due to the loss of benthic communities and habitat, or as a result of dredging operations, or poor water quality, or changes in groundwater, or changes in surface water flow from the installation of surface water diversions, the approval holder must comply with conditions B1-1, B1-2, B1-3 and B1-4 of the WA Approval, to the extent that the WA Approval conditions relate to protected matters.</p>
As varied on the date this instrument was signed	<p>58) 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.</p>
As varied on the date this instrument was signed	<p>59) The approval holder must revise the BCHMMP in accordance with condition B1-4 of the WA Approval and submit the revised version to the department within two months of this variation decision for the Minister's approval. All commitments in the revised BCHMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators in the BCHMMP must be SMART and based on referenced or included evidence of effectiveness. The BCHMMP must:</p> <p>a) be consistent with the Environmental Management Plan Guidelines;</p> <p>b) be prepared in accordance with conditions B1-1, B1-2, B1-3 and B1-4 of the WA Approval;</p> <p>c) include the information required by condition C4-1 of the WA Approval;</p> <p>d) specify trigger values and thresholds for each intertidal and subtidal habitat type relevant to the Action;</p> <p>e) detail management measures that will be implemented if any trigger value is reached;</p>

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	<ul style="list-style-type: none"> f) detail management measures that will be implemented if any threshold is exceeded; g) include monitoring program that specifies how monitoring will be undertaken routinely, during and following events such as: <ul style="list-style-type: none"> i) a toxicant spill, ii) death, disease and/or lesions being detected in any EPBC Act listed fauna and flora species, iii) following disturbance events such as cyclones, heatwaves, and iv) an exceedance of any thresholds or Environmental Quality Guidelines specified in the MEQMMP, h) detail how the predicted coastal inundation or sea level rise will be monitored in accordance with the <i>BCI Mardie Salt Project Coastal Inundation Studies, Rev3 29</i>, dated November 2019; i) specify measures which will be implemented to manage coastal inundation and/or sea level rise; 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: <ul style="list-style-type: none"> i) Mardie Dredge Management Plan, ii) MEQMMP, iii) the approved Migratory Shorebird Monitoring and Management Program, and iv) Groundwater Monitoring and Management Plan (GMMP). 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; l) include of an assessment of the effectiveness of the BCHMMP in detecting impacts to Benthic Communities and Habitat; and 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).
As varied on the date this instrument was signed	<p data-bbox="432 1881 783 1915">Mesquite Management Plan</p> <p data-bbox="432 1926 1394 2033">60) To minimise harm to protected matters as a result of weed infestation, the approval holder must:</p>

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	<ul style="list-style-type: none"> a) not commence operations, unless the Department of Primary Industries and Regional Development has approved in writing a Mesquite Management Plan; 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; and 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.
As varied on the date this instrument was signed	<p>Groundwater Monitoring and Management Plan (GMMP)</p> <p>61) The approval holder must implement the Groundwater Monitoring and Management Plan (GMMP) to avoid and mitigate harm to protected matters as a result of groundwater changes associated with the Action. The approval holder must commence implementing the GMMP no later than the commencement of operations and continue to implement it for the life of the Action.</p>
As varied on the date this instrument was signed	<p>62) By implementing the GMMP, the approval holder must achieve the following environmental outcome:</p> <ul style="list-style-type: none"> 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.
As varied on the date this instrument was signed	<p>GMMP Review</p> <p>63) The approval holder must review and revise the approved GMMP at the conclusion of the first instance of filling evaporation ponds 1, 2 and 3.</p>
As varied on the date this instrument was signed	<p>64) At the conclusion of filling evaporation ponds 1, 2 and 3 the approval holder must undertake the following investigations:</p> <ul style="list-style-type: none"> 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;

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	<ul style="list-style-type: none"> 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; c) Determine approximate aquifer residence times by collecting environmental tracer data (groundwater age tracers) to provide greater evidence supporting the proposed “slow” groundwater flow; 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); and 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.
As varied on the date this instrument was signed	<p>65) The approval holder must within 3 months of the conclusion of the initial filling of evaporation ponds 1, 2 and 3, submit a revised GMMP to the department for approval by the Minister. The approval holder must not undertake any further filling of the ponds until the revised GMMP is approved in writing by the Minister. At the completion of filling evaporation ponds 1, 2 and 3, the GMMP must be updated with sufficient information and data to address the above requirements and be resubmitted to the department and DWER. The approval holder must not fill any other ponds prior to the revised GMMP being approved by the Minister in writing.</p>
As varied on the date this instrument was signed	<p>66) The revision required by condition 63 must be revised based on the conclusions of the investigations required by condition 64. All commitments in the revised GMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators must be SMART and based on referenced or included evidence of effectiveness. The revised GMMP must be consistent with the Environmental Management Plan Guidelines, and must include:</p> <ul style="list-style-type: none"> 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; b) details of the data collection and modelling undertaken to inform the revised GMMP; c) impact avoidance, mitigation and/or repair measures, and the timing of those measures; d) commitments capable of ensuring that the environmental outcomes are achieved;

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- e) a monitoring program, which must include:
- i) The early warning **trigger** values for groundwater regimes, groundwater quality, and groundwater levels that will **trigger** the implementation of management and/or contingency actions to prevent non-compliance with conditions B3-1 of the **WA Approval**,
 - ii) the thresholds for groundwater regimes, groundwater quality, and groundwater levels to demonstrate compliance with condition B3-1 of the **WA Approval**,
 - iii) the final design of monitoring that will meet the requirement of condition B3-1 of the **WA Approval**, including the timing and frequency of monitoring, ensuring monitoring can detect **trigger** values and **thresholds**,
 - iv) corrective measures which must be implemented in response to **trigger** value **exceedances**,
 - v) corrective measures which must be implemented in response to **threshold exceedances**,
 - vi) proposed corrective measures if **trigger** values are reached, and
 - vii) details of how **trigger** value and **threshold exceedances** will be assessed to determine if the **exceedance** is a result of the Action.
- 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;
- g) details of seepage recovery measures that will be implemented where seepage from **evaporation ponds** to groundwater is detected;
- 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;
- i) reporting and review mechanisms to demonstrate compliance with the commitments made in the plan and the requirement specified in

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	<p>condition B3-1 of the WA Approval, including a commitment to review the GMMP at least once every 5 years;</p> <p>j) an assessment of risks relating to achieving the environmental outcomes and risk management strategies and/or mitigation measures that will be applied to address identified risks; and</p> <p>k) references to other relevant plans or conditions of approval (including WA Approval conditions).</p>
<p>As varied on the date this instrument was signed</p>	<p>67) 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; and</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>
<p>As varied on the date this instrument was signed</p>	<p>68) The approval holder must review the GMMP 2 years after commencement of operations. The approval holder must submit the findings of the review to the department. The review must be completed by a reviewer, or reviewers approved by the department and must include detailed reviews of the:</p> <p>a) Monitoring required by the approved GMMP, including monitoring bore network, monitoring methodology, monitoring frequency, and trigger and thresholds;</p> <p>b) Implementation of the GMMP;</p> <p>c) Effectiveness of the GMMP regarding the achievement of its environmental objective;</p> <p>d) Capacity to measure incremental impacts that may occur during the life of the Action; and</p> <p>e) Assessment of whether the GMMP requires revision at this time.</p>
<p>As varied on the date this instrument was signed</p>	<p>69) The approval holder must revise the GMMP to address all recommendations of the review required by condition 68 and submit the revised version to the department for approval by the Minister. The revised GMMP must include:</p> <p>a) Revised modelling that includes all data collected to date; and</p> <p>b) Revised monitoring and management measures in accordance with recommendations of the review undertaken in condition 68.</p>

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As varied on the date this instrument was signed	<p>70) The approval holder must review the approved GMMP at least once within every subsequent 5-year period following the approval of the GMMP. The approval holder must submit the findings and recommendations of each review to the department. The review must be completed by a suitably qualified expert and must include:</p> <ul style="list-style-type: none"> a) A detailed review of the monitoring required by the approved GMMP, including monitoring bore network, monitoring methodology, monitoring frequency, trigger values and thresholds; b) A detailed review of the implementation of the GMMP; c) A detailed review of the effectiveness of the GMMP regarding the achievement of its environmental objective; d) Revised modelling that includes all data collected to date; and e) Revised monitoring and management measures in accordance with recommendations of the review undertaken in condition 68.
As varied on the date this instrument was signed	<p>71) For any revision of the GMMP, all commitments in the GMMP, including environmental outcomes, management measures, corrective measures, trigger values, thresholds and performance indicators must be SMART and based on referenced or included evidence of effectiveness and in accordance with condition 66. The GMMP must be consistent with the Environmental Management Plan Guidelines.</p>
As varied on the date this instrument was signed	<p>Mardie Dredge Management Plan</p> <p>72) To avoid and mitigate harm to marine fauna and their habitats from dredging operation, the approval holder must commence implementation of the approved Mardie Dredge Management Plan prior to the commencement of dredging operations and continue to implement the Mardie Dredge Management Plan until the completion of all dredging operations.</p>
As varied on the date this instrument was signed	<p>73) 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:</p> <ul style="list-style-type: none"> a) be consistent with the Environmental Management Plan Guidelines; b) include a risk assessment of the proposed onshore dredge spoil disposal location to ensure there will be no harm to protected matters; c) include and consider results of surveys undertaken to determine the presence of <i>Minuria tridens</i> within the dredge spoil disposal location;

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	<ul style="list-style-type: none"> 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 <i>Minuria tridens</i>; and e) The approval holder must implement the approved revised Dredge Management Plan from when it is approved by the Minister.
As varied on the date this instrument was signed	<p>Marine Pest Prevention Plan</p> <p>74) To avoid and mitigate harm to marine fauna and their habitats from marine pests, the approval holder must:</p> <ul style="list-style-type: none"> a) comply with conditions B2-1 and B2-2 of the WA Approval; and b) implement the Marine Pest Management Procedure until the expiry date of this approval.
	<p>Decommissioning</p> <p>75) The approval holder must commence decommissioning activities at least 5 years prior to the expiry date of this approval. The approval holder must:</p> <ul style="list-style-type: none"> a) Comply with condition B4-4 of the WA Approval; and 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.
OFFSETS	
As varied on the date this instrument was signed	76) The purpose of the following conditions are to compensate for the residual significant impact of the Action on protected matters .
As varied on the date this instrument was signed	77) 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) .

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As varied on the date this instrument was signed	<p>78) In contributing to the PEOF the approval holder must:</p> <ul style="list-style-type: none"> a) Contribute funds toward an offset activity or activities that: <ul style="list-style-type: none"> 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.
As varied on the date this instrument was signed	<p>79) The approval holder must, prior to commencement of the action, submit to the Minister for approval the Mardie Impact Reconciliation Procedure.</p> <ul style="list-style-type: none"> 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. 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. 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. 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

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	<p>approval decision of 12 January 2022, until the date on which any payment is made, of:</p> <ul style="list-style-type: none"> i) A minimum of \$3,306 AUD (excluding GST) per hectare of cleared Pilbara Olive Python critical habitat, up to an allowable clearing limit of 6 hectares; 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. <ul style="list-style-type: none"> e) Submit evidence of each payment made to the department within 10 business days of the date of making the payment. 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.
As varied on the date this instrument was signed	80) 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 .
As varied on the date this instrument was signed	<p>81) 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> <ul style="list-style-type: none"> 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; and 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: <ul style="list-style-type: none"> i) That the Offset strategy does not adequately offset the impacts of the relevant protected matters;

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As varied on the date this instrument was signed	<ul style="list-style-type: none"> 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. <hr/> <p>82) The Offset Strategy must:</p> <ul style="list-style-type: none"> a) include summary information on the original quality of the areas impacted by the Action that will be compensated for; 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; c) specify how the Offset Strategy will achieve the outcomes required under condition 76 of this approval; d) describe how the Offset Strategy accounts for relevant approved conservation advices, recovery plans and threat abatement plans; e) specify the party or parties to be responsible for implementing the proposed offset(s); 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); 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; h) detail how the offset(s) will be protected, and ecological benefits maintained, in perpetuity; 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); 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; and 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.

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As varied on the date this instrument was signed	<p>83) 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> <ul style="list-style-type: none"> 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; 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; 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: <ul style="list-style-type: none"> i) The information required under condition B10-1 of the WA Approval, ii) Details of how the proposed research projects will achieve the Marine Research Objectives, iii) Details (including relevant capacity and expertise) of the party/ies proposed to undertake the research projects, and the proposed project governance, and roles and responsibilities of the approval holder and any other party, iv) A risk assessment of the third party/ies not being able to achieve the Marine Research Objectives, v) Details of the research methodologies, proposed project timelines, progress and completion criteria, schedule of progress monitoring and reporting to the department, for each proposed research project, vi) Details of the funding arrangements and schedule of payments including an initial 10% contribution of the overall funding to be

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made within two (2) months of the Research Project Proposal being approved by the **Minister**,

- vii) Details of how the Research Project Proposal takes into consideration relevant **conservation advices, recovery plans and threat abatement plans** for the relevant species,
- viii) Details of how the Research Project Proposal is consistent with the criteria for research programs specified in Appendix A of the Environmental Offsets Policy,
- ix) Details of how the research projects will take into consideration and utilise the following monitoring and management plans:
 - 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**,
- x) Details of permissions and permits that will need to be obtained (or have already been obtained) to conduct the research projects,
- xi) Assurances that the research will be conducted to a standard that would allow the findings to be published in a peer-reviewed scientific journal or report and provide sound recommendations and information for management and conservation for **migratory shorebirds** and their habitats,
- xii) Commitments that, within 6 months of completion of any research project, all reports, publications and supporting data will be provided to the **department, Birdlife Australia, 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**, and
- xiii) Details of a communication and engagement program to promote the achievement of the research outcomes;
- d) The approval holder must provide the **department** a report within 6 months of the finalisation of the research outcomes as per the schedule provided in condition 83(c)(v), which includes the published

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	<p>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>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); and</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>

date of decision	conditions attached to approval
Part B – Administrative conditions	
REVISION OF ACTION MANAGEMENT PLANS	
As varied on the date this instrument was signed	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.
As varied on the date this instrument was signed	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

date of decision	conditions attached to approval
As varied on the date this instrument was signed	<p data-bbox="488 241 1331 315">action management plan (RAMP) would not be likely to have a new or increased impact.</p> <p data-bbox="432 360 1401 472">86) 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> <ul style="list-style-type: none"> <li data-bbox="488 501 1401 575">a) Notify the department electronically that the approved action management plan has been revised and provide the department with: <ul style="list-style-type: none"> <li data-bbox="520 598 959 629">i) An electronic copy of the RAMP, <li data-bbox="520 651 1350 763">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, <li data-bbox="520 786 1331 860">iii) An explanation of the differences between the approved action management plan and the RAMP, <li data-bbox="520 882 1374 994">iv) The reasons the approval holder considers that taking the Action in accordance with the RAMP would not be likely to have a new or increased impact, and <li data-bbox="520 1016 1390 1202">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; and <li data-bbox="488 1225 1374 1294">b) Subject to conditions 87 and 88, implement the RAMP from the RAMP implementation date.
As varied on the date this instrument was signed	<p data-bbox="432 1330 1401 1532">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.</p>
As varied on the date this instrument was signed	<p data-bbox="432 1568 1401 1680">88) 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:</p> <ul style="list-style-type: none"> <li data-bbox="488 1711 1315 1785">a) Condition 85 does not apply, or ceases to apply, in relation to the RAMP; and <li data-bbox="488 1807 1331 1877">b) The approval holder must implement the action management plan specified by the Minister in the notice.

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As varied on the date this instrument was signed	<p>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.</p> <p>Note: Conditions 83-88 are not intended to limit the operation of section 143A of the EPBC Act which allows the approval holder to submit a revised action management plan, at any time, to the Minister for approval.</p>
	<p>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.</p>
SUBMISSION AND PUBLICATION OF PLANS	
As varied on the date this instrument was signed	<p>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.</p>
As varied on the date this instrument was signed	<p>92) 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:</p> <ul style="list-style-type: none"> a. of this approval, if the version of the plan to be implemented is specified in these conditions; b. the plan is approved by the Minister in writing, if the plan requires the approval of the Minister; 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; or 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.
As varied on the date this instrument was signed	<p>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.</p>
As varied on the date this instrument was signed	<p>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</p>

date of decision	conditions attached to approval
	must notify the department in writing what exclusions and redactions have been made in the version published on the website .
MODIFICATIONS TO STATE OR TERRITORY APPROVAL	
As varied on the date this instrument was signed	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 .
As varied on the date this instrument was signed	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.
COMMENCEMENT OF THE ACTION	
As varied on the date this instrument was signed	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 .
As varied on the date this instrument was signed	98) The approval holder must not commence the Action later than 5 years after the date of this approval decision.
As varied on the date this instrument was signed	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 .
As varied on the date this instrument was signed	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.
COMPLIANCE RECORDS	
As varied on the date this instrument was signed	101) The approval holder must maintain accurate and complete compliance records and document the procedure for recording and storing compliance records .

date of decision	conditions attached to approval
As varied on the date this instrument was signed	<p>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.</p> <p>Note: Compliance records may be subject to audit by the department, or by an independent auditor in accordance with section 458 of the EPBC Act, and/or be used to verify compliance with the conditions. Summaries of the results of an audit may be published on the department's website or through the general media.</p>
As varied on the date this instrument was signed	<p>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 <i>Guidelines for biological survey and mapped data</i>, Commonwealth of Australia 2018, or as otherwise specified by the Minister in writing.</p>
As varied on the date this instrument was signed	<p>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 <i>Guide to providing maps and boundary data for EPBC Act projects</i>, Commonwealth of Australia 2021, or as otherwise specified by the Minister in writing.</p>
As varied on the date this instrument was signed	<p>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.</p>
ANNUAL COMPLIANCE REPORTING	
As varied on the date this instrument was signed	<p>106) The approval holder must prepare a compliance report for each Annual Compliance Report period (ACR period).</p>
As varied on the date this instrument was signed	<p>107) The approval holder must ensure each compliance report includes:</p> <ul style="list-style-type: none"> a) accurate and complete details of compliance and any non-compliance with: <ul style="list-style-type: none"> 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

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	<ul style="list-style-type: none"> 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.
As varied on the date this instrument was signed	108) The approval holder must ensure each compliance report is completed to the satisfaction of the Minister and is consistent with the <i>Annual Compliance Report Guidelines, Commonwealth of Australia 2023</i> .
As varied on the date this instrument was signed	109) 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 : <ul style="list-style-type: none"> a) each compliance report; and b) a shapefile showing all clearing of protected matters, and their habitat, undertaken within the ACR period.
As varied on the date this instrument was signed	110) The approval holder must: <ul style="list-style-type: none"> 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; 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; and 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.
As varied on the date this instrument was signed	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

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As varied on the date this instrument was signed	<p>must provide the department with the web address for where the compliance report and related shapefile are published on the website.</p> <p>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.</p> <p>Note: Compliance reports may be published on the department's website.</p>
REPORTING NON-COMPLIANCE	
As varied on the date this instrument was signed	<p>113) 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:</p> <ul style="list-style-type: none"> a) any condition or commitment made in a plan which has been or may have been not complied with; b) a short description of the incident; and c) the location (if applicable, including co-ordinates), date and time of the incident.
As varied on the date this instrument was signed	<p>114) 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:</p> <ul style="list-style-type: none"> a) all corrective measures and investigations which the approval holder has already taken in respect of the incident; b) the potential impacts of the incident; c) the method and timing of any corrective measures that the approval holder proposes to undertake to address the incident; and 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.
REPORTING THRESHOLD EXCEEDANCE	
As varied on the date this instrument was signed	<p>115) In the event that any threshold specified in any Plan is exceeded, the approval holder must:</p> <ul style="list-style-type: none"> a) Report the exceedance to the department in writing within 5 business days of the exceedance being identified; 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

date of decision	conditions attached to approval
	<p>extent of any harm to protected matters as a result of the exceedance. This report must include:</p> <ul style="list-style-type: none"> 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.

INDEPENDENT AUDIT

As varied on the date this instrument was signed	116) The approval holder must ensure that an independent audit of compliance with the conditions is conducted for every audit period .
As varied on the date this instrument was signed	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 .
As varied on the date this instrument was signed	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 .
As varied on the date this instrument was signed	119) The approval holder must ensure the criteria for each independent audit and the undertaking of each independent audit are consistent with the <i>Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines</i> , Commonwealth of Australia 2019 to the extent that it does not contradict the conditions attached to this approval decision.
As varied on the date this instrument was signed	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.
As varied on the date this instrument was signed	121) The approval holder must ensure each audit report is completed to the satisfaction of the Minister and is consistent with the <i>Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines</i> , Commonwealth of Australia 2019.

date of decision	conditions attached to approval
As varied on the date this instrument was signed	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.
As varied on the date this instrument was signed	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
As varied on the date this instrument was signed	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.

COMPLETION OF THE ACTION

As varied on the date this instrument was signed	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 .
As varied on the date this instrument was signed	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. Note: Section 145C of the EPBC Act entitles the approval holder to request an extension to the period of effect of this approval.

date of decision	definitions attached to approval
Part C – Definitions	
As varied on the date this instrument was signed	Words and terms appearing in bold (excluding headings) have the meaning assigned to them in the list below:
As varied on the date this instrument was signed	Acajte habitat means the habitat considered a refuge for the <i>Minuria tridens</i> , and characterised as isolated tall shrubs to open shrubland, frequently <i>Acacia coriacea</i> , <i>Prosopis glandulosa x velutina</i> and <i>Myoporum maontanum</i> over isolated low shrubs to open shrubland of <i>Aerva javanica</i> over low closed <i>Triodia epactia</i> hummock grassland on sand dunes and sandy plains.

date of decision	definitions attached to approval
Original decision dated 12 January 2022	Actual clearing footprint means the spatial extent of clearing completed during the specified period in the Impact Reconciliation Procedure .
As varied on the date this instrument was signed	Algal mat means cyanobacteria microbial mats which proliferate in shallow aquatic ecosystems, including tidal flats and coastal and hypersaline lagoons due to their ability to tolerate extremes in salinity and desiccation. The location of algal mat in the vicinity of the action is represented in <u>Attachment 2a</u> and <u>Attachment 2b</u> by the zones shaded light green designated 'Algal Mat Community'.
As varied on the date this instrument was signed	<p>Annual Compliance Report period or ACR period means:</p> <ul style="list-style-type: none"> • Until 13 January 2025, each subsequent 12-month period following the date of the approval decision of 12 January 2022; and • After 13 January 2025, the period from the previous ACR period until 9 September 2025 and then each subsequent 12-month period until the expiry date of this approval, unless otherwise specified in writing by the Minister.
As varied on the date this instrument was signed	Artificial Light Pollution Guidelines means the <i>National Light Pollution Guidelines for Wildlife</i> , Commonwealth of Australia, Commonwealth of Australia 2023.
As varied on the date this instrument was signed	Audit period means each subsequent three-year period following the commencement of the Action until the expiry date of this approval unless otherwise specified in writing by the Minister .
As varied on the date this instrument was signed	Audit report means a written report of an independent audit .
As varied on the date this instrument was signed	Australian Humpback Dolphin means the EPBC Act listed species <i>Sousa sahalensis</i>
As varied on the date this instrument was signed	Australian and New Zealand guidelines for fresh and marine water quality (2018) means the <i>Australian and New Zealand guidelines for fresh and marine water quality</i> , Commonwealth of Australia 2018.
As varied on the date this instrument was signed	Benthic Communities and Habitat means any and of: subtidal Benthic Communities and Habitats, algal mat community, coastal samphire and mangrove habitats .

date of decision	definitions attached to approval
As varied on the date this instrument was signed	Benthic Communities and Habitat Monitoring and Management Plan or BCHMMP means the most recent of either the document titled <i>Benthic Communities and Habitat Monitoring and Management Plan</i> , R220411-23ENV226-BCHMMP, Rev D, dated 24 October 2023, or a subsequently revised version of that plan approved by the Minister in writing.
As varied on the date this instrument was signed	Berth Pocket means the area represented in <u>Attachment 4</u> by the zone enclosed by the olive rectangle designated 'Berth Pocket' and represented in more detail by the dark blue rectangle in Figure 3.2 of the document titled <i>Cutter Suction Dredge Plume Modelling Report</i> , 12979.401.R4.Rev0, dated 28 January 2022.
As varied on the date this instrument was signed	Birdlife Australia means the not-for-profit organisation BirdLife Australia.
As varied on the date this instrument was signed	Bitterns means the salt solution formed when halite (table salt) precipitates from seawater or brine. Bitterns contain magnesium, calcium, and potassium ions as well as chloride, sulphate, iodide, and other ions.
As varied on the date this instrument was signed	Bitterns outfall diffuser means a multi-port outfall diffuser that will pre-dilute bitterns to minimise water quality impacts.
As varied on the date this instrument was signed	Brine means a liquid solution (seawater) with a concentration of dissolved salts of at least 35 grams per kilogram of water. Brine may also include a combination of heavy metals, nutrients containing nitrogen and phosphorus [ammonia (NH ₃), nitrate (NO ₃ ⁻), and phosphorus (K)] derivatives, organic contaminants, soluble microbial products, and pathogenic microorganisms.
As varied on the date this instrument was signed	Business day means a day that is not a Saturday, a Sunday, or a public holiday in Western Australia.
As varied on the date this instrument was signed	Causeway Tidal Inundation Assessment means the document titled <i>Causeway Tidal Inundation Assessment – technical memorandum</i> (Advisian 25 July 2022, Doc No: 311012-A01000-HYD-MEM-0034).
Original decision dated 12 January 2022	Clear, cleared or clearing means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting, or burning of vegetation.

date of decision	definitions attached to approval
As varied on the date this instrument was signed	Coastal samphire means tidal samphire mudflat habitats that are dominated by <i>Tecticornia</i> species at densities >50% cover that are regularly inundated by tides. The location of coastal samphire is represented in <u>Attachment 2a</u> and <u>Attachment 2b</u> , by the light-yellow colour.
As varied on the date this instrument was signed	Commence operations / commencement of the operations means the transferring of seawater into any evaporation pond as part of the Action after December 2023.
As varied on the date this instrument was signed	<p>Commence the Action or commences the Action or commencement of the Action means the first instance of any on-site clearing, construction or other physical activity associated with the Action, but does not include minor physical disturbance necessary to:</p> <ul style="list-style-type: none"> • Undertake pre-clearance surveys or monitoring programs; • Install signage and/or temporary fencing to prevent unapproved use of the Action area, so long as the signage and/or temporary fencing is located where it does not harm any protected matter; • Protect environmental and property assets from fire, weeds, and feral animals, including use of existing surface access tracks; and • Install temporary site facilities for persons undertaking pre-commencement activities so long as these facilities are located where they do not harm any protected matter.
As varied on the date this instrument was signed	Completion data means an environmental report and spatial data clearly detailing how the conditions of this approval have been met.
As varied on the date this instrument was signed	Compliance records means all documentation or other material in whatever form required to demonstrate compliance with these conditions of approval (including compliance with commitments made in plans) in the approval holder's possession, or that are within the approval holder's power to obtain lawfully.
As varied on the date this instrument was signed	Compliance report means a written report of compliance with, and fulfilment of, these conditions (including compliance with commitments made in plans).
As varied on the date this instrument was signed	Conservation advice means any Australian Government approved conservation advice for a species or threatened ecological community listed under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> .

date of decision	definitions attached to approval
As varied on the date this instrument was signed	<p>Construct/construction means:</p> <ul style="list-style-type: none"> • the erection of a building or structure that is, or is to be, fixed to the ground and wholly or partially fabricated on-site; • the alteration, maintenance, repair or demolition of any building or structure; • any work which involves breaking of the ground (including pile driving) or bulk earthworks; • the laying of pipes and other prefabricated materials in the ground; and • any associated excavation work. <p>Construction does not include the installation of temporary fences or signage.</p>
As varied on the date this instrument was signed	<p>Construction Environmental Management Plan or CEMP means the most recent of either the document titled <i>Construction Environmental Management Plan</i>, 0000-EV-PLN-0001 Rev 2c, dated June 2024, or a subsequent version of the plan approved by the Minister in writing.</p>
Original decision dated 12 January 2022	<p>Contingency action means any action taken by the approval holder to remediate impacts to a protected matter(s).</p>
Original decision dated 12 January 2022	<p>CPI means the Perth Consumer Price Index, sourced from the Australian Bureau of Statistics website, based on the change for All Groups CPI over the June to June period, generally released at the end of July each year.</p>
As varied on the date this instrument was signed	<p>DBCA – see Department of Biodiversity, Conservation and Attractions</p>
As varied on the date this instrument was signed	<p>Daylight hours means the period commencing at sunrise and ending at sunset on any given day.</p>
As varied on the date this instrument was signed	<p>Department means the Australian Government agency responsible for administering the EPBC Act.</p>
As varied on the date this instrument was signed	<p>Department of Biodiversity, Conservation and Attractions or DBCA means the Western Australian State government department – Department of Biodiversity, Conservation and Attractions</p>

date of decision	definitions attached to approval
As varied on the date this instrument was signed	Department of Primary Industries and Regional Development means the Western Australian State government department - Department of Primary Industries and Regional Development.
As varied on the date this instrument was signed	Department of Water and Environmental Regulation or DWER means the Western Australian State government department - Department of Water and Environmental Regulation.
As varied on the date this instrument was signed	Development envelope means the areas represented in <u>Attachment 1</u> by the zone designated as 'Original Proposal Development Envelope'.
As varied on the date this instrument was signed	Domestic animals means all or any pest, introduced, and/or invasive species that may impact EPBC Act listed flora, terrestrial fauna, marine fauna and/or migratory shorebirds.
As varied on the date this instrument was signed	Dredge means the activity of removing material including but not limited to (sand, dirt, rock, and plants) from the sea floor.
Original decision dated 12 January 2022	Dredge channel means the area represented in <u>Attachment 4</u> by the zones hatched with grey lines designated as 'Indicative Disturbance Footprint'.
As varied on the date this instrument was signed	Dredged material means the material and matter removed from the environment as part of dredging activities.
As varied on the date this instrument was signed	Dredging operations means the activities undertaken to dredge, transport dredge spoil material, and dispose the dredge spoil material.
As varied on the date this instrument was signed	Dugong means the EPBC Act listed migratory species Dugong (<i>Dugong dugon</i>).
As varied on the date this instrument was signed	DWER – see Department of Water and Environmental Regulation
As varied on the date this instrument was signed	Environmental Management Plan Guidelines means the <i>Environmental Management Plan Guidelines</i> , Commonwealth of Australia 2024.

date of decision	definitions attached to approval
As varied on the date this instrument was signed	Environmental Offsets Policy means the <i>Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy</i> , Commonwealth of Australia 2012.
As varied on the date this instrument was signed	EPBC Act means the <i>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</i> .
As varied on the date this instrument was signed	Evaporation pond or evaporative ponds means the ponds constructed as part of this Action represented in <u>Attachment 1</u> , <u>Attachment 2a</u> and <u>Attachment 2b</u> by the zones labelled 'Pond 1', 'Pond 2', 'Pond 3', 'Pond 4', 'Pond 5', 'Pond 6', 'Pond 7', 'Pond 8' and 'Pond 9'.
As varied on the date this instrument was signed	Evaporation ponds 1, 2 and 3 means the three evaporation ponds represented in Attachment 1 by the evaporation ponds labelled 'Pond 1', 'Pond 2' and 'Pond 3' all located to the south of the north-eastern boundary of pond 3 located along the six GPS coordinates specified in Attachment 1.
As varied on the date this instrument was signed	Evaporation pond walls means the walls of the evaporation ponds.
As varied on the date this instrument was signed	Exceed or exceedance means producing a value greater than a threshold that is specified as a maximum, producing a value lower than a threshold that is stated as a minimum or producing a value that is outside a threshold specified as a range.
Original decision dated 12 January 2022	Evidence means dated and signed documentation from the relevant authority or party/ies.
Original decision dated 12 January 2022	<p>Fail/failed/failure means an occurrence of any of the following:</p> <ul style="list-style-type: none"> i. the approval holder does not make a required payment into the Pilbara Environmental Offsets Fund or to the Research Project Proposal; ii. the offset outcomes are not met in the timeframes and milestones specified in accordance with conditions 78, 81 and 83; iii. funds in the Pilbara Environmental Offsets Fund or the Research Project Proposal are not allocated to an offset activity or activities that meet the outcomes required under conditions 78, 81 and 83 of this approval in a timely manner; and/or iv. the Pilbara Environmental Offsets Fund or one or all the of the Research Project Proposal ceases to operate and the outcomes in conditions 78 and 83 have not been, or will not be, achieved;

date of decision	definitions attached to approval
As varied on the date this instrument was signed	Fauna egress mechanism means structural features of pond or pond walls which enable terrestrial fauna including the Northern Quoll , Pilbara Leaf-Nosed Bat and Pilbara Olive Python to leave escape the ponds. Pond walls may act as a fauna egress mechanism where the angle at which the wall leaves the pond is demonstrably suitable to allow fauna egress.
Original decision dated 12 January 2022	Fauna spotter catcher means a person with relevant qualifications, including authorisation by the Western Australia Government to capture and handle wildlife, and at least three years of experience advising on clearing and construction methods to avoid harm to wildlife.
As varied on the date this instrument was signed	Fishing means the activity of trying to catch fish within a body of water such as the ocean, tidal creeks, or freshwater to remove them for recreational, subsistence or commercial purposes.
As varied on the date this instrument was signed	Giant Manta Ray means the EPBC Act listed species Giant Manta Ray (<i>Manta birostris</i>).
As varied on the date this instrument was signed	Green Sawfish means the EPBC Act listed species Green Sawfish (<i>Pristis zijsron</i>).
As varied on the date this instrument was signed	Grey Falcon means EPBC Act listed species Grey Falcon (<i>Falco hypoleucos</i>)
As varied on the date this instrument was signed	Grey falcon habitat means the shrubland over tussock grassland habitat within the development envelope and as identified as Grey Falcon Supporting Habitat in <u>Attachment 2a</u> , <u>Attachment 2b</u> , and <u>Attachment 2c</u> .
As varied on the date this instrument was signed	Groundwater Monitoring and Management Plan (GMMP) means the most recent of either the document titled 'Groundwater Monitoring and Management Plan, 000-EV-PLN-0005, Rev M, dated 31August 2024, or a subsequent version of the plan approved by the Minister in writing
As varied on the date this instrument was signed	Habitat quality means a measure of the overall viability of a site and its capacity to support protected matters , with respect to site condition, site context and species stocking rate and/or composition.

date of decision	definitions attached to approval
As varied on the date this instrument was signed	Harm means to cause any measurable direct or indirect disturbance or deleterious change as a result of any activity associated with the Action.
As varied on the date this instrument was signed	Humpback whale means the EPBC Act listed migratory species Humpback Whale (<i>Megaptera novaeangliae</i>).
As varied on the date this instrument was signed	Illumination Plan means the most recent of either the document titled Mardie Illumination Plan, Revision 5, dated 25 January 2023, or a subsequent version of the plan approved by the Minister in writing.
As varied on the date this instrument was signed	Impact has the same meaning as defined in section 527E of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> .
Original decision dated 12 January 2022	Impact Reconciliation Procedure means a report that meets the requirements of <i>‘Instructions on how to prepare Environmental Protection Act 1986 Part IV Impact Reconciliation Procedures and Impact Reconciliation Reports’</i> (WA EPA, 2018).
As varied on the date this instrument was signed	<p>Independent means a person or firm who does not have any individual, financial*, employment* or family affiliation or any conflicting interests with the project, the approval holder or the approval holder’s staff, representatives or associated persons.</p> <p>*Other than for the purpose of undertaking the role for which an independent person is required.</p>
As varied on the date this instrument was signed	Independent audit means an audit, conducted by an independent auditor , of compliance with and fulfilment of these conditions and the commitments made in plans , objectively evaluated against the audit criteria developed by the independent auditor , in accordance with the <i>Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines</i> , Commonwealth of Australia 2019.
As varied on the date this instrument was signed	<p>Independent auditor means a person, or firm, who:</p> <ul style="list-style-type: none"> – does not have any individual, financial*, employment* or family affiliation or any conflicting interests with the Action, the approval holder or the approval holder’s staff, representatives, or associated persons,

date of decision	definitions attached to approval
	<ul style="list-style-type: none"> – has demonstrated experience in undertaking government-regulated environmental compliance audits, and – holds relevant professional qualifications and accreditations. <p>*Other than for the purpose of undertaking the role for which an independent person, or firm, is required.</p>
As varied on the date this instrument was signed	<p>Incident means any event which has the potential to, or does, harm any protected matter including:</p> <ul style="list-style-type: none"> – potential non-compliance with these conditions, including the administrative requirements, – actual non-compliance with these conditions, including the administrative requirements, – potential non-compliance with one or more commitment made in a plan, and/or – actual non-compliance with one or more commitment made in a plan. <p>Incident also includes:</p> <ul style="list-style-type: none"> – any death or injury of Minuria tridens, terrestrial fauna, marine fauna and migratory shorebirds, – damage to important habitats including, but not limited to Mardie Pool, open riparian woodlands vegetation and Benthic Communities and Habitat, – any seepage and/or brine spill from and/or loss of integrity of the evaporation pond walls, and – any exceedance of a threshold
As varied on the date this instrument was signed	<p>Intertidal rock causeway means the approximately 3.3 km long road structure, located where represented in Attachment 5 by the zone enclosed or covered by the solid black lines designated 'Causeway Alignment'.</p>
As varied on the date this instrument was signed	<p>Large storm event means natural meteorological events that cause major change such as tree fall, flooding, storm surges and noticeable landform change.</p>
As varied on the date this instrument was signed	<p>Life of the action means until the expiry date of this approval.</p>

date of decision	definitions attached to approval
As varied on the date this instrument was signed	Low speed zone means the area within 2 km on either side of the maintenance roads surrounding the Mardie Pool and within 3 km either side of the access road within the known Northern Quoll foraging habitat represented in Attachment 7 by the zone enclosed by the dashed brown line designated 'Low-speed Zone (40 km/hr limit)'.
As varied on the date this instrument was signed	Low visibility conditions mean times where weather and other factors cause unfavourable conditions such as low light, sun glare, rain, fog or dust, which results in reduced visibility.
Original decision dated 12 January 2022	Mangrove includes the three species identified in the surveys undertaken in the <i>Mardie Project Environmental Review Document BCI-MAR-ERD-01_REV 0</i> and areas are identified at Attachment 2a and Attachment 2b in the bright green polygon area designated 'mangroves', which also includes the Robe River Delta Mangrove Management Area (RRDMMA), which according to the <i>EPA Guidance Statement No. 1 – Protection of tropical arid zone mangroves along the Pilbara coastline (EPA 2001)</i> is an area containing regionally significant mangrove habitat.
As varied on the date this instrument was signed	Mardie Project Bitterns Outfall Monitoring Project means the <i>Mardie Project Bitterns Outfall modelling Report (12979.401.R3.RevA, 23 November 2021)</i> .
As varied on the date this instrument was signed	Mardie Dredge Management Plan means the document titled Mardie Dredge Management Plan, Revision 7, dated May 2023 or a subsequent revised version approved by the Minister in writing.
As varied on the date this instrument was signed	Mardie Pool means the freshwater pool, known as the Wirawandi Pool by the Mardudhunera People, represented in Attachment 1 by the zone enclosed by a teal line and labelled 'Mardie Pool'.
As varied on the date this instrument was signed	Mardie Project Environmental Review means the document titled <i>Optimised Mardie Project Supplementary Report</i> , Document Number: BCI-MAR-ERD-02 Rev1, dated 30 August 2022.
As varied on the date this instrument was signed	Marine clearing means the cutting, removing, killing, destroying, poisoning, crushing, uprooting, or scraping of any marine, intertidal or tidal organisms.
As varied on the date this instrument was signed	Marine construction means any construction that takes place in a marine, tidal or intertidal area.

date of decision	definitions attached to approval
As varied on the date this instrument was signed	Marine Environmental Quality Monitoring and Management Plan or MEQMMP means the most recent of either the document titled <i>Marine Environmental Quality Monitoring and Management Plan</i> , R190108 Rev6, dated 23 November 2022 or revised version of the plan approved by the Minister in writing.
As varied on the date this instrument was signed	Marine fauna means EPBC Act listed marine species, including marine turtles, Green Sawfish, Short-nosed Sea Snake, Giant Manta Ray, Humpback Whale, Australian Humpback Dolphin, and Dugong
As varied on the date this instrument was signed	Marine fauna habitat means subtidal and tidal benthic habitat for marine fauna, as well as onshore marine turtle nesting habitat.
As varied on the date this instrument was signed	Marine Pest Management Procedure means the most recent of either the document titled <i>Marine Pest Management Procedure</i> , 02 Environment, Rev 1 dated September 2022 or revised version of the plan approved by the Minister in writing.
As varied on the date this instrument was signed	Marine Turtle Monitoring Program means the most recent of either the document titled <i>Mardie Salt Project: Marine Turtle Monitoring Program</i> 6 July 2023, Pendoley Environmental, Rev 4, report number J59006 or revised version of the plan approved by the Minister in writing.
As varied on the date this instrument was signed	Marine turtle nesting beach means the approximately 0.12 hectare area that supports marine turtle nesting and breeding activities, represented in the inset map at the bottom left of Attachment 4 labelled 'Enlargement' by the bright yellow shaded zone designated 'Marine Turtle Nest Beach'.
As varied on the date this instrument was signed	Marine turtle means any marine turtle as described in the <i>Recovery Plan for Marine Turtles in Australia</i> , Commonwealth of Australia 2017 and including the following EPBC Act listed marine and threatened species: Flatback Turtle (<i>Natator depressus</i>), Hawksbill Turtle (<i>Eretmochelys imbricata</i>), and Green Turtle (<i>Chelonia mydas</i>).
As varied on the date this instrument was signed	Migratory shorebirds means EPBC Act listed threatened and migratory species including: Bar-tailed Godwit (<i>Limosa lapponica</i>), Black-tailed Godwit (<i>Limosa limosa</i>), Caspian Tern (<i>Sterna caspia</i>), Common Greenshank (<i>Tringa nebularia</i>), Common Sandpiper (<i>Actitis hypoleucos</i>), Common Tern (<i>Sterna hirundo</i>), Crested Tern (<i>Sterna bergii</i>), Curlew Sandpiper (<i>Calidris ferruginea</i>), Eastern Curlew (<i>Numenius madagascariensis</i>), Great Knot (<i>Calidris tenuirostris</i>), Greater Sand Plover (<i>Charadrius leschenaultii</i>), Grey Plover (<i>Pluvialis squatarola</i>), Grey-tailed

date of decision	definitions attached to approval
	Tattler (<i>Tringa brevipes</i>), Gull-billed Tern (<i>Gelochelidon nilotica</i>), Lesser Sand Plover (<i>Charadrius mongolus</i>), Oriental Plover (<i>Charadrius veredus</i>), Oriental Pratincole (<i>Glareola maldivarum</i>), Pacific golden plover (<i>Pluvialis fulva</i>), Red Knot (<i>Calidris canutus</i>), Red-necked stint (<i>Calidris ruficollis</i>), Ruddy Turnstone (<i>Arenaria interpres</i>), Sanderling (<i>Calidris alba</i>), Terek Sandpiper (<i>Tringa cinereus</i>), Whimbrel (<i>Numenius phaeopus</i>), White-shafted Little Tern (<i>Sterna albifrons</i>), and White-winged Black Tern (<i>Chlidonias leucopterus</i>).
As varied on the date this instrument was signed	Migratory shorebirds habitat means the mangal communities and coastal samphire within, and in the immediate vicinity of, the development envelope , represented in <u>Attachment 3</u> by the green shaded zones designated 'Migratory Shorebird Habitat'.
Original decision dated 12 January 2022	Minister means the Australian Government Minister administering the EPBC Act , including any delegate thereof.
As varied on the date this instrument was signed	Minuria tridens means the EPBC Act listed species <i>Minuria tridens</i> . Individuals and populations of <i>Minuria tridens</i> within the development envelope are shown in Attachment 2d.
As varied on the date this instrument was signed	Monitoring data means the data required to be recorded under the relevant conditions attached to this approval decision, including data required to be recorded in accordance with one or more relevant plan .
As varied on the date this instrument was signed	New or increased impact means any direct or indirect increase in the impacts of an Action, an increase to the likelihood of an impact occurring, a reduction to the monitoring or mitigation measures for a protected matter , and/or a change to the nature or management of an environmental offset as outlined in the <i>Guidance on 'new or increased impact' relating to changes to approved management plans under EPBC Act environmental approvals</i> , Commonwealth of Australia 2017.
As varied on the date this instrument was signed	Northern Quoll means EPBC Act listed species Northern Quoll (<i>Dasyurus hallucatus</i>).
Original decision on 12 January 2022	Northern Quoll supporting habitat means Low rocky hill habitat
As varied on the date this instrument was signed	Open riparian woodlands vegetation means the riparian vegetation along the ephemeral creek drainage line habitats, which is representative of <i>Eucalyptus victrix</i> woodlands. Open riparian woodlands vegetation

date of decision	definitions attached to approval
	within the development envelope, is represented in Attachment 2a and Attachment 2b
As varied on the date this instrument was signed	Operations means transferring seawater into any evaporation pond .
As varied on the date this instrument was signed	Original Mardie Development Envelope means the area identified as 'Original Mardie Proposal Development Envelope' in Attachment 1 .
As varied on the date this instrument was signed	Optimised Mardie Project means the expanded Optimised Mardie Project approved under EPBC referral 2022/9169, represented in Attachment 1 by all zones enclosed by the yellow line designated as 'Optimised Proposal Development Envelope'
As varied on the date this instrument was signed	Pilbara Environmental Offset Fund or PEOF means an account, called the Pilbara Environmental Offset Fund (PEOF) Account, established under section 16(1)(d) of the <i>Financial Management Act 2006</i> (WA), and administered by the Western Australian Government in order to achieve environmental offsets in the Pilbara.
As varied on the date this instrument was signed	Pilbara Leaf-nosed Bat means EPBC Act listed threatened species Pilbara Leaf-nosed Bat (<i>Rhinionictis aurantia</i>).
As varied on the date this instrument was signed	Pilbara Leaf-nosed Bat supporting habitat means the Triodia grassland habitat represented in Attachment 2a , Attachment 2b , and Attachment 2c by the grey shaded zones designated ' Triodia Grassland Habitat '.
As varied on the date this instrument was signed	Pilbara Olive Python means the EPBC Act listed threatened species Pilbara Olive Python (<i>Liasis olivaceus barroni</i>).
Original decision on 12 January 2022	Pilbara Olive Python critical habitat means open riparian woodlands.
As varied on the date this instrument was signed	Plan means any action management plan, program or strategy that the approval holder is required by these conditions to implement.
As varied on the date this instrument was signed	Ponds and terrestrial infrastructure means the infrastructure and evaporation ponds constructed on land as part of the Action.

date of decision	definitions attached to approval
As varied on the date this instrument was signed	Port operational waters means the marine area represented in Attachment 1 by the dark blue shaded zone designated ' Port Operational Waters '.
As varied on the date this instrument was signed	Primary seawater intake means the seawater intake represented in Attachment 1 by the location labelled as 'Primary Seawater Intake Station'.
As varied on the date this instrument was signed	Project aircraft means any unmanned, human-made object capable of remaining airborne including any drone, glider, balloon, dirigible or kite that is associated with the Action or used recreationally by any staff or visitors to the site.
As varied on the date this instrument was signed	Protected matter means a matter protected under a controlling provision in Part 3 of the EPBC Act for which this approval has effect.
As varied on the date this instrument was signed	Recovery plan means any Australian Government approved recovery plan for a species or threatened ecological community listed under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> .
As varied on the date this instrument was signed	Secondary seawater intake means the seawater intake represented in Attachment 1 by the location labelled 'Secondary Seawater Intake'.
As varied on the date this instrument was signed	Sensitive ecological data means data as defined in the <i>Sensitive Ecological Data – Access and Management Policy v1.0</i> , Commonwealth of Australia 2016.
As varied on the date this instrument was signed	Shapefile means location and attribute information about the Action provided in an Esri shapefile format containing: <ul style="list-style-type: none"> – '.shp', '.shx', '.dbf' files, – a '.prj' file which specifies the projection or geographic coordinate system used, and – an '.xml' metadata file that describes the shapefile for discovery and identification purposes.
As varied on the date this instrument was signed	Short-nosed Sea snake means the EPBC Act listed marine species <i>Aipysurus aprgefrontalis</i> .

date of decision	definitions attached to approval
As varied on the date this instrument was signed	SMART means specific, measurable, achievable, relevant and time bound.
As varied on the date this instrument was signed	Subtidal Benthic Communities and Habitats means the subtidal benthic communities and habitats represented in <u>Attachment 4</u> by the light yellow shaded zones designated 'Bioturbated Sand', the light brown shaded zones designated 'Coral / Macroalgae' and the green shaded zones designated 'Filter Feeder Macroalgae / Seagrass'.
As varied on the date this instrument was signed	Suitably qualified expert means a person who has relevant professional qualifications and experience in the relevant field.
As varied on the date this instrument was signed	Sulphate of Potash Plant means the Sulphate of Potash Plant represented in <u>Attachment 1</u> by the grey zone labelled 'SOP Plant'
As varied on the date this instrument was signed	Sunrise means the time of sunrise specified on the Australian Government bureau of Meteorology's official phone app or the Geoscience Australia website (available at the following link at the time of this approval decision: https://geodesyapps.ga.gov.au/sunrise) at Karratha, Western Australia on the particular day.
As varied on the date this instrument was signed	Sunset means the time of sunset specified on the Australian Government bureau of Meteorology's official phone app or the Geoscience Australia website (available at the following link at the time of this approval decision: https://geodesyapps.ga.gov.au/sunrise) at Karratha, Western Australia on the particular day.
As varied on the date this instrument was signed	Surface water diversions means the surface water drainage, channels, culverts, drainage corridors, flood levees, floodways, and lateral drains around and between the evaporative ponds as described in the referral of this Action located where identified as 'Drainage Features' in <u>Attachment 6</u> .
As varied on the date this instrument was signed	Survey Guidelines means the best practice survey guidelines available on the department's webpage currently titled <i>On-ground surveys and data for referred actions under the EPBC Act</i> (available on the date of this approval decision at the following weblink: https://www.dcceew.gov.au/environment/epbc/advice/surveys-and-data#toc_0).

date of decision	definitions attached to approval
As varied on the date this instrument was signed	Terrestrial fauna means one or more of the Pilbara Leaf-nosed Bat, Northern Quoll, Grey Falcon, Pilbara Olive Python and Migratory shorebirds
Original decision dated 12 January 2022	Threat abatement plan means any Australian Government approved threat abatement plan for a species or threatened ecological community listed under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> .
As varied on the date this instrument was signed	Tidal channel and ocean habitat means tidal creek channels that inundate the coastal samphire, mudflats, and salt flats as well as sand bars, sand spit, and rocky reefs that are inundated and then exposed to air daily by the tidal regime.
As varied on the date this instrument was signed	Threshold means the value of a parameter or group of criteria which the approval holder has committed in a plan that the outcomes of the Action will not go beyond or exceed. Threshold also refers to ‘threshold criteria’ specified in a plan. A threshold may be expressed as a maximum value, a minimum value or a range of values.
As varied on the date this instrument was signed	Trestle jetty means the jetty represented in Attachment 4 by the narrow rectangle hatched with grey lines labelled ‘Trestle Jetty’ extending over and from the Marine turtle nesting beach to the Berth pocket .
As varied on the date this instrument was signed	Trigger means the nominated numerical value of a parameter which, if reached, will cause management and mitigation measures to be initiated.
As varied on the date this instrument was signed	Triodia grassland habitat means grass savannah habitats characterised by <i>Triodia</i> species and <i>Eragrostis</i> species that are mixed bunches and hummock grasses on colluvial coastal and sub-coastal plains. The location of Triodia grassland habitat identified at the time of this approval within the development envelope is represented in Attachment 2a , Attachment 2b , and Attachment 2c by the yellow dotted zones designated ‘Triodia grassland habitat’.
As varied on the date this instrument was signed	Vessel means a ship, boat or watercraft.
As varied on the date this instrument was signed	WA Approval means Ministerial Statement for the Optimised Mardie Project granted under the <i>Environmental Protection Act 1986 (WA)</i> for statement number 1211 (MS 1211) approved on 19 October 2023 as in effect on 20 October 2023.

date of decision	definitions attached to approval
As varied on the date this instrument was signed	WA EPA means the Environmental Protection Authority of Western Australia.
As varied on the date this instrument was signed	<p>Waste means hazardous and non-hazardous materials that may harm human health or the environment, including:</p> <ul style="list-style-type: none"> – wastewater, – putrescible waste (including waste arising from food, human bodily functions, and the use of paper and packaging), – inert waste (including cleaning items and non-hazardous industrial waste), – recyclable and potentially reusable materials (including macro and micro plastics), – disposable items (including parts and substances arising from servicing machinery) – unserviceable or unwanted tools, machinery, vehicles, clothing, appliances, furniture, bedding, structures or parts thereof, and/or – hazardous waste (including hydrocarbon/chemical contaminated materials).
As varied on the date this instrument was signed	Water Quality means the chemical, physical and biological characteristics of water based on the standards of its usage.
Original decision dated 12 January 2022	Weed infestation means an overgrowth of often non-native flora species that are persistent and lead to the decline of health and direct competition with native flora species.
Original decision dated 12 January 2022	Website means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.
As varied on the date this instrument was signed	Zone of High Influence – Best Case means the marine area represented in <u>Attachment 4</u> by the zone enclosed by a solid red line designated ‘Zone of High Influence - Best Case’.

date of decision	Attachments
As varied on the date this instrument was signed	<p>Attachment 1: project development envelope and location of project components.</p> <p>Attachment 2a, 2b, and 2c: Location of areas to be cleared within the development envelope of the algal mat community, mangroves, coastal samphire, low rocky hills habitat open riparian woodlands vegetation, Triodia grassland habitat, and the tidal channel and ocean habitat.</p> <p>Attachment 2d: <i>Minuria tridens</i> locations of individuals and populations</p> <p>Attachment 3: Location of mapped marine fauna habitat and the migratory shorebird habitat</p> <p>Attachment 4: Location and details of the dredging development envelope with mapped subtidal habitats in relationship to the Zone of High Influence and the location of the marine turtle nesting beach.</p> <p>Attachment 5: The location and details of the causeway alignment.</p> <p>Attachment 6: Mardie Project Surface Water Diversions</p> <p>Attachment 7: The location of the low-speed zones within the development envelope.</p>

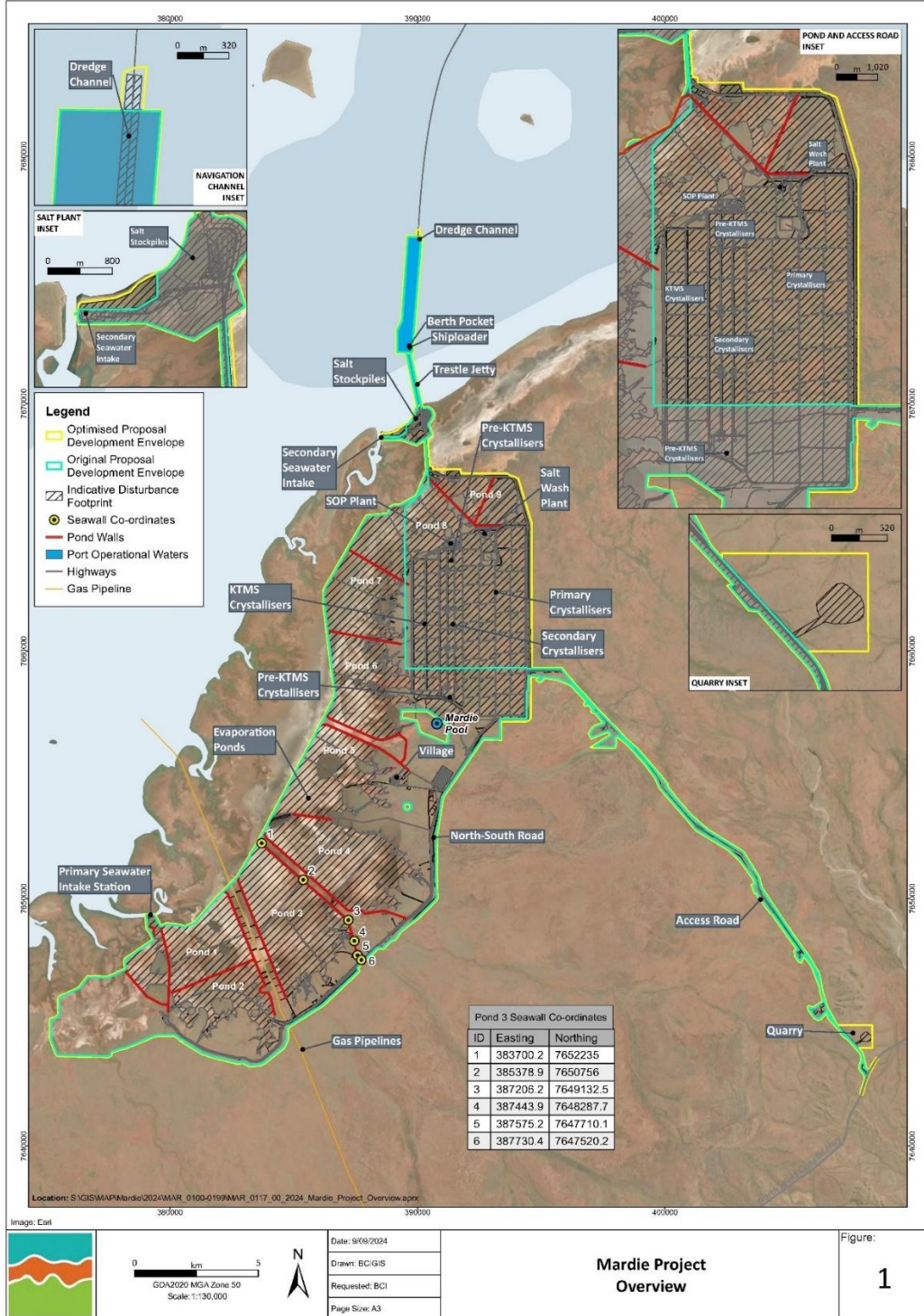


date of decision

Attachments

As varied on the date this instrument was signed

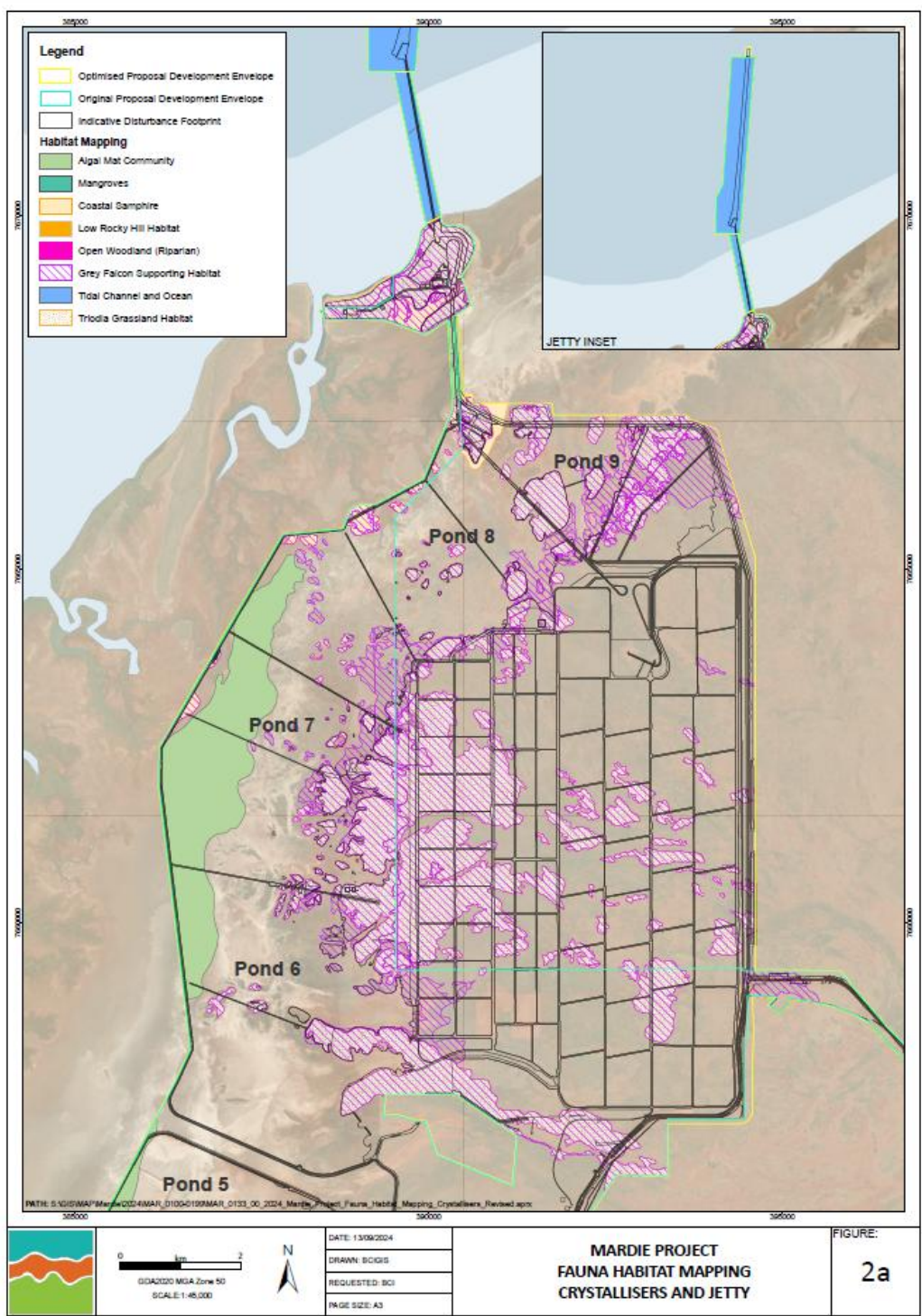
Attachment 1: project development envelope and location of project components





As varied on the date this instrument was signed

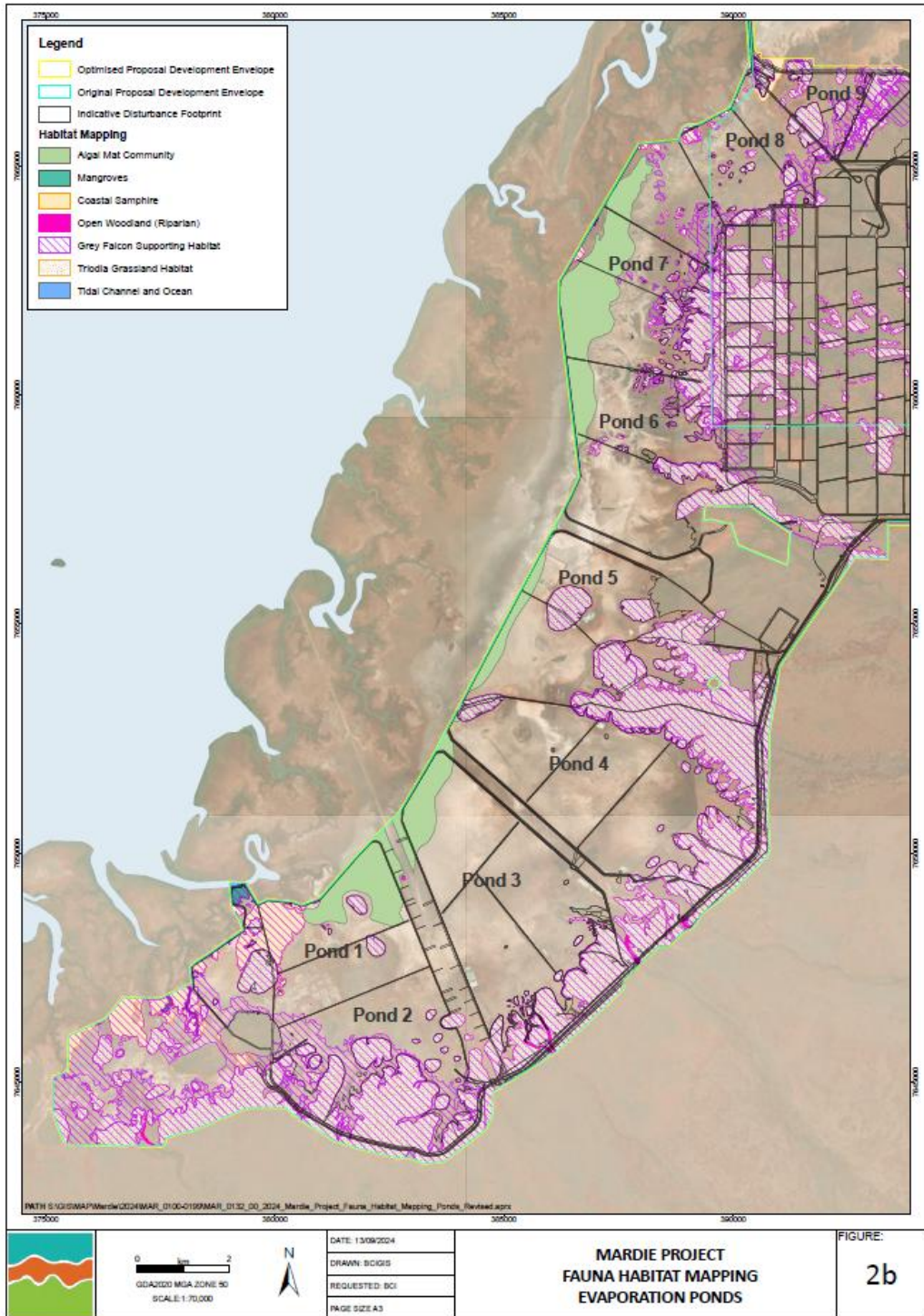
Attachment 2a: Location of areas to be cleared within the development envelope of the algal mat community, mangroves, coastal samphire, low rocky hills habitat open riparian woodlands vegetation, Grey Falcon Supporting Habitat, Triodia grassland habitat, and the tidal channel and ocean habitat.





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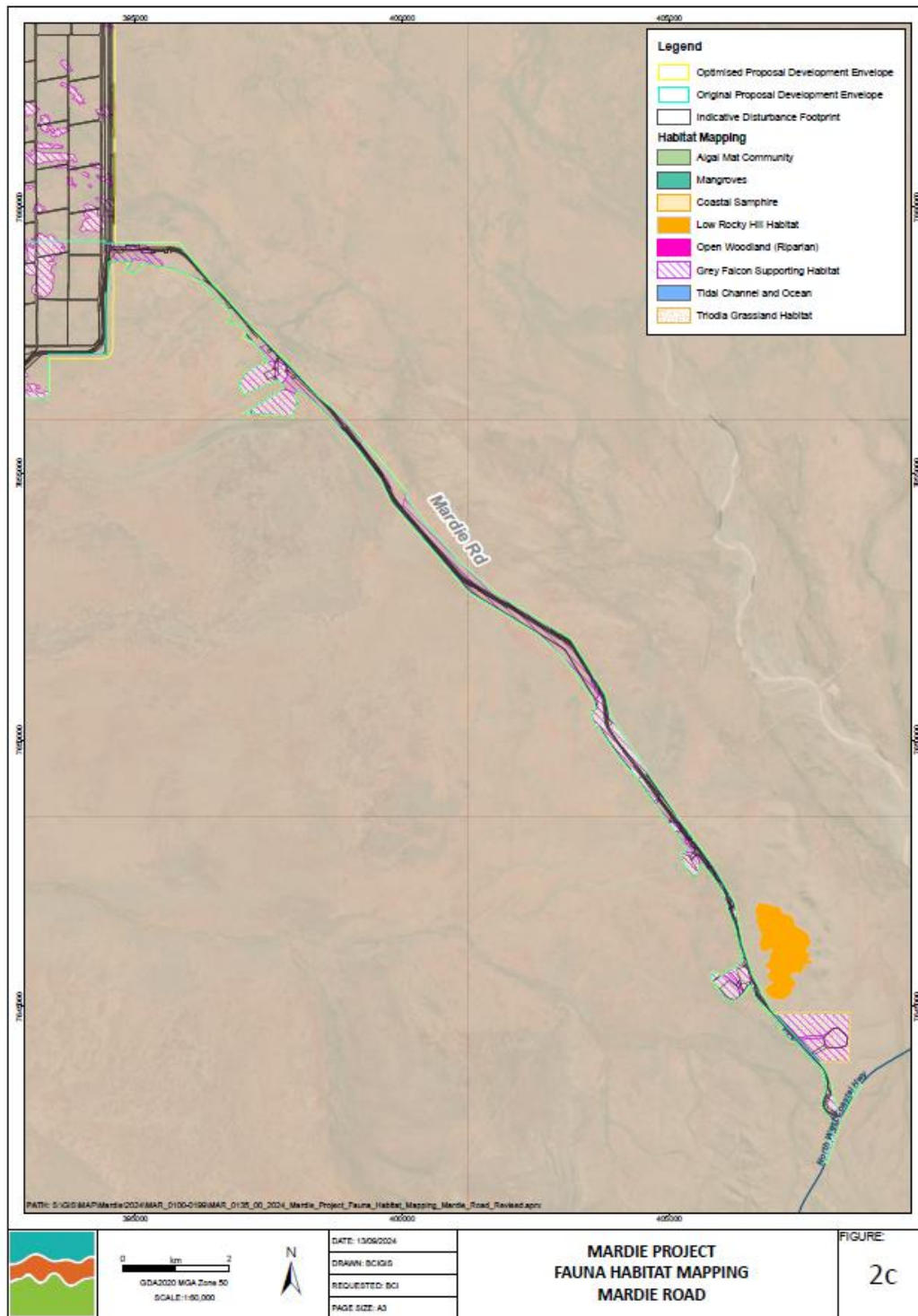
Attachment 2b: Location of areas to be cleared within the development envelope of the algal mat community, mangroves, coastal samphire, low rocky hills habitat open riparian woodlands vegetation, Grey Falcon Supporting Habitat, Triodia grassland habitat, and the tidal channel and ocean habitat.





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Attachment 2c: Location of areas to be cleared within the development envelope of the algal mat community, mangroves, coastal samphire, low rocky hills habitat open riparian woodlands vegetation, Grey Falcon Supporting Habitat, Triodia grassland habitat, and the tidal channel and ocean habitat.

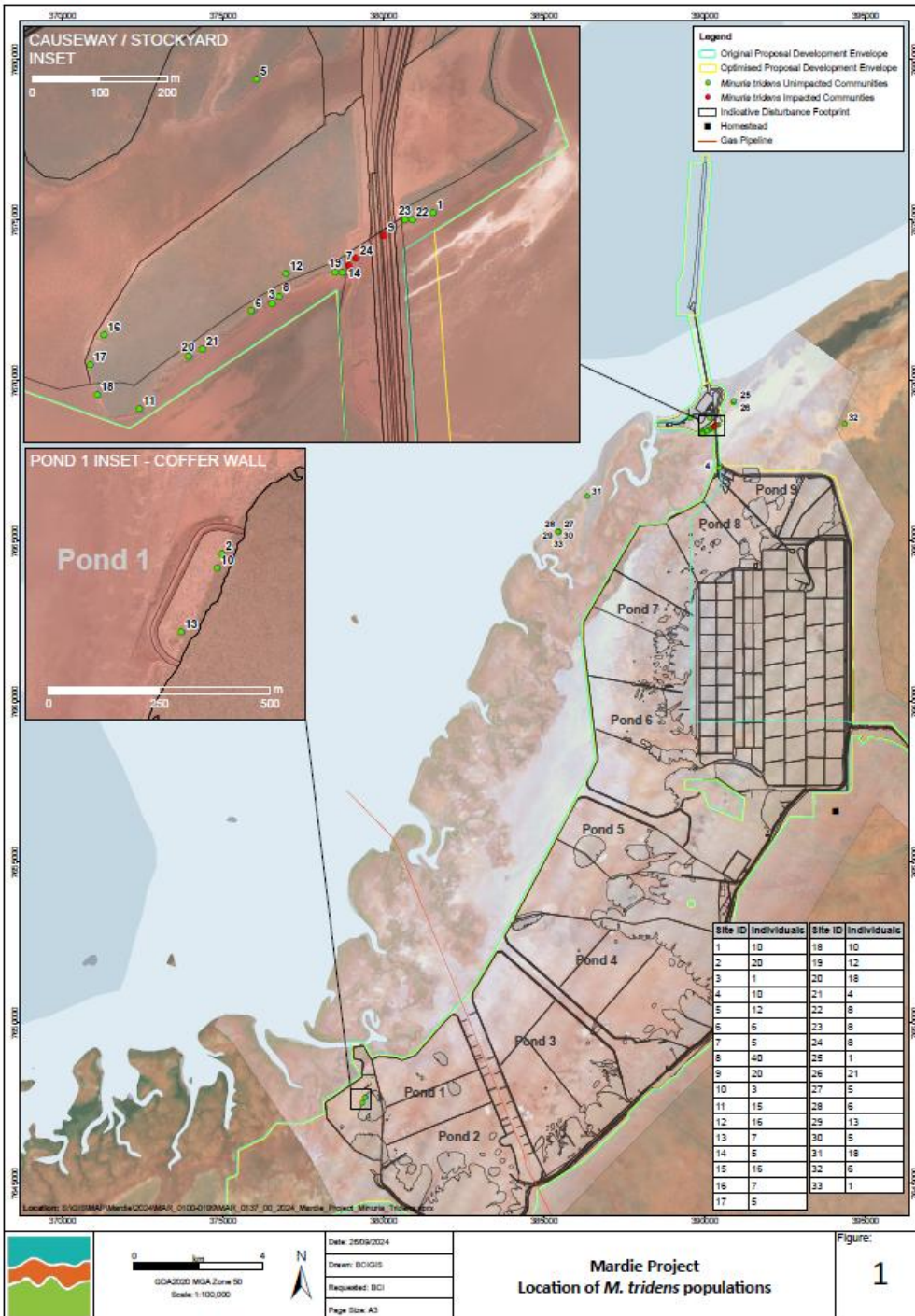




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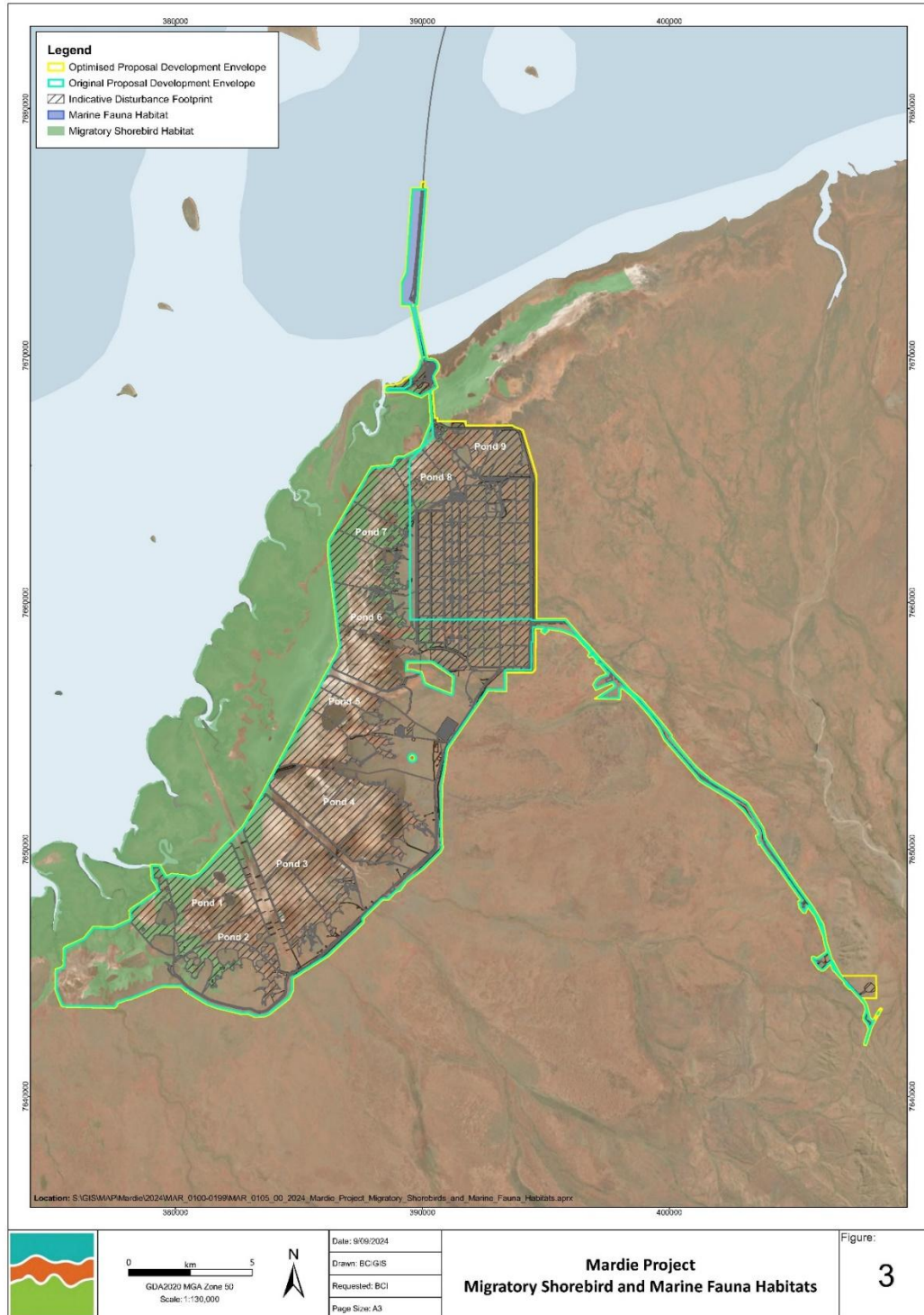
Attachment 2d: Location of *Minuria tridens* individuals and populations

Please update map as requested



As varied on the date this instrument was signed

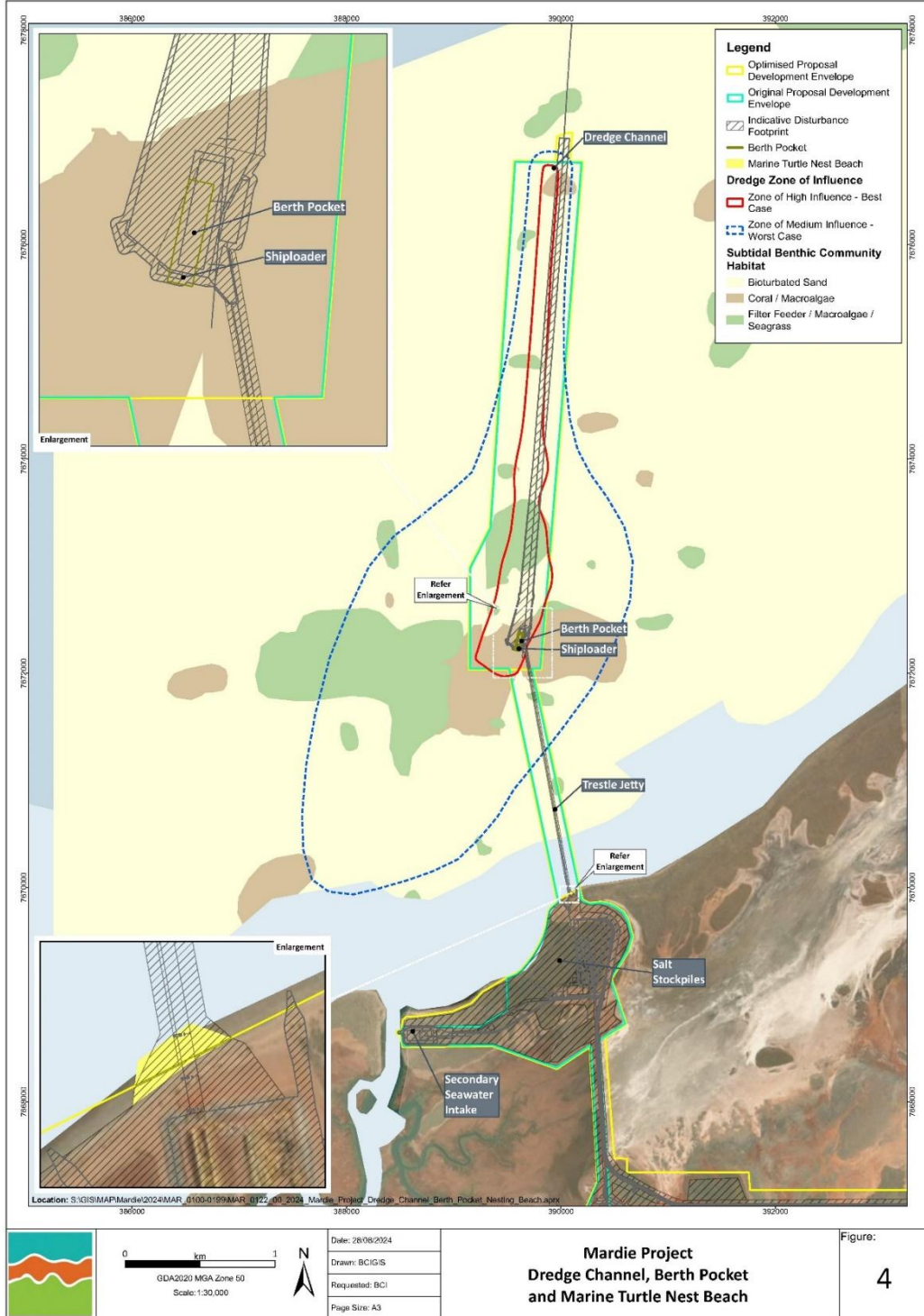
Attachment 3: Location of mapped marine fauna habitat and the migratory shorebird habitat.





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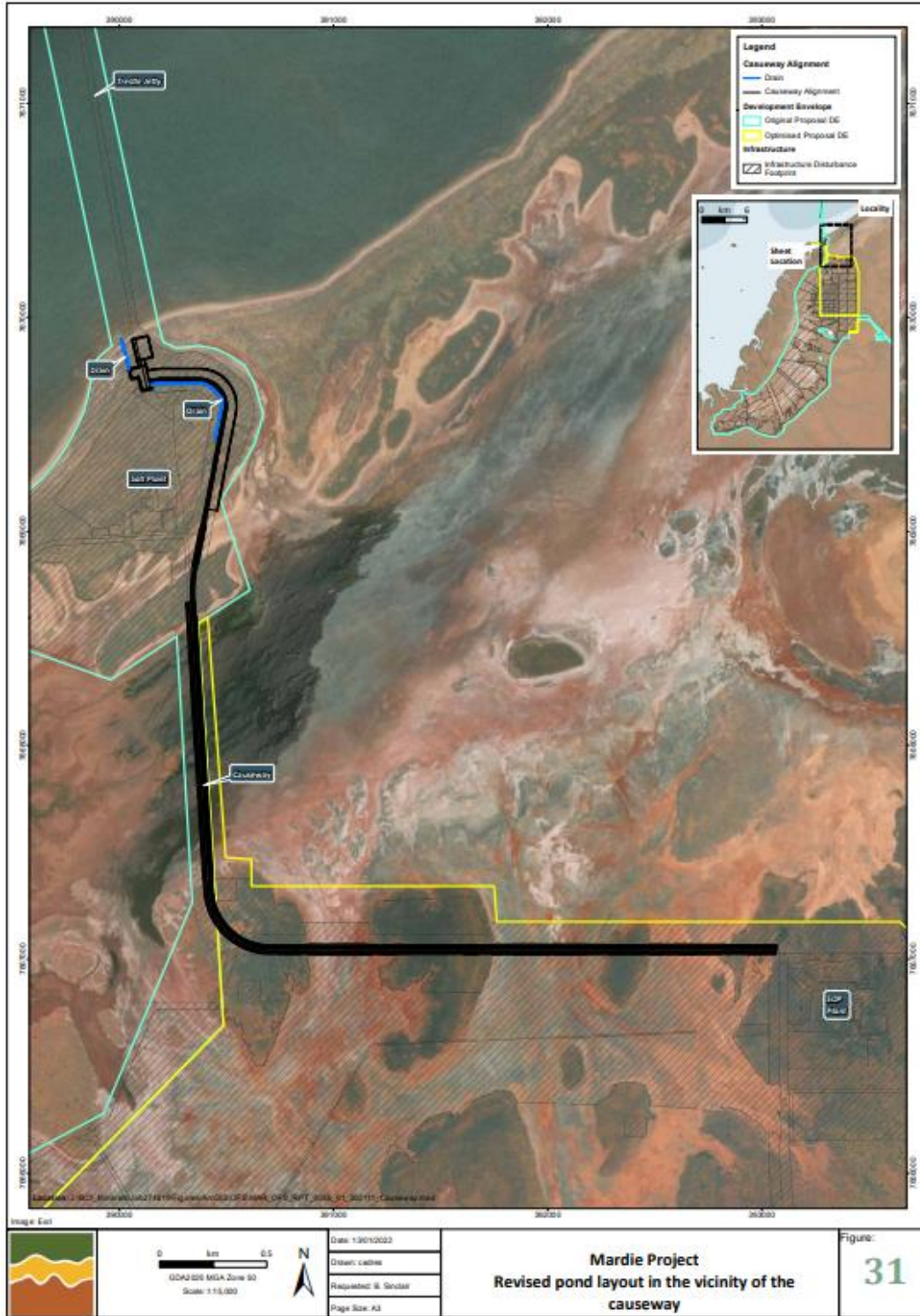
Attachment 4: Location and details of the dredging development envelope with mapped subtidal habitats in relationship to the Zone of High Influence and the location of the marine turtle nesting beach.





As varied on
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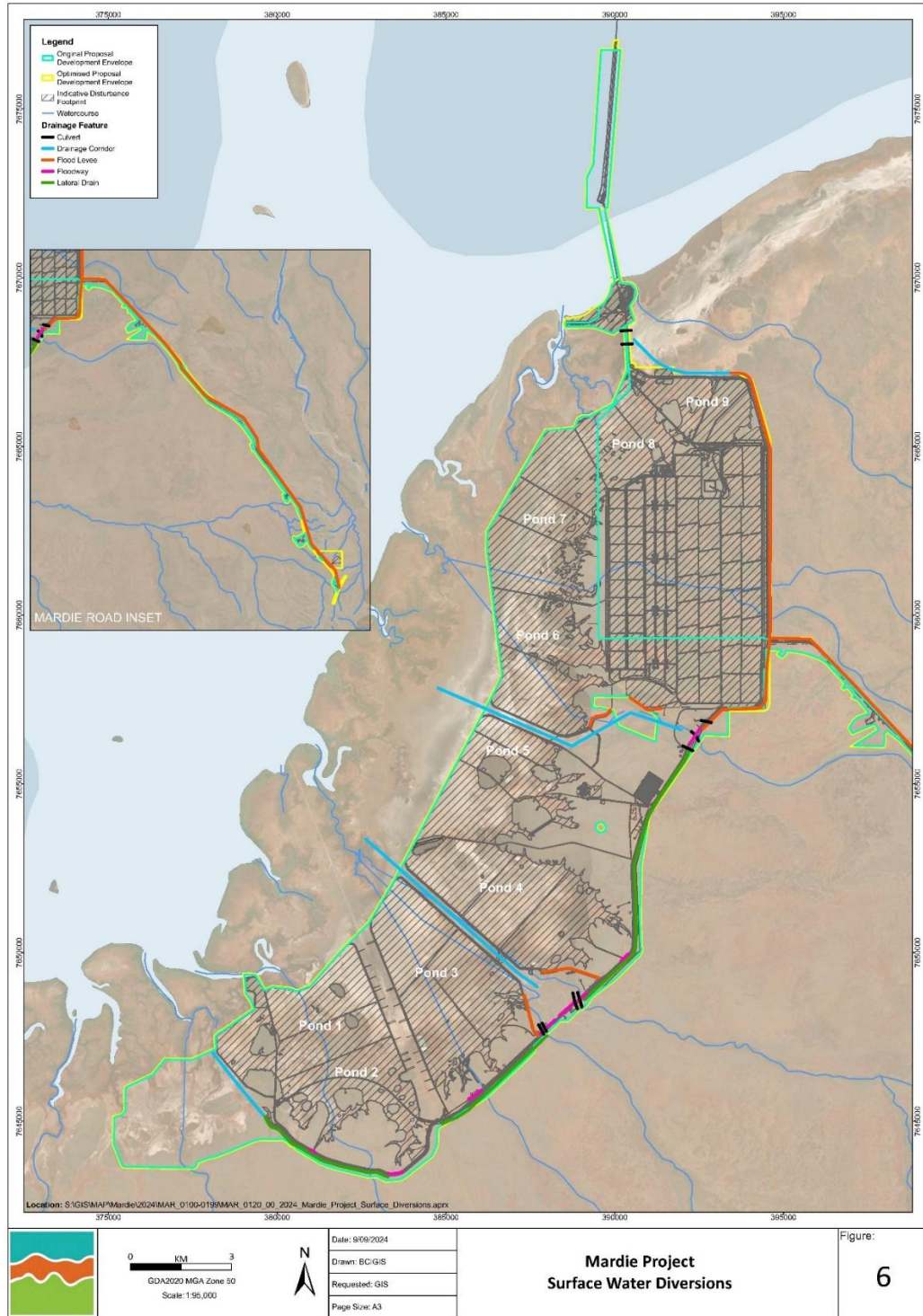
Attachment 5: The location and details of the causeway alignment





As varied on
the date
this
instrument
was signed

Attachment 6: Mardie Project Surface Water Diversions





As varied on the date this instrument was signed

Attachment 7: The location of the low-speed zones within the development envelope.

