



**Form for the referral of a proposal to the Environmental Protection Authority under Section 38 of the *Environmental Protection Act 1986***

Referrer information			
Who is referring this proposal?		<input checked="" type="checkbox"/> Proponent <input type="checkbox"/> Decision-making authority <input type="checkbox"/> Community member/third party	
Name John Hartman		Signature	
Position	Director	Organisation	Z1Z Resorts Pty Ltd
Email	jhartman@tattarang.com		
Address	171-173	Mounts Bay Road	
	Perth	State WA	Postcode 6000
Date	31.03.21		
Does the referrer request that the EPA treat any part of the proposal information in the referral as confidential? <i>Provide confidential information in a separate attachment.</i>		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Referral declaration for organisations, proponents and decision-making authorities:</b>  I, <b>John Hartman</b> , (full name) declare that I am authorised to refer this proposal on behalf of Z1Z Resorts Pty Ltd and further declare that the information contained in this form is true and not misleading.			
Part A: Proponent and proposal description			
Proponent information			
Name of the proponent/s (including Trading Name if relevant)		Z1Z Resorts Pty Ltd	
Australian Company Number(s) <input type="checkbox"/>		63 009 475 423	
<b>OR</b>			
Australian Business Number(s) <input checked="" type="checkbox"/>			
Contact for the proposal (if different from the referrer) <i>Please include: name, physical address, phone, and email.</i>		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Daniel Griffin Project Lead 171-173 Mounts Bay Road, Perth WA 6000	

	<a href="mailto:dgriffin@fiveight.com">dgriffin@fiveight.com</a> 0448 849 507
Does the proponent have the legal access required for the implementation of all aspects of the proposal? <i>If yes, provide details of legal access authorisations / agreements / tenure.</i> <i>If no, what authorisations / agreements / tenure is required and from whom?</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  The Proposal relates to: <ul style="list-style-type: none"> <li>Lot 2 on Plan 14686 being all of the land contained in Certificate of Title Volume 1782 Folio 440; and</li> <li>Lot 557 on Deposited Plan 412260 being all the land contained in Certificate of Title Volume 2948 Folio 146;</li> </ul> (together, the <b>Land</b> ) being located on Yardie Creek Road, North West Cape. The Proponent (formerly Northwest Resorts Pty Ltd) is the registered proprietor of the Land and has the legal access required.
<b>Proposal type</b>	
<b>What type of proposal is being referred?</b> For a change to an approved proposal please state the Ministerial Statement number/s (MS No./s) of the approved proposal  For a derived proposal please state the Ministerial Statement number (MS No.) of the associated strategic proposal	<input checked="" type="checkbox"/> significant – new proposal <input type="checkbox"/> significant – change to approved proposal (MS No./s: _____) <input type="checkbox"/> proposal under an assessed planning scheme <input type="checkbox"/> strategic <input type="checkbox"/> derived (Strategic MS No.: _____)
For a significant proposal: <ul style="list-style-type: none"> <li>Why do you consider the proposal may have a significant effect on the environment and warrant referral to the EPA?</li> </ul>	The Proposal requires the clearing of up to 4.52 ha of native vegetation within freehold land, within the National Heritage listed Ningaloo Coast.  The proposal may have direct impacts on flora and vegetation and terrestrial fauna and groundwater; and indirect impacts on subterranean fauna; threatened marine turtle species, natural, historic and Aboriginal Heritage sites.
For a proposal under an assessed planning scheme, provide the following details: <ul style="list-style-type: none"> <li>Scheme name and number</li> </ul> For the Responsible Authority: <ul style="list-style-type: none"> <li>What new environmental issues are raised by the proposal that were not assessed during the assessment of the planning scheme?</li> <li>How does the proposal not comply with the assessed scheme and/or the environmental conditions in the assessed planning scheme?</li> </ul>	N/A
<b>Proposal description</b>	
Title of the proposal	Ningaloo Lighthouse Resort Project

Name of the Local Government Authority in which the proposal is located.	Shire of Exmouth
Location: a) street address, lot number, suburb, and nearest road intersection; or b) if remote the nearest town and distance and direction from that town to the proposal site.	Lot 2 and Lot 557 Yardie Creek Road, North West Cape
Proposal description – including the key characteristics of the proposal <i>Provide as an attachment to the form</i>	Proposed redevelopment of the Ningaloo Lighthouse Holiday Park , within Lot 2 and Lot 557 Yardie Creek Road, North West Cape, and associated infrastructure
Have you provided electronic spatial data, maps and figure in the appropriate format? <i>Refer to instructions at the front of the form</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
What is the current land use on the property, and the extent (area in hectares) of the property?	Ningaloo Lighthouse Caravan Park Lot 2 and Lot 557 comprise 45.35 ha in total
Have you had pre-referral discussions with the EPA at DWER Services? If so, quote the reference number and/or the DWER contact.	Yes 3 December 2020 Liesl Rohl / Troy Sinclair

## Part B: Environmental impacts

### Environmental factors

What are the likely significant environmental factors for this proposal?

- Benthic Communities and Habitat
- Coastal Processes
- Marine Environmental Quality
- Marine Fauna
- Flora and Vegetation
- Landforms
- Subterranean Fauna
- Terrestrial Environmental Quality
- Terrestrial Fauna
- Inland Waters
- Air Quality
- Greenhouse Gas Emissions
- Social Surroundings
- Human Health

*For each of the environmental factors identified above, complete the following table, or provide the information in a supplementary report*

### Potential environmental impacts

1	<b>EPA Factor</b>	
2	<b>EPA policy and guidance</b> - What have you considered and how have you applied them in relation to this factor?	
3	<b>Consultation</b> – Outline the outcomes of consultation in relation to the potential environmental impacts	

4	<b>Receiving environment</b> – Describe the current condition of the receiving environment in relation to this factor.	<b>Refer to Attached Supplementary Report:</b>  Ningaloo Lighthouse Resort Project Section 38 Referral, <i>Environmental Protection Act 1986</i> Prepared by Strategen-JBS&G for Z1Z Resorts Pty Ltd March 2021
5	<b>Proposal activities</b> – Describe the proposal activities that have the potential to impact the environment	
6	<b>Mitigation</b> – Describe the measures proposed to manage and mitigate the potential environmental impacts.	
7	<b>Impacts</b> – Assess the impacts of the proposal and review the residual impacts against the EPA objective.	
8	<b>Assumptions</b> - Describe any assumptions critical to your assessment e.g. particular mitigation measures or regulatory conditions.	

## Part C: Other approvals and regulation

### State and Local Government approvals

Is rezoning of any land required before the proposal can be implemented? If yes, please provide details.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If this proposal has been referred by a decision-making authority, what approval(s) are required from you?	N/A

Please identify other approvals required for the proposal:

Proposal activities e.g. clearing, dewatering, mining, processing, dredging	Land tenure/access e.g. Crown land, Mining lease, specify legislation for access if relevant	Type of approval e.g. Native Vegetation Clearing Permit, licence, mining proposal,	Legislation regulating the activity e.g. <i>EP Act 1986 – Part V, RiWI Act 1914, Mining Act 1979</i>
Clearing of native vegetation; ground disturbance	Freehold	Section 18 Consent	<i>Aboriginal Heritage Act 1972 (AH Act)</i>
Clearing of native vegetation	Freehold	Native Vegetation Clearing Permit <sup>1</sup>	<i>Environmental Protection Act 1986 (EP Act), Part V</i>
Water abstraction	Leasehold (borefields); Easement (for water supply from borefield to Proposal)	Groundwater Licence(s) Section 26D Licence to construct or alter a well Section 5C Licence to take water	<i>Rights in Water and Irrigation Act 1914 (RIWI Act)</i>
Activities meeting threshold(s) for Prescribed Premises categories, such as Sewage treatment where treated wastewater is discharged to land	Freehold (new wastewater treatment plant); Leasehold (existing sewage ponds)	Works Approval (to construct) ; and Licence or Registration (to operate). <sup>2</sup>	<i>EP Act, Part V</i>
Onsite sewage treatment		Application to Construct or Install an Apparatus for the Treatment of Sewage	Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974
Demolition	Freehold	Demolition Approval	Building Act 2011 and associated Regulations
Storage of hydrocarbon	Freehold	Dangerous Goods Licence <sup>3</sup>	<i>Dangerous Goods Safety Act 2004 and Regulations</i>

### Commonwealth Government approvals

Does the proposal involve an action that may be or is a controlled action under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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- 1 Not required if the Proposal is approved by Ministerial Statement.
- 2 Where regulatory thresholds are met.
- 3 Where regulatory thresholds are met.

## Part C: Other approvals and regulation

### State and Local Government approvals

Has the proposed action been referred? If yes, when was it referred and what is the reference number (EPBC No.)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date: 03/08/2020 EPBC No.: 2020/8693
If referred, has a decision been made on whether the proposed action is a controlled action? If 'yes', check the appropriate box and provide the decision in an attachment.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Decision – controlled action <input type="checkbox"/> Decision – not a controlled action
If the proposal is determined to be a controlled action, do you request that this proposal be assessed under the bilateral agreement or as an accredited assessment?	<input type="checkbox"/> Yes - Bilateral <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes - Accredited
Is approval required from other Commonwealth Government/s for any part of the proposal? <i>If yes, describe.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Approval: