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Published on: 15 December 2023

Statement No.1215

STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED
(*Environmental Protection Act 1986*)

NINGALOO LIGHTHOUSE RESORT PROJECT

Proposal: Proposed redevelopment of the Ningaloo Lighthouse Holiday Park, within Lot 2 and Lot 557 Yardie Creek Road, North West Cape, and includes associated infrastructure (including the borefield). The proposal comprises the construction of new visitor accommodation; the construction of 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, shades structures and service corridors and enclosures.

Proponent: Z1Z Resorts Pty Ltd
Australian Company Number 618 479 593

Proponent address: 171-173 Mounts Bay Road
PERTH WA 6000

Assessment number: 2301

Report of the Environmental Protection Authority: 1737

Introduction: Pursuant to section 45 of the *Environmental Protection Act 1986*, it has been agreed that the proposal entitled Ningaloo Lighthouse Resort Project described in the 'Proposal Content Document, Revision 1' of November 2021, may be implemented and that the implementation of the proposal is subject to the following implementation conditions and procedures:

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 / capacities / ranges are not exceeded:

Proposal element	Location	Maximum extent
Physical elements		
Development envelope and disturbance footprint	Figure 1	Total disturbance footprint, including the existing facility, of up to 13.63 hectares within a 45.34 hectare development envelope.
Direct disturbance of native vegetation	Figure 1	3.98 hectares, including up to 3.28 hectares of <i>Banksia ashbyi</i> and <i>Daviesia pleurophylla</i> shrubland
Operational elements		
Groundwater abstraction	-	Groundwater abstraction of up to 72 ML/year .
Treated wastewater irrigation	-	Irrigation of up to 40,000 kL/year of tertiary treated wastewater to landscaped areas (open space, gardens) within the development envelope.
Proposal life	-	55 years

PART B – ENVIRONMENTAL OUTCOMES, PRESCRIPTIONS AND OBJECTIVES

B1 Flora and Vegetation

B1-1 The proponent must ensure the implementation of the proposal does not result in:

- (1) **adverse impacts** to native vegetation within 50 metres outside of the development envelope.

B1-2 The proponent shall undertake weed control and management during construction and operations to prevent the introduction or spread of **environmental weeds**.

B2 Subterranean Fauna and Inland Waters

B2-1 The proponent must ensure the implementation of the proposal achieves the following environmental outcomes:

- (1) **groundwater quality** affected by the irrigation of wastewater from the wastewater treatment plant shall not exceed the 80th percentile of **suitable baseline data**, derived consistent with the methodology in the **National Water Quality Guidelines**;
- (2) **groundwater drawdown** at any one individual **groundwater monitoring bore** should be no more than 0.6 metres or more than the predicted extents demonstrated in the Inland Water Quality Management Plan (Version 2, Reference number: 60294/142,836);
- (3) the **salinity profiles** measured at any individual **groundwater monitoring bore** does not significantly deviate from the **salinity profiles** measured at suitable reference sites for the same period; and
- (4) no change to the salinity of the brackish lens within the development envelope as a result of any brine reinjection program.

B2-2 The proponent must review and update the Inland Water Quality Management Plan (Version 2, Reference number: 60294/142,836), in consultation with the Nganhurra Thanardi Garrbu Aboriginal Corporation, to satisfy the requirements of condition C4 and demonstrate how achievement of the environmental outcomes in condition B2-1(2), condition B2-1(3) and condition B2-1(4) will be monitored and substantiated, and submit it to the **CEO**.

B3 Marine Fauna

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

- (1) no **detectable** difference in adult marine turtle or marine turtle hatchling orientation (no misorientation or disorientation) in the **Lighthouse Bay Area** compared to baseline.

B3-2 The proponent must ensure the implementation of the proposal achieves the following environmental objectives:

- (1) no increase in **strandings** or mortality rate of adult marine turtles or marine turtle hatchlings in the **Lighthouse Bay Area** compared to baseline; and
- (2) no **adverse impacts** to adult marine turtle **nesting utilisation** in the **Lighthouse Bay Area** compared to baseline.

B3-3 The proponent must review and update, in consultation with the Department of Biodiversity, Conservation and Attractions, the Ningaloo Lighthouse Resort Project Artificial Light Management Plan (Rev 5, Document reference 60294) and the Ningaloo Lighthouse Resort Project Turtle Management Plan (Rev 2, Document reference 60294/148,970), to demonstrate how the marine fauna outcome in condition B3-1 will be monitored and substantiated, how the marine fauna environmental objectives in condition B3-2 will be achieved, and satisfies the requirements of conditions C4 and condition C5, and submit it to the **CEO**.

B4 Social Surroundings

B4-1 The proponent must ensure the implementation of the proposal achieves the following environmental outcomes:

- (1) no change to **dark and clear sky quality** detected at the Space Surveillance Telescope;
- (2) subject to reasonable health and safety requirements, no interruption of ongoing access to land utilised for traditional use or custom by the Baiyungu and/or Thalanyji People; and
- (3) no disturbance to the **sensitive dune area**.

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

- (1) avoid, where practical and otherwise minimise direct disturbance to **Aboriginal cultural heritage** sites;
- (2) avoid, where practical and otherwise minimise indirect impacts to **Aboriginal cultural heritage**, including to the cultural values associated with groundwater, within and surrounding the development envelope; and
- (3) ongoing consultation and engagement with Traditional Owners about achievement of the outcomes in condition B4-1(2) and condition B4-1(3), and objectives in condition B4-2 for the life of the proposal.

- B4-3 The proponent must, in consultation with Nganhurra Thanardi Garrbu Aboriginal Corporation, prepare an environmental management plan that demonstrates how achievement of the social surroundings environmental outcomes in condition B4-1(2) and condition B4-1(3) will be monitored and substantiated, how the social surroundings objective in condition B4-2 will be achieved, and satisfies the requirements of conditions C4 and C5, and submit it to the **CEO**.
- B4-4 The proponent must review and update, in consultation with the Department of Defence, the Ningaloo Lighthouse Resort Project Artificial Light Management Plan (Rev 5, Document reference 60294) to demonstrate how the social surroundings environmental outcome in condition B4-1(1) will be monitored and substantiated and satisfies the requirements of conditions C5, and submit it to the CEO.
- B4-5 The proponent must undertake ongoing consultation for the life of the proposal with the Department of Defence regarding the achievement the environmental outcome in condition B4-1(1).

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) **groundwater abstraction** until the **CEO** has confirmed in writing that the environmental management plan required by condition B2-2 meets the requirements of that condition and condition C4;
- (2) **commencement of operations** until the **CEO** has confirmed in writing that the environmental management plans required by condition B3-3 meets the requirements of that condition and condition C4 and condition C5;
- (3) **groundwater abstraction** until the **CEO** has confirmed in writing that the environmental management plan required by condition B4-3 meets the requirements of that condition and condition C4 and condition C5; and
- (4) **commencement of operations** until the CEO has confirmed in writing that the environmental management plan required by condition B4-4 meets the requirement of that condition and condition C5.

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; and

- (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**.
- 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; and
 - (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).
- 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) outlines the results of the monitoring;
- (5) reports whether the proposal limitations and extents in Part A were exceeded and (for any environmental outcomes to which condition C3-1(2) applies) whether the environmental outcomes in Part B were achieved, based on analysis of the results of the monitoring; and
- (6) reports any actions taken by the proponent to remediate any potential non-compliance.

C4 Environmental Management Plans: Conditions Relating to Monitoring and Adaptive Management for Outcomes Based Conditions

C4-1 The environmental management plans required under condition B2-2, condition B3-3 and condition B4-3 must contain provisions which enable the substantiation of whether the relevant outcomes of those conditions are met, and must include:

- (1) **threshold criteria** that provide a limit beyond which the environmental outcomes are not achieved;
- (2) **trigger criteria** that will provide an early warning that the environmental outcomes are not likely to be met;
- (3) monitoring parameters, sites, control/reference sites, methodology, timing and frequencies which will be used to measure **threshold criteria** and **trigger criteria**. Include methodology for determining alternate monitoring sites as a contingency if proposed sites are not suitable in the future;
- (4) baseline data;
- (5) data collection and analysis methodologies;
- (6) adaptive management methodology;
- (7) **contingency measures** which will be implemented if **threshold criteria** or **trigger criteria** are not met; and
- (8) reporting requirements.

C4-2 The environmental management plan required under condition B2-2 is also required to include:

- (1) ongoing monitoring of **salinity profiles**; and
- (2) timing the monitoring of **groundwater drawdown** and **salinity profiles** to occur at the end of peak visitation and after recharge events.

C4-3 The environmental management plans required under condition B3-3 is also required to include:

- (1) submission of the monitoring results to the Department of Biodiversity, Conservation and Attractions.

C4-4 Without limiting condition C3-1, failure to achieve an environmental outcome, or the exceedance of a **threshold criteria**, regardless of whether **threshold contingency measures** have been or are being implemented, represents a non-compliance with these conditions.

C5 Environmental Management Plans: Conditions Related to Management Actions and Targets for Objective Based Conditions

C5-1 The environmental management plans required under condition B3-3, condition B4-3 and condition B4-4 must contain provisions which enable the achievement of the relevant objectives of those conditions and substantiation of whether the objectives are reasonably likely to be met, and must include:

- (1) **management actions**;
- (2) **management targets**;
- (3) **contingency measures** if **management targets** are not met; and
- (4) reporting requirements.

C5-2 The environmental management plan required under condition B4-3 is also required to include:

- (1) consultation regarding the risks and mitigation measures required for marine turtles.

C5-3 Without limiting condition C2-1, the failure to achieve an environmental objective, or implement a **management action**, regardless of whether **contingency measures** have been or are being implemented, represents a non-compliance with these conditions.

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; and
- (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.

D1-2 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.

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 plans 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 fourteen (14) days after the expiration of period specified in condition D4-1.

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 D6-1 contains trade secrets; or
- (2) any data referred to in condition D6-1 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 15 December 2023]

Hon Reece Whitby MLA
MINISTER FOR ENVIRONMENT; CLIMATE ACTION

Key decision-making authorities consulted under section 45(2):
Minister for Water Minister for Aboriginal Affairs Minister for Lands

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.
Adverse impact / 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 disturbance. Impacts from the proposal can include (but not limited to) hydrological change, spread or introduction of environmental weeds , altered fire regimes, introduction or spread of disease, artificial light, changes in erosion/deposition/accretion including from dust and edge effects.
<i>Banksia ashbyi</i> and <i>Daviesia pleurophylla</i> shrubland	The area shown on Figure 1 as this community and as defined by spatial data in Schedule 1.
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.
Clearing	Death, destruction, removal, severing or doing substantial damage to native vegetation considered in 'Good', 'Very Good' or 'Excellent' condition as identified in Ecoscape 2018, <i>Ningaloo Lighthouse Development Environmental Surveys</i> , North Fremantle, WA.
Commencement of operations	The point in time where the resort is utilising artificial lights and/or accepts guests and involves artificial lighting.
Confirmed	<p>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.</p> <p>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.</p>
Contingency measures	Planned actions for implementation if it is identified that an environmental outcome, environmental objective, threshold criteria or management target are likely to be, or are being, exceeded. Contingency measures include changes to operations or reductions in disturbance to reduce impacts and must be

Acronym or abbreviation	Definition or term
	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.
Dark and clear sky quality	Sky quality required for effective operation of the Space Surveillance Telescope, which may be affected by artificial light and atmospheric pollution from impacts including dust.
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 .
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.
Groundwater abstraction	The extraction of groundwater for operational activities.
Groundwater drawdown	Lowering of the baseline water table as a result of groundwater abstraction, as measured by standing water level in metres Australian Height Datum.
Groundwater monitoring bore	A bore utilised for monitoring of groundwater, as identified in the confirmed Inland Water Quality Management Plan required by condition B2-2, or at any other bore required by the CEO .
Groundwater recharge	The period of time where, following seasonal rain, the extent of the brackish lens is likely to be largest.
Groundwater quality	Nutrient parameters in groundwater that maybe affected by irrigation of wastewater from the wastewater treatment plant (as measured by Total Phosphorous, Total Nitrogen, and oxides of nitrogen and ammonium)
kL/year	Kilo litres per year
Lighthouse Bay Area	The area defined by the Department of Biodiversity, Conservation and Attractions for the Ningaloo Turtle Program, which can be described as beaches located between Hunters and Mildura Wreck East.
Management action	The identified actions implemented with the intent of to achieving the environmental objective.
Management target	A type of indicator to evaluate whether an environmental objective is being achieved.
ML/year	Mega litres per year

Acronym or abbreviation	Definition or term
National Water Quality Guidelines	Guidelines for water quality management, available at www.waterquality.gov.au/guidelines , as amended or updated from time to time.
Nesting utilisation	The distribution, relative abundance and density of each species of the nesting effort and nesting success within the Lighthouse Bay Area for each species of adult marine turtle.
Salinity profile	The range or gradient of salinity within a groundwater bore.
Sensitive dune area	Area identified as the 'sensitive dune' in the <i>Final report regarding the archaeological and ethnographic site identification heritage survey of the proposed Ningaloo Lighthouse Holiday Park expansion undertaken by the Gnulli representatives and Yamatji Marlpa Aboriginal Corporation for Northwest Resorts</i> December 2019.
Strandings	A marine turtle that is alive on the nesting beach or areas adjacent to the nesting beach and that has been unable to return to the water.
Suitable baseline data	Data collected prior to the implementation of the proposal that can be justified as representing an unimpacted environmental state.
Trigger criteria	Indicators that have been selected for monitoring to provide a warning that if exceeded the environmental outcome may not be achieved. They are intended to forewarn of the approach of the threshold criteria and trigger response actions.
Threshold criteria	The indicators that have been selected to represent limits of impact beyond which the environmental outcome is not being met.

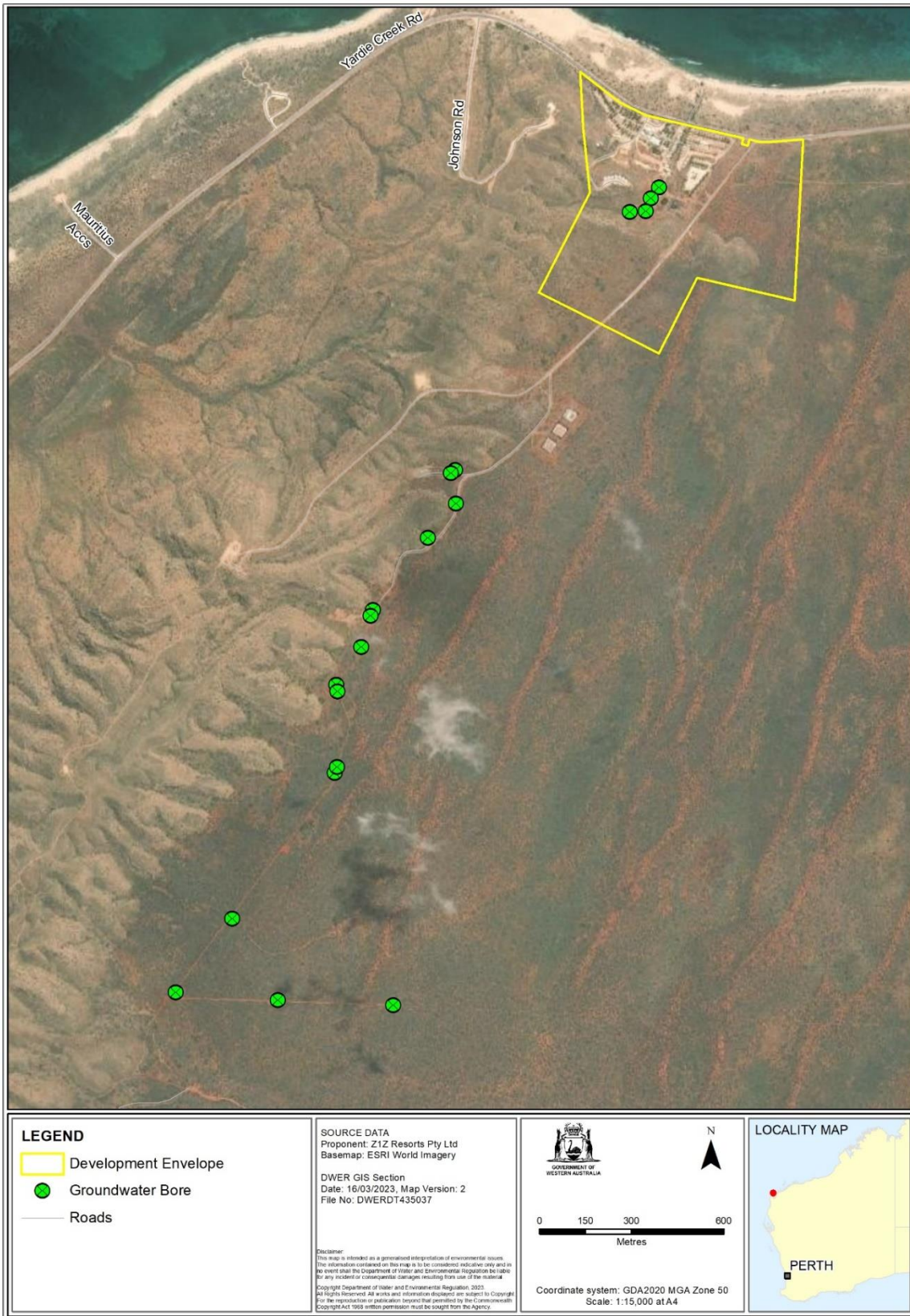
Figures (attached)

Figure 1 Ningaloo Lighthouse Resort development envelope and location of *Banksia ashbyi* and *Daviesia pleurophylla* shrubland (This map is a representation of the co-ordinates referenced in Schedule 1)

Figure 2 Groundwater bores for the proposal



Figure 1 Ningaloo Lighthouse Resort development envelope and location of *Banksia ashbyi* and *Daviesia pleurophylla* shrubland



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Unique Record ID

Figure 2 Groundwater bores for the proposal

Schedule 1

All coordinates are in metres, listed in Map Grid of Australia Zone 50 (MGA Zone 50), datum of Geocentric Datum of Australia 2020 (GDA20).

Spatial data depicting the figures are held by the Department of Water and Environmental Regulation. Record no. DWERDT50916.

Attachment 1 to Ministerial Statement 1215

Amendment to proposal approved under section 45C of the *Environmental Protection Act 1986*

This Attachment replaces condition B4-4, condition C4-1 and condition C5-1 of Ministerial Statement 1215

Proposal: Ningaloo Lighthouse Resort Project

Proponent: Z1Z Resorts Pty Ltd

Changes:

Amendments in order to correct clerical mistakes or unintentional errors or omissions in condition B4 Social Surroundings, C4 Environmental Management Plans (Outcomes Based Conditions) and C5 Environmental Management Plans (Objective Based Conditions):

- to amend condition B4-4 to reference condition C4 instead of condition C5
- to amend condition C4-1 to include reference to condition B4-4
- to amend condition C5-1 to remove reference to condition B4-4.

Condition B4-4 is deleted and replaced with:

B4-4 The proponent must review and update, in consultation with the Department of Defence, the Ningaloo Lighthouse Resort Project Artificial Light Management Plan (Rev 5, Document reference 60294) to demonstrate how the social surroundings environmental outcome in condition B4-1(1) will be monitored and substantiated and satisfies the requirements of condition C4, and submit it to the CEO.

Condition C4-1 is deleted and replaced with:

C4-1 The environmental management plans required under condition B2-2, condition B3-3, condition B4-3 and condition B4-4 must contain provisions which enable the substantiation of whether the relevant outcomes of those conditions are met, and must include:

- (1) **threshold criteria** that provide a limit beyond which the environmental outcomes are not achieved;
- (2) **trigger criteria** that will provide an early warning that the environmental outcomes are not likely to be met;
- (3) monitoring parameters, sites, control/reference sites, methodology, timing and frequencies which will be used to measure **threshold criteria** and

trigger criteria. Include methodology for determining alternate monitoring sites as a contingency if proposed sites are not suitable in the future;

- (4) baseline data;
- (5) data collection and analysis methodologies;
- (6) adaptive management methodology;
- (7) **contingency measures** which will be implemented if **threshold criteria** or **trigger criteria** are not met; and
- (8) reporting requirements.

Condition C5-1 is deleted and replaced with:

C5-1 The environmental management plans required under condition B3-3 and condition B4-3 must contain provisions which enable the achievement of the relevant objectives of those conditions and substantiation of whether the objectives are reasonably likely to be met, and must include:

- (1) **management actions**;
- (2) **management targets**;
- (3) **contingency measures** if **management targets** are not met; and
- (4) reporting requirements.

[Signed 20 February 2026]

Darren Walsh

CHAIR

Environmental Protection Authority

For the Minister for Environment under Notice of Delegation under section 18 of the Environmental Protection Act 1986

Approval date: 20 February 2026