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Published on: 1 May 2026

Statement No. 1269

STATEMENT TO AMEND THE IMPLEMENTATION CONDITIONS**APPLYING TO A PROPOSAL**

(Section 46 of the *Environmental Protection Act 1986*)

CAPE PRESTON EAST – MULTI-COMMODITY EXPORT FACILITY

Proposal: To design, construct and operate a multi-commodity export facility on the eastern side of Cape Preston East in the Pilbara region of WA

Proponent: Leichhardt Port Pty Ltd
Australian Company Number 40 656 481 051

Proponent address: Level 3, 502 Hay Street
SUBIACO WA 6008

Assessment number: 2467

Report of the Environmental Protection Authority: 1801

Introduction: Pursuant to section 45(8) as applied by section 46(8) of the *Environmental Protection Act 1986*, an amendment to the implementation conditions has been agreed, and the proposal entitled Cape Preston East – Multi-commodity Export Facility described in the ‘Proposal Content Document’ of 24 December 2024 must now be implemented in accordance with the following implementation conditions and procedures.

Ministerial Statements 949 and 1149 for the Cape Preston East – Multi-commodity Export Facility proposal are now superseded.

Conditions and procedures**Part A: Proposal extent****Part B: Environmental outcomes, prescriptions and objectives****Part C: Environmental management plans and monitoring****Part D: Compliance and other conditions**

PART A: PROPOSAL EXTENT

A1 Limitations and Extent of Proposal

A1-1 The proponent must ensure that the proposal is implemented in such a manner that the following limitations or maximum extents are not exceeded:

Proposal element	Location	Maximum extent
Physical elements		
Development envelope	Figure 1	2,563 ha
Terrestrial disturbance footprint	Within the development envelope	408.4 ha
Marine disturbance footprint	Within the development envelope	4.8 ha of benthic and intertidal communities; and coastal areas, including: <ul style="list-style-type: none"> • 0.7 ha of coral reef communities.
Operational elements		
Desalination plant	Within the development envelope	<ul style="list-style-type: none"> • Brine discharge up to 8.2 ML/day (3 GL/year) • Intake velocity not to exceed 0.15 m/second.
Marine infrastructure	Within the development envelope	<ul style="list-style-type: none"> • Trestle jetty extending up to 1.5 km offshore • 200 m long supporting rock breakwater.

PART B – ENVIRONMENTAL OUTCOMES, PRESCRIPTIONS AND OBJECTIVES

B1 Marine Fauna

B1-1 The proponent must ensure the implementation of the proposal achieves the following environmental outcome:

- (1) no **detectable** change in adult **marine turtle** and **marine turtle** hatchling orientation (i.e. misorientation or disorientation) at **Cape Preston East beaches** adjacent to the proposal.

B1-2 To achieve the environmental outcome defined in condition B1-1 the proponent must design and implement the proposal to be consistent with the ***National Light Pollution Guidelines for Wildlife***.

B1-3 The proponent must:

- (1) implement noise management procedures during **marine construction activities** to:
 - (a) avoid temporary and permanent changes to hearing sensitivity of **significant marine fauna**; and
 - (b) minimise behavioural responses of **significant marine fauna**;
- (2) prior to construction and for the duration of the **marine construction activities**, engage dedicated **marine fauna observers** who must:
 - (a) have the capacity, subject to safety considerations, to move and make observations and other relevant records independently within 500 m of **marine construction activities**;
 - (b) be on duty during all **marine construction activities**;
 - (c) maintain a log of recorded sightings, locations and behaviours indicative of stress or **disturbance** of cetaceans, and submit these to the **National Marine Mammal Data Portal**; and
 - (d) document and report to relevant regulators any incidents relating to **significant marine fauna** injury/mortality;
- (3) commence **marine construction activities** once the **marine fauna observers** required by condition B1-3(2) verifies that:
 - (a) no cetacean(s) or dugong(s) have been observed within a radius of one (1) **km**, or **marine turtle(s)** within a radius of 300 m from any **marine construction activities** during the twenty (20) minute period immediately prior to commencement of **marine construction activities**;

- (4) implement soft start-up procedures for a period of at least thirty (30) minutes prior to the commencement of each pile driving event;
- (5) suspend **marine construction activities** if the **marine fauna observers** required by condition B1-3(2), or any other person, observes cetacean(s) or dugong(s) enter within 500 m, or **marine turtle(s)** enter within 100 m of **marine construction activities**;
- (6) **marine construction activities** that have been suspended in accordance with condition B1-3(5) shall not recommence until:
 - (a) the cetacean(s) or dugong(s) has moved beyond one (1) km, or the **marine turtle(s)** beyond 300 m from the suspended **marine construction activities** of their own accord; OR
 - (b) the cetacean(s) or dugong(s) has not been observed within 500 m, or **marine turtle(s)** within 100 m of the **marine construction activities** for a period of twenty (20) minutes;
- (7) only recommence marine pile driving that has been suspended for more than fifteen (15) minutes with soft start-up procedures as required by condition B1-3(4); and
- (8) only conduct **marine construction activities** between sunrise and sunset during the **marine turtle** nesting season defined as 20 October to 10 March in any year.

B2 Introduced Marine Pests

B2-1 The proponent shall ensure the implementation of the proposal achieves the following environmental outcome:

- (1) no introduction of **marine pests**.

B2-2 To achieve the environmental outcome defined in condition B2-1, the proponent shall develop and implement procedures for managing all vessels and immersible equipment prior to mobilisation and during implementation of the proposal consistent with **relevant legislation** and associated policy.

B3 Flora and Vegetation and Terrestrial Fauna

B3-1 The proponent must ensure the implementation of the proposal achieves the following environmental outcomes:

- (1) **disturb** no more than:
 - (a) 395.8 ha of **'Good' to 'Excellent' condition native vegetation**;

- (b) 88 ha of vegetation representative of **Horseflat land system of the Roebourne Plains priority ecological community**, shown in Figure 2;
- (c) 395.7 ha of **supporting habitat** for Pilbara leaf-nosed bat (*Rhinionictoris aurantia (Pilbara)*) and ghost bat (*Macroderma gigas*); and
- (d) 7.2 ha of **supporting habitat** for northern quoll (*Dasyurus hallucatus*).

B3-2 The proponent must implement weed hygiene measures during construction to prevent the introduction or spread of **environmental weeds**.

B4 Aboriginal Cultural Heritage

B4-1 The proponent must implement the proposal to meet the following environmental outcomes:

- (1) no **disturbance** of the **Aboriginal sites** or to **Aboriginal cultural heritage** in the proposal **disturbance** footprint other than where consent is granted for the use of the land under the *Aboriginal Heritage Act 1972*; and
- (2) subject to reasonable health and safety requirements, no interruption of ongoing access to land utilised for traditional use or custom by the **native title party/parties**.

B4-2 The proponent must implement the proposal to meet the following environmental objective:

- (1) avoid, and where unavoidable, minimise **adverse impacts** to **Aboriginal cultural heritage** within and surrounding the proposal **development envelope**.

B4-3 The proponent must undertake ongoing consultation and engagement with the **native title party/parties** about the achievement of the outcomes and objectives in condition B4-1 and condition B4-2 for the life of the proposal.

B5 Pilbara Environmental Offset Fund

B5-1 The proponent must contribute funds to the **Pilbara Environmental Offsets Fund** calculated pursuant to condition B5-2, to achieve the objective of counterbalancing the significant residual impacts to:

- (1) **'Good' to 'Excellent' condition native vegetation**;
- (2) vegetation representative of **Horseflat land system of the Roebourne Plains priority ecological community**; and

- (3) **supporting habitat** for the Pilbara leaf-nosed bat (*Rhinoicteris aurantia (Pilbara)*), ghost bat (*Macroderma gigas*) and northern quoll (*Dasyurus hallucatus*).
- B5-2 The proponent's contribution to the **Pilbara Environmental Offsets Fund** must be paid biennially, with the amount to be contributed calculated based on the clearing undertaken in each year of the biennial reporting period in accordance with the rates in condition B5-3. The first biennial reporting period must commence from **ground disturbing activities** of the **environmental value(s)** identified in condition B5-3.
- B5-3 Calculated by the 2024-2025 financial year, the contribution rates are:
- (1) \$1,016 AUD (excluding GST) per hectare of the following **environmental values** cleared as a result of the proposal within the **Roebourne IBRA subregion**:
- (a) **'Good' to 'Excellent' condition native vegetation**; and
- (b) **supporting habitat** for the Pilbara leaf-nosed bat (*Rhinoicteris aurantia (Pilbara)*), ghost bat (*Macroderma gigas*) and northern quoll (*Dasyurus hallucatus*).
- (2) \$2,031 AUD (excluding GST) per hectare of **Horseflat land system of the Roebourne Plains priority ecological community** cleared or indirectly impacted for the proposal within the **Roebourne IBRA subregion**.
- B5-4 The rates in condition B5-3 change annually each subsequent financial year in accordance with the percentage change in the **CPI** applicable to that financial year.
- B5-5 To achieve the objective in condition B5-1, the proponent must review and revise the *Impact Reconciliation Procedure – Cape Preston East Multi Commodity Export Facility* (Rev 0, December 2024) (Environmental Management Plan) and submit it to the **CEO**. This procedure must:
- (1) spatially define the **environmental value(s)** identified in condition B5-1;
- (2) include a methodology to calculate the amount of clearing undertaken during each year of the biennial reporting period for each of the **environmental values** identified in condition B5-3;
- (3) state that clearing calculation for the first biennial reporting period will commence from **ground disturbing activities** in accordance with condition B5-2 and end on the second 30 June following commencement of **ground disturbing activities**;

- (4) state that clearing calculations for each subsequent biennial reporting period will commence on 1 January of the required reporting period, unless otherwise agreed by the **CEO**; and
 - (5) be prepared in accordance with Instructions on how to prepare *Environmental Protection Act 1986 Part IV Impact Reconciliation Procedures and Impact Reconciliation Reports* (March 2024) (or any subsequent revisions).
- B5-6 The proponent must submit an Impact Reconciliation Report in accordance with the **confirmed** Impact Reconciliation Procedure (Environmental Management Plan) in condition B5-5.
- B5-7 The Impact Reconciliation Report required pursuant to condition B5-6 must provide the location and spatial extent of the clearing undertaken as a result of the proposal during each year of each biennial reporting period.
- B5-8 Condition C2 applies to the **confirmed** Impact Reconciliation Procedure required by condition B5-5 as if it were an environmental management plan.
- B5-9 Failure to implement a **confirmed** Impact Reconciliation Procedure or submit an Impact Reconciliation Report represents a non-compliance with these conditions.

PART C – ENVIRONMENTAL MANAGEMENT PLANS AND MONITORING

C1 Environmental Management Plans: Conditions Related to Commencement of Implementation of the Proposal

C1-1 The proponent must not undertake:

- (1) **ground disturbing activities** until the **CEO** has **confirmed** in writing that the *Impact Reconciliation Procedure – Cape Preston East Multi Commodity Export Facility* (Rev 0, December 2024) (environmental management plan) required by condition B5-5 meets the requirements of that condition.

C2 Environmental Management Plans: Conditions Relating to Approval, Implementation, Review and Publication

C2-1 Upon being required to implement an environmental management plan under Part B, or after receiving notice in writing from the **CEO** under condition C1-1 that the environmental management plan(s) required in Part B satisfies the relevant requirements, the proponent must:

- (1) implement the most recent version of the **confirmed** environmental management plan; and
- (2) continue to implement the **confirmed** environmental management plan referred to in condition C2-1(1), other than for any period which the **CEO** confirms by notice in writing that it has been demonstrated that the relevant requirements for the environmental management plan have been met, or are able to be met under another statutory decision-making process, in which case the implementation of the environmental management plan is no longer required for that period.

C2-2 The proponent:

- (1) may review and revise a **confirmed** environmental management plan provided it meets the relevant requirements of that environmental management plan, including any consultation that may be required when preparing the environmental management plan;
- (2) must review and revise a **confirmed** environmental management plan and ensure it meets the relevant requirements of that environmental management plan, including any consultation that may be required when preparing the environmental management plan, as and when directed by the **CEO**; and
- (3) must revise and submit to the **CEO** the **confirmed** environmental management plan if there is a material risk that the outcomes or

objectives it is required to achieve will not be complied with, including but not limited to as a result of a change to the proposal.

- C2-3 Despite condition C2-1, but subject to conditions C2-4 and C2-5, the proponent may implement minor revisions to an environmental management plan if the revisions will not result in new or increased **adverse impacts** to the environment or result in a risk to the achievement of the limits, outcomes or objectives which the environmental management plan is required to achieve.
- C2-4 If the proponent is to implement minor revisions to an environmental management plan under condition C2-3, the proponent must provide the **CEO** with the following at least twenty (20) business days before it implements the revisions:
- (1) the revised environmental management plan clearly showing the minor revisions;
 - (2) an explanation of and justification for the minor revisions; and
 - (3) an explanation of why the minor revisions will not result in new or increased **adverse impacts** to the environment or result in a risk to the achievement of the limits, outcomes or objectives which the environmental management plan is required to achieve.
- C2-5 The proponent must cease to implement any revisions which the **CEO** notifies the proponent (at any time) in writing may not be implemented.
- C2-6 **Confirmed** environmental management plans, and any revised environmental management plans under condition C2-4(1), must be published on the proponent's website and provided to the **CEO** in electronic form suitable for on-line publication by the Department of Water and Environmental Regulation within twenty (20) business days of being implemented, or being required to be implemented (whichever is earlier).

C3 Conditions Related to Monitoring

- C3-1 The proponent must undertake monitoring capable of:
- (1) substantiating whether the proposal limitations and extents in Part A are exceeded;
 - (2) **detecting** and substantiating whether the environmental outcomes identified in Part B are achieved (excluding any environmental outcomes in Part B where an environmental management plan is expressly required to monitor achievement of that outcome); and
 - (3) substantiating whether the environmental objective identified in condition B4-2 is achieved.

C3-2 The proponent must submit as part of the Compliance Assessment Report required by condition D2, a compliance monitoring report that:

- (1) outlines the monitoring that was undertaken during the implementation of the proposal;
- (2) identifies why the monitoring was capable of substantiating whether the proposal limitation and extents in Part A are exceeded;
- (3) for any environmental outcomes to which condition C3-1(2) applies, identifies why the monitoring was scientifically robust and capable of **detecting** whether the environmental outcomes in Part B are met;
- (4) for any environmental objectives to which condition C3-1(3) applies, identifies why the monitoring was capable of confirming whether the environmental objectives in Part B are met;
- (5) outlines the results of the monitoring;
- (6) reports whether the proposal limitations and extents in Part A were exceeded and (for any environmental outcomes and objectives to which condition C3-1 applies) whether the environmental outcomes and objectives in Part B were achieved, based on analysis of the results of the monitoring; and
- (7) reports any actions taken by the proponent to remediate any potential non-compliance.

PART D – COMPLIANCE, TIME LIMITS, AUDITS AND OTHER CONDITIONS

D1 Non-compliance Reporting

D1-1 If the proponent becomes aware of a potential non-compliance, the proponent must:

- (1) report this to the **CEO** within seven (7) days;
- (2) implement **contingency measures**;
- (3) investigate the cause;
- (4) investigate environmental impacts;
- (5) advise rectification measures to be implemented;
- (6) advise any other measures to be implemented to ensure no further impact;
- (7) advise timeframe in which contingency, rectification and other measures have and/or will be implemented; and
- (8) provide a report to the **CEO** within twenty-one (21) days of being aware of the potential non-compliance, detailing the measures required in conditions D1-1(1) to D1-1(7) above.

D1-2 Failure to comply with the requirements of a condition, or with the content of an environmental management plan required under a condition, constitutes a non-compliance with these conditions, regardless of whether the **contingency measures**, rectification or other measures in condition D1-1 above have been or are being implemented.

D2 Compliance Reporting

D2-1 The proponent must provide an annual Compliance Assessment Report to the **CEO** for the purpose of determining whether the implementation conditions are being complied with.

D2-2 Unless a different date or frequency is approved by the **CEO**, the first annual Compliance Assessment Report must be submitted within fifteen (15) months of the date of this Statement, and subsequent reports must be submitted annually from that date.

D2-3 Each annual Compliance Assessment Report must be endorsed by the proponent's Chief Executive Officer, or a person approved by proponent's Chief Executive Officer to be delegated to sign on the Chief Executive Officer's behalf.

D2-4 Each annual Compliance Assessment Report must:

- (1) state whether each condition of this Statement has been complied with, including:
 - (a) exceedance of any proposal limits and extents;
 - (b) achievement of environmental outcomes;
 - (c) achievement of environmental objectives;
 - (d) requirements to implement the content of environmental management plans;
 - (e) monitoring requirements;
 - (f) implement **contingency measures**;
 - (g) requirements to implement adaptive management; and
 - (h) reporting requirements;
- (2) include the results of any monitoring (inclusive of any raw data) that has been required under Part C in order to demonstrate that the limits in Part A, and any outcomes or any objectives are being met;
- (3) provide evidence to substantiate statements of compliance, or details of where there has been a non-compliance;
- (4) include the corrective, remedial and preventative actions taken in response to any potential non-compliance;
- (5) be provided in a form suitable for publication on the proponent's website and online by the Department of Water and Environmental Regulation; and
- (6) be prepared and published consistent with the latest version of the Compliance Assessment Plan required by condition D2-5 which the **CEO** has **confirmed** by notice in writing satisfies the relevant requirements of Part C and Part D.

D2-5 The proponent must prepare a Compliance Assessment Plan which is submitted to the **CEO** at least six (6) months prior to the first Compliance Assessment Report required by condition D2-2, or prior to implementation of the proposal, whichever is sooner.

D2-6 The Compliance Assessment Plan must include:

- (1) what, when and how information will be collected and recorded to assess compliance;
- (2) the methods which will be used to assess compliance;

- (3) the methods which will be used to validate the adequacy of the compliance assessment to determine whether the implementation conditions are being complied with;
- (4) the retention of compliance assessments;
- (5) the table of contents of Compliance Assessment Reports, including audit tables; and
- (6) how and when Compliance Assessment Reports will be made publicly available, including usually being published on the proponent's website within sixty (60) days of being provided to the **CEO**.

D3 Contact Details

D3-1 The proponent must notify the **CEO** of any change of its name, physical address or postal address for the serving of notices or other correspondence within twenty-eight (28) days of such change. Where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or of the principal office in the State.

D4 Time Limit for Proposal Implementation

D4-1 The proposal must be substantially commenced within five (5) years from the date of this Statement.

D4-2 The proponent must provide to the **CEO** documentary evidence demonstrating that they have complied with condition D4-1 no later than thirty (30) days after substantial commencement.

D4-3 If the proposal has not been substantially commenced within the period specified in condition D4-1, implementation of the proposal must not be commenced or continued after the expiration of that period.

D5 Public Availability of Data

D5-1 Subject to condition D5-2, within a reasonable time period approved by the **CEO** upon the issue of this Statement and for the remainder of the life of the proposal, the proponent must make publicly available, in a manner approved by the **CEO**, all validated environmental data collected before and after the date of this Statement relevant to the proposal (including sampling design, sampling methodologies, monitoring and other empirical data and derived information products (e.g. maps)), environmental management plans and reports relevant to the assessment of this proposal and implementation of this Statement.

D5-2 If:

- (1) any data referred to in condition D5-1 contains trade secrets; or

- (2) any data referred to in condition D5-1 contains particulars of confidential information (other than trade secrets) that has commercial value to a person that would be, or could reasonably be expected to be, destroyed or diminished if the confidential information were published,

the proponent may submit a request for approval from the **CEO** to not make this data publicly available and the **CEO** may agree to such a request if the **CEO** is satisfied that the data meets the above criteria.

D5-3 In making such a request the proponent must provide the **CEO** with an explanation and reasons why the data should not be made publicly available.

D6 Independent Audit

D6-1 The proponent must arrange for an independent audit of compliance with the conditions of this statement, including achievement of the environmental outcomes and/or the environmental objectives and/or environmental performance with the conditions of this statement, as and when directed by the **CEO**.

D6-2 The independent audit must be carried out by a person with appropriate qualifications who is nominated or approved by the **CEO** to undertake the audit under condition D6-1.

D6-3 The proponent must submit the independent audit report with the Compliance Assessment Report required by condition D2, or at any time as and when directed in writing by the **CEO**. The audit report is to be supported by credible evidence to substantiate its findings.

D6-4 The independent audit report required by condition D6-1 is to be made publicly available in the same timeframe, manner and form as a Compliance Assessment Report, or as otherwise directed by the **CEO**.

[signed on 29 April 2026]

Hon. Matthew Swinbourn BA LLB MLC

MINISTER FOR THE ENVIRONMENT; COMMUNITY SERVICES; HOMELESSNESS

Affected decision-making authorities consulted under section 46(8A):
Minister for Aboriginal Affairs Minister for Planning and Lands Minister for Ports Minister for State Development Minister for Water

Table 1: Abbreviations and definitions

Acronym or abbreviation	Definition or term
Aboriginal cultural heritage	Means the tangible and intangible elements that are important to the Aboriginal people of the state, and are recognised through social, spiritual, historical, scientific or aesthetic values, as part of Aboriginal tradition to the extent they directly affect or are affected by physical or biological surroundings.
Aboriginal site/s	As defined in section 4 and 5 under the <i>Aboriginal Heritage Act 1972</i> .
Adverse impact(s)/ adversely impacted	Negative change that is neither trivial nor negligible that could result in a reduction in health, diversity or abundance of the receptor/s being impacted, or a reduction in environmental value . Adverse impacts can arise from direct or indirect impacts, or other impacts from the proposal.
Detecting/ Detectable	The smallest statistically discernible effect size that can be achieved with a monitoring strategy designed to achieve a statistical power value of at least 0.8 or an alternative value as determined by the CEO .
Cape Preston East beaches	The beach located on the eastern side of Cape Preston, extending approximately 1.5 km north and approximately 2.5 km south of the development envelope .
CEO	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or the CEO's delegate.
Confirmed	In relation to a plan required to be made and submitted to the CEO , means, at the relevant time, the plan that the CEO confirmed, by notice in writing, meets the requirements of the relevant condition. In relation to a plan required to be implemented without the need to be first submitted to the CEO , means that plan until it is revised, and then means, at the relevant time, the plan that the CEO confirmed, by notice in writing, meets the requirements of the relevant condition.
Contingency measures	Planned actions for implementation if it is identified that an environmental outcome is likely to be, or is being, exceeded, or a prescriptive condition cannot be implemented. Contingency measures include changes to operations or reductions in disturbance or adverse impacts to reduce impacts and must be decisive actions that will quickly bring the impact to below any relevant threshold, management target and to ensure that the environmental outcome and/or objective can be met.
CPI	The All Groups Consumer Price Index numbers for Perth compiled and published by the Australian Bureau of Statistics.
Development Envelope	As shown in Figure 1.

Acronym or abbreviation	Definition or term
Disturb/ Disturbance	<p>Means directly has or materially contributes to the disturbance effect on health, diversity or abundance of the receptor/s being impacted or on an environmental value.</p> <p>In relation to flora, vegetation or fauna habitat, includes to result in the death, destruction, removal, severing or doing substantial damage to.</p> <p>In relation to fauna, includes to have the effect of altering the natural behaviour of fauna to its detriment.</p>
Environmental value(s)	A beneficial use, or ecosystem health condition.
Environmental weeds	Any plant declared under section 22(2) of the <i>Biosecurity and Agriculture Management Act 2007</i> , any plant listed on the Weeds of National Significance List and any weeds listed on the Department of Biodiversity, Conservation and Attractions' Pilbara Impact and Invasiveness Ratings list, as amended or replaced from time to time.
'Good' to 'Excellent' condition native vegetation	The condition of native vegetation rated in accordance with the Technical guidance – Flora and vegetation surveys for environmental impact assessment (EPA 2016) including any revision to this technical guidance.
Ground disturbing activities	Any activity or activities undertaken in the implementation of the proposal, including any clearing, civil works or construction.
Ha	Hectare
Horseflat land system of the Roebourne Plains priority ecological community	Units 3 (excluding areas of snakewood and hummock grass; mosaic areas, and areas of heavily gilgaied soils), 4, 5, and 7 of the Horseflat land system as described in van Vreeswyk, A M, Leighton, K A, Payne, A L, and Hennig, P (2004) <i>An inventory and condition survey of the Pilbara region, Western Australia</i> . Department of Agriculture and Food, Western Australia, Perth. Technical Bulletin 92 (available online at https://library.dpird.wa.gov.au/tech_bull/7/).
GL	Gigalitre
km	Kilometre
m	Metre
Marine construction activities	Activities required for the construction of the trestle jetty and rock breakwater.
Marine fauna - observers	Suitably qualified and experience personnel that have demonstrated knowledge of marine wildlife species in the Pilbara region, including Threatened and Migratory Species listed under the <i>Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)</i> , and <i>Wildlife Conservation (Specially protected fauna) Notice 2010(2)</i>

Acronym or abbreviation	Definition or term
	and priority listing, and their behaviours, to undertake observations during marine construction activities .
Marine pests	Marine species not native to the environment of Cape Preston or Pilbara bioregion, that do or may threaten biodiversity. The information from www.marinepests.gov.au and advice from the Department of Primary Industries and Regional Development will guide interpretation of this definition.
Marine turtle/s	Includes flatback turtle (<i>Natator depressus</i>), green turtle (<i>Chelonia mydas</i>) and hawksbill turtle (<i>Eretmochelys imbricata</i>).
ML	Megalitre
National Light Pollution Guidelines for Wildlife	Department of Climate Change, Energy, the Environment and Water 2023, <i>National Light Pollution Guidelines for Wildlife</i> , Department of Climate Change, Energy, the Environment and Water, Canberra, May. CC BY 4.0 (as updated from time-to-time), available at dceew.gov.au/publications .
National Marine Mammal Data Portal	National Marine Mammal Data Portal, including the Cetacean Sightings Application, maintained by the Commonwealth Department of Climate Change, Energy, the Environment and Water and available at data.marinemammals.gov.au .
Native title party/parties	As defined in section 18(1AA) under the <i>Aboriginal Heritage Act 1972</i> .
Pilbara Environmental Offset Fund	A special purpose account created pursuant to section 16(1)(d) of the <i>Financial Management Act 2006</i> by the Department of Water and Environmental Regulation.
Relevant legislation	<i>Fish Resources Management Act 1994</i> and <i>Biosecurity and Agriculture Management Act 2007</i> .
Roebourne IBRA subregion	As delineated by PIL04 of the <i>Interim Biogeographic Regionalisation for Australia, Version 7</i> (Department of Climate Change, Energy, Environment and Water).
Significant marine fauna	Includes cetaceans, dugongs and marine turtles .
Supporting habitat	Foraging habitat for Pilbara leaf-nosed bat (<i>Rhinonictoris aurantia</i> (Pilbara)), ghost bat (<i>Macroderma gigas</i>) and northern quoll (<i>Dasyurus hallucatus</i>) as described in the <i>Detailed terrestrial fauna and migratory shorebird surveys for the Eramurra Solar Salt Project</i> (Phoenix Environmental Sciences 2023).

Figures (attached)

Figure 1 Cape Preston East – Multi-commodity Export Facility – Development Envelope

Figure 2 Cape Preston East – Multi-commodity Export Facility – Horseflat land system of the Roebourne Plains priority ecological community

(Figures 1 and 2 are a representation of the co-ordinates referenced in Schedule 1)

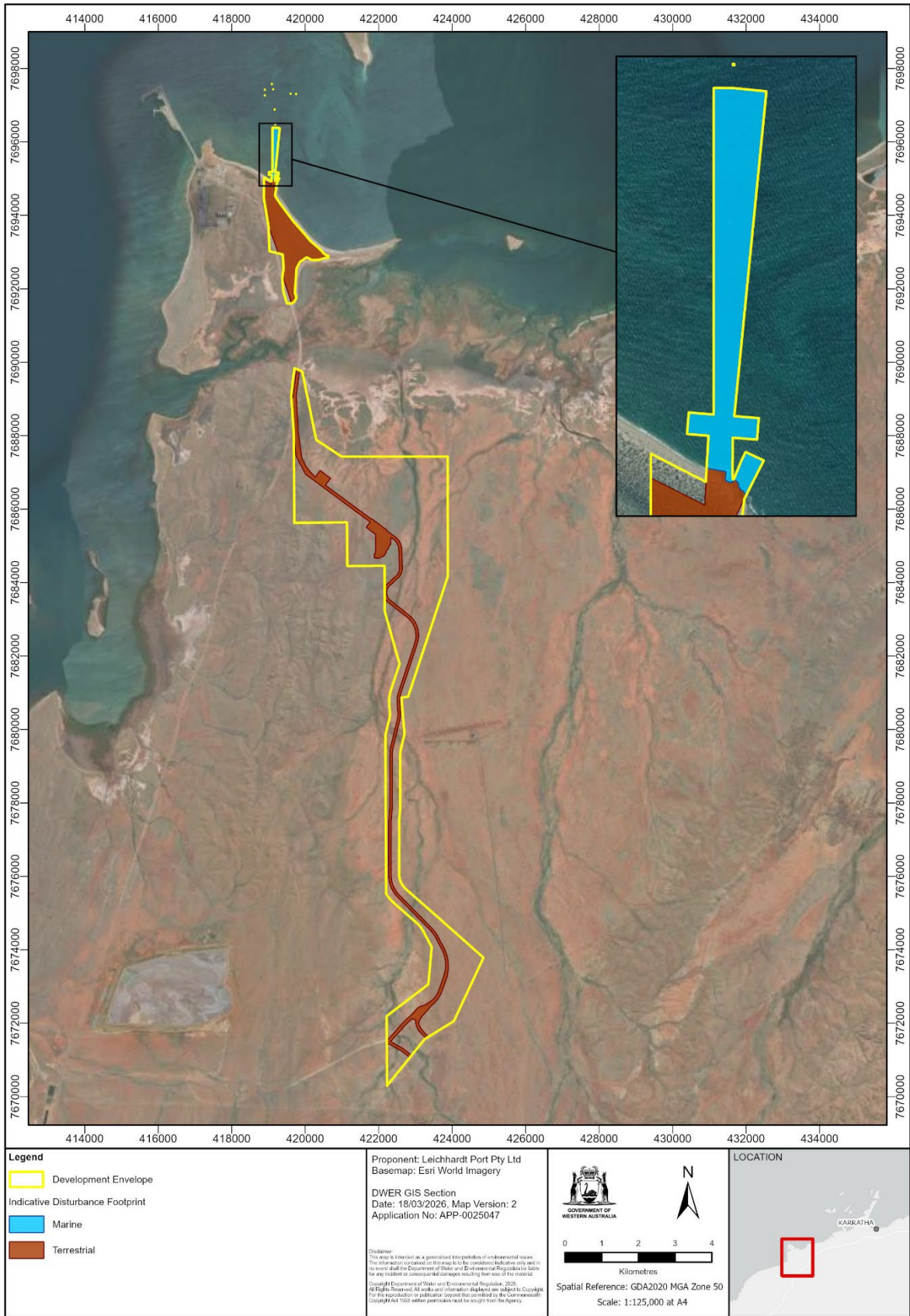


Figure 1 Cape Preston East – Multi-commodity Export Facility – Development Envelope

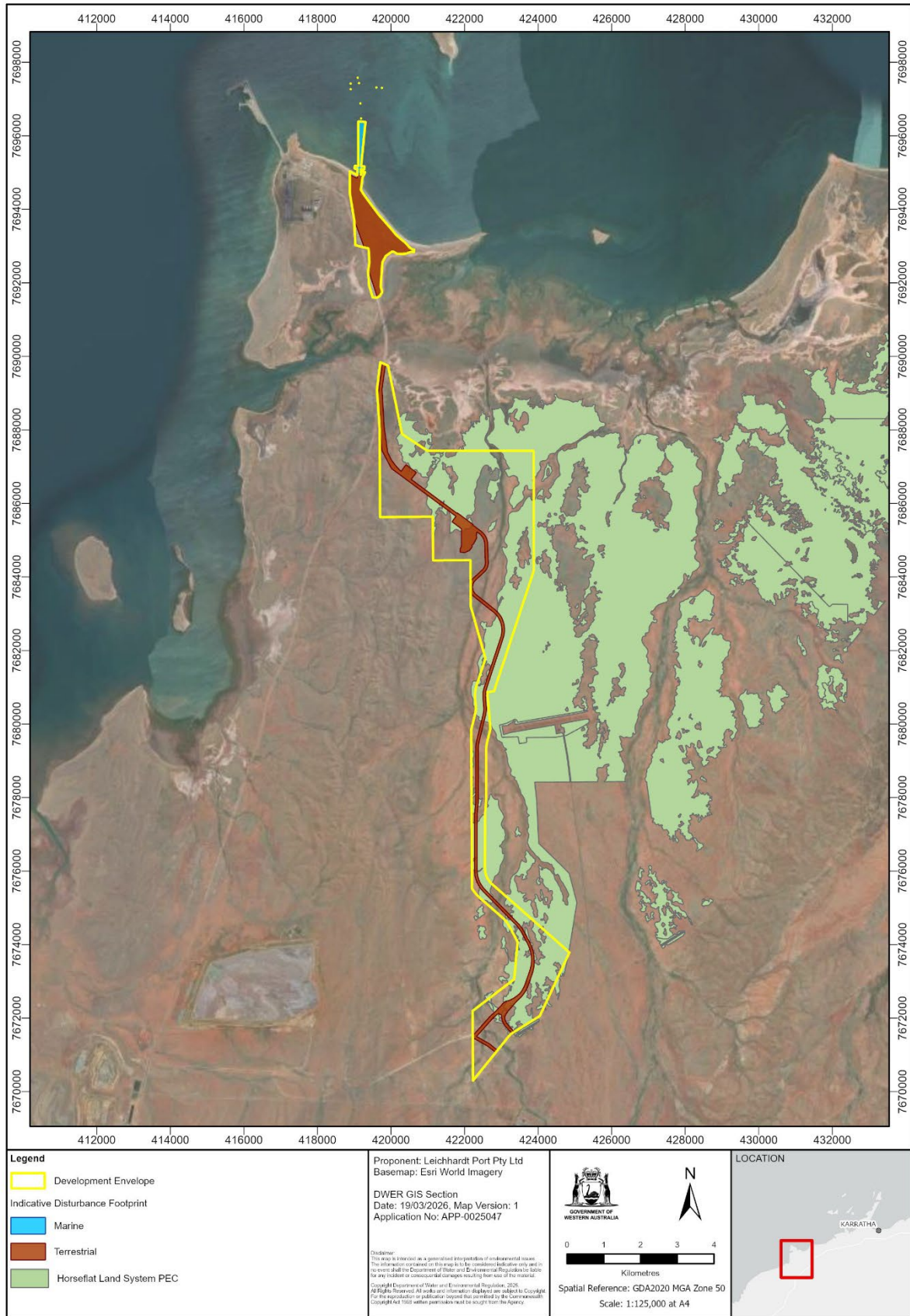


Figure 2 Cape Preston East – Multi-commodity Export Facility – Horseflat land system of the Roebourne Plains priority ecological community

Schedule 1

All co-ordinates are in metres, listed in Map Grid of Australia Zone 50 (MGA Zone 50), datum of Geocentric Datum of Australia 2020 (GDA2020).

Spatial data depicting the figures are held by the Department of Water and Environmental Regulation. Record no. APP-0025047.