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Published on: 3 February 2026

Statement No. 1265

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

**GNARABUP TOURISM DEVELOPMENT**

**Proposal:** Development of a resort and village incorporating tourism, commercial, residential development and associated utilities and civil infrastructure in the locality of Gnarabup.

**Proponent:** Saracen Properties Pty Ltd  
Australian Company Number: 618 868 616

Representing:

5 Star Margaret River Pty Ltd  
Australian Company Number: 636 849 271

The Beach Village Pty Ltd  
Australian Company Number: 638 200 450

**Proponent address:** 342 Murray Street  
PERTH WA 6000

**Assessment number:** 2318

**Report of the Environmental Protection Authority:** 1782

**Introduction:** Pursuant to section 45 of the *Environmental Protection Act 1986*, it has been agreed that the proposal entitled Gnarabup Tourism Development described in the 'Proposal Content Document' (Reference Version: EP20-008(17)--026C BRB Appendix C) of the advertised ERD (EP20-008(17)--026C BRB Version: C), may be implemented and that the implementation of the proposal is subject to the following implementation conditions and procedures.

**Conditions and procedures**

## Part A: Proposal extent

## Part B: Environmental outcomes, prescriptions and objectives

## Part C: Compliance and other conditions

### PART A: PROPOSAL EXTENT

#### A1 Limitations and Extent of Proposal

A1-1 The proponent must ensure that the proposal is implemented in such a manner that the following limitations or maximum extents / capacities / ranges are not exceeded:

Proposal element	Location	Maximum extent
Physical elements		
Resort and village – clearing	Within the <b>development envelope</b> shown in Figure 1.	Clearing and <b>disturbance</b> of no more than 2.7 <b>ha</b> (resort) and 5.4 <b>ha</b> (village) within the 8.1 <b>ha development envelope</b> including a total of no more than: <ul style="list-style-type: none"><li>• 0.02 <b>ha</b> of peppermint woodland habitat for western ringtail possum (<i>Pseudocheirus occidentalis</i>)</li><li>• 0.02 <b>ha</b> of foraging habitat for Carnaby's cockatoo (<i>Zanda latirostris</i>).</li></ul>
Resort – development	Within the yellow hatched portion of the <b>development envelope</b> shown in Figure 1.	Maximum built height of 7 metres <b>NGL</b> .
Village – development	Within the blue hatched portion of the <b>development envelope</b> shown in Figure 1.	Maximum built height of 8 metres <b>NGL</b> .
Operational elements		
Wastewater		No <b>wastewater</b> treatment or disposal within the <b>development envelope</b> .

## **PART B – ENVIRONMENTAL OUTCOMES, PRESCRIPTIONS AND OBJECTIVES**

### **B1 Aboriginal Cultural Heritage**

B1-1 The proponent must implement the proposal to meet the following environmental outcomes:

- (1) no **disturbance** to **Aboriginal sites** or to **Aboriginal cultural heritage** in the proposal **disturbance footprint** other than where consent is granted for the use of land under the *Aboriginal Heritage Act 1972*; and
- (2) subject to reasonable health and safety requirements, no interruption of ongoing access to the Aboriginal Heritage Site (ID: 17093) by the **native title party/parties**.

B1-2 The proponent must implement the proposal to meet the following environmental objective:

- (1) **avoid**, and where unavoidable, **minimise adverse impacts** to **Aboriginal cultural heritage** within and surrounding the **development envelope**.

B1-3 The proponent must conduct an ethnographic and archaeological site identification Aboriginal heritage survey with the **native title party/parties** prior to commencement of **disturbance** as part of the measures required to achieve B1-2.

B1-4 The proponent must take reasonable steps to consult with the **native title party/parties** about the achievement of condition B1-1, B1-2 and B1-3, prior to the commencement of **disturbance** and for the life of the proposal.

### **B2 Migratory Shorebirds**

B2-1 The proponent must implement appropriate management measures to achieve the following environmental objective:

- (1) **avoid** and where unavoidable, **minimise, adverse impacts** to migratory shorebird habitat within 250 metres of the **development envelope**.

B2-2 Prepare and implement artificial light management measures consistent with the *National Light Pollution Guidelines for Wildlife (2023)*, as part of proposal construction and operation management, or relevant regulatory management plans, with the purpose of achieving condition B2-1(1).

### **B3 Terrestrial Fauna**

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

- (1) No **adverse impacts** to the western ringtail possum (*Pseudocheirus occidentalis*) within the **disturbance footprint**.

B3-2 During **ground disturbing activities**, the proponent must undertake the following actions:

- (1) Ensure the presence of a **fauna spotter** to locate and identify western ringtail possums and active dreys.
- (2) In the event that an active drey is located and observed to be occupied by an individual:
  - (a) cease **ground disturbing activities** immediately and allow the individual to vacate overnight;
  - (b) to prevent continued use of the drey, a licensed **western ringtail possum specialist** should remove and/or relocate the drey to suitable habitat outside the **disturbance footprint** after the individual has vacated;
  - (c) **ground disturbing activities** may continue in an alternate location if habitat connectivity is maintained between the drey and remnant vegetation; and
  - (d) in the event that an individual refuses to vacate a drey, the animal and drey should be relocated by a licensed **western ringtail possum specialist** to suitable habitat outside the **disturbance footprint**.
- (3) In the event vegetation is stockpiled within the **disturbance footprint**:
  - (a) vegetation that is stockpiled overnight is checked for the presence of western ringtail possums by a **fauna spotter** before it is mulched or removed from the **disturbance footprint**; and
  - (b) if western ringtail possums are found to be present in stockpiled vegetation, they are allowed to vacate, or are relocated by a licensed **western ringtail possum specialist** to suitable habitat outside the **disturbance footprint**.

## **PART C – COMPLIANCE, TIME LIMITS, AUDITS AND OTHER CONDITIONS**

### **C1 Non-compliance Reporting**

C1-1 If the proponent becomes aware of a potential non-compliance, the proponent must:

- (1) report this to the **CEO** within seven (7) days;
- (2) implement **contingency measures**;
- (3) investigate the cause;
- (4) investigate environmental impacts;
- (5) advise rectification measures to be implemented;
- (6) advise any other measures to be implemented to ensure no further impact;
- (7) advise timeframe in which contingency, rectification and other measures have and/or will be implemented; and
- (8) provide a report to the **CEO** within twenty-one (21) days of being aware of the potential non-compliance, detailing the measures required in conditions C1-1(1) to C1-1(7) above.

### **C2 Compliance Reporting**

C2-1 The proponent must provide an annual Compliance Assessment Report to the **CEO** for the purpose of determining whether the implementation conditions are being complied with.

C2-2 Unless a different date or frequency is approved by the **CEO**, the first annual Compliance Assessment Report must be submitted within fifteen (15) months of the date of this Statement, and subsequent reports must be submitted annually from that date.

C2-3 Each annual Compliance Assessment Report must be endorsed by the proponent's Chief Executive Officer, or a person approved by proponent's Chief Executive Officer to be delegated to sign on the Chief Executive Officer's behalf.

C2-4 Each annual Compliance Assessment Report must:

- (1) State whether each condition of this Statement has been complied with, including:
  - (a) exceedance of any proposal limits and extents;
  - (b) achievement of environmental outcomes;

- (c) achievement of environmental objectives;
  - (d) monitoring requirements;
  - (e) implement **contingency measures**;
  - (f) requirements to implement adaptive management; and
  - (g) reporting requirements;
- (2) provide evidence to substantiate statements of compliance, or details of where there has been a non-compliance;
  - (3) include the corrective, remedial and preventative actions taken in response to any potential non-compliance;
  - (4) be provided in a form suitable for publication on the proponent's website and online by the Department of Water and Environmental Regulation; and
  - (5) be prepared and published consistent with the latest version of the Compliance Assessment Plan required by condition C2-5 which the **CEO** has confirmed by notice in writing satisfies the relevant requirements of Part C.

C2-5 The proponent must prepare a Compliance Assessment Plan which is submitted to the **CEO** at least six (6) months prior to the first Compliance Assessment Report required by condition C2-1, or prior to implementation of the proposal, whichever is sooner.

C2-6 The Compliance Assessment Plan must include:

- (1) what, when and how information will be collected and recorded to assess compliance;
- (2) the methods which will be used to assess compliance;
- (3) the methods which will be used to validate the adequacy of the compliance assessment to determine whether the implementation conditions are being complied with;
- (4) the retention of compliance assessments;
- (5) the table of contents of Compliance Assessment Reports, including audit tables; and
- (6) how and when Compliance Assessment Reports will be made publicly available, including usually being published on the proponent's website within sixty (60) days of being provided to the **CEO**.

### **C3 Contact Details**

C3-1 The proponent must notify the **CEO** of any change of its name, physical address or postal address for the serving of notices or other correspondence within twenty-eight (28) days of such change. Where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or of the principal office in the State.

### **C4 Time Limit for Proposal Implementation**

C4-1 The proposal must be substantially commenced within five (5) years from the date of this Statement.

C4-2 The proponent must provide to the **CEO** documentary evidence demonstrating that they have complied with condition C4-1 no later than fourteen (14) days after the expiration of the period specified in condition C4-1.

C4-3 If the proposal has not been substantially commenced within the period specified in condition C4-1, implementation of the proposal must not be commenced or continued after the expiration of that period.

### **C5 Public Availability of Data**

C5-1 Subject to condition C5-2, within a reasonable time period approved by the **CEO** upon the issue of this Statement and for the remainder of the life of the proposal, the proponent must make publicly available, in a manner approved by the **CEO**, all validated environmental data collected before and after the date of this Statement relevant to the proposal (including sampling design, sampling methodologies, monitoring and other empirical data and derived information products (e.g. maps)), and reports relevant to the assessment of this proposal and implementation of this Statement.

C5-2 If:

- (1) any data referred to in condition C5-1 contains trade secrets; or
- (2) any data referred to in condition C5-1 contains particulars of confidential information (other than trade secrets) that has commercial value to a person that would be, or could reasonably be expected to be, destroyed or diminished if the confidential information were published,

the proponent may submit a request for approval from the **CEO** to not make this data publicly available and the **CEO** may agree to such a request if the **CEO** is satisfied that the data meets the above criteria.

C5-3 In making such a request the proponent must provide the **CEO** with an explanation and reasons why the data should not be made publicly available.

## **C6 Independent Audit**

- C6-1 The proponent must arrange for an independent audit of compliance with the conditions of this statement, including achievement of the environmental outcomes and/or the environmental objectives and/ or environmental performance with the conditions of this statement, as and when directed by the **CEO**.
- C6-2 The independent audit must be carried out by a person with appropriate qualifications who is nominated or approved by the **CEO** to undertake the audit under condition C6-1.
- C6-3 The proponent must submit the independent audit report with the Compliance Assessment Report required by condition C2, or at any time as and when directed in writing by the **CEO**. The audit report is to be supported by credible evidence to substantiate its findings.
- C6-4 The independent audit report required by condition C6-1 is to be made publicly available in the same timeframe, manner and form as a Compliance Assessment Report, or as otherwise directed by the **CEO**.

[signed on 3 February 2026]

Hon. Matthew Swinbourn BA LLB MLC  
**MINISTER FOR THE ENVIRONMENT; COMMUNITY SERVICES; HOMELESSNESS**

<b>Key decision-making authorities consulted under section 45(2):</b>
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Minister for Aboriginal Affairs Minister for Planning and Lands
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**Table 1: Abbreviations and definitions**

Acronym or abbreviation	Definition or term
<b>Aboriginal cultural heritage</b>	Means the tangible and intangible elements that are important to the Aboriginal people of the State, and are recognised through social, spiritual, historical, scientific or aesthetic values, as part of Aboriginal tradition to the extent they directly affect or are affected by physical or biological surroundings.
<b>Aboriginal site(s)</b>	As defined in section 4 and 5 under the <i>Aboriginal Heritage Act 1972</i> .
<b>Adverse impact(s)</b>	Negative change that is neither trivial nor negligible that could result in a reduction in health, diversity or abundance of the receptor/s being impacted, or a reduction in environmental value. Adverse impacts can arise from direct or indirect impacts, or other impacts from the proposal.
<b>Avoid</b>	Means to completely prevent or exclude impact to environmental values. May include undertaking re-design, employing processes, technologies, or management measures to prevent environmental impacts altogether.
<b>CEO</b>	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or the <b>CEO's</b> delegate.
<b>Confirmed</b>	<p>In relation to a plan required to be made and submitted to the <b>CEO</b>, means, at the relevant time, the plan that the <b>CEO</b> confirmed, by notice in writing, meets the requirements of the relevant condition.</p> <p>In relation to a plan required to be implemented without the need to be first submitted to the <b>CEO</b>, means that plan until it is revised, and then means, at the relevant time, the plan that the <b>CEO</b> confirmed, by notice in writing, meets the requirements of the relevant condition.</p>
<b>Contingency measures</b>	Planned actions for implementation if it is identified that an environmental outcome, environmental objective, or management target are likely to be, or are being, exceeded. Contingency measures include changes to operations or reductions in <b>disturbance</b> or <b>adverse impacts</b> and must be decisive actions that will quickly ensure that the environmental outcome and/or objective can be met.
<b>Development envelope</b>	The maximum area within which the proposal will be located, and consistent with the Proposal Content Document for the proposal as referred to in the Introduction to this Statement.
<b>Disturbance</b>	Means directly has or materially contributes to the disturbance effect on health, diversity or abundance of the receptor/s being impacted or on an environmental value.

Acronym or abbreviation	Definition or term
	In relation to <b>Aboriginal cultural heritage</b> , includes to result in structural modification, destruction, removal, severing or doing substantial damage to physical or cultural Aboriginal heritage sites.
<b>Disturbance footprint</b>	The location within which the physical proposal elements will occur.
<b>Fauna spotter</b>	A person who is suitably trained in species identification, including identifying an active drey, who does not perform any handling of animals where a licence to do so is required.
<b>Ground disturbing activities</b>	Any activity or activities undertaken in the implementation of the proposal, including any clearing, civil works or construction.
<b>Ha</b>	Hectare(s).
<b>Minimise</b>	Means to limit the degree or magnitude of <b>adverse impact</b> . May include undertaking re-design, employing processes, technologies, or management measures to reduce impact.
<i>National Light Pollution Guidelines for Wildlife (2023)</i>	Department of Climate Change, Energy, the Environment and Water 2023 <i>National Light Pollution Guidelines for Wildlife</i> , Version 2, Canberra, ACT.
<b>Native title party/parties</b>	As defined in section 18(1AA) under the <i>Aboriginal Heritage Act 1972</i> .
<b>NGL</b>	Refers to height as measured from natural ground level.
<b>Reasonable steps to consult</b>	As outlined in the EPA's Technical Guidance Environmental impact assessment of Social Surroundings – Aboriginal cultural heritage, as amended from time to time.
<b>Wastewater</b>	Used water arising from commercial and domestic activities consisting of liquid wastes, greywater and blackwater. Greywater means used water containing kitchen, laundry or bathroom waste other than products of human excretion. Blackwater means used water containing products of human excretion.
<b>Western ringtail possum specialist</b>	Means a fauna specialist who holds a tertiary qualification specialising in environmental science or equivalent, has a minimum of two years of work experience in western ringtail possum ( <i>Pseudocheirus occidentalis</i> ) identification, surveys of western ringtail possums and capture and handling of western ringtail possums, and holds a valid fauna licence issued under the <i>Biodiversity Conservation Act 2016</i> .

**Figures (attached)**

Figure 1 Proposal development envelope (This map is a representation of the geographical locations referenced in Schedule 1)



**Figure 1 Proposal development envelope**

## **Schedule 1**

All co-ordinates are in metres, listed in Map Grid of Australia Zone 50 (MGA Zone 50), datum of Geocentric Datum of Australia 2020 (GDA2020).

Spatial data depicting the figures are held by the Department of Water and Environmental Regulation. Record no. APP-0016126.