



## Notification of approval decision

### Offshore Dredge Spoil Disposal – Mardie Project, Onslow, Western Australia (EPBC 2024/10054)

This decision is made under section 130(1) and 133(1) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Note that section 134(1A) of the EPBC Act also applies to this approval. That provision provides, in general terms, that if the approval holder authorises another person to undertake any part of the Action, the approval holder must take all reasonable steps to ensure that the other person is informed of any conditions attached to this approval, and that the other person complies with any such conditions.

#### Approved Action

<b>person to whom the approval is granted (approval holder)</b>	Mardie Minerals Pty Ltd ACN: 152 574 457
<b>Action</b>	To transport and dispose of dredge spoil from the Capital Dredging Program and the Maintenance Dredging Program of the Mardie Project (EPBC 2018/8236 and EPBC 2022/9169) within defined offshore spoil ground 'DMPA4' in Western Australia (WA) state waters, approximately 20 km offshore from the Mardie Project, 80 km south west of Karratha, Pilbara region, WA (See EPBC Act referral 2024/10054).

#### Approval decision

<b>decision</b>	My decision on whether or not to approve the taking of the Action for the purposes of each controlling provision for the Action are as follows.	
	<b>Controlling Provision</b>	<b>Decision</b>
	Listed threatened species and communities (section 18 and section 18A)	Approved
	Listed migratory species (section 20 and section 20A)	Approved
<b>period for which the approval has effect</b>	This approval has effect until 24 November 2084	

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**conditions of approval** The approval is subject to conditions under the EPBC Act as set out in Annexure A.

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**Person authorised to make decision**

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**name and position** Kylie Calhoun  
Branch Head  
Environment Assessments West

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**signature**



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**date of decision** 28 November 2025

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## Annexure A

**Note:** Words and terms appearing in **bold** (excluding headings) have the meaning assigned to them at **Part C – Definitions**.

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### Part A – Avoidance, mitigation, and compensation conditions

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#### LIMITS OF DISPOSAL OF DREDGE MATERIAL

- 1) The approval holder must not:
  - a) transport or dispose of **dredge spoil material** outside of the **Action area**;
  - b) dispose of **dredge spoil material** outside of the **dredge spoil site**; and
  - c) dispose of **dredge spoil material** greater than the volume approved for Mardie Projects EPBC 2018/8236 and EPBC 2022/9169.

#### MARINE FAUNA INTERACTION MINIMISATION

- 2) To avoid and mitigate **harm to protected matters**, the approval holder must ensure that no **disposal operation** is undertaken during any period commencing on 1 October and ending on 31 March of the following year.

#### DISPOSAL OPERATIONS DURING GOOD VISIBILITY

- 3) To avoid and mitigate **harm to protected matters** during **good visibility** conditions the approval holder must:
  - a) ensure that a **Marine Fauna Observer (MFO)** is present and able to monitor **protected matters** at all times during any **disposal operation**. The **MFO** must have access to equipment suitable to detect, monitor, and record **protected matters** at all times and must not undertake any other duties during any **disposal operation**;

- b) ensure the **MFO** undertakes continuous observations of the **exclusion zone** at the **dredge spoil site** for at least 30 minutes prior to commencing each **dredge spoil material** disposal event;
- c) ensure that if a **protected matter** is sighted within the **exclusion zone** at the **dredge spoil site**, a **MFO** continuously monitors the **protected matter** and records in the **Marine Fauna Observation Log**;
- d) immediately cease the **disposal operation** if it is safe to do so if one or more **protected matter** is sighted within the **exclusion zone** at the **dredge spoil site**;
- e) record the **shut-down event** and required data in the **Marine Fauna Observation Log**; and
- f) ensure that, after any **shut-down event**, **disposal operations** do not recommence for a period of at least 30 minutes after the **MFO** confirms that all **protected matters** have moved out of the **exclusion zone**.

#### DISPOSAL OPERATIONS DURING LOW VISIBILITY

- 4) To avoid and mitigate **harm** to **protected matters** during **low visibility**, the approval holder must not undertake any **disposal operations** unless, during the preceding 24-hour period:
  - a) there have not been 3 or more **shut-down events** at the **dredge spoil site**; or
  - b) a **MFO** undertook continuous observation over a period of at least 2 hours in **good visibility** immediately prior to the **disposal operations** and no **protected matter** was observed in the **observation zone** during that period.
- 5) If a **protected matter** is detected in the **exclusion zone** during poor visibility, the approval holder must shut down operations if it is safe to do so until the **MFO** confirms that no **protected matter** has been observed in the **exclusion zone** at the **dredge spoil site** for at least 30 minutes.

#### VESSEL STRIKE

- 6) To avoid and mitigate harm to **protected matters** from vessel strike, the approval holder must implement **vessel strike avoidance measures** and comply with the **vessel approach distances** specified in the **Dredge and Spoil Disposal Management Plan (DSDMP)**.

#### NOISE IMPACTS

- 7) To avoid and mitigate harm to **protected matters** from noise generated as a result of the Action, the approval holder must:
  - a) Implement an **observation zone** and **exclusion zone** relevant to the **disposal operation**;
  - b) minimise the duration of runtime for vessel engines, thrusters and dredging plant by avoiding stand-by or running mode to the degree practical and consistent with safe operations; and

- c) ensure all vessel equipment and machinery is in good condition and subject to regular maintenance.

## LIGHT IMPACTS

- 8) To avoid and mitigate harm to **protected matters** from artificial light as a result of the Action, the approval holder must:
  - a) implement the **Mardie Illumination Plan**;
  - b) ensure there are no artificial light sources other than those required for safe **disposal operations** as a result of the Action.

## POLLUTION

- 9) To avoid and mitigate **harm to protected matters** from harmful chemicals, the approval holder must:
  - a) not **commence the Action** unless it has developed and published on its **website** best practice procedures for bunkering, chemical storage and handling and a Shipboard Oil Pollution Emergency Plan;
  - b) implement the published procedures and, in the event of an oil spill, the published Shipboard Oil Pollution Emergency Plan;
  - c) in the event of any hydrocarbon spill:
    - i) cease the **disposal operation** at the location of the hydrocarbon spill until the spill has been contained;
    - ii) undertake a spill investigation to determine cause of the spill and the effectiveness of the response within 5 **business days** of the spill event;
    - iii) within 20 **business days** of any spill event, publish the report of the investigation on the **website**.
- 10) To minimise indirect impacts of poor water quality on the **habitat quality of protected matters**, as a result of the Action, the approval holder must:
  - a) implement the monitoring and management measures to protect Benthic Communities and Habitat as specified in the 'Management actions to minimise impacts on **Benthic Community Habitats**' section in the **DSDMP**;
  - b) ensure that **photosynthetically active radiation** levels within the **dredge disposal site** after **disposal operation** has been completed, do not exceed the pre-dredging baseline as specified in the **DSDMP**; and
  - c) ensure that turbidity levels within the **Action area** after **disposal operation** has been completed, do not exceed the pre-dredging baseline as specified in the **DSDMP**.

- 11) In the event of unusual mortality, or emerging disease of **protected matters** or detection of harmful algal blooms or biotoxin, attributable to the Action, within two months of detecting any such event, the approval holder must submit a Disease Monitoring and Management Program to mitigate **harm to protected matters** to the **department** for the **Minister's** approval. The Disease Monitoring and Management Program must:
- a) be prepared by a **suitably qualified ecologist**;
  - b) include details of the relevant **protected matters** and a reference to **EPBC Act** approval conditions to which the plan refers;
  - c) contain a table of commitments made in the plan to achieve the environmental outcomes, and a reference to exactly where these commitments are detailed in the plan; and
  - d) contain a monitoring program with performance indicators, trigger values for corrective measures, the timing and frequency of monitoring, ensuring monitoring is capable of detecting trigger values and changes in the performance indicators and proposed corrective measures if trigger values are reached.
- 12) The approval holder must commence implementing the approved Disease Monitoring and Management Program required under condition 11 within one month of the **Minister** approving it in writing.

## **ACTION MANAGEMENT PLANS**

### **Dredge and Spoil Disposal Management Plan (DSDMP)**

- 13) To avoid and mitigate **harm** as a result of the Action on **protected matters**, the approval holder must:
- a) prior to the **commencement of the Action**, revise and submit the **Dredge and Spoil Disposal Management Plan (DSDMP) for Minister's** approval, including appropriate avoidance and mitigation measures recommended by a **suitably qualified ecologist** to manage **harm to protected matters** including Sawfish and Shark;
  - b) implement the approved **DSDMP** until the **completion of the Action**.
- 14) In implementing the **DSDMP**, the approval holder must achieve the following outcomes:
- a) no direct loss of **Benthic Community Habitat (BCH)** outside of the **disposal disturbance footprint**.
  - b) **BCH** outside of the disposal **Zone of High Influence (ZoHI)** recovers to its baseline state or better within five years of the cessation of **disposal operations**.
  - c) no adverse change as a result of the Action from the baseline state of **BCH** outside of the **ZoHI** and **Zone of Medium Impact (ZoMI)**.
  - d) no introduction or establishment of **marine pests** as a result of the Action;

- e) no mortality, injury, disturbance or displacement of any **Humpback whale** while migrating through the **biologically important area**; and
  - f) no **protected matters** are prevented or deterred from undertaking **critical behaviours** in **biologically important areas**.
- 15) In order to achieve the outcomes outlined in condition 14 the approval holder must undertake **disposal monitoring program** specified in the **DSDMP**.

## Part B – Administrative conditions

### PLAN REVISION

**Note:** Section 143A of the **EPBC Act** entitles the approval holder to apply for the **Minister's** approval of a revised version of a **plan**.

- 16) The approval holder may choose to revise a **plan** required to be implemented under condition 13 without submitting it for approval under section 143A of the **EPBC Act**, if:
- a) the taking of the Action in accordance with the revised **plan** would be consistent with the approved Action,
  - b) the taking of the Action in accordance with the revised **plan** would be consistent with the conditions attached to this approval,
  - c) the taking of the Action in accordance with the revised **plan** would not be likely to have a **new or increased impact**, and
  - d) the approval holder notifies the **department** electronically that it has prepared a revised version of the **plan** (the 'revised **plan**'). In notifying the **department**, the approval holder must specify each condition which references the **plan** and provide the **department** with:
    - i) an electronic copy of the revised **plan**,
    - ii) an electronic copy of the revised **plan** marked up with track changes to show the differences between the **plan** and the revised **plan**,
    - iii) a comprehensive explanation of all differences between the **plan** and the revised **plan**,
    - iv) a declaration that the approval holder has read and understands the *Guidance on 'new or increased impact' relating to changes to approved management plans under EPBC Act environmental approvals*, Commonwealth of Australia 2017,
    - v) a comprehensive analysis and detailed discussion on the likelihood that taking the Action in accordance with the revised plan will not have, or will be not likely to have, a **new or increased impact**,
    - vi) written notice of the date on which the approval holder will implement the revised **plan** (the 'revised **plan** implementation date'), being at least 30 **business days** after the

date of providing notice of the revision of the **plan**, or a date agreed to in writing with the **department**, and

- vii) a copy of the **compliance report** for the latest **ACR period** and a statement of any relevant history of compliance (including non-compliance) in relation to the **plan**.
- 17) The approval holder must commence implementation of the revised **plan** from the revised **plan** implementation date unless otherwise notified in writing by the **Minister**.
- 18) If the **Minister** notifies the approval holder that the **Minister** is satisfied that the taking of the Action in accordance with a **plan** which has been revised without submitting it for the **Minister's** approval would be likely to have a **new or increased impact**, then:
- a) the approval holder's ability to revise a **plan** without submitting the **plan** for **Minister** approval does not apply, or ceases to apply, in relation to the revised **plan**,
  - b) the approval holder must implement the **plan** in force immediately prior to that revised **plan** or a version of the **plan** specified by the **Minister** in the notice, and
  - c) the **Minister** may also notify that, for a specified period, the approval holder's ability to revise a **plan** without submitting the **plan** for **Minister** approval does not apply for one or more specified **plans**.
- 19) The approval holder may, at any time by giving written notice to the **department**, revoke its choice to implement a **plan** which has been revised without submitting it for the **Minister's** approval. If the approval holder revokes the choice to implement a revised **plan**, the approval holder must implement the plan in force immediately prior to that revised **plan**.

**Note:** The above conditions are not intended to limit the operation of section 143A of the **EPBC Act**.

## **SUBMISSION AND PUBLICATION OF PLANS**

- 20) Wherever these conditions require the approval holder to submit any **plan** to the **department**, all such **plans** must be submitted to the **department** electronically.
- 21) Unless otherwise agreed to in writing by the **Minister**, the approval holder must publish each **plan** on the **website** within 15 **business days** of the date:
- a) of this approval, if the version of the **plan** to be implemented is specified in these conditions,
  - b) the **plan** is approved by the **Minister** in writing, if the **plan** requires the approval of the **Minister**,
  - c) the **plan** is submitted to the **department** in accordance with a requirement of these conditions, if the **plan** does not require the approval of the **Minister**.
- 22) The approval holder must keep all **plans** published on the **website**, in a format that is easily accessible and downloadable, from the first date which that **plan** must be published and until

the expiry date of this approval. This requirement applies to all current and superseded versions of **plans**.

- 23) The approval holder is required to exclude or redact **sensitive biodiversity data** from any version of a **plan** before that **plan** is published on the **website** or otherwise provided to a member of the public. If **sensitive biodiversity 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**.

### COMMENCEMENT OF THE ACTION

- 24) 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**.
- 25) The approval holder must not **commence the Action** later than 5 years after the date of this approval decision.

### COMPLIANCE RECORDS

- 26) The approval holder must maintain accurate and complete **compliance records** and document the procedure for recording and storing **compliance records**.
- 27) 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.

- 28) The approval holder must ensure that any **monitoring 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.
- 29) The approval holder must ensure that any **monitoring 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.
- 30) The approval holder must submit all **monitoring data**, surveys, maps, other spatial and metadata and all species occurrence record data (sightings and evidence of presence) for disposal operations undertaken within the **Annual Compliance Report period** as part of a **compliance report**, as per Condition 31, electronically to the **department** except where otherwise specified in a **plan**.

### ANNUAL COMPLIANCE REPORTING

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

- 32) 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**.
- 33) 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*.
- 34) 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 disposal of dredge, undertaken within the **ACR period**.
- 35) The approval holder must:
- a) 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.
  - b) If **sensitive biodiversity data** is excluded or redacted from a version of a **compliance report** published or otherwise provided to a member of the public, submit the full **compliance report** to the **department** within 5 **business days** of its publication on the **website** and notify the **department** in writing what exclusions and redactions have been made in the version published on the **website** or otherwise provided to a member of the public.
  - c) 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.
- 36) The approval holder must notify the **department** electronically, within 5 **business days** of each date of publication that the **compliance report** has been published on the **website**. In this notification, the approval holder must provide the **department** with the web address for where the **compliance report** and related **shapefile** are published on the **website**.

- 37) The approval holder must keep each **compliance report** and related **shapefile** published on the **website** from the first date which that **compliance report** must be published and until the expiry date of this approval.

**Note:** **Compliance reports** may be published on the **department's** website.

## REPORTING NON-COMPLIANCE

- 38) The approval holder must notify the **department** electronically, within 2 **business days** of becoming aware of any **incident**. The approval holder must specify in each notification:
- any condition or commitment made in a **plan** which has not been, or may have not been, complied with,
  - a short description of the **incident**, and
  - the location (if applicable, including co-ordinates), date and time of the **incident**.
- 39) 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:
- all corrective measures and investigations which the approval holder has already taken in respect of the **incident**,
  - the potential impacts of the **incident**,
  - the method and timing of any corrective measures that the approval holder proposes to undertake to address the **incident**, and
  - 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.

## INDEPENDENT AUDIT

- 40) The approval holder must ensure that an **independent audit** of compliance with the conditions is conducted for every **audit period**.
- 41) The approval holder must submit details of the proposed **independent auditor** and their qualifications to the **department** within 10 **business days** following the end of each **audit period**.
- 42) The approval holder must ensure the scope of each **independent audit** is sufficient to determine the compliance status for each condition of approval, and each commitment made in each **plan**.
- 43) The approval holder must ensure the criteria for each **independent audit** and the undertaking of each **independent audit** are consistent with the **Independent Audit and Audit Report Guidelines**.
- 44) The approval holder must submit an **audit report** to the **department** for written agreement from the **department** within 3 months following the end of each **audit period**, or as otherwise directed by the **Minister** in writing.

- 45) The approval holder must ensure each **audit report** is completed to the satisfaction of the **Minister** and is consistent with the **Independent Audit and Audit Report Guidelines** to the extent that the **Independent Audit and Audit Report Guidelines** are consistent with these conditions.
- 46) The approval holder must publish each **audit report** on the **website**, in a format that is easily accessible and downloadable, within 10 **business days** of the date the **department** agrees to that **audit report** in writing.
- 47) The approval holder must notify the **department** within 5 **business days** of the date the **audit report** is published on the **website**. In this notification, the approval holder must provide the **department** with the web address for where the **audit report** is published on the **website**.
- 48) The approval holder must keep each **audit report** published on the **website** from the first date which that **audit report** must be published and until the expiry date of this approval.

### COMPLETION OF THE ACTION

- 49) Within 20 **business days** after the **completion of the Action**, and, in any event, at least 20 **business days** prior to the expiry date of this approval, 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**.

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### Part C – Definitions

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Words and terms appearing in **bold** (excluding headings) have the meaning assigned to them in the list below:

**Action area** means the location of the Action, represented in Attachment A by the zone designated 'Project Area' and by the blue shaded area designated 'Indicative Vessel Route Corridor' in the Legend. The Action area includes all waters within the marked Indicative Vessel Route Corridor. In Attachment B the **Action Area** is represented by the areas designated 'Proposed Dredge Spoil Area (DMPA4)' shaded in red, 'Disturbance Footprint-Indirect (ZOHI P80)' shaded in blue, 'Disturbance Footprint -Indirect (ZOMI P80)' shaded in orange and 'Indicative Vessel Route' in the Legend. Attachment C shows the 'Proposed Dredge Spoil Area (DMPA4)'. Attachments B and C do not show the entire **Action area**.

**Annual Compliance Report period** or **ACR period** means the period up to 10 September 2026 following the date of this approval decision, and each subsequent 12-month period thereafter until the expiry date of this approval, unless otherwise specified in writing by the **Minister**.

**Audit period** means each subsequent three -year period following the **commencement of the Action** until the expiry date of this approval unless otherwise specified in writing by the **Minister**.

**Audit report** means a written report of an **independent audit**.

**Benthic Community Habitat** or **BCH** means a combination of sparse to low cover filter feeders, moderate cover filter feeders and sparse to cover mixed assemblage habitat types as presented in *Table 3: BCH classes recorded within and around the proposed DMPA4 area of the DSDMP*.

**Biodiversity data** means 'biodiversity data' as described in the *Policy on Accessing and Sharing Biodiversity Data*, Commonwealth of Australia 2024.

**Biologically Important Area** means any spatially and temporally defined area of the marine environment used by protected marine species for carrying out critical life functions. Biologically Important Areas are designated by identifying areas and times known or likely to be regularly or repeatedly used by individuals or aggregations of a single species, stock, or population for either reproduction, feeding, migration or resting as indicated in the Australian Marine Spatial Information System (AMSIS). On the date of this decision, AMSIS can be accessed at <https://amsis-geoscience-au.hub.arcgis.com/>.

**Business day** means a day that is not a Saturday, a Sunday, or a public holiday in Western Australia.

**Commence the Action** or **commences the Action** means the first instance of any on-site physical activity associated with the Action, but does not include minor physical disturbance necessary to:

- Undertake pre-commencement surveys or monitoring programs.
- Install signage and/or temporary fencing to prevent unapproved use of the **Action area**, so long as the signage and/or temporary fencing is located where it does not **harm any protected matter**.
- Protect environmental and property assets from fire, weeds, and feral animals, including use of existing surface access tracks.
- 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**.

**Commencement of the Action** means the date on which the approval holder **commences the Action**.

**Completion data** means an environmental report and spatial data clearly detailing how the conditions of this approval have been met.

**Completion of the Action** means the date on which all activities associated with the approved Action, other than those which provide compensation for the impacts of the Action, have permanently ceased and/or been completed.

**Compliance records** means all documentation or other material in whatever form required to demonstrate compliance with these conditions of approval (including compliance with commitments made in **plans**) in the approval holder's possession, or that are within the approval holder's power to obtain lawfully.

**Compliance report** means a written report of compliance with, and fulfilment of, these conditions (including compliance with commitments made in **plans**).

**Critical behaviours** in relation to **protected matters** mean essential activities that support vital life cycle processes of **protected matters**, including breeding, feeding, resting, migrating or caring for young.

**Day-time** means the period of time which commences 30 minutes before sunrise and ends 30 minutes after sunset on any given day, where sunrise and sunset occur at the times specified on the Australian Government Bureau of Meteorology's official phone app or the Geoscience Australia website (available at the following link at the time of this approval decision: <https://geodesyapps.ga.gov.au/sunrise>) for Karratha, Western Australia, on the particular day.

**Department** means the Australian Government agency responsible for administering the **EPBC Act**.

**Disposal monitoring program** means the monitoring program designed to assess and monitor the **BCH** quality in the **Action Area** as specified under the heading "Disposal monitoring program" in the **DSDMP**.

**Disposal operation** means all activities related to transporting or disposing of **dredge spoil material**.

**Dredge spoil material** means sand, soil, silt and other matter that accumulates on the bottom of a body of water and is removed during dredging.

**Dredge spoil site** means the location represented in Attachment B by the square zone shaded in red and designated 'Proposed Dredge Spoil Area (DMPA4)' in the legend.

**Dredge and Spoil Disposal Management Plan or DSDMP** means the most recent subsequent version of the document *Mardie Project Dredge and Spoil Disposal Management Plan*, Revision 5, approved in accordance with these conditions.

**EPBC 2018/8236** means Mardie Project, 80 km south west of Karratha, WA an approved action under the EPBC Act.

**EPBC 2022/9169** means Optimised Mardie Solar Salt Project, WA an approved action under the EPBC Act.

**EPBC Act** means the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

**Exclusion zone** means all waters within 300 metres of any **disposal operation** at the **dredge spoil site**.

**Good visibility** means conditions during **day-time** that enable the clear visual detection and identification of any **protected matters** present in the **exclusion zone** and **observation zone**.

**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.

**Harm** means to cause any measurable direct or indirect disturbance or deleterious change as a result of any activity associated with the Action.

**Humpback whale** means the **EPBC Act** listed threatened species *Megaptera novaeangliae*.

**Incident** means any:

- event which has the potential to, or does, **harm** any **protected matter**,
- potential non-compliance with these conditions, including the administrative requirements,
- actual non-compliance with these conditions, including the administrative requirements,
- potential non-compliance with one or more commitment made in a **plan**, and/or
- actual non-compliance with one or more commitment made in a **plan**.

**Independent audit** means an audit, conducted by an **independent auditor**, of compliance with and fulfilment of these conditions and the commitments made in **plans**, objectively evaluated against the audit criteria developed by the **independent auditor**, in accordance with the **Independent Audit and Audit Report Guidelines** to the extent that the **Independent Audit and Audit Report Guidelines** are consistent with these conditions.

**Independent Audit and Audit Report Guidelines** means the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines*, Commonwealth of Australia 2019.

**Independent auditor** means a person, or firm, who:

- does not have any individual, financial\*, employment\* or family affiliation or any conflicting interests with the Action, the approval holder or the approval holder's staff, representatives, or associated persons,
- has demonstrated experience in undertaking government-regulated environmental compliance audits, and
- holds relevant professional qualifications and accreditations.

\*Other than for the purpose of undertaking the role for which the person, or firm, is required.

**Low visibility** means conditions, including **night-time**, rainfall, fog, rough seas and high winds, that would prevent the clear visual detection and identification of any **protected matters** in the **exclusion zone** and **observation zone**.

**Management zone** means **exclusion zone** and **observation zone**.

**Mardie Illumination Plan** means the document Mardie Salt and Potash Project Illumination Plan-Revision 7, Document no: BCI-ENV-PLN-001 dated 1 May 2024 or the most recent subsequent version approved by the **Minister**.

**Marine Fauna Observation Log** means the reporting documentation of the same name, as specified in the **DSDMP**.

**Marine Fauna Observer** or **MFO** means a person who has relevant professional qualifications and at least 2 years field experience in marine fauna identification and behaviour, distance estimation and is capable of making accurate identifications and observations of **protected matters** in Australian waters. At least one **MFO** must be on duty while undertaking **disposal operation** between 1 June and 30 September each year<sup>1</sup>. A **trained marine fauna observer** may perform the duty of a **MFO** between 1 April and 31 May of each year for the purposes of **disposal operation**<sup>2</sup>.

**Marine pests** mean marine species that are not native to the area where the Action is occurring and are capable pose threats of several kinds to the **protected matters**.

**Minister** means the Australian Government Minister administering the **EPBC Act**, including any delegate thereof.

**Monitoring data** means the data required to be recorded under the conditions of this approval, including **sensitive biodiversity data**.

**New or increased impact** means any direct or indirect increase in the impacts of an Action, an increase to the likelihood of an impact occurring, a reduction to the monitoring or mitigation measures for a **protected matter**, and/or a change to the nature or management of an environmental offset as outlined in the *Guidance on 'new or increased impact' relating to changes to approved management plans under EPBC Act environmental approvals*, Commonwealth of Australia 2017.

**Night-time** means all times which fall outside of **day-time**.

**Observation zone** means all waters within 3000 metres from the **disposal operation**, or the maximum visibility range possible in the conditions, but not less than 500 metres from the **disposal operation**.

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<sup>1</sup>the time period takes into account the temporal avoidance in condition 2 for the purposes of **disposal operation**.

<sup>2</sup> the time period takes into account the temporal avoidance in condition 2 for the purposes of **disposal operation**.

**Photosynthetically active radiation (PAR)** means the spectral range (wave band) of solar radiation from 400 to 700 nanometres that photosynthetic organisms are able to use in the process of photosynthesis.

**Plan** means any action management plan or strategy that the approval holder is required by these conditions to implement.

**Pre-start-up visual observation** means during **daylight hours** visual observations for at least 30 minutes for the presence of **protected matters** by the **MFO**, before commencing **disposal operations**, in accordance with the pre-start up visual observation process described in *EPBC Act Policy Statement 2.1 – Interaction between offshore seismic exploration and whales* (Department of the Environment, Water, Heritage and the Arts, 2008, available from: [www.environment.gov.au/epbc/publications/epbc-act-policy-statement-21-interaction-between-offshore-seismic-exploration-and-whales](http://www.environment.gov.au/epbc/publications/epbc-act-policy-statement-21-interaction-between-offshore-seismic-exploration-and-whales))

**Protected matter** means a matter protected under a controlling provision in Part 3 of the **EPBC Act** for which this approval has effect. For the purposes of this approval **protected matter** means the following species listed as threatened or migratory under the **EPBC Act**:

#### Sea snakes

- Leaf-scaled Sea Snake (*Aipysurus foliosquama*)
- Short-nosed Sea Snake (*Aipysurus apraefrontalis*)

#### Marine Turtles

- Loggerhead Turtle (*Caretta caretta*)
- Leatherback Turtle (*Dermochelys coriacea*)
- Green Turtle (*Chelonia mydas*)
- Hawksbill Turtle (*Eretmochelys imbricata*)
- Flatback Turtle (*Natator depressus*)

#### Marine Mammals

- Blue Whale (*Balaenoptera musculus*)
- Australian Snubfin Dolphin (*Orcaella heinsohni*)
- Australian Humpback Dolphin (*Sousa sahalensis*)
- Humpback Whale (*Megaptera novaeangliae*)
- Australian Bottlenosed Dolphin (*Tursiops aduncus* (Arafura/Timor Sea populations))
- Dugong (*Dugong dugon*)

#### Sawfish

- Dwarf Sawfish (*Pristis clavata*)
- Green Sawfish (*Pristis zijsron*)
- Narrow Sawfish (*Anoxypristis cuspidata*)

#### Sharks

- White Shark (*Carcharodon carcharias*)
- Grey Nurse Shark (*Carcharias taurus* west coast population)

- Whale Shark (*Rhincodon typus*)
- Manta Rays
- Reef Manta Ray (*Mobula alfredi* listed as *Manta alfredi*)
  - Giant Manta Ray (*Mobula birostris* listed as *Manta birostris*)

**Sensitive biodiversity data** means **biodiversity data** which, if released, published or otherwise exposed, may result in **harm** to the relevant **protected matter** as a result of the intentional or unintentional misuse of that **biodiversity data**.

**Shapefile** means location and attribute information about the Action provided in an Esri shapefile format containing:

- '.shp', '.shx', '.dbf' files,
- a '.prj' file which specifies the projection or geographic coordinate system used, and
- an '.xml' metadata file that describes the shapefile for discovery and identification purposes.

**Shut-down event** means the immediate ceasing of **disposal operations** in accordance with a requirement of this notice.

**Suitably qualified ecologist** (for the purpose of preparing and implementing environmental management plans) means a person who has at least 5 years of work experience designing and implementing conservation land management for **protected matters** and has demonstrated their capability in achieving specified environmental outcomes and habitat quality uplift through conservation and management.

**Trained Marine Fauna Observer** means crew members trained in marine fauna species observations and mitigation measures, consistent with the Project environmental management plans. A **trained marine fauna observer** may perform the duties of a **MFO** between 1 April and 31 May of each year for the purposes of **disposal operation** and must not perform other duties during marine fauna observation periods.

**Vessel strike avoidance measures** mean specific measures applied to minimise **harm** to **protected matters** as a result of interaction with vessels specified in the **DSDMP**.

**Vessel approach distances** mean caution zones and no approach zone for relevant **protected matters** specified in the **DSDMP**.

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

**Zone of High Influence** or **ZoHI** means the area represented in Attachment B by the zone shaded blue and designated 'Disturbance Footprint- Indirect (ZOHI P80)' in the Legend.

**Zone of Medium Impact** or **ZoMI** means the area represented in Attachment B by the zone shaded yellow and designated 'Disturbance Footprint- Indirect (ZOMI P80)' in the Legend.

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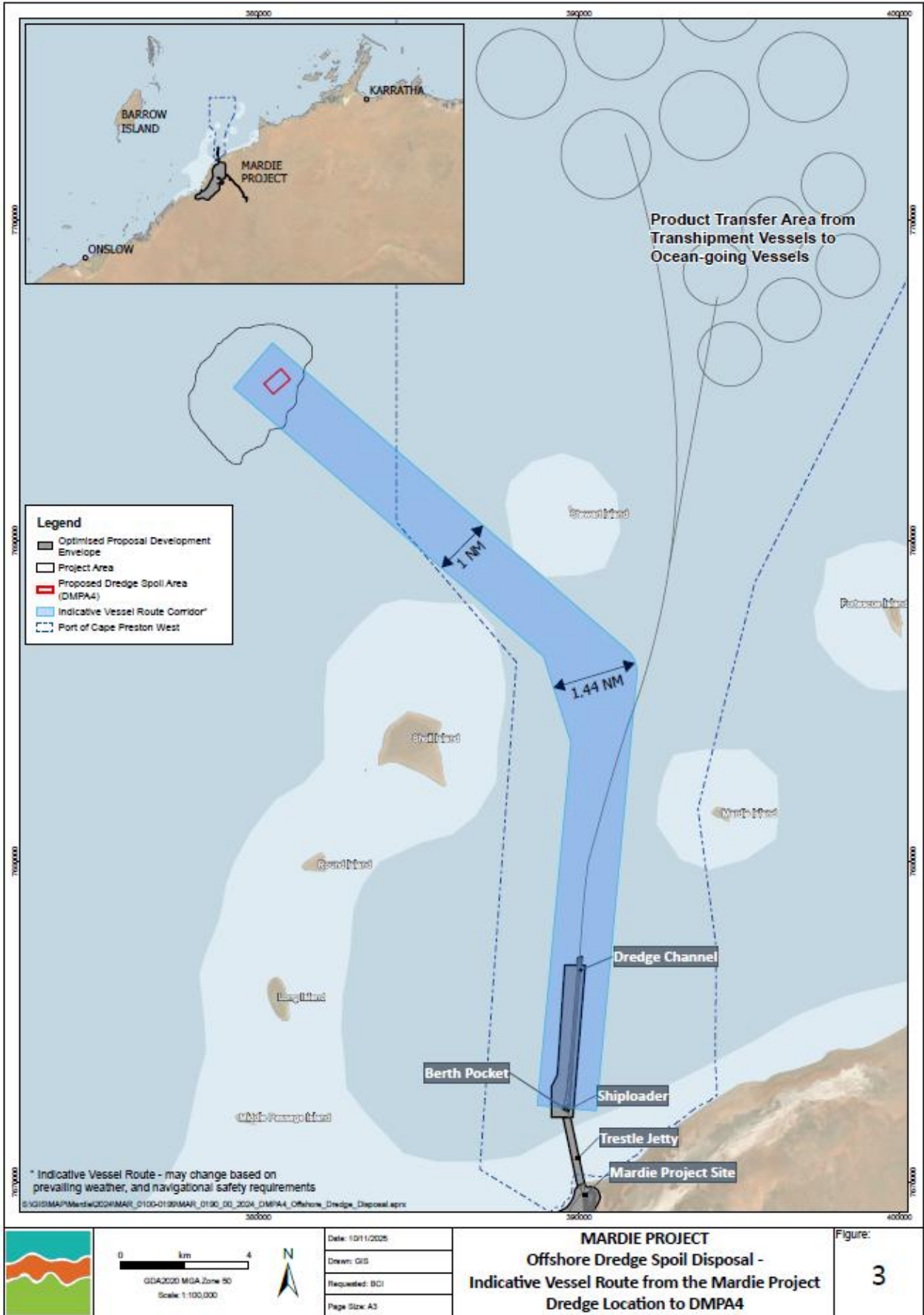
**Attachments**

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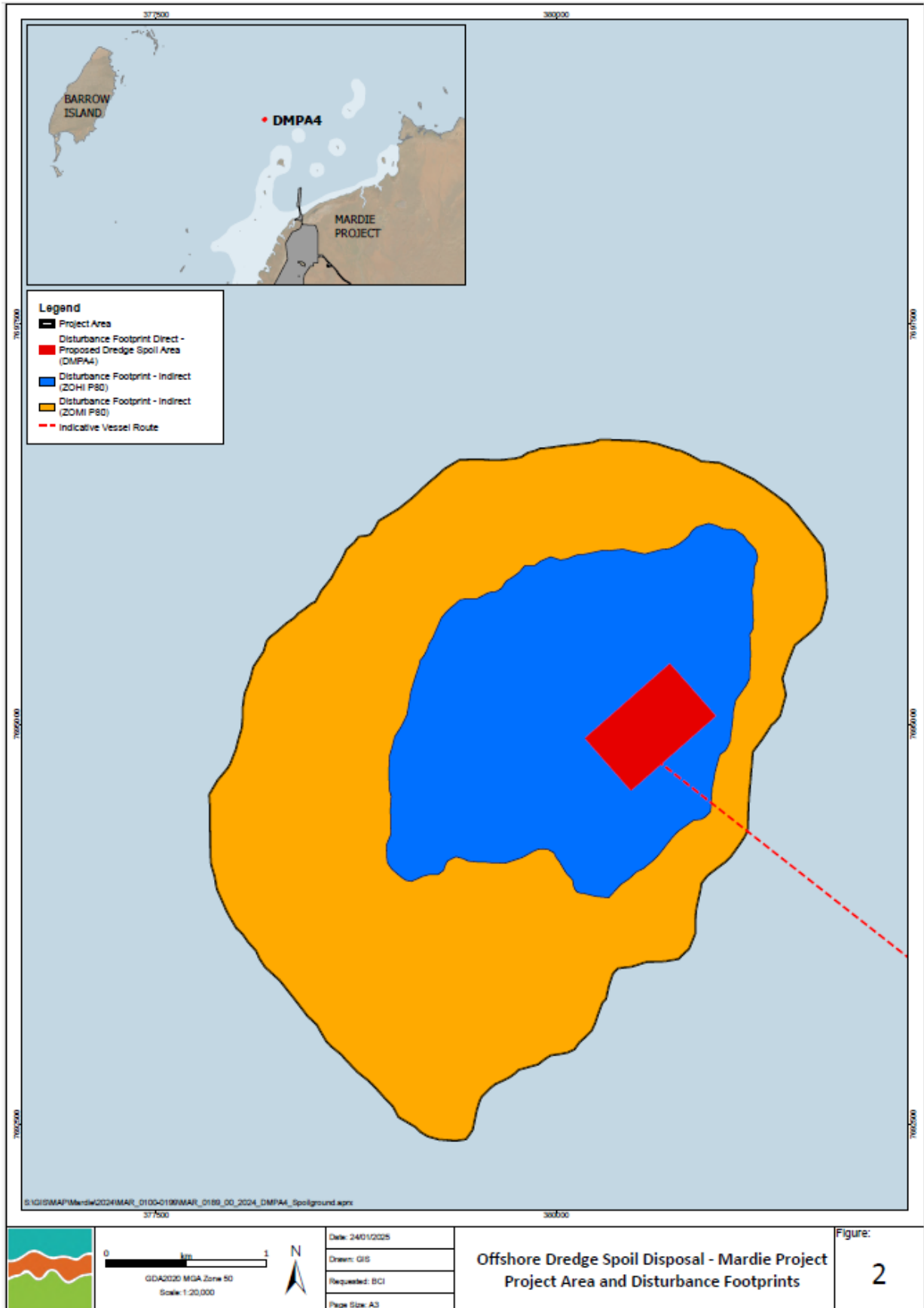
A: Regional location of the Action

B: Dredge disposal area

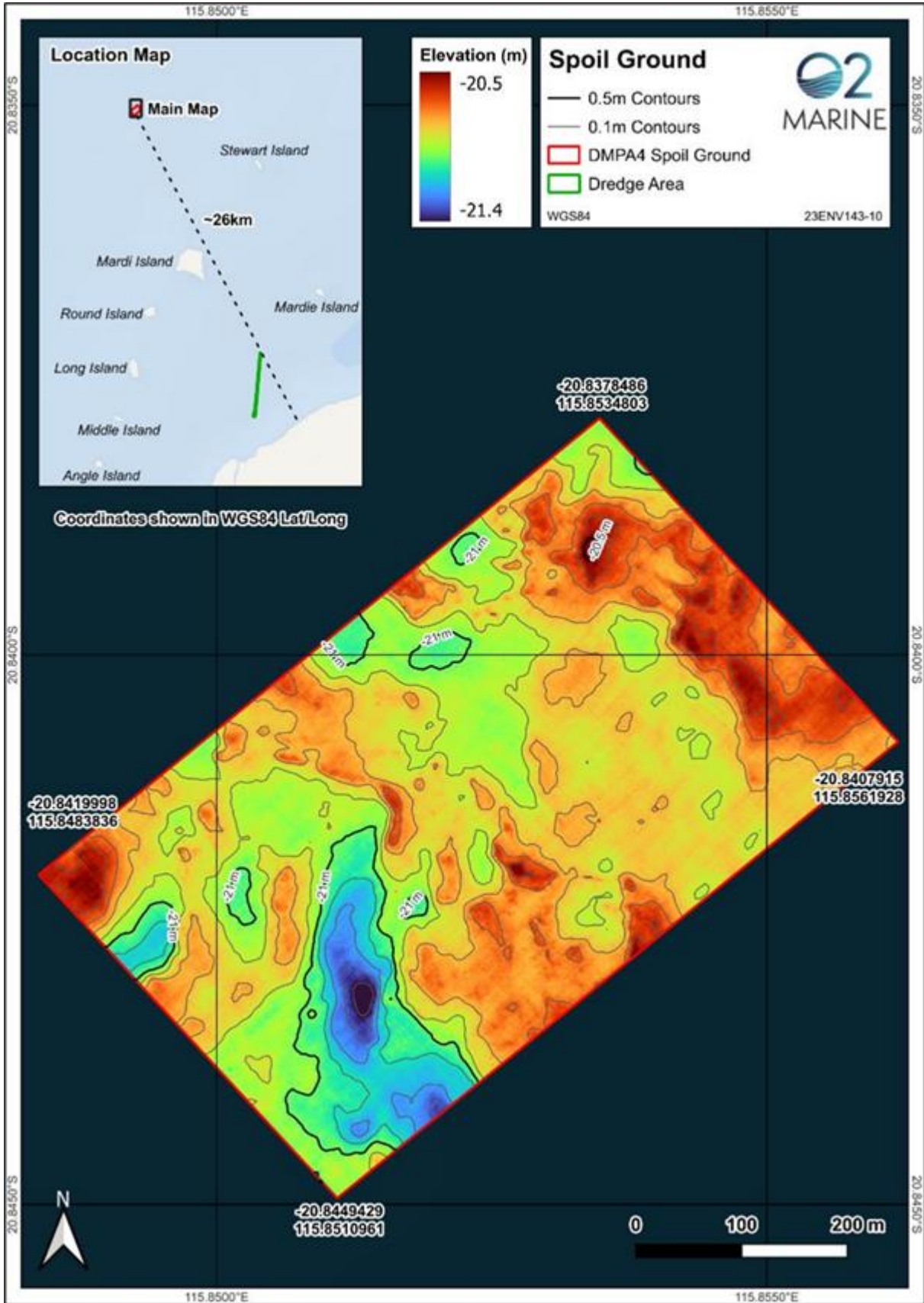
C: Spoil ground



Attachment A: Location of the Action with indicative vessel route corridor



Attachment B: Dredge disposal area



Attachment C: Spoil ground