



# Ningaloo Lighthouse Development, near Exmouth, WA (EPBC ref 2020/8693)

*Environmental Protection and Biodiversity Conservation Act 1999*

Z1Z Resorts Pty Ltd

## Annual Compliance Report (2024)

JBS&G Australia Pty Ltd | 68645 (Rev 0)

15 April 2025





**We acknowledge the Traditional Custodians of Country throughout Australia and their connections to land, sea and community.**

We pay respect to Elders past and present and in the spirit of reconciliation, we commit to working together for our shared future.

Caring for Country The Journey of JBS&G  
Artist: Patrick Caruso, Eastern Arrernte

**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 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 (please print) \_\_\_\_\_

Position (please print) \_\_\_\_\_

Organisation (please print including ABN/ACN if applicable)  
\_\_\_\_\_

Date \_\_\_\_\_

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## Abbreviations

Term	Definition
ACR	Annual Compliance Report
ALMP	Artificial Light Management Plan
CAR	Compliance Assessment Report
CEMP	Construction Environmental Management Plan
CEO	Chief Executive Officer of the Western Australian DWER
CHEMP	Cultural Heritage Environmental Management Plan
DWER	Department of Water and Environmental Regulation
EPBC	Environment Protection Biodiversity Conservation Act 1999
EPA	Environmental Protection Authority
EP Act	Environmental Protection Act 1986
IWQMP	Inland Water Quality Management Plan
MS 1215	Ministerial Statement 1215
NTGAC	Nganhurra Thanardi Garrbu Aboriginal Corporation
TMP	Turtle Management Plan
VMP	Visitor Management Plan
Z1Z	Z1Z Resorts Pty Ltd

# 1. Introduction

This Annual Compliance Report (ACR) addresses the status and compliance implementation of the Ningaloo Lighthouse Resort Project with conditions in *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) approval decision notice EPBC 2020/8693 (Appendix A), for the construction and operation of the Ningaloo Lighthouse Resort on Lots 2 and 557 Yardie Creek Road, near Exmouth, Western Australia and associated infrastructure including a borefield. This report has been prepared for the purpose of addressing condition 28 of EPBC 2020/8693 which requires the proponent to publish annual compliance reports.

## 1.1 Project Background

Z1Z Resorts (the Proponent) has approval to construct and operate the Ningaloo Lighthouse Resort Project (the Project), located 18 kilometres (km) northwest of Exmouth, within Lot 2 and Lot 557 Yardie Creek Road, North West Cape, Western Australia (WA).

The Project comprises the construction of new visitor accommodation; associated ancillary facilities (i.e., staff accommodation, power supply infrastructure, water supply and treatment, wastewater treatment and reuse, and replacement service station (vehicle refuelling) etc.); refurbishment of the Vlamingh Head Lighthouse Quarters (a part of State Heritage Place ID: 00837); and minor works outside of the accommodation areas, including pathways, vehicle access, shade structures and service corridors and enclosures. It also includes a borefield within shallow brackish groundwater.

## 1.2 Environmental Approval to Implement the Project

The proposal was assessed by the Environmental Protection Authority (EPA) under Part IV of the *Environmental Protection Act 1986* (EP Act) and was conditionally approved on 15 December 2023 under Ministerial Statement No. 1215 (MS 1215) and under the Commonwealth EPBC Act on 16 April 2024 ((EPBC Approval 2020/8693).

The approval under EPBC 2020/8693 requires the Proponent to implement management plans as outlined in Table 1-1.

**Table 1-1 Management plans required by EPBC 2020/8693**

Management Plan	Current Version	Date of current version	Status
Inland Water Quality Management Plan (IWQMP)	Rev 3 version 1	11/01/2024	Version submitted to DCCEEW 30/01/2024 (aligns with MS1215 and incorporates response from NTGAC hydrogeologist).  Requires update to address elements required under EPBC 2020/8693 Condition 7.  Requires resubmission to DCCEEW and upload to Proponent website.
Artificial Light Management Plan (ALMP)	Rev 5 version 1	19/01/2024	Version submitted to DCCEEW 30/01/2024 (incorporates DBCA and Department of Defence consultation).  Requires upload to Proponent website.
Turtle Management Plan (TMP)	Rev 2 version 1	19/01/2024	Version submitted to DCCEEW 30/01/2024 (incorporates DBCA consultation).  Requires upload to Proponent website.

Management Plan	Current Version	Date of current version	Status
(Cultural Heritage) Environmental Management Plan (EMP)		Not yet prepared	To be prepared in consultation with NTGAC prior to commencement of groundwater abstraction - Pending availability of NTGAC.
Visitor Management Plan (VMP)	Rev 4	02/02/2023	Version submitted to DCCEEW 30/01/2024. Requires upload to Z1Z website.
Construction Environmental Management Plan (CEMP)	Rev 2	07/02/2023	Version submitted to DCCEEW 30/01/2024. Requires upload to Z1Z website.

## 2. Current Status

Implementation of the project has not commenced and there was no construction in the reporting period. Planning and approval activities continued in the reporting period. The action has not commenced.

## 3. Audit Methodology

### 3.1 Audit Plan

#### 3.1.1 Purpose & Scope

This document has been prepared for Z1Z (the proponent) to fulfil the requirements of conditions 28, 29 and 30 of EPBC 2020/8693 issued to enable implementation of the project. The conditions state:

- “28. *The approval holder must prepare an annual compliance report for each 12-month period following the date of this approval decision, or as otherwise agreed to in writing by the Minister.*
- 29 *Each compliance report must be consistent with the Annual Compliance Report Guidelines, Commonwealth of Australia (2023), or any subsequent official version.*
- 30 *Each compliance report must include:*
- a) *Accurate and complete details of compliance and any non-compliance with*
    - i) *each condition attached to this approval decision,*
    - ii) *each condition imposed under Western Australian Approval, if a condition attached to this approval decision requires compliance with that Western Australian Approval,*
    - iii) *all commitments made in each plan, and*
    - iv) *if any incident occurred, each incident.*
  - b) *One or more shapefile showing all clearing of any protected matters, and/or their habitat, undertaken within the 12-month period at the end of which that compliance report is prepared.*
  - c) *A schedule of all plans in existence in relation to these conditions and accurate and complete details of how each plan is being implemented.”*

This Annual Compliance Report (ACR) addresses the audit period between 16 April 2024 and 15 April 2025. The ACR addresses each condition of approval. Management plans were not required to be implemented in the reporting period; as such key management actions of the management plans were not required to be assessed.

### 3.1.2 Audit Period

This ACR relates to the twelve-month period from 16 April 2024 to 15 April 2025.

### 3.1.3 Methodology

The compliance assessment was performed as a desktop exercise and involved review of information requested from and supplied by the Proponent, and discussion with JBS&G project personnel.

### 3.1.4 Audit Terminology

The 'Status' field of the audit table (Table 4.1) describes the level of compliance against the approval conditions. In 2023, the DCCEEW issued *the Annual Compliance Report Guidelines* (DCCEEW 2023). Terminology from this guidance has been applied in the audit and is listed below in Table 3-1.

**Table 3-1: Terminology used for the Audit (DCCEEW 2023)**

Status	Acronym	Description
Compliant	C	'Compliance' is achieved when all the requirements of a condition have been met, including the implementation of management plans or other measures required by those conditions.
Potentially non-compliant	PNC	A designation of 'non-compliant' must be given where the requirements of a condition or elements of a condition, including the implementation of management plans and other measures, have not been met.
Not applicable	N/A	A designation of 'not applicable' must be given where the requirements of a condition or elements of a condition fall outside of the scope of the current reporting period. For example, a condition that applies to an activity that has not yet commenced.

## 4. Audit Results

### 4.1 Summary of Compliance

The results of the compliance assessment with the 40 conditions of EPBC 2020/8693 are shown in Table 4.1 and summarised below.

#### 4.1.1 Compliance with Conditions of EPBC 2020/8693

The audit addressed 81 sub-conditions of the EPBC 2020/8693 approval which found:

- Ten sub-conditions were assessed as 'compliant';
- 71 sub-conditions were assessed as 'not applicable'; and
- Zero sub-condition was assessed as 'potentially non-compliant'.

#### 4.1.2 Compliance with Management Plans

The action did not commence in the reporting period. No actions within the action management plans were required to be implemented in the reporting period.

### 4.2 Correcting Non-compliances

There were no findings of non-compliance requiring any corrective measures to be taken.

## 5. New Environmental Risks

No new environmental risks have become apparent during the reporting period.



**Table 4.1: EPBC 2020/8693 Audit Table**

Condition # / Reference	Criteria	Timing	Verification Method	Evidence	Determination	Compliance Status
PART A – Operational Conditions						
LIMITATIONS AND EXTENT						
<b>EPBC Decision 2020/8693 Condition 1:</b>		To avoid and mitigate harm to protected matters as a result of the Action, the approval holder must not clear outside of the disturbance footprint.				
EPBC 01	Do not clear outside of the disturbance footprint.	Overall	Disturbance records	Not applicable	The Action has not commenced. No clearing occurred within or outside the disturbance footprint as a result of the Action in the reporting period.	Not applicable
STATE CONDITIONS						
<b>EPBC Decision 2020/8693 Condition 2:</b>		To avoid and mitigate harm to Blind Cave Eel, Blind Gudgeon, Marine Turtles, Commonwealth Land, Ningaloo Coast World Heritage Property and The Ningaloo Coast National Heritage Place, the approval holder must: <ol style="list-style-type: none"> <li>take the Action in accordance with the Western Australian Approval to the extent that the Western Australian Approval conditions relate to protected matters.</li> <li>comply with conditions A1-1, B1-1, B1-2, B2-1, B2-2, B3-1, B3-2, B3-3, B4-1, B4-2, B4-3, B4-4, B4-5, C1-1(1), C1-1(2), C1-1(3), C1-1(4), C2-1, C2-2, C2-3, C2-4, C2-5, C2-6, C4-1, C4-2, C4-4, C5-1, C5-2, C5-3, D1-2, D2-1, D2-2, D2-3, D2-4, D2-5 and D2-6 of the Western Australian Approval to the extent they relate to protected matters.</li> <li>implement conditions A1-1, B1-1, B1-2, B2-1, B2-2, B3-1, B3-2, B3-3, B4-1, B4-2, B4-3, B4-4, B4-5, C1-1(1), C1-1(2), C1-1(3), C1-1(4), C2-1, C2-2, C2-3, C2-4, C2-5, C2-6, C4-1, C4-2, C4-4, C5-1, C5-2, C5-3, D1-1, D1-2, D2-1, D2-2, D2-3, D2-4, D2-5 and D2-6 of the Western Australian Approval where they apply to monitoring, managing, mitigating, avoiding, recording, or reporting impacts to protected matters.</li> </ol>				
EPBC 02A	Take the Action in accordance with the Western Australian Approval to the extent that the Western Australian Approval conditions relate to protected matters.	From 15/12/2023 to 15/12/2078	Assessment of WA Annual Compliance Assessment Report (CAR) with reference to protected matters	R02_68645 Ningaloo CAR 2024 Rev 0	The Action has not commenced.	Not applicable
EPBC 02B	Comply with conditions A1-1, B1-1, B1-2, B2-1, B2-2, B3-1, B3-2, B3-3, B4-1, B4-2, B4-3, B4-4, B4-5, C1-1(1), C1-1(2), C1-1(3), C1-1(4), C2-1, C2-2, C2-3, C2-4, C2-5, C2-6, C4-1, C4-2, C4-4, C5-1, C5-2, C5-3, D1-2, D2-1, D2-2, D2-3, D2-4, D2-5 and D2-6 of the Western Australian Approval to the extent they relate to protected matters.	From 15/12/2023 to 15/12/2078	Assessment of WA Annual Compliance Assessment Report (CAR) with reference to protected matters	R02_68645 Ningaloo CAR 2024 Rev 0	The 2024 CAR (R02) reports that for the reporting period 15 December 2023 to 14 December 2024: <ul style="list-style-type: none"> <li>Conditions A1-1, B1-1, B1-2, B2-1, B2-2, B3-1, B3-2, B3-3, B4-1, B4-2, B4-3, B4-4, B4-5, C1-1(1), C1-1(2), C1-1(3), C1-1(4), C2-1, C2-2, C2-3, C2-4, C2-5, C2-6, C4-1, C4-2, C4-4, C5-1, C5-2, C5-3, D1-2, D2-1 and D2-2 were not applicable; and</li> <li>Conditions D2-3, D2-4, D2-5 and D2-6 were compliant</li> </ul>	Compliant
EPBC 02C	Implement conditions A1-1, B1-1, B1-2, B2-1, B2-2, B3-1, B3-2, B3-3, B4-1, B4-2, B4-3, B4-4, B4-5, C1-1(1), C1-1(2), C1-1(3), C1-1(4), C2-1, C2-2, C2-3, C2-4, C2-5, C2-6, C4-1, C4-2, C4-4, C5-1, C5-2, C5-3, D1-1, D1-2, D2-1, D2-2, D2-3, D2-4, D2-5 and D2-6 of the Western Australian Approval where they apply to monitoring, managing, mitigating, avoiding, recording, or reporting impacts to protected matters.	From 15/12/2023 to 15/12/2078	Assessment of WA Annual Compliance Assessment Report (CAR) with reference to protected matters	Refer to EPBC 02B	Refer to EPBC 02B	Compliant
<b>EPBC Decision 2020/8693 Condition 3:</b>		The approval holder must submit to the department a copy of each report and plan required to be prepared under conditions B2-2, B3-3, B4-4 of the Western Australian Approval. Each report must be submitted to the department within the same timeframe as is specified in these conditions for the report to be submitted to an agency of the Western Australian Government.				
EPBC 03A	Submit a copy of the revised Inland Water Quality Management Plan (IWQMP) to the Department.	Prior to commencement of the action	IWQMP (revised from version 2) submission correspondence to the Department	M01_Ningaloo CAR 2024 Evidence Request Response Rev 0	The IWQMP is pending resubmission which will be undertaken prior to commencement of the action.	Not applicable
EPBC 03B	Submit a copy of the revised Artificial Light Management Plan (ALMP) to the Department.	Prior to Action commencement	ALMP (revised from rev 5) submission correspondence to the Department	C01_20240111 ALMP R5 AND TMP R2 updates on DBCA Consultation M01_Ningaloo CAR 2024 Evidence Request Response Rev 0	The ALMP has been updated based on consultation with DBCA (C01). The ALMP will be submitted to the Department prior to commencement.	Not applicable
EPBC 03C	Submit a copy of the revised Turtle Management Plan (TMP) to the Department.	Prior to Action commencement	TMP (revised from rev 2) submission correspondence to the Department	C01_20240111 ALMP R5 AND TMP R2 updates on DBCA Consultation M01_Ningaloo CAR 2024 Evidence Request Response Rev 0	The TMP has been updated based on consultation with DBCA (C01). The TMP will be submitted to the Department prior to commencement.	Not applicable

Condition # / Reference	Criteria	Timing	Verification Method	Evidence	Determination	Compliance Status
<b>EPBC Decision 2020/8693 Condition 4:</b>		The approval holder must submit to the department a copy of each report required to be prepared under conditions D1-1 and D2-1 of the Western Australian Approval. Each report must be submitted to the department within the same timeframe as is specified in conditions D1-1 and D2-1 of the Western Australian Approval for the report to be submitted to an agency of the Western Australian Government.				
<i>MS1215 D1-1</i>		If the proponent becomes aware of a potential non-compliance, the proponent must: <ol style="list-style-type: none"> <li>(1) report this to the CEO within seven (7) days;</li> <li>(2) implement contingency measures;</li> <li>(3) investigate the cause;</li> <li>(4) investigate environmental impacts;</li> <li>(5) advise rectification measures to be implemented;</li> <li>(6) advise any other measures to be implemented to ensure no further impact; and</li> <li>(7) 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(2) to D1-1(6) above.</li> </ol>				
<i>MS1215 D1-2</i>	Failure to comply with the requirements of a condition, or with the content of an environmental management 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.					
EPBC 04	Provide the Department with the potential non-compliance report provided to WA CEO under MS 1215 D1-1(7).	Within 21 days of being aware of the potential non-compliance	Potential non-compliance submission correspondence to the Department	R02_68645 Ningaloo CAR 2024 Rev 0	As reported in the 2024 CAR (R02), the proponent did not become aware of a potential non-compliance in the reporting year. There were no non-compliance reports provided to the WA CEO under MS1215 D1-1(7).	Not applicable
<p>Note: All references in these conditions to conditions of the Western Australian Approval refer specifically to Ministerial Statement 1215 granted on 15 December 2023, as specified in the definition of Western Australian Approval. If the Western Australian Government is considering issuing a new or revised Ministerial Statement for this Action, the approval holder is strongly advised to consider whether it needs to request variation of these conditions to avoid the risk of being non-compliant with these conditions or the Western Australian Approval. As the Minister may not agree to vary these conditions, the approval holder is advised to contact the department about any proposed variation no later than when requesting any change to the Western Australian Approval.</p>						
<b>HERITAGE</b>						
<b>EPBC Decision 2020/8693 Condition 5:</b>		To avoid and mitigate harm to the Ningaloo Coast World Heritage Property and The Ningaloo Coast National Heritage Place the approval holder must not harm any World Heritage values and must not harm any National Heritage values.				
EPBC 05	Do not harm any World Heritage values or any National Heritage values.	At any time	Compliance audit	Not applicable	The Action has not commenced. There was no harm to any World Heritage values or any National Heritage values as a result of the Action.	Not applicable
<b>GROUNDWATER AND SURFACE WATER IMPACTS</b>						
<b>EPBC Decision 2020/8693 Condition 6:</b>		To avoid and mitigate harm to protected matters from changes to groundwater and surface water arising from the Action, the approval holder must submit to the department for the Minister's approval an Inland Water Quality Management Plan. The approval holder must not commence the Action until the Inland Water Quality Management Plan has been approved by the Minister in writing. The approval holder must implement the approved Inland Water Quality Management Plan and continue to implement this plan until the expiry date of this approval. By implementing the approved Inland Water Quality Management Plan, the approval holder must achieve the following outcomes: <ol style="list-style-type: none"> <li>a) No harm to subterranean fauna arising from groundwater use, recharge and quality associated with the Action.</li> <li>b) No harm to protected matters, National Heritage values or World Heritage values arising from ground or surface water flows associated with the Action.</li> <li>c) No exceedance of the limits to groundwater abstraction and brine re-injection as specified in Condition B2 of the Western Australian Approval.</li> </ol>				
EPBC 06A	Submit an Inland Water Quality Management Plan (IWQMP) to the Minister for approval.	Prior to commencement of the action	IWQMP submission correspondence to the Minister	Refer to EPBC 03A	Refer to EPBC 03A	Not applicable
EPBC 06B	Implement the IWQMP	On approval by the Minister until the expiry of the approval	Approval correspondence from the Minister	Not applicable	The Action has not commenced	Not applicable
EPBC 06C	Do not harm subterranean fauna arising from groundwater use, recharge and quality associated with the Action.	Overall	Monitoring Reports	Refer to EPBC 06B	Refer to EPBC 06B	Not applicable
EPBC 06D	Do not harm protected matters, National Heritage values or World Heritage values arising from ground or surface water flows associated with the Action.	Overall	Monitoring Reports	Refer to EPBC 06B	Refer to EPBC 06B	Not applicable
EPBC 06E	Do not exceed the limits to groundwater abstraction and brine re-injection as specified in Condition B2 of the Western Australian Approval.	Overall	Monitoring Reports	Refer to EPBC 06B	Refer to EPBC 06B	Not applicable

Condition # / Reference	Criteria	Timing	Verification Method	Evidence	Determination	Compliance Status
<b>EPBC Decision 2020/8693 Condition 7:</b>		<p>The Inland Water Quality Management Plan must be prepared by a suitably qualified water expert. All commitments made in the Inland Water Quality Management Plan, including management measures, corrective actions, trigger values, performance indicators and thresholds must be specific, measurable and timebound and based on referenced or included evidence of its effectiveness. The Inland Water Quality Management Plan must be consistent with the Environmental Management Plan Guidelines, and must include:</p> <ul style="list-style-type: none"> <li>a) details of the relevant protected matters and a reference to EPBC Act approval conditions to which the plan refers,</li> <li>b) the location of bores that will supply water for the Action and the location of reinjection bores,</li> <li>c) a table of commitments made in the plan to achieve the outcomes specified in condition 6 and a reference to exactly where these commitments are detailed in the plan,</li> <li>d) commitments capable of ensuring that the outcomes are achieved,</li> <li>e) reporting and review mechanisms to demonstrate compliance with the commitments made in the plan,</li> <li>f) an assessment of risks relating to achieving the outcomes and risk management strategies and/or mitigation measures that will be applied to address identified risks,</li> <li>g) impact avoidance, mitigation and/or repair measures, and the timing of those measures,</li> <li>h) a monitoring program, which must include: <ul style="list-style-type: none"> <li>i.details of the characteristics and locations of monitoring bores and other monitoring devices,</li> <li>ii.performance indicators for water volumes and quality and for the habitat of protected matters, including specific values for habitat of Blind Gudgeon and Blind Cave Eel,</li> <li>iii.trigger values for corrective actions to ensure the performance indicators for water volumes and quality and for the habitat of protected matters are achieved,</li> <li>iv.thresholds for water volumes and quality which will not be exceeded,</li> <li>v.the timing and frequency of monitoring, ensuring monitoring is capable of detecting trigger values, changes in the performance indicators and thresholds,</li> <li>vi.proposed corrective actions if trigger values are reached,</li> <li>vii.regular analysis of readings and findings from the monitoring to recognise trends and guide water management as part of the Action and</li> <li>viii.details of how the readings and analysed findings of monitoring, any instances of reaching trigger values or thresholds and any instance of exceeding a threshold will be reported to the department in writing,</li> </ul> </li> <li>i) links to other relevant plans or conditions of approval (including state approval conditions).</li> </ul>				
EPBC 07A	The IWQMP must be prepared by a suitably qualified water expert.	Prior to commencement of the action	IWQMP document	R03_60294 NR WQMP Rev 3 V 1 110124	The IWQMP has been prepared by JBS&G informed by the Pennington Scott H2 Hydrogeological Assessment Report prepared in accordance with the DWER Operational Policy 5.12 Hydrogeological Reporting associated with a Groundwater Well Licence (November 2009).	Compliant
EPBC 07B	All commitments in the IWQMP (including management measures, corrective actions, trigger values, performance indicators and thresholds) must be specific, measurable and timebound and based on referenced or included evidence of its effectiveness.	Prior to commencement of the action	IWQMP document	R03_60294 NR WQMP Rev 3 V 1 110124	Commitments in the IWQMP include trigger and threshold criteria, monitoring methods and management targets with associated actions. These commitments are specific, measurable and timebound. Audit tables have been developed for the referenced / included evidence of each commitments' effectiveness.	Compliant
EPBC 07C	The IWQMP must include the elements listed in Condition 7 above.	Prior to commencement of the action	IWQMP approved by the Commonwealth Minister	R03_60294 NR WQMP Rev 3 V 1 110124	Rev 3 V1 of the IWQMP was originally submitted to DCCEEW prior to the issue of EPBC 2020/8693 Approval. The IWQMP will require updating to specifically address matters of national environmental significance (items a, h(i), h(ii)) in the elements listed in Condition 7 above now required by the EPBC 2020/8693 Approval. This will be included in a revised IWQMP prior to submission to DCCEEW.	Not applicable
<b>ACTION MANAGEMENT PLANS</b>						
<b>EPBC Decision 2020/8693 Condition 8:</b>		To avoid and mitigate harm to protected matters, the approval holder must commence implementing the Artificial Light Management Plan, Turtle Management Plan, Construction Environmental Management Plan and Visitor Management Plan no later than the commencement of the Action and must continue to implement each of these plans until the expiry date of this approval.				
EPBC 08A	Implementing the Artificial Light Management Plan.	From the commencement of the Action until the expiry date of the approval	Compliance audit	Not applicable	The Action has not commenced	Not applicable
EPBC 08B	Implementing the Turtle Management Plan	From the commencement of the Action until the expiry date of the approval	Compliance audit	Not applicable	The Action has not commenced	Not applicable
EPBC 08C	Implementing the Construction Environmental Management Plan.	From the commencement of the Action until the expiry date of the approval	Compliance audit	Not applicable	The Action has not commenced	Not applicable

Condition # / Reference	Criteria	Timing	Verification Method	Evidence	Determination	Compliance Status
EPBC 08D	Implementing the Visitor Management Plan.	From the commencement of the Action until the expiry date of the approval	Compliance audit	Not applicable	The Action has not commenced	Not applicable
<b>ARTIFICIAL LIGHT AND AIR QUALITY</b>						
<b>EPBC Decision 2020/8693 Condition 9:</b>		To avoid and mitigate harm to Commonwealth land, World Heritage values and National Heritage values due to artificial light, the approval holder must ensure, that as a result of the Action, there is no change to dark and clear sky quality as detected at the Space Surveillance Telescope by the Department of Defence.				
EPBC 09	Ensure there is no change to dark and clear sky quality as detected at the Space Surveillance Telescope by the Department of Defence due to the action.	Overall		Not applicable	The Action has not commenced	Not applicable
<b>CULTURAL HERITAGE MANAGEMENT PLAN</b>						
<b>EPBC Decision 2020/8693 Condition 10:</b>		To avoid and mitigate harm to World Heritage values and the National Heritage values, the approval holder must submit a Cultural Heritage Management Plan to the department for the Minister's approval. The approval holder must not commence groundwater abstraction unless the Cultural Heritage Management Plan has been approved by the Minister in writing. The approval holder must implement the Cultural Heritage Management Plan as approved by the Minister until the expiry date of this approval.				
EPBC 10A	Submit a Cultural Heritage Environmental Management Plan (CHEMP) to the Minister for approval.	Prior to groundwater abstraction	CHEMP submission correspondence to the Minister	Not applicable	The CHEMP has not been prepared. The Action (including groundwater abstraction) has not commenced.	Not applicable
EPBC 10B	Implement the CHEMP	On approval by the Minister until the expiry of the approval	Approval correspondence from the Minister	Refer to EPBC 10A	Refer to EPBC 10A	Not applicable
<b>EPBC Decision 2020/8693 Condition 11:</b>		By implementing the Cultural Heritage Management Plan, the approval holder must avoid and mitigate harm to World Heritage values and National Heritage values within and surrounding the development envelope. The Cultural Heritage Management Plan must be consistent with the Environmental Management Plan Guidelines, and must: <ol style="list-style-type: none"> <li>a) Include details of the relevant protected matters and a reference to EPBC Act approval conditions to which the plan refers,</li> <li>b) Include detailed baseline information on Aboriginal Cultural Heritage within and surrounding the development envelope,</li> <li>c) specify how the Aboriginal Cultural Heritage within and surrounding the development envelope will be protected until the expiry of this approval,</li> <li>d) Include a table of commitments made in the plan to protect Aboriginal Cultural Heritage and avoid and mitigate harm to World Heritage values and National Heritage values within and surrounding the development envelope, and reference to exactly where these commitments are detailed in the plan,</li> <li>e) Reporting and review mechanisms to demonstrate compliance with the commitments made in the plan,</li> <li>f) An assessment of risks relating to achieving the above outcomes and risk management strategies and/or mitigation measures that will be applied to address identified risks,</li> <li>g) Impact avoidance, mitigation and/or repair measures, and the timing of those measures,</li> <li>h) A monitoring program, which must include:                         <ol style="list-style-type: none"> <li>i. measurable performance indicators,</li> <li>ii. trigger values for corrective actions,</li> <li>iii. the timing and frequency of monitoring, ensuring monitoring is capable of detecting trigger values and changes in the performance indicators,</li> <li>iv. proposed corrective actions if trigger values are reached,</li> </ol> </li> <li>i) Links to other relevant plans or conditions of approval (including state approval conditions).</li> </ol>				
EPBC 11	The CHEMP must include the elements listed in Condition 11 above.	Prior to groundwater abstraction	CHEMP approved by the Commonwealth Minister	Refer to EPBC 10A	Refer to EPBC 10A	Not applicable
<b>EPBC Decision 2020/8693 Condition 12:</b>		The approval holder must ensure that the Traditional Owners are consulted during preparation of the Cultural Heritage Management Plan and must document the consultation undertaken in preparing the Cultural Heritage Management Plan. The approval holder must, when submitting the Cultural Heritage Management Plan for approval, submit to the department details of the advice provided by the Traditional Owners during preparation of the Cultural Heritage Management Plan.				
EPBC 12A	Ensure that Traditional Owners are consulted during preparation of the CHEMP.	During the preparation of the CHEMP	Records of consultation with Traditional Owners	Refer to EPBC 10A	Refer to EPBC 10A	Not applicable
EPBC 12B	Document the consultation undertaken in preparing the CHEMP.	During the preparation of the CHEMP	Records of consultation with Traditional Owners	Refer to EPBC 10A	Refer to EPBC 10A	Not applicable
EPBC 12C	Submit to the Department the details of the advice provided by Traditional Owners during the preparation of the CHEMP.	On submission of the CHEMP	CHEMP submission correspondence to the Department	Refer to EPBC 10A	Refer to EPBC 10A	Not applicable

Condition # / Reference	Criteria	Timing	Verification Method	Evidence	Determination	Compliance Status
<b>PART B – Administrative Conditions</b>						
<b>REVISION OF ACTION MANAGEMENT PLANS</b>						
<b>EPBC Decision 2020/8693 Condition 13:</b>		The approval holder may, at any time, apply to the Minister for a variation to an action management plan approved by the Minister or as subsequently revised in accordance with these conditions, by submitting an application in accordance with the requirements of section 143A of the EPBC Act. If the Minister approves a revised action management plan (RAMP) then, from the date specified, the approval holder must implement the RAMP in place of the previous action management plan.				
EPBC 13A	The approval holder may apply to vary an action management plan.	At any time	Submission correspondence of Section 143 application Minister approval of RAMP	Not applicable	No management plans have been approved to require the application for a variation to a management plan.	Not applicable.
EPBC 13B	Implement an approved RAMP	On approval by the Minister	Compliance audit	Refer to EPBC 13A	Refer to EPBC 13A	Not applicable.
<b>SUBMISSION AND PUBLICATION OF PLANS</b>						
<b>EPBC Decision 2020/8693 Condition 14:</b>		The approval holder must submit all plans required by these conditions electronically to the department.				
EPBC 14	Submit all required plans to the Department electronically.	When required	Electronic submission correspondence	C02_Management Plans submitted to DCCEEW	The following plans were submitted to DCCEEW electronically via email and OneDrive link on 30/01/2024 (C02): <ul style="list-style-type: none"> <li>• IWQMP Rev 3 V 1</li> <li>• ALMP Rev 5 V1</li> <li>• TMP Rev 2 V1</li> <li>• CEMP Rev 2</li> <li>• VMP Rev 4</li> </ul>	Compliant
<b>EPBC Decision 2020/8693 Condition 15:</b>		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: <ol style="list-style-type: none"> <li>a) of this approval, if the version of the plan to be implemented is specified in these conditions, or</li> <li>b) the plan is approved by the Minister in writing, if the plan requires the approval of the Minister, or</li> <li>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</li> <li>d) the plan is approved by a state government official as required under a state government condition which must be complied with in accordance with these EPBC Act conditions.</li> </ol>				
EPBC 15A	The approval holder must publish the Cultural Heritage Environmental Management Plan on the approval holder website.	Within 15 days of the Minister’s approval	Website check	Not applicable	The CHEMP has not been prepared.	Not applicable
EPBC 15B	The approval holder must publish the Artificial Light Management Plan on the approval holder website.	Within 15 days of DWER approval of the ALMP	Website check	Not applicable	The ALMP has not been approved by WA’s DWER under MS 1215 during the reporting period.	Not applicable
EPBC 15C	The approval holder must publish the Turtle Management Plan on the approval holder website.	Within 15 days of DWER approval of the TMP	Website check	Not applicable	The TMP has not been approved by WA’s DWER under MS 1215 during the reporting period.	Not applicable
EPBC 15D	The approval holder must publish the Construction Environmental Management on the approval holder website.	Within 15 days of the commencement of the Action	Website check	Not applicable	The Action has not commenced.	Not applicable
EPBC 15E	The approval holder must publish the Visitor Management Plan on the approval holder website.	Within 15 days of the commencement of the Action	Website check	Not applicable	The Action has not commenced.	Not applicable
<b>EPBC Decision 2020/8693 Condition 16:</b>		The approval holder must keep all plans required by these conditions published on the website until the expiry date of this approval.				
EPBC 16	Keep all plans required by EPBC 15 on the approval holder website.	For the life of the approval	Website check	Not applicable	No plans were required to be on the website in the reporting period.	Not applicable
<b>EPBC Decision 2020/8693 Condition 17:</b>		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.				
EPBC 17A	The approval holder is required to exclude or redact sensitive ecological data from plans published on the website.	As per submission requirements	Website check	Refer to EPBC 16	Refer to EPBC 16	Not applicable
EPBC 17B	The approval holder is required to exclude or redact sensitive ecological data from plans provided to a member of the public.	Where document requested by the public	Correspondence with the public	M02_Ningaloo ACR 2025 Evidence Request Response Rev 0	No plans were provided to members of the public in the reporting period.	Not applicable

Condition # / Reference	Criteria	Timing	Verification Method	Evidence	Determination	Compliance Status
EPBC 17	Notify the Department of any redactions or exclusions that have been made to the plan published as per EPBC 15.	When document is published	Submission of tracked changes redacted version of plan and summary.	Refer to EPBC 16	Refer to EPBC 16	Not applicable
<b>MODIFICATIONS TO STATE APPROVAL</b>						
<b>EPBC Decision 2020/8693 Condition 18:</b>		The approval holder must notify the department in writing of any proposed change to the Western Australian Approval that may relate to protected matters, within 2 business days of formally proposing a change and within 5 business days of becoming aware of any proposed change.				
EPBC 18A	Notify the Department of any proposed changes to WA Approval (MS 1215) that may relate to protected matters.	Within 2 business days of formally proposing a change	Written correspondence with the Department	M02_Ningaloo ACR 2025 Evidence Request Response Rev 0	No changes were proposed to the WA Approval (MS1215) in the reporting period.	Not applicable
EPBC 18B	Notify the Department of any proposed changes to WA Approval (MS 1215) that may relate to protected matters.	Within 5 business days of becoming aware of any proposed change	Written correspondence with the Department	M02_Ningaloo ACR 2025 Evidence Request Response Rev 0	The approval holder did not become aware of any proposed changes to the WA Approval (MS1215) in the reporting period.	Not applicable
<b>EPBC Decision 2020/8693 Condition 19:</b>		The approval holder must notify the department in writing of any change to the Western Australian Approval conditions that may relate to protected matters, within 10 business days of a change to conditions being finalised. This notification must include a copy of the finalised changes to the Western Australian Approval conditions.				
EPBC 19	Notify the Department of any changes to WA Approval (MS 1215) that may relate to protected matters.	Within 10 business days of a change to conditions being finalised	Written notification to the Department with a copy of the finalised changes to WA Approval (MS 1215).	M02_Ningaloo ACR 2025 Evidence Request Response Rev 0	There were no changes to the WA Approval (MS1215) in the reporting period.	Not applicable
<b>COMMENCEMENT OF THE ACTION AND GROUNDWATER ABSTRACTION</b>						
<b>EPBC Decision 2020/8693 Condition 20:</b>		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.				
EPBC 20	Notify the Department of the date of commencement of the Action	Within 5 business days following commencement of the Action	Electronic notification to the Department	Not applicable	The Action has not commenced.	Not applicable
<b>EPBC Decision 2020/8693 Condition 21:</b>		The approval holder must not commence the Action later than 5 years from the date of this approval decision.				
EPBC 21	Commence the Action before 16 April 2029.	Prior to 16/04/2029	Electronic notification to the Department	Not applicable	The expiry date has not expired.	Not applicable
<b>EPBC Decision 2020/8693 Condition 22:</b>		The approval holder must notify the department electronically of the date of commencement of groundwater abstraction within 5 business days of the commencement of groundwater abstraction.				
EPBC 22	Notify the Department of the date of commencement of groundwater abstraction	Within 5 business days following commencement of groundwater abstraction	Electronic notification to the Department	Not applicable	Groundwater abstraction has not commenced.	Not applicable
<b>COMPLIANCE RECORDS</b>						
<b>EPBC Decision 2020/8693 Condition 23:</b>		The approval holder must maintain accurate and complete compliance records.				
EPBC 23	Accurate records substantiating compliance with the conditions of EPBC 2020/8693 approval and with the implementation of the management plans must be maintained.	Ongoing	Annual Compliance Report	R01_2025 ACR Appendix G	Appendix G contains an evidence register listing the records substantiating compliance with the conditions of EPBC 2020/8693 in the reporting period. The Action has not commenced, and no management plans have been implemented.	Compliant
<b>EPBC Decision 2020/8693 Condition 24:</b>		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.				
EPBC 24	Electronic records of compliance must be made available to DCCEEW on request.	Within the timeframe in the request	Correspondence with DCCEEW.	Not applicable	DCCEEW have not made a request for records of compliance in the reporting period.	Not applicable
<b>EPBC Decision 2020/8693 Condition 25:</b>		The approval holder must ensure that any monitoring data (including sensitive 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.				
EPBC 25	Prepare monitoring data in accordance with the Guidelines for biological survey and mapped data, Commonwealth of Australia (2018).	Overall	Monitoring data meets the requirements of the guidelines	M02_Ningaloo ACR 2025 Evidence Request Response Rev 0	No monitoring has been undertaken in the reporting period.	Not applicable

Condition # / Reference	Criteria	Timing	Verification Method	Evidence	Determination	Compliance Status
<b>EPBC Decision 2020/8693 Condition 26:</b>		The approval holder must ensure that any monitoring data (including sensitive 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.				
EPBC 26	Prepare monitoring data in accordance with the Guide to providing maps and boundary data for EPBC Act projects, Commonwealth of Australia (2021).	Overall	Monitoring data meets the requirements of the guide	M02_Ningaloo ACR 2025 Evidence Request Response Rev 0	No monitoring has been undertaken in the reporting period.	Not applicable
<b>EPBC Decision 2020/8693 Condition 27:</b>		The approval holder must submit all monitoring data (including sensitive data), surveys, maps, other spatial and metadata and all species occurrence record data (sightings and evidence of presence) electronically to the department within 12 months of this approval unless otherwise in accordance with the requirements of the Inland Water Quality Management Plan, Artificial Light Management Plan, Turtle Management Plan or Construction Environmental Management Plan.				
EPBC 27A	Submit monitoring data to the Department within 12 months of the approval unless in accordance with a management plan.	By 16/04/2025	Submission correspondence with the Department	M02_Ningaloo ACR 2025 Evidence Request Response Rev 0	No monitoring data has been generated that was not submitted for the project prior to approval.	Not applicable
EPBC 27B	Submit monitoring data in accordance with requirements of management plans: <ul style="list-style-type: none"> <li>Inland Water Quality Management Plan</li> <li>Artificial Light Management Plan</li> <li>Turtle Management Plan</li> <li>Construction Environmental Management Plan</li> </ul>	In accordance with the requirements of the management plan	Submission correspondence with the Department	M02_Ningaloo ACR 2025 Evidence Request Response Rev 0	No monitoring has been undertaken in the reporting period.	Not applicable
<b>ANNUAL COMPLIANCE REPORTING</b>						
<b>EPBC Decision 2020/8693 Condition 28:</b>		The approval holder must prepare an annual compliance report for each 12-month period following the date of this approval decision, or as otherwise agreed to in writing by the Minister.				
EPBC 28	Prepare an ACR for the period 16 April to 15 April annually.	By 06 May annually	Annual Compliance Report	R01_2025 ACR	This ACR (R01) is the first annual compliance report for the project assessing compliance from the approval date 16/04/2024 to 15/04/2025 for submission by 06/05/2025.	Compliant
<b>EPBC Decision 2020/8693 Condition 29:</b>		Each compliance report must be consistent with the Annual Compliance Report Guidelines, Commonwealth of Australia (2023), or any subsequent official version.				
EPBC 29	Prepare the ACR to be consistent with the latest Annual Compliance Report Guidelines.	By 06 May annually	Annual Compliance Report	R01_2025 ACR	This ACR contains the following to be consistent with the ACR guidelines: <ul style="list-style-type: none"> <li>the EPBC approval number, the name of the project, the date of the report and sequential page numbering on each page</li> <li>The period of the report is stated in Section 3.1.2</li> <li>A declaration of accuracy is contained on page 3</li> <li>Document control is presented on the second to last page of the ACR</li> <li>The table of contents on page 4 contains a list of the headings and page numbers, figures, tables and appendices</li> <li>Describes the current activities for the project in section 2</li> <li>A copy of the Approval is included in Appendix A</li> <li>A summary of compliance with the approval conditions is included in Section 4</li> <li>Table 4.2 contains a compliance which contains:                             <ul style="list-style-type: none"> <li>The condition number and reference</li> <li>Full wording of the condition as per the EPBC approval</li> <li>Designation regarding compliance or non-compliance</li> <li>Summary of evidence to support the compliance designation</li> </ul> </li> <li>Section 4.3 contains details of correcting non-compliance</li> <li>Section 5 contains discussion on new environmental risk</li> </ul>	Compliant

Condition # / Reference	Criteria	Timing	Verification Method	Evidence	Determination	Compliance Status
<b>EPBC Decision 2020/8693 Condition 30:</b>		Each compliance report must include:				
			a) Accurate and complete details of compliance and any non-compliance with i. each condition attached to this approval decision, ii. each condition imposed under Western Australian Approval, if a condition attached to this approval decision requires compliance with that Western Australian Approval, iii. all commitments made in each plan, and iv. if any incident occurred, each incident.			
			b) One or more shapefile showing all clearing of any protected matters, and/or their habitat, undertaken within the 12-month period at the end of which that compliance report is prepared.			
			c) A schedule of all plans in existence in relation to these conditions and accurate and complete details of how each plan is being implemented.			
EPBC 30A	Assess and detail compliance with each condition of EPBC 2020/8693 Approval in the ACR.	By 06 May annually	Annual Compliance Report	Refer to EPBC 28	Refer to EPBC 28	Compliant
EPBC 30B	Assess and detail compliance with each condition of WA Approval (MS 1215) in the ACR to the extent that the approval conditions relate to protected matters.	By 06 May annually	Annual Compliance Report	R02_68645 Ningaloo CAR 2024 Rev 0 R01_2025 ACR Appendix B	Refer to Appendix B of this document containing the WA Approval Compliance Assessment Report (R02). The compliance assessment found that the approval holder had implemented MS1215 however the action had not commenced resulting in seven conditions found to be compliant and 66 conditions found to be not applicable.	Compliant
EPBC 30C	Assess and detail compliance with the implementation of all commitments made in each management plan in the ACR, including: <ul style="list-style-type: none"> <li>Inland Water Quality Management Plan</li> <li>Artificial Light Management Plan</li> <li>Turtle Management Plan</li> <li>Construction Environmental Management Plan</li> <li>Visitor Management Plan</li> <li>Cultural Heritage Environmental Management Plan</li> </ul>	By 06 May annually	Annual Compliance Report assessment of compliance with management plans.	Not applicable	The Action has not commenced. No management plans were required to be implemented in the reporting period. No assessment of compliance of each management plan was undertaken in this ACR for the reporting period.	Not applicable
EPBC 30D	Include details of incidents relating to protected matters that have occurred in the reporting period in the ACR.	By 06 May annually	Annual Compliance Report	Not applicable	The Action has not commenced. There were no incidents relating to protected matters that have occurred in the reporting period associated with the Action.	Not applicable
EPBC 30E	Provide shapefiles with the ACR showing all clearing of any protected matters, and/or their habitat for the reporting period.	By 06 May annually	ACR submission correspondence with shapefiles	Not applicable	The Action has not commenced. There was no clearing of any protected matters, and/or their habitat for the reporting period associated with the Action.	Not applicable
EPBC 30F	Provide a schedule of plans in the ACR and complete details of how each plan is being implemented.	By 06 May annually	ACR document containing management plan audit tables assessing implementation.	Refer to EPBC 30C	Refer to EPBC 30C	Not applicable
<b>EPBC Decision 2020/8693 Condition 31:</b>		The approval holder must:				
			a) Publish each compliance report on the website within 20 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 data from compliance reports published on the website or otherwise provided to a member of the public.			
			f) If sensitive 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.			
EPBC 31A	Publish each ACR on the approval holder website.	By 06 May annually	Website check	R01_2025 ACR	The 2025 ACR (R01) is the first ACR for the project. It will be published on the Approval Holder Website by 06 May 2025. No information has been redacted from the ACR.	Not applicable
EPBC 31B	Exclude or redact sensitive data from ACRs published on the website.	By 06 May annually	Website check	Refer to EPBC 31A	Refer to EPBC 31A	Not applicable
EPBC 31C	Exclude or redact sensitive data from ACRs provided to a member of the public.	Where document requested by the public	Correspondence with the public	R01_2025 ACR	The 2025 ACR (R01) is the first ACR for the project. The Approval Holder will provide a copy to a member of the public on request. No information has been redacted from the ACR.	Not applicable



Condition # / Reference	Criteria	Timing	Verification Method	Evidence	Determination	Compliance Status
EPBC 31D	Provide evidence to the Department that the ACR has been published on the approval holder website.	Within 5 days of publishing ACR on approval holder website annually	Notification email to the Department with website hyperlink	R01_2025 ACR	The 2025 ACR (R01) is the first ACR for the project. The Approval Holder will provide an email with evidence of the publishing of the ACR (R01) to DCCEEW within 5 days of submission.	Not applicable
EPBC 31E	Provide the Department with the unredacted version of the ACR (if not available on the approval holder website).	Within 5 days of publishing ACR on approval holder website annually	Submission of full ACR and tracked changes redacted version.	R01_2025 ACR	No information has been redacted from the ACR.	Not applicable
EPBC 31F	All ACRs must remain on the website for the life of the proposal.	For the life of the approval	Website Check	Refer to EPBC 31A	Refer to EPBC 31A	Not applicable
<b>REPORTING NON-COMPLIANCE</b>						
<b>EPBC Decision 2020/8693 Condition 32:</b>		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 these conditions or any commitments made in a plan.				
EPBC 32	Notify the Department of any incident and/or potential non-compliance and/or actual non-compliance with these conditions or any commitments made in a plan.	within 2 business days of becoming aware of the occurrence / potential occurrence	Written notification (electronic) correspondence to the Department	M01_Ningaloo CAR 2024 Evidence Request Response Rev 0	The Action has not commenced.	Not applicable
<b>EPBC Decision 2020/8693 Condition 33:</b>		The approval holder must specify in the notification: <ol style="list-style-type: none"> <li>Any condition or commitment made in a plan which has been or may have been breached.</li> <li>A short description of the incident and/or potential non-compliance and/or actual non-compliance.</li> <li>The location (including co-ordinates), date, and time of the incident and/or potential non-compliance and/or actual non-compliance.</li> </ol> Note: If the exact information cannot be provided, the approval holder must provide the best information available.				
EPBC 33	The notification correspondence in EPBC 32 must include: <ul style="list-style-type: none"> <li>the condition /commitment potentially breached</li> <li>a short description</li> <li>the location (including coordinates)</li> <li>the date and time</li> </ul>	within 2 business days of becoming aware of the occurrence / potential occurrence	Written notification (electronic) correspondence to the Department	Refer to EPBC 32	Refer to EPBC 32	Not applicable
<b>EPBC Decision 2020/8693 Condition 34:</b>		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: <ol style="list-style-type: none"> <li>Any corrective action or investigation which the approval holder has already taken.</li> <li>The potential impacts of the incident and/or non-compliance.</li> <li>The method and timing of any corrective action that will be undertaken by the approval holder.</li> </ol>				
EPBC 34	Provide the Department specific details on any incident and/or potential non-compliance and/or actual non-compliance with these conditions or any commitments made in a plan including: <ul style="list-style-type: none"> <li>Corrective actions already taken</li> <li>Details of investigation already taken</li> <li>Potential impacts</li> <li>The method and timing of any corrective actions to be taken</li> </ul>	within 12 business days of becoming aware of the occurrence / potential occurrence	Written correspondence to the Department	Refer to EPBC 32	Refer to EPBC 32	Not applicable
<b>INDEPENDENT AUDIT</b>						
<b>EPBC Decision 2020/8693 Condition 35:</b>		The approval holder must ensure that an independent audit of compliance with the conditions is conducted for every three-year period following the commencement of the Action until this approval expires, unless otherwise specified in writing by the Minister.				
EPBC 35	Ensure an independent audit is conducted for every three-year period from 16 April 2024.	For the life of the approval	Independent audit report	Not applicable	An independent audit is not due until the period ending 16/04/2027.	Not applicable

Condition # / Reference	Criteria	Timing	Verification Method	Evidence	Determination	Compliance Status
<b>EPBC Decision 2020/8693 Condition 36:</b>		For each independent audit, the approval holder must:				
		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.			
EPBC 36A	Submit an audit plan to the Department containing: <ul style="list-style-type: none"> <li>name and qualifications of the nominated independent auditor</li> <li>draft audit criteria</li> <li>proposed timeframe for submitting the audit report</li> </ul>	For every three-year period from 16 April 2024 prior to commencing the independent audit	Audit plan submission correspondence with the Department	Refer to EPBC 35	Refer to EPBC 35	Not applicable
EPBC 36B	Do not commence the independent audit until the audit plan is approved.	for every three year period from 16 April 2024	Written approval from the Department	Refer to EPBC 35	Refer to EPBC 35	Not applicable
EPBC 36C	Submit the independent audit report to the Department.	Within the timeframe in the approved audit plan	Independent audit submission correspondence	Refer to EPBC 35	Refer to EPBC 35	Not applicable
EPBC 36D	Publish the approved independent audit report on the approval holder website.	On receipt of Department approval	Department approval correspondence Website check	Refer to EPBC 35	Refer to EPBC 35	Not applicable
EPBC 36E	Keep all independent audit reports published on the approval holder website.	Until approval expiry	Website check	Refer to EPBC 35	Refer to EPBC 35	Not applicable
<b>EPBC Decision 2020/8693 Condition 37:</b>		Each audit report must report for the three-year period preceding that audit report.				
EPBC 37	Ensure each independent audit report in EPBC 35 reports for the three-year period preceding that audit report.	For the life of the approval	Independent audit report	Refer to EPBC 35	Refer to EPBC 35	Not applicable
<b>EPBC Decision 2020/8693 Condition 38:</b>		Each audit report must be completed to the satisfaction of the Minister and be consistent with the Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines, Commonwealth of Australia (2019).				
EPBC 38A	The Minister must approve the independent audit report.	Prior to publishing on the approval holder website	Department approval correspondence	Refer to EPBC 35	Refer to EPBC 35	Not applicable
EPBC 38B	Prepare the independent audit to be consistent with the latest Independent Audit Report Guidelines (i.e. 2019).	For the life of the approval	Independent audit report	Refer to EPBC 35	Refer to EPBC 35	Not applicable
<b>COMPLETION OF THE ACTION</b>						
<b>EPBC Decision 2020/8693 Condition 39:</b>		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.				
EPBC 39	Notify the Department that the approval is due to expire.	60 business days prior to 16/04/2079	Electronic notification correspondence to the Department	Not applicable	The action is not within 60 business days prior to 16/04/2079.	Not applicable
<b>EPBC Decision 2020/8693 Condition 40:</b>		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.				
EPBC 40A	Notify the Department of the date of completion of the action.	Within 20 business days after the completion of the Action	Electronic notification to the Department	M01_Ningaloo CAR 2024 Evidence Request Response Rev 0	The action has not commenced.	Not applicable
EPBC 40B	Provide spatial completion data to the Department.	Within 20 business days after the completion of the Action	Correspondence to the Department containing completion data shapefile	Refer to EPBC 40B	Refer to EPBC 40B	Not applicable

## 6. Limitations

### Scope of Services

This report ('the report') has been prepared by JBS&G in accordance with the scope of services set out in the contract, or as otherwise agreed, between the Client and JBS&G. In some circumstances, a range of factors such as time, budget, access and/or site disturbance constraints may have limited the scope of services. This report is strictly limited to the matters stated in it and is not to be read as extending, by implication, to any other matter in connection with the matters addressed in it.

### Reliance on Data

In preparing the report, JBS&G has relied upon data and other information provided by the Client and other individuals and organisations, most of which are referred to in the report ('the data'). Except as otherwise expressly stated in the report, JBS&G has not verified the accuracy or completeness of the data. To the extent that the statements, opinions, facts, information, conclusions and/or recommendations in the report ('conclusions') are based in whole or part on the data, those conclusions are contingent upon the accuracy and completeness of the data. JBS&G has also not attempted to determine whether any material matter has been omitted from the data. JBS&G will not be liable in relation to incorrect conclusions should any data, information or condition be incorrect or have been concealed, withheld, misrepresented or otherwise not fully disclosed to JBS&G. The making of any assumption does not imply that JBS&G has made any enquiry to verify the correctness of that assumption.

The report is based on conditions encountered and information received at the time of preparation of this report or the time that site investigations were carried out. JBS&G disclaims responsibility for any changes that may have occurred after this time. This report and any legal issues arising from it are governed by and construed in accordance with the law as at the date of this report.

### Environmental Conclusions

Within the limitations imposed by the scope of services, the preparation of this report has been undertaken and performed in a professional manner, in accordance with generally accepted environmental consulting practices. No other warranty, whether express or implied, is made.

The advice herein relates only to this project and all results conclusions and recommendations made should be reviewed by a competent person with experience in environmental investigations, before being used for any other purpose.

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## 7. References

Department of Climate Change, Energy, the Environment and Water (2023) Annual Compliance Report Guidelines, Reporting under the Environment Protection and Biodiversity Conservation Act 1999, Commonwealth of Australia, Canberra.



# Appendix A EPBC 2020/8693 Approval



# Appendix B MS 1215 2024 Compliance Assessment Report

## Appendix C Evidence Register

**Table C.1: Evidence Register**

Code	Reference	Author	Electronic	Hard copy	Topic
C01	C01_20240111 ALMP R5 AND TMP R2 updates on DBCA Consultation	Z1Z	X		Proponent Response 11 January 2024 to DBCA comment of 1 September 2023 on the Artificial Light Management Plan (ALMP) Rev. 5 and the Turtle Management Plan (TMP) Rev. 2 for the proposed Ningaloo Lighthouse Resort.
C02	C02_Management Plans submitted to DCCEEW	JBS&G	X		Email submission 30/01/2024 from JBS&G to DCCEEW of OneDrive link containing Ningaloo Lighthouse Resort Project Management Plans: <ul style="list-style-type: none"> <li>• IWQMP Rev 3 V 1</li> <li>• ALMP Rev 5 V1</li> <li>• TMP Rev 2 V1</li> <li>• CEMP Rev 2</li> <li>• VMP Rev 4</li> </ul>
M01	M01_Ningaloo CAR 2024 Evidence Request Response Rev 0	JBS&G	X		JBS&G response 26/02/2025 to request for evidence to undertake MS1215 compliance assessment for the 15 December 2023 to 14 December 2024 reporting period.
M02	M02_Ningaloo ACR 2025 Evidence Request Response Rev 0	JBS&G	X		JBS&G response 01/04/2025 to request for evidence to undertake EPBC 2020/8693 compliance assessment for the 16 April 2024 to 15 April 2025 reporting period.
R01	R01_2025 ACR	JBS&G	X		This Annual Compliance Report
R02	R02_68645 Ningaloo CAR 2024 Rev 0	JBS&G	X		Z1Z Resorts Pty Ltd Ningaloo Lighthouse Resort Project 2024 Compliance Assessment Report – Ministerial Statement 1215 [68645 Rev 0] Submitted to DWER on 12 March 2025; submitted to DCCEEW on 18 March 2025
R03	R03_60294 NR WQMP Rev 3 V 1 110124	JBS&G	X		Z1Z Resorts Pty Ltd Ningaloo Lighthouse Resort Project Inland Water Quality Environmental Management Plan [60294 Revision 3 Version 1] 11 January 2024


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