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Twelve Apostles - Saddle Lookout Port Campbell National Park, Victoria

Annual Compliance Report (1 July 2022 to 30 June 2023)

EPBC Approval Number 2019/8571



Version: 01

Date: 1 September 2023

OFFICIAL

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Contents

1	Summary	2
2	Description of activity	2
3	Changes to the activity.....	3
4	Activity in the period.....	4
5	EPBC approval conditions	4
6	New environmental risks	4
7	Other information.....	4
8	Declaration of accuracy.....	5
	Table 1: EPBC Approval Conditions Compliance Table	6

OFFICIAL

Annual Compliance Report (1 July 2022 to 30 June 2023)

EPBC Approval Number 2019/8571

Twelve Apostles Saddle Lookout, Port Campbell National Park, Victoria

1 SUMMARY

Criteria	Description
EPBC number	2019/8571
Project name	Twelve Apostles Saddle Lookout
Approval holder and ABN	Parks Victoria ABN 95 337 637 697
Approved action	Construction of a lookout and associated works
Location of the project	Port Campbell National Park, Victoria
Person accepting responsibility for the report	Megan Genat – Senior Project Manager
Dates for the reporting period of the report	1 July 2022 to 30 June 2023
Date of preparation of the report	1 September 2023

2 DESCRIPTION OF ACTIVITY

The activity involves the following components:

- the construction of a new Twelve Apostles Saddle Lookout (Saddle Lookout) at the area known as ‘the saddle’ of what is known as Castle Rock, adjoining the Twelve Apostles geological feature;
- new and realigned paths, elevated boardwalks, and associated rest areas;
- removal of existing lookouts and associated paths and infrastructure.

A more detailed description of each component of the proposed action below.

The Saddle Lookout

The Saddle Lookout will consist of two parallel rectangular elements (hereafter ‘North and South lookouts’) located slightly inland to the north-east and elevated from the existing saddle lookout. The external dimensions of each lookout are 48.5 m long, 4.7 m wide and 4.6 m high. The lookouts are constructed using an internal structural steel truss with different cladding on the North and South lookouts. The North lookout adopts aluminium cassette cladding in white pearl with internal yellow blush. The South lookout is clad in vertical metal fins in muted tones of red, ochre, brown and dark brown in anodised aluminium with a matt finish with a low specular reflectance. Glass balustrading forms the narrow end addressing the sea above deck level. The vertical metal fins on the South lookout—described as its ‘feathered edge’—are splayed to various angles, provide a shifting of perceived tones depending on position both viewed from within and from another location. Each lookout is cantilevered, the North lookout by 5.5 m, and the South lookout by 18.5m. The North lookout has a 5-degree rotation in cross-section.

The Saddle Lookout provides approximately 380m² of floor area and 104m of viewing perimeter. By comparison, the previous Saddle lookout provides 113m² of lookout and path area and 63m of viewing frontage. This represents approximate increases of 330% in capacity and 165% in available viewing perimeter. The Saddle Lookout provides higher viewing locations of up to 7m above the previous Saddle lookout. Construction of the Saddle Lookout required four 900 mm piles of up to

OFFICIAL

Annual Compliance Report (1 July 2022 to 30 June 2023)

EPBC Approval Number 2019/8571

Twelve Apostles Saddle Lookout, Port Campbell National Park, Victoria

24m deep being driven into the limestone substrate and the construction of a vehicle access path through approximately 350m of previously undisturbed vegetation. This vehicle access path will be partially reused as a new pedestrian access path and boardwalk to the Saddle Lookout (see further below).

New and realigned paths, boardwalks and rest areas

The activity involves the upgrade of an existing path from asphalt to concrete, construction of a new concrete path and construction of a new elevated boardwalk.

From the carpark and visitors centre, visitors will access the Saddle Lookout along the existing main path. Approximately 60m of path will be upgraded on its existing alignment from asphalt to concrete, leading to approximately 70m of new rerouted concrete path that will allow visitors to access the North Lookout. Visitors exit from the South lookout via an elevated boardwalk of approximately 30m length prior to re-joining the main access path.

Parks Victoria has elected to delete an earlier proposal to construct a more extensive one-way return loop from the scope.

The existing Saddle and 'bunker' lookouts and their access pathways beyond the North lookout have been decommissioned, removed and revegetated. This includes the removal of asphalt paths, boards, seated areas, steel balustrades and wires, and at the bunker timber palisade fence and low concrete wall.

3 CHANGES TO THE ACTIVITY

The following changes have been previously made to the activity since approval by the Department on 7 October 2020:

1. It was previously proposed that the Proposed Saddle Lookout be lit internally and with minimal light levels, consistent with the precinct's objectives of being a 'dark site'; however, Parks Victoria has elected not to proceed with the lighting elements.
2. The proposed return loop (concrete path) will not be constructed as shown in the endorsed Planning Permit (and design clarification) drawings. This area will be used for construction access as contemplated by the Approval but will be revegetated or kept as ongoing operational/maintenance access rather than developed as a concrete path.
3. Drilling of the piles into the Port Campbell Limestone proceeded to a maximum depth of 23.4m, the Approval noted depths of up to 20m. The increase in depth was based on site conditions and geotechnical advice, that become apparent as the piles were being constructed.

It is judged that these changes will provide for a neutral or beneficial environmental outcomes when compared to the original activity.

OFFICIAL

Annual Compliance Report (1 July 2022 to 30 June 2023)

EPBC Approval Number 2019/8571

Twelve Apostles Saddle Lookout, Port Campbell National Park, Victoria

4 ACTIVITY IN THE PERIOD

The following activities have been undertaken in the period:

- Completion of off-site fabrication structural steel elements;
- Installation of the completed structural steel elements;
- Installation of the hollow core decking planks and associated decking slab;
- Excavation and placement of crushed rock in preparation for laying of concrete paths; and
- Secure the site for the environmental shutdown period (June/July/August).

5 EPBC APPROVAL CONDITIONS

The Approval contains 12 conditions. The conditions have not been varied from those originally contained in the Approval. Table 1 provides details of compliance, or otherwise, with the conditions including evidence/commentary on each condition.

6 NEW ENVIRONMENTAL RISKS

No new environmental risks were identified during the period.

7 OTHER INFORMATION

Nil.

OFFICIAL

Annual Compliance Report (1 July 2022 to 30 June 2023)

EPBC Approval Number 2019/8571

Twelve Apostles Saddle Lookout, Port Campbell National Park, Victoria

8 DECLARATION OF ACCURACY

In making this declaration, I am aware that sections 490 and 491 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed	
Full name (please print)	Megan Genat
Position (please print)	Senior Project Manager – Western Region
Organisation and ABN	Parks Victoria ABN 95 337 637 697
Date	01 /09 /2023

OFFICIAL

Annual Compliance Report (1 July 2022 to 30 June 2023)

EPBC Approval Number 2019/8571

Twelve Apostles Saddle Lookout, Port Campbell National Park, Victoria

Table 1: EPBC Approval Conditions Compliance Table

Condition Number/ reference	Condition	Is the project compliant with this condition? Compliant/ Non-Compliant/ Not applicable	Evidence/Comments Evidence to support claims regarding compliance or non-compliance.
Condition 1	The approval holder must take the action in the manner described in the Controlled action summary information	Compliant	Works have been undertaken in accordance with the EPBC Referral.
Condition 2	The approval holder must publish the preliminary documentation of the website from within 30 days after the date of this approval until the end date of the approval.	Compliant (originally non-compliant)	Available documents have been publicly available over the period 1 July 2022 to 30 June 2023. The documentation was originally published on 27 July 2020 as part of inviting community feedback on the proposed works. The Controlled action summary information document was subsequently republished on the project webpage at https://www.parks.vic.gov.au/projects/western-victoria/saddle-lookout-on-19-May-2022 . The document <i>Saddle Lookout-showcasing Eastern Maar people and country</i> (30 June 2020) could not be located by Parks Victoria or Eastern Maar Aboriginal Corporation.
Condition 3	The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action .	Non-compliant (rectified)	The Department was notified of commencement on 6 December 2022. The action commenced on 14 September 2021 requiring notification by 14 September 2021. Parks Victoria identified that it could not find evidence that the required notification had been provided. The Department were formally notified of commencement on 6 December 2022. As a result, the Department issued Parks Victoria with a warning letter on 20 December 2022. Parks Victoria has updated its internal reporting mechanisms to avoid recurrence of this matter.
Condition 4	The approval holder must maintain accurate and complete compliance records .	Compliant	Compliance records have been maintained on Parks Victoria's internal systems. Relevant monitoring information obtained over the period is listed in Section 7 and appended to this report.
Condition 5	If the Department makes a request in writing, the approval holder must provide electronic	Not applicable	No request has been made.

OFFICIAL

Annual Compliance Report (1 July 2022 to 30 June 2023)

EPBC Approval Number 2019/8571

Twelve Apostles Saddle Lookout, Port Campbell National Park, Victoria

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	copies of compliance records to the Department within the timeframe specified in the request.		
Condition 6	The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action , or otherwise in accordance with an annual date that has been agreed to in writing by the Minister . The approval holder must: <ul style="list-style-type: none"> a) publish each compliance report on the website within 60 business days following the relevant 12 month period; b) notify the Department by email that a compliance report has been published on the website and provide a weblink for the compliance report within 5 business days of the date of publication; c) keep all compliance reports publicly available on the website until this approval expires. 	Compliant	This report is the second compliance report. <ul style="list-style-type: none"> a) This report is published on Parks Victoria's website https://www.parks.vic.gov.au/projects/western-victoria/saddle-lookout b) The Department was notified by email on 1 September 2023. c) Compliance reports will be maintained on the website https://www.parks.vic.gov.au/projects/western-victoria/saddle-lookout until 30 June 2025.
Condition 7	The approval holder must notify the Department in writing of any incident and/or non-compliance with the conditions. The notification must be given as soon as practicable, and no later than two business days after becoming aware of the incident	Compliant	Nil incidents over the period 1 July 2022 to 30 June 2023.

OFFICIAL

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	and/or non-compliance. The notification must specify: <ul style="list-style-type: none"> a) any condition which is or may be in non-compliance; b) a short description of the incident and/or non-compliance; and c) the location (including co-ordinates), date, and time of the incident and/or non-compliance. In the event the exact information cannot be provided, provide the best information available. 		
Condition 8	The approval holder must provide to the Department the details of any incident and/or non-compliance with the conditions as soon as practicable and no later than 10 business days after becoming aware of the incident and/or non-compliance, specifying: <ul style="list-style-type: none"> a) any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future; b) the potential impacts of the incident and/or non-compliance; and c) the method and timing of any remedial action that will be taken by the approval holder. 	Compliant	Nil incidents over the period 1 July 2022 to 30 June 2023.

OFFICIAL

Annual Compliance Report (1 July 2022 to 30 June 2023)

EPBC Approval Number 2019/8571

Twelve Apostles Saddle Lookout, Port Campbell National Park, Victoria

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Condition Number/reference	Condition	Is the project compliant with this condition? Compliant/ Non-Compliant/ Not applicable	Evidence/Comments Evidence to support claims regarding compliance or non-compliance.
Condition 9	The approval holder must ensure that independent audits of compliance with the conditions are conducted when requested in writing by the Minister .	Not applicable	No request has been made.
Condition 10	For each independent audit , the approval holder must: <ul style="list-style-type: none"> a) provide the name and qualifications of the independent auditor and the draft audit criteria to the Department; b) only commence the independent audit once the audit criteria have been approved in writing by the Department; and c) submit an audit report to the Department within the timeframe specified in the approved audit criteria. 	Not applicable	No request has been made.
Condition 11	The approval holder must publish the audit report on the website within 10 business days of receiving the Department's approval of the audit report and keep the audit report published on the website until the end date of this approval.	Not applicable	No request has been made.
Condition 12	Within 30 days after the completion of the action , the approval holder must notify the Department in writing and provide completion data .	Not applicable	To be undertaken after completion of the action.

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