



EPBC 2022/09237 DAMPIER
CARGO WHARF
EXTENSION AND LANDSIDE
REDEVELOPMENT

ANNUAL COMPLIANCE REPORT

6 OCTOBER 2024 TO 5 OCTOBER 2025

A1880139

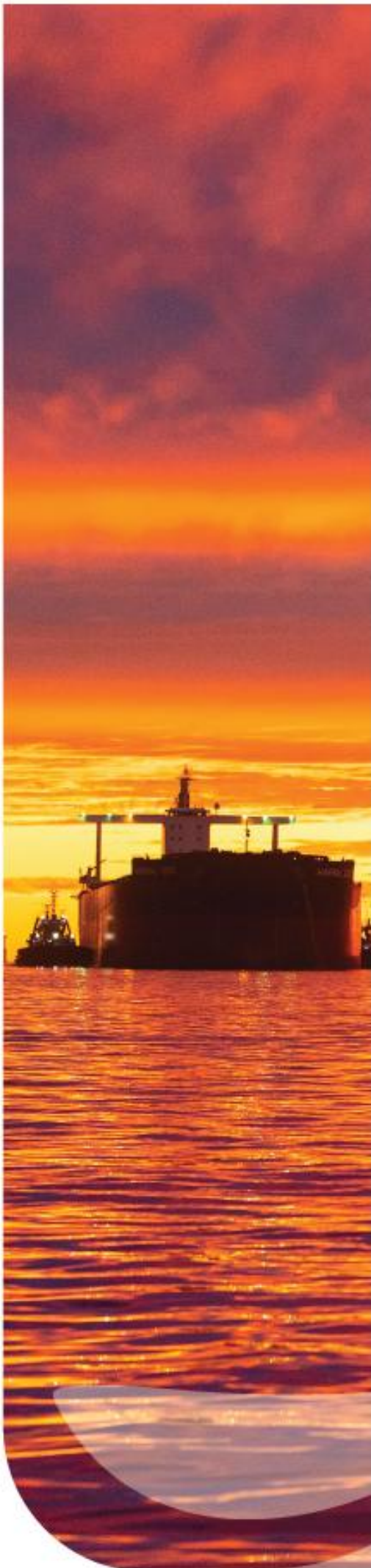


TABLE OF CONTENTS

EXECUTIVE SUMMARY

- 1. INTRODUCTION..... 4
- 2. COMPLIANCE AUDIT TABLE AND CURRENT COMPLIANCE STATUS..... 8
- 3. NON COMPLIANCES AND CORRECTIVE ACTIONS22
- 4. PUBLIC AVAILABILITY AND FUTURE ANNUAL COMPLIANCE REPORTS22

- Table 1: General project content description 5
- Table 2: Project elements..... 5
- Table 3: EPBC 2022/09237 DCWELR – Annual Compliance Audit Table 9

- Figure 1: Project Development Envelope and Footprint..... 7

EXECUTIVE SUMMARY

This document forms the Annual Compliance Report (**ACR**) as required under Condition 24 of *Environmental Protection and Biodiversity Conservation (EPBC) Act 1999* approval EPBC 2022/09237 for the Dampier Cargo Wharf (**DCW**) Extension and Landside Redevelopment Project (**DCWELR**).

This ACR has been prepared by Pilbara Ports, the approval holder and nominated developer, for DCWELR development activities undertaken during the period 6 October 2024 to 5 October 2025 (**Reporting Period**).

The Project commenced with the contractors mobilising to site on the 2 October 2024 (commencement of Action) to start decommissioning works associated with the Project. Within the Reporting Period the following activities have commenced / been completed:

- Demolition works were completed between 12 October 2024 and 4 May 2025.
- Construction works commenced 18 October 2024 and are ongoing.
- Dredging (inclusive of drilling and blasting activities) commenced 18 October 2024 and were completed 23 May 2025.
- Piling commenced 14 June 2025 and is ongoing.

Pilbara Ports has remained compliant with the conditions of EPBC 2022/09237 throughout the Reporting Period. Pilbara Ports has also fully implemented both the approved Construction Environmental Management Plan (**CEMP**) and the approved Dredge Environmental Management Plan (**DEMP**) as required under Condition 4 and Condition 5 of EPBC 2022/09237 respectively (refer to Attachments A and B). There were two potential non-compliances reported to the Department of Climate Change, Energy, the Environment and Water (**Department**). Both incidents were associated with the effective use of a bubble curtain, which is a commitment within the CEMP to mitigate underwater noise. As per Condition 28 of EPBC 2022/09237, Pilbara Ports notified the Department electronically within two business days of becoming aware of the potential non-compliance and, as per Condition 30, Pilbara Ports submitted detailed reports for the potential non-compliances within 12 business days from when the potential non-compliance was first identified. The detailed reports outlined actions to be taken to promptly mitigate issues with the bubble curtain and ensure effective operation ongoing. There have been no further bubble curtain potential non-compliances.

This ACR was prepared in accordance with the Department's Annual Compliance Report Guidelines (2014 and the updated 2023 version) and will be published on Pilbara Ports website on or before 27 December 2025.

Declaration of Accuracy

In making this declaration, I am aware that sections 490 and 491 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that to the best of my knowledge, all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed: 

Full name: Emma Fensom

Position: Executive General Manager Safety, People and Environment

Organisation: Pilbara Ports – ABN 94 987 448 870

Date: 9 December 2025

1. INTRODUCTION

Pilbara Ports is constructing and will operate a land-backed wharf extension to the Dampier Cargo Wharf (**Project**) at the Port of Dampier (**Port**). The scope of the Project incorporates the development of a new (adjoining) southern section of wharf and associated mooring dolphin, wharf connecting structure, dredged berth pocket and vessel manoeuvring area (**Figure 1**).

The Project includes development of a new wharf structure employing pile driving works, and stabilisation of the shoreline via construction of a retaining wall and concrete deck. A total of 229,088 cubic metres (m³) of capital dredging was completed within the Reporting Period to establish a new berth pocket and associated manoeuvring basin to design depths of -13.2m (Chart Datum [**CD**]) and -11m CD respectively.

This dredging volume includes 58,910m³ of underlying and surface granophyre rock at the south-east end of the dredging footprint. To undertake dredging of this material it was broken up first using drilling and blasting techniques. Dredging was undertaken using a Backhoe dredge, the *Baldur*.

The Development Envelope (**DE**) and Project Footprint is presented in **Figure 1**. A short description of the Project is provided in **Table 1** and the Project's physical, construction and operational elements are provided below in **Table 2**.

The implementation of the Project began in 2024 with the mobilisation of the demolition contractor and commencement of fencing installation on 2 October 2024 (commencement date). Within the Reporting Period the following works have commenced / been completed:

- Demolition works were completed between 12 October 2024 and 4 May 2025.
- Construction works commenced 18 October 2024 and are ongoing.
- Dredging (inclusive of drilling and blasting activities) commenced 18 October 2024 and was completed 23 May 2025.
- Piling commenced 14 June 2025 and is ongoing.

This report has been prepared to meet Condition 24 of EPBC 2022/09237, whereby the approval holder must prepare an Annual Compliance Report (**ACR**) for each 12-month period following the date of the approval decision. This ACR, and subsequent reports, will be made publicly available and published on Pilbara Ports website until the expiry of this approval on 6 October 2065. As per Condition 27 (b) of EPBC 2022/09237, Pilbara Ports will notify the Department of Climate Change, Energy, the Environment and Water (**Department**) of the publication of each ACR electronically within five business days.

Table 1: General project content description

PROPOSAL TITLE	DAMPIER CARGO WHARF EXTENSION AND LANDSIDE REDEVELOPMENT
Proponent Name	Pilbara Ports
Short Description	The Proposal is for the construction and operation of a land-backed wharf extension to the DCW at the Port of Dampier, Western Australia. The Project incorporates the development of a new (adjoining) southern section of wharf, dredged berth pocket and vessel manoeuvring area. The Project will enable larger vessels (up to Panamax class) to access the terminal and facilitate new trades and products being handled at the Port.

Table 2: Project elements

PROPOSAL ELEMENT	MAXIMUM EXTENT, CAPACITY OR RANGE
Physical Elements	
Land-backed wharf extension	<ul style="list-style-type: none"> 325 m wharf face with a wharf connecting structure.
Berth pocket and manoeuvring area	<ul style="list-style-type: none"> Total dredge footprint of 8.4 hectares (ha). Berth pocket to design depth of -13.2 m Chart Datum (CD). Vessel manoeuvring area to design depth of -11 m CD (<i>Note that up to 1m of over-dredge may be required to achieve these design depths</i>)
Construction Elements	
Construction of the DCW Extension and Landside Redevelopment Project	<ul style="list-style-type: none"> Pile driving works: up to 470 steel piles of up to 1800 mm diameter and installation of concrete wharf deck. Construction of rock revetment and installation to form the wharf deck and associated mooring dolphin.
Capital dredging	<ul style="list-style-type: none"> Up to 380,000 m³ of capital dredging within the Dredging Footprint will be undertaken using a backactor dredge.
Drilling and blasting	<ul style="list-style-type: none"> Approximately 100,000 m³ of granophyre rock material to the south and east of the Dredging Footprint will be broken up using drilling and blasting techniques.
Disposal of material	<ul style="list-style-type: none"> Dredge spoil, including blasted rock material to be placed at established spoil grounds located in Port waters including Spoil Ground 2B, Spoil Ground A/B and East Lewis Island (ELI) Spoil Ground. Suitable rock material may be beneficially reused for other approved Port projects and / or be placed within established Spoil Grounds within the Port. Where possible, Pilbara Ports will seek to place rock material in such a way within ELI Spoil Ground that it can be colonised by corals.
Operational Elements	
Vessel and wharfs	<ul style="list-style-type: none"> Enable larger vessels (Panamax class) to access the terminal and facilitate new trades and products being handled at the Port.

PROPOSAL ELEMENT	MAXIMUM EXTENT, CAPACITY OR RANGE
Ongoing maintenance dredging	<ul style="list-style-type: none">In accordance with Pilbara Ports 5-year SDP for maintenance dredging (SD2024/4072) and approved Long-Term Dredge Management Plan.

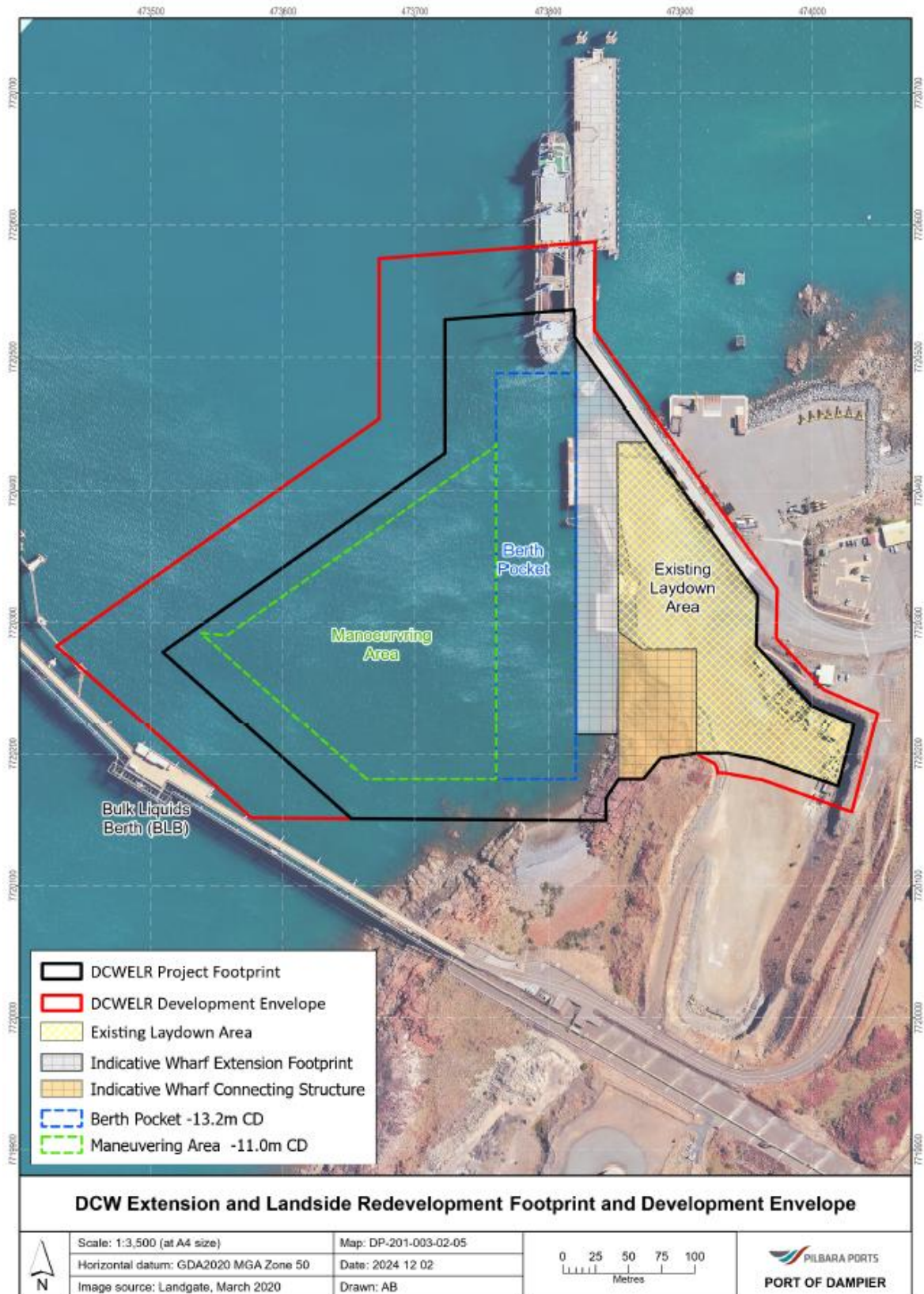


Figure 1: Project Development Envelope and Footprint

2. COMPLIANCE AUDIT TABLE AND CURRENT COMPLIANCE STATUS

During the Reporting Period, Pilbara Ports was responsible for ensuring compliance with the implementation conditions of EPBC 2022/09237. **Table 3** below presents a summary of Pilbara Ports compliance to each of the implementation conditions for the Reporting Period.

Table 3: EPBC 2022/09237 DCWELR – Annual Compliance Audit Table

ITEM	COMMITMENT	COMPLIANCE	EVIDENCE
<i>Environment Protection and Biodiversity Conservation Act 1999 (Cth) Approval Decision Notice (2022/09237) – Conditions</i>			
	Location of the Action and Disturbance Limits		
C1	Condition 1 To avoid and mitigate harm to protected matters as a result of the Action, the approval holder must not take the Action outside of the development envelope.	Compliant	There has been no change in location or authorised extent of physical and construction elements during the reporting period. Pilbara Ports has undertaken regular drone and bathymetric surveys to ensure activities remain within the approved development envelope. Refer to Attachments C and D.
C2	Condition 2 To mitigate harm to the marine environment, the approval holder must not clear: a) outside the development envelope b) more than 0.8 hectares (ha) of coral habitat.	Compliant	There was no Construction or Construction works outside of the development envelope and no activities impacting beyond the approved disturbance of 0.8 hectares of coral habitat during the Reporting Period. Refer to Attachment C.
C3	Condition 3 To avoid and mitigate harm to protected matters as a result of the Action, the approval holder must ensure no EPBC Act listed fauna are: a) injured b) killed.	Compliant	No <i>Environment Protection and Biodiversity Conservation (EPBC) Act 1999</i> listed species were injured or killed as a result of works during the Reporting Period. A deceased turtle washed up within the Development Envelope and was reported to the Department of Biodiversity, Conservation and Attractions (DBCA). DBCA concluded that the death of the turtle was not as a result of the Action. In addition, Marine Fauna Observations have been carried out during all dredging, blasting and piling activities, as per the approved Construction Environmental Management Plan (CEMP) and Dredging Environmental Management Plan (DEMP). Refer to Attachments E and F.
	Construction Environmental Management Plan (CEMP)		
C4	Condition 4	Compliant	a) The Underwater Noise Modelling was peer reviewed in November 2023 by Oceans Blueprint. Pilbara Ports provided

ITEM	COMMITMENT	COMPLIANCE	EVIDENCE
	<p>To avoid and mitigate harm to protected matters, the approval holder must:</p> <ul style="list-style-type: none"> a) Provide the Underwater Noise Modelling Assessment, inclusive of assessment for the air bubble curtain technology, to a suitably qualified expert for peer review and endorsement and include any recommendations into the Construction Environmental Management Plan (CEMP). b) Within 6 months of the date of this approval, submit a CEMP to the Minister for approval. c) Not commence construction until the CEMP has been approved by the Minister in writing. The approval holder must implement the approved Construction Environmental Management Plan (approved CEMP) for the life of the approval. 		<p>a summary of findings to the Department on 22 December 2023.</p> <p>b) Pilbara Ports submitted a CEMP for approval on 22 April 2022. Additional versions were updated and submitted as per Department feedback and outcomes of the Underwater Noise Modelling review. The final (subsequently approved) version of the CEMP was submitted 13 February 2024.</p> <p>c) On 29 February 2024 the Department was formally advised in writing that the CEMP had been approved in accordance with Condition 4 of the approval.</p> <p>A copy of the Sea Dumping Permit is saved in Objective, Pilbara Ports reference: A1416772.</p>
	Dredge Environmental Management Plan (DEMP)		
C5	<p>Condition 5</p> <p>To avoid and mitigate harm to protected matters, the approval holder must commence implementing the Dredge Environmental Management Plan (DEMP) within 30 days of the date of this approval decision.</p> <p>The approval holder must not commence the Action unless it has commenced implementing the DEMP.</p> <p>The approval holder must continue to implement the DEMP until the expiry date of this approval.</p>	Compliant	<p>The DEMP is publicly available on the Pilbara Ports website. See evidence here.</p> <p>An audit of the Dredging Contractor was conducted by Pilbara Ports on 12 December 2024 and 27 February 2025. The audit demonstrated that the Contractor was compliant with the conditions of the Sea Dumping Permit (SDP) SD2022/4025 and commitments within the Dredge Environmental Management Plan. Pilbara Ports reference: qA56866</p>
	Sea Dumping Permit		
C6	<p>Condition 6</p> <p>To avoid and mitigate harm to protected matters, the approval holder must comply with the Sea Dumping Permit and all conditions attached to the Sea Dumping Permit.</p>	Compliant	<p>Sea Dumping Permit SD2022/4025 was approved for capital dredging to support the Project on 27 July 2022 and is valid until 31 December 2025. On completion of dredging, a close-</p>

ITEM	COMMITMENT	COMPLIANCE	EVIDENCE
			out report was provided to the Department on the 11 July 2025. Details of the Close Out Report are saved in Objective, Pilbara Ports reference: A1716509
	Marine Mitigation Measures		
C7	Condition 7 To mitigate the risk of vessel strike to protected matters the approval holder must ensure that no vessel associated with the Action moves faster than 10 knots while within the development envelope.	Compliant	Vessels within the development envelope travel ≤10 knots at all times. This commitment is made within the Contractors Dredging Environmental Management Plan. Pilbara Ports reference: A1533502. Given the operational size of the waterside area and its proximity to the shoreside construction zone, there is limited opportunity for vessels to transit at speeds exceeding 10 knots. Vessels engaged in project support and construction activities are similarly unlikely to operate above this speed, as operations conducted near navigational hazards are typically performed at slow speeds.
C8	Condition 8 To mitigate harm to foraging habitat of protected matters within the port waters, the approval holder must utilise a back actor dredge for all dredging activities pertaining to the Action.	Compliant	Backhoe dredge, the <i>Baldur</i> , was used during dredging activities. Refer to Attachment G.
	Light Pollution Mitigation		
C9	Condition 9 To minimise light pollution impacts to EPBC Act listed turtles, the approval holder must ensure that all light from artificial sources installed as part of the Action are not visible from or orientated towards sensitive shore-based habitats or seaward.	Compliant	No permanent artificial light sources have been installed during the Reporting Period. In addition, temporary lighting associated with construction has been oriented in such a way (e.g., away from sensitive shore-based habitat) to minimise impact to EPBC Act listed

ITEM	COMMITMENT	COMPLIANCE	EVIDENCE
			<p>turtles. Artificial lighting requirements is detailed in Appendix J of the Clough CEMP, Pilbara Ports reference: A1705387.</p> <p>Refer to Attachment H.</p>
C10	<p>Condition 10 To minimise light pollution impacts to protected matters, prior to commencement of and for the life of the approval, the approval holder must ensure all artificial outdoor lighting within the development envelope, installed as part of the action, applies best practice lighting design and is not inconsistent with the National Light Pollution Guidelines for Wildlife, Commonwealth of Australia 2023. The approval holder must ensure:</p> <ul style="list-style-type: none"> a) all artificial outdoor lighting is directed downwards with an upward waste of 0%. b) Non-reflective, dark-coloured surfaces are used for construction, excluding the concrete deck, within the development envelope. c) all artificial outdoor lighting uses the light types as specified in Appendix B and F of the National Light Pollution Guidelines for Wildlife, Commonwealth of Australia 2023. 	Compliant	<p>Pilbara Ports has committed to minimising light pollution impacts, ensuring that artificial light sources are not oriented towards sensitive shore-based habitat and construction materials are dark and non-reflective.</p> <ul style="list-style-type: none"> a) No permanent artificial light sources have been installed during the Reporting Period. Temporary lighting associated with construction is installed in such a way to minimise impact to EPBC Act listed turtles. Refer to Condition 9. b) Non-reflective, dark coloured surfaces have been utilised for construction of the wharf – Pilbara Ports reference: A1929607. c) All artificial outdoor lighting uses the light types as specified in Appendix B and F of the National Light Pollution Guidelines for Wildlife, Commonwealth of Australia 2023. Pilbara Ports reference: A1793408.
	Rock Art Monitoring		
C11	<p>Condition 11 The approval holder must comply with any air quality standards applicable to the development envelope that are specified by an agency of the Western Australian Government or the department and directly informed by the results of the Murujuga Rock Art Monitoring Program.</p>	Compliant	<p>Pilbara Ports will comply with air quality standards applicable to the development envelope, as specified by the Department of Water and Environmental Regulation (DWER), which is directly informed by the results of the Murujuga Rock Art Monitoring Program. Air quality standards have not yet been released by DWER. Pilbara Ports remains engaged with the steering group associated with this monitoring program.</p>

ITEM	COMMITMENT	COMPLIANCE	EVIDENCE
Part B – Administrative conditions			
	Location of the Action and Disturbance Limits		
C12	<p>Condition 12 The approval holder must submit all plans required by these conditions electronically to the department.</p>	Compliant	<p>The CEMP was submitted electronically to the department on 22 April 2022. The DEMP was submitted electronically to the department on 22 April 2022. Pilbara Ports reference: A1588852</p>
C13	<p>Condition 13 Unless otherwise agreed to in writing by the Minister, the approval holder must publish each plan on the website within 15 business days of the date:</p> <ul style="list-style-type: none"> a) of this approval, if the version of the plan to be implemented is specified in these conditions, 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, or d) the plan is approved by a state or territory government official as required under a state or territory government condition which must be complied with in accordance with these EPBC Act conditions. 	Compliant	<p>The CEMP is publicly available on the Pilbara Ports website. See evidence Dampier Cargo Wharf Extension and Landside Redevelopment Project CEMP. The DEMP is publicly available on the Pilbara Ports website. See evidence Dampier Cargo Wharf Extension and Landside Redevelopment Project DEMP.</p>
C14	<p>Condition 14 The approval holder must keep all published plans required by these conditions on the website until the expiry date of this approval.</p>	Compliant	<p>The CEMP is publicly available on the Pilbara Ports website. See evidence Dampier Cargo Wharf Extension and Landside Redevelopment Project CEMP. The DEMP is publicly available on the Pilbara Ports website. See evidence Dampier Cargo Wharf Extension and Landside Redevelopment Project DEMP.</p>

ITEM	COMMITMENT	COMPLIANCE	EVIDENCE
C15	<p>Condition 15 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.</p>	Compliant	There is no excluded or redacted sensitive ecological data from plans (CEMP and DEMP) published on Pilbara Ports website.
	Review of Action Management Plans		
C16	<p>Condition 16 The approval holder may, at any time, apply to the Minister for a variation to a plan by submitting an application in accordance with the requirements of section 143A of the EPBC Act. If the Minister approves a revised version of a plan then, from the date specified by the Minister, the approval holder must implement the revised version of a plan in place of the previous version.</p>	Compliant	No variations have been submitted during the Reporting Period.
	Notification of Date of Commencement of the Action		
C17	<p>Condition 17 The approval holder must notify the department electronically of the date of commencement of the Action, within 5 business days following commencement of the Action.</p>	Compliant	Pilbara Ports formally notified (electronically) the Department of the commencement of the Action on the 4 October 2024. The Action commenced on 2 October 2024. Pilbara Ports reference: A1472266.
C18	<p>Condition 18 If the commencement of the Action does not occur within 5 years from the date of this approval, then the approval holder must not commence the Action without the prior written agreement of the Minister.</p>	Compliant	The Action commenced on 2 October 2024.
	Compliance Records		

ITEM	COMMITMENT	COMPLIANCE	EVIDENCE
C19	<p>Condition 19 The approval holder must maintain accurate and complete compliance records.</p>	Compliant	Pilbara Ports saves all compliance documents in their electronic document management system (Objective). Pilbara Ports reference: qA45988.
C20	<p>Condition 20 If the department makes a request in writing, the approval holder must provide electronic copies of compliance records to the department within the timeframe specified in the request.</p> <p>Note: Compliance records may be subject to audit by the department, or by an independent auditor in accordance with section 458 of the EPBC Act, and/or be used to verify compliance with the conditions. Summaries of the results of an audit may be published on the department's website or through the general media.</p>	Compliant	No requests for compliance records were made by the Department during the Reporting Period.
C21	<p>Condition 21 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.</p>	Ongoing	Surveys and monitoring data (where relevant) have been collected in accordance with the <i>Guidelines for biological survey and mapped data, Commonwealth of Australia 2018</i> , or as otherwise specified by the Minister in writing. Refer to Condition 23.
C22	<p>Condition 22 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.</p>	Ongoing	Surveys and monitoring data (where relevant) have been collected in accordance with the <i>Guide to providing maps and boundary data for EPBC Act projects, Commonwealth of Australia 2021</i> , or as otherwise specified by the Minister in writing. Refer to Condition 23.

ITEM	COMMITMENT	COMPLIANCE	EVIDENCE
C23	<p>Condition 23 The approval holder must submit all monitoring data (including sensitive ecological data), surveys, maps, other spatial and metadata and all species occurrence record data (sightings and evidence of presence) electronically to the department within 20 business days of each anniversary of the date of this approval decision or in accordance with the requirements of the approved CEMP, DEMP and ALMP to the extent that these plans specify how and when monitoring data must be submitted to the department.</p>	Ongoing	<p>Records of monitoring survey (Dredge Plume), species occurrence records (Marine Fauna Observations) and invasive marine pest management are stored electronically. These records were provided to the Department on 3 November 2025, being 20 business days from the anniversary date of the EPBC approval.</p> <p>Pilbara Ports reference: A1925149</p>
	Annual Compliance Reporting		
C24	<p>Condition 24 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.</p>	Compliant	<p>This report covers the second 12-month period of the approval and will be made available on Pilbara Ports internet page on or before 27 December 2025.</p>
C25	<p>Condition 25 Each compliance report must be consistent with the <i>Annual Compliance Report Guidelines, Commonwealth of Australia 2014</i>.</p>	Compliant	<p>This report has been prepared to meet the requirements of <i>Annual Compliance Report Guidelines, Commonwealth of Australia 2014</i>.</p>
C26	<p>Condition 26 Each compliance report must include:</p> <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. 	Compliant	<p>This Report.</p> <ul style="list-style-type: none"> a) There were two potential non-compliance incidents reported to the Department during the Reporting Period: <p>On the 8 March 2025 it was identified that, based on a visual assessment of the water surface when operating the air bubble curtain, there were gaps in the surface bubbles. Concerns were raised as to the air bubble curtain creating an effective <i>barrier</i> as</p>

ITEM	COMMITMENT	COMPLIANCE	EVIDENCE
	<p>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.</p>		<p>specified within the Construction Environmental Management Plan. All controls within the CEMP were in place at the time of underwater blasting activities. There was no evidence of injury or harm to marine fauna.</p> <ul style="list-style-type: none"> On the 14 August 2025 Pilbara Ports became aware of a potential non-compliance while reviewing information provided by the contractor for piling activities carried out on the prior day (13 August 2025). The air bubble curtain had not been used during installation of a pile (S1). This was identified as a potential non-compliance due to the piling being completed using a methodology that produces non-impulsive, continuous noise and lower vibration impact than traditional hammer piling (<i>Down the Hole</i> or DTH drilling). This new methodology generates significantly less underwater noise than the EPBC2022/09237 approved impact piling. In addition, this method of piling by its very nature of operating produces a curtain of air bubbles during drilling, which may further assist in attenuating noise from piling. All controls within the approved CEMP were in place at the time of piling (e.g., Marine Fauna Observers) and there was no evidence of injury or harm to marine fauna. Pilbara Ports has undertaken regular drone and bathymetric surveys to ensure activities remain within the approved development envelope. Refer to Attachments C and D and shapefiles at Attachment J and K.

ITEM	COMMITMENT	COMPLIANCE	EVIDENCE
			<ul style="list-style-type: none"> a) The CEMP and DEMP have been fully implemented during the Reporting Period. Please refer to Attachments A and B.
<p>C27</p>	<p>Condition 27 The approval holder must:</p> <ul style="list-style-type: none"> a) Publish each compliance report on the website within 60 business days following the end of the 12-month period for which that compliance report is required. b) Notify the department electronically, within 5 business days of the date of publication that a compliance report has been published on the website. c) Provide the weblink for the compliance report in the notification to the department. d) Keep all published compliance reports required by these conditions on the website until the expiry date of this approval. e) Exclude or redact sensitive ecological data from compliance reports published on the website or otherwise provided to a member of the public. f) If sensitive ecological data is excluded or redacted from the published version, 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. <p>Note: Compliance reports may be published on the department's website.</p>	<p>Compliant</p>	<ul style="list-style-type: none"> a) Pilbara Ports will publish this compliance report on the Pilbara Ports website on or before 27 December 2025. b) Pilbara Ports will notify the Department within five business days that the compliance report has been published on the website. c) Pilbara Ports will provide a web link to the compliance report in the notification to the Department. d) All compliance reports will remain on the website until the expiry of this approval. e) There is no sensitive ecological data that was required to be redacted or excluded from the compliance report. f) Not required.
	<p>Reporting Non-compliance</p>		
<p>C28</p>	<p>Condition 28</p>	<p>Compliant</p>	<p>There were two potential non-compliant environmental incidents reported to the Department. Both environmental</p>

ITEM	COMMITMENT	COMPLIANCE	EVIDENCE
	<p>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. The death or injury of any EPBC Act listed fauna individual is an incident for the purposes of this condition.</p>		<p>incidents were reported within two business days of the incident occurring.</p> <p>Pilbara Ports reference: fA138817</p> <p>Refer to Condition 26 above.</p>
<p>C29</p>	<p>Condition 29 The approval holder must specify in the notification:</p> <ul style="list-style-type: none"> a) Any condition or commitment made in a plan which has been or may have been breached. b) A short description of the incident and/or potential non-compliance and/or actual non-compliance. c) The location (including co-ordinates), date and time of the incident and/or potential non-compliance and/or actual non-compliance. <p>Note: If the exact information cannot be provided, the approval holder must provide the best information available</p>	<p>Compliant</p>	<p>The notification sent to the Department included detail on the potential condition/commitment breach, a description of the potential non-compliance, as well as location, date and time of the potential non-compliance. Pilbara Ports reference: A1651702 and A1762542.</p>
<p>C30</p>	<p>Condition 30 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> <ul style="list-style-type: none"> a) Any corrective action or investigation which the approval holder has already taken. b) The potential impacts of the incident and/or non-compliance. c) The method and timing of any corrective action that will be undertaken by the approval holder. 	<p>Compliant</p>	<p>Detailed environmental incident reports were provided to the Department 24 March 2025 and 29 August 2025 and included corrective actions, investigations, impacts, and timing of any associated actions. Pilbara Ports reference: A1662421 and A1772131.</p>

ITEM	COMMITMENT	COMPLIANCE	EVIDENCE
	Independent Audit		
C31	<p>Condition 31 The approval holder must ensure that an independent audit of compliance with the conditions is conducted following the completion of the construction phase and for every five-year period following the commencement of the Action until this approval expires, unless otherwise specified in writing by the Minister.</p>	Compliant	The construction phase is yet to be completed and therefore no independent audit has been required to achieve this Condition.
C32	<p>Condition 32 For each independent audit, the approval holder must:</p> <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. 	Compliant	No independent audits have been required or completed.
C33	<p>Condition 33 Each audit report must report for the year period preceding that audit report.</p>	Compliant	No independent audits have been required or completed.

ITEM	COMMITMENT	COMPLIANCE	EVIDENCE
C34	<p>Condition 34 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, Commonwealth of Australia 2019</i>.</p>	Compliant	No independent audits have been required or completed.
	Completion of the Action		
C35	<p>Condition 35 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.</p>	Compliant	Expiry date of approval is 7 August 2065.
C36	<p>Condition 36 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.</p>	Compliant	The Action is not yet complete.

3. NON COMPLIANCES AND CORRECTIVE ACTIONS

Pilbara Ports was compliant with all conditions of EPBC2022/09237 during the Reporting Period.

4. PUBLIC AVAILABILITY AND FUTURE ANNUAL COMPLIANCE REPORTS

Pilbara Ports will make a copy of this report publicly available on Pilbara Ports website (www.pilbaraports.com.au).

The next ACR for the Project will be made available on Pilbara Ports website on or before 27 December 2025 in accordance with Condition 27 of EPBC 2022/09237.