Australian Government
National Environmental Protection Agency

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(1)(a) 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].
period for which the approval has effect	This approval has effect until 24 November 2084.

Variation

variation of conditions attached to approval	The variation is: Delete conditions 2, 25, 26, 32, 92, 109, 119, and 121 attached to the approval and substitute with the conditions specified in the table below. Delete definitions of **Actual impact footprint, Audit period, Independent audit** and **Independent Audit** and **Audit Report Guidelines** attached to the approval and substitute with the definitions specified in the table below.
date of effect	This variation has effect on the date this instrument is signed.

Person authorised to make decision

name and position	Toni Hart A/g Branch Head Compliance and Enforcement
signature	
date of decision	14 July 2026

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	Part A – Avoidance, mitigation, and compensation conditions
	DEVELOPMENT ENVELOPE BOUND
Variation dated 9 October 2024	1) The approval holder must not: a) **clear** outside of the **development envelope**; and b) **construct** outside of the **development envelope**.
	CLEARING LIMITS
As Varied on the date this instrument is signed	2) Within the **Original Mardie Development Envelope**, the approval holder must not **clear** more than the following: a) 782 hectares (ha) of Triodia grassland habitat; b) 6 ha of open riparian woodlands vegetation; c) 64.5 ha of low rocky hill habitat; d) 0.12 ha of marine turtle nesting habitat; e) 17 ha of **mangrove**; f) 296 ha of **coastal samphire**; and g) 880 ha of **algal mat**.
Variation dated 9 October 2024	3) Within the **dredge channel**, the approval holder must not **clear** more than: a) 79 ha of **subtidal Benthic Communities and Habitat**; and b) 72 ha of **tidal channel and ocean habitat**.
Variation dated 9 October 2024	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: a) **clear** within 1 kilometre (km) of **Mardie Pool**; and b) **construct** within 1 km of **Mardie Pool**.
	TERRESTRIAL AVOIDANCE AND MITIGATION MEASURES
Variation dated 9 October 2024	**Fauna Management** 5) To avoid and mitigate **harm** to **terrestrial fauna** as a result of the Action, the approval holder must ensure:

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	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**.
Variation dated 9 October 2024	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.
Variation dated 9 October 2024	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.
Variation dated 21 May 2026	**Flora Management** 8) To avoid and mitigate **harm** to ***Minuria tridens*** as a result of the Action, the approval holder must not directly or indirectly **impact** the known locations of ***Minuria tridens*** identified in the *Targeted Pre-clearance Survey*, Phoenix, dated 2021.
Variation dated 21 May 2026	9) In the event that any **harm** to individuals and populations of ***Minuria tridens*** inside the **development envelope** are detected, within 20

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	business days of that **harm** being detected, the approval holder must submit to the **department** for the **Minister's** approval a report which identifies these changes and mitigation measures to further protect ***Minuria tridens***.
Variation dated 9 October 2024	10) The approval holder must not **harm** any ***Minuria tridens*** within the **development envelope** from 23 June 2023 until the **completion of the Action**.
Variation dated 9 October 2024	11) At least once each calendar year, the approval holder must undertake monitoring within the **development envelope** in accordance with the **survey guidelines** to: a) detect any changes to the abundance and distribution of ***Minuria tridens*** which has occurred as a result of the Action; b) determine whether any threatening process to ***Minuria tridens***, such as **weed infestation** or rabbits, within the **development envelope** has increased when compared to the baseline information detailed in the *Detailed Flora and vegetation survey for the Mardie project*, Phoenix, dated June 2020 and the *Targeted Pre-clearance Survey*, Phoenix, dated 2021, and the baseline established as required by condition 14; and c) review the results of the annual ***Minuria tridens*** monitoring, including any reports of any new ***Minuria tridens*** individuals or populations that are found, and include these findings as part of **annual compliance reporting** to the **department.**
Variation dated 21 May 2026	12) For **impacts** to ***Minuria tridens*** which have occurred prior to 9 October 2024, 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 9 October 2024 for approval by the **Minister**.
Variation dated 21 May 2026	12A) The Offset Strategy must include: a) a proposal for a direct offset; b) a proposal for indirect offsets in the form of research projects that address the following objectives: i) identifying suitable area/s within the **development envelope** for translocation of ***Minuria tridens***;

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	ii) comprehensive understanding of ***Minuria tridens*** seed biology (including but not limited to seed production, seed viability, and germination requirements); iii) comprehensive understanding of critical aspects of plant biology of ***Minuria tridens*** (including but not limited to plant-soil interactions, salinity tolerance, growth rates and plant phenology); iv) analysis of genetic variation within and among populations of ***Minuria tridens*** in the region; and v) development of propagation and translocation techniques for successful establishment of ***Minuria tridens*** populations. c) 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; and d) a commitment to including a report of progress towards the outcomes specified in condition 12A b) with each **annual compliance report**.
Variation dated 21 May 2026	12B) From the date of this variation decision, if the **Minister** makes a written request to the approval holder to make specified revisions to the submitted Offset Strategy in order to address the requirements of conditions 12 and 12A, the approval holder must, within three months of the request being made, revise the Offset Strategy and re-submit it to the **department** in accordance with any such request.
Variation dated 21 May 2026	12C) 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**.
Variation dated 21 May 2026	**Weed Management** 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: a) ensuring that any vehicle associated with the Action moving from an area of **weed infestation** is cleaned of any soil and

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	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 9 October 2024, ensuring 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 9 October 2024, ensuring 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 ensuring 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**.
Variation dated 9 October 2024	**Terrestrial Pest and Domestic Animal Management** 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**.
Variation dated 9 October 2024	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.
Variation dated 21 May 2026	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 3 months of undertaking each survey in every calendar year**.**
Variation dated 9 October 2024	17) The approval holder must ensure that **domestic animals**, including dogs and cats, are not brought into the **development envelope**.

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Variation dated 9 October 2024	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**.
Variation dated 9 October 2024	**Staff and Recreational Activity Management** 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: 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.
Variation dated 9 October 2024	20) The approval holder must ensure no **fishing** is undertaken unless for First Nations cultural heritage purposes: a) from the **trestle jetty**; b) within **Mardie Pool**; and c) within the **development envelope**.
Variation dated 9 October 2024	21) The approval holder must ensure: a) that no **project aircraft** flies above any **migratory shorebirds habitat** unless undertaking a flight as specified and approved in writing by the **Minister** or **DWER** for scientific survey or study; 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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Variation dated 9 October 2024	**Waste Management** 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: 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**.
Variation dated 21 May 2026	**Dust Suppression** 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 9 October 2024, undertake dust suppression measures in accordance with the **Construction Environmental Management Plan**.
Variation dated 9 October 2024	**Vehicle Management** 24) To avoid road strike to **EPBC Act** listed threatened fauna individuals as a result of the Action, the approval holder must: a) ensure that no vehicle associated with the Action **exceeds** 40 kilometres per hour within the **low-speed zone** outside of **daylight hours**; 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

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	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.
	MARINE, TIDAL CHANGE, SURFACE WATER AND GROUNDWATER AVOIDANCE AND MITIGATION MEASURES
As varied on the date this instrument is signed	**Vessel Management** 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 i**ncident** and that any consequent request made by **DBCA** is implemented. a) Evidence that the **incident** has been reported to **DBCA** within 2 hours of occurring must be submitted to the **department** within 2 b**usiness days.**
As varied on the date this instrument is signed	26) To avoid **harm** to **marine fauna** individuals as a result of **vessel** use the approval holder must: a) Minimise the risk of physical injury or mortality from **vessel** strike on **marine fauna.** b) Minimise the risk of behavioural changes, health impacts, physical injury or mortality from underwater noise emissions from construction operations and materials to **marine fauna** (including temporary or permanent hearing loss). c) The approval holder must impose a speed limit of eight (8) knots on all project related **vessels** and export **vessels** within a five (5) kilometre radius of the export jetty.
Variation dated 9 October 2024	27) To avoid **vessel** strikes to **marine fauna** individuals as a result of the Action, the approval holder must ensure all: a) **vessels** which are at least 20 metres in length do not **exceed**: i) 8 knots within the **port operational waters**, and ii) 12 knots outside the **port operational waters**; b) **vessels** are only operated within the **port operational waters** during product loading operations to reduce the spatial extent of **vessel** strike risk;

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	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.
Variation dated 9 October 2024	28) The approval holder must ensure a record is taken of all sightings of **marine fauna** individuals, including details of the: a) date and time of the sighting; b) observed **marine fauna** species; c) location where the **marine fauna** individual was observed from; d) location of the observed **marine fauna** individual; e) identity of all other **vessels** notified of the presence of the **marine fauna** and the time at which each **vessel** was notified; and f) qualifications and experience of the person who observed the **marine fauna** individual.
Variation dated 9 October 2024	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 dated 9 October 2024	**Groundwater Objective** 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**.
Variation dated 9 October 2024	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

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	prior to the taking of the Action, including but not limited to the existing coastal tidal inundation regime, natural water flows, and groundwater regimes to the extent that it demonstrates the potential for the Action to cause **impacts** to **protected matters**, validates the monitoring approach and management measures in the **Groundwater Monitoring and Management Plan** required by condition 61, and in line with the **Australian and New Zealand guidelines for fresh and marine water quality (2018)**.
As varied on the date this instrument is signed	**Intertidal Flow Objective** 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: a) comply with condition B3-1(3) of the **WA Approval** to ensure that the Intertidal Flow Objective can be achieved, b) not **construct** the **intertidal rock causeway** unless the Intertidal Flow Objective will be achieved, c) install floodways and culverts at the locations which the *Causeway Tidal Inundation Assessment – technical memorandum* (*Advisian 25 July 2022, Doc No: 311012-A01000-HYD-MEM-0034* demonstrates will ensure that the Intertidal Flow Objective will be achieved, d) undertake daily monitoring, 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, 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, f) undertake monitoring weekly and within 7 days following each **large storm event,** to determine whether the Intertidal Flow

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	Objective continue to be met. Monitoring must continue to be undertaken as described until the **completion of the Action** unless otherwise agreed to in writing by the **minister.** 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.
Variation dated 9 October 2024	**Surface Water Objective** 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**, and continuing until the **completion of the Action**, the approval holder must: a) comply with conditions B3-1(1) and B3-1(2) of the **WA Approval**; 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 *Causeway Tidal Inundation Assessment – technical memorandum* (*Advisian 25 July 2022, Doc No: 311012-A01000-HYD-MEM-0034*). The monitoring must include data collection from **Mardie Pool**, the intertidal zone, and at least three points within each of the drainage channels.

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Variation dated 9 October 2024	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.
Variation dated 21 May 2026	**Dredge Management** 35) During all **marine clearing** and **marine construction**, and until all **marine clearing** and **marine construction** has been completed, the approval holder must: a) undertake all **marine clearing** so as to not cause **harm** to **marine fauna** as specified in Section 3.3.1 and Section 8.3.2 of the **Mardie Dredge and Spoil Disposal 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 *EPBC Act Policy Statement 2.1 - Interaction between offshore seismic exploration and whales: Industry guidelines, Commonwealth of Australia 2008*.
Variation dated 21 May 2026	36) To avoid and mitigate **harm** to **marine fauna** and their habitats from **dredging operations**, the approval holder must: a) comply with condition B1-1 of the **WA Approval**, to the extent that this **WA Approval** condition relates to **protected matters**; 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**; 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 disposed of in accordance with the conditions attached to **EPBC 2024/10054**;

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	h) undertake post-dredging surveys according to the schedule specified in the **Mardie Dredge and Spoil Disposal 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 and Spoil Disposal Management Plan** unless the **department** notifies the approval holder in writing that it can reduce or discontinue undertaking post-dredging surveys; k) at least 12 months prior to undertaking the first instance of maintenance dredging, the approval holder must submit to the **department** for the **Minister's** approval a version of the **Mardie Dredge and Spoil Disposal Management Plan** revised to address: i) how maintenance dredging will be undertaken to achieve the environmental objectives of condition B1-1 of the **WA Approval**; ii) the proposed volume of substrate to be **dredged** during maintenance dredging; and iii) modelling of the Zone of High Influence – Best Case for maintenance dredging; l) not commence any maintenance dredging until the revised plan required under condition 36) k) has been approved by the **Minister** in writing; and m) not undertake any maintenance dredging until a Sea Dumping Permit for disposal of **dredge material** from maintenance dredging has been granted by the **Minister** in accordance with the *Environment Protection (Sea Dumping) Act 1981 (Sea Dumping Act)*.

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Variation dated 9 October 2024	**Marine Turtles** 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.**
Variation dated 9 October 2024	38) Prior to commencing any **marine construction** within the **marine turtle nesting beach**, submit the findings of the Marine Turtle Monitoring Surveys specified in condition B5-3 of the **WA Approval** electronically to the **department**.
Variation dated 21 May 2026	**Seawater Extraction** 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: 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**; b) [Revoked] 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;

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	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 (12979.101.R5.Rev0, 14 April 2020)*; 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
Variation dated 9 October 2024	**Groundwater Monitoring Bores** 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: 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 monitoring program outlined in the **Groundwater Monitoring and Management Plan (GMMP)**; and 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**.
Variation dated 9 October 2024	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

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	monthly basis from the **commencement of operations** until the expiry date of this approval which is capable of: a) demonstrating compliance with conditions C3-1 and C4-1 of the **WA Approval**; 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 c) detecting incremental change over time to groundwater level, and groundwater quality as a result of the Action.
Variation dated 9 October 2024	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.**
Variation dated 9 October 2024	**Evaporation Pond Walls** 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.
Variation dated 9 October 2024	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: 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

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	within 15 **business days** of detecting the seepage and/or **brine** spill and/or loss of structural integrity. This report must include: i) the findings of the seepage and/or **brine** spill and/or loss of structural integrity incident investigation, ii) details of any corrective measures implemented, iii) an evaluation of the effectiveness of the corrective measures implemented, and iv) measures to prevent another seepage and/or **brine** spill event and/or loss of structural integrity incident occurring in the future.
Variation dated 9 October 2024	**Marine Turtle Monitoring Program** 45) To achieve the environmental outcomes specified in conditions B5-1(2-3) of the **WA Approval**, the approval holder must: a) implement the **Marine Turtle Monitoring Program**. The approval holder must commence implementing the **Marine Turtle Monitoring Program** no later than the **commencement of the Action** and continue to implement it at least until the expiry date of this approval; and b) comply with condition B5-1, B5-3 and C4-2 of the **WA Approval**.
Variation dated 21 May 2026	**Migratory Shorebird Monitoring and Management Program** 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 9 October 2024 for the **Minister's** approval that addresses the following: a) be prepared in accordance with the requirements of conditions B6-4 and C4-3 of the **WA Approval**; 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

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	gathering program and contain interim **triggers** and **thresholds** and management measures; d) detail how **harm** caused to **migratory shorebirds** as a result of the Action will be appropriately monitored and managed; e) detail a monitoring program; f) specify management measures that will be implemented if **trigger** values are detected; g) specify the methods by which monitoring data will be gathered, recorded, analysed and reported; and 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.
Variation dated 9 October 2024	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.
Variation dated 21 May 2026	48) If **harm** to **migratory shorebird** populations as a result of the Action is detected, the approval holder must: a) Within 7 days of becoming aware of the **harm**, implement management actions that will remove the most likely cause of the **harm** and implement management actions that will mitigate the **harm**; 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 c) Within 4 months of becoming aware of the **harm**, submit to the **department** a report, reviewed by an **independent suitably qualified expert** of the investigation and its findings,

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	accompanied by the review by the **independent suitably qualified expert**, which includes: i) The outcomes of the investigation and the likely threatening processes that cause the **harm**, ii) Proposed measures to remove the threatening processes and/or mitigate the **harm**, iii) Assessment of whether any **trigger** values, **thresholds**, limits or management actions in relevant management plans need to be revised, including the **Groundwater Monitoring and Management Plan**, the **Benthic Communities and Habitat Monitoring and Management Plan**, **Illumination Plan** and the **Marine Environmental Quality Monitoring and Management Plan**, and iv) Assessment of whether a remediation plan is required to address the **harm**.
	ACTION MANAGEMENT PLANS
Variation dated 9 October 2024	**Construction Environmental Management Plan (CEMP)** 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.
Variation dated 21 May 2026	50) Within 1 month of 9 October 2024, the approval holder must submit a revised version of the **CEMP** for approval by the **Minister**. The revised version must include the following additions: a) all **construction** related conditions in this approval; and b) measures to protect the ***Minuria tridens*** during **construction**.
Variation dated 21 May 2026	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 new **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 new **construction** activity and must not undertake any **construction** on the new

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	activity 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**.
Variation dated 21 May 2026	51A) If the currently approved version of the **CEMP** was approved by the **Minister** more than five years ago, and the **Minister** makes a written request to the approval holder to make revisions to the **CEMP** submitted under condition 51, the approval holder must, within three months of the request being made, revise the **CEMP** and re-submit it to the **department** in accordance with any such request.
Variation dated 21 May 2026	51B) If the **Minister** makes a written request under condition 51A, and the revised **CEMP** has not been approved within 6 months of the date of that request, the **Minister** may give notice to the approval holder of the date on which certain specified elements of **construction** must be suspended and under what circumstances the specified elements of **construction** may be resumed. The approval holder must comply with the notice.
Variation dated 9 October 2024	**Illumination Plan** 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 the **commencement of the Action** and continue to implement the **Illumination Plan** until the expiry date of this approval.
Variation dated 9 October 2024	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: a) meet the requirements of conditions B5-3(1), B6-5, and C4-2(4) of the **WA Approval**;

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	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**.
Variation dated 9 October 2024	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 Program to propose adaptation of the operational lighting to further minimise **impacts**.
Variation dated 9 October 2024	**Marine Environmental Quality Monitoring and Management Plan (MEQMMP)** 55) To avoid and mitigate **harm** to **marine fauna** and their habitats from the extraction of seawater 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**.
Variation dated 9 October 2024	***MEQMMP Review*** 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: a) monitoring required by the **MEQMMP**; b) implementation of the **MEQMMP**; c) effectiveness of the **MEQMMP** in avoiding and mitigating **harm** to **marine fauna** and their habitats from the extraction of seawater for the **evaporative ponds**; and d) findings of the monitoring required by the approved **BCHMMP**.

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Variation dated 21 May 2026	**Benthic Communities and Habitat Monitoring and Management Plan (BCHMMP)** 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: a) comply with conditions B1-1, B1-2, and B1-3 of the **WA Approval**, to the extent that the **WA Approval** conditions relate to **protected matters**; and b) undertake the action in a manner that meets the following objectives: i) no adverse **impact** on the ecological function of intertidal and subtidal **benthic communities and habitats**; ii) no loss of **subtidal benthic communities and habitat** (including subtidal algae) outside the **Zone of High Influence – Best Case**; iii) minimise impacts to **benthic communities and habitat**; iv) changes to the health, diversity, and extent of **benthic communities and habitat** (including subtidal macroalgae) as a result of changes to surface water, groundwater quality, groundwater regimes, and marine environmental quality associated with the action are detected as early as possible; and v) adverse impacts to **benthic communities and habitat** (including subtidal macroalgae) are addressed using best-practice available management mitigation and contingency measures.
Variation dated 9 October 2024	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.

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Variation dated 21 May 2026	59) The approval holder must revise the **BCHMMP** in accordance with condition B1-3 of the **WA Approval** and submit the revised version to the **department** within two months of 9 October 2024 for the **Minister's** approval. All commitments in the revised **BCHMMP**, including environmental outcomes, management measures, corrective measures, **trigger** values, **thresholds** and performance indicators in the **BCHMMP** must be **SMART** and based on referenced or included **evidence** of effectiveness. The **BCHMMP** must: a) be consistent with the **Environmental Management Plan Guidelines**; b) be prepared in accordance with conditions B1-1, B1-2, and B1-3 of the **WA Approval**; c) include the information required by condition C4-1 of the **WA Approval**; d) specify **trigger** values and **thresholds** for each intertidal and subtidal habitat type relevant to the Action; e) detail management measures that will be implemented if any **trigger** value is reached; 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: 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 *BCI Mardie Salt Project Coastal Inundation Studies*, *Rev3 29, dated November 2019*; i) specify measures which will be implemented to manage coastal inundation and/or sea level rise;

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	j) include a discussion on how the implementation of the **BCHMMP** will inform the implementation of monitoring of surface water flows and the **intertidal rock causeway** required by these conditions and the following plans: i) **Mardie Dredge and Spoil Disposal 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); and n) be prepared in accordance with condition 57) b).
Variation dated 9 October 2024	**Mesquite Management Plan** 60) To minimise harm to **protected matters** as a result of **weed infestation**, the approval holder must: a) not **commence operations**, unless the **Department of Primary Industries and Regional Developmen**t 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

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	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.
Variation dated 9 October 2024	**Groundwater Monitoring and Management Plan (GMMP)** 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**.
Variation dated 9 October 2024	62) By implementing the **GMMP**, the approval holder must achieve the following environmental outcome: a) Prevent any **harm** to **protected matters** and their habitats within and outside the **development envelope** as a result of changes to groundwater regimes, groundwater quality, and groundwater levels associated with the Action.
Variation dated 9 October 2024	***GMMP Review*** 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**.
Variation dated 9 October 2024	64) At the conclusion of filling **evaporation ponds 1, 2 and 3** the approval holder must undertake the following investigations: a) All groundwater monitoring data collected to date and throughout the staged filling to be included in the groundwater model and an automatic model calibration process applied for the successively growing calibration period, which will allow for model uncertainty to be quantified as a by-product of the model calibration. The model uncertainty must then be considered in the predictive model simulations; 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;

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	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.
Variation dated 9 October 2024	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 **evaporative 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 **evaporative ponds** prior to the revised **GMMP** being approved by the **Minister** in writing.
Variation dated 9 October 2024	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: 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; e) a monitoring program, which must include:

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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,

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	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 condition B3-1 of the **WA Approval**, including a commitment to review the **GMMP** at least once every 5 years; 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 k) references to other relevant plans or conditions of approval (including **WA Approval** conditions).
Variation dated 9 October 2024	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: a) Cease **operations** until the revised **GMMP** is approved in writing by the **Minister**; and 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.**
Variation dated 9 October 2024	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: a) Monitoring required by the approved **GMMP**, including monitoring bore network, monitoring methodology, monitoring frequency, and **trigger** and **thresholds**; b) Implementation of the **GMMP**; c) Effectiveness of the **GMMP** regarding the achievement of its environmental objective; d) Capacity to measure incremental impacts that may occur during the **life of the Action**; and

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	e) Assessment of whether the **GMMP** requires revision at this time.
Variation dated 9 October 2024	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: a) Revised modelling that includes all data collected to date; and b) Revised monitoring and management measures in accordance with recommendations of the review undertaken in condition 68.
Variation dated 9 October 2024	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: 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.
Variation dated 9 October 2024	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**.
Variation dated 21 May 2026	**Mardie Dredge and Spoil Disposal Management Plan** 72) To avoid and mitigate **harm** to **marine fauna** and their habitats from **dredging operation**, the approval holder must commence

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	implementation of the approved **Mardie Dredge and Spoil Disposal Management Plan** prior to the commencement of **dredging operations** and continue to implement the **Mardie Dredge and Spoil Disposal Management Plan** until the completion of all **dredging operations**.
Variation dated 21 May 2026	73) [Revoked]
Variation dated 9 October 2024	**Marine Pest Prevention Plan** 74) To avoid and mitigate **harm** to **marine fauna** and their habitats from marine pests, the approval holder must: a) comply with conditions B2-1 and B2-2 of the **WA Approval**; and b) implement the **Marine Pest Management Procedure** until the expiry date of this approval.
Variation dated 9 October 2024	**Decommissioning** 75) The approval holder must commence decommissioning activities at least 5 years prior to the expiry date of this approval. The approval holder must: a) Comply with condition B4-4 of the **WA Approval**; 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
Variation dated 9 October 2024	76) The purpose of the following conditions are to compensate for the residual significant impact of the Action on **protected matters**.
Variation dated 9 October 2024	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 Offset Fund (PEOF)**.
Variation dated 9 October 2024	78) In contributing to the **PEOF** the approval holder must: a) Contribute funds toward an offset activity or activities that:

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	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 with 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.
Variation dated 9 October 2024	79) The approval holder must, prior to **commencement of the action**, submit to the **Minister** for approval the Mardie **Impact Reconciliation Procedure.** a) The **Impact Reconciliation Procedure** may be revised at any time. The approval holder must seek approval from the **Minister** prior to the approval of any revised **Impact Reconciliation Procedure** if revisions have been made to offset requirements for the species named in Condition 77 of this variation decision. 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

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	value of the following amounts, adjusted in accordance with the **CPI** from the date of the original approval decision of 12 January 2022, until the date on which any payment is made, of: i) A minimum of $3,306 AUD (excluding GST) per hectare of cleared **Pilbara Olive Python critical habitat**, up to an allowable clearing limit of 6 hectares; ii) A minimum of $1,653 AUD (excluding GST) per hectare of cleared **Northern Quoll supporting habitat**, up to an allowable clearing limit of 64.5 hectares and of good to excellent quality **Pilbara Leaf-nosed Bat supporting habitat**, up to an allowable clearing limit of 1,224 hectares**.** 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.**
Variation dated 9 October 2024	80) Write to the **Minister**, within 10 **business days** of being aware or having concerns, that the offset outcomes specified for the offset project(s) funded through the **PEOF** may not be achieved for the **Pilbara Leaf-nosed bat**, **Pilbara Olive Python**, or **Northern Quoll**.
Variation dated 9 October 2024	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: 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

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	by the **Minister** of a failure under condition 77, the **Minister** may notify the approval holder: i) That the Offset Strategy does not adequately offset the impacts of the relevant **protected matters**; ii) That it must submit a draft Offset Strategy to the **Minister** that is suitable for approval; iii) To cease any **clearing** and/or **construction** activities; and/or iv) To cease taking the Action or part of the Action.
Variation dated 21 May 2026	82) The Offset Strategy must: 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 78 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;

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	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.
Variation dated 21 May 2026	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**, **Green Sawfish** and **Short-nosed Sea Snake** habitat (the Marine Research Objectives). The approval holder must: a) Comply with the research objectives in condition B10-1 of the **WA Approval** for the contribution funding of, and responsibility for, achieving the outcomes for a research project(s) for the intertidal **coastal samphire** as outlined in Schedule 2 of the **WA Approval**; 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:

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	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 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 and Spoil Disposal Management Plan**, B) **Marine Environmental Quality Monitoring and Management Plan**, C) approved Migratory Shorebird Monitoring and Management Program, D) **Groundwater Monitoring and Management Plan (GMMP)**,

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	E) **Benthic Communities 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 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; 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

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	of the above listed monitoring and/or management plans listed in condition 83) c) ix); and 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.
date of decision	**conditions attached to approval**
	Part B – Administrative conditions
	REVISION OF ACTION MANAGEMENT PLANS
Variation dated 9 October 2024	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.
Variation dated 9 October 2024	85) The approval holder may choose to revise **plans** specified in condition 45, 46, 49, 52, 55, 58, 72 or 74, or as subsequently revised in accordance with these conditions, without submitting it for approval under section 143A of the **EPBC Act**, if the taking of the Action in accordance with the revised action management plan (RAMP) would not be likely to have a **new or increased impact**.
Variation dated 9 October 2024	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: a) Notify the **department** electronically that the approved action management plan has been revised and provide the **department** with:

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	i) An electronic copy of the RAMP, ii) An electronic copy of the RAMP marked up with track changes to show the differences between the approved action management plan and the RAMP, iii) An explanation of the differences between the approved action management plan and the RAMP, iv) The reasons the approval holder considers that taking the Action in accordance with the RAMP would not be likely to have a **new or increased impact**, and v) Written notice of the date on which the approval holder will implement the RAMP (RAMP implementation date), being at least 20 **business days** after the date of providing notice of the revision of the action management plan, or a date agreed to in writing with the **department**; and b) Subject to conditions 87 and 88, implement the RAMP from the RAMP implementation date.
Variation dated 9 October 2024	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.
Variation dated 9 October 2024	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: a) Condition 85 does not apply, or ceases to apply, in relation to the RAMP; and b) The approval holder must implement the action management plan specified by the **Minister** in the notice.
Variation dated 21 May 2026	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. **Note:** Conditions 84-89 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.

date of decision	conditions attached to approval
Variation dated 9 October 2024	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.
	SUBMISSION AND PUBLICATION OF PLANS
Variation dated 9 October 2024	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.
Variation dated 9 October 2024	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: 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.
Variation dated 9 October 2024	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**.
Variation dated 9 October 2024	94) The approval holder is required to exclude or redact **sensitive ecological data** from any version of a **plan** before that **plan** is published on the **website** or otherwise provided to a member of the public. If **sensitive ecological data** is excluded or redacted from a **plan**, the approval holder must notify the **department** in writing what exclusions and redactions have been made in the version published on the **website**.
	MODIFICATIONS TO STATE OR TERRITORY APPROVAL

date of decision	conditions attached to approval
Variation dated 9 October 2024	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**.
Variation dated 9 October 2024	96) The approval holder must notify the **department** in writing of any change to **WA Approval** conditions that may relate to **protected matters**, within 5 **business days** of such a change to conditions coming into effect. Such notification must include a copy of the changed **WA Approval** conditions showing what changes have been made.
	COMMENCEMENT OF THE ACTION
Variation dated 9 October 2024	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**.
Variation dated 21 May 2026	98) The approval holder must not **commence the Action** later than 5 years after 12 January 2022.
Variation dated 9 October 2024	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**.
Variation dated 9 October 2024	100) The approval holder must notify the **department** electronically of the date all **clearing** and **construction** associated with the Action is complete within 5 **business days** following all **clearing** and **construction** associated with the Action being completed. The approval holder must not undertake any **clearing** nor **construction** after sending this notification.
	COMPLIANCE RECORDS
Variation dated 9 October 2024	101) The approval holder must maintain accurate and complete **compliance records** and document the procedure for recording and storing **compliance records**.
Variation dated 9 October 2024	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. **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.

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Variation dated 9 October 2024	103) The approval holder must ensure that any **monitoring data** (including **sensitive ecological data**), surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the *Guidelines for biological survey and mapped data*, Commonwealth of Australia 2018, or as otherwise specified by the **Minister** in writing.
Variation dated 9 October 2024	104) The approval holder must ensure that any **monitoring data** (including **sensitive ecological data**), surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the *Guide to providing maps and boundary data for EPBC Act projects*, Commonwealth of Australia 2021, or as otherwise specified by the **Minister** in writing.
Variation dated 21 May 2026	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 9 October 2024. 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**: a) until the date of this variation decision, within 20 **business days** of each anniversary of 9 October 2024, except where otherwise specified in a **plan**; b) thereafter, within 20 **business days** following the end of each **ACR period**, except where otherwise specified in a plan.
	ANNUAL COMPLIANCE REPORTING
Variation dated 9 October 2024	106) The approval holder must prepare a **compliance report** for each **Annual Compliance Report period** (**ACR period**).
Variation dated 9 October 2024	107) The approval holder must ensure each **compliance report** includes: a) accurate and complete details of compliance and any non-compliance with: i) **WA Approval**, if a condition attached to this approval decision requires compliance with that **WA Approval** condition, ii) each condition attached to this approval decision, and

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	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**.
Variation dated 9 October 2024	108) The approval holder must ensure each **compliance report** is completed to the satisfaction of the **Minister** and is consistent with the *Annual Compliance Report Guidelines*, Commonwealth of Australia 2023.
As varied on the date this instrument is signed	109) The approval holder must, within 60 **business days** following the end each **ACR period**, in a format that is easily accessible and downloadable, publish on the **website**: a) each **compliance report**, and b) a **shapefile** showing all **clearing** of **protected matters**, and their habitat, undertaken within the **ACR period**.
Variation dated 9 October 2024	110) The approval holder must: a) Exclude or redact **sensitive ecological data** from each **compliance report** and **shapefile** published on the **website** or otherwise provided to a member of the public; 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.
Variation dated 9 October 2024	111) The approval holder must notify the **department** electronically, within 5 **business days** of each date of publication that the

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	compliance report has been published on the **website**. In this notification, the approval holder must provide the **department** with the web address for where the **compliance report** and related **shapefile** are published on the **website**.
Variation dated 9 October 2024	112) The approval holder must keep each **compliance report** and related **shapefile** published on the **website** from the first date which that **compliance report** must be published and until the expiry date of this approval. **Note: Compliance reports** may be published on the **department's** website.
	REPORTING NON-COMPLIANCE
Variation dated 9 October 2024	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: 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**.
Variation dated 9 October 2024	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: 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
Variation dated 9 October 2024	115) In the event that any **threshold** specified in any **Plan** is **exceeded**, the approval holder must:

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	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 extent of any **harm** to **protected matters** as a result of the **exceedance**. This report must include: i) the findings of the **exceedance** investigation, ii) details of corrective measures implemented, iii) an evaluation of the effectiveness of the corrective measures implemented, and iv) propose measures to be implemented by the approval holder to prevent the **threshold** being **exceeded** in the future; v) Comply with condition D1-1 of the WA Approval where the **plan** that **exceedance** occurred under is also approved in accordance with the **WA Approval.**
	INDEPENDENT AUDIT
Variation dated 9 October 2024	116) The approval holder must ensure that an **independent audit** of compliance with the conditions is conducted for every **audit period**.
Variation dated 9 October 2024	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**.
Variation dated 9 October 2024	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 is signed	119) The approval holder must ensure the criteria for each **independent audit** and the undertaking of each **independent audit** are consistent with the **Independent Audit and Audit Report Guidelines**.
Variation dated 9 October 2024	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.

date of decision	conditions attached to approval
As varied on the date this instrument is signed	121) The approval holder must ensure each **audit report** is completed to the satisfaction of the **Minister** and is consistent with the **Independent Audit and Audit Report Guidelines** to the extent that the **Independent Audit and Audit Report Guidelines** are consistent with these conditions.
Variation dated 9 October 2024	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.
Variation dated 9 October 2024	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**.
Variation dated 9 October 2024	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
Variation dated 9 October 2024	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**.
Variation dated 9 October 2024	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
	Words and terms appearing in **bold** (excluding headings) have the meaning assigned to them in the list below:

date of decision	definitions attached to approval
As varied on the date this instrument was signed	**Acajte habitat** [Revoked]
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**.
Variation dated 9 October 2024	**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 Attachment 2a and Attachment 2b by the zones shaded light green designated 'Algal Mat Community'.
Variation dated 21 May 2026	**Annual Compliance Report period** or **ACR period** means: • Until 13 January 2025, each subsequent 12-month period following the date of the approval decision of 12 January 2022; • After 13 January 2025 and until the date of this variation decision, the period from the previous ACR period until 9 September 2025; and • After the date of this variation decision, the period from the previous ACR period until 30 September 2026 and then each subsequent 12-month period until the expiry date of this approval, unless otherwise specified in writing by the **Minister**.
Variation dated 9 October 2024	**Artificial Light Pollution Guidelines** means the *National Light Pollution Guidelines for Wildlife*, Commonwealth of Australia, Commonwealth of Australia 2023.
As varied on the date this instrument is signed	**Audit period** means the period from the previous Audit report (22 February 2023) until 30 September 2026 and then each subsequent three-year period until the expiry date of this approval, unless otherwise specified in writing by the **Minister**.
Variation dated 9 October 2024	**Audit report** means a written report of an **independent audit**.
Variation dated 9 October 2024	**Australian and New Zealand guidelines for fresh and marine water quality (2018)** means the *Australian and New Zealand guidelines for fresh and marine water quality*, Commonwealth of Australia 2018.

date of decision	definitions attached to approval
Variation dated 9 October 2024	**Australian Humpback Dolphin** means the **EPBC Act** listed species *Sousa sahulensis*.
Variation dated 9 October 2024	**Benthic Communities and Habitat** means any of: **subtidal Benthic Communities and Habitats**, **algal mat** community, **coastal samphire** and **mangrove habitats**.
Variation dated 9 October 2024	**Benthic Communities and Habitat Monitoring and Management Plan** or **BCHMMP** means the most recent of either the document titled *Benthic Communities and Habitat Monitoring and Management Plan*, R220411-23ENV226-BCHMMP, Rev D, dated 24 October 2023, or a subsequently revised version of that plan approved by the **Minister** in writing.
Variation dated 9 October 2024	**Berth Pocket** means the area represented in Attachment 4 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 *Cutter Suction Dredge Plume Modelling Report,* 12979.401.R4.Rev0, dated 28 January 2022.
Variation dated 9 October 2024	**Birdlife Australia** means the not-for-profit organisation BirdLife Australia.
Variation dated 9 October 2024	**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.
Variation dated 9 October 2024	**Bitterns outfall diffuser** means a multi-port outfall diffuser that will pre-dilute **bitterns** to minimise water quality impacts.
Variation dated 9 October 2024	**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 (NH3), nitrate (NO3 −), and phosphorus (K)] derivatives, organic contaminants, soluble microbial products, and pathogenic microorganisms.
Variation dated 9 October 2024	**Business day** means a day that is not a Saturday, a Sunday, or a public holiday in Western Australia.
Variation dated 9 October 2024	**Causeway Tidal Inundation Assessment** means the document titled *Causeway Tidal Inundation Assessment – technical memorandum* (Advisian 25 July 2022, Doc No: 311012-A01000-HYD-MEM-0034).

date of decision	definitions attached to approval
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.
Variation dated 9 October 2024	**Coastal samphire** means tidal samphire mudflat habitats that are dominated by *Tecticornia* species at densities >50% cover that are regularly inundated by tides. The location of **coastal samphire** is represented in Attachment 2a and Attachment 2b, by the light-yellow colour.
Variation dated 9 October 2024	**Commence operations / commencement of operations** means the transferring of seawater into any evaporation pond as part of the Action after December 2023.
Variation dated 9 October 2024	**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: • 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**.
Variation dated 9 October 2024	**Completion data** means an environmental report and spatial data clearly detailing how the conditions of this approval have been met.
Variation dated 21 May 2026	**Completion of the Action** means the date on which all activities associated with the approved Action have permanently ceased and/or been completed.
Variation dated 9 October 2024	**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.

date of decision	definitions attached to approval
Variation dated 9 October 2024	**Compliance report** means a written report of compliance with, and fulfilment of, these conditions (including compliance with commitments made in **plans**).
Variation dated 9 October 2024	**Conservation advice** means any Australian Government approved conservation advice for a species or threatened ecological community listed under the **EPBC Act**.
Variation dated 9 October 2024	**Construct/construction** means: • 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. **Construction** does not include the installation of temporary fences or signage.
Variation dated 9 October 2024	**Construction Environmental Management Plan** or **CEMP** means the most recent of either the document titled *Construction Environmental Management Plan*, 0000-EV-PLN-0001 Rev 2c, dated June 2024, or a subsequent version of the plan approved by the **Minister** in writing.
Original decision dated 12 January 2022	**Contingency action** means any action taken by the approval holder to remediate impacts to a **protected matter(s).**
Original decision dated 12 January 2022	**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.
Variation dated 9 October 2024	**Daylight hours** means the period commencing at **sunrise** and ending at **sunset** on any given day.
Variation dated 9 October 2024	**Department** means the Australian Government agency responsible for administering the **EPBC Act**.
Variation dated 9 October 2024	**Department of Biodiversity, Conservation and Attractions** or **DBCA** means the Western Australian State government department – Department of Biodiversity, Conservation and Attractions.

date of decision	definitions attached to approval
Variation dated 9 October 2024	**Department of Primary Industries and Regional Development** means the Western Australian State government department - Department of Primary Industries and Regional Development.
Variation dated 9 October 2024	**Department of Water and Environmental Regulation** or **DWER** means the Western Australian State government department **-** Department of Water and Environmental Regulation.
Variation dated 9 October 2024	**Development envelope** means the areas represented in Attachment 1 by the zone designated as 'Original Proposal Development Envelope'.
Variation dated 21 May 2026	**Domestic animals** means all or any animals domesticated as pets so as to live and breed in a tame condition, including but not limited to pest, introduced, and/or invasive species.
Variation dated 9 October 2024	**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 Attachment 4 by the zones hatched with grey lines designated as 'Indicative Disturbance Footprint'.
Variation dated 9 October 2024	**Dredged material** means the material and matter removed from the environment as part of dredging activities.
Variation dated 9 October 2024	**Dredging operations** means the activities undertaken to dredge, transport dredge spoil material, and dispose the dredge spoil material.
Variation dated 9 October 2024	**Dugong** means the **EPBC Act** listed migratory species Dugong (*Dugong dugon*).
Variation dated 9 October 2024	**Environmental Management Plan Guidelines** means the *Environmental Management Plan Guidelines*, Commonwealth of Australia 2024.
Variation dated 9 October 2024	**Environmental Offsets Policy** means the *Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy*, Commonwealth of Australia 2012.
Variation dated 9 October 2024	**EPBC Act** means the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).
Variation dated 21 May 2026	**EPBC 2024/10054** means the approved action described in the **EPBC Act** referral EPBC 2024/10054 Offshore Dredge Spoil Disposal – Mardie Project, Onslow, Western Australia.

date of decision	definitions attached to approval
Variation dated 9 October 2024	**Evaporation pond** or **evaporative ponds** means the ponds constructed as part of this Action represented in Attachment 1, Attachment 2a and Attachment 2b by the zones labelled 'Pond 1', 'Pond 2', 'Pond 3', 'Pond 4', 'Pond 5', 'Pond 6', 'Pond 7', 'Pond 8' and 'Pond 9'.
Variation dated 9 October 2024	**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.
Variation dated 9 October 2024	**Evaporation pond walls** means the walls of the evaporation ponds.
Original decision dated 12 January 2022	**Evidence** means dated and signed documentation from the relevant authority or party/ies.
Variation dated 9 October 2024	**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	**Fail/failed/failure** means an occurrence of any of the following: 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 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.
Variation dated 9 October 2024	**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 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.

date of decision	definitions attached to approval
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.
Variation dated 9 October 2024	**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.
Variation dated 9 October 2024	**Giant Manta Ray** means the **EPBC Act** listed species Giant Manta Ray (*Manta birostris*).
Variation dated 9 October 2024	**Green Sawfish** means the **EPBC Act** listed species Green Sawfish (*Pristis zijsron*).
Variation dated 21 May 2026	**Grey falcon** [Revoked]
Variation dated 21 May 2026	**Grey falcon habitat** [Revoked]
Variation dated 9 October 2024	**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 31 August 2024, or a subsequent version of the plan approved by the **Minister** in writing.
Variation dated 9 October 2024	**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.
Variation dated 9 October 2024	**Harm** means to cause any measurable direct or indirect disturbance or deleterious change as a result of any activity associated with the Action.
Variation dated 9 October 2024	**Humpback whale** means the **EPBC Act** listed migratory species Humpback Whale (*Megaptera novaeangliae*).
Variation dated 9 October 2024	**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.
Variation dated 9 October 2024	**Impact** has the same meaning as defined in section 527E of the **EPBC Act**.

date of decision	definitions attached to approval
Original decision dated 12 January 2022	**Impact Reconciliation Procedure** means a report that meets the requirements of '*Instructions on how to prepare Environmental Protection Act 1986 Part IV Impact Reconciliation Procedures and Impact Reconciliation Reports'* (WA EPA, 2018).
Variation dated 9 October 2024	**Incident** means any **event** which has the potential to, or does, **harm** any **protected matter** including: – 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**. **Incident** also includes: – 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/or any exceedance of a **threshold**.
Variation dated 9 October 2024	**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. *Other than for the purpose of undertaking the role for which an independent person is required.
As varied on the date this instrument is 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 **Independent Audit and Audit Report Guidelines** to the extent that the **Independent Audit and Audit Report Guidelines** are consistent with these conditions.

date of decision	definitions attached to approval
As varied on the date this instrument is signed	**Independent Audit and Audit Report Guidelines** means the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines*, Commonwealth of Australia 2019.
Variation dated 9 October 2024	**Independent auditor** means a person, or firm, who: – 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, – has demonstrated experience in undertaking government-regulated environmental compliance audits, and – holds relevant professional qualifications and accreditations. *Other than for the purpose of undertaking the role for which an independent person, or firm, is required.
Variation dated 9 October 2024	**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'.
Variation dated 9 October 2024	**Large storm event** means natural meteorological events that cause major change such as tree fall, flooding, storm surges and noticeable landform change.
Variation dated 9 October 2024	**Life of the action** means until the expiry date of this approval.
Variation dated 21 May 2026	**Low rocky hill habitat** means spinifex grassland on rocky hills that supports mostly *Triodia* species and mixed mid-low shrubs on skeletal soils and boulder piles identified in Attachment 2a and Attachment 2b.
Variation dated 9 October 2024	**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)'.
Variation dated 21 May 2026	**Low visibility conditions** [Revoked]
Original decision dated 12 January 2022	**Mangrove** includes the three species identified in the surveys undertaken in the *Mardie Project Environmental Review Document BCI-MAR-ERD-01_REV 0* and areas are identified at Attachment 2a and

date of decision	definitions attached to approval
	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 *EPA Guidance Statement No. 1 – Protection of tropical arid zone mangroves along the Pilbara coastline (EPA 2001*) is an area containing regionally significant mangrove habitat.
Variation dated 21 May 2026	**Mardie Dredge and Spoil Disposal Management Plan** means the document titled *Mardie Dredge Management Plan*, Revision 5, dated August 2025 or a subsequent revised version approved by the **Minister** in writing.
Variation dated 21 May 2026	**Mardie Dredge Management Plan** [Revoked]
Variation dated 9 October 2024	**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'.
Variation dated 9 October 2024	**Mardie Project Bitterns Outfall Monitoring Project** means the *Mardie Project Bitterns Outfall modelling Report (12979.401.R3.RevA, 23 November 2021).*
Variation dated 9 October 2024	**Mardie Project Environmental Review** means the document titled *Optimised Mardie Project Supplementary Report*, Document Number: BCI-MAR-ERD-02 Rev1, dated 30 August 2022.
Variation dated 9 October 2024	**Marine clearing** means the cutting, removing, killing, destroying, poisoning, crushing, uprooting, or scraping of any marine, intertidal or tidal organisms.
Variation dated 9 October 2024	**Marine construction** means any **construction** that takes place in a marine, tidal or intertidal area.
Variation dated 9 October 2024	**Marine Environmental Quality Monitoring and Management Plan** or **MEQMMP** means the most recent of either the document titled *Marine Environmental Quality Monitoring and Management Plan*, R190108 Rev6, dated 23 November 2022 or revised version of the plan approved by the **Minister** in writing.
Variation dated 9 October 2024	**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**.

date of decision	definitions attached to approval
Variation dated 9 October 2024	**Marine fauna habitat** means subtidal and tidal benthic habitat for **marine fauna**, as well as onshore **marine turtle nesting habitat**.
Variation dated 9 October 2024	**Marine Pest Management Procedure** means the most recent of either the document titled *Marine Pest Management Procedure, 02 Environment*, Rev 1 dated September 2022 or revised version of the plan approved by the **Minister** in writing**.**
Variation dated 9 October 2024	**Marine turtle** means any marine turtle as described in the *Recovery Plan for Marine Turtles in Australia*, Commonwealth of Australia 2017 and including the following **EPBC Act** listed marine and threatened species: Flatback Turtle (*Natator depressus*), Hawksbill Turtle (*Eretmochelys imbricata*), and Green Turtle (*Chelonia mydas*).
Variation dated 9 October 2024	**Marine Turtle Monitoring Program** means the most recent of either the document titled *Mardie Salt Project: Marine Turtle Monitoring Program 6 July 2023, Pendoley Environmental*, Rev 4, report number J59006 or revised version of the plan approved by the **Minister** in writing**.**
Variation dated 9 October 2024	**Marine turtle nesting beach** or **marine turtle nesting habitat** 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'.
Variation dated 9 October 2024	**Migratory shorebirds** means **EPBC Act** listed threatened and migratory species including: Bar-tailed Godwit (*Limosa lapponica*), Black-tailed Godwit (*Limosa limosa*), Caspian Tern (*Sterna caspia*), Common Greenshank (*Tringa nebularia*), Common Sandpiper (*Actitis hypoleucos*), Common Tern (*Sterna hirundo*), Crested Tern (*Sterna bergii*), Curlew Sandpiper (*Calidris ferruginea*), Eastern Curlew (*Numenius madagascariensis*), Great Knot (*Calidris tenuirostris*), Greater Sand Plover (*Charadrius leschenaultii*), Grey Plover (*Pluvialis squatarola*), Grey-tailed Tattler (*Tringa brevipes*), Gull-billed Tern (*Gelochelidon nilotica*), Lesser Sand Plover (*Charadrius mongolus*), Oriental Plover (*Charadrius veredus*), Oriental Pratincole (*Glareola maldivarum*), Pacific golden plover (*Pluvialis fulva*), Red Knot (*Calidris canutus*), Red-necked stint (*Calidris ruficollis*), Ruddy Turnstone (*Arenaria interpres*), Sanderling (*Calidris alba*), Terek Sandpiper (*Tringa cinereus*), Whimbrel (*Numenius phaeopus*), White-shafted Little Tern (*Sterna albifrons*), and White-winged Black Tern (*Chlidonias leucopterus*).

date of decision	definitions attached to approval
Variation dated 9 October 2024	**Migratory shorebirds habitat** means the mangal communities and coastal samphire within, and in the immediate vicinity of, the **development envelope**, represented in Attachment 3 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.
Variation dated 9 October 2024	***Minuria tridens*** means the **EPBC Act** listed species *Minuria tridens*. Individuals and populations of *Minuria tridens* within the **development envelope** are shown in Attachment 2d.
Variation dated 9 October 2024	**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**.
Variation dated 9 October 2024	**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 *Guidance on 'new or increased impact' relating to changes to approved management plans under EPBC Act environmental approvals*, Commonwealth of Australia 2017.
Variation dated 9 October 2024	**Northern Quoll** means **EPBC Act** listed species Northern Quoll (*Dasyurus hallucatus*).
Original decision dated 12 January 2022	**Northern Quoll supporting habitat** means **Low rocky hill habitat**.
Variation dated 9 October 2024	**Open riparian woodlands vegetation** means the riparian vegetation along the ephemeral creek drainage line habitats, which is representative of *Eucalyptus victrix* woodlands. Open riparian woodlands vegetation within the **development envelope** is represented in Attachment 2a and Attachment 2b.
Variation dated 9 October 2024	**Operations** means transferring seawater into any **evaporation pond**.
Variation dated 9 October 2024	**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'.

date of decision	definitions attached to approval
Variation dated 9 October 2024	**Original Mardie Development Envelope** means the area identified as 'Original Mardie Proposal Development Envelope' in Attachment 1.
Variation dated 9 October 2024	**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 *Financial Management Act 2006* (WA), and administered by the Western Australian Government in order to achieve environmental offsets in the Pilbara.
Variation dated 9 October 2024	**Pilbara Leaf-nosed Bat** means **EPBC Act** listed threatened species Pilbara Leaf-nosed Bat (*Rhinonicteris aurantia*).
Variation dated 9 October 2024	**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'.
Variation dated 9 October 2024	**Pilbara Olive Python** means the **EPBC Act** listed threatened species Pilbara Olive Python (*Liasis olivaceus barroni*).
Original decision dated 12 January 2022	**Pilbara Olive Python critical habitat** means **open riparian woodlands vegetation**.
Variation dated 9 October 2024	**Plan** means any action management plan, program or strategy that the approval holder is required by these conditions to implement.
Variation dated 21 May 2026	**Ponds and terrestrial infrastructure** [Revoked]
Variation dated 9 October 2024	**Port operational waters** means the marine area represented in Attachment 1 by the dark blue shaded zone designated 'Port Operational Waters'.
Variation dated 9 October 2024	**Primary seawater intake** means the seawater intake represented in Attachment 1 by the location labelled as 'Primary Seawater Intake Station'.
Variation dated 9 October 2024	**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.
Variation dated 9 October 2024	**Protected matter** means a matter protected under a controlling provision in Part 3 of the **EPBC Act** for which this approval has effect.

date of decision	definitions attached to approval
Variation dated 9 October 2024	**Recovery plan** means any Australian Government approved recovery plan for a species or threatened ecological community listed under the **EPBC Act**.
Variation dated 9 October 2024	**Secondary seawater intake** means the seawater intake represented in Attachment 1 by the location labelled 'Secondary Seawater Intake'.
Variation dated 9 October 2024	**Sensitive ecological data** means data as defined in the *Sensitive Ecological Data – Access and Management Policy v1.0*, Commonwealth of Australia 2016.
Variation dated 9 October 2024	**Shapefile** means location and attribute information about the Action provided in an Esri shapefile format containing: – '.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.
Variation dated 9 October 2024	**Short-nosed Sea Snake** means the **EPBC Act** listed marine species *Aipysurus aprgefrontalis.*
Variation dated 9 October 2024	**SMART** means specific, measurable, achievable, relevant and time bound.
Variation dated 9 October 2024	**Subtidal Benthic Communities and Habitats** means the subtidal benthic communities and habitats represented in Attachment 4 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'.
Variation dated 9 October 2024	**Suitably qualified expert** means a person who has relevant professional qualifications and experience in the relevant field.
Variation dated 9 October 2024	**Sulphate of Potash Plant** means the Sulphate of Potash Plant represented in Attachment 1 by the grey zone labelled 'SOP Plant'.
Variation dated 9 October 2024	**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.

date of decision	definitions attached to approval
Variation dated 9 October 2024	**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.
Variation dated 9 October 2024	**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 Attachment 6.
Variation dated 9 October 2024	**Survey Guidelines** means the best practice survey guidelines available on the **department's** webpage currently titled *On-ground surveys and data for referred actions under the EPBC Act* (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).
Variation dated 21 May 2026	**Terrestrial fauna** means one or more of the **Pilbara Leaf-nosed Bat, Northern Quoll**, **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 **EPBC Act**.
Variation dated 9 October 2024	**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.
Variation dated 9 October 2024	**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.
Variation dated 9 October 2024	**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.
Variation dated 9 October 2024	**Trigger** means the nominated numerical value of a parameter which, if reached, will cause management and mitigation measures to be initiated.

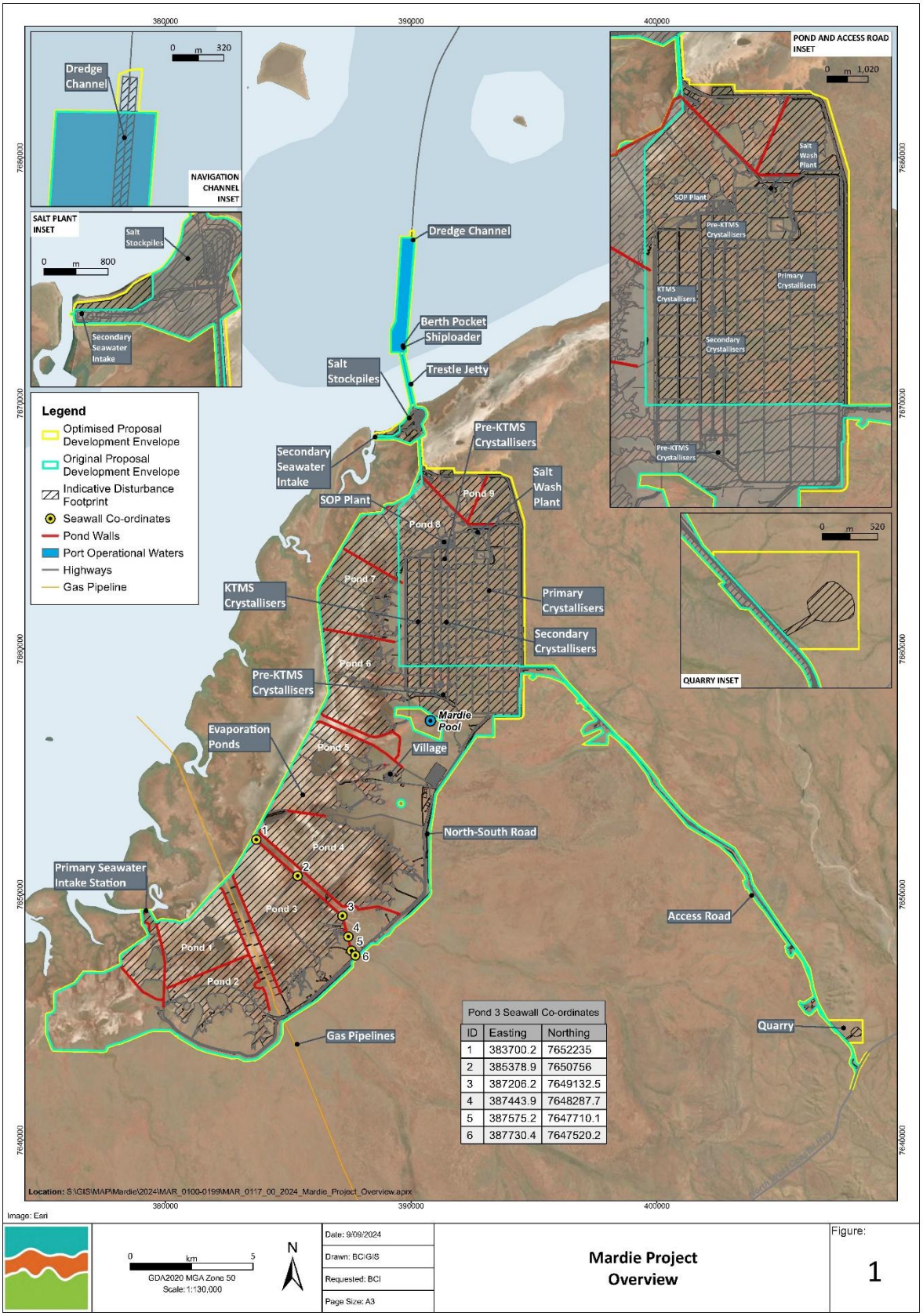
date of decision	definitions attached to approval
Variation dated 9 October 2024	**Triodia grassland habitat** means grass savannah habitats characterised by *Triodia* species and *Eragrostis* species that are mixed bunches and hummock grasses on colluvial coastal and sub-coastal plains. The location 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'.
Variation dated 9 October 2024	**Vessel** means a ship, boat or watercraft.
Variation dated 21 May 2026	**WA Approval** means Ministerial Statement for the **Optimised Mardie Project** granted under the *Environmental Protection Act 1986* (WA) for statement number 1264 (MS 1264) approved on 22 December 2025 as in effect on 23 December 2025.
Variation dated 9 October 2024	**WA EPA** means the Environmental Protection Authority of Western Australia.
Variation dated 9 October 2024	**Waste** means hazardous and non-hazardous materials that may **harm** human health or the environment, including: – 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).
Variation dated 9 October 2024	**Water Quality** means the chemical, physical and biological characteristics of water based on the standards of its usage.
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.
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.

date of decision	definitions attached to approval
Variation dated 21 May 2026	**Zone of High Influence – Best Case** means the marine area associated with capital dredging represented in Attachment 4 by the zone enclosed by a solid red line designated 'Zone of High Influence - Best Case'.

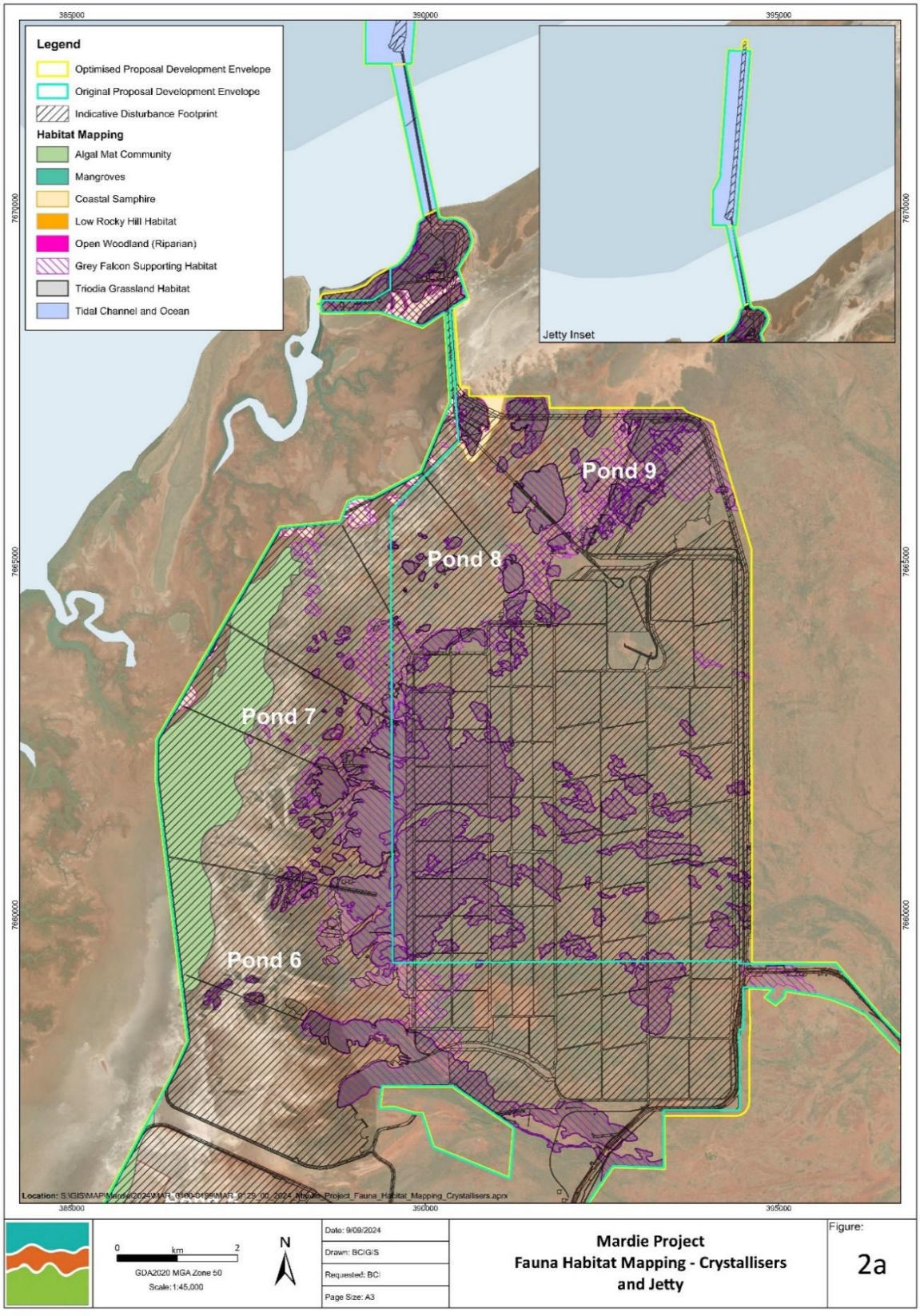
date of decision	Attachments
Variation dated 9 October 2024	Attachment 1: project development envelope and location of project components
Variation dated 21 May 2026	Attachment 2a: Location of areas to be cleared within the development envelope of the algal mat community, mangroves, coastal samphire, low rocky hills habitat open riparian woodlands vegetation, Triodia grassland habitat, and the tidal channel and ocean habitat
Variation dated 21 May 2026	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, Triodia grassland habitat, and the tidal channel and ocean habitat
Variation dated 21 May 2026	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, Triodia grassland habitat, and the tidal channel and ocean habitat
Variation dated 9 October 2024	Attachment 2d: Location of *Minuria tridens* individuals and populations
Variation dated 9 October 2024	Attachment 3: Location of mapped marine fauna habitat and the migratory shorebird habitat
Variation dated 21 May 2026	Attachment 4: Location and details of the dredging development envelope with mapped subtidal habitats in relationship to the Zone of High Influence for capital dredging and the location of the marine turtle nesting beach.
Variation dated 9 October 2024	Attachment 5: The location and details of the causeway alignment
Variation dated 9 October 2024	Attachment 6: Mardie Project Surface Water Diversions
Variation dated 9 October 2024	Attachment 7: The location of the low-speed zones within the development envelope

Annexure A

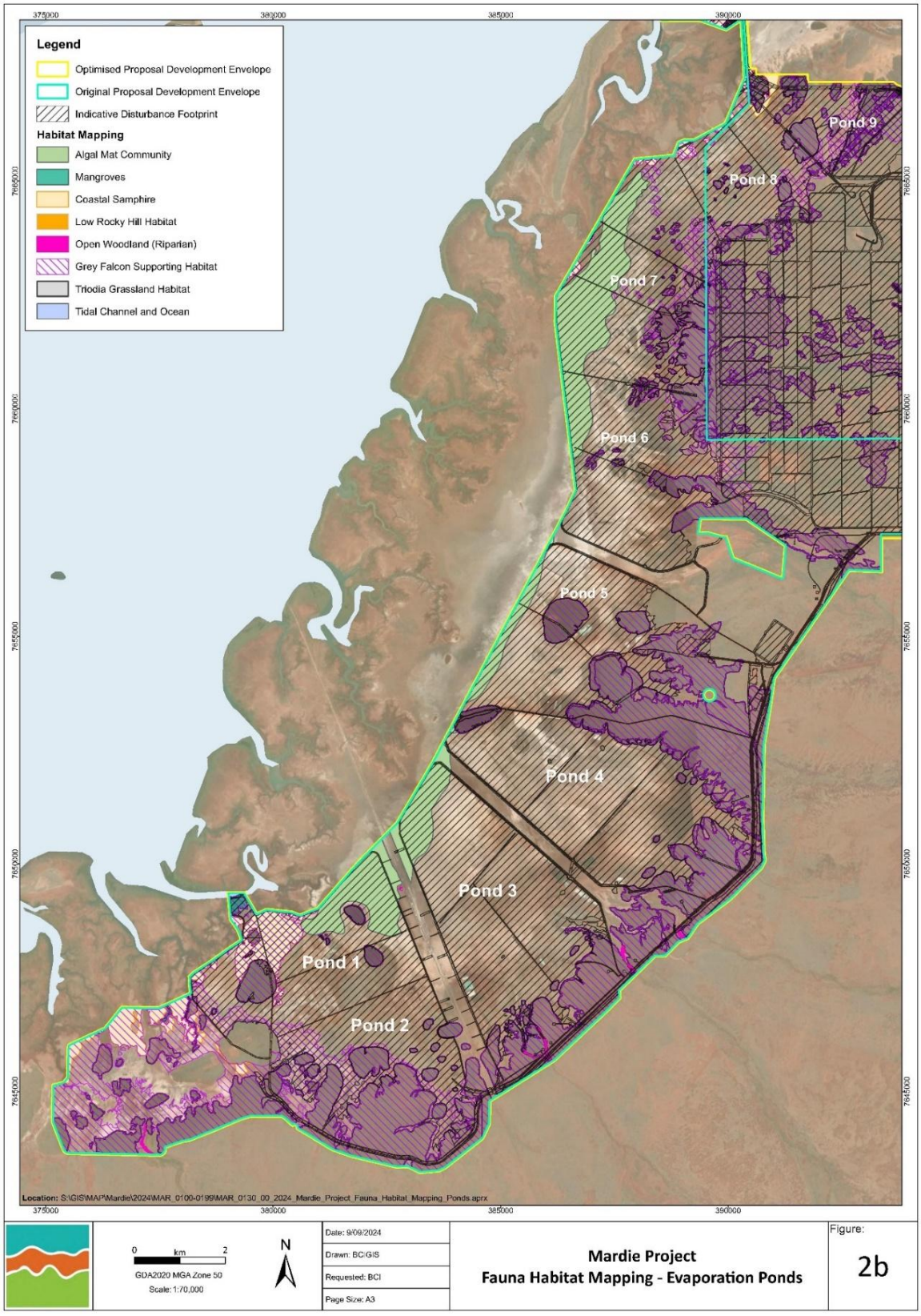
Attachment 1: project development envelope and location of project components



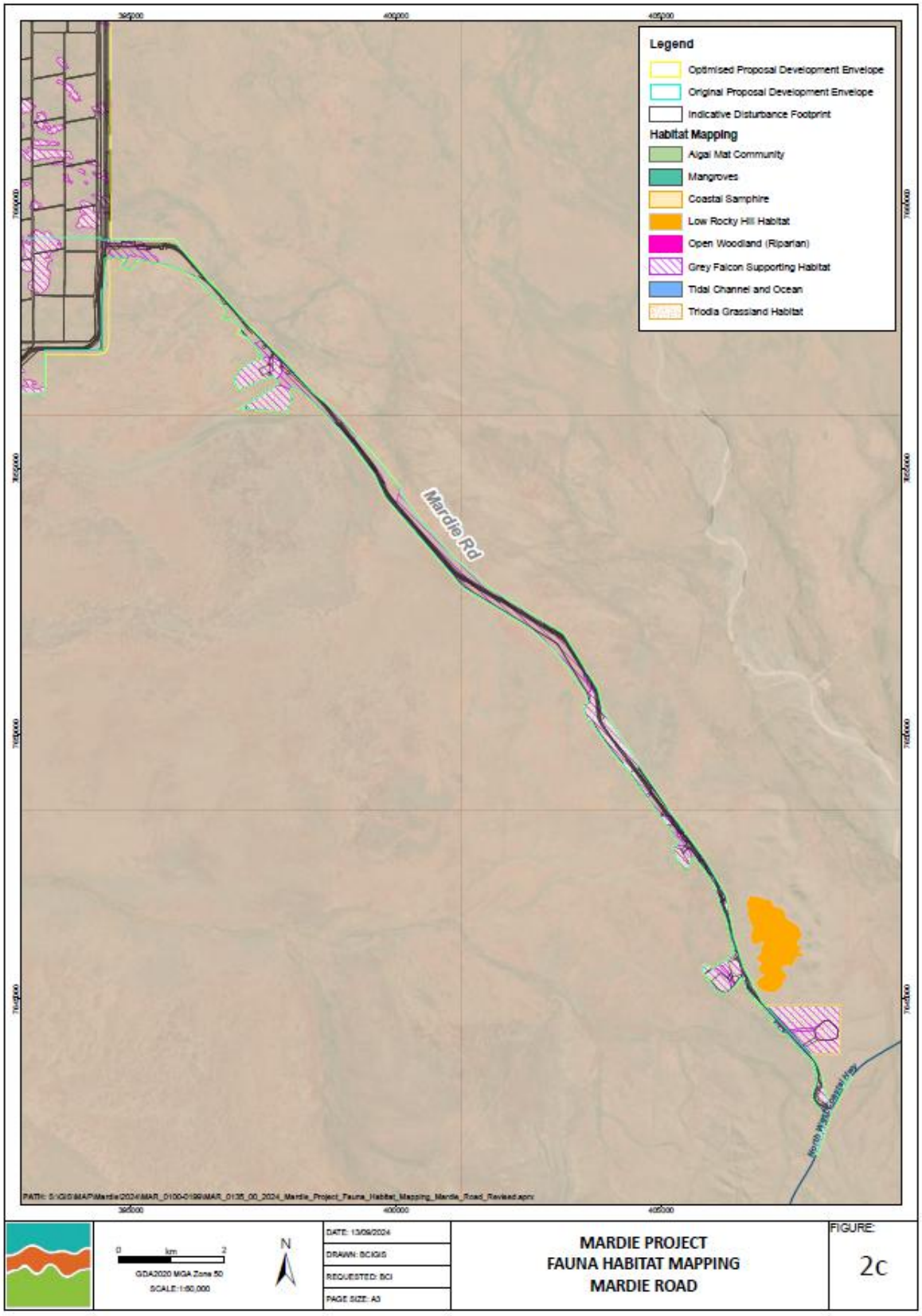
Attachment 2a: Location of areas to be cleared within the development envelope of the algal mat community, mangroves, coastal samphire, low rocky hills habitat open riparian woodlands vegetation, Grey Falcon Supporting Habitat, Triodia grassland habitat, and the tidal channel and ocean habitat



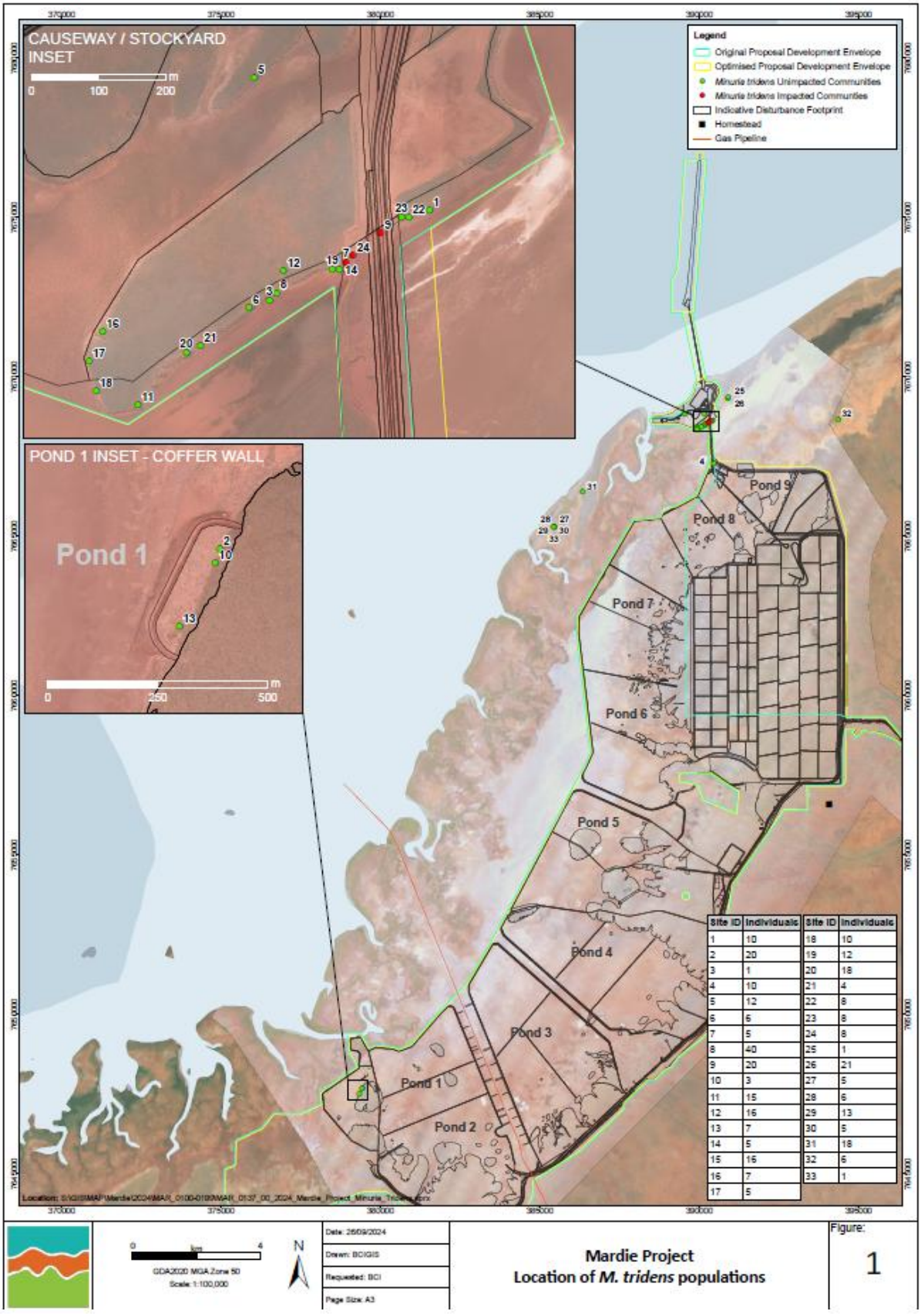
Attachment 2b: Location of areas to be cleared within the development envelope of the algal mat community, mangroves, coastal samphire, low rocky hills habitat open riparian woodlands vegetation, Grey Falcon Supporting Habitat, Triodia grassland habitat, and the tidal channel and ocean habitat



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

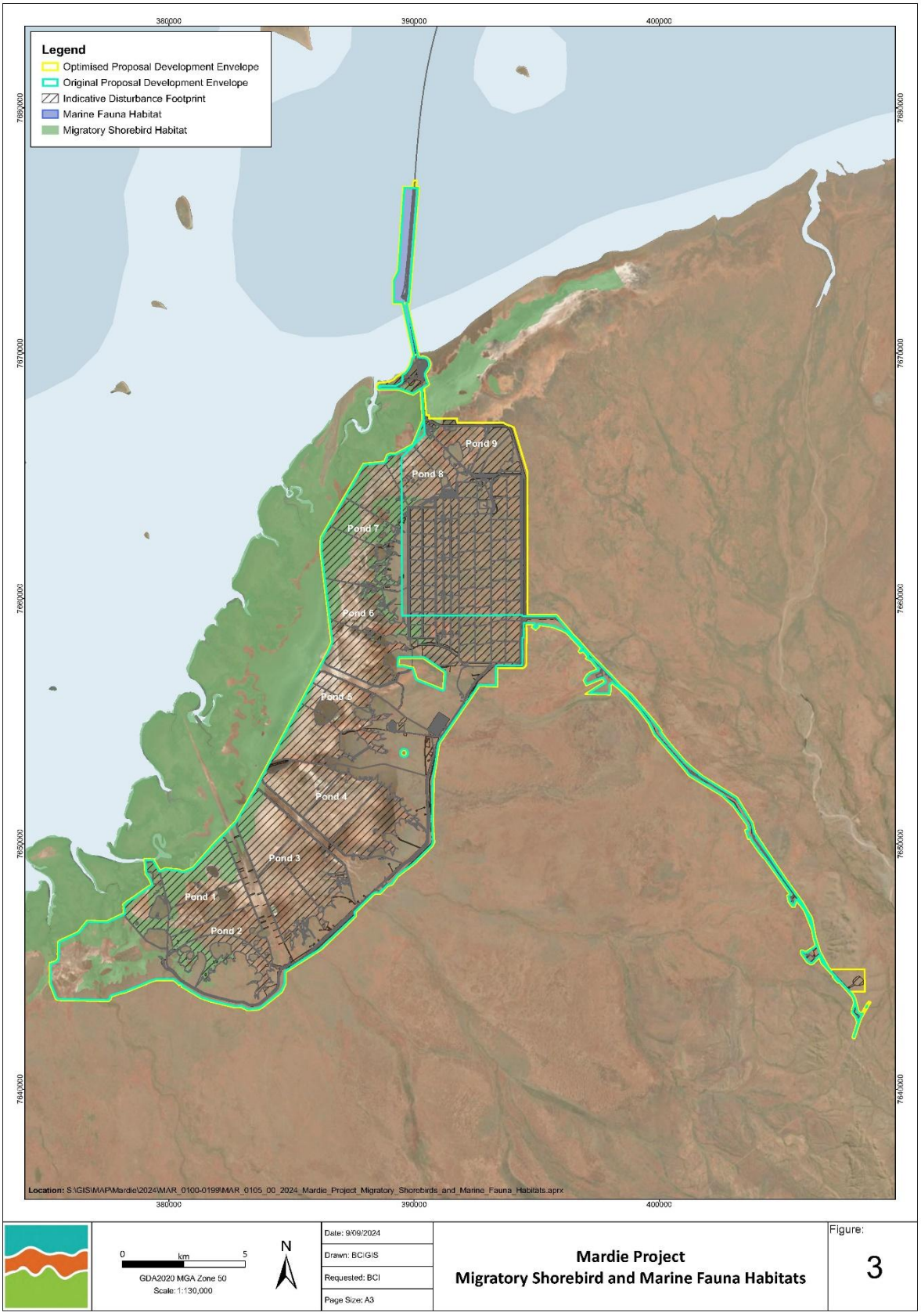


Attachment 2d: Location of *Minuria tridens* individuals and populations

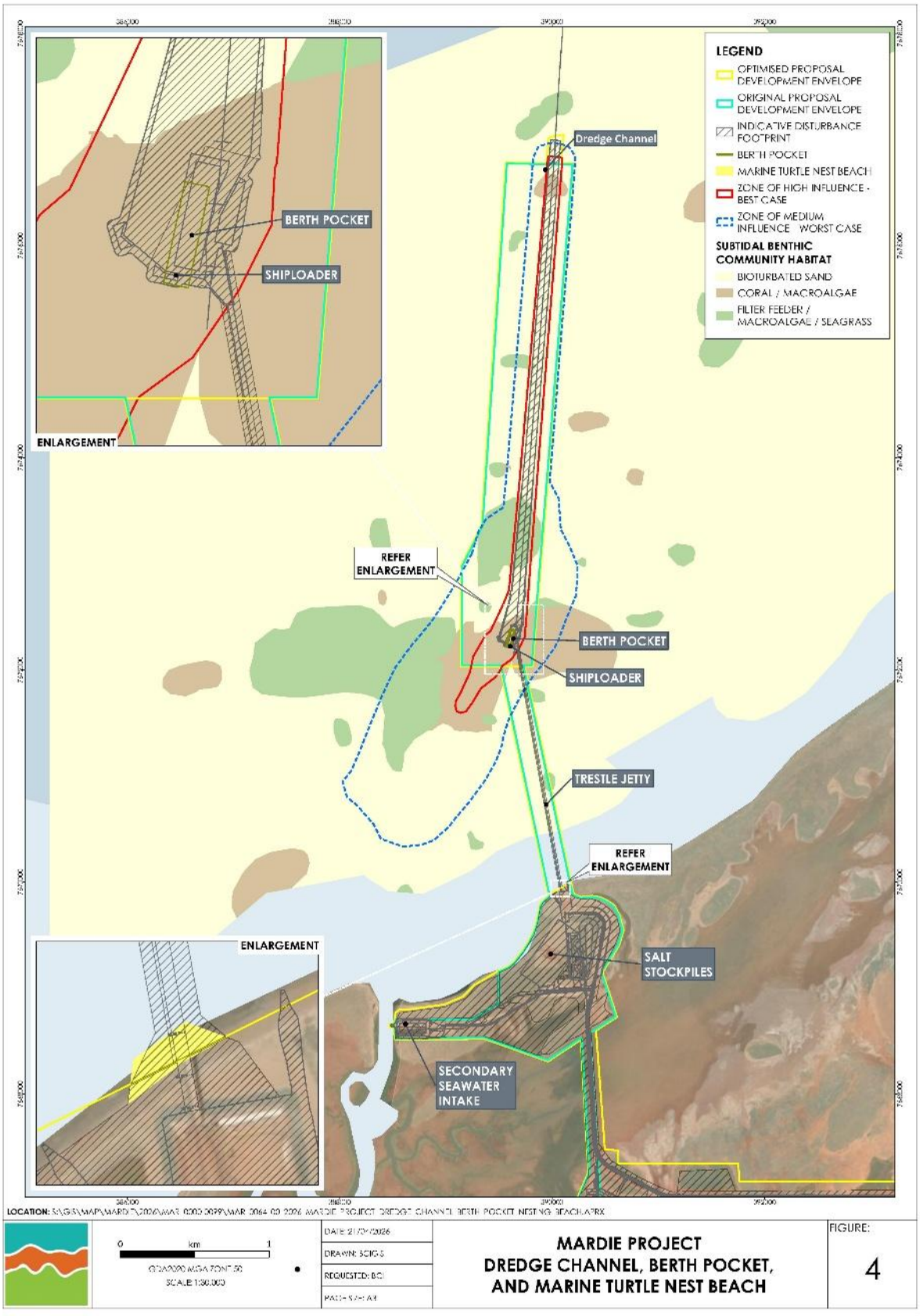


Site ID	Individuals	Site ID	Individuals
1	10	18	10
2	20	19	12
3	1	20	18
4	10	21	4
5	12	22	8
6	6	23	8
7	5	24	8
8	40	25	1
9	20	26	21
10	3	27	5
11	15	28	6
12	16	29	13
13	7	30	5
14	5	31	18
15	16	32	6
16	7	33	1
17	5		

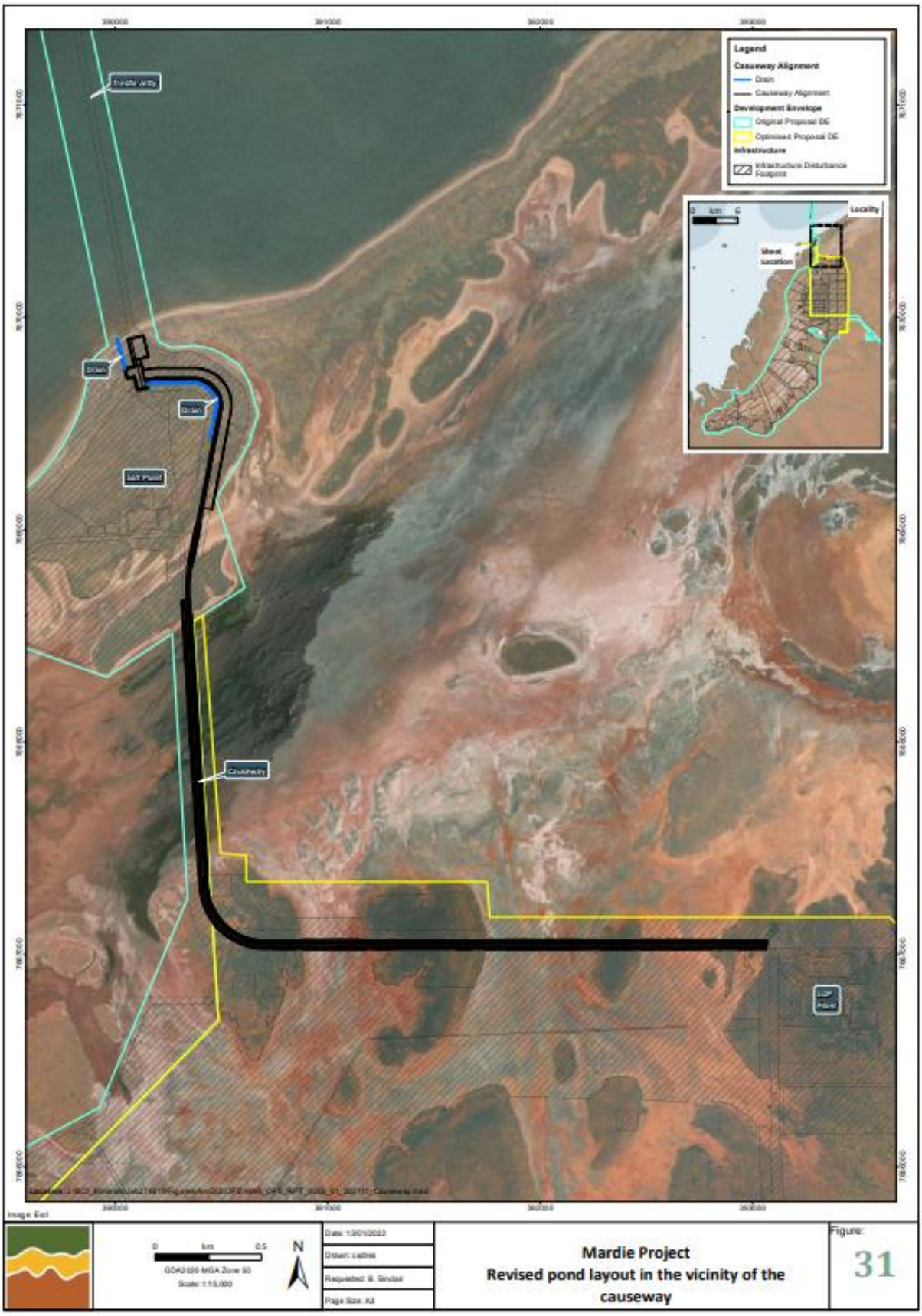
Attachment 3: Location of mapped marine fauna habitat and the migratory shorebird habitat



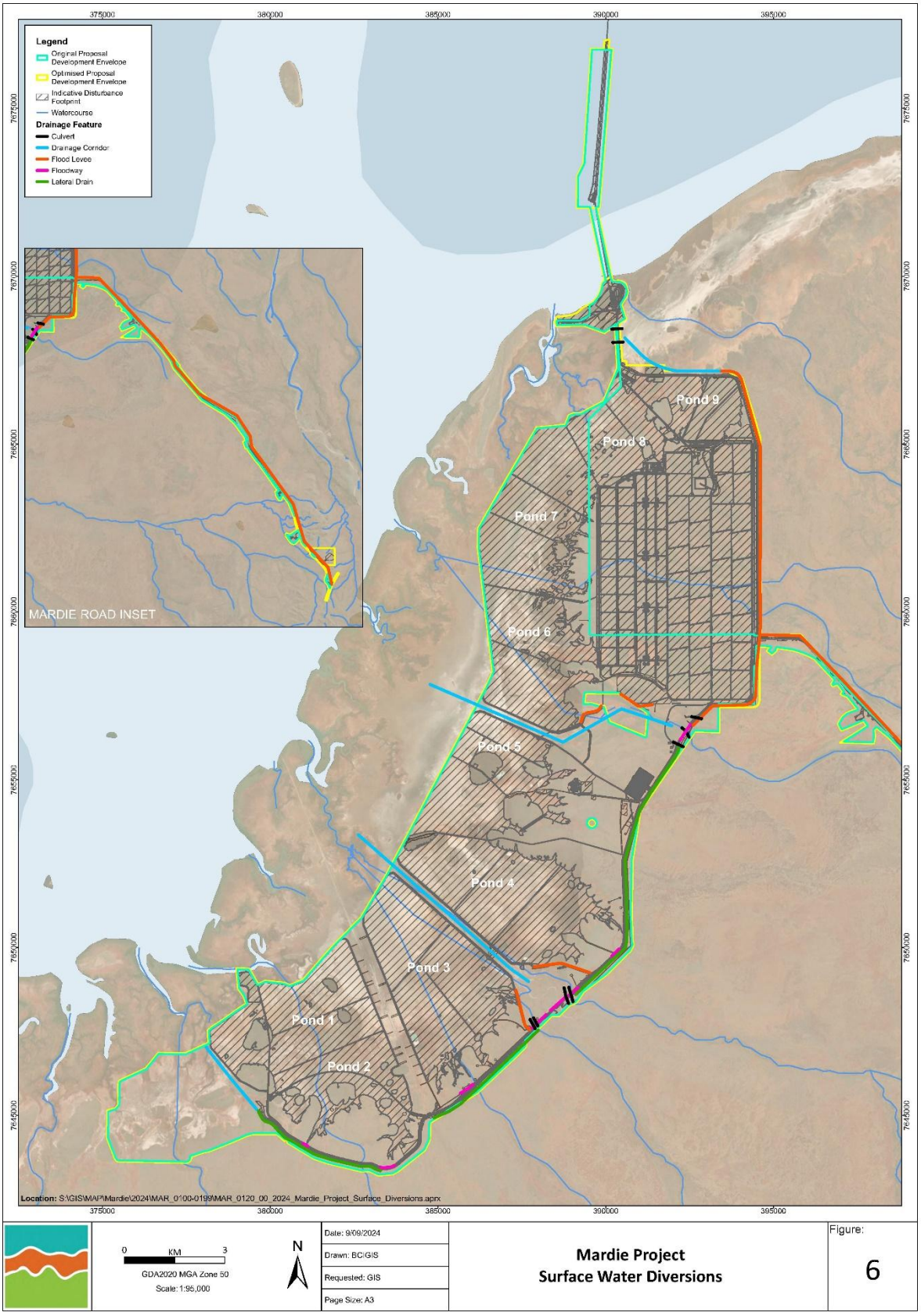
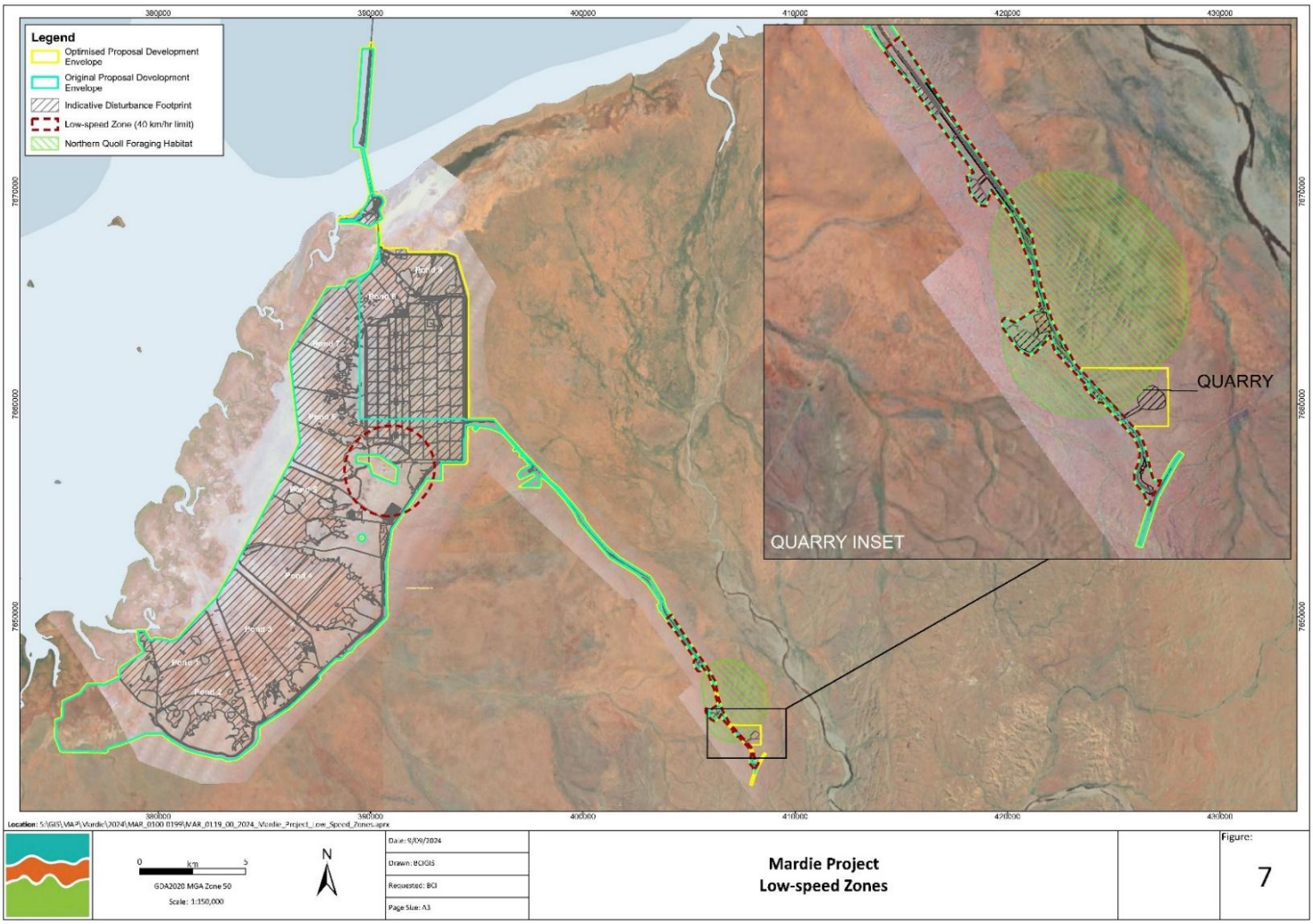
Attachment 4: Location and details of the dredging development envelope with mapped subtidal habitats in relationship to the Zone of High Influence for capital dredging and the location of the marine turtle nesting beach



Attachment 5: The location and details of the causeway alignment



Attachment 6: Mardie Project Surface Water Diversions



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