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Darwin Ship Lift Project
EPBC 2021/9068
Annual EPBC Act Controlled Action Compliance Report
3.10.2023 – 02.10.2024
41213-HSE-REP-D-1003

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1 Executive Summary

The Annual Compliance Report has been prepared by Clough BMD Joint Venture (CBJV) on behalf of the Northern Territory of Australia (Department of Logistics and Infrastructure (DLI)), This report outlines that CBJV maintained compliance with 17 of the 31 compliance designation outcomes. The remaining 14 items were determined to be not applicable during the period of reporting between the project commencement of action on 18 April and 02 October 2024. No non-compliances were recorded during the period.

2 Purpose

This annual compliance report has been prepared for the Darwin Ship Lift Project (herein 'the Project' or 'DSL') by the Clough BMD Joint Venture group (CBJV) on behalf of the Northern Territory of Australia (Department of Logistics and Infrastructure (DLI)) who is the approval holder of the Project *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) controlled action approval (EPBC 2021/9068).

The report content is prepared to address the Project EPBC Act controlled action approval conditions 19 to 22 (annual compliance reporting) and prepared in accordance with the Department of Climate Change, Energy, the Environment and Water's (DCCEEW's) *Annual Compliance Report Guidelines: Reporting under the Environment Protection and Biodiversity Conservation Act 1999* (DCCEEW, 2023a). The compliance report has included an assessment of compliance with the relevant approval conditions, and summary of the evidence to support compliance.

The report content is also prepared in accordance with CBJV's principles and summarises the potential environmental impacts of the Project. It is intended to meet the annual reporting requirements and provide greater transparency to the community and stakeholders regarding the environmental objectives and progress of the Project.

3 Introduction

3.1 Project Description of Approved Action

The Darwin ship lift facility will feature the largest ship lift in Northern Australia and is designed to meet current and long-term vessel maintenance and servicing needs of the Department of Defence, Australian Border Force, general commercial and private maritime sector whilst supporting local jobs and economic growth in the Territory.

Once operational the facility will be a catalyst for the development of a marine maintenance and servicing industry, and the creation of many new jobs.

The facility is proposed to include:

- a ship lift and transfer system, Lloyds Register Certified for Compliance with Code for Lifting Appliances in a Marine Environment, July 2020,
- a ship lift control room for ship lift, SPMT vessel transfer system, SPMT shed, administration building and gatehouse,
- a vessel wash-down bay, blast and paint structure and hardstand,
- a dry berth hardstand for vessel repair and maintenance,
- trestles for vessel support (out of water), lifting and transfer,
- quay structures for six (6) berths, reclamation, and hardstand,
- marine structures, bunds, revetments, shore protection, and lead-in dolphins,

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- berth fixtures, including fenders, bollards, mooring systems, ladders, and operational safety infrastructure (eye wash stations, buoyancy rings, spill kits),
- aids to navigation,
- dredged berth pockets, maneuvering basins and adjustments to connect to existing shipping channel,
- services including electrical, communication, potable water, sewerage, waste management, fire water, lighting, access control system and CCTV,
- security fencing, gates, and boom-gates; and
- an access road, intersection upgrade and internal infrastructure,

The ship lift will have the capacity to lift vessels such as Cape Class Patrol Boat (Australian Border Force) and SEA 1180 Luerssen Arafura Class OPV (Navy), OSV / PSV MMA Plover, Brewster and Responder, and OSV/PSV Pacific Harrier, Hawk, Heron, Hornbill and Navy Frigate ANZAC Class.

The facility will be delineated into two discrete areas, one of which will be privately operated, and the other will be designated as a Common User Facility (CUF), which will enable vessel owners to choose and manage their own service and maintenance providers. This will also enable multiple providers to operate concurrently at the facility.

3.2 Project activities

Table 1 provides a high-level summary of Project activities from the commencement of site activities from 18 April to 02 October 2024.

Table 1. Project Activities

2024	Project Activities
April	<ul style="list-style-type: none"> • Site access granted. • Site dilapidation survey completed. • Underground existing service locating and identification.
May	<ul style="list-style-type: none"> • Site construction offices and amenities established. • Commenced importation of the quarried materials required for the reclamation works. • Demolition of the existing concrete structures within the DSL footprint. All demolished concrete has been stockpiled for further use within the DSL footprint • Cleared and mulched <1.2 ha of the existing number of mangroves. • Darwin Port settlement pond establishment works.
June	<ul style="list-style-type: none"> • Continued importation of quarried materials. • Installed bridging layer material over the exposed mangrove and beach areas of site. • Commenced construction of the construction access causeways. • Continued demolition and stockpiling of redundant concrete structures. • Commencement of daily surface water quality sampling for turbidity (NTU) and pH from onshore construction activities.
July	<ul style="list-style-type: none"> • Continued importation of quarried materials. • Continued construction of various access causeways. • Geological testing of existing site material undertaken. • Pond K Tailwater flowmeter installed as per EPA requirement.

2024	Project Activities
August	<ul style="list-style-type: none"> • Mobilised dredging contractor to DSL. • Commenced Cutter-Suction (CSD) dredging and utilisation of the Darwin Port settlement ponds. • Continued importation of quarried materials. • Continued construction of various access causeways. • Excavated and stockpiled surplus material from the proposed SPMT pavement corridor pavement area. • Commencement of daily surface water quality sampling for turbidity (NTU) and pH from East Arm Wharf (EAW) settling ponds from dredging activities. • Commencement of weekly laboratory analysis for toxicant levels for tailwater release from EAW settling ponds. No discharge from authorised discharge point occurred within August.
September to 02 October	<ul style="list-style-type: none"> • Continued CSD dredging. • Continue importation of quarried materials, day and night. • Continue construction of various access causeways. • Commence bulk earthworks to reclaim enclosed bund and reclamation areas. • Site visit by CPESC in preparation for drafting Wet Season ESCP for implementation by end of October. • Commence construction and installation of temporary materials offloading facility (TMOF) to support backhoe dredging (BHD) activities • Delivery of sheet piles to site • Continue daily in-situ sampling of East Arm Wharf (EAW) settling ponds, and weekly laboratory sampling in accordance with DDSPMP. No discharge from authorised discharge point occurred between 1 September and 2 October.

3.3 EPBC Act controlled action conditions

Table 2 outlines the EPBC Act controlled action conditions relevant to the annual compliance report.

Table 2. EPBC Act controlled action approval conditions

Condition	Condition Description	Section Discussed
19	The approval holder must prepare a compliance report for each 12-month period following the date of this approval decision, or as otherwise agreed to in writing by the minister.	This report
20	Each compliance report must be consistent with the department’s Annual Compliance Report Guidelines, Commonwealth of Australia 2014, or any subsequent official version.	This report
21	Each compliance report must include: <ul style="list-style-type: none"> a) Accurate and complete details of compliance and any non-compliance with the conditions and the plan, and any incidents. b) One or more shapefile showing all clearing of protected matters, and/or their 	a) Appendix I (compliance assessment for EPBC Act controlled action conditions) Appendix I (compliance assessment for Erosion and Sediment Control Plan (ESCP), Dredge and Dredge

Condition	Condition Description	Section Discussed
	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.	Spoil Placement Management Plan (DDSPMP) and Marine Megafauna Management Plan (MMMP) b) Shapefiles have been submitted to the DCCEEW c) Section 4.1.1
22	The approval holder must: a) Publish each compliance report on the website within 60 business days following the end of the 12-month (or other) 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 a 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 ecological data from compliance reports published on the website or otherwise provided to a member of the public. f) If sensitive ecological data is excluded or redacted from the published version of the compliance report, submit the full compliance report to the department within 5 business days of the redacted version being published on the website and notify the department in writing which exclusions and redactions have been made in the version published on the website.	DLI has complied with these conditions where relevant

3.4 Location and site layout

The Project is situated approximately 6.5 km south-east of the Darwin Central Business District, on the East Arm Peninsula within Darwin Harbour. The site is approximately 700 m east north-east of the EAW and the Marine Supply Base (MSB), and west of the Darwin Business Park. Road access is provided by Berrimah Road, linking the site to the Darwin Road network including the Stuart Highway and Tiger Brennan Drive.

The mix of land uses surrounding the Project include:

West: the EAW and MSB support export and import of dry bulk materials and liquids associated with the mining and petroleum industries, containerised / break bulk (not containerised) and specialised heavy lift cargoes, general cargoes, and live cattle exports.

North: industrial land including the Darwin Port stockpile area and dredge spoil ponds, the Northern Cement plant, the Darwin Vopak Terminal (petroleum import and distribution terminal), the CUF and the passenger terminal of the Adelaide - Darwin rail line.

East: the recently constructed Multi-use Barge Ramp Facility (MUBRF), and Catalina Island.

South: the southern end of the Project site encompasses the intertidal zone and the East Arm water confluence with Elizabeth River which forms part of Darwin Harbour.

The location of the Project area is shown in **Figure 1** and **Figure 2**.

Figure 1. Project location



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Figure 2. Darwin Ship Lift project location of the prosed action



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3.5 Environmental values

Environmental values that are present within and adjoining the Action area as defined within the Project EPBC Act controlled action approval (EPBC 2021/9068) and the approved extent as defined within the Project NT Government Environmental Approval (EP2023/028-001) are summarised in **Table 3**.

Table 3. Environmental values within the Action area

Category	Specifications
Protected matters (EPBC Act)	<ul style="list-style-type: none"> • <i>Flatback Turtle (Natator depressus)</i> • <i>Green Turtle (Chelonia mydas)</i> • <i>Hawksbill Turtle (Eretmochelys imbricata)</i> • <i>Curlew Sandpiper (Calidris ferruginea)</i> • <i>Eastern Curlew (Numenius madagascariensis)</i> • <i>Great Knot (Calidris tenuirostris)</i> • <i>Greater Sand Plover (Charadrius leschenaultii)</i> • <i>Lesser Sand Plover (Charadrius mongolus)</i> • <i>Red Knot (Calidris canutus)</i> • <i>Spotted Bottlenose Dolphin (Tursiops aduncus) (Arafura/Timor Sea populations)</i> • <i>Australian Humpback Dolphin (Sousa sahalensis)</i> • <i>Australian Snubfin Dolphin (Orcaella heinsohni)</i> • <i>Black-tailed Godwit (Limosa limosa)</i> • <i>Grey-tailed Tattler (Tringa brevipes)</i> • <i>Sanderling (Calidris alba)</i> • <i>Sharp-tailed Sandpiper (Calidris acuminata)</i> • <i>Terek Sandpiper (Xenus cinereus)</i> • <i>Whimbrel (Numenius phaeopus)</i>
Darwin Harbour Region – Natural Waterways (Gazette: G27; 2010)	<p>DECLARED BENEFICIAL USES:</p> <ol style="list-style-type: none"> 1. The protection of environment, cultural (aesthetic, recreational and cultural), and aquaculture to be beneficial uses that apply to the area of water known as Darwin Harbour being all saline waters south of the line drawn from Charles Point to Gunn Point and bounded by the upper limit of the high-water mark of tidal waterways, including all named and unnamed inlets and creeks. 2. The protection of environment, cultural (aesthetic, recreational and cultural), agriculture and rural stock and domestic to be the beneficial uses of water that apply to all natural waterways in the Darwin Harbour catchment, including all named and unnamed springs, creeks, rivers, lakes, lagoons, swamps, or marshes
Darwin Harbour Region – High Water Mark (Gazette: G27; 2010)	<p>DECLARED BENEFICIAL USES:</p> <ol style="list-style-type: none"> 1. The protection of environment, cultural (aesthetic, recreational and cultural) and aquaculture to be beneficial uses that apply to the area of water known as Darwin Harbour being all saline waters south of the

Category	Specifications
	line drawn from Charles Point to Gunn Point and bounded by the upper limit of the high-water mark of tidal waterways, including all named and unnamed inlets and creeks.

4 Environmental Planning and Risk Management

Management of environmental issues for the Project has been based on the ISO14001 Environmental Management Systems standard and aligned to CBJV requirements for risk identification, assessment, and management. A range of risk assessment methods have been used for assessing the likelihood of an identified event occurring and what the consequences might be during the construction phase of the Project. This systematic approach has contributed to ensuring that facilities are constructed without unacceptable risk to the environment and are conducted in accordance with the HSSE Risk Management Procedure, 41213-HSE-PR-G-0072 and HSSE Management Manual, CORP-HSE-MN-G-0001.

4.1 Environmental management

A Project specific Construction Environmental Management Plan (CEMP) provides a framework for the management of all environmental aspects of the Project. The primary purpose of the CEMP is to describe the management systems and procedures, which will be adhered to in achieving Project environmental objectives and approval conditions. The CEMP is the overarching reference for environmental management throughout the construction phase and prescribes all applicable procedures, processes and practices to be undertaken by CBJV and their subcontractors. The CEMP outlines processes to manage environmental risks, minimise impacts on the surrounding environment and ensure compliance with regulatory requirements and other obligations throughout project delivery.

The Project CEMP, its sub-plans and procedures are applicable to all project works, staff, and subcontractors. Sub-plans have been developed for the relevant aspects that are considered high risk in relation to the Darwin Ship Lift Project Scope of Works (SoW). In combination, the implementation of the CEMP and associated sub-plans has ensured compliance with all applicable Project approval conditions that are in line with legislative and approval requirements.

4.1.1 List of supporting management plans

Where identified from regulatory approvals for the Project, by the Territory or the Project risk assessment, the following plans have been developed for the Project SoW:

- 41213-HSE-PL-G-1001 HSE Management Plan,
- 41213-HSE-PL-G-1005 Training Management Plan,
- 41213-HSE-PL-G-1007 Waste Management Plan,
- 41213-HSE-WI-G-022 Chemical and Hazardous Substance Work Instruction,
- 41213-HSE-PL-G-1011 Marine Megafauna Management Plan,
- 41213-HSE-PL-D-0001 Dredge and Dredge Spoil Placement Management Plan, and
- 41213-HSE-PL-G-1008 Erosion and Sediment Control Plan.

The following environmental management sub-plans have been developed:

- Unexpected Finds Management Sub-Plan,
- Erosion and Sediment Control, Stormwater Management and Earthworks Sub-Plan,
- Potential Acid Sulfate Soils Management Sub-Plan,

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- Water Quality Management Sub-Plan,
- Terrestrial Flora and Fauna Management Sub-Plan,
- Pests, Weeds and Biosecurity Management Sub-Plan,
- Emissions Management Sub-Plan,
- Greenhouse Gas Management Sub-Plan, and
- Spill Management Sub-Plan.

Table 4 provides a summary of the implementation tasks undertaken for the key Project environmental management plans.

Table 4. Implementation of key environmental management plans

Project Management Plan	Implementation
Construction Environmental Management Plan (CEMP) and supporting subplans	<ul style="list-style-type: none"> • Project HSSE Induction • Site Inductions • Regular toolbox topics and training • Daily site checks • Weekly Environmental Inspections • Pre- and Post-rainfall Inspections • Environmental Reporting • Risk management processes and workshops • Environmental Audits
Dredge and Dredge Spoil Disposal Management Plan (DDSPMP)	<ul style="list-style-type: none"> • Completion of Daily and Weekly Reporting • Environmental Monitoring and Water Quality management Framework for Darwin Harbour and East Arm Wharf Dredge Ponds
Marine Megafauna Management Plan (MMMP)	<ul style="list-style-type: none"> • Marine megafauna logs completed daily during dredging activities • Regular inspections and audits of subcontractors

5 Environmental Monitoring

The Dredging and Dredge Spoil Placement Plan (DDSPMP) describes the commitments to the environmental monitoring program during the dredging activities. **Table 5** summarises the environmental monitoring program and the details that were recorded.

Refer to Appendices A to H for environmental monitoring records for the annual compliance reporting period.

Table 5. Environmental monitoring program

Monitoring aspect	Details that were recorded
Weather observations	<ul style="list-style-type: none"> • Daily weather records • Tidal conditions • Rainfall event
Water quality monitoring - As outlined within Section 9, Table 9 - Summary of Environmental Monitoring programs of the DDSPMP	<ul style="list-style-type: none"> • Location and frequency
Monitoring results and assessment - As outlined within Section 7 of the DDSPMP	<ul style="list-style-type: none"> • Plume monitoring • pH • Turbidity (NTU) • Benthic communities • Toxicants analysis • Exceedances
Erosion and sediment control - As outlined within Section 9 of the ESCP	<ul style="list-style-type: none"> • Checks on all drainage, erosion and sediment control measures • Occurrences of excessive sediment deposition (whether on-site or off-site) • Checks on all site discharge points (including dewatering activities as appropriate – none occurred during period), litter and waste receptors, and oil, fuel and chemical storage facilities • Occurrences of construction materials, litter or sediment placed, deposited, washed or blown from the site, including deposition by vehicular movements
Marine megafauna - As outlined within Section 5 of the MMMP	<ul style="list-style-type: none"> • Vessel Marine Fauna Observer (MFO) logs, including individual species observed, the frequency, location and timing of observations and photos (if available)

5.1 Performance criteria

Water quality monitoring criteria included in the DDSPMP have been based on the Australian and New Zealand Guidelines for Fresh and Marine Water (ANZECC Guidelines); the former NRETAS Water Quality Objectives for Darwin Harbour and the Darwin Harbour Region Report Cards 2010 (URS 2012).

6 Legislative Framework

All Project work was undertaken in accordance with the relevant statutory requirements. The following key legislation is recognised as relevant to the approval of the Project noting that the Contractor has implemented the relevant components of the legislation as applicable to the CEMP and the responsibilities under its Project SoW.

A summary of Commonwealth and Territory environmental legislation expected to be potentially relevant to the Project include:

Relevant Commonwealth Legislation

- Aboriginal Land Rights (Northern Territory) Act 1976 (ALR Act)
- Aboriginal and Torres Strait Islander Heritage Protection Act 1984
- Australian Heritage Council Act 2003
- Australian Maritime Safety Authority Act 1990
- Biosecurity Act 2015
- Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)
- Hazardous Waste (Regulation of Exports and Imports) Act 1989
- National Greenhouse Measurement Determination 2008 (Commonwealth) (DAWE, 2021)
- National Greenhouse and Energy Reporting Act 2007
- Native Title Act 1993
- Navigation Act 2012
- Occupational Health and Safety (Maritime Industry) Act 1993
- Protection of the Sea (Harmful Anti-fouling Systems) Act 2006
- Protection of the Sea (Prevention of Pollution from Ships) Act 1983
- Protection of the Sea (Powers of Intervention) Act 1981
- Underwater Cultural Heritage Act 2018

Relevant Territory Legislation

- Aboriginal Sacred Sites Act 1989
- Aboriginal Land Act 1978
- Building Act 1993
- Control of Roads Act 1953
- Crown Lands Act 1992
- Dangerous Goods Act 1998
- Environment Protection Act 2019
- Fire and Emergency Act 1996
- Fisheries Act 1988
- Heritage Act 2011
- Land Title Act 2000
- Marine Act 1981
- Marine Pollution Act 1999
- National Environment Protection Council (Northern Territory) Act 1994
- Planning Act 1999
- Ports Management Act 2015
- Port of Darwin Act 2015
- Public and Environmental Health Act 2011
- Soil Conservation and Land Utilisation Act 1969
- Territory Parks and Wildlife Conservation Act 1976
- Traffic Act 1987

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- Transport of Dangerous Goods by Road and Rail (National Uniform Legislation) Act 2010
- Waste Management and Pollution Control Act 1998 (WMPC Act)
- Water Act 1992
- Weeds Management Act 2001

Compliance with legislative requirements detailed in Project environmental approvals, including relevant management plans have been monitored regularly during the annual compliance reporting period and there have been no non-conformances within the reporting period. The environmental approvals and allowances are summarised in **Table 6**.

Table 6. Environmental allowances, approvals and permits

Environmental	Approval/Permit	Approved purpose and allowances
Development Permit	DP24/0037	To use and develop the land for the purpose of industry-general and excavation and fill (Darwin Ship Lift Facility) including reclamation and dredging of Darwin Harbour, revetment walls, wet berths, hardstand, and buildings in 2 stages, in accordance with the attached schedule of conditions and the endorsed plans.
Aboriginal Areas Protection Authority (AAPA) - Authority certification	RA2018/46 C2019/004	Subject Land A: All works associated with the development of the ship lift facility, including for all works associated with the construction, operation and ongoing repairs and maintenance of a marine industrial and ancillary services Subject Land B: Access to the area for fauna and environmental monitoring and sampling, including transit by boat and occasional anchoring. Transit for ferrying of staff when weather requires it in shallow draft vessels. Note: no intended island access or anchoring in immediate vicinity of the island.
Fisheries Section 11 permit	2023-2024 / S11/549	CBJV during the period and times specified in Schedule 2, is permitted to conduct the following activities that may impact on fish or aquatic life or their habitats: Cause shock, sound or other vibration within the area identified in Schedule 3 through activities for purposes associated with the dredging and piling activities for the Darwin Ship Lift project being constructed on behalf of the NTG. Approximately 240 days of piling activity are predicted during the construction phase, employing both drilling and hydraulic hammering as pile-driving methods.
NT Environmental Approval	EP2023/028-001	Construct and operate a common user ship lift, repair and maintenance facility and adjoining marine facility approximately 700 m east of the existing East Arm Wharf and Marine Supply Base in Darwin Harbour including:

Environmental	Approval/Permit	Approved purpose and allowances
		<p>Disturbance of no more than 11 ha of seabed within the approved extent.</p> <p>Capital dredging (excluding maintenance dredging) shall not exceed 520,000 m³ and shall occur within approved extent.</p> <p>Disposal of dredged material within the East Arm Ponds or beneficial reuse of dredged material through placement in the revetment area; and</p> <p>Land disturbance area (including infrastructure hardstand and revetments) must not exceed 22.2 ha.</p>
EPBC Act controlled action	EPBC2021/9068	To construct and operate a common user ship lift facility and an adjacent repair and maintenance facility, approximately 700 m east of the existing East Arm Wharf and Marine Supply Base in Darwin Harbour, Northern Territory.
Waste Discharge Licence	WDL254	The controlled discharge of wastewater from East Arm Pond E (North) to Pond E (South) into Darwin Harbour via the authorised discharge point and subject to the conditions of this Licence.

7 Project Approval Conditions

7.1 Notification of approval

The Project EPBC Act controlled action decision was made under Section 133(1) of the EPBC Act noting that Section 134(1A) of the EPBC Act applies to the Project approval.

7.2 Approved action

Person to whom the approval is granted (approval holder)	NORTHERN TERRITORY OF AUSTRALIA
ABN of approval holder	84 085 734 992
Action	To construct and operate a common user ship lift facility and an adjacent repair and maintenance facility, approximately 700 m east of the existing East Arm Wharf and Marine Supply Base in Darwin Harbour, Northern Territory (NT) [See EPBC Act referral 2021/9068].

7.3 Annual reporting

Approval holder must prepare annual compliance reports in accordance with the Project EPBC Act controlled action conditions and the *Annual Compliance Report Guidelines* (DCCEEW, 2023a). The Project annual compliance report is required to be prepared for each 12- month period following the Project controlled action approval (EPBC 2021/9068) date of the 03 October. The annual compliance report is published on the DLI's website within 60 business days following the end of the reporting period and notify the DCCEEW within five (5) business days of publication.

7.3.1 Compliance table

Section 3.6 of the *Annual Compliance Report Guidelines* (DCCEEW, 2023a) states that a compliance table (or similar) is required. The table must include condition numbering, full wording, designation of compliance and summary evidence.

Appendix I (**Table 12**) has been produced to satisfy the requirement for an EPBC Act controlled action approval conditions compliance table.

7.3.2 Assessment designations

The system used for describing the condition compliance findings (compliance designation) is set out in **Table 7**.

Table 7. Compliance designations

Finding	Description
Not Applicable	The requirement to comply with the specific condition or elements of a condition was not applicable for the reporting period (e.g. a condition that applies to an activity that has not yet commenced).
Compliant	The Northern Territory of Australia (DLI) (as the approval holder) is compliant with all the requirements of the condition, including the implementation of relevant management plans or other measures required by the condition.
Non-compliant	The Northern Territory of Australia (DLI) (as the approval holder) is not compliant with the requirements of a condition or elements of a condition, including the implementation of relevant management plans or other measures required by the condition.

7.4 Addressing approval conditions

Section 3.5 of the *Annual Compliance Report Guidelines* (DCCEEW, 2023a) requires that all approval conditions, and management plans required under an approval condition, have been considered and addressed, that an evaluation of compliance is provided (compliance designation) and a summary of evidence to support the compliance designation.

All conditions of the Project EPBC Act controlled action approval (EPBC 2021/9068) have been assessed, in conjunction with the management plans relevant to this stage of the Project (refer Appendix I, **Table 12**).

7.5 Addressing community concerns

CBJV documents the procedures for community contact, complaints handling and investigation. This process requires issues to be shared with the Project team, resulting in a consistent and unified response.

These procedures include:

- Complaints from any source (e.g. DLI, public, government) will be recorded using Incident Report Form 41213-HSE-FO-G-0035.
- The establishment and maintenance of a complaints (contact) register, including complaint 'closure' processes, from start of substantial construction until the date of completion.

- Reporting on the receipt and responses to complaints received in the monthly progress report.
- Recording of the closure process for each complaint received.
- Lodging enquiries and complaints via a telephone, or email.
- Lodging enquiries and complaints into a formal register for analysis, feedback and audit purposes
- Directing issues requiring immediate action to the Project Manager who will be able to contact key personnel during or after work hours.
- The community will be advised of the issue/inquiry and complaints procedure and appropriate contact details upon request. This will be provided in writing to the complainant if requested.
- CBJV will monitor all issues / enquiries and respond to complaints. These will be documented in the contact register and discussed at regular project meetings. Any contentious inquiries or complaints with potential to escalate as political, public or media issues will be referred immediately to NTG.

8 Summary Findings

8.1 Compliance – with EPBC Act controlled action approval conditions (EPBC 2021/9068)

A summary of the compliance designation outcome against the Project EPBC Act controlled action approval is provided in **Table 8**.

During the reporting period there were zero non-compliant EPBC Act controlled action conditions. Refer to Appendix I (**Table 12**) for the compliance table including the summary evidence supplied to support the compliance designation for the Project EPBC Act controlled action conditions.

Table 8. Summary of compliance designation outcome

Compliance designation term	Findings of compliance designation assessment	
Compliant	17	55%
Non-compliant	0	0%
Not Applicable	14	45%
Total	31	100%

8.2 Environmental risks

Section 3.9 of the *Annual Compliance Report Guidelines* (DCCEEW, 2023a) states that the compliance report must discuss any new environmental risks.

No new environmental risks were apparent during the Project annual compliance reporting period.

8.3 Notifiable incidents

No notifiable incidents were recorded during the reporting period.

9 Limitations

9.1 Seasonal turbidity limit values

There are two sensitive receptor sites (Catalina Island and South Shell Island) which are located offshore from the Project dredging footprint. The areas surrounding these islands in East Arm were identified as potentially suitable habitat for hard corals, and filter feeders. Both types of benthic communities are sensitive to the physiological pressures of reduced benthic light availability and sedimentation associated with dredging activities or natural environmental conditions.

The mean turbidity values of 4.4 NTU (Dry season) and 8.3 NTU (Wet season) are considered the background levels, and these values were derived from the summary statistics for parameters monitored during water-quality program in Darwin Harbour (URS, 2011) (refer **Table 9**).

The monitoring programme outlines that exceedance greater than the seasonal turbidity limit values for the Islands of 3.5 NTU + Mean of 4.4 (Total 7.9 NTU) (Dry season) and 21.2 NTU + Mean of 8.3 (Total 29.5 NTU) (Wet season) (refer **Table 9**).

Table 9. Summary water quality statistics for East Arm, Wet and Dry Season (URS, 2011)

	Dry season			Wet season		
	Mean	Min	Max	Mean	Min	Max
Temperature (°C)	28.1	25.3	32.1	30.4	28.1	32.0
Conductivity (mS/cm)	48.7	40.2	52.9	46.2	36.7	49.8
Depth (m)	6.3	2.4	11.0	6.7	2.5	11.3
pH	8.0	7.7	8.5	8.0	7.6	8.2
DO (%)	93.5	73.4	121.1	88.5	67.3	106.4
Turbidity (NTU)	4.4	0.1	46.4	8.3	0.2	68.0
SSC (mg/L)*	10.8	7.1**	46.4	14.1	7.2**	64.7

* = Calculated from NTU using relationship in URS (2011): $SSC = 0.848 * NTU + 7.0477$.

** = These values are an artefact of applying a linear equation to the SSC/NTU relationship and the actual SSCs are likely to have been considerably lower.

9.2 Monitoring at sensitive receptor sites

Two turbidity buoys were installed to capture continuous turbidity levels during project dredging and reclamation activities (**Table 10**). Where the turbidity within the water column exceeds the trigger value of 140 NTU, monitoring of turbidity will then be carried out at the South Shell Island and Catalina Island monitoring locations. The maximum turbidity within the water column at the monitoring locations will be compared against the allowable seasonal limit values (29.5 NTU in the Wet season or 7.9 NTU in the Dry season).

There have been no recorded exceedances above the trigger level of 140 NTU (refer Appendix D). Therefore, no additional water quality monitoring was completed at the South Shell Island and Catalina Island monitoring locations.

Table 10. Location of turbidity buoys

Location	Latitude	Longitude	Notes
Turbidity Buoy 1	12°29'28.53"S	130°54'9.25"E	(SW Dredge Extent) in 3-5m
Turbidity Buoy 2	12°29'36.50"S	130°53'44.78"E	(SE Dredge Extent) in 4m

10 Conclusion

This report documents the outcomes for the 2023-2024 Annual Environmental Compliance. The report has included an assessment of compliance with approval conditions, and summary evidence (refer Appendix I, **Table 12**).

There was no non-compliance for the reporting period. If corrective actions are provided upon review of the compliance report, CBJV will assess the recommended corrective action(s) during the 2024-2025 reporting period.

11 References

AECOM 2022. *Darwin Shiplift Project Supplementary Environmental Impact Statement*. Prepared for the Department of Infrastructure, Planning and Logistics. July 2022.

DCCEEW 2023a. *Annual Compliance Report Guidelines – Reporting under the Environment Protection and Biodiversity Conservation Act 1999*.

DCCEEW 2023b. *Darwin Ship Lift Project, NT Environment Protection and Biodiversity Conservation Act 1999 Controlled Action Approval (EPBC 2021/9068)*

Northern Territory Government 2023. *Environmental Approval for Darwin Ship Lift and Marine Industries Project (EP2023/0228-001)*.

URS 2011. Summary of the Long-Term Water Quality Program for Darwin Harbour, Appendix S9 to INPEX 2011, Report R1589 to INPEX Browse Ltd by URS Australia Pty Ltd.

12 Appendices

12.1 Appendix A – Water Quality Monitoring (In-Situ) and Observations Undertaken at Project Temporary Access Bunds (TAB) and Revetments Within Project Extent

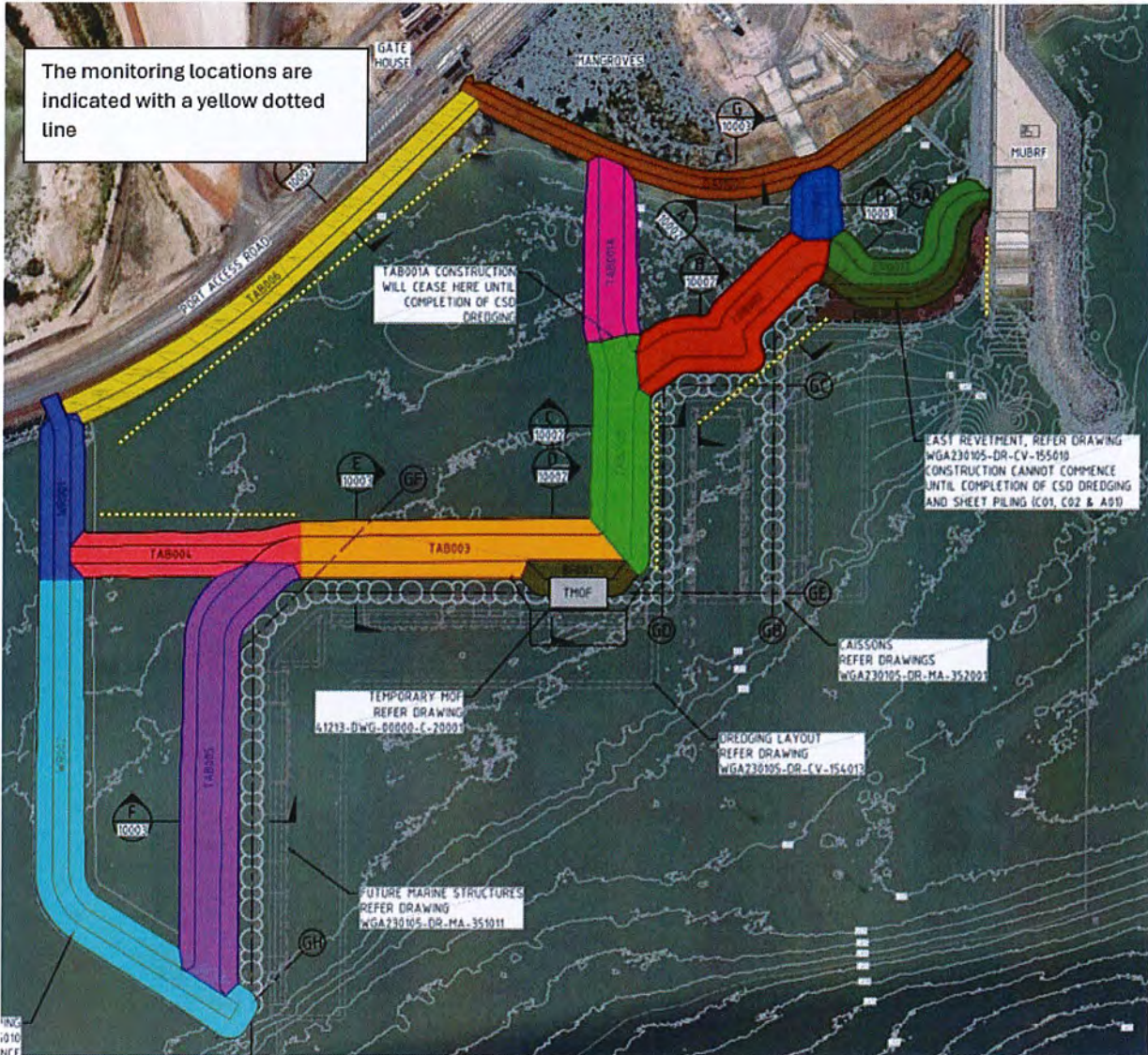
See report *41213-HSE-REP-D-1003-Att1- Appendix A Water quality monitoring at project temporary access bunds. pdf*



41213-HSE-REP-D-1
003-Att1- Appendix

12.2 Appendix B – Water Quality Monitoring Locations on the Temporary Access Bunds (TAB) and Revetments Within Project Extent

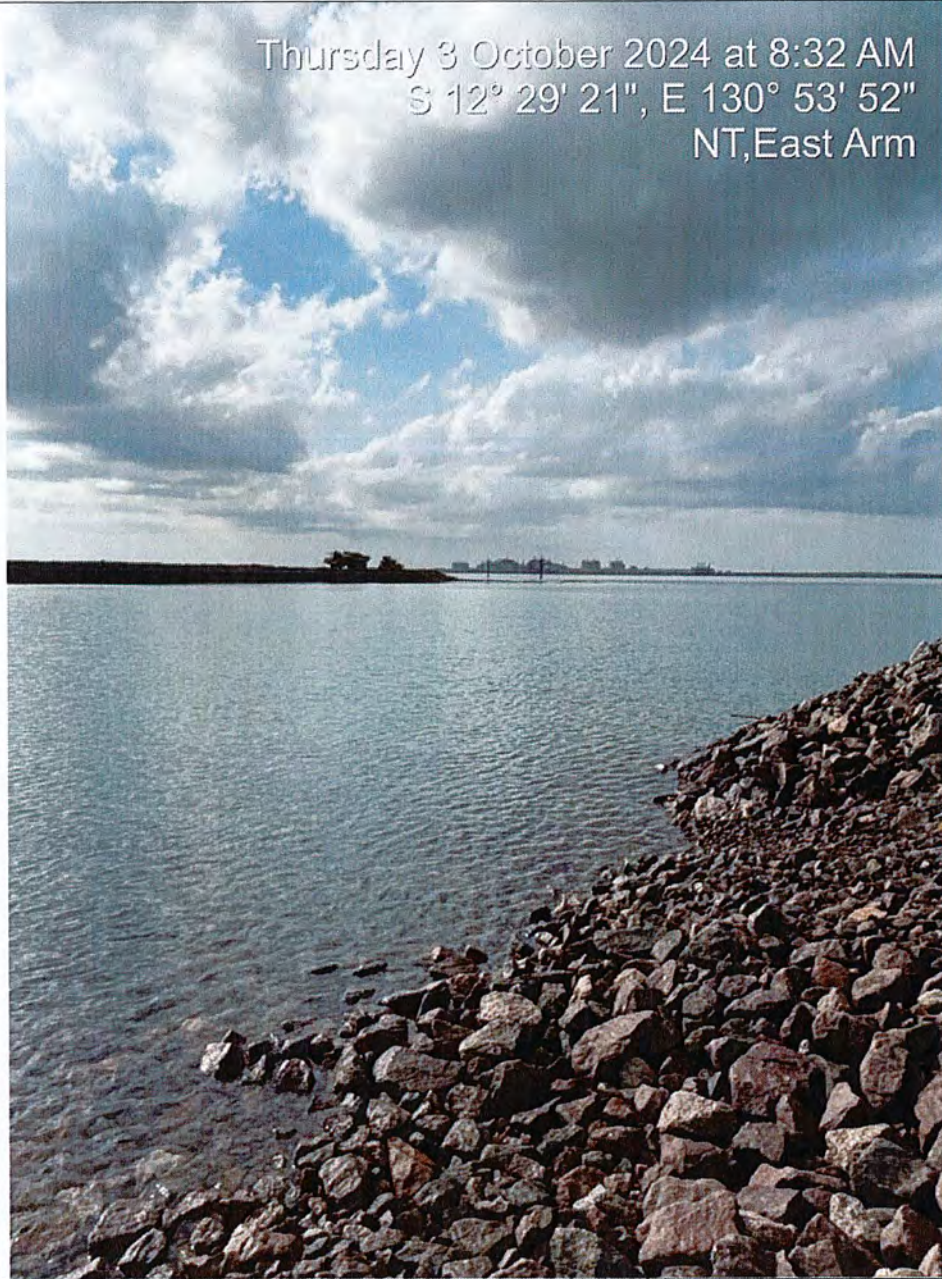
Figure 3. Location of the water quality monitoring sites



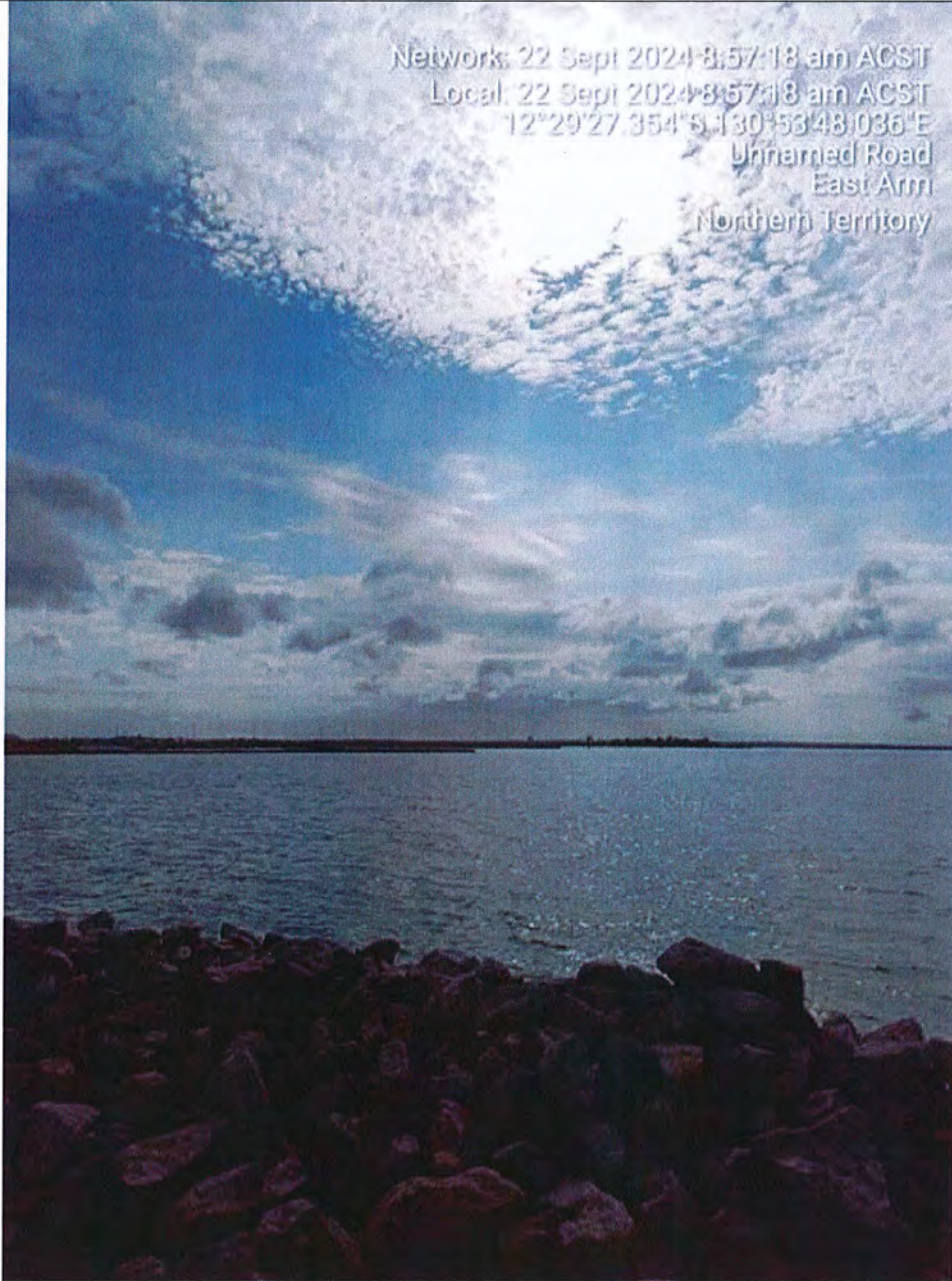
Once printed this document becomes uncontrolled. Refer to Clough BMD JV FusionLive for controlled copy.

Table 11. Location of water quality monitoring sites

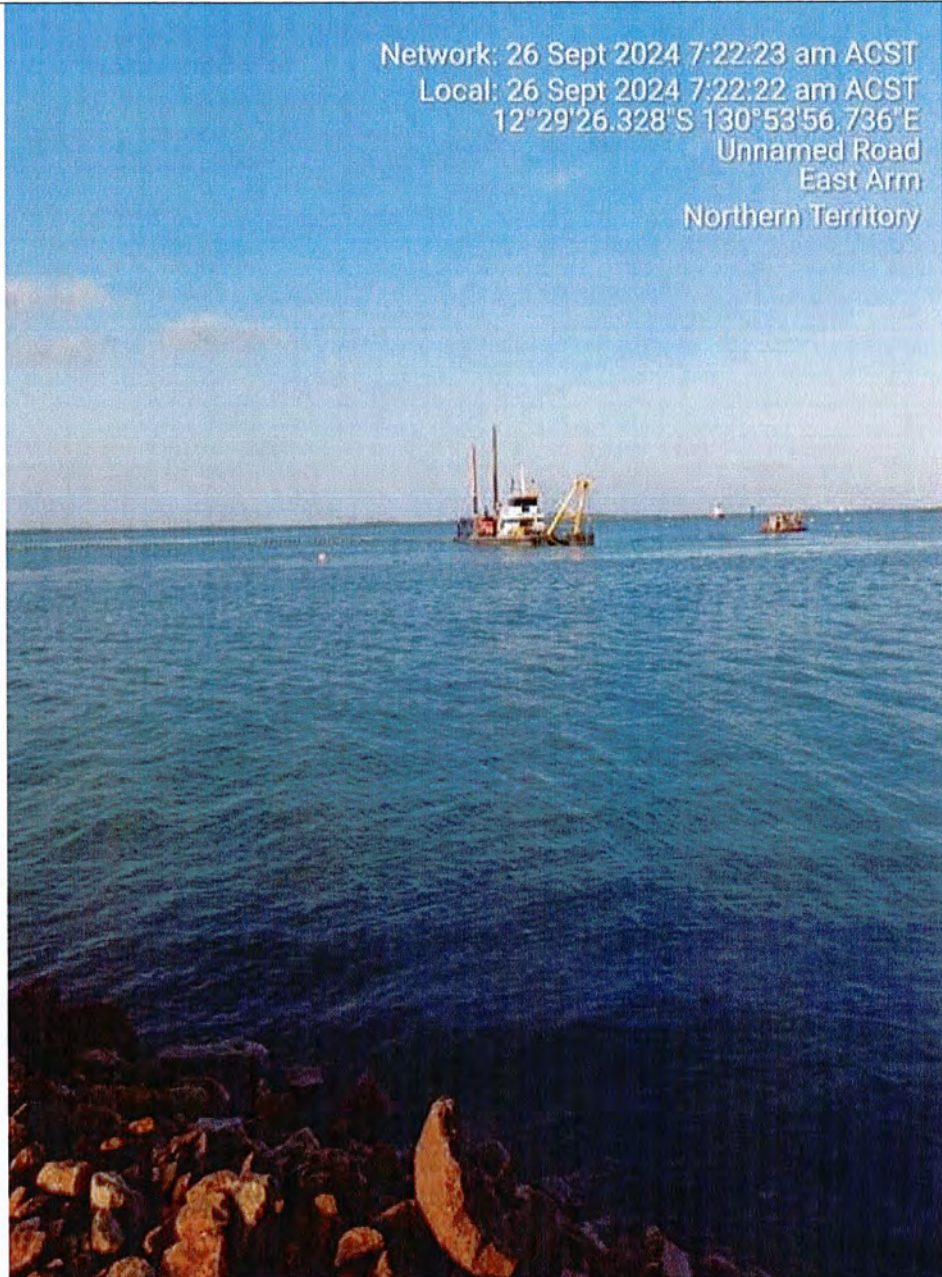
TAB06



TAB04

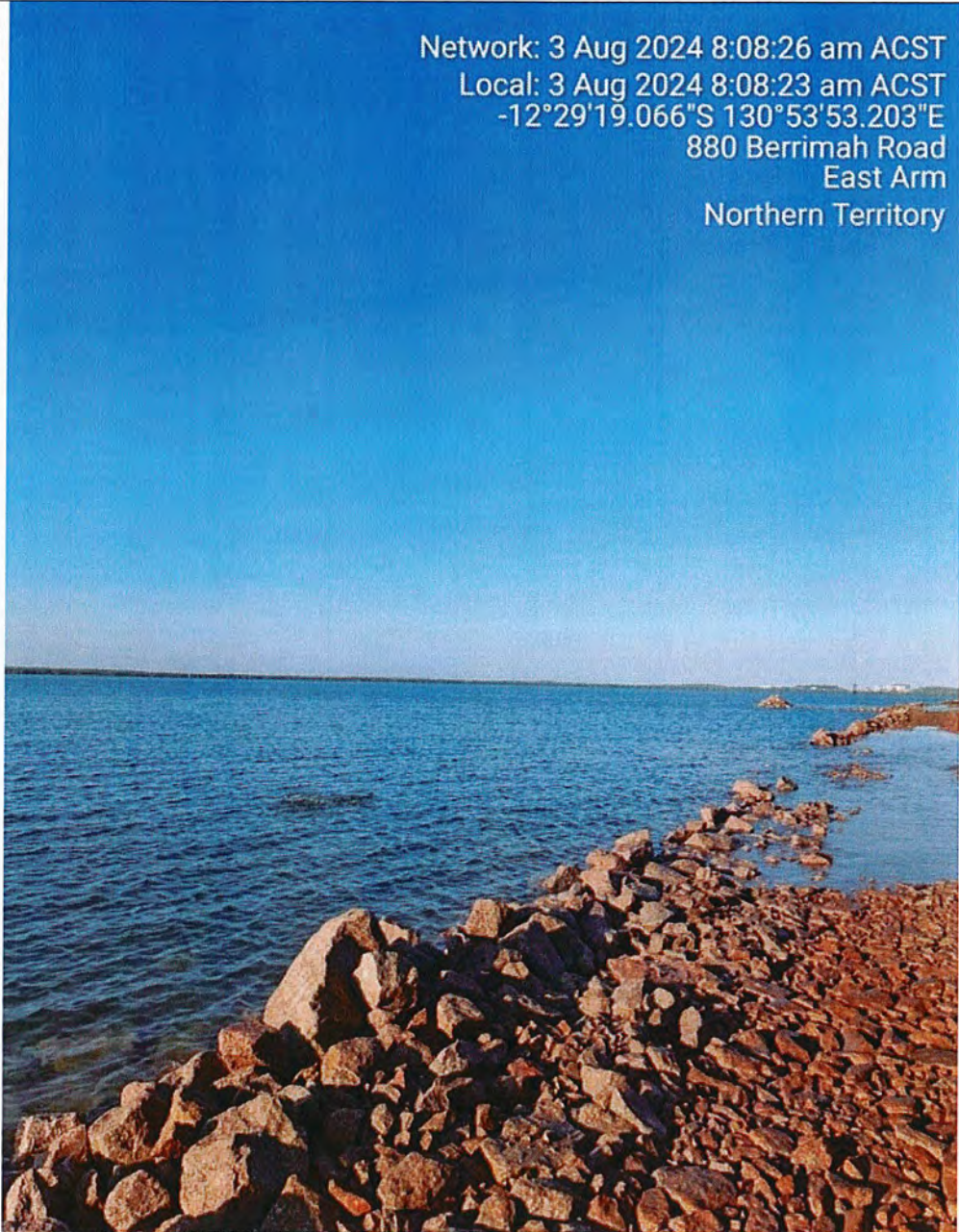


TAB01B



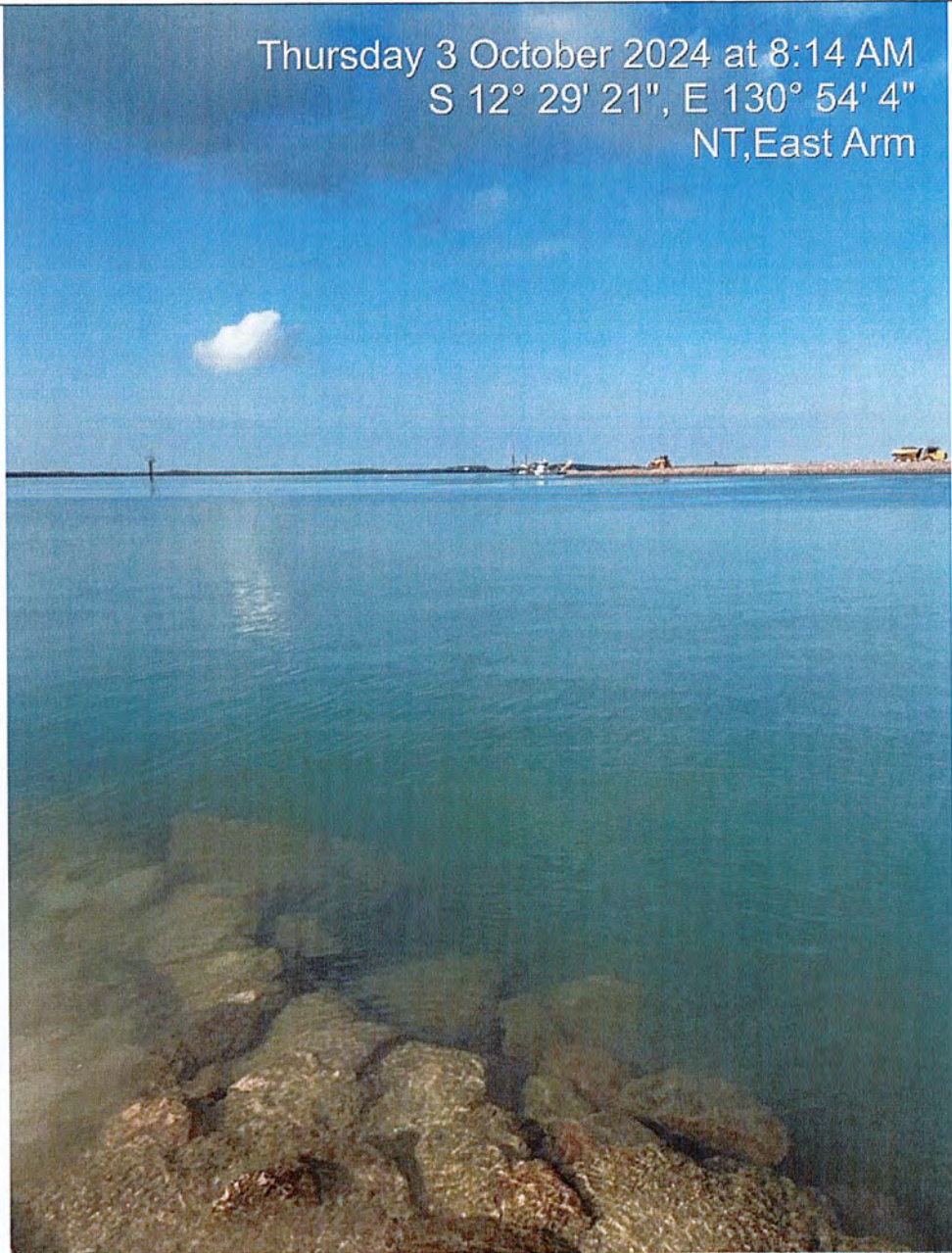
TAB02

Network: 3 Aug 2024 8:08:26 am ACST
Local: 3 Aug 2024 8:08:23 am ACST
-12°29'19.066"S 130°53'53.203"E
880 Berrimah Road
East Arm
Northern Territory



MUBRF

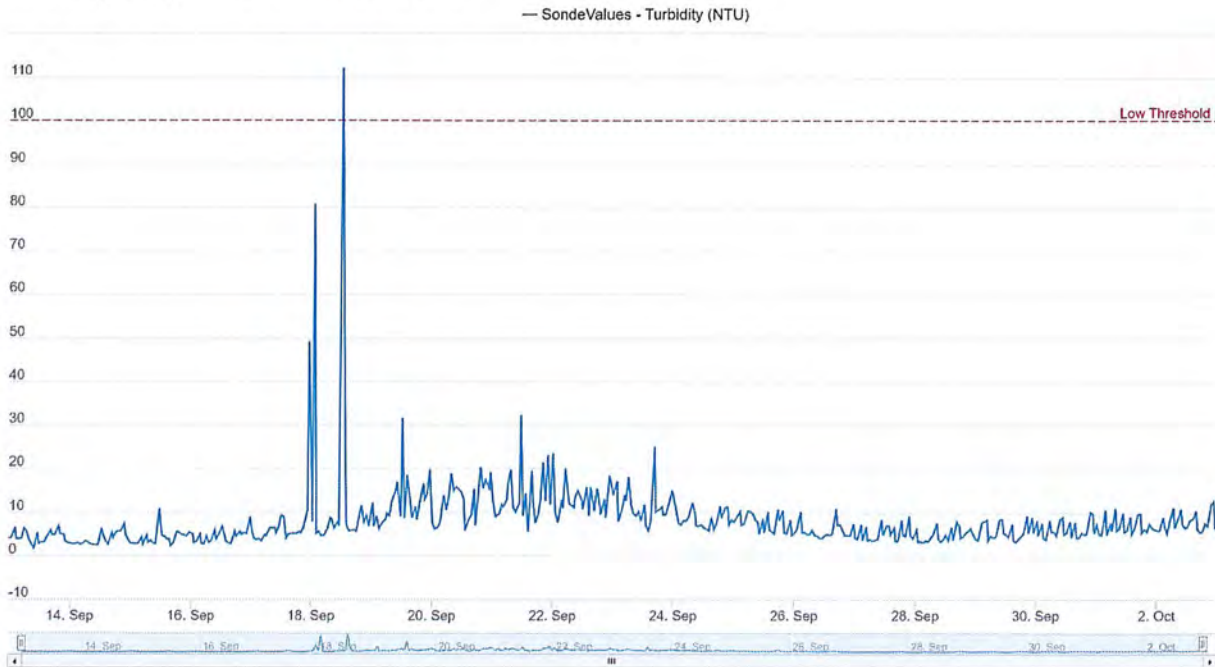
Thursday 3 October 2024 at 8:14 AM
S 12° 29' 21", E 130° 54' 4"
NT, East Arm



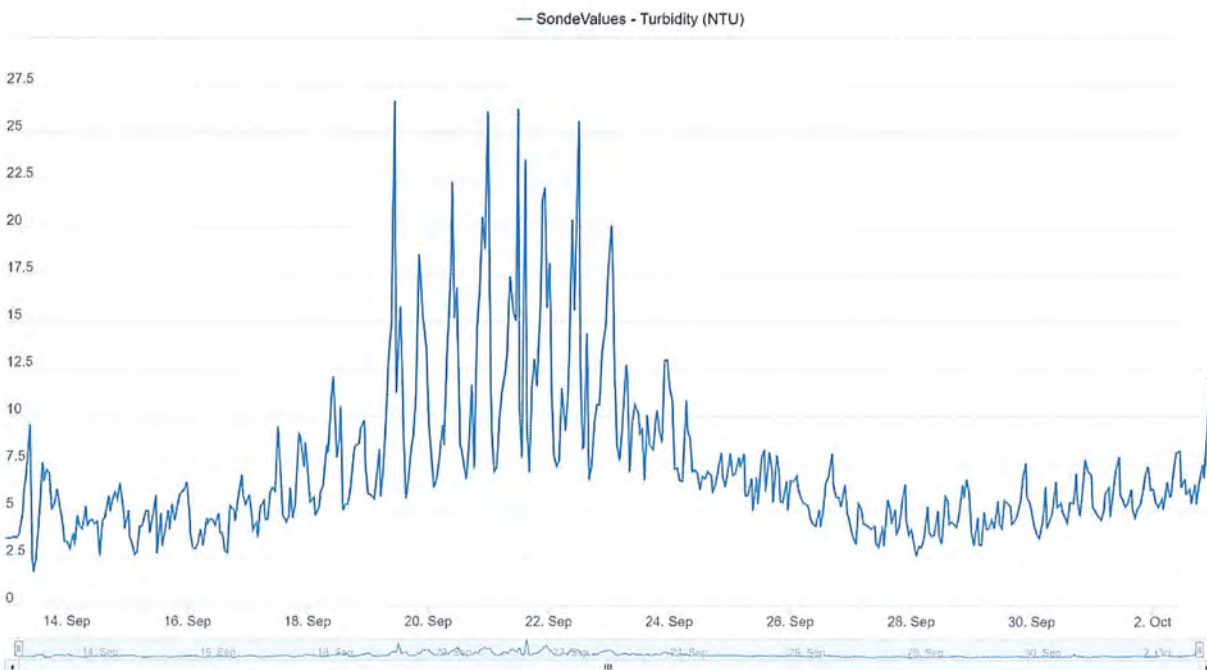
12.3 Appendix C – Turbidity Levels Recorded from Turbidity Monitoring Buoys

The below charts were exported from Eco Environmental cloud-based environmental data platform (Eagle.io).

Turbidity Buoy 1 – South Shell Island



Turbidity Buoy 2 – Catalina Island



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12.4 Appendix D – Turbidity Data Recorded from Turbidity Monitoring Buoys

See report *41213-HSE-REP-D-1003-Att1- Appendix D Turbidity data from turbidity monitoring buoys.xlsx*



41213-HSE-REP-D-1
003-Att1- Appendix

12.5 Appendix E – Water Quality Monitoring (in-situ) and Observations Undertaken at East Arm Wharf Dredge Ponds During Reporting Period

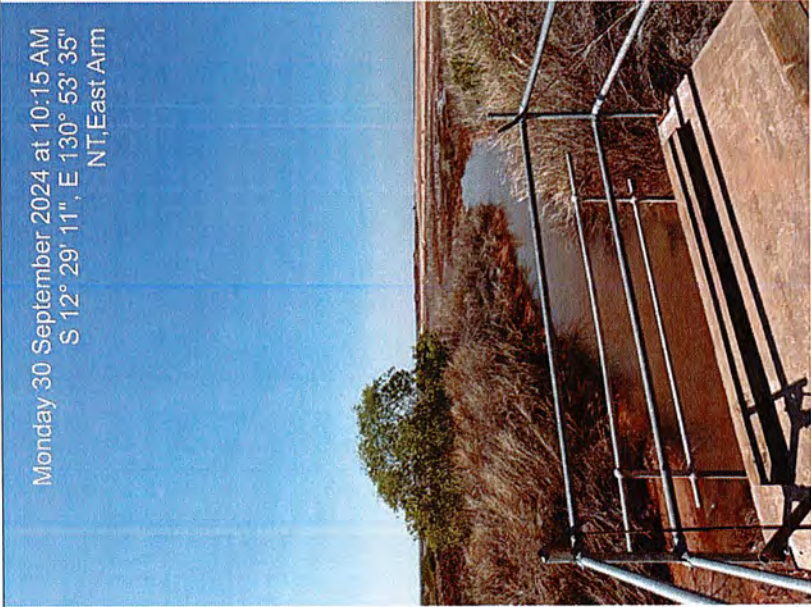


See report *41213-HSE-REP-D-1003-Att1- Appendix E Water quality monitoring at East Arm Wharf dredge ponds. pdf*



41213-HSE-REP-D-1
003-Att1- Appendix

12.6 Appendix F – Water Quality Monitoring Locations at East Arm Wharf Dredge Ponds

Figure 4. Monitoring locations at EAW dredge ponds

PP1 - Monitoring Location 1	PP2 - Monitoring Location 2	PP3 - Monitoring Location 3
<p data-bbox="395 1473 480 1933">Monday 30 September 2024 at 10:15 AM S 12° 29' 11", E 130° 53' 35" NT, East Arm</p> 	<p data-bbox="395 840 480 1299">Monday 30 September 2024 at 10:31 AM S 12° 29' 20", E 130° 53' 28" NT, East Arm</p> 	<p data-bbox="395 201 480 660">Monday 30 September 2024 at 10:51 AM S 12° 29' 22", E 130° 53' 21" NT, East Arm</p> 

12.7 Appendix G – Water Quality Monitoring Results

Figure 5. Daily pH readings taken from within the project dredge extent during temporary access bunds and reclamation within reporting period

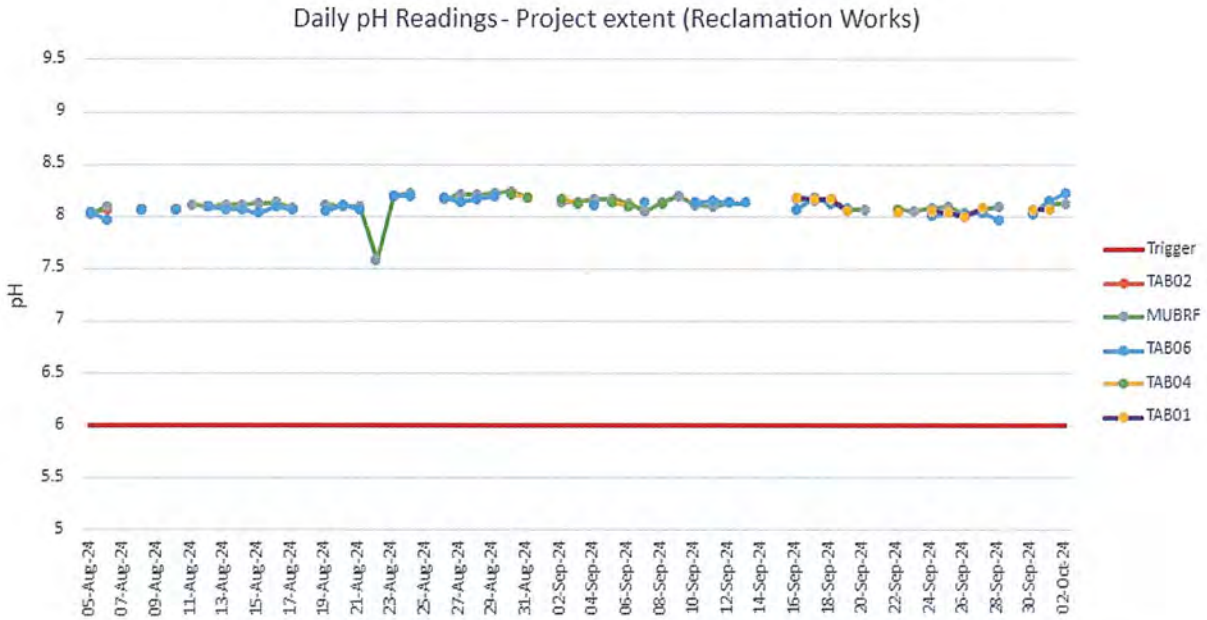
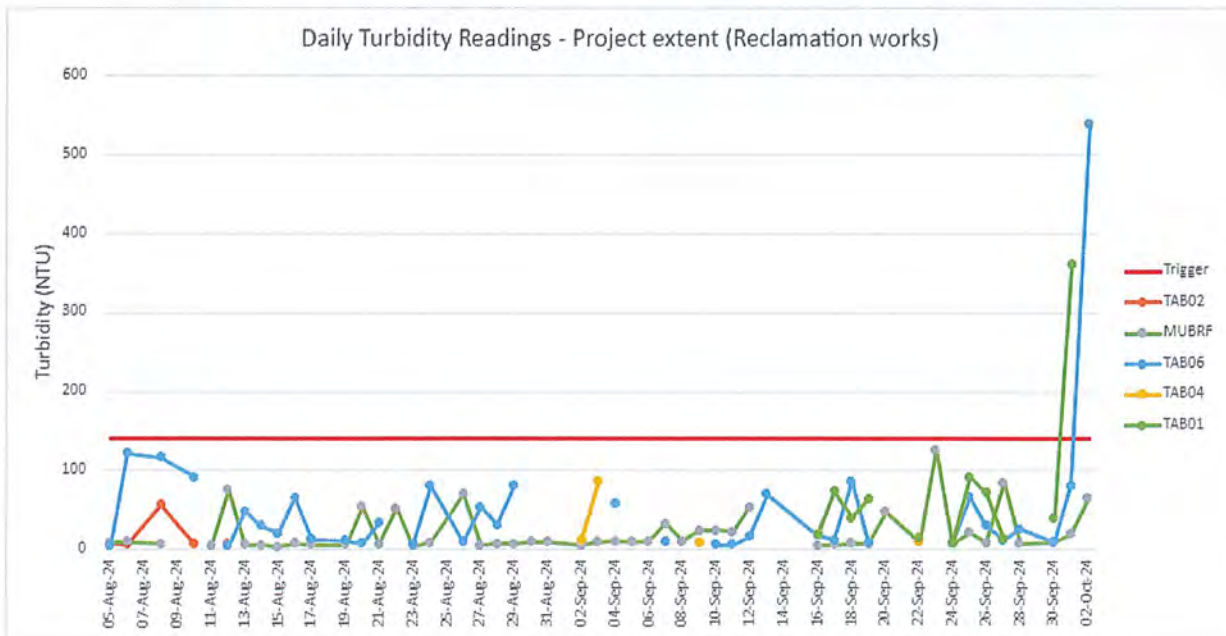
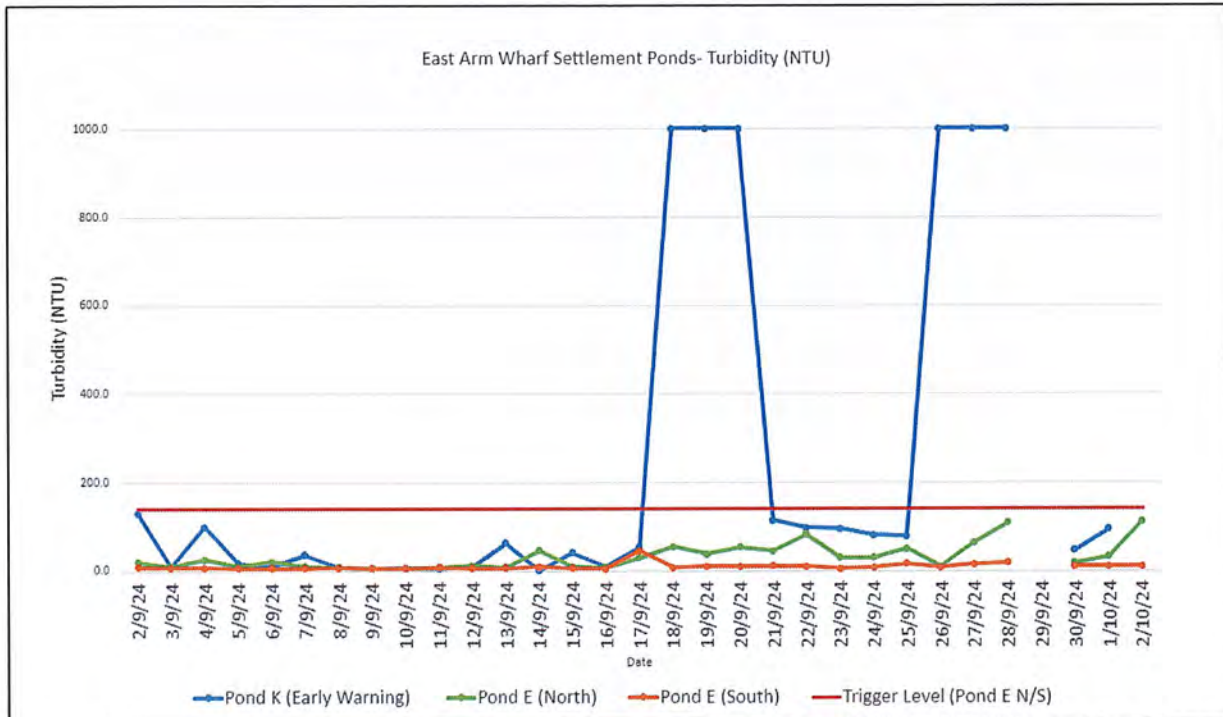


Figure 6. Daily turbidity readings taken from within the project dredge extent during temporary access bunds and reclamation within reporting period



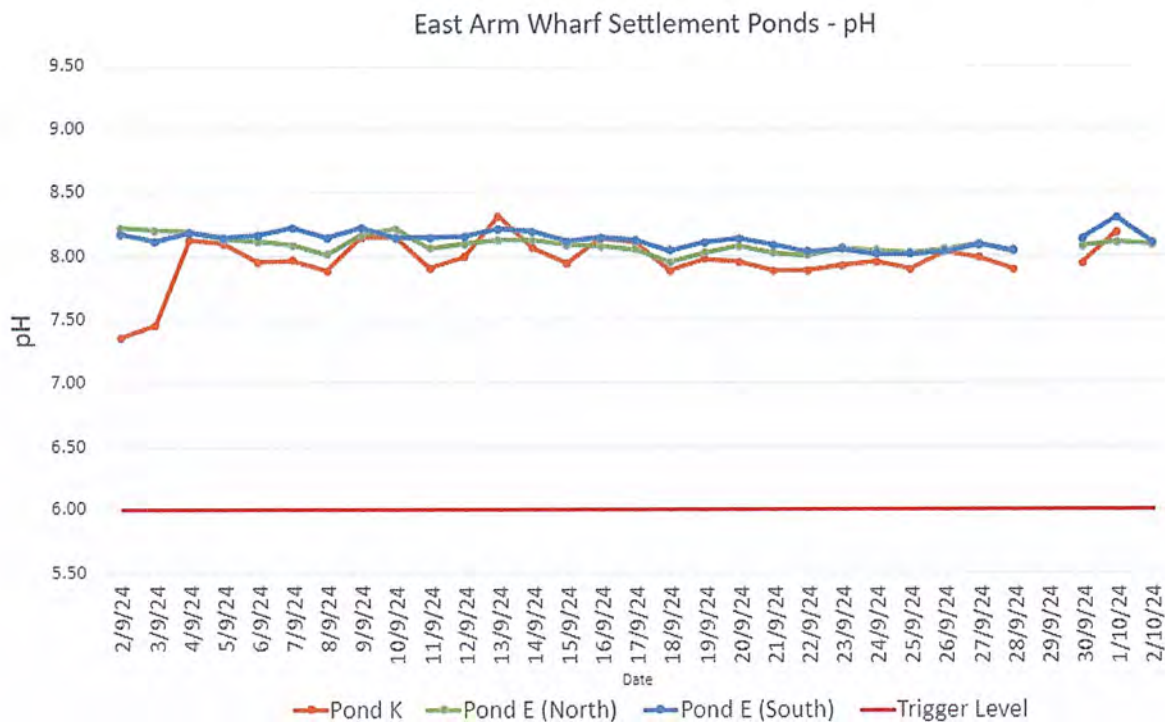
*Elevated turbidity levels were recorded on 01 October (361 NTU) and 02 October (540 NTU). During the time of sampling, construction activities on TAB1B were being performed. Investigations found that Project dredging activities were not the cause of the elevated turbidity levels and were derived from natural events such as the incoming low tide (<3.0m) and calm weather conditions.

Figure 7. Turbidity recorded in EAW Dredge Ponds during tailwater discharge occurring in reporting period



*Elevated turbidity levels were recorded on six occasions at Pond K (>1000 NTU). The turbidity levels in Pond E (North) were below the exceedance level, and there was no tailwater flow between Pond E (North) and Pond E (South). No project dredging exceedance or non-compliance resulted from the elevated turbidity levels, as no tailwater was released into the Harbour during the annual compliance reporting period.

Figure 8. pH recorded in EAW Dredge Ponds during tailwater discharge occurring in reporting period



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12.8 Appendix H – Marine Megafauna Observation Logs During Cutter-Suction Dredging Activities (29 August to 2 October)

See report *41213-HSE-REP-D-1003-Att1- Appendix H Marine megafauna observation logs. pdf*



41213-HSE-REP-D-1
003-Att1- Appendix

12.9 Appendix I – EPBC Approval conditions compliance table

Table 12. EPBC Approval conditions

Condition Number	Condition	Action Description	Designation	Evidence / Comments
Conditions specific to the Action – disturbance limits				
EPBC Condition 1	To avoid and mitigate harm to protected matters, the approval holder must: a) not take the Action outside the Action area; and b) comply with NT EPA Environmental Approval condition 1-1, to the extent it relates to protected matters.	NT EPA Environmental Approval condition 1-1 limitations include: Capital dredging (excluding maintenance dredging) shall not exceed 520,000m ³ and shall occur within the approved extent (Figure 1). Disturbance of no more than 11 ha of seabed within the approved extent.	Compliant	CBJV has submitted weekly dredge reports to the NTG which includes capital dredging totals for the Project (data or drawings) confirming areas of clearance were within approved extents. Shapefiles have been submitted to the DCCEEW which shows the location of the Project works during the reporting period within the Action area.
Conditions specific to the Action – Construction phase environmental objectives				
EPBC Condition 2	To avoid and mitigate harm to protected matters as a result of taking the Action, the approval holder must comply with the NT EPA Environmental Approval conditions 2-1 and 2-2, to the extent that they relate to protected matters.	NT EPA Environmental Approval condition 2-1 include: The approval holder must carry out the construction phase of the action to achieve the following environmental objectives: (1) no material environmental harm to the environmental values and declared beneficial uses of Darwin Harbour beyond the approved extent, including but not limited to the quality and productivity of water, sediment and biota; and	Compliant	All controls were in place as outlined in the CEMP and DDSMP, incorporating relevant Commonwealth and Territory legislative frameworks during the reporting period. The CEMP references management strategies within the following sub-plans: <ul style="list-style-type: none"> • Appendix F – Potential acid sulfate soils management sub-plan. • Appendix G – Water quality management sub-plan. • Appendix H – Terrestrial flora and fauna management sub-plan • Appendix I – Pests, weeds and biosecurity management sub-plan. • Appendix J – Emissions management sub-plan.

Condition Number	Condition	Action Description	Designation	Evidence / Comments
		<p>(2) dredging and land reclamation activities must not cause any material environmental harm to water quality, or the condition or distribution of benthic communities beyond the approved extent, as indicated by monitoring required by condition 2-4(3); and</p> <p>(3) risks of physical injury, mortality, behavioural changes and health impacts on marine megafauna are minimised.</p> <p>NT EPA Environmental Approval condition 2-2 includes:</p> <p>To support the achievement of condition 2-1, the approval holder must implement the action in such a manner that:</p> <p>(1) the external revetment walls are designed and constructed to wholly contain all material placed within the reclaimed area and to prevent the release of sediment to tidal waters during construction;</p> <p>(2) the generation of sediment plumes during construction of the rock revetment, land</p>		<ul style="list-style-type: none"> Appendix L – Spill management sub-plan. <p>The DDSMP outlines the Environmental Management Frameworks (EMFs) that have been developed for the risks associated with the dredging works, as identified through the environmental risk assessment process (AECOM, 2022) These include:</p> <ul style="list-style-type: none"> Water quality – Darwin Harbour and EAW settling ponds. During the reporting period there was no tailwater flow between Pond E North and Pond E South therefore, no tailwater discharge occurred from the Authorised Discharge Point (ADP) in Pond E South of the EAW dredge Ponds. Protected marine species – physical interaction and underwater noise. <p>Management measures, including water quality trigger levels, adaptive management measures and corrective actions are described in Section 6 of the DDSMP. The environmental monitoring program that is implemented as part of the Plan is outlined in Section 7.</p> <p>CBJV applied an environmental and heritage-based risk register to capture and manage environmental risks identified pre-construction and during the construction phase (Appendix M, CEMP). All environmental hazard analysis processes were based on ISO 31000:2009 Australian Standard Risk Management.</p>

Condition Number	Condition	Action Description	Designation	Evidence / Comments
		<p>reclamation, dredging and dredged material management, is minimised.</p>		<p>CBJV has submitted weekly dredge reports to capture daily monitoring logs (i.e. water quality, marine megafauna). CBJV's subcontractor provided evidence of attendance for Marine Fauna Observer training awareness. The register includes the names of six persons in the 2023-2024 reporting period.</p> <p>Permanent revetments and temporary access bunds (TABs) were constructed with material which contained no particles less than 20mm and did not result in the release of sediment into tidal waters. Reclamation material was not placed until the full closure of specified areas behind completed revetments/TABs. The revetments and TABs were covered in geofabric to prevent migration of fines from the reclamation fill into tidal waters. Refer to WGA230105-DR-MA-155002 to WGA230105-DR-MA-155004 and WGA230105-DR-MA-352071 which show the application of geotextile along the revetments and TABs (refer Appendix J).</p> <p>Revetments and TABs were at all times higher than the reclamation fill material during construction at +8.1m Lowest Astronomical Tide (LAT) and +7.9m LAT, respectively to ensure sediment did not overtop the controls. These levels were greater than the Mean High-Water Springs (MHWS)</p> <p>Monitoring of tidal waters for sediment plumes was conducted regularly by site supervisors and engineers during the construction process (turbidity plume monitoring forms were supplied in the weekly dredge reports). Noting the</p>

Condition Number	Condition	Action Description	Designation	Evidence / Comments
				controls above which fully contain the reclamation fill material and sediment generated during placement, sediment plumes from revetment or TAB construction may only arise during the placement of rock when it disturbs the seabed. Where plumes were observed, the placement of material was adjusted accordingly to reduce the severity of the plume if possible.
Conditions specific to the Action - Erosion and Sediment Control Plan				
EPBC Condition 3	To avoid and mitigate harm to protected matters as a result of taking the Action, the approval holder must comply with the NT EPA Environmental Approval condition 2-3, to the extent it relates to protected matters.	To minimise erosion and sedimentation from the Project activities that may impact water quality, soil quality and vegetation within the Project and surrounding properties.	Compliant	An Erosion and Sediment Control Plan (ESCP) was prepared by a Certified Professional in Erosion and Sediment Control (CPESC) in accordance with Best Practice Erosion and Sediment Control (BPESC) guidelines for Australia (International Erosion Control Association). Construction and revetment works were in accordance with the ESCP. The effectiveness of Erosion and Sediment Controls (ESCs) were captured in weekly environmental site inspections. ESCs were also inspected within 24 hours of expected rainfall (as per BOM forecast for area). Repairs or maintenance to ESCs were to be completed within 24 hours of directive, or immediately where rainfall was imminent. Inspection records during the reporting period are accessible to the NTG via Glaass.
Conditions specific to the Action - Dredging Management Plan				
<i>The purpose of the following conditions is to avoid and mitigate harm to protected matters as a result of taking the Action.</i>				
EPBC Condition 4	The approval holder must comply with the NT EPA Environmental Approval conditions 2-4 to 2-9 (inclusive),	EPBC2021/9068 also requires compliance with the Dredging Management Plan required	Compliant	All mitigation measures were in place as per the DDSMP, MMMP, and ESCP to ensure activities during construction of the rock

Condition Number	Condition	Action Description	Designation	Evidence / Comments
	to the extent that they relate to protected matters.	under conditions 4 to 7 inclusive.		revetment, land reclamation, and dredged material management is minimised. <ul style="list-style-type: none"> Silt curtains were installed in Pond E as part of the ESCP. Environmental management measures and monitoring were carried out as per Section 6 and Section 7 of the DDSMP, respectively. Any exceedances of trigger levels are recorded and reported to the NTG. A dedicated Marine Fauna Observer (MFO) was on duty during daylight dredging and piling activities (refer to Appendix H for vessel MFO logs).
EPBC Condition 5	The approval holder must submit the Dredging Management Plan (DMP) electronically to the department at least 20 business days prior to the commencement of dredging activities.		Compliant	The final DDSMP together with a written review and endorsement from the independent qualified person was issued to NT EPA and DCCEEW on 24 January 2024.
Administrative conditions - Changes to the Dredging Management Plan				
EPBC Condition 6	The approval holder must notify the department in writing within two business days of proposing to the NT EPA any changes to a version of the DMP. The notification must detail: <ol style="list-style-type: none"> what changes to the plan are requested. implications for protected matters if the proposed changes to the plan are made. 		Not Applicable	There have been no revisions to the plan since issued for use.

Condition Number	Condition	Action Description	Designation	Evidence / Comments
EPBC Condition 7	The approval holder must provide the department with the revised plan at least 10 business days prior to commencing dredging activities. The approval holder must include in writing what revisions have been made to the plan including changes relating to protected matters, which must include at a minimum the requirements of NT EPA Environmental Approval condition 2-8.		Not Applicable	There have been no revisions to the plan since issued for use.
Administrative conditions – Submission and publication of plans				
EPBC Condition 8	The approval holder must submit all plans required by conditions of this approval electronically to the department.	The approval holder (DLI) must submit all plans (DDSPMP, MMMP and ESCP) required by conditions of this approval electronically to the DCCEEW.	Compliant	DDSPMP and MMMP were issued to NT EPA and DCCEEW on 24 January 2024. DCCEEW acknowledged receipt of the documents on 2 February 2024. ESCP was issued to DCCEEW on 24 January 2024.
EPBC Condition 9	Unless otherwise agreed to in writing by the Minister, the approval holder must publish the plan on the website within 20 business days of the date the plan is submitted to the NT EPA.	Unless otherwise agreed to in writing by the Minister, the approval holder (DIPL) must publish the plan (DDSPMP, MMMP and ESCP) on the website within 20 business days of the date the plan is submitted to the NT EPA.	Compliant	The plans were published to NT Website on 2 February 2024. Darwin Ship Lift Facility Infrastructure NT DCCEEW acknowledged this on 02 February 2024
EPBC Condition 10	If sensitive ecological data is excluded or redacted from the plan, the approval holder must submit the full plan to the department within 5 business days of its publication on the		Not Applicable	No sensitive ecological data has been excluded or redacted from the plans submitted to the DCCEEW.

Condition Number	Condition	Action Description	Designation	Evidence / Comments
EPBC Condition 11	<p>website and notify the department in writing what exclusions and redactions have been made in the version published on the website.</p> <p>Keep the plan published on the website until the expiry date of this approval. This approval has effect until 3 October 2073</p>		Compliant	<p>The plans (DDSPMP, MMMP and ESCP) will remain published until the expiry date of approval. Darwin Ship Lift Facility Infrastructure NT</p>
Administrative conditions – notification of date of commencement of the action				
EPBC Condition 12	<p>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.</p>	<p>Commencement of the Action means the date on which the first instance of any activity associated with the Action (including clearing and construction) is undertaken.</p>	Compliant	<p>NTG notified DCCEEW on the 24 April 2024 at 11:54am by email (refer copy in Section 12.11 Appendix K)</p>
EPBC Condition 13	<p>If the commencement of the Action does not occur within 5 years from the date of this approval, then the approval holder must not commence the Action without the prior written agreement of the Minister.</p>		Not Applicable	<p>Commencement of the action has occurred within 5 years from the date of the Project EPBC Act controlled action approval (EPBC2021/9068).</p>
EPBC Condition 14	<p>The approval holder must maintain accurate and complete compliance records.</p>		Compliant	<p>Accurate and complete records were maintained, and managed in accordance with the Project Controls Operating Standard CORP-PC-OS-G-0003, and Project Quality Assurance and Control Operating Standard CORP-QM-OS-G-0002.</p>

Condition Number	Condition	Action Description	Designation	Evidence / Comments
EPBC Condition 15	<p>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.</p> <p>Note: Compliance records may be subject to audit by the department, or by an independent auditor in accordance with section 458 of the EPBC Act, and/or be used to verify compliance with the conditions. Summaries of the results of an audit may be published on the department's website or through the general media.</p>	<p>Upon request the relevant documents and records will be issued to the department.</p>	<p>Not Applicable</p>	<p>To date no request has been made to the Approval Holder.</p>
EPBC Condition 16	<p>The approval holder must ensure that any monitoring data (including sensitive ecological 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.</p>		<p>Compliant</p>	<p>CBJV's subcontractor has conducted works as per CEMP, MMMP and DDSPMP in accordance with the Project EPBC Act controlled action approval, Development Permit, Fisheries Permit, NT Environmental Permit, and WDL.</p> <p>CBJV has met the requirements with the following:</p> <ul style="list-style-type: none"> • Weekly and monthly reports were issued to the NTG. • The subcontractor provided evidence of testing and third-party monitoring - CBJV uploaded to SharePoint and Glaass.

Condition Number	Condition	Action Description	Designation	Evidence / Comments
EPBC Condition 17	<p>The approval holder must ensure that any monitoring data (including sensitive ecological 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.</p>		Compliant	<ul style="list-style-type: none"> Accurate and complete records were maintained and managed in accordance with the Project Controls Operating Standard CORP-PC-OS-G-0003, and Project Quality Assurance and Control Operating Standard CORP-QM-OS-G-0002. <p>CBJV has met the requirements with the following:</p> <ul style="list-style-type: none"> Weekly and monthly reports were issued to the NTG. The subcontractor provided evidence of testing and third-party monitoring - CBJV upload to SharePoint and Glaass. Accurate and complete records were maintained and managed in accordance with the Project Controls Operating Standard CORP-PC-OS-G-0003, and Project Quality Assurance and Control Operating Standard CORP-QM-OS-G-0002.
EPBC Condition 18	<p>The approval holder must submit all monitoring data (including sensitive ecological 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 the approval or in accordance with the requirements of the plans.</p>		Compliant	<p>Monitoring data will be supplied electronically to the DCCEEW via a file transfer link.</p>

Condition Number	Condition	Action Description	Designation	Evidence / Comments
Administrative conditions – annual compliance reporting				
EPBC Condition 19	The approval holder must prepare a compliance report for each 12-month period following the date of this approval decision, or as otherwise agreed to in writing by the Minister.		Compliant	This report addresses this condition requirement.
EPBC Condition 20	Each compliance report must be consistent with the department's Annual Compliance Report Guidelines, Commonwealth of Australia 2014, or any subsequent official version.		Compliant	This report has been prepared in compliance with the department's Annual Compliance Report Guidelines, Commonwealth of Australia 2023.
EPBC Condition 21	Each compliance report must include: a) Accurate and complete details of compliance and any non-compliance with the conditions and the plan, and any incidents. b) One or more shapefile showing all clearing of 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.		Compliant	This report has outlined the details of compliance and any non-compliance with the conditions and the plan, and any incidents. Shapefiles provided as an attachment to this report. Note, there was no clearing of protected matters, and/or their habitat undertaken within the annual compliance reporting period. Cutter suction dredging commenced on the 29 th August 2024 and has the potential to disturb marine fauna habitat. Marine megafauna mitigation measures are outlined within the Marine Megafauna Management Plan. Schedule of Project plans and how each plan was implemented is provided in Section 4.1.1.

Condition Number	Condition	Action Description	Designation	Evidence / Comments
EPBC Condition 22	<p>The approval holder must:</p> <ul style="list-style-type: none"> a) Publish each compliance report on the website within 60 business days following the end of the 12-month (or other) 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 ecological data from compliance reports published on the website or otherwise provided to a member of the public. f) If sensitive ecological data is excluded or redacted from the published version of the compliance report, submit the 		Compliant	Approval Holder has met all requirements of this condition.

Condition Number	Condition	Action Description	Designation	Evidence / Comments
	<p>full compliance report to the department within 5 business days of the redacted version being published on the website and notify the department in writing which exclusions and redactions have been made in the version published on the website.</p> <p>Note: Compliance reports may be published on the department's website.</p>			
Administrative conditions – reporting non-compliance				
EPBC Condition 23	<p>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 the conditions or commitments made in the plan.</p>	Reporting of non-compliance with EPBC2021/9068 is required by conditions 23-25.	Not Applicable	There were no incidents and / or potential non-compliances and / or actual non-compliances with the conditions or commitments made in the plan to report.

Condition Number	Condition	Action Description	Designation	Evidence / Comments
EPBC Condition 24	<p>The approval holder must specify in the notification:</p> <ul style="list-style-type: none"> a) Any condition or commitment made in the plan which has been or may have been breached. b) A short description of the incident and/or potential non-compliance and/or actual non-compliance. c) The location (including co-ordinates), date and time of the incident and/or potential non-compliance and / or actual non-compliance. <p>Note: If the exact information cannot be provided, the approval holder must provide the best information available.</p>		Not Applicable	There were no incidents and / or potential non-compliances and / or actual non-compliances with the conditions or commitments made in the plan to report.
EPBC Condition 25	<p>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:</p>		Not Applicable	There were no incidents and / or potential non-compliances and / or actual non-compliances with the conditions or commitments made in the plan to report.

Condition Number	Condition	Action Description	Designation	Evidence / Comments
	a) Any corrective action or investigation which the approval holder has already taken. b) The potential impacts of the incident and/or non-compliance. c) The method and timing of any corrective action that will be undertaken by the approval holder.			
Administrative conditions – independent audit				
EPBC Condition 26	The approval holder must ensure that an independent audit of compliance with the conditions is conducted for every five-year period following the commencement of the Action until this approval expires, unless otherwise specified in writing by the Minister.		Not Applicable	Dredging activities commenced on 25 August 2024. Current expected completion date for the Cutter Suction Dredging (CSD) works is early November 2024. The Backhoe Dredging (BHD) works expected completion date is mid-late June 2025.
EPBC Condition 27	For each independent audit, the approval holder must: a) Provide the name and qualifications of the nominated independent auditor, the draft audit criteria, and the proposed timeframe for submitting the audit report to the department prior to commencing the independent audit. b) Only commence the independent audit once the		Not Applicable	Refer EPBC Condition 26 evidence / comments response.

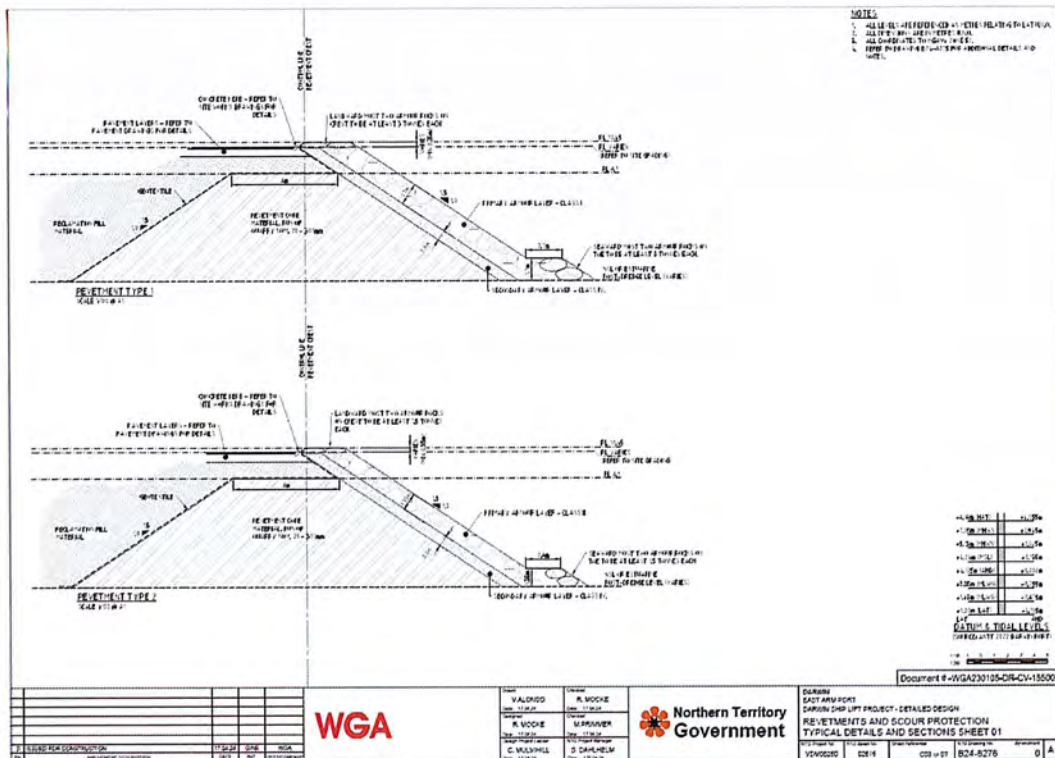
Condition Number	Condition	Action Description	Designation	Evidence / Comments
	<p>nominated independent auditor, audit criteria and timeframe for submitting the audit report have been approved in writing by the department.</p> <p>c) Submit the audit report to the department for approval within the timeframe specified and approved in writing by the department.</p> <p>d) Publish each audit report on the website within 15 business days of the date of the department's approval of the audit report.</p> <p>e) Keep every audit report published on the website until this approval expires.</p>			
EPBC Condition 28	Each audit report must report for the five-year period preceding that audit report.		Not Applicable	Refer EPBC Condition 26 evidence / comments response.
EPBC Condition 29	Each audit report must be completed to the satisfaction of the Minister and be consistent with the department's Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines, or any subsequent official version.		Not Applicable	Refer EPBC Condition 26 evidence / comments response.
Administrative conditions – Changes to the action				

Condition Number	Condition	Action Description	Designation	Evidence / Comments
EPBC Condition 30	<p>The approval holder must notify the department in writing of any proposed change to the NT EPA Environmental Approval that may relate to protected matters:</p> <ul style="list-style-type: none"> a) Within two business days of formally proposing a change. b) Within five business days of becoming aware of any proposed change. 		Not Applicable	No changes have occurred to the NT EPA Environmental Approval (EP2023/028-001) that relates to protected matters.
EPBC Condition 31	<p>The approval holder must notify the department in writing of any change to the NT EPA Environmental Approval conditions that may relate to protected matters within 10 business days of a change to conditions being finalised.</p>		Not Applicable	No changes have occurred to the NT EPA Environmental Approval (EP2023/028-001) that relates to protected matters.

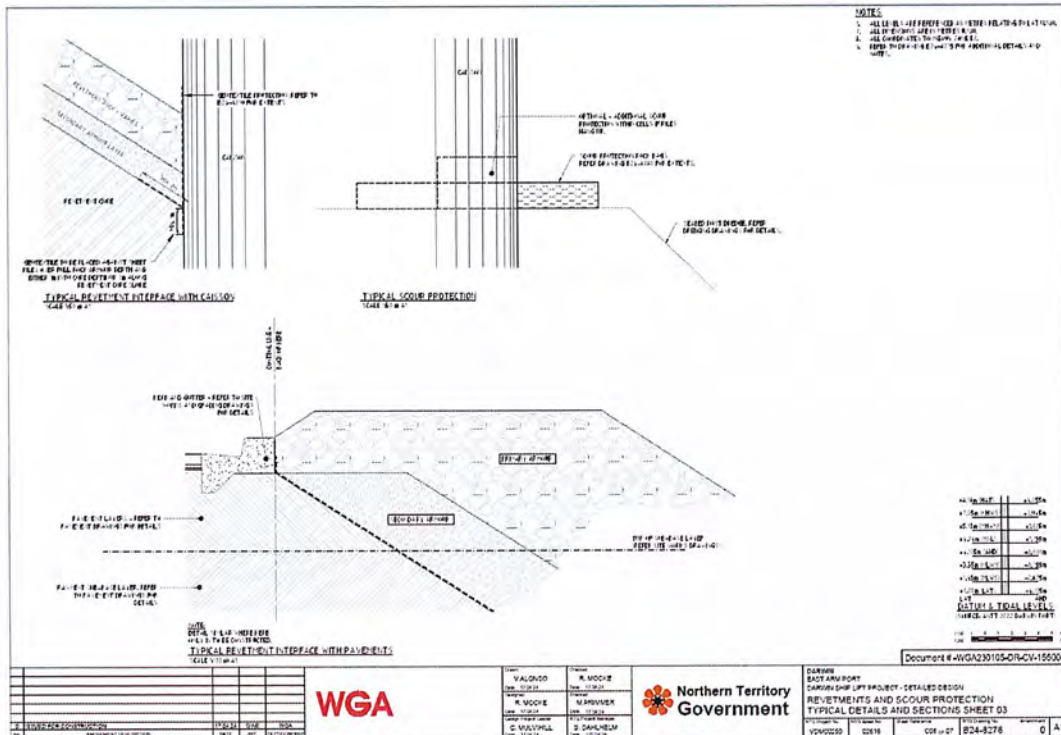
12.10 Appendix J – Construction design

Figure 9 (A-C). Detailed design of revetments and scour protection

A)



B)



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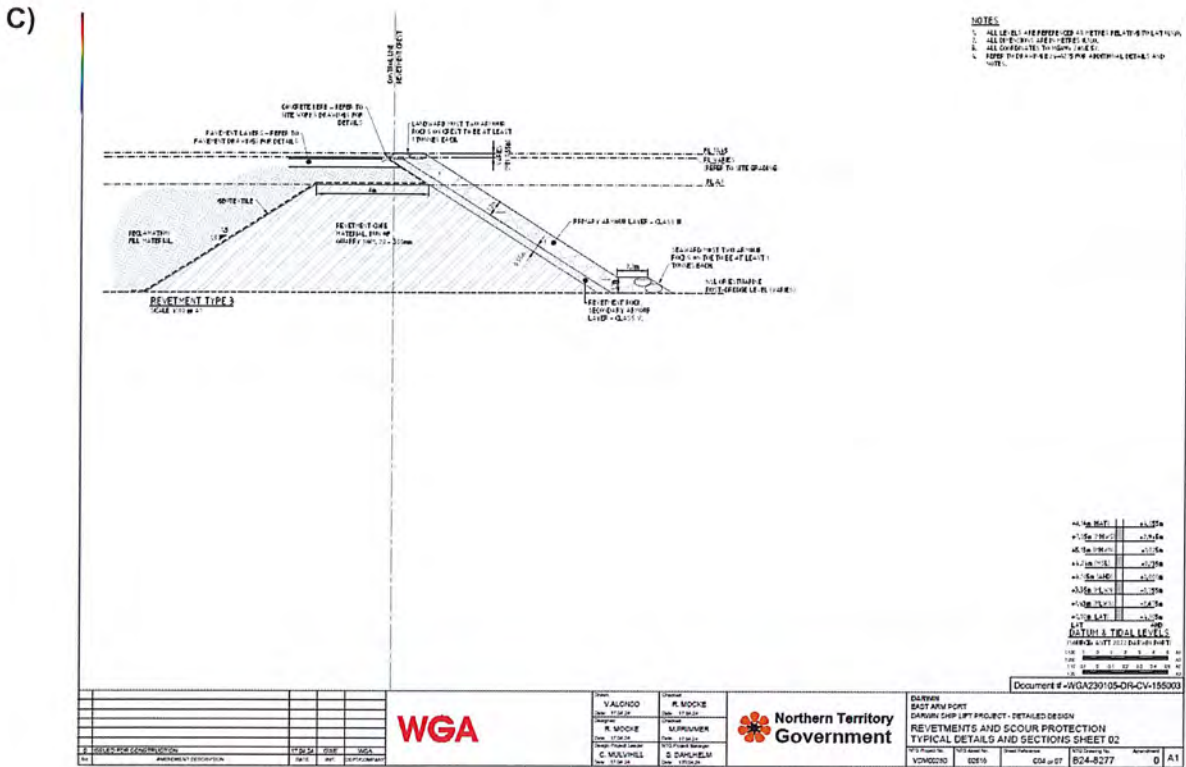
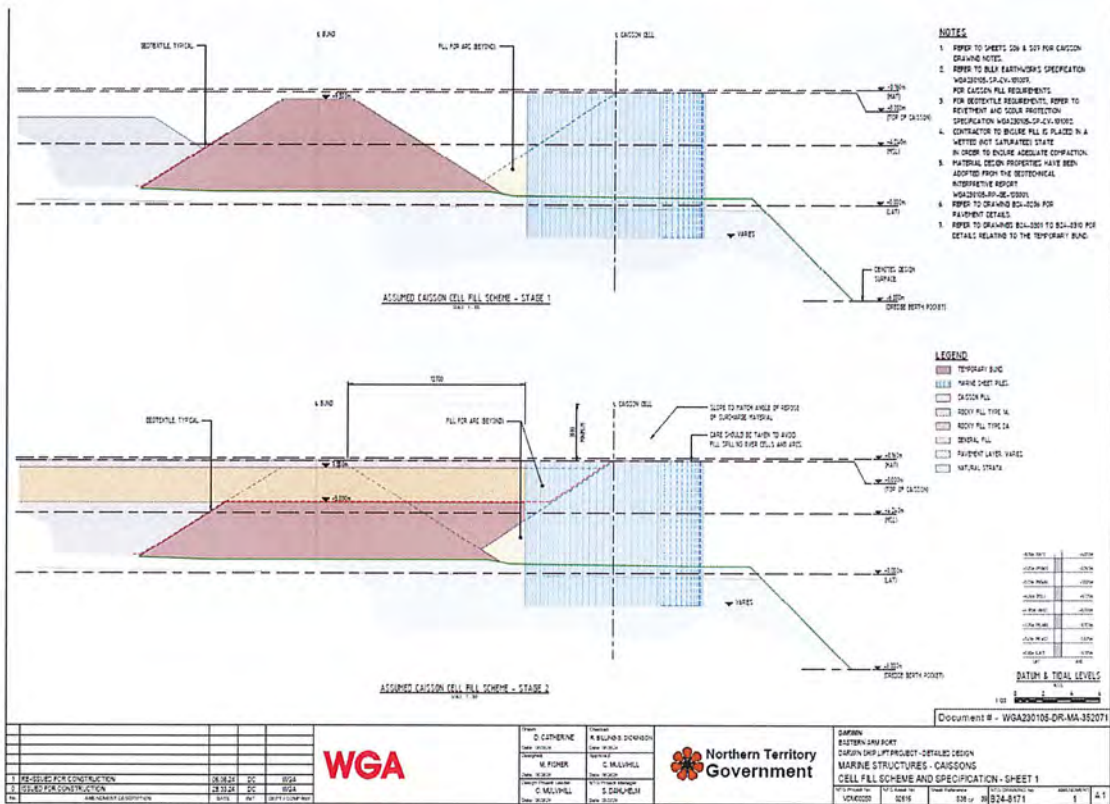


Figure 10. Detailed design of marine structures - caissons



12.11 Appendix K – Email notification from NTG to DCCEEW for Commencement of Action (Condition 12)

EPBC ref 2021/9068 - Darwin Ship Lift - notice of works commencing



Suzanne Dunkerton <Suzanne.Dunkerton@nt.gov.au>
To ○ EPBC Monitoring
Cc ○ Sam Jongue; ○ donald.char; ○ Jerome Cook; ○ Waste NTEPA

Hi EPBC Monitoring,

In regards to EPBC approval 2021/9068, this is a formal notice that works regarding the action have commenced on 18/04/2024.

Please let me know if you require any further information.

Regards,

Suzie Dunkerton

Project Director
Darwin Harbour Infrastructure Projects
Infrastructure NT
Department of Infrastructure, Planning and Logistics

Unit 1/35 Export Drive, East Arm, NT 0822
GPO Box 2520, Darwin, NT 0801

m ... 0417 127 944

e ... Suzanne.Dunkerton@nt.gov.au

Please note that I am out of the office on Mondays



13 Declaration of Accuracy

Declaration of accuracy – Contractor (Clough BMD Joint Venture (CBJV))

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 Joint Venture parties to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed Luke Munro
CD0319B201DD4C0
 Full name (please print) Luke Munro
 Position (please print) Project Manager
 Organisation (please print including ABN/ACN if applicable) Clough BMD JV – ABN 28 905 124 051
 Date 12/11/2024

Declaration of accuracy – EPA Approved Independent Person (Aurecon Australasia)

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 in so far as it has been recorded, compiled and presented to me by the Contractor – Clough BMD Joint Venture (CBJV). I further declare that the report, prior to submission to the Authorities, has been reviewed and endorsed by me (a representative of Aurecon Australasia) and I have relied upon the action of these CBJV parties in making this declaration.

Signed Stephen Cole
 Full name (please print) Stephen Cole
 Position (please print) Principal
 Organisation (please print including ABN/ACN if applicable) Aurecon Australasia
 Date 21 / 11 / 2024

Declaration of accuracy – Approval Holder

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 in so far as it has been recorded, compiled and presented to the Approval Holder by the Contractor – Clough BMD Joint Venture (CBJV). I further declare that the report, prior to submission to the Authorities, has been reviewed and endorsed by the NT EPA approved Independent Person (a representative of Aurecon Australasia) and the Approval Holder has relied upon the action of these two parties in making this declaration. 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 Louise Mui
 Full name (please print) Louise McCormick
 Position (please print) Chief Executive Officer
 Organisation (please print including ABN/ACN if applicable) _____
 Date 29 / 11 / 24

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