



Australian Government

Department of Climate Change, Energy,
the Environment and Water

Variation of conditions attached to approval

[to mine the deposits known as Halleys, Hale-Bopp, and Shoemaker-Levy, and develop and operate a treatment plant and associated facilities to produce a mixed nickel/cobalt hydroxide product, near Ravensthorpe in Western Australia] (EPBC ref 2001/172)

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	Ravensthorpe Nickel Operations Pty Ltd 921 357 614 65
approved action	to mine the deposits known as Halleys, Hale-Bopp, and Shoemaker-Levy, and develop and operate a treatment plant and associated facilities to produce a mixed nickel/cobalt hydroxide product, near Ravensthorpe in Western Australia See EPBC Act referral 2001/172

Variation

variation of conditions attached to approval	The variation is: Delete conditions 1, 2, 4, and 5 attached to the approval and substitute with the conditions specified in the table below. Add new conditions 2A, 2B, 2C, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 specified in the table below. Add new definitions of Action Area, Annual Compliance Report Period, Business day, Clear, Commence the Action, Completion data, Completion of the Action, Compliance records, Compliance report, Department, Environmental Management Plan Guidelines, EPBC Act, Habitat Quality, Harm, Heath Mouse, Heath Mouse Western Whipbird Management Plan, Impact/s, Incident, Independent, Management Plan, Minister, Monitoring data, Plan, Protected matter, Rehabilitation, Revegetation, Securement, Sensitive ecological data, Shapefile, SMART, Suitability qualified ecologist, and Website specified in the table below. Revoke condition 3
date of effect	This variation has effect on the date this instrument is signed.

Person authorised to make decision

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NOT 571 v2.2

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name and position

Danny McQuillen Branch Head, Compliance and
Enforcement Branch

signature



date of decision

17 February 2026

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date of decision	conditions attached to approval
As varied on the date this instrument was signed	1) Ravensthorpe Nickel Operations Pty Ltd must not clear any actual or potential habitat for the Heath Mouse outside of the Action area as shown in Annexure 1.
As varied on the date this instrument was signed	2) The approved Heath Mouse Western Whipbird Management Plan (HMWWMP) must be implemented by the approval holder until the revised Management Plan is approved by the department.
As varied on the date this instrument was signed	2A) To compensate for the residual significant impacts of the Action on the Heath Mouse , 6 months from the date this instrument is signed, the approval holder must submit a revised, Management Plan to the department for approval by the Minister . The approval holder must commence implementing the approved Management Plan within 2 days following the Minister's approval of the Management Plan and continue to implement the approved Management Plan at least until the expiry date of this approval.
As varied on the date this instrument was signed	2B) The revised Management Plan must meet the requirements of the Environmental Management Plan Guidelines . All commitments, including environmental outcomes, management measures, corrective actions, trigger values, and performance indicators in the Management Plan must be SMART and based on referenced or included evidence of effectiveness. The Management Plan must be prepared by a suitably qualified ecologist and must include: a) management actions to achieve 0.4ha of revegetation for every 1ha of clearing associated with the action. Including timeframes associated with each management action, b) the habitat quality improvement to be achieved with rehabilitation of the areas within the mine site and revegetation areas, c) detailed information and shapefiles specifying the location, area, and boundaries of the proposed rehabilitated and revegetation areas, d) detailed baseline information and current habitat quality , for the proposed rehabilitation and revegetation areas,

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- e) a table summarising all commitments to achieve **revegetation** and **rehabilitation** outcomes for **Heath Mouse** on site and a reference to where each commitment is detailed in the **Management Plan**,
 - f) an assessment of risks to achieving each outcome and what risk management measures and/or strategies will be applied to address these,
 - g) details of a monitoring program that measures habitat suitability and health for **Heath Mouse**,
 - h) management measures to control weeds and pests within the **revegetation** and **rehabilitated** areas including management of *Phytophthora cinnamomi*,
 - i) reporting and review mechanisms to inform the **department** annually regarding compliance with the implementation of management measures and the attainment and maintenance of the outcomes, this can be included in the **compliance report**.
 - j) a monitoring program, which must specify:
 - k) measurable performance indicators and the timeframes for their achievement to ensure attainment of each outcome for the **Heath Mouse**,
 - i. trigger values for corrective actions, and
 - ii. the proposed timing (including season/time of day/frequency) methods and effort, and 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 all outcomes for the **Heath Mouse**.
 - l) Corrective actions to be implemented if trigger values are reached or performance indicators are not achieved in the specified timeframes
 - m) references to related plans and conditions of approval,
 - n) how the **revegetation** sites will be protected in perpetuity, including **securement**, and all outcomes to be maintained or improved.
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	o) how the rehabilitated sites will be protected in perpetuity, including securement , and all outcomes to be maintained or improved.
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As varied on the date this instrument was signed	2C) Within 12 months of rehabilitation and revegetation sites meeting the outcomes defined in the revised management plan the approval holder must place a securement mechanism to protect in perpetuity the rehabilitated or revegetated area.
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Revoked	3) Revoked
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As varied on the date this instrument was signed	4) Prior to commencement of mining, Ravensthorpe Nickel Operations Pty Ltd must submit for the Minister’s approval a plan for compensatory measures specific to habitat loss for the Heath Mouse and Western Whipbird. The approved plan must be implemented.
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As varied on the date this instrument was signed	5) Ravensthorpe Nickel Operation Pty Ltd may submit for the Minister’s approval a revised version of the any plan or management plan approved under conditions 2A, and 4. If the Minister approves a revised plan or management plan that plan or management plan must be implemented in place of the plan originally approved from the date it is approved.
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As varied on the date this instrument was signed	6) From the date of this decision the approval holder must implement management strategies to: <ul style="list-style-type: none">a) Install monitoring points to monitor impacts to protected matters associated with the approved action.b) Monitoring points must also be installed within rehabilitated and revegetated areas already completed and then progressively as areas are rehabilitated and revegetated.<ul style="list-style-type: none">i. Monitoring points must be used to monitor the success of rehabilitated and revegetated areasc) Install permanent monitoring points for protected matters in high value habitat near the approved action to be used to compare the success of rehabilitated and revegetated areas.d) All new monitoring points must be included, annually monitored and reported on in the compliance report until the expiry of approval.
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- e) Monitoring plots must be clearly marked, and entry must be restricted to all personal and machinery, excluding those with approval to undertake monitoring and vegetation management.
 - f) Implement a **weed** control program in all **rehabilitated** and **revegetated** areas.
 - g) Implement fauna pest species control across site and in all **rehabilitated** and **revegetation** areas.
 - h) Ensure flora planted in **rehabilitated** and **revegetated** areas is suitable habitat for the **Heath Mouse**.
 - i) Submit to the department in conjunction with the first required **compliance report**:
 - i) the total disturbance/**clearing** that has been undertaken including **shapefiles**. Clearing totals must include total cleared area and clearing associated with the **Heath Mouse**.
 - ii) Information must also include the total amount of hectares that has been **revegetated** and **rehabilitated**, and if the commitment of **rehabilitating** 0.4ha for every 1ha **cleared** will be met.

As varied on the date this instrument was signed

- 7) The approval holder must maintain accurate and complete **compliance records**.

As varied on the date this instrument was signed

- 8) 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.

As varied on the date this instrument was signed

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

As varied on the date this instrument was signed

- 10) 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.

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As varied on the date this instrument was signed

- 11) The approval holder must ensure each **compliance report** includes:
- a) Accurate and complete details of compliance and any non-compliance with:
 - i. each condition attached to this approval decision, and
 - ii. 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**.
 - e) Total disturbance/**clearing** undertaken in each reporting year including **shapefiles** and total hectares **rehabilitated** and **revegetated**.
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As varied on the date this instrument was signed

- 12) The approval holder must, within 20 **business days** following the end of 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**.
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As varied on the date this instrument was signed

- 13) The approval holder must:
- a) Within 5 **business days** of each date of publication that the **compliance report** has been published on the **website**. Submit to the **department** a copy of each **compliance report** and related **shapefiles**.
 - b) notify the **department** electronically, within 5 **business days** of each date of publication that the **compliance report** has been published on the **website**. In this notification, the approval holder must provide the **department** with the web address for where the **compliance report** and related **shapefile** are published on the **website**;
 - c) 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;
 - d) exclude or redact **sensitive biodiversity data** from each **compliance report** and **shapefile** published on the **website** or otherwise provided to a member of the public;
 - e) if **sensitive biodiversity data** is excluded or redacted from the 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
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redactions have been made in the version published on the **website** or otherwise provided to a member of the public; and

- f) If **sensitive biodiversity data** is excluded or redacted from a version of a **shapefile** published or otherwise provided to a member of the public, submit the full **shapefile** to the **department** within 5 **business days** of its publication on the **website** and notify the **department** in writing what exclusions and redactions have been made in the version published on the **website** or otherwise provided to a member of the public.

As varied on the date this instrument was signed

- 14) The approval holder must notify the **department** electronically, within 2 **business days** of becoming aware of any **incident**. The approval holder must specify in the notification:
- a) any condition or commitment made in a **plan** which has not been or may have not been, complied with,
 - b) a short description of the **incident**, and
 - c) the location (if applicable, including co-ordinates), date and time of the **incident**.

As varied on the date this instrument was signed

- 15) 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.

As varied on the date this instrument was signed

- 16) 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.

As varied on the date this instrument was signed

- 17) 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**.
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The approval holder must submit any spatial data that comprises **completion data** as a **shapefile**.

date of decision	definitions attached to approval
As varied on the date this instrument was signed	Action area means the location of the Action, represented in <u>Annexure 1</u> .
As varied on the date this instrument was signed	Annual Compliance Report Period or ACR Period means each subsequent 12-month period following the date this approval instrument is signed until the expiry date of this approval, unless otherwise specified in writing by the Minister .
As varied on the date this instrument was signed	Business day means a day that is not a Saturday, a Sunday, or a public holiday in Western Australia.
As varied on the date this instrument was signed	Clear, cleared or clearing means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting, or burning of vegetation excluding control of specified weeds and specified fire management (ensuring this is ecologically appropriate for the protected matters(s)).
As varied on the date this instrument was signed	Commence the Action or commences 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: <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.
As varied on the date this instrument was signed	Completion data means an environmental report and spatial data clearly detailing how the conditions of this approval have been met.

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As varied on the date this instrument was signed	Completion of the Action means the date on which all activities associated with this approval have permanently ceased and/or been completed.
As varied on the date this instrument was signed	Compliance records mean 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.
As varied on the date this instrument was signed	Compliance report means a written report of compliance with, and fulfilment of, the conditions attached to the approval.
As varied on the date this instrument was signed	Department means the Australian Government agency responsible for administering the EPBC Act .
As varied on the date this instrument was signed	Environmental Management Plan Guidelines means the <i>Environmental Management Plan Guidelines, Commonwealth of Australia 2014</i>
As varied on the date this instrument was signed	EPBC Act means the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth).
As varied on the date this instrument was signed	Habitat quality means a measure of the overall viability of a site and its capacity to support protected matters , with respect to site condition, site context and species stocking rate and/or composition.
As varied on the date this instrument was signed	Harm means to cause any measurable direct or indirect disturbance or deleterious change as a result of any activity associated with the Action.
As varied on the date this instrument was signed	Heath Mouse means the EPBC Act listed threatened Heath Mouse (<i>Pseudomys shortridgei</i>).
As varied on the date this instrument was signed	Heath Mouse Western Whipbird Management Plan (HMWWMP) means the plan approved by the Minister to be implemented.
As varied on the date this instrument was signed	Impact/s means has the same meaning as defined in section 527E of the Environment Protection and Biodiversity Conservation Act 1999.
As varied on the date this instrument was signed	Incident means any event which has the potential to, or does, harm any protected matter .
As varied on the date this instrument was signed	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.

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*Other than for the purpose of undertaking the role for which an independent person is required

As varied on the date this instrument was signed	Management Plan means the plan approved by the Minister to be implemented.
As varied on the date this instrument was signed	Minister means the Australian Government Minister administering the EPBC Act , including any delegate thereof.
As varied on the date this instrument was signed	Monitoring data means the data required to be recorded under the conditions of this approval.
As varied on the date this instrument was signed	Plan means any action management plan or strategy that the approval holder is required by these conditions to implement.
As varied on the date this instrument was signed	Protected matter means a matter protected under a controlling provision in Part 3 of the EPBC Act for which this approval has effect.
As varied on the date this instrument was signed	Rehabilitation means areas identified in the revised management plan to be rehabilitated to increase habitat for protected matters following cessation of the action within the defined area.
As varied on the date this instrument was signed	Revegetation means areas identified in the revised management plan to be revegetated to meet the commitment of 0.4ha of revegetation for every 1ha cleared within the action area . To increase habitat for protected matters .
As varied on the date this instrument was signed	Securement means a mechanism which protects in perpetuity an area under a legally binding mechanism approved by the department .
As varied on the date this instrument was signed	Sensitive ecological data means data as defined in the <i>Sensitive Ecological Data – Access and Management Policy v1.0</i> , Commonwealth of Australia 2016
As varied on the date this instrument was signed	Shapefile means location and attribute information about the Action provided in an Esri shapefile format containing: <ul style="list-style-type: none">‘.shp’, ‘.shx’, ‘.dbf’ files,a ‘.prj’ file which specifies the projection or geographic coordinate system used, andan ‘.xml’ metadata file that describes the shapefile for discovery and identification purposes.
As varied on the date this instrument was signed	SMART means specific, measurable, achievable, relevant and time bound.

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As varied on the date this instrument was signed

Suitably qualified ecologist (for the purpose of preparing and implementing environmental management plans) means a person who has relevant professional qualifications and:

- a) at least 3 years of work experience writing and implementing management plans for the habitat of **protected matters**,
- b) has implemented and reported on management plans for the habitat of **protected matters**, and can demonstrate the implementation of those plans achieved the desired **habitat quality** for habitat of **protected matters**, and
- c) can give authoritative assessment and advice on offset management to improve the **habitat quality** of the habitat of **protected matters** using relevant protocols, standards, methods, and/or literature.

As varied on the date this instrument was signed

Website means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.

date of decision

Annexure A

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As varied on the date this instrument was signed

