



Variation of conditions attached to approval

Alkimos Desalination Plant, Alkimos, WA (EPBC 2019/8453)

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

Approved action


approval holder	Water Corporation ABN: 28 003 434 917
approved action	<p>To construct, operate and decommission:</p> <ul style="list-style-type: none"> – a seawater desalination plant of about 100 gigalitre (GL) per annum capacity, and – a groundwater treatment plant of about 6 GL per annum capacity within the Alkimos Water Precinct, approximately 40 km northwest of Perth, – tunnels beneath the seabed containing a seawater intake pipeline about 2.46 km long and a separate brine outfall pipeline about 3.99 km long, both with vertical risers, and – a pipeline about 33 km long from the seawater desalination plant to the Wanneroo Reservoir and other distribution points along the pipe route. <p>See EPBC Act referral 2019/8453 subject to the variation of the proposed Action accepted by the Minister under section 156B on 17 August 2023.</p>

Variation

variation of conditions attached to approval	<p>The variation is:</p> <p>Delete conditions 2, 11, 12, 15, 16, 17, 18, 19 and 20 attached to the approval and substitute with the conditions specified in the table below.</p> <p>Delete definitions of Action Area and Western Australia approval attached to the approval and substitute with the definitions specified in the table below.</p> <p>Delete Attachment A attached to the approval and substitute with the attachment specified in the table below.</p> <p>Add new Attachment AA specified in the table below.</p>
date of effect	This variation has effect on the date this instrument is signed.

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Person authorised to make decision

name and position	Brendan Linton-Smith Acting Branch Head Environment Assessments (Vic and Tas) and Post Approvals Branch
signature	
date of decision	24 March 2025

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Date of decision	CONDITIONS ATTACHED TO APPROVAL
	Part A – Conditions specific to the action
Original dated 08/11/23	1) To avoid and mitigate harm to protected matters , the approval holder must not take the Action outside the Action area .
As varied on the date this instrument was signed	2) To avoid and mitigate harm to protected matters , the approval holder must not clear more than: <ul style="list-style-type: none"> a) 1.18 hectares (ha) of Tuart TEC b) 2.16 ha of Banksia Woodland TEC c) 52.76 ha of Black cockatoo habitat for Carnaby's Black Cockatoo (<i>Zanda latirostris</i> listed as <i>Calyptorhynchus latirostris</i>) d) 49.82 ha of Black cockatoo habitat for Forest Red-tailed Black Cockatoo (<i>Calyptorhynchus banksia naso</i>) e) 96 potential nesting trees f) 6 Black Cockatoo nest hollow trees.
Original dated 08/11/23	3) To avoid and mitigate impacts to protected matters , the approval holder must comply with the following Western Australia approval conditions where relevant to protected matters : <ul style="list-style-type: none"> a) Condition A1-1 (Limitations and extent of proposal), b) Conditions B1-1, B1-2 and B1-3 contained in B1 (Flora and Vegetation), c) Conditions B2-1 and B2-2 contained in B2 (Terrestrial fauna), and d) Conditions B6-1 and B6-2 contained in B6 (Marina Fauna).
	ACTION MANAGEMENT PLANS
Original dated 08/11/23	Terrestrial Construction Environmental Management Plan 4) To avoid and mitigate harm as a result of the Action on protected matters during construction, the approval holder must implement the Terrestrial Construction Environmental Management Plan from the commencement of the Action until the expiry date of this approval.
Original dated 08/11/23	Alkimos Water Precinct Environmental Management Plan 5) To avoid and mitigate harm as a result of the Action on protected matters during operation, the approval holder must implement the Alkimos Water Precinct Environmental Management Plan from the commencement of construction until the expiry date of this approval.

Date of decision	CONDITIONS ATTACHED TO APPROVAL
Original dated 08/11/23	<p>Construction Marine Environmental Management Plan</p> <p>6) To avoid and mitigate harm to protected matters, the approval holder must submit a Construction Marine Environmental Management Plan to the department for the Minister's approval. The approval holder must not commence the action within the marine environment unless the Minister has approved the Construction Marine Environmental Management Plan in writing. The approval holder must implement the Construction Marine Environmental Management Plan approved by the Minister in writing until the expiry date of this approval</p>
Original dated 08/11/23	<p>7) By implementing the Construction Marine Environmental Management Plan the approval holder must achieve the following environmental objectives:</p> <ul style="list-style-type: none"> a) Protect protected matters from adverse impacts of noise during construction of the tunnel and marine pipelines, including noise generated by vessels, and b) Protect protected matters from injury or death from construction of the tunnel and marine pipelines, including vessel strike.
Original dated 08/11/23	<p>8) The Construction Marine Environmental Management Plan must be consistent with the Environmental Management Plan Guidelines, and must include:</p> <ul style="list-style-type: none"> a) Details of the relevant protected matters and a reference to EPBC Act approval conditions to which the plan refers. The relevant protected matters are: <ul style="list-style-type: none"> i) Australian Sea Lion, ii) Humpback Whale, iii) Southern Right Whale. b) The measures and commitments that will be applied during construction to prevent impacts to marine protected matters and achieve the environmental objectives. Measures and commitments must consider: <ul style="list-style-type: none"> i) Avoid noise generated by construction in the marine environment during migration periods for the Australian Sea Lion, Humpback Whale and Southern Right Whale. ii) Avoid negative brine discharge impacts to the Australian Sea Lion, Humpback Whale and Southern Right Whale. iii) Avoid haul-out (resting) locations used by the Australian Sea Lion. iv) Ensure that vessels do not travel at speeds greater than 10 knots when transiting or undertaking activities within the Action Area. v) Ensure that vessels act consistently with Interacting with cetaceans and whale watching.

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	<ul style="list-style-type: none"> vi) Implement observation and shut down zones consistent with the EPBC Act Policy Statement 2.1 – Interaction between offshore seismic exploration and whales. vii) Deploy at least two marine fauna observers whenever vessels are transiting or undertaking activities within the Action Area in order to maintain 360-degree observation of the observation zone and shut down zones at all times during hours of construction in the marine environment. viii) Consult with, and implement the advice of, Australian Sea Lion experts at the Marine Science Program, Biodiversity and Conservation Science, DBCA. ix) Respond to any death or injury of a protected matter, by immediately halting the works or machinery responsible, formally notifying the department within 5 business days of the incident and not resuming works until notified by the Minister in writing that these works may resume. c) A table of commitments made in the plan to achieve the environmental objectives, and a reference to exactly where these commitments are detailed in the plan. d) Reporting and review mechanisms to demonstrate compliance with the commitments made in the plan. e) An assessment of risks relating to achieving the environmental objectives and risk management strategies and/or mitigation measures that will be applied to address identified risks. f) Impact avoidance, mitigation and/or repair measures, and the timing of those measures. g) A monitoring program, which must include: <ul style="list-style-type: none"> i) measurable performance indicators, ii) trigger values for corrective actions, iii) the timing and frequency of monitoring, ensuring monitoring is capable of detecting trigger values and changes in the performance indicators, and iv) proposed corrective actions if trigger values are reached. h) Links to other relevant plans or conditions of approval (including Western Australia Approval conditions).
Original dated 08/11/23	<p>Artificial Nest Hollow Management Plan</p> <ul style="list-style-type: none"> 9) To mitigate harm as a result of the Action on protected matters, the approval holder must, within 6 months of the date of this approval decision, submit an Artificial Nest Hollow Management Plan to the department for the Minister's approval. The

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	approval holder must implement the Artificial Nest Hollow Management Plan as and from when approved by the Minister in writing until the expiry date of this approval.
Original dated 08/11/23	<p>10) The Artificial Nest Hollow Management Plan must be consistent with the Environmental Management Plan Guidelines, and must:</p> <ul style="list-style-type: none"> a) Be prepared by a suitably qualified ecologist. b) Provide details of the relevant protected matters and a reference to EPBC Act approval conditions to which the plan refers. The relevant protected matters are: <ul style="list-style-type: none"> i. Black cockatoos, and ii. Black cockatoo nest hollow trees. c) Identify the goals for the artificial nest hollows, including expected use by black cockatoos for nesting. d) Detail a pre-clearance survey to identify the number of suitable nest hollows to be removed during clearing. e) Specify the location for installation, based on the advice of DBCA, of artificial nest hollows. f) Specify the design and number of artificial nest hollows to be installed, based on the advice of DBCA, the number totalling at least three times the number of suitable black cockatoo nest hollows to be cleared. g) Specify the installation methods, based on the advice of DBCA, to be used to install the artificial nest hollows. h) Specify the maintenance methods, based on the advice of DBCA, to be used to maintain the artificial nest hollows for a minimum of 105 years following installation. i) Specify a monitoring program, which must include: <ul style="list-style-type: none"> i) Evaluating evidence that effectively determines progress towards, attainment and maintenance of ecological benefits for the protected matters, ii) Measurable performance indicators to monitor attainment of the ecological benefits for the protected matters, iii) Trigger values for corrective actions, and iv) The timing and frequency of monitoring to detect trigger values and changes in the performance indicators. j) Propose corrective actions to ensure ecological benefits for the protected matters are attained or maintained if trigger values are reached or performance indicators not attained.

Date of decision	CONDITIONS ATTACHED TO APPROVAL
	k) Links to other relevant plans or conditions of approval (including Western Australia Approval conditions).
	ENVIRONMENTAL OFFSETS
As varied on the date this instrument was signed	11) To compensate for the residual significant impacts of the Action on protected matters the approval holder must implement the Environmental Offsets Strategy . The Environmental Offsets Strategy must be updated and submitted for approval in accordance with condition 16 within 6 months of any approved change in the residual significant impacts of the Action on protected matters .
As varied on the date this instrument was signed	12) The approval holder must, within 6 months of the date of this approval of the Action, submit to the department , for approval by the Minister , an Offset Management Plan in respect of each offset site to be secured as specified in the Environmental Offsets Strategy . The Offset Management Plan must be revised and submitted for approval in accordance with condition 16 within 6 months of approval of a revised Environmental Offsets Strategy .
Original dated 08/11/23	<p>13) Each Offset Management Plan must meet the requirements of the Environmental Offsets Policy and the Environmental Management Plan Guidelines to the satisfaction of the Minister. Each Offset Management Plan must include:</p> <ul style="list-style-type: none"> a) Summary information about the entire residual impacts of the Action on protected matters and how compensation for these impacts will be divided amongst the proposed offset sites. b) Detailed information on the residual impacts of the Action on protected matters that will be compensated for by the offset that is the subject of the particular Offset Management Plan (Note: the offset comprises the securement of the offset site and the habitat condition improvements to be achieved at the offset site). This must include the areas of habitat for protected matters and its condition and quality at all locations impacted by the Action which the offset is to address. c) The relevant protected matters and a reference to the EPBC Act approval conditions to which the Offset Management Plan refers. d) Detailed information and shapefiles specifying the location, area and boundaries of the proposed offset site described in that Offset Management Plan. e) Detailed baseline information on the areas of habitat, including their condition, and the presence (or not) of the protected matters on the proposed offset site. f) Commitments to achievable improved ecological benefits, including presence (or not) of the protected matters, at the offset site and the timeframes in which they will be achieved.

Date of decision	CONDITIONS ATTACHED TO APPROVAL
	<ul style="list-style-type: none"> g) A table summarising all commitments to achieve the proposed ecological benefits for protected matters at the offset site, and a reference to where each commitment is detailed in the Offset Management Plan. h) Reporting and review mechanisms to inform the department annually regarding compliance with the management and environmental outcome commitments, and attainment and maintenance of the ecological benefits specified in the Offset Management Plan. i) An assessment of risks to achieving the ecological benefit(s) and what risk management measures and/or strategies will be applied to address these. j) A monitoring program, which must specify: <ul style="list-style-type: none"> i) measurable performance indicators and the timeframes for their achievement to gauge attainment of the ecological benefits for the protected matters, ii) trigger values for corrective actions, and iii) the proposed timing (including season/time of day/frequency) methods and effort, and an explanation of how these will be effective for this purpose, of monitoring to detect trigger values, changes in the performance indicators and to gather evidence that effectively demonstrates actual progress towards, attainment of and maintenance of the ecological benefits for the protected matters. k) Corrective actions to be implemented to ensure that the proposed ecological benefits for the protected matters are achieved or maintained, if trigger values are reached or performance indicators not achieved in the specified timeframes. l) Links to relevant referenced plans or conditions of approval (including Western Australian Approval conditions). m) How the offset sites will be protected, and ecological benefits maintained, at least until the expiry of this approval.
Original dated 08/11/23	<p>14) If, at least 9 months after the date of this approval of the Action, the Minister notifies the approval holder, in writing, that the Minister refuses to approve one or more Offset Management Plans because the Minister is not satisfied that it meets the requirements of the Environmental Offsets Policy, the approval holder must cease all further clearing within 10 business days of receiving such notice. The approval holder may only restart clearing after the Minister has notified the approval holder that the Minister has approved all required Offset Management Plans, or as otherwise advised with the Minister in writing.</p>
As varied on the date this	<p>15) To compensate for the residual significant impacts of the Action on protected matters the approval holder must secure each offset site specified in the approved Environmental Offsets Strategy within 1 year of the date of the approval of each</p>

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instrument was signed	Offset Management Plan required under condition 12. The approval holder must implement the Offset Management Plan in respect of each offset site specified in the approved Environmental Offsets Strategy as and from when approved by the Minister in writing and continue to implement every Offset Management Plan at least until the expiry date of this approval.
	Part B – Administrative Conditions
	REVISION OF ACTION MANAGEMENT PLANS
As varied on the date this instrument was signed	16) The approval holder may, at any time, apply to the Minister for a variation to a 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 plan then, from the date specified, the approval holder must implement the revised plan in place of the previous plan .
As varied on the date this instrument was signed	17) The approval holder may choose to revise a plan approved by the Minister under conditions 4, 5 and 6, 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 plan would not be likely to have a new or increased impact .
As varied on the date this instrument was signed	<p>18) If the approval holder makes the choice under condition 17 to revise a plan without submitting it for approval, the approval holder must:</p> <ul style="list-style-type: none"> a) Notify the department electronically that the approved plan has been revised and provide the department with: <ul style="list-style-type: none"> i) An electronic copy of the revised plan. ii) An electronic copy of the RAMP marked up with track changes to show the differences between the approved plan and the revised plan. iii) An explanation of the differences between the approved plan and the revised plan. iv) The reasons the approval holder considers that taking the Action in accordance with the revised plan would not be likely to have a new or increased impact. v) Written notice of the date on which the approval holder will implement the revised plan (revised plan implementation date), being at least 20 business days after the date of providing notice of the revision of the plan, or a date agreed to in writing with the department. b) Subject to condition 20, implement the revised plan from the revised plan implementation date.

Date of decision	CONDITIONS ATTACHED TO APPROVAL
As varied on the date this instrument was signed	19) The approval holder may revoke its choice to implement a revised plan under condition 17 at any time by giving written notice to the department . If the approval holder revokes the choice under condition 17, the approval holder must implement the plan in force immediately prior to the revision undertaken under condition 17.
As varied on the date this instrument was signed	20) If the Minister notifies the approval holder that the Minister is satisfied that the taking of the Action in accordance with the revised plan would be likely to have a new or increased impact , then: <ul style="list-style-type: none"> a) Condition 17 does not apply, or ceases to apply, in relation to the revised plan. b) The approval holder must implement the plan specified by the Minister in the notice.
As varied on the date this instrument was signed	21) At the time of giving the notice under condition 20, the Minister may also notify that for a specified period of time, condition 17 does not apply for one or more specified plans . Note: Conditions 17-21 are not intended to limit the operation of section 143A of the EPBC Act which allows the approval holder to submit a revised plan , at any time, to the Minister for approval.
	SUBMISSION AND PUBLICATION OF PLANS
Original dated 08/11/23	22) The approval holder must submit all plans required by these conditions electronically to the department .
Original dated 08/11/23	23) 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: <ul style="list-style-type: none"> a) of this approval, if the version of the plan to be implemented is specified in these conditions, or b) the plan is approved by the Minister in writing, if the plan requires the approval of the Minister, or c) 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.
Original dated 08/11/23	24) The approval holder must keep all plans required by these conditions published on the website until the expiry date of this approval.
Original dated 08/11/23	25) The approval holder is required to exclude or redact sensitive ecological data from plans 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 .

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Date of decision	CONDITIONS ATTACHED TO APPROVAL
	NOTIFICATION OF DATE OF COMMENCEMENT OF THE ACTION
Original dated 08/11/23	26) The approval holder must notify the department electronically of the date of commencement of the Action , within 20 business days following commencement of the Action .
Original dated 08/11/23	27) The approval holder must not Commence the Action later than 5 years after the date of this approval decision.
	MODIFICATION TO THE WA APPROVAL
Variation dated 1/7/2024	27A. The approval holder must notify the department in writing of any proposed change to the conditions of the Western Australian approval that may related to protected matters within 2 business days of formally proposing a change and within 5 business days of becoming aware of any proposed change.
Variation dated 1/7/2024	27B. The approval holder must notify the department in writing of any change to the Western Australian approval conditions that may relate to protected matters , within 10 business days of a change to conditions being finalised. This notification must include a copy of the finalised changes to the Western Australian approval conditions.
	COMPLIANCE RECORDS
Original dated 08/11/23	28) The approval holder must maintain accurate and complete compliance records .
Original dated 08/11/23	29) 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.
Original dated 08/11/23	30) The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the <i>Guidelines for biological survey and mapped data</i> , Commonwealth of Australia 2018, or as otherwise specified by the Minister in writing.
Original dated 08/11/23	31) The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the <i>Guide to providing</i>

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	<i>maps and boundary data for EPBC Act projects, Commonwealth of Australia 2021, or as otherwise specified by the Minister in writing.</i>
Original dated 08/11/23	32) The approval holder must submit all monitoring data (including sensitive ecological data), surveys, maps, other spatial and metadata and all species occurrence record data (sightings and evidence of presence) electronically to the department within 60 business days or in accordance with the requirements of the Construction Environmental Management Plan and the Construction Marine Environmental Management Plan .
	ANNUAL COMPLIANCE REPORTING
Original dated 08/11/23	33) The approval holder must prepare a compliance report for each 12-month period following the date of this approval decision (or as otherwise agreed to in writing by the Minister).
Variation dated 1/7/2024	34) Each compliance report must be consistent with the <i>Annual Compliance Report Guidelines, Commonwealth of Australia 2023</i> .
Original dated 08/11/23	35) Each compliance report must include: <ul style="list-style-type: none"> a) Accurate and complete details of compliance and any non-compliance with the conditions and the plans, and any incidents. b) One or more shapefile showing all clearing of protected matters, and/or their habitat, undertaken within the 12-month period at the end of which that compliance report is prepared. c) A schedule of all plans in existence in relation to these conditions and accurate and complete details of how each plan is being implemented.
Original dated 08/11/23	36) The approval holder must: <ul style="list-style-type: none"> a) Submit the compliance report to the department within 60 business days following the end of the 12 month calendar year period for which that compliance report is required. a) Submit the compliance report to the department within 60 business days following the end of the 12 month calendar year period for which that compliance report is required. b) Publish each compliance report on the website within 90 business days following the end of the 12-month period for which that compliance report is required. c) Notify the department electronically, within 20 business days of the date of publication that a compliance report has been published on the website.

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	<p>d) Provide the weblink for the compliance report in the notification to the department.</p> <p>e) Keep all published compliance reports required by these conditions on the website until the expiry date of this approval.</p> <p>f) Exclude or redact sensitive ecological data from compliance reports published on the website or otherwise provided to a member of the public.</p> <p>g) If sensitive ecological data is excluded or redacted from the published version, submit the full compliance report to the department within 20 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.</p> <p>Note: Compliance reports may be published on the department's website.</p>
	REPORTING NON-COMPLIANCE
Original dated 08/11/23	37) The approval holder must notify the department electronically, within 2 business days of becoming aware of any incident and/or potential non-compliance and/or actual non-compliance with the conditions or commitments made in a plan .
Original dated 08/11/23	<p>38) The approval holder must specify in the notification:</p> <p>a) Any condition or commitment made in a plan which has been or may have been breached.</p> <p>b) A short description of the incident and/or potential non-compliance and/or actual non-compliance.</p> <p>c) The location (including co-ordinates), date and time of the incident and/or potential non-compliance and/or actual non-compliance.</p> <p>Note: If the exact information cannot be provided, the approval holder must provide the best information available.</p>
Original dated 08/11/23	<p>39) The approval holder must provide to the department in writing, within 12 business days of becoming aware of any incident and/or potential non-compliance and/or actual non-compliance, the details of that incident and/or potential non-compliance and/or actual non-compliance with the conditions or commitments made in a plan. The approval holder must specify:</p> <p>a) Any corrective action or investigation which the approval holder has already taken.</p> <p>b) The potential impacts of the incident and/or non-compliance.</p> <p>c) The method and timing of any corrective action that will be undertaken by the approval holder.</p>

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	INDEPENDENT AUDIT
Original dated 08/11/23	40) The approval holder must ensure that an independent audit of compliance with the conditions is conducted for every five-year period following the commencement of the Action until this approval expires (unless otherwise specified in writing by the Minister).
Original dated 08/11/23	41) For each independent audit , the approval holder must: <ul style="list-style-type: none"> a) Provide the name and qualifications of the nominated independent auditor, the draft audit criteria, and proposed timeframe for submitting the audit report to the department prior to commencing the independent audit. b) Only commence the independent audit once the nominated independent auditor, audit criteria and timeframe for submitting the audit report have been approved in writing by the department. c) Submit the audit report to the department for approval within the timeframe specified and approved in writing by the department. d) Publish each audit report on the website within 15 business days of the date of the department's approval of the audit report. e) Keep every audit report published on the website until this approval expires.
Original dated 08/11/23	42) Each audit report must report for the five-year period preceding that audit report.
Original dated 08/11/23	43) Each audit report must be completed to the satisfaction of the Minister and be consistent with the <i>Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines</i> , Commonwealth of Australia 2019.
	COMPLETION OF THE ACTION
Original dated 08/11/23	44) 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.
Original dated 08/11/23	45) Within 20 business days after the completion of the Action , and, in any event, 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 .

Date of decision	Part C – DEFINITIONS
	In these conditions any bolded use of a word or term refers to the below definition of that word or term:
As varied on the date this instrument was signed	Action area means the location of the Action, represented in <u>Attachment A</u> by the area enclosed by the red line designated ‘Terrestrial Development Envelope’ and by the yellow line designated ‘Marine Development Envelope’, in <u>Attachment AA</u> by the red line designated ‘Terrestrial Development Envelope’, and in <u>Attachment B</u> by the areas enclosed by the yellow lines designated ‘Development Envelope’.
Original dated 08/11/23	Alkimos Water Precinct Environmental Management Plan means the document titled Alkimos Water Precinct - Environmental Management Plan, Water Corporation (April 2023), or as approved by the Minister.
Original dated 08/11/23	Artificial nesting hollow(s) means deliberately positioned artificial or repurposed natural structures suitable for nesting usage by Black Cockatoos constructed in accordance with the Artificial Nesting Hollows Management Plan approved by the Minister in writing.
Original dated 08/11/23	Audit report means a written report of compliance and fulfilment of the conditions attached to this approval, objectively evaluated against the audit criteria approved by the department .
Original dated 08/11/23	Australian Sea Lion means the EPBC Act listed migratory species <i>Neophoca cinerea</i> .
Original dated 08/11/23	Banksia Woodland TEC means the EPBC Act listed threatened ecological community Banksia Woodland of the Swan Coastal Plain Threatened Ecological Community.
Original dated 08/11/23	Baseline information means environmental data, environmental report and accompanying spatial data clearly detailing the condition of the subject (including the area and quality of habitat and the species using the site) obtained by representative surveys completed before the commencement of the action .
Original dated 08/11/23	Black Cockatoo/s means any and all of the EPBC Act listed threatened species Carnaby’s Black Cockatoo (CBC) (<i>Zanda latirostris</i> listed as <i>Calyptorhynchus latirostris</i>) and Forest Red-tailed Black Cockatoo (FRTBC) (<i>Calyptorhynchus banksii naso</i>).
Original dated 08/11/23	Black Cockatoo habitat means habitat suitable for use and/or used by Black Cockatoos for foraging, breeding and roosting.
Original dated 08/11/23	Black cockatoo nest hollow tree/s means any tree containing one or more suitable nesting hollow.
Original dated 08/11/23	Brine discharge means the emission of by-products of the seawater desalination process (including chemical additives).

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Original dated 08/11/23	Business day means a day that is not a Saturday, a Sunday or a public holiday in Western Australia.
Original dated 08/11/23	Clear, cleared or clearing means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting, or burning of vegetation.
Original dated 08/11/23	Commence operation or Commencing operation means the date on which the first instance of desalinated water production or the maintenance and repair of infrastructure installed as part of the Action occurs, but does not include facility testing.
Original dated 08/11/23	<p>Commence the Action or Commencement of the Action means the date on which the first instance of any on-site Clearing, Construction or other physical activity associated with the Action is undertaken, but does not include minor physical disturbance necessary to:</p> <ul style="list-style-type: none"> a. Undertake pre-clearance surveys or monitoring programs. b. 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. c. Protect environmental and property assets from fire, weeds, and feral animals, including use of existing surface access tracks. d. 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.
Original dated 08/11/23	Completion data means an environmental report and spatial data clearly detailing how the conditions of this approval have been met.
Original dated 08/11/23	Completion of the Action means the date on which all activities associated with this approval have permanently ceased and/or been completed.
Original dated 08/11/23	Compliance records means all documentation or other material in whatever form required to demonstrate compliance with the 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.
Original dated 08/11/23	Compliance report means a written report of compliance with, and fulfilment of, the conditions attached to the approval.
Original dated 08/11/23	<p>Construction means:</p> <ul style="list-style-type: none"> a. the erection of a building or structure that is, or is to be, fixed to the ground and wholly or partially fabricated on-site, b. the alteration, maintenance, repair or demolition of any building or structure,

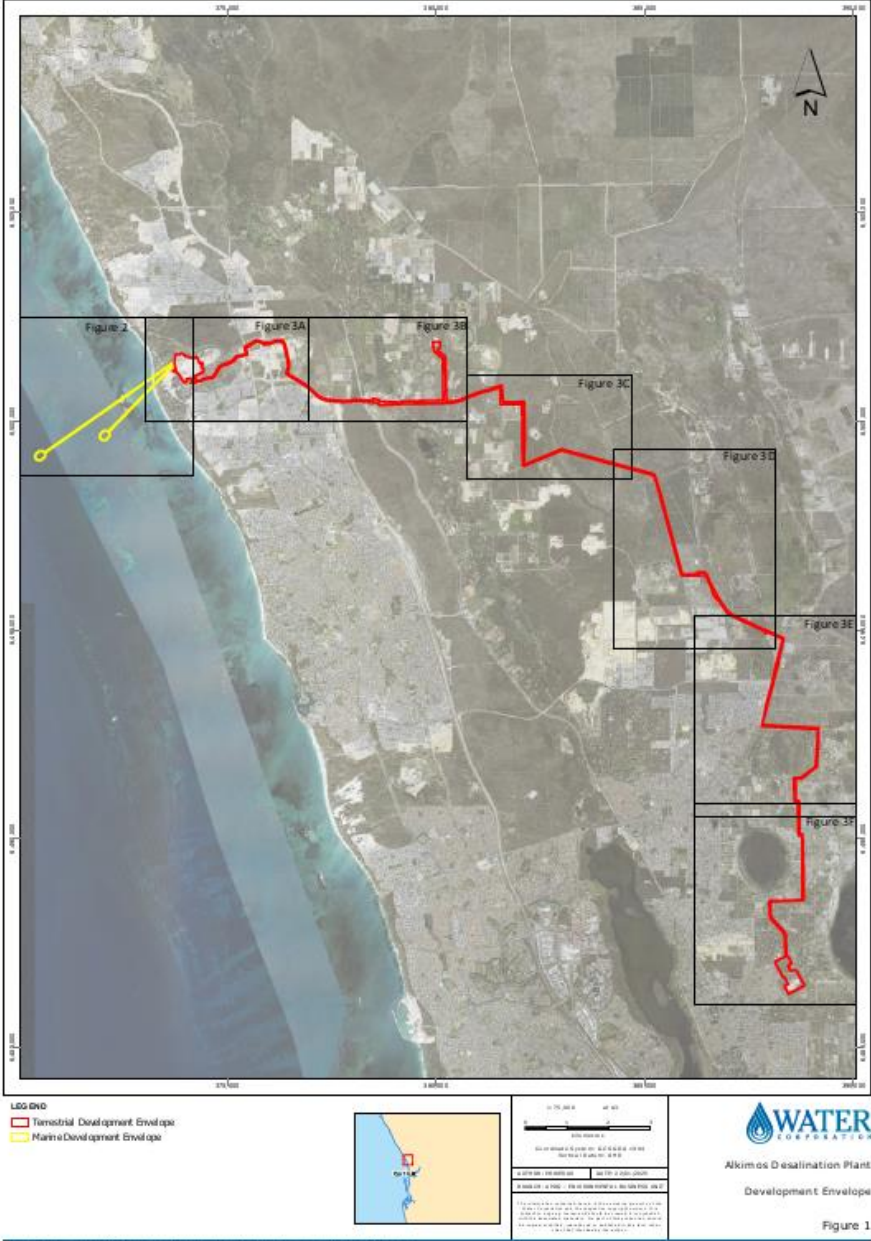
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	<ul style="list-style-type: none"> c. any work which involves breaking of the ground (including pile driving), tunnelling or bulk earthworks, d. the laying of pipes and other prefabricated materials in the ground, and e. any associated excavation work.
Original dated 08/11/23	Construction does not include the installation of temporary fences and signage, geotechnical studies and pre-clearance surveys.
Original dated 08/11/23	DBCA means the Western Australian government agency responsible for administering the <i>Biodiversity Conservation Act 2016 (WA)</i> .
Original dated 08/11/23	Department means the Australian Government agency responsible for administering the EPBC Act .
Variation dated 1/7/2024	Environmental Management Plan Guidelines means the <i>Environmental Management Plan Guidelines</i> , Commonwealth of Australia 2024.
Original dated 08/11/23	Environmental Offsets Strategy means the document titled <i>Alkimos Seawater Desalination Plant – Offset Strategy, Water Corporation (October 2023)</i> , or the latest subsequent version revised in accordance with these conditions.
Original dated 08/11/23	Environmental Offsets Policy means the Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy, Commonwealth of Australia 2012.
Original dated 08/11/23	EPBC Act means the Environment Protection and Biodiversity Conservation Act 1999 (Cth).
Original dated 08/11/23	EPBC Act Policy Statement 2.1 – Interaction between offshore seismic exploration and whales means EPBC Act Policy Statement 2.1 - Interaction between offshore seismic exploration and whales: Industry guidelines (Cth).
Original dated 08/11/23	EPBC Regulations means the Environmental Protection and Biodiversity Conservation Regulations 2000 (Cth).
Original dated 08/11/23	Harm means to cause any measurable direct or indirect disturbance or deleterious change as a result of any activity associated with the Action.
Original dated 08/11/23	Humpback Whale means the EPBC Act listed migratory species <i>Megaptera novaeangliae</i> .
Original dated 08/11/23	Incident means any event which has the potential to, or does, harm any protected matter .

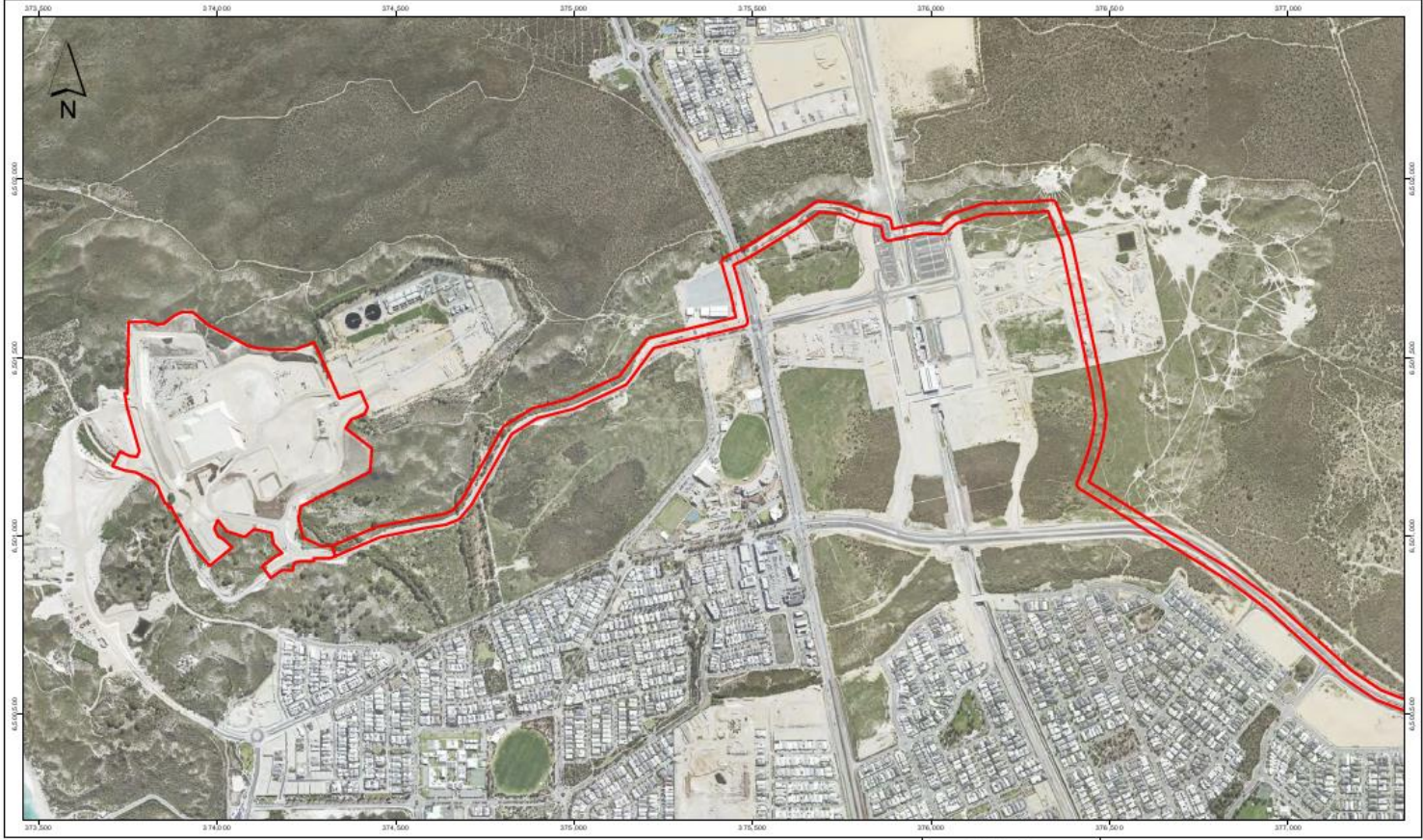
Date of decision	Part C – DEFINITIONS
Original dated 08/11/23	<p>Independent means a person or firm who does not have any individual, financial*, employment* or family affiliation or any conflicting interests with the Action, the approval holder or the approval holder’s staff, representatives, or associated persons.</p> <p>*Other than for the purpose of undertaking the role for which an independent person is required</p>
Original dated 08/11/23	<p>Independent audit means an audit conducted by an independent and suitably qualified person as detailed in the <i>Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines</i>, Commonwealth of Australia 2019, or as subsequently updated.</p>
Original dated 08/11/23	<p>Interacting with cetaceans and whale watching means Part 8 of the EPBC Regulations.</p>
Original dated 08/11/23	<p>Marine Environment means the near shore, off shore and deep water zones of the ocean, including under the seabed.</p>
Original dated 08/11/23	<p>Marine Fauna Observer means a person with relevant professional qualifications and at least 3 years of work experience designing and implementing surveys for marine mammals who can give an authoritative assessment and advice on the presence of marine mammals.</p>
Original dated 08/11/23	<p>Migration period/s means the seasonal movement of animals from one habitat to another.</p>
Original dated 08/11/23	<p>Marine mammals means any and all of Australian Sea Lion, Humpback Whale, Southern Right Whale.</p>
Original dated 08/11/23	<p>Minister means the Australian Government Minister administering the EPBC Act, including any delegate thereof.</p>
Original dated 08/11/23	<p>Monitoring data means the data required to be recorded under the conditions of this approval.</p>
Original dated 08/11/23	<p>New or increased impact means any direct or indirect increase in the impacts of an Action, an increase to the likelihood of an impact occurring, a reduction to the monitoring or mitigation measures for a protected matter, and/or a change to the nature or management of an environmental offset as outlined in the <i>Guidance on ‘new or increased impact’ relating to changes to approved management plans under EPBC Act environmental approvals</i>, Commonwealth of Australia 2017.</p>
Original dated 08/11/23	<p>Plan/s means any action management plan or strategy that the approval holder is required by these conditions to implement.</p>

Date of decision	Part C – DEFINITIONS
Original dated 08/11/23	Potential nesting tree/s means live trees with a diameter at breast height (DBH) 500mm.
Original dated 08/11/23	Protected matter/s means a matter protected under a controlling provision in Part 3 of the EPBC Act for which this approval has effect.
Original dated 08/11/23	Secure means to implement long-term legally binding protection for conservation management.
Original dated 08/11/23	Sensitive ecological data means data as defined in the <i>Sensitive Ecological Data – Access and Management Policy V1.0</i> , Commonwealth of Australia 2016, or as subsequently updated.
Original dated 08/11/23	<p>Shapefile means location and attribute information about the Action provided in an Esri shapefile format containing:</p> <ul style="list-style-type: none"> a. '.shp', '.shx', '.dbf' files, b. a '.prj' file which specifies the projection or geographic coordinate system used, and c. an '.xml' metadata file that describes the shapefile for discovery and identification purposes.
Original dated 08/11/23	Southern Right Whale means the EPBC Act listed threatened species and migratory species <i>Eubalaena australis</i> .
Original dated 08/11/23	Suitable nest hollows means any tree hollows that appear to be deep enough and with an opening large enough to be used by Black Cockatoos as determined by a suitably qualified ecologist .
Original dated 08/11/23	Suitably qualified ecologist means a person who has relevant professional qualifications and at least 3 years of work experience designing and implementing surveys for suitable nest hollows and can give an authoritative assessment and advice on the presence of suitable nest hollows using relevant protocols, standards, methods and/or literature.
Original dated 08/11/23	Suitably qualified person means a person who has professional qualifications, training, skills and/or experience related to the nominated subject matter and can give authoritative independent assessment, advice and analysis on performance relative to the subject matter using the relevant protocols, standards, methods and/or literature .
Original dated 08/11/23	Terrestrial Construction Environmental Management Plan means the document titled CW03474 Alkimos Seawater Desalination Plant – Terrestrial Construction Environmental Management Plan, Water Corporation (October 2023), or as approved by the Minister.

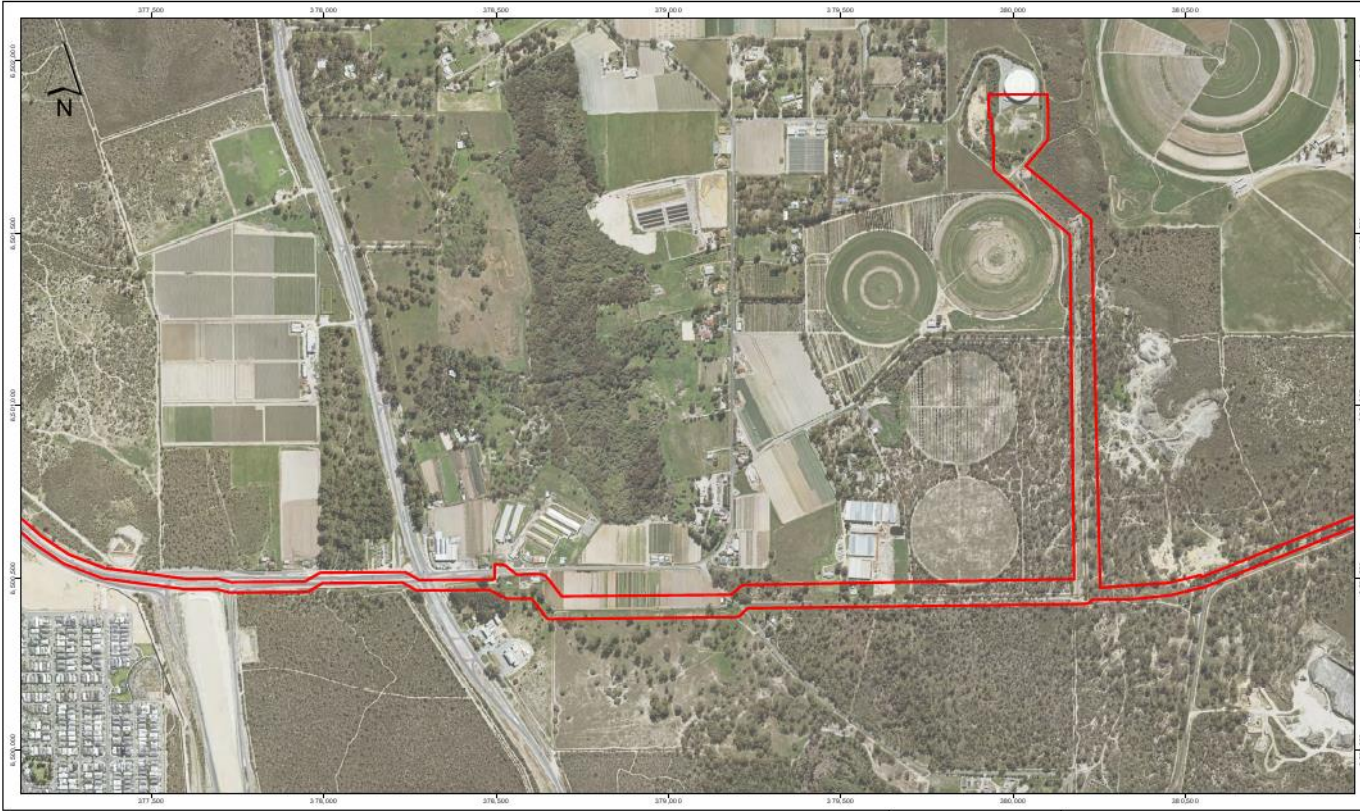
Date of decision	Part C – DEFINITIONS
Original dated 08/11/23	Tuart TEC means the EPBC Act listed threatened ecological community Tuart (<i>Eucalyptus gomphocephala</i>) Woodlands and Forests of the Swan Coastal Plain Threatened Ecological Community.
Original dated 08/11/23	Website means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.
As varied on the date this instrument was signed	Western Australian approval means the Ministerial Statement for Alkimos Seawater Desalination Plant (Ministerial Statement No. 1207) issued under the <i>Environmental Protection Act 1986</i> (WA) on 10 August 2023, as amended on 17 April 2024 and 21 January 2025.

Date of decision	ATTACHMENTS
As varied on the date this instrument was signed	<p data-bbox="435 286 1267 360">Attachment A – Map of the Proposed Action – Terrestrial and Marine Components – Fig. 1</p>  <p data-bbox="454 1507 630 1552"> LEGEND — Terrestrial Development Envelope — Marine Development Envelope </p> <p data-bbox="1177 1507 1329 1646"> WATER CORPORATION Alkimos Desalination Plant Development Envelope Figure 1 </p>

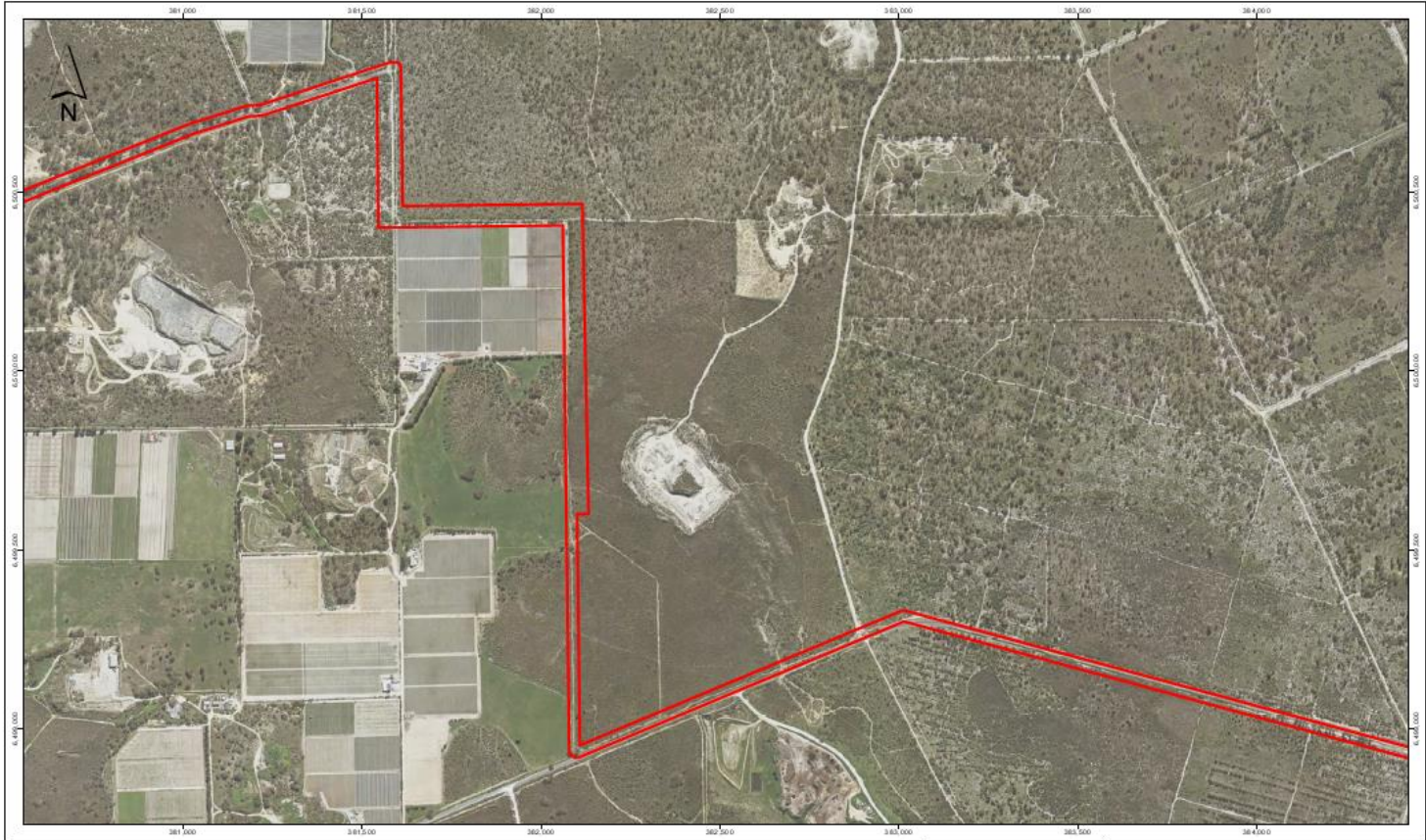
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Date of decision	ATTACHMENTS
As varied on the date this instrument was signed	<p>Attachment AA – Terrestrial Development Envelope Figure 3A</p>  <p>LEGEND</p> <p> Terrestrial Development envelope</p> <p>Metadata:</p> <ul style="list-style-type: none">Coordinate System: GDA 1994 MGA Zone 50Vertical Datum: AHDAUTHOR: POWBIODATE: 22/01/2025REVISION: 001 - GEOGRAPHICAL BUSINESS UNIT <p>Water Corporation Alkimos Desalination Plant Terrestrial Development Envelope Figure 3A</p>



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Date of decision	ATTACHMENTS
As varied on the date this instrument was signed	<p>Attachment AA – Terrestrial Development Envelope Figure 3B</p>  <p>LEGEND</p> <p>Terrestrial Development envelope</p> <p>Scale: 1:10,000 at A3</p> <p>Coordinates: GDA 1994 MGA Zone 50 Vertical Datum: MGD</p> <p>AUTHOR: HANSEN DATE: 22/11/2020 BRANCH: WISC - CIVIL/ENVIRONMENTAL/REGULATORY</p> <p>The information contained herein is the exclusive property of the Alkimos Corporation and all the information is provided to you as a confidential document. It is not to be used for any other purpose without the written consent of the Alkimos Corporation. It is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the Alkimos Corporation.</p> <p>WATER CORPORATION Alkimos Desalination Plant Terrestrial Development Envelope Figure 3B</p> <p>File: \\pwrp01-360\pwrp01\AM_GIS\1_P\Project\Capital\2001713\4\SD\Building\Earthworks\shp\fig\Section5C_Section5C_20200111.aprx</p>

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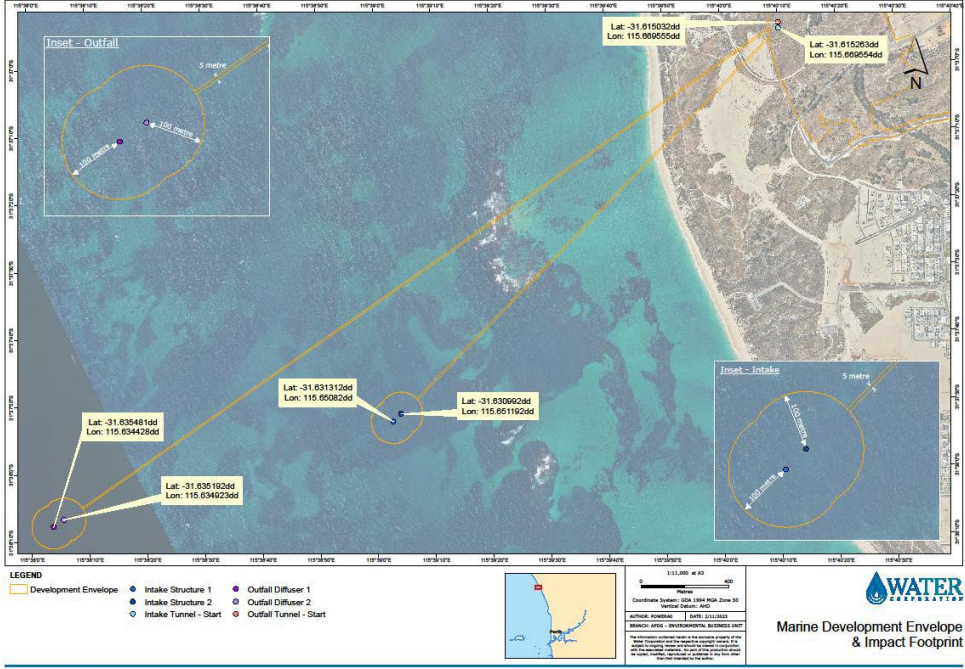
Date of decision	ATTACHMENTS										
As varied on the date this instrument was signed	<p>Attachment AA – Terrestrial Development Envelope Figure 3C</p>  <p>LEGEND</p> <p>Terrestrial Development envelope</p> <p>Scale: 1:10,000 at A3</p> <p>Map Information:</p> <table><tr><td>Coordinate System:</td><td>CGDA 1994 (WGS 84 Zone 50)</td></tr><tr><td>Vertical Datum:</td><td>MSL</td></tr><tr><td>Author:</td><td>POWER20</td></tr><tr><td>Date:</td><td>22/01/2025</td></tr><tr><td>Branch:</td><td>AVOC - ENVIRONMENTAL BUSINESS UNIT</td></tr></table> <p>The information contained herein is the sole property of the Alkimos Desalination Plant. It is not to be used for any other purpose without the written consent of the Alkimos Desalination Plant. The use of this information for any other purpose is strictly prohibited.</p> <p>WATER CORPORATION</p> <p>Alkimos Desalination Plant</p> <p>Terrestrial Development Envelope</p> <p>Figure 3C</p>	Coordinate System:	CGDA 1994 (WGS 84 Zone 50)	Vertical Datum:	MSL	Author:	POWER20	Date:	22/01/2025	Branch:	AVOC - ENVIRONMENTAL BUSINESS UNIT
Coordinate System:	CGDA 1994 (WGS 84 Zone 50)										
Vertical Datum:	MSL										
Author:	POWER20										
Date:	22/01/2025										
Branch:	AVOC - ENVIRONMENTAL BUSINESS UNIT										

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Date of decision	ATTACHMENTS
As varied on the date this notice was signed	<p data-bbox="427 286 1173 318">Attachment AA – Terrestrial Development Envelope Figure 3D</p>  <div data-bbox="435 1601 1436 1758"> <p>LEGEND</p> <p> Terrestrial Development envelope</p>  <div data-bbox="1021 1624 1197 1747"> <p>Scale</p> <p>0 100 200 300 400 500</p> <p>Meters</p> <p>1:50,000</p> <p>Scale of map is 1:50,000. All dimensions are in meters unless otherwise stated.</p> </div> <div data-bbox="1212 1601 1436 1747"> <p>WATER CORPORATION</p> <p>Akimos Desalination Plant</p> <p>Terrestrial Development Envelope</p> <p>Figure 3D</p> </div> </div>

Date of decision	ATTACHMENTS
As varied on the date this notice was signed	<p>Attachment AA – Terrestrial Development Envelope Figure 3E</p>  <p>LEGEND</p> <p>Terrestrial Development envelope</p> <p>WATER CORPORATION Akimos Desalination Plant Terrestrial Development Envelope</p> <p>Figure 3E</p>

Date of decision	ATTACHMENTS
As varied on the date this notice was signed	<p>Attachment AA – Terrestrial Development Envelope Figure 3F</p>  <p>LEGEND:</p> <ul style="list-style-type: none"> Terrestrial Development envelope <p>Scale: 1:10,000</p> <p>North Arrow: N</p> <p>Alkimos Desalination Plant Terrestrial Development Envelope</p> <p>Figure 3F</p>

Date of decision	ATTACHMENTS
Original dated 08/11/23	<p data-bbox="422 320 1326 353">. Attachment B – Maps of the Proposed Action – Marine Component– Fig. 2</p>  <p data-bbox="1385 1064 1428 1077">Figure 2</p>