



Environmental  
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## Gnarabup Tourism Development

Saracen Properties Pty Ltd representing  
5 Star Margaret River Pty Ltd and The Beach Village Pty Ltd.

Report 1782

May 2025

This assessment report has been prepared by the Environmental Protection Authority (EPA) under s. 44 of the *Environmental Protection Act 1986* (WA). It describes the outcomes of the EPA's assessment of the Gnarabup Tourism Development proposal by Saracen Properties Pty Ltd (representing 5 Star Margaret River Pty Ltd and The Beach Village Pty Ltd).

This assessment report is for the Western Australian Minister for Environment and sets out:

- what the EPA considers to be the key environmental factors identified in the course of the assessment
- the EPA's recommendations as to whether or not the proposal may be implemented and, if it recommends that implementation be allowed, the conditions and procedures, if any, to which implementation should be subject
- other information, advice and recommendations as the EPA considers appropriate.



**Darren Walsh**

Chair

Environmental Protection Authority

23 May 2025

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# Summary

## Proposal

The proposal is for the development of an 8.1 hectare (ha) area of land for a resort and beach village including short-stay accommodation, residential dwellings and commercial premises on the western side of Wallcliffe Road, Gnarabup (Figure 1). The development envelope is entirely vegetated excepting access tracks and firebreaks.

The proponent for the proposal is Saracen Properties Pty Ltd, representing 5 Star Margaret River Pty Ltd and The Beach Village Pty Ltd.

## Context

The proposal is sited within the Prevelly-Gnarabup locality, which is of local and regional significance due to its proximity to the Leeuwin-Naturaliste National Park and Ngari Capes Marine Park, and as a highly visited tourism destination.

The majority of the development envelope is zoned for 'Future Development' and 'Tourism' under the Shire of Augusta-Margaret River Local Planning Scheme 1. Consistent with the scheme requirements, the *Gnarabup Beach Structure Plan* (2006) was prepared to guide future development within the Gnarabup locality. The *Gnarabup Beach Structure Plan* identifies the development envelope as having future tourism development potential.

## Assessment of key environmental factors

Social surroundings and terrestrial fauna are the key environmental factors that may be impacted by the proposal.

Environmental factor: Social surroundings	
Residual impact on key value	Assessment finding/ environmental outcome (Summary)
<p>Potential residual impacts associated with the clearing and development of the proposal area, include:</p> <ul style="list-style-type: none"> <li>removal or disturbance of registered Aboriginal heritage site (AHS) ID: 17093, 'gnamma hole'</li> <li>disruption of access to the gnamma hole AHS;</li> <li>impacts to other Aboriginal cultural heritage values in and surrounding the development envelope.</li> </ul>	<p>The EPA considers that the proposal could result in the removal of, or disturbance to, the registered AHS during construction and operation of the proposed development. Whilst noting:</p> <ul style="list-style-type: none"> <li>the proponent's intent to avoid direct disturbance to the AHS, and</li> <li>the capacity for regulation of direct disturbance to AHS under the <i>Aboriginal Heritage Act 1972</i></li> </ul> <p>the EPA considers there is a risk of residual impacts to Aboriginal cultural heritage from direct disturbance of, and disruption of ongoing access to, the AHS given that the proposal content document provides for development to occur over the entirety of the development envelope.</p> <p>The EPA also considers that there is potential for other (as yet) undetected Aboriginal cultural heritage values to be present in and around the development envelope. Given past consultation and heritage inspections of the area, and the EPA's recommended limits to the disturbance footprint extent and landscape impacts, the EPA does not consider that such cultural heritage values are likely to be significantly effected. However, additional ethnographic consultation and archaeological investigations should be undertaken before, and during, the life of the proposal to ensure impacts are avoided where practicable and otherwise minimised.</p> <p>The EPA has recommended conditions for environmental outcomes and objectives (condition B1) to protect the values associated with the gnamma hole AHS, and to ensure the identification and protection of other potential Aboriginal cultural heritage values consistent with the EPA's objective for social surroundings.</p>
<p>Potential residual impacts associated with the clearing and development of the proposal area, include:</p> <ul style="list-style-type: none"> <li>reduced natural visual amenity</li> <li>reduced aesthetic values from development in and adjacent to natural areas, including the Ngari Capes Marine Park, and Leeuwin-Naturaliste National Park</li> <li>modified local landscape character.</li> </ul>	<p>The EPA considers that the proposal will result in modification of the natural landscape and visual character, due to increased built form mass and extent and interruption of existing view lines. However, the proposal is not inconsistent with other existing tourism developments and land uses in the area, and built form/design requirements can facilitate the obscuring and blending of the proposed development from sensitive viewing locations to reduce the significance of visual impact.</p> <p>The EPA notes that issues of visual amenity, aesthetic values and landscape character were considered as part of historic statutory planning processes. The EPA notes that the current proposal is consistent with the visual provisions of the Gnarabup Beach Structure Plan (2006) and current local planning scheme.</p> <p>The EPA considers that adherence to the proposed maximum development height limit of 7 meters (m) within the 'resort' area and 8m within the 'village' area (compared to existing natural ground levels) is likely to result in an environmental outcome for the visual component of social surroundings that is consistent with the EPA's objective for the factor.</p> <p>The requirements for subsequent development approval under the <i>Planning and Development Act 2005</i> (PD Act) will also provide opportunity for requiring design measures to further</p>

	mitigate visual impacts and regulate development so that the outcome is consistent with the EPA's objective for this factor. Given the above, the EPA has recommended a condition, consistent with the planning scheme provisions, to limit the building heights of the proposal (condition A1-1) and provide confidence that the potential risk of impacts to visual amenity values from the proposal will be mitigated.
<b>Environmental factor: Terrestrial fauna</b>	
<b>Residual impact on key value</b>	<b>Assessment finding/ environmental outcome (Summary)</b>
<p>Potential impacts associated with the clearing and development of the proposal area, include:</p> <ul style="list-style-type: none"> <li>removal of up to 0.02 ha of habitat for western ringtail possum (WRP)</li> <li>removal of up to 0.02 ha of secondary foraging habitat for Carnaby's cockatoo</li> <li>removal of up to 7.4 ha of habitat for quenda, and potentially, quokka</li> <li>indirect impacts to migratory shorebird habitat from construction and operation of the proposal, including noise and light emissions.</li> </ul>	<p>The EPA advises that the proposal will result in the removal of 7.4 ha of terrestrial fauna habitat, including 0.02 ha of habitat for conservation significant species such as the WRP and Carnaby's cockatoo. The EPA has considered:</p> <ul style="list-style-type: none"> <li>The impacts of the proposal and that there is small extent of conservation significant fauna habitat present within the development envelope compared to surrounding protected areas. This includes the lack of primary and/or critical habitat for conservation significant fauna within the development envelope.</li> <li>That corridors for movement and dispersal of species between remnant vegetated areas to the north and east of the proposal remain at the periphery of the development envelope.</li> <li>The proponent's proposed mitigation measures, including undertaking pre-clearing fauna inspections.</li> <li>Other statutory decision-making processes, such as requirements for subsequent authorisation to take fauna under the <i>Biodiversity Conservation Act 2016</i> (BC Act) which can also mitigate the potential impacts of the proposal if any individuals are present.</li> </ul> <p>The EPA has recommended condition A1 (limit of extent). The EPA has also considered:</p> <ul style="list-style-type: none"> <li>that the coastal vegetation immediately west of the development envelope provides a setback and obscuring buffer for light and/or noise emissions from the development envelope to migratory shorebird habitat at the beach</li> <li>the proponent's proposed mitigation measures including implementation of an artificial light management plan to further reduce the risk of direct and indirect impacts to migratory shorebird from operation of the proposal.</li> </ul> <p>The EPA has recommended condition B2 (impacts to migratory shorebirds) to ensure consistency with the EPA's objective for terrestrial fauna.</p>

### Other environmental factors

The EPA's full evaluation of other environmental factors is provided in Appendix E of this report. Whilst the potential impacts of the proposal to the environmental factors were evaluated by the EPA and the findings included in this report for the Minister, they were not considered to be key environmental factors as they are unlikely to result in significant impacts that are inconsistent with the EPA's objectives.

The EPA's evaluation of other environmental factors included flora and vegetation, inland waters, subterranean fauna, marine environmental quality, coastal processes, landforms, and greenhouse gas emissions. A summary of the evaluation is provided below.

### *Flora and vegetation*

The EPA noted that no threatened or priority flora were recorded within the development envelope during surveys, and that none are reasonably expected based on desktop surveys of other vegetated areas in the locality. The EPA also noted the small extent of the Kilcarnup vegetation complex proposed to be cleared in the context of the high remaining local and regional extent. The EPA considered it unlikely that the proposal would have a significant impact on flora and vegetation. The EPA noted that the Western Australian Planning Commission's (WAPC) subsequent assessment of the development application for the proposal may provide opportunity for retention of vegetation (or revegetation), including potential conditions if considered necessary. The EPA has provided other advice on this matter for the WAPC and planning decision-makers to consider.

### *Inland waters and marine environmental quality*

The EPA considered that the proponent intends to dispose of wastewater via the mains sewer network. To ensure the avoidance of adverse impacts to inland waters values within the development envelope, the EPA has included the requirement for no onsite disposal of wastewater within the recommended 'limitations and extent of proposal' condition A1-1. Subject to the recommended condition, the environmental outcome for inland waters is likely to be consistent with the EPA's objective for the factor. The EPA has provided other advice about the disposal of wastewater via the mains sewer network and the potential alternative options for wastewater disposal elsewhere within the region. The EPA also considered that the disposal of wastewater via the mains sewer network and the setback of the proposal site from the Ngari Capes Marine Park (approximately 150m) reduces the residual risk to marine environmental quality. The EPA considered that the proposal is unlikely to have a significant impact on marine environmental quality.

### *Subterranean fauna*

The EPA noted that stygofauna was not detected from the sampled bores within the development envelope and considered proponent sampling was adequate given the geology of the area. The EPA also noted the survey findings that the development envelope is unlikely to host significant stygofauna or troglodfauna. The EPA considered that the proposal is unlikely to have a significant impact on subterranean fauna.

### *Coastal processes*

The EPA noted the proposal's setback (approximately 150m) and elevation (approximately 15m) from the Ngari Capes Marine Park, and that the proponent's Coastal Hazard Assessment demonstrated consistency with the requirements of *State Planning Policy 2.6 – Coastal Planning* (SPP 2.6) (WAPC 2013). The EPA considered it unlikely that the proposal would change the geophysical processes that shape coastal morphology to such extent that the environmental values of the coast would be significantly impacted. The EPA also considered that the WAPC's subsequent assessment of the development application for the proposal would incorporate consideration for the SPP 2.6 and may include potential conditions if considered necessary. The EPA has provided other advice on this matter for the WAPC and other planning decision-makers to consider.

### Landforms

The EPA considered the small scale of potential impact to the Kilcarnup exposed dune formation, noting the high level of representation (regionally and locally) of the formation and the siting of the proposed development to avoid impact to the Leeuwin Naturaliste Ridge line. The EPA considered it unlikely that the proposal will have a significant impact on the landform. The EPA also considered that the WAPC's subsequent assessment of the development application for the proposal will incorporate consideration of *SPP 6.1 – Leeuwin-Naturaliste Ridge* (WAPC 1998) and may include potential conditions for geotechnical studies and protections if considered necessary. The EPA has provided other advice on this matter for the WAPC and other planning decision-makers to consider.

### Greenhouse gas emissions

The EPA considered the proponent's estimated annual greenhouse gas emissions in the context of the *Environmental Factor Guideline – Greenhouse Gas Emissions* (EPA 2024a). Given that the proponent's estimated emissions totalled to an amount significantly less than 100,000 CO<sub>2</sub>-e annually, the EPA considered it unlikely that the proposal would have a significant impact on the environmental factor.

### Holistic assessment

The EPA considered the connections and interactions between relevant environmental factors and values to inform a holistic view of impacts to the whole environment. The EPA formed the view that the holistic impacts would not alter the EPA's conclusions about consistency with the EPA factor objectives.

### Conclusion and recommendations

The EPA has taken the following into account in its assessment of the proposal:

- environmental values which may be significantly affected by the proposal
- residual impacts and effects in relation to the key environmental factors, separately, holistically, and cumulatively
- likely environmental outcomes (and taking into account the EPA's recommended conditions), and the consistency of these outcomes with the EPA objectives for the key environmental factors
- the EPA's confidence in the proponent's proposed mitigation measures
- whether other statutory decision-making processes can mitigate the potential impacts of the proposal on the environment
- principles of the *Environmental Protection Act 1986* (EP Act).

The EPA has recommended that the proposal may be implemented, subject to conditions recommended in Appendix A.



# 1 Proposal

The Gnarabup Tourism Development is a proposal for the development of a resort and beach village including short-stay accommodation, residential dwellings and commercial premises on the western side of Wallcliffe Road, Gnarabup (the proposal) (Figure 1). The development envelope (8.1 hectares [ha]) is located within the Prevelly-Gnarabup tourism region, approximately 8 kilometres (km) southwest of Margaret River within the Shire of Augusta Margaret River (the Shire).

The proponent for the proposal is Saracen Properties Pty Ltd, representing 5 Star Margaret River Pty Ltd and The Beach Village Pty Ltd.

The elements of the proposal subject to the Environmental Protection Authority's (EPA) assessment are outlined in Table 1.

**Table 1: Proposal content document (PCD) (Emerge 2024)**

Proposal element	Location / description	Maximum extent or range
Physical elements		
Resort	Lot 783 Mitchell Drive, Lot 502, including portions of Mitchell Road reserve (PI 3648464), Figure 1.	2.7 ha within a development envelope of 8.1 ha.
Village	Lots 501, 502 and 504 Reef Drive and Lot 503 Seagrass Place including portions of Lot 701 on DP 31094 and Lots 5484 and 5487 on Plan 33957, Figure 1.	5.4 ha within a development envelope of 8.1 ha.
Construction elements		
Resort	Removal of all native vegetation, bulk earthworks, building construction, connection to utilities, landscaping and civil infrastructure.	2.7 ha within a development envelope of 8.1 ha.
Village		5.4 ha within a development envelope of 8.1 ha.
Operational elements		
Resort	Operation and maintenance of the resort such as gardening, rubbish collection, stormwater management and discharge of wastewater to the sewer network.	2.7 ha within a development envelope of 8.1 ha.
Village	Sale, operation and maintenance of village such as gardening, rubbish collection, stormwater management and discharge of wastewater to the sewer network.	5.4 ha within a development envelope of 8.1 ha.
Proposal elements with greenhouse gas emissions		
Construction elements		
Scope 1	The estimated maximum total annual direct emissions, including vegetation clearing and the operation of machinery, plant equipment and power generation is 3,295 t CO <sub>2</sub> -e.	
Scope 2	-	

Proposal element	Location / description	Maximum extent or range
Scope 3	-	
<b>Operational elements</b>		
Scope 1	-	
Scope 2	<p>The estimated maximum total annual indirect emissions are 6,393 t CO<sub>2</sub>-e from the ongoing operation of the proposal (i.e. resort and village), through the consumption of electricity and gas.</p> <p>The total emissions estimated throughout the life of the proposal (expected lifespan of 120 years) is approximately 716,591 t CO<sub>2</sub>-e, of which a little over 95% of the emissions are a result of operational activity.</p>	
Scope 3	-	
<b>Rehabilitation</b>		
Following construction 30% of the development envelope will be landscaped and will include green open spaces incorporating a mixture of turf and native species.		
<b>Commissioning</b>		
N/A		
<b>Decommissioning</b>		
N/A		
<b>Other elements which affect the extent of effects on the environment</b>		
Proposal time	Maximum project life	120 years
	Construction phase	Resort: approximately 2 years Village: approximately 4 years
	Operations phase	N/A
	Decommissioning phase	N/A

**Units and abbreviations**

ha – hectares

tCO<sub>2</sub>-e – tonnes of carbon dioxide equivalent

## Proposal context

The proposal is located approximately 150m landward of the Ngari Capes Marine Park, and within 500m of the Leeuwin-Naturaliste National Park, in the Prevelly-Gnarabup region (Figure 3). The region is synonymous with tourism, agriculture and conservation land uses.

The development envelope is entirely vegetated (excepting access tracks and firebreaks) and adjoins a long strip of coastal reserve that provides connectivity to the Leeuwin-Naturaliste National Park. The development envelope is located approximately 15m above the Gnarabup foreshore, which is a popular recreating beach and provides seasonal habitat for migratory shorebirds.

The development envelope is located on the western side of the Leeuwin Naturaliste Ridge major land system, which is associated with steep dunes, calcareous sands and coastal heath vegetation.

Areas constituting the highly touristed settlement of Prevelly-Gnarabup abut the development envelope to the east and northeast, and have largely been subject to

development consistent with the *Gnarabup Beach Structure Plan* (2006) (GBSP)<sup>1</sup>. The GBSP identified the development envelope as being of future tourism development potential.

## Proposal alternatives

The proponent has not presented any alternative locations for the proposal or alternative land uses for the proposal site (development envelope).

### *Environment Protection and Biodiversity Conservation Act 1999*

The proposal was referred to the Department of Climate Change, Energy, the Environment and Water (DCCEEW) for consideration of impacts to matters of national environmental significance (MNES) under the provisions of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The proposal was determined to be a controlled action (EPBC 2022/09224) to be assessed by DCCEEW on preliminary documentation and is not the subject of an accredited assessment.

## Consultation and EPA consideration of submissions

The proposal was referred to the EPA on 28 April 2021 by a third-party community organisation. The EPA published the referral information for the proposal on its website for a seven-day public comment period. The EPA also published the proponent's Environmental Scoping Document (ESD) for a two-week comment period from 12 September 2022 to 28 September 2022, and the proponent's Environmental Review Document (ERD) for a four-week public comment period from 21 October 2024 to 18 November 2024.

The ERD received 2,690 public comments and four agency comments during the public comment period (see Appendix F for details). The EPA considered the comments received during the public consultation periods and the proponent's Response to Submissions (RtS) in its assessment. The EPA requested further clarification from the proponent regarding matters raised in submissions including ongoing consultation with Aboriginal people and indirect visitation impacts from implementation of the proposal, which the proponent addressed in correspondence dated 21 March 2025. Both the RtS, and supplementary information, are published on the EPA website.

In considering the comments received, the EPA noted that many of the matters raised in public submissions were of contextual relevance to the proposal, but not relevant to the EPA's formal assessment of the proposal against the key environmental factors.

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<sup>1</sup> Structure plans are a key planning instrument in shaping and transforming places, in developing or redevelopment areas (WAPC 2025) and are approved by the WAPC under the *Planning and Development (Local Planning Schemes) Regulations 2015*

Such matters included concerns about:

- increased volumes of people, traffic congestion and pressure on existing infrastructure (including roads, carparks, ablution facilities, pedestrian ways) and on lands located outside the proposal site
- increased risk to health and safety of residents and visitors from bushfire, including increased pressure on emergency services and escape routes, and non-compliance of the proposal with *State Planning Policy (SPP) 3.7 – Planning in Bushfire Prone Areas*
- the economic and/or social benefits of the proposal, including whether there is need or demand for the proposed development in a socio-economic context
- the unresolved issues with, and potential subsequent impacts to, the Gnarabup Wastewater Treatment Plant (which is located outside the development envelope), noting the expected increased volumes of wastewater to be discharged to the plant from the proposal.

The EPA has included information about these matters at section 5 of this report ('other advice'). However, it is noted that the EPA's assessment role is to report on social surroundings, including aesthetic, cultural, and economic matters, to the extent they directly affect or are affected by physical or biological surroundings. To the extent that aesthetic, cultural, and economic matters are not directly affected by physical or biological matters, it is not appropriate for the EPA to assess them. The EPA considers that subsequent statutory decision-making processes are able to provide suitable mechanisms to respond to, and ensure management and mitigation of, potential impacts associated with the matters raised in the comments above. In particular, the EPA had regard for the legislative functions available to the Western Australian Planning Commission (WAPC) to consider future development conditions for the proposal, and to require future development to be implemented consistent with state planning legislation, policies and guidance. The EPA has also had regard for the proponent's willingness to collaborate with, and contribute to, the Shire's management of the Gnarabup coastal foreshore reserve.

The EPA has identified the other relevant decision-making authority processes (DMAs), and the environmental outcomes it recommends to be achieved by those processes, for subsequent stages of the proposed development at Appendix B.





Figure 1: Proposal location





**Figure 2: Conceptual development layout for the proposal (Emerge Associates, 2024)**





**Figure 3: Proposal location within the Prevelly-Gnarabup region**

## 2 Assessment of key environmental factors

This section reports the outcome of the EPA's assessment of the key environmental factors against its environmental objectives, and its recommendations on conditions for implementation of the proposal. The EPA evaluated the impacts of the proposal on other environmental factors and concluded that these were not key environmental factors for the assessment. This evaluation is included at Appendix E of this report.

### 2.1 Social surroundings

The EPA environmental objective for social surroundings is *to protect social surroundings from significant harm* (EPA 2023a).

The EPA advises that the following proponent investigations and surveys were used to inform the assessment of the potential impacts to social surroundings:

- Referral supporting information (Emerge Associates 2021a)
- Environmental Review Document (Emerge Associates 2024c)
- Environmental Risk Assessment (Emerge Associates 2024d)
- Due Diligence Risk Assessment Advice (Brad Goode & Associates 2020)
- Visual Impact Assessment (Emerge Associates 2021b)
- RtS Document (Emerge Associates 2025a)
- Supplementary RtS Document (Emerge Associates 2025b).

The EPA considered that the relevant studies are appropriate to inform the assessment of the potential impacts to the above environmental factor.



**Table 2: Assessment of impacts to social surroundings values, recommended regulation and environmental outcomes**

Key environmental values and context	
<p><u>Aboriginal heritage</u></p> <p>The development envelope includes a registered Aboriginal heritage site (AHS) (ID: 17093) comprising a 37 centimetre (cm) wide, 25cm deep 'gnamma hole' (Figure 2). Gnamma holes are natural cavities formed in hard rock (often granite) that provide natural water storage. The location of the AHS was confirmed by Traditional Owners and ethnographic consultants during a visit to the proposal development envelope. It is understood that the Traditional Owners recommended an exclusion area of 7 metres (m) around the AHS to protect the site. In 2021, the Department of Planning, Lands and Heritage (DPLH) added the AHS, inclusive of a 7m buffer, to its registered sites records in the Aboriginal Cultural Heritage Inquiry System database.</p> <p><u>Visual amenity</u></p> <p>The development envelope is located in the highly touristed settlement of Prevelly-Gnarabup, which constitutes part of the Leeuwin-Naturaliste Coast landscape (Figure 3). The distinguishing natural features of this landscape include granite and limestone outcroppings, bays and cliffs, large areas of intact remnant vegetation associated with the Leeuwin Naturaliste National Park, and expanses of ocean and enclosed waterways. A consolidated area of residential and tourism development occurs on the eastern side of Wallcliffe Road, which has been developed consistent with the GBSP. The development envelope is elevated (approximately 15m above sea-level) with a naturally undulating topography. Lands east of the development envelope increase in elevation to form a vegetated ridgeline.</p>	
Impacts from the proposal	Assessment finding, environmental outcomes and recommended conditions
<b>Aboriginal cultural heritage</b>	
<p><b>Potential direct impacts</b></p> <p>Removal or disturbance of a registered AHS (ID: 17093) and other unidentified or unrecorded heritage sites from clearing and construction within the development envelope.</p> <p><b>Potential indirect impacts</b></p> <p>Disturbance of a registered AHS (ID: 17093) and other unidentified or unrecorded heritage sites from clearing and construction within the development</p>	<p><b>Assessment finding and environmental outcomes</b></p> <p><u>Registered AHS (ID: 17093)</u></p> <p>The EPA considered that the potential impacts to the AHS are most likely to occur during clearing and construction of the proposal, including removal or direct disturbance of the AHS to enable development, or from indirect structural damage to the AHS as a result of nearby ground disturbance.</p> <p>The EPA considered whether the proposed avoidance and mitigation measures could adequately address the potential impacts to the AHS during the clearing and construction stages of the proposal (being the periods of greatest impact risk). The EPA notes the proponent's mitigation strategies to</p>

<p>envelope, and from the operation of the proposal, including increased access to the AHS.</p> <p><b>Avoidance and minimisation measures (including regulation by other DMAs)</b></p> <p>The proponent has proposed the implementation of mitigation measures to minimise the risk of impact to the registered AHS:</p> <ul style="list-style-type: none"> <li>• design/layout of the future development to avoid direct clearing or removal of the registered AHS (including the 7m buffer (radius))</li> <li>• exclusion of significant ground disturbance works (excavation, rock breaking, compaction) from the proposed 'village site' area, within which the AHS is located</li> <li>• implementation of standard fencing and demarcation measures around the AHS and buffer during construction works (to be confirmed in consultation with Traditional Owners)</li> <li>• preparation of a Construction Environmental Management Plan (CEMP), to set out clearing procedures and guide management of ground disturbance works in close proximity to the AHS</li> <li>• consultation with the Traditional Owners prior to the clearing of vegetation, and opportunity for monitoring of clearing and earthworks by a traditional owner representative.</li> </ul> <p>The EPA also considered that potential impacts of the proposal to Aboriginal heritage values may be able to be regulated by DPLH under the provisions of the <i>Aboriginal Heritage Act 1972</i> (AH Act). The</p>	<p>protect and preserve the AHS identified within the ERD (Emerge Associates 2024c), RtS (Emerge Associates 2025a) and supplementary RtS (Emerge Associates 2025b). The EPA considered that potential indirect impacts to the AHS from earthworks and ground disturbance and increased pedestrian traffic during operation of the proposal would be unlikely to cause significant damage, given the existing 7m buffer to the AHS and the proposed exclusion of significant ground disturbance works in areas near the AHS (to be further defined through the preparation of a CEMP in consultation with Traditional Owners) (Emerge Associates 2025b).</p> <p>The EPA considered that direct impacts to the registered AHS would likely be avoided through the implementation of the proponent's conceptual design/layout for the development envelope, which locates the AHS outside the future development area within planted open space (Figure 2). Notwithstanding, whilst the EPA notes the proponent's intent to avoid direct disturbance of the AHS, the proponent has defined the proposal as clearing and development of the entirety of the 8.1 ha development envelope. The proponent's PCD (Table 1) has not specifically exempted or excluded the AHS from disturbance required to implement the proposal.</p> <p>The EPA has considered whether the AH Act provisions may potentially regulate the impacts (or risk of impacts) from the proposal to the AHS. The EPA acknowledges that the proponent does not intend to directly disturb the registered AHS and that as such, an application for consent/authorisation under the AH Act may not be required for the proponent to implement the proposal (in its current form). As a result, the protective provisions of the AH Act may not be applied as part of the clearing and construction of the proposal.</p> <p>Based on the above, the EPA considered that there is a risk of residual impact to Aboriginal cultural heritage from the implementation of the proposal as defined in the proponent's PCD (Table 1). The EPA has therefore recommended condition B1 (Aboriginal heritage) to require the avoidance of direct and/or indirect adverse impacts to Aboriginal cultural heritage. The EPA notes that the recommended condition is consistent with the proponent's proposed mitigation and management measures (ERD, Emerge Associates 2024c, RtS, Emerge Associates 2025a and supplementary RtS, Emerge Associates 2025b). The EPA considers that subject to condition B1, the residual impacts to the AHS can be managed so that the environmental outcome will be consistent with the EPA objective for social surroundings.</p> <p><u>Other Aboriginal heritage values</u></p> <p>The EPA considered that the densely vegetated state of the development envelope may have impacted the efficacy of historic site assessments in detecting the full suite of potential Aboriginal heritage values at the site. The EPA considered that potential impacts to unidentified or unrecorded</p>
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<p>AH Act provides for the mitigation and/or management of impacts to Aboriginal heritage sites. Such AH Act provisions are of most relevance in instances where direct physical disturbance to a registered AHS is proposed.</p> <p><b>Consultation</b></p> <p>The key matters raised during the assessment consultation periods included:</p> <p><u>Technical agency submissions</u></p> <ul style="list-style-type: none"> <li>• approvals under the AH Act are unlikely to be required given avoidance of the registered AHS has been proposed</li> <li>• ongoing consultation with the Karri Karrak Aboriginal Corporation (KKAC) to ensure that heritage surveys undertaken to date remain fit for purpose to manage Aboriginal heritage</li> <li>• an ethnographic and archaeologic site identification survey within the development envelope has not been undertaken; a condition requiring one is recommended</li> </ul> <p><u>Public submissions</u></p> <ul style="list-style-type: none"> <li>• inadequacy of the consultation to date, and proposed short- and long-term management for Aboriginal cultural and heritage values within the development envelope</li> <li>• the relevance of the Aboriginal heritage survey work undertaken within the proposal site, and whether it demonstrates best practice in a contemporary context</li> </ul>	<p>Aboriginal heritage values within the development envelope are most likely to occur during clearing and construction of the proposal.</p> <p>The EPA notes and supports the proponent's mitigation measures to provide opportunity for Traditional Owners to monitor clearing and earthworks within the development envelope, and for additional consultation with Traditional Owners to occur prior to disturbance. The EPA considers that such consultation is likely to reduce the risk of impact to potential Aboriginal heritage sites that may not have been detected during previous heritage assessments of the development envelope. This input may inform the clearing methodology and approach, and the preparation of the CEMP to reduce the risk of accidental disturbance or damage to potential heritage sites obscured by the existing dense vegetation.</p> <p>In this context, the EPA has recommended conditions B1-3 and B1-4 to require consultation with Traditional Owners, and an ethnographic and archaeological site identification Aboriginal heritage survey to be undertaken prior to disturbance within the development envelope. The EPA notes that the recommended condition B1-3 is consistent with the proponent's proposed mitigation and management measures to consult and engage with Traditional Owners (ERD, Emerge Associates 2024c, RtS, Emerge Associates 2025a and supplementary RtS Emerge Associates 2025b). The EPA considers that the recommended conditions could reduce the risk of unearthing or disturbing potential sites during subsequent earth works and construction, and facilitate the future management and protection of any currently unrecorded heritage values within the development envelope.</p> <p>The EPA also considered whether the AH Act provisions may potentially regulate the impacts (or risk of impacts) from the proposal to unidentified or unrecorded Aboriginal heritage sites. The EPA notes that should the proponent identify potential heritage sites during clearing and construction, the proponent is obligated by the AH Act to report the potential sites and to seek authorisation prior to undertaking any harmful impact(s).</p> <p>The EPA considers that subject to condition B1-3 and B1-4, the residual impacts to Aboriginal heritage values can be managed so that the environmental outcome will be consistent with the EPA objective for social surroundings.</p> <p><b>Cumulative impacts</b></p> <p>The EPA considered the successive, incremental and interactive impacts to Aboriginal heritage values from the proposal, in the context of past, present and reasonably foreseeable future activities. The EPA noted that subject to implementation of the proponent's mitigation measures and</p>
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<ul style="list-style-type: none"> <li>• emphasis that the 7m buffer around the registered AHS, as recommended by Traditional Owners, should be observed</li> <li>• clarity regarding the intended post-development measures for long-term management and protection of Aboriginal heritage values, including opportunities for increased partnership/engagement with Traditional Owners.</li> </ul>	<p>compliance with the EPA's recommended conditions, direct impacts from the proposal to registered Aboriginal heritage values are not anticipated, and impacts to unidentified heritage values are not considered likely. The EPA concluded that the proposal is unlikely to contribute to existing or foreseeable threats or pressures to Aboriginal heritage values in the locality.</p> <p><b>Recommended conditions to ensure consistency of environmental outcome with EPA objectives</b></p> <p><b>Condition B1</b></p> <ul style="list-style-type: none"> <li>• Implement the proposal to meet the outcomes of:             <ul style="list-style-type: none"> <li>○ no direct disturbance to Aboriginal cultural heritage</li> <li>○ continued access to the AHS by relevant Traditional Owners.</li> </ul> </li> <li>• Implement the proposal to meet the objective:             <ul style="list-style-type: none"> <li>○ avoid, or otherwise minimise, direct and indirect adverse impacts to Aboriginal cultural heritage values within and surrounding the development envelope.</li> </ul> </li> <li>• Proponent must demonstrate ongoing and sufficient consultation with relevant Traditional Owners prior to commencement of disturbance.</li> <li>• Proponent must conduct an ethnographic and archaeological site identification Aboriginal heritage survey with relevant Traditional Owners prior to commencement of disturbance.</li> </ul>
<b>Visual amenity (landscape)</b>	
<p><b>Potential impacts</b></p> <ul style="list-style-type: none"> <li>• interruption of the natural landscape and existing view lines from increased built form</li> <li>• increased local light emissions and glare from the future development.</li> </ul> <p><b>Avoidance and minimisation measures (including regulation by other DMAs)</b></p>	<p><b>Assessment finding and environmental outcomes</b></p> <p>The EPA considered the proponent's <i>Visual Impact Assessment</i> (VIA) (Emerge Associates, 2021b) which assessed the likely visual impacts of the proposal from key viewpoints in the Gnarabup locality. The VIA reported that the proposed 'village' site is likely to be more visible than the 'resort' site from key viewpoints, due to its linear design and location on the more prominent part of the dune. The VIA also noted that whilst both the village and resort sites will block natural views for some areas immediately east of the proposal, viewpoints from nearby beaches will be unimpeded (largely as a result of the natural topography of the proposal site), and visibility of the development from the Cape-to-Cape track will be generally distant and intermittent. The EPA noted that as</p>

<p>The proponent has proposed the implementation of mitigation measures to minimise the risk of impacts to visual amenity:</p> <ul style="list-style-type: none"> <li>• design (clustering, sloping rooflines) and siting (excavation to sit lower in landscape, screening with existing vegetation) of the future development to blend and minimise the obtrusiveness of the built form in a natural landscape</li> <li>• maximum building height of 7m in the 'resort' area and 8m in the 'village' area (when compared to existing natural ground levels (NGL))</li> <li>• building materials and design features (recessing and fenestration of windows and doors, low profile exterior lighting) to facilitate reduction of glare and prominence of light emissions from the development.</li> </ul> <p>The EPA also noted that development approval processes administered under the <i>Planning and Development Act 2005</i> (PD Act) are likely to be able to further manage and mitigate impacts.</p> <p><b>Consultation</b></p> <p>The key matters raised during the ERD consultation period included:</p> <p><u>Technical agency submissions</u></p> <ul style="list-style-type: none"> <li>• the proponent's <i>Visual Impact Assessment</i> (VIA) (Emerge Associates, 2021b) is not wholly consistent with the Visual Landscape Planning in Western Australia Manual (WAPC 2007)</li> <li>• some of the proponent's design choices (colour of materials, layout, etc) do not appear to</li> </ul>	<p>proposed, the maximum height of the development (at NGL) will not exceed the height of the eastern vegetated ridgeline (so as to interrupt the ridgeline) at any location within the development envelope.</p> <p>The EPA has considered the adequacy of the proponent's avoidance and minimisation measures and notes that some impact to visual amenity will result from the implementation of the proposal, particularly to those areas immediately east of the development envelope. The EPA also considered that whilst the proposal represents the first substantial development within the Gnarabup locality to be sited on the western (coastal) side of Wallcliffe Road, the proposed development is not inconsistent with existing (urban) developments on adjacent lands to the east. The EPA notes that the implementation of the proposed mitigation measures, including the blending of built form and natural vegetation, obscuring/screening, and adherence to a maximum built height limit (7m in the 'resort' area and 8m in the 'village' area), are likely to assist in moderating the visual impact from key viewpoints to minimise the potential significance of the residual visual impact. The EPA also acknowledged that proposed excavation of the development envelope to a depth of approximately 3-4m will facilitate positioning of the future development lower in the landscape and is likely to further reduce visual impact to surrounding land uses.</p> <p><u>Planning considerations</u></p> <p>The EPA noted that the proposed maximum height limits for the proposal are consistent with the endorsed GBSP and the provisions of the Shire's local planning scheme. The scheme stipulates a maximum building height of 7m in the 'Tourism' zone (capturing the proposed resort area) and 8m for the 'Future Development' zone (capturing the proposed village area). The scheme also includes additional requirements for managing visual amenity impacts in these zones, such as the use of non-reflective materials compatible with the characteristics of the surrounding landscape, and incorporation of retained vegetation and vegetated buffers in landscaping works. The EPA considers that these requirements may mitigate impacts and guide the built form and design of future development within the development envelope. In this context, the EPA has recommended condition A1 (building height limits).</p> <p>The EPA considered the ability of other statutory decision-making processes to regulate and manage potential impacts to visual amenity. In particular, the EPA notes that the development application process (administered under the PD Act) is likely to be able to manage and mitigate impacts to visual amenity values, including considering built form and design consistent with the requirements of relevant state planning policies. The EPA considers that statutory decision-making processes under the PD Act are likely to provide opportunity for the regulation of residual visual impacts from the proposal, to result in an environmental outcome consistent with the EPA objective for social surroundings.</p>
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<p>maximise 'blending' with the natural landscape - further consideration of the built form design to minimise visual impact is required.</p> <p><u>Public submissions</u></p> <ul style="list-style-type: none"> <li>consistency of the proposal design, and the proponent's visual impact assessment, against the relevant state guidance and policies for visual landscape planning and development</li> <li>general concerns about design choices, built form extent, mass, colours, etc. and congruency with the natural landscape</li> <li>general concerns about increased light, noise and waste emissions from an increased population/tourism in the area.</li> </ul>	<p><b>Cumulative impacts</b></p> <p>The EPA considered the successive, incremental and interactive impacts to visual amenity values from the proposal, in the context of past, present and reasonably foreseeable future activities. The EPA noted that most of the GBSP area has been developed, with the proposal site representing the last substantial undeveloped area from the GBSP. The proposal site also represents the only currently available substantial development site on the western side of Wallcliffe Road, which separates existing urban development areas from the coast. In addition to these planning considerations, the EPA noted the proponent's mitigation measures (above), and the potential regulatory mechanisms available through other statutory decision-making processes (such as the PD Act) to reduce the impacts of the proposal to visual amenity in the locality.</p> <p><b>Recommended conditions to ensure consistency of environmental outcome with EPA objectives</b></p> <p>Given the above and consistent with the Shire's local planning scheme, the EPA has recommended a condition to limit the building heights of the proposal (condition A1-1) to provide confidence that the potential risk of visual amenity impacts to the social surrounding values from the proposal will be mitigated. The EPA considers that subject to the recommended condition A1-1, and implementation of the proponent's mitigation measures above, the environmental outcome for the visual amenity component of social surroundings is likely to be consistent with the EPA objective for the factor.</p>
<p><b>Emissions (noise and dust)</b></p>	
<p><b>Potential impacts</b></p> <ul style="list-style-type: none"> <li>a short-term increase in local noise and dust emissions from the construction of the future development</li> <li>increased local pedestrian and vehicular traffic from the operation of the future development.</li> </ul> <p><b>Avoidance and minimisation measures (including regulation by other DMAs)</b></p>	<p><b>Assessment finding and environmental outcomes</b></p> <p>The EPA considered impacts of the proposal to the existing social amenity values of the Gnarabup locality, including the low-density residential/tourism land uses and quiet natural ambience synonymous with the area. The EPA considered that the period of greatest noise and dust emissions will likely occur during construction of the future development, which is anticipated to span a limited duration (up to approximately four years). The EPA noted that construction within the development envelope will be undertaken subject to a CEMP that will stipulate measures to restrict and manage short-term construction dust and noise impacts. The EPA also noted that noise emissions associated with the construction and operation of the proposal will generally be required to meet the <i>Environmental Protection (Noise) Regulations 1997</i> (the Noise Regulations). Other statutory decision-making processes, including the consideration of development applications under the</p>



<p>The proponent has proposed the preparation and implementation of a CEMP to minimise short-term impacts of construction dust and noise to social amenity, including:</p> <ul style="list-style-type: none"> <li>• requirements to ensure dust and noise control measures are implemented and all potential impacts resulting from construction are localised and confined within the development envelope</li> <li>• monitoring of dust and noise during the implementation of the proposal, including development of performance targets for no dust or noise complaints.</li> </ul> <p>The EPA also considered the ability of other decision-making processes to regulate and manage potential impacts to social amenity. In particular, the EPA noted that development approval processes administered under the PD Act are likely to be able to manage and mitigate impacts to amenity values caused by dust or noise emissions associated with implementation of the proposal.</p> <p><b>Consultation</b></p> <ul style="list-style-type: none"> <li>• The key matters raised during the ERD consultation period included: general concerns about generation and emission of noise and dust to nearby residents during construction activities, and impacts to the quiet amenity of the area</li> <li>• cumulative impacts to traffic movements and parking congestion resulting from increased tourism to the area</li> <li>• changed local cultural/social experience.</li> </ul>	<p>PD Act, will also provide opportunity for the assessment and mitigation of impacts associated with increased traffic and tourism to the area, and dust and noise restrictions during construction activities.</p> <p>The EPA has assessed the potential noise and dust impacts of the proposal, including consideration for the management and monitoring measures anticipated within the CEMP. The EPA considers that the proposal can be implemented consistent with the EPA objective for social surroundings. Other decision-making processes may provide for additional control and reduction of noise and dust emissions associated with the implementation of the proposal.</p>
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## 2.2 Terrestrial fauna

The EPA environmental objective for terrestrial fauna is *to protect terrestrial fauna so that biological diversity and ecological integrity are maintained* (EPA 2016f).

The EPA advises that the following proponent investigations and surveys were used to inform the assessment of the potential impacts to terrestrial fauna:

- Referral supporting information (Emerge Associates 2021a)
- Environmental Review Document (Emerge Associates 2024c)
- Environmental Risk Assessment (Emerge Associates 2024d)
- Basic Fauna and Targeted Western Ringtail Possum Assessment (Emerge Associates 2024a)
- Targeted Western Ringtail Possum Assessment (Emerge Associates 2024h)
- Technical Memorandum – *Dasyurus geoffroii* (Chuditch) Habitat Assessment (Emerge Associates 2024i)
- Gnarabup Tourism Development – Resort and Beach Village; Assessment for Sanderling, Quokka and Woylie (Bamford Consulting Ecologists 2024)
- Gnarabup Tourism Development Project – Short Range Endemic Invertebrate Fauna Impact Assessment (Invertebrate Solutions Pty Ltd 2024a)
- Survey for Short Range Endemic Fauna for the Gnarabup Tourism Development – Gnarabup, Western Australia (Invertebrate Solutions Pty Ltd 2024d)
- Response to Submissions Document (Emerge Associates 2025a)
- Supplementary Response to Submissions (Emerge Associations 2025b)

The proponent's terrestrial fauna survey was largely consistent with the EPA's *Technical Guidance – Terrestrial vertebrate fauna surveys for environmental impact assessment* (EPA 2020). The EPA considered that the relevant studies are appropriate to inform the assessment of the potential impacts to the above environmental factor.

The EPA also considered relevant fauna recovery plans and conservation advices where applicable.



**Table 3: Assessment of impacts to terrestrial fauna values, recommended regulation and environmental outcomes**

Key environmental values and context	
<p>The development envelope is largely vegetated, excepting approximately 0.7 ha of firebreaks and access tracks. Dense remnant vegetation occurs on the coastal side of the development envelope and provides continued north-south connectivity to other areas of vegetation and fauna habitat in the locality.</p> <p>Approximately 7.4 ha of reportedly 'very good' condition coastal acacia and melaleuca-dominant fauna habitat occurs within the development envelope (Emerge Associates 2024c). Of the 7.4 ha of habitat, approximately 0.02 ha represents habitat potentially suitable for the western ringtail possum (WRP) (<i>Pseudocheirus occidentalis</i>) (critically endangered under the <i>Biodiversity Conservation Act 2016</i> (BC Act) and EPBC Act) and Carnaby's cockatoo (<i>Zanda latirostris</i>) (endangered under the BC Act and EPBC Act). A WRP individual has been recorded within the development envelope, and other occurrences have been historically recorded in areas east of the development envelope. Secondary evidence of WRPs near the development envelope (scats, an old drey) were recorded during targeted surveys (Emerge Associates 2024a). The coastal acacia and melaleuca-dominant habitat within the development envelope is likely to represent foraging and refuge habitat for quenda (<i>Isoodon obesulus fusciventer</i>) (state-listed priority 4) and may provide some habitat value for quokka (<i>Setonix brachyurus</i>) (vulnerable under the BC Act and EPBC Act), however, surveys did not record any occurrences of these species.</p> <p>The nearby Gnarabup beach provides habitat for shorebirds including the Hooded Plover (state-listed priority 4 species) and Sanderling (migratory species under the EPBC Act), with known occurrences of bird populations extending along the coastline approximately 250m north and south of the development envelope. Based on the proponent's information, Sanderling count records indicate that beaches in the Gnarabup area support internationally significant numbers of Sanderling during the northward migration (Bamford Consulting Ecologists 2024).</p>	
Impacts from the proposal	Assessment finding, environmental outcomes and recommended conditions
<p><b>Potential direct impacts</b></p> <p>Clearing and development of fauna habitat, including:</p> <ul style="list-style-type: none"> <li>0.02 hectares ha of primary habitat for WRP</li> <li>0.02 ha of secondary foraging habitat for Carnaby's cockatoos</li> <li>7.4 ha of foraging and refuge habitat for quendas and potentially, quokkas.</li> </ul>	<p><b>Assessment finding and environmental outcomes</b></p> <p>The EPA assessed the likelihood, scale, and extent of potential impacts to conservation significant fauna species from the proposal. The EPA considered that whilst the development envelope contains some habitat that may support conservation significant species, based on the habitat type, structure and/or condition, it is unlikely to represent critical habitat for the identified conservation significant species. The EPA also considered that the proponent's mitigation measures, inclusive of pre-clearance fauna surveys, can reduce the risk of impacts to fauna during development of the proposal.</p> <p><u>Western ringtail possum</u> In assessing potential impacts to WRP from the proposal, the EPA considered:</p>

<p><b>Potential indirect impacts</b></p> <p>Disruption of natural fauna behaviour, and/or modification of fauna habitat including migratory shorebirds, from construction and operation of the proposal including noise and light emissions, and increased pedestrian traffic to the beach.</p> <p><b>Avoidance and minimisation measures (including regulation by other DMAs)</b></p> <p>The proponent has proposed the implementation of mitigation measures to minimise the risk of impacts to terrestrial fauna:</p> <ul style="list-style-type: none"> <li>• pre-clearing inspections by a fauna spotter to ensure fauna are identified where present within the development envelope, and relocated</li> <li>• siting (including excavation) of the future development to blend, shelter, and minimise impacts to fauna from light and noise emissions</li> <li>• preparation of an Artificial Light Management Plan (ALMP) to manage impacts from light emissions to terrestrial fauna.</li> </ul> <p>The EPA also noted that potential impacts to Sanderling (indirect) and other species considered 'matters of national environmental significance' will be considered and if deemed appropriate, regulated, through the Commonwealth's independent assessment of the proposal under the EPBC Act. Any potential take of state-listed conservation significant fauna may also be regulated under s. 40 of the BC Act.</p> <p><b>Consultation</b></p> <p>The key matters raised during the consultation period included:</p>	<ul style="list-style-type: none"> <li>• the small extent (200m<sup>2</sup>) and dispersed nature of primary WRP habitat (<i>Agonis flexuosa</i> (peppermint trees)) within the development envelope</li> <li>• the small stature of the primary habitat, and lack of continuous canopy between primary habitat trees</li> <li>• the predominance of acacia and melaleuca vegetation within the proposal site, which represents largely transitory WRP habitat</li> <li>• the occurrence of similar habitat around the development envelope, including larger, consolidated areas of known suitable habitat to the east (associated with the Leeuwin Naturaliste National Park), and the maintenance of connectivity between these areas of habitat</li> <li>• the minimal amount of evidence for high numbers of WRPs using the habitat within the development envelope</li> <li>• that the anticipated residual impacts are unlikely to impede achievement of the recovery goals and objectives as set out in the WRP recovery plan (DPaW 2017) or significantly contribute to existing threats constraining the recovery of WRPs (TSSC 2018).</li> </ul> <p>Given the above, and with consideration for the proponent's management and mitigation measures, the EPA considered that residual impacts to WRPs are likely to be minor in the context of the long-term persistence of the species. The EPA has recommended condition A1 (limit of extent) to ensure consistency with the EPA objective for terrestrial fauna.</p> <p>The EPA also considered the ability of other statutory decision-making processes to regulate and manage potential impacts to WRPs. In particular, the EPA considered that the outcomes of the Commonwealth's assessment process (administered under the EPBC Act) and the requirement for the proponent to obtain an authorisation to take or disturb threatened species under s. 40 of the BC Act, may facilitate management and mitigation of impacts to the WRP.</p> <p><b>Black cockatoo</b></p> <p>In assessing potential impacts to threatened species of black cockatoo from the proposal, the EPA considered:</p> <ul style="list-style-type: none"> <li>• the absence of suitable roosting and breeding habitat for all three species of threatened black cockatoo within the development envelope</li> <li>• the absence of suitable foraging resources for Baudin's cockatoo (endangered under the BC Act and EPBC Act) and forest red-tailed black cockatoo (vulnerable under the BC Act and EPBC Act) within the development envelope</li> </ul>
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<p><u>Technical agency submissions</u></p> <ul style="list-style-type: none"> <li>fauna spotters will require Ministerial authorisation under s.40 of the BC Act for the handling of threatened fauna</li> <li>the proponent may consider obtaining lawful authority under s.40 of the BC Act to take any threatened fauna that may occur during clearing and implementation of the proposal</li> <li>any relocation of non-threatened species will require a licence under Regulation 21 of the <i>Biodiversity Conservation Regulations 2018</i>.</li> </ul> <p><u>Public submissions</u></p> <ul style="list-style-type: none"> <li>general concerns about impacts to conservation significant fauna from clearing of coastal habitat</li> <li>disruption of habitat for migratory birds as a result of increased pedestrian traffic to the beaches in the locality</li> <li>adequacy of the fauna surveys in accurately detecting the fauna species utilising the proposal site</li> <li>an absence of citizen science data being referenced within the proponent's reports.</li> </ul>	<ul style="list-style-type: none"> <li>the small extent (200m<sup>2</sup>) and low value of secondary foraging habitat (<i>Agonis flexuosa</i> (peppermint trees)) for Carnaby's cockatoo within the development envelope</li> <li>the minimal amount of evidence for high numbers of Carnaby's cockatoos using the habitat within the development envelope</li> <li>the anticipated residual impacts are unlikely to impede implementation of the recovery goals and objectives as set out in the Carnaby's cockatoo recovery plan (DPaW 2013) or significantly contribute to existing threats constraining the recovery of Carnaby's cockatoo.</li> </ul> <p>The EPA advises that residual impacts to Carnaby's cockatoo are likely to be minor in the context of the long-term persistence of the species. The EPA has recommended condition A1 (limit of extent) to ensure consistency with the EPA objective for terrestrial fauna.</p> <p><u>Quokka</u></p> <p>The EPA considered that the coastal acacia and melaleuca-dominant vegetation within and surrounding the development envelope may provide habitat for quokkas. In assessing potential impacts to quokka from the proposal, the EPA considered:</p> <ul style="list-style-type: none"> <li>the historical information/data which indicates that the species has not recently been recorded in the Gnarabup locality</li> <li>the lack of habitat within the development envelope that is most synonymous with quokka occurrences in the region (jarrah, marri, karri, tingle forest and riparian habitats) (DEC, 2013)</li> <li>the locally widespread occurrence of the coastal acacia and melaleuca-dominant habitat, and the connectivity of surrounding areas of vegetation to areas of greater habitat value (such as the Leeuwin Naturaliste National Park).</li> </ul> <p>Given the above, the EPA considered that the vegetation within the development envelope is unlikely to represent critical habitat for quokkas, and that the residual impacts of the proposal would not significantly threaten potential local quokka populations. Implementation of the proposal is therefore unlikely to result in an environmental outcome that is inconsistent with the EPA objective for this factor.</p> <p><u>Quenda</u></p> <p>The coastal acacia and melaleuca-dominant vegetation within and surrounding the development envelope provides foraging habitat for quendas. Notwithstanding, the EPA considered the scale of the potential impact in the context of the widespread occurrence of other areas of suitable habitat nearby, and the maintained connectivity to those areas. The EPA advises that implementation of the proposal is unlikely to result in a long term or significant impact to local populations of quenda, such that the environmental outcome would be inconsistent with the EPA objective for this factor.</p>
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	<p><u>Indirect impacts</u></p> <p>The EPA considered that potential noise and light emissions from the proposal are likely to affect fauna species utilising habitats closest to the development envelope, particularly nocturnal species (e.g. WRP) that are most active during time periods when light emissions could be expected to be at peak. Migratory shorebirds (such as Sanderling) that use the nearby foreshore are also likely to be susceptible to noise and light impacts, and habitat disturbance from increased pedestrian traffic to the beach.</p> <p>The EPA noted that the approximately 150m wide strip of coastal vegetation immediately west of the proposal provides a setback and obscuring buffer for light and/or noise emissions from the development envelope to migratory shorebird habitat at the beach. The EPA also considered that the proponent has proposed to prepare an ALMP in accordance with the National Light Pollution Guidelines for Wildlife (DCCEEW 2023) to manage the potential impacts of light emissions from the proposal to terrestrial fauna, including:</p> <ul style="list-style-type: none"> <li>• setting out mitigation, risk contingency and adaptive management measures (such as moderating light wavelengths, orientation/shielding, and directionality of light fittings)</li> <li>• scheduling of annual auditing prior to commencement of the migration period and arrival of Sanderling to the Gnarabup beach and implementing measures to reduce any identified impacts as required.</li> </ul> <p>The EPA noted that the above measures may be considered as precautionary, as the proponent does not expect light emissions from the proposal to be directly visible from the beach (Emerge Associates 2025).</p> <p>The EPA considered that some of the potential impacts from increased tourism traffic on migratory shorebird habitats at the beach may be mitigated through expansion and/or intensification of the Shire's foreshore management operations. In particular, the EPA noted shorebird management recommendations from the Shire's existing <i>Prevelly Gnarabup Foreshore Management Plan (2022)</i> including the promotion of awareness (via interpretive signage) of shorebirds and shorebird habitat in the area, and the closure of informal access tracks/trails. The EPA acknowledges, and supports, the proponent's proposed contribution and collaboration with the Shire to manage the foreshore area and environmental values it supports (Emerge Associates 2025a &amp; 2025b). Further discussion to this point is provided at Section 5 of this report.</p>
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	<p>The EPA also noted that the Commonwealth's assessment process (administered under the EPBC Act) may provide for the regulation, management and/or mitigation of impacts to shorebirds listed under the EPBC Act.</p> <p><b>Cumulative impact</b></p> <p>The EPA considered the successive, incremental and interactive impacts to terrestrial fauna values from the proposal in the context of past, present and reasonably foreseeable future activities. The EPA noted that reasonably foreseeable activities in the locality, which have the potential to impact the same terrestrial fauna values as the proposal, may include expansion of wastewater infrastructure or construction of additional roads/accessways. Whilst detailed information about the anticipated scope, scale and timing of such future activities (and potential associated environmental impacts) was not available during the assessment, given the small extent of non-critical habitat for conservation significant fauna likely to be impacted by the proposal, the EPA concluded that the minimal residual impacts to terrestrial fauna from the proposal are unlikely to significantly contribute to, or exacerbate, potential future impacts to similar values in the locality.</p> <p><b>Recommended conditions to ensure consistency of environmental outcome with EPA objectives</b></p> <p><b>Condition A1</b></p> <p>The EPA has recommended a condition to limit the clearing of fauna habitat extent for WRP and Carnaby's cockatoo within the development envelope (condition A1-1) to provide confidence that impact to environmental values associated with proposal construction and operation are not greater than predicted.</p> <p><b>Condition B2</b></p> <p>Consistent with protecting the known populations of migratory shorebirds in proximity of the development envelope, and the merits of buffer zones around important areas for migratory shorebirds (Department of Environment and Energy, 2017), the EPA has recommended the following condition B2:</p> <ul style="list-style-type: none"> <li>• Implement the proposal to meet the objective: <ul style="list-style-type: none"> <li>○ avoid adverse impacts to migratory shorebird habitat within 250 metres of the development envelope</li> </ul> </li> </ul>
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	<ul style="list-style-type: none"><li>• Prepare and implement artificial light management measures, consistent with the <i>National Light Pollution Guidelines for Wildlife</i> (DCCEEW 2023), as part of proposal construction and operation management or relevant regulatory management plans, with the purpose of achieving the environmental objective.</li></ul> <p>The EPA considers that subject to the recommended conditions at A1-1 and B2, and implementation of the proponent's mitigation measures above, the environmental outcome for terrestrial fauna is likely to be consistent with the EPA objective for this factor.</p>
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### 3 Holistic Assessment

While the EPA assessed the impacts of the proposal against the key environmental factors and individual environmental values at Section 2 of this report, the EPA also considered connections and interactions between environmental factors and values to form a holistic view of impacts from the proposal to the whole environment.

The EPA's evaluation of other environmental factors not considered key factors for assessment, is included in Appendix E.

#### Summary of holistic assessment

The EPA considered the proposal in the context of holistic impacts to environmental values within the Prevelly-Gnarabup locality, including the Leeuwin-Naturaliste National Park.

The EPA considers that the anticipated changes to terrestrial fauna and social surroundings values associated with the proposal are likely to interact with other environmental factors and values to influence:

- the maintenance of consolidated areas of vegetation around the development envelope, and continued connectivity (ecological linkage) between those areas, including to the national park
- the condition and long-term resilience of remnant vegetation (providing fauna habitat) to threatening processes, including increased pedestrian traffic and visitation
- the integrity, condition, and social and ecological values associated with the Kilcarnup exposed dunes system landform, and the terrestrial fauna species that they support.

The EPA considered the separate environmental factors and values affected by the proposal together in a holistic assessment, including consideration for how the proposed mitigation measures and the EPA's recommended conditions may facilitate a reduction in the significance of holistic impacts. The EPA subsequently formed the view that holistic impacts from the proposal are unlikely to significantly compound individual impacts to environmental factors. The EPA considered that the holistic impacts from the proposal would not alter the EPA's assessment conclusions at Section 2, regarding the consistency of the anticipated environmental outcomes of the proposal with the EPA factor objectives.

## 4 Recommendations

The EPA has taken the following into account in its assessment of the proposal:

- environmental values likely to be significantly affected by the proposal
- assessment of key environmental factors, separately and holistically (including consideration of the cumulative impacts of the proposal where relevant)
- EPA's confidence in the proponent's proposed mitigation measures
- likely environmental outcomes which can be achieved with the imposition of conditions
- consistency of environmental outcomes with the EPA's objectives for the key environmental factors
- whether other statutory decision-making processes can mitigate the potential impacts of the proposal on the environment and
- principles of the EP Act.

The EPA recommends that the proposal may be implemented, subject to the conditions recommended in Appendix A.



## 5 Other advice

In accordance with s.44(2a) of the EP Act, the EPA may, if it sees fit, include other information, advice, or recommendations relevant to the environment in its assessment reports, even if that information has not been considered by the EPA in its assessment of a proposal.

### Gnarabup Wastewater Treatment Plant

The Gnarabup Wastewater Treatment Plant is located approximately 400m southeast of the proposal site (Figure 3) and is operated by the Water Corporation subject to the conditions of a Part V EP Act licence. The EPA notes that the proponent intends to seek authorisation to connect to the mains sewer network to enable wastewater from the future development to be disposed of and treated offsite at the Gnarabup Wastewater Treatment Plant. The Water Corporation has advised the EPA that the delivery of the estimated additional volumes of wastewater from the proposal site would likely result in an exceedance of the licenced capacity of the treatment plant.

The EPA notes that the Water Corporation is investigating options to expand its wastewater infrastructure in the Gnarabup-Prevelly area to accommodate for future demand. The EPA understands that the Water Corporation is in the early stages of scoping and feasibility of various options. If any of those options are likely to have significant impact on the environment, including cumulative impacts with the Gnarabup Tourism Development proposal, they should be referred to the EPA under Part IV of the EP Act.

In the meantime, the EPA is satisfied that the uncertainty about the ultimate wastewater disposal pathway does not prevent the EPA's current assessment from being completed. The EPA has assessed the Gnarabup Tourism Development as a standalone development noting that there are multiple wastewater disposal options available, and that the proposal will not be able to be fully implemented until one is in place. The EPA does not consider that its future assessment of any wastewater disposal option will be undermined by the current proposal, and considers that it will be able to assess any respective proposal and cumulative impacts on their merits at the future time.

The EPA recommends that decision-making authorities actively consult to identify the most suitable long-term wastewater management option for the Gnarabup-Prevelly locality, which achieves consistency with the EPA's environmental objectives.

### Subsequent planning processes

The assessment process received submissions about several social surroundings matters which are outside of the EPA's scope for consideration. The EPA's role is to report on social surroundings, including aesthetic, cultural, and economic to the extent they directly affect or are affected by physical or biological surroundings. To the extent they are not directly affected, the EPA has not considered them, but is able to provide the submissions to statutory processes that can consider them.

The EPA considers that subsequent decision-making processes under the PD Act are likely to be able to manage and mitigate impacts of the proposal that the EPA has not considered significant, as well as consider broader social surroundings matters. Future planning decisions administered under the PD Act by the WAPC and other planning decision-makers should include consideration for, and potentially regulate:

- the potential longer-term impacts of the proposal to the social amenity values of the Gnarabup locality, including heightened pedestrian and vehicular traffic movements from increased tourism to the area
- the potential impacts of the proposed development in the context of state policies, guidance, and regulations relating to bushfire, noise, and road safety (the EPA notes that additional bushfire exits did not form part of the proposal and as such, have not been assessed)
- the form, design, and aesthetics of the proposed development, including building materials and colouration choices, and consistency with the requirements of relevant state planning policies
- vegetation clearing, including implementing opportunities for re-vegetation
- risks to coastal processes to ensure consistency with objectives of *State Planning Policy 2.6 – Coastal Planning*
- landform impacts to ensure consistency with objectives of *SPP 6.1 – Leeuwin-Naturaliste Ridge*

The EPA also noted the proponent's willingness to collaborate with and contribute to the Shire's management of the Gnarabup coastal foreshore reserve (Emerge Associates 2025a & 2025b). The EPA encourages further consultation between the proponent and the Shire to identify opportunities for enhancement (and potentially expansion) of the Shire's existing foreshore management program at Gnarabup. The EPA noted that the Shire's existing foreshore program identifies the management of coastal erosion and pedestrian access as priorities, as well as the protection of migratory shorebird habitat. The proponent also identified a condition assessment of the existing foreshore infrastructure, and repair, replacement or upgrade of foreshore infrastructure, as being potential areas to which future proponent contributions could be made.

The EPA considers that through contributions such as the above, the proponent may be able to facilitate the management of environmental values/pressures to the foreshore environment, which may be indirectly impacted or heightened through implementation of the proposal. The EPA is supportive of a future development condition being imposed to provide certainty around the delivery of the proponents' contribution and/or collaboration in managing the foreshore reserve, subject to the agreement of the Shire. Requirement of such condition(s) through the development approval process is consistent with the approach adopted for previous lapsed approvals for the development of the proposal site.

# Appendix A: Recommended conditions

## Recommended Environmental Conditions

### 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) of the referral of 28 April 2021, may be implemented and that the implementation of the proposal is subject to the following implementation conditions and procedures.

#### **Conditions and procedures**

##### **Part A: Proposal extent**

##### **Part B: Environmental outcomes, prescriptions and objectives**

##### **Part C: Compliance and other conditions**

## PART A: PROPOSAL EXTENT

### Limitations and Extent of Proposal

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 development envelope 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</b> development envelope, 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 development envelope shown in Figure 1.	Maximum built height of 7 metres <b>NGL</b> .
Village - development	Within the blue hatched portion of the development envelope 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 development envelope

## PART B – ENVIRONMENTAL OUTCOMES, PRESCRIPTIONS AND OBJECTIVES

### B1 Aboriginal Heritage

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

- (0) no **disturbance** to **Aboriginal cultural heritage** in the development envelope, unless consent is granted under the *Aboriginal Heritage Act 1972*; and
- (1) subject to reasonable health and safety requirements, no interruption of ongoing access to the Aboriginal Heritage Site (ID: 17093) by **relevant Traditional Owners**.

B0-2 The proponent must implement the proposal to meet the following environmental objective:

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

B0-3 The proponent must conduct an ethnographic and archaeological site identification Aboriginal heritage survey with **relevant Traditional Owners** prior to commencement of **disturbance** as part of the measures required to achieve B1-2.

B0-4 The proponent must take reasonable steps to consult with **relevant Traditional Owners** 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** where practicable, and otherwise **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).

## **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**.

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>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>	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.  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.
<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>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.  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>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>NGL</b>	Refers to height as measured from natural ground level.
<b>Relevant Traditional Owner(s)</b>	In relation to the land subject to the proposal, means one or more of the following: <ul style="list-style-type: none"> <li>• an Aboriginal Corporation registered under the <i>Corporations (Aboriginal and Torres Strait Islander) Act 2006</i> for the land; or</li> <li>• a group of persons with Aboriginal traditional and cultural associations with the land.</li> </ul>
<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.

### 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.



## Appendix B: Regulation by other DMA processes

**Table B1: Identified relevant decision-making processes for the regulation of outcomes that the EPA expects be achieved for the proposal.**

Statutory decision-making process	Environmental outcome
<i>Aboriginal Heritage Act 1972</i> - s. 18 approval	Any direct impact(s) to the registered Aboriginal heritage site are undertaken with the required consent (and associated conditions, if relevant) to ensure important and significant Aboriginal heritage values are protected.
<i>Biodiversity Conservation Act 2016</i> - s.40 authorisation to take or disturb a threatened species	Authorisation required to take threatened species associated with implementation of the proposal, to ensure the taking of threatened fauna does not result in any species or community being listed under a higher conservation status, and to ensure development is undertaken consistent with the relevant recovery plans and conservation advice.
<i>Planning and Development Act 2005</i>	Assessment of the development application by the Western Australian Planning Commission (WAPC), and administration by the WAPC and Shire. This process can consider and mitigate impacts associated with social amenity, visual amenity, vegetation and fauna habitat, bushfire, noise, road safety, coastal processes and landforms.

## Appendix C: Decision-making authorities

**Table C1: Identified relevant decision-making authorities for the proposal.**

Decision-Making Authority	Legislation (and approval)
1. Minister for Aboriginal Affairs	<i>Aboriginal Heritage Act 1972</i> - section 18 permit to impact a registered Aboriginal Heritage site
2. Minister for Environment	<i>Biodiversity Conservation Act 2016</i> - section 40 authorisation to take or disturb a threatened species
3. Minister for Lands	<i>Land Administration Act 1997</i> - licence to access crown land
4. Western Australian Planning Commission	<i>Planning and Development Act 2005</i> - development application approval - supported by recommendations from the State Development Assessment Unit (a temporary State Government initiative to assist in ongoing COVID-19 economic recovery)
5. Chief Executive Officer, Department of Biodiversity, Conservation and Attractions	<i>Biodiversity Conservation Act 2016</i> - authority to take flora and fauna (other than threatened flora and fauna)
6. Shire of Augusta Margaret River	<i>Building Act 2011</i> - building permit

## Appendix D: Environmental Protection Act principles

**Table D1: Consideration of principles of the *Environmental Protection Act 1986***

EP Act principle	Consideration
<p><b>1. The precautionary principle</b></p> <p><i>Where there are threats of serious or irreversible damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.</i></p> <p><i>In application of this precautionary principle, decisions should be guided by –</i></p> <p>(a) <i>careful evaluation to avoid, where practicable, serious, or irreversible damage to the environment; and</i></p> <p>(b) <i>an assessment of the risk-weighted consequences of various options.</i></p>	<p>The EPA had regard for the precautionary principle in its assessment and evaluation of impacts to social surroundings, terrestrial fauna and inland waters. The assessment of these impacts is provided in this report.</p> <p>With regard to social surroundings and terrestrial fauna, the EPA considers that the proponent has undertaken appropriate studies and investigations to understand the potential risks of the proposal, and has suggested mitigation measures to avoid serious or irreversible damage to the environment, through:</p> <ul style="list-style-type: none"> <li>• designing the project layout to avoid direct clearing or development of the registered AHS (which includes a 7m buffer) and to retain connectivity of fauna habitat around the proposal site</li> <li>• excluding significant ground disturbing works (excavation, rock breaking, compaction) in the area of the proposal site closest to the registered AHS</li> <li>• implementing standard fencing and demarcation measures around the AHS during construction</li> <li>• stating intent for further consultation with Traditional Owners, and engaging Traditional Owners to monitor the clearing works</li> <li>• observing a maximum built height of 7m in the 'resort' area and 8m in the 'village' area, compared to existing NGLs</li> <li>• designing the built form to utilise materials and architectural choices that minimise glare and visual obstruction impacts to key viewpoints in the locality</li> <li>• revegetating and landscaping 30% of the future development area to provide screening and blending with the existing natural environment and potential reestablishment of some fauna habitat</li> <li>• undertaking pre-clearance inspections of fauna habitat</li> <li>• proposing preparation of an Artificial Light Management Plan to mitigate the risk of increased light pollution on fauna behaviour.</li> </ul>



EP Act principle	Consideration
	<p>The EPA has recommended conditions for the social surroundings environmental factor, including requirements for the achievement of environmental outcomes to ensure disturbance to the AHS is avoided during future development and operation of the proposal.</p> <p>Regarding inland waters, the EPA notes that the proponent intends to dispose and treat wastewater from the operational phase of the proposal offsite, via connection to the mains sewer network. The EPA supports the exclusion of wastewater disposal to the development envelope, noting that the proponent did not provide information (including the necessary studies or investigations) to detail the potential environmental risks associated with disposing or treating wastewater onsite. Having based its environmental impact assessment on the treatment and disposal of wastewater occurring offsite, the EPA has recommended this be included as a limit in condition A1-1 to provide certainty that possible environmental impacts associated with onsite wastewater disposal are avoided, and that operation of the future development is consistent with environmental outcome for inland waters. In this regard, the EPA has recommended a condition where there is uncertainty, to prevent environmental impacts from occurring and to facilitate an environmental outcome that is unlikely to be inconsistent with the precautionary principle.</p>
<p><b>2. The principle of intergenerational equity</b></p> <p><i>The present generation should ensure that the health, diversity, and productivity of the environment is maintained and enhanced for the benefit of future generations.</i></p>	<p>The EPA had regard for the principle of intergenerational equity in its assessment and has had particular regard to this principle in its assessment of social surroundings and terrestrial fauna.</p> <p>The EPA considered that given the:</p> <ul style="list-style-type: none"> <li>proponent's proposed measures to avoid and manage impacts to the key environmental factors, including avoidance of the registered AHS and preparation of a CEMP to set out further controls to reduce risk of impact to both the AHS and fauna individuals/habitat</li> <li>small amount of critical habitat for threatened fauna species within the development envelope</li> <li>continued connectivity to larger, consolidated areas of greater value habitat near the development envelope</li> <li>siting of the proposal to reduce visual obtrusiveness from the beach and blend with existing development in the area</li> </ul>

EP Act principle	Consideration
	<ul style="list-style-type: none"> <li>recommended conditions</li> </ul> <p>implementation of the proposal is unlikely to threaten the continued persistence of visual amenity and terrestrial fauna values.</p> <p>The EPA has concluded that the environmental values are likely to be protected, or in the case of terrestrial fauna values, will be subject to a minimal level of impact from the proposal that is unlikely to threaten the persistence of conservation significant species in the locality. The EPA considers that the health, diversity, and productivity of the environmental values will be maintained for the benefit of future generations.</p>
<p><b>3. The principle of the conservation of biological diversity and ecological integrity</b></p> <p><i>Conservation of biological diversity and ecological integrity should be a fundamental consideration.</i></p>	<p>The EPA had regard for the principle of conservation of biological diversity and ecological integrity in its assessment and has had particular regard to this principle in its assessment of terrestrial fauna.</p> <p>The EPA has considered that the extent of listed threatened fauna habitat within the proposal site is minimal, and likely to represent dispersal habitat and/or secondary foraging habitat, rather than critical habitat. The EPA also noted that the siting of the proposal allows for continued connectivity of terrestrial fauna habitat around the development envelope to areas of more consolidated habitat to the east, including the Leeuwin-Naturaliste National Park. Further, the vegetated coastal reserve between the development envelope and the Gnarabup beach provides a degree of natural buffering (of noise and light) to migratory shorebird habitat at the beach. The EPA notes that the proposal incorporates measures to manage impacts to fauna during construction and operation of the proposal, including undertaking pre-clearing fauna inspections and preparing and implementing an ALMP to address impacts from light emissions to nocturnal species.</p> <p>The EPA concludes that given the minimal extent of anticipated residual impacts from the proposal to terrestrial fauna values, serious loss of biological diversity and ecological integrity is unlikely, and the proposal is likely to be consistent with this principle.</p>
<p><b>4. Principles relating to improved valuation, pricing and incentive mechanisms</b></p>	<p>The EPA considered that the proponent will bear the costs relating to implementing the proposal to achieve the environmental outcomes, and any</p>

EP Act principle	Consideration
<p>(1) <i>Environmental factors should be included in the valuation of assets and services.</i></p> <p>(2) <i>The polluter pays principle — those who generate pollution and waste should bear the cost of containment, avoidance or abatement.</i></p> <p>(3) <i>The users of goods and services should pay prices based on the full life cycle costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any wastes.</i></p> <p>(4) <i>Environmental goals, having been established, should be pursued in the most cost-effective way, by establishing incentive structures, including market mechanisms, which enable those best placed to maximise benefits and/or minimise costs to develop their own solutions and responses to environmental problems.</i></p>	<p>management of environmental impacts during construction and operation of the proposal. The EPA noted that related management activities on Crown land external to the proposal site (e.g. the foreshore area) may be undertaken by a combination of government agencies, contracted parties, or volunteer organisations. The EPA has provided advice at Section 5 of this report supporting the proponent's future involvement in/contribution to the management of the foreshore area, subject to the outcomes of further consultation with the Shire.</p> <p>The EPA has considered the proponent's intent to seek voluntary sustainability certification and the overarching sustainability goals and targets to which the proponent aspires, including reducing water intensity, carbon intensity, waste to landfill, and increasing utilisation of renewable electricity across all its operations. The proponent advised that in seeking sustainability certification, opportunities for increased investment in sustainability initiatives will also be explored.</p> <p>The EPA concludes that the proposal will be consistent with principles relating to improved valuation, pricing and incentive mechanisms.</p>
<p><b>5. The principle of waste minimisation</b></p> <p><i>All reasonable and practicable measures should be taken to minimise the generation of waste and its discharge into the environment.</i></p>	<p>In considering this principle, the EPA noted the proponent's commitment to reduce and manage waste produced from the operation of the proposal, including through the preparation of a Waste Management Plan and pursuing sustainability certification. The EPA also noted the proponent's intention to seek authorisation to connect to the mains sewer network, so that wastewater generated from the future development may be disposed of and treated offsite.</p> <p>The EPA acknowledges that the proponent's attainment of authorisation to connect the development to the mains sewer network is subject to further consultation with relevant decision-making authorities, including the Water Corporation. The EPA notes that in determining an application for authorisation to connect to the network, the Water Corporation may consider:</p> <ul style="list-style-type: none"> <li>• undertaking a capacity assessment of water and wastewater provision, including whether the scheme is capable of meeting the proposal requirements</li> <li>• limiting the volume of wastewater discharge to the network to ensure capacity of wastewater infrastructure is not exceeded</li> </ul>

EP Act principle	Consideration
	<ul style="list-style-type: none"><li>• undertaking an industrial waste assessment.</li></ul> <p>The EPA considers that based on the (limited) available information, the disposal of wastewater to the mains-sewer network is preferred, noting wastewater treatment plant capacity concerns. Further consultation between the Water Corporation, the Shire and the proponent, including potential assessment of the existing wastewater scheme capacity, is required to resolve the appropriate mechanism through which offsite wastewater disposal may occur so that significant environmental impact is avoided. The EPA considers that the treatment and disposal of wastewater through the mains-sewer (offsite) is likely to be consistent with the principle of waste minimisation.</p>

## Appendix E: Other environmental factors

**Table E1: Evaluation of other environmental factors**

Environmental factor	Description of the proposal's likely impacts on the environmental factor	Government agency and public comments	Evaluation of why the factor is not a key environmental factor
<b>Land</b>			
Flora and vegetation	Clearing of 7.4 ha of native vegetation (Kilcarnup, KE vegetation complex).	<p><u>Public comments</u></p> <ul style="list-style-type: none"> <li>Increased impacts to the remnant coastal vegetation surrounding the proposal site.</li> <li>General concerns about clearing a consolidated area of generally 'very good' condition coastal vegetation.</li> <li>Adequacy of the flora and vegetation investigations with particular regard for the date that they were undertaken and comprehensiveness.</li> <li>The ERD should include discussion on rehabilitation and offsets for flora and vegetation values that will be impacted.</li> <li>Concern about the additional clearing required in adjoining areas of vegetation to</li> </ul>	<p>Flora and vegetation was identified as a preliminary key environmental factor when the EPA decided to assess the proposal; however, the EPA considers it to not be a key factor at the conclusion of its assessment.</p> <p>Having regard for:</p> <ul style="list-style-type: none"> <li>no identified threatened or priority flora recorded within the development envelope (Emerge Associates 2024c)</li> <li>survey adequacy, noting the surveys were undertaken by suitably qualified botanists at the appropriate time of year, with a single vegetation community being identified as extending over the majority of the site.</li> <li>the limitation on the extent of clearing consistent with recommended condition A1</li> <li>the relatively small extent of the vegetation complex proposed to be cleared, in the context of the high local and regional extent of the complex remaining (approximately 93% of pre-European extent)</li> <li>the high percentage of the remaining extent of the vegetation complex protected in reserves (approximately 63%)</li> <li>the proposed management of potential edge effects to vegetation during construction of the proposal through the preparation of a CEMP</li> <li>the proposed revegetation of cleared and degraded areas of the site consistent with the Landscape Report (Emerge Associates 2021c)</li> </ul>

Environmental factor	Description of the proposal's likely impacts on the environmental factor	Government agency and public comments	Evaluation of why the factor is not a key environmental factor
		provide for carparking and bushfire mitigation.	<ul style="list-style-type: none"> <li>considerations regarding significance of impacts, as set out in the <i>Statement of environmental principles, factors, objectives and aims of the EPA</i> (EPA 2023b)</li> </ul> <p>the EPA considers it unlikely that the proposal would have a significant impact on flora and vegetation.</p> <p>The EPA also notes that the WAPC will assess the subsequent development application for the proposal. The WAPC's assessment may incorporate consideration for detailed landscaping and design measures, and may provide opportunity for further refinement of the planned development to retain additional vegetation and/or implement revegetation. Related conditions may be issued through the process, if considered necessary.</p> <p>Given the above, the EPA did not consider flora and vegetation to be a key environmental factor at the conclusion of its assessment.</p>
Landforms	Permanent alteration of 8.11 ha of the Kilcarnup exposed dunes (organic) system, within the Leeuwin Complex geomorphic unit which is associated with the Leeuwin-Naturaliste Ridge major land system.	<u>Agency comments</u> <p>Technical agencies recommended the preparation of a geotechnical report at environmental scoping stage, to inform potential impacts to possible limestone or karst systems. Subsequent agency comments provided at the environmental review stage indicated that the proponent's ERD met the information requirements to address <i>State Planning Policy 6.1 – Leeuwin-Naturaliste Ridge</i> (SPP 6.1) (WAPC 1998).</p>	<p>Landforms was identified as a preliminary key environmental factor when the EPA decided to assess the proposal; however, the EPA considers it to not be a key factor at the conclusion of its assessment.</p> <p>Having regard for:</p> <ul style="list-style-type: none"> <li>the limitation on the extent of physical disturbance and development of the landform, consistent with recommended condition A1</li> <li>the high level of representation (regionally and locally) of the Kilcarnup exposed dunes system</li> <li>the high proportion of the Kilcarnup exposed dunes system protected within formal conservation reserves</li> <li>the small scale (8.11 ha) of potential impact to the Kilcarnup exposed dune formation within the expansive Leeuwin Naturaliste Ridge major land system</li> <li>the siting of the clearing/development disturbance to avoid impact to the Leeuwin Naturaliste Ridge line</li> </ul>

Environmental factor	Description of the proposal's likely impacts on the environmental factor	Government agency and public comments	Evaluation of why the factor is not a key environmental factor
		<p><u>Public comments</u></p> <ul style="list-style-type: none"> <li>• The proponent has not comprehensively detailed the structural integrity of the landform underlying the proposal site.</li> <li>• A shoreline limestone cliff stability assessment should be undertaken to inform the potential risks of the proposed development.</li> <li>• General concerns about the adequacy of the geotechnical, geological, and karst information provided.</li> </ul>	<ul style="list-style-type: none"> <li>• the location of the proposal on the western side of the Leeuwin Naturaliste Ridge, which is generally considered not karstic and limited in interconnected void space(s)</li> <li>• the reported absence of caves/cave systems and limestone karst from the proposal site potentially due to sandy infiltration and the friable nature of the geology</li> <li>• the proponent's commitments to ensure landform stability during construction of the proposal, via preparation of, and adherence to, a CEMP, and detailed geotechnical investigations will be undertaken as part of detailed architecture and engineering design</li> <li>• the impact significance considerations as set out in the <i>Statement of environmental principles, factors, objectives and aims of the EPA</i> (EPA 2023b)</li> </ul> <p>the EPA considers it unlikely that the proposal would have a significant impact on landforms, and did not consider landforms to be a key environmental factor at the conclusion of its assessment.</p> <p>The EPA also considered that the WAPC's assessment of the development application will incorporate consideration for consistency of the proposed development against relevant State planning guidance and policies, including SPP 6.1. The process may result in the issuance of development conditions, such as a requirement for additional geotechnical studies prior to the commencement of ground-disturbance works and construction.</p> <p>Impacts to other environmental values that may be supported by the Kilcarnup exposed dunes formation landform, such as threatened species and cultural or visual amenity values, are addressed under the relevant environmental factor(s) within this report. The potential holistic impacts of the proposal to the interactions between Landforms and other environmental factors have been considered at Section 3 of this report.</p>

Environmental factor	Description of the proposal's likely impacts on the environmental factor	Government agency and public comments	Evaluation of why the factor is not a key environmental factor
Subterranean fauna	The disturbance of subterranean fauna habitat and/or individuals during construction or operation of the proposal is likely to be minor or immaterial in impact.	<p><u>Agency comments</u></p> <p>Technical agency comments did not contain any subterranean fauna information contrary to that provided by the proponent.</p> <p><u>Public comments</u></p> <ul style="list-style-type: none"> <li>• General concerns about the adequacy of the survey effort and scientific data provided by the proponent.</li> <li>• A further detailed assessment should be undertaken to identify any underlying karst systems.</li> <li>• A detailed geotechnical investigation could provide improved understanding as to how underlying karst/limestone may respond to the proposed development.</li> </ul>	<p>Subterranean fauna was identified as a preliminary key environmental factor when the EPA decided to assess the proposal; however, the EPA considers it to not be a key factor at the conclusion of its assessment.</p> <p>Having regard for:</p> <ul style="list-style-type: none"> <li>• the proponent's desktop study, habitat assessment and basic survey which were conducted with low level sampling in accordance with the EPA's <i>Technical Guidance – Subterranean fauna surveys for environmental impact assessment</i> (EPA 2021)</li> <li>• the findings from the basic survey which concluded that the development envelope is unlikely to host significant stygofauna or troglodfauna due to the occupation of the subsurface voids in the weathered zone by calcareous surface sands (Invertebrate Solutions 2024c)</li> <li>• the absence of stygofauna from the two sampled bores (Invertebrate Solutions 2024c)</li> <li>• the likely extent, magnitude and significance of impacts for potential subterranean fauna populations that may occur within the locality of the proposal site, as set out in the <i>Statement of environmental principles, factors, objectives and aims of the EPA</i> (EPA 2023b)</li> </ul> <p>the EPA considers it unlikely that the proposal would have a significant impact on subterranean fauna. Accordingly, the EPA did not consider subterranean fauna to be a key environmental factor at the conclusion of its assessment.</p>
<b>Water</b>			
Inland waters	Mismanaged wastewater disposal may result in a	<p><u>Agency comments</u></p> <p>Technical agency advice was provided with regard for the</p>	Inland waters was identified as a preliminary key environmental factor when the EPA decided to assess the proposal; however, the EPA considers it to not be key factor at the conclusion of its assessment.



Environmental factor	Description of the proposal's likely impacts on the environmental factor	Government agency and public comments	Evaluation of why the factor is not a key environmental factor
	modified hydrological regime and reduced groundwater and surface water quality.	<p>proponent's proposal definition, which sets out an intention to discharge wastewater generated from the proposal site via the reticulated sewer network. Technical agencies advised that the site location, landform, geology, and proposed development is considered to present a low level of risk that can be adequately managed, noting that:</p> <ul style="list-style-type: none"> <li>• much of the predevelopment landform is internally draining</li> <li>• there are no watercourses or flow paths evident</li> <li>• groundwater dependent ecosystems or subterranean fauna habitats have not been identified within the proposal area</li> <li>• there is a significant separation to groundwater</li> <li>• the geology is amenable to a high rate of infiltration.</li> </ul> <p><u>Public comments</u></p> <ul style="list-style-type: none"> <li>• The hydrogeological information provided is lacking in comprehensiveness.</li> </ul>	<p>The EPA considered the substantial separation to groundwater (16 – 22m) across the development envelope, and the proponent's Integrated Water Management Strategy (IWMS) (Emerge Associates 2024e) which proposes retention and management of stormwater at the proposal consistent with water sensitive urban design principles. The EPA notes that the assessment (WAPC) and administration (Shire) of the development application will also incorporate consideration of the proposed stormwater management approach, and may include issuance of conditions where necessary.</p> <p>The EPA assessed the proposal consistent with the proponent's proposal definition, which sets out an intention to discharge wastewater generated from the proposal via the reticulated sewer network. The EPA notes that the <i>Water Services Act 2012</i> requires parties to obtain authorisation from the relevant licensee (e.g. the Water Corporation) prior to connecting to water supply and/or sewer mains. In considering an application for authorisation to connect, the Water Corporation may have regard for the capacity of the scheme and whether it is capable of meeting proponent requirements. The EPA understands that Water Corporation may also limit the volume of wastewater discharge to the network to ensure capacity of wastewater infrastructure is not exceeded. Consistent with Appendix D of this report, the EPA considered that based on the currently limited information available, connection of the proposal to the sewer-mains network is preferred, noting treatment plant capacity concerns. Further consultation between the Water Corporation, the Shire and the proponent, including potential assessment of the existing wastewater scheme capacity, is required to resolve the appropriate mechanism through which offsite wastewater disposal may occur in such a way that significant environmental impact is avoided. The EPA also recognises that the proponent had not provided alternative onsite wastewater disposal options to enable assessment of the potential associated impacts to inland waters.</p> <p>Given the above, the EPA has recommended a condition to limit the extent of the proposal (condition A1-1) to provide confidence that the potential risk of</p>

Environmental factor	Description of the proposal's likely impacts on the environmental factor	Government agency and public comments	Evaluation of why the factor is not a key environmental factor
		<ul style="list-style-type: none"> <li>General concern that impacts to the hydrological regime at the proposal site may influence the stability and integrity of the underlying limestone geology (and cause erosion, cliff collapse).</li> <li>Mitigation measures for potential impacts to landform stability, water quality, and modified hydrological regime have not been adequately detailed.</li> <li>Concerns about cumulative impacts to water quality and contamination risk associated with the existing Gnarabup Wastewater Treatment Plant.</li> </ul>	impact from onsite wastewater disposal to the hydrological values and water quality at the proposal site will be avoided. The EPA considers that subject to the recommended condition A1-1, and implementation of the proponent's mitigation measures above, the environmental outcome for inland waters is likely to be consistent with the EPA's objective for the factor.
<b>Sea</b>			
Marine environmental quality	Indirect impacts to marine water quality and benthic communities or habitats from modified volumes of water, and/or nutrient loads in water,	<u>Public comments</u> <ul style="list-style-type: none"> <li>Information about existing marine environmental values and reasoning for the conclusions regarding residual impacts to values is inadequate.</li> <li>Concern that groundwater flows through the limestone</li> </ul>	<p>Marine environmental quality was identified as a preliminary key environmental factor when the EPA decided to assess the proposal; however, the EPA considers it to not be a key factor at the conclusion of its assessment.</p> <p>Having regard for:</p> <ul style="list-style-type: none"> <li>the proposed disposal of wastewater generated from the proposal (operational phase) via connection to the reticulated sewerage network</li> </ul>

Environmental factor	Description of the proposal's likely impacts on the environmental factor	Government agency and public comments	Evaluation of why the factor is not a key environmental factor
	discharging to the marine environment.	<p>cliff structures at the proposal site may carry pollutants to the ocean.</p> <ul style="list-style-type: none"> <li>General concerns about impacts to local marine ecology and nearby beaches from the proposal, and pollution of marine waters from increased use of an inadequate sewerage network.</li> </ul>	<ul style="list-style-type: none"> <li>the proponent's IWMS (Emerge Associates 2024e) which proposes retention and management of stormwater on the proposal site consistent with water sensitive urban design principles</li> <li>the setback (approximately 150m) of the proposal site from the Ngari Capes Marine Park</li> <li>the substantial separation to groundwater (16 – 22m) which reduces the risk of nutrients entering groundwater and discharging to the marine environment</li> <li>the dynamic and well-flushed character of the local marine environment</li> <li>considerations regarding significance of impacts, as set out in the <i>Statement of environmental principles, factors, objectives and aims of the EPA</i> (EPA 2023b)</li> </ul> <p>the EPA is of the view that the proposal poses a low-risk to marine environmental quality and considers that the proposal is unlikely to have a significant impact on marine environmental quality. Accordingly, the EPA did not consider marine environmental quality to be a key environmental factor at the conclusion of its assessment.</p>
Coastal processes	Coastal erosion from the removal of vegetation for development, coastal construction works, and increased access/visitation to the coastal environment.	<p><u>Agency comments</u></p> <p>Technical agencies considered that the proposal site is situated outside the coastal hazard zone for erosion and inundation. Given this, and noting the competent rock and elevation of the proposal site, further mitigation of coastal hazard risk over the 100 year planning timeframe was not considered necessary.</p>	<p>Coastal processes was identified as a preliminary key environmental factor when the EPA decided to assess the proposal; however, the EPA considers it to not be a key factor at the conclusion of its assessment.</p> <p>Having regard for:</p> <ul style="list-style-type: none"> <li>the proposal's setback (approximately 150m) and elevation (approximately 15m) from sea level</li> <li>the proponent's Coastal Hazard Assessment (MP Rogers &amp; Associates 2021) which demonstrates consistency with the requirements of <i>State Planning Policy 2.6 – Coastal Planning</i> (SPP 2.6) (WAPC 2013), and states that the proposal is located:</li> </ul>

Environmental factor	Description of the proposal's likely impacts on the environmental factor	Government agency and public comments	Evaluation of why the factor is not a key environmental factor
		<p>The Shire raised concerns about cumulative pressures to the Gnarabup foreshore from increased tourism and pedestrian traffic in the area, and the inadequacy of the Shire's existing <i>Prevelly Gnarabup Foreshore Management Plan</i> (FMP) as the sole measure for mitigating associated impacts.</p> <p><u>Public comments</u></p> <ul style="list-style-type: none"> <li>It is unclear as to whether the Shire's FMP is adequately scoped or funded to manage impacts associated with increased visitation to the Gnarabup foreshore.</li> <li>The proponent's mitigation measures do not materially reduce the potential impacts of the proposal to coastal processes.</li> <li>General concern that the proposal may cause increased coastal erosion and/or impair the integrity of the limestone coastline.</li> <li>The geotechnical assessment is inadequate to</li> </ul>	<ul style="list-style-type: none"> <li>between 35m and 120m landward of the coastal erosion hazard allowance</li> <li>at an elevation approximately 11m above the identified coastal inundation hazard allowance</li> <li>the proposed management of dune erosion during construction of the proposal through the preparation of a CEMP</li> <li>consideration of the potential impacts to coastal processes from development activities, as set out in the EPA's Environmental Factor Guideline – Coastal Processes (EPA 2016a)</li> <li>considerations regarding significance of impacts, as set out in the <i>Statement of environmental principles, factors, objectives and aims of the EPA</i> (EPA 2023b)</li> </ul> <p>the EPA considers it unlikely that the proposal would change the geophysical processes that shape coastal morphology to such extent that the environmental values of the coast are significantly impacted. The EPA also considers that the proposal is unlikely to put coastal ecosystems at risk from any impacts associated with damages to built infrastructure from sea level rise, as the proposal will not prevent ecosystems from adapting to higher sea levels (coastal setback). Accordingly, the EPA did not consider coastal processes to be a key environmental factor at the conclusion of its assessment.</p> <p>The EPA notes that the WAPC's assessment of the subsequent development application will incorporate consideration for consistency of the proposed development against relevant State planning guidance and policies, including SPP 2.6 and coastal setback requirements. Related development conditions may be issued where considered necessary.</p> <p>The EPA also notes and supports the proponent's proposal to collaborate with, and potentially contribute to, the Shire's management of the coastal foreshore reserve, which includes management of existing coastal erosion and pedestrian accesses to the beach as priorities.</p>

Environmental factor	Description of the proposal's likely impacts on the environmental factor	Government agency and public comments	Evaluation of why the factor is not a key environmental factor
		<p>inform the stability of the proposal site.</p> <ul style="list-style-type: none"> <li>The potential exacerbating impacts of climate change on coastal values have not been accounted for.</li> </ul>	
<b>Air</b>			
Greenhouse gas emissions	Total scope 1 emissions from the development of the proposal (including vegetation clearing, operation of machinery and generation of power) are anticipated to amount to 3,295 t CO <sub>2</sub> -e. Annual scope 2 emissions from operation of the proposal are anticipated to amount to 6,393 t CO <sub>2</sub> -e	<p><u>Public comments</u></p> <ul style="list-style-type: none"> <li>Information about the anticipated operational emissions of the proposal and sustainability initiatives that might be implemented to mitigate emissions is lacking.</li> <li>The proposal should endeavour to seek certification under established sustainability performance frameworks, and should meet the highest standard of sustainability performance.</li> </ul>	<p>Greenhouse gas emissions was identified as a preliminary key environmental factor when the EPA decided to assess the proposal; however, the EPA considers it to not be a key factor at the conclusion of its assessment.</p> <p>Having regard for:</p> <ul style="list-style-type: none"> <li>the proponent's estimated annual greenhouse gas emissions, which total an amount significantly below 100,000 CO<sub>2</sub>-e annually</li> <li>the Environmental Factor Guideline – Greenhouse Gas Emissions (EPA 2024a) which states: <i>'generally, GHG emissions from a proposal will be considered where they are reasonably likely to exceed:</i> <ul style="list-style-type: none"> <li><i>100,000 tonnes of CO<sub>2</sub>-escape 1 emissions in any year; or</i></li> <li><i>100,000 tonnes CO<sub>2</sub>-escape 2 emissions in any year.'</i></li> </ul> </li> <li>considerations regarding significance of impact(s), as set out in the <i>Statement of environmental principles, factors, objectives and aims of the EPA</i> (EPA 2023b)</li> </ul> <p>the EPA considers it unlikely that the proposal would have a significant impact on greenhouse gas emissions. Accordingly, the EPA did not consider greenhouse gas emissions to be a key environmental factor at the conclusion of its assessment.</p>

## Appendix F: List of submitters

### 7-day comment on referral

#### Public

- 1,244 public submissions were received, of which 822 were 'pro forma' submissions.

#### Organisations

- Alliance for a Clean Environment
- Conservation Council Western Australia
- Department of Education
- Gracetown Cowaramup Bay Community Inc.
- Margaret River Coastal Residents Association
- Margaret River Regional Environment Centre
- Nature Conservation Margaret River
- Preserve Gnarabup
- Shire of Augusta Margaret River
- Surfrider Foundation Australia
- Transition Margaret River.

### Public review of proponent information

#### Public

- 2,690 public submissions were received, of which 2,252 were 'pro forma' submissions.

#### Organisations

- Busselton Dunsborough Environment Centre
- Cape Conservation Group
- Cape Conservation Group – Exmouth
- Conservation Council Western Australia
- Dunsborough and Busselton Wildlife Care
- Karri Karrak Aboriginal Corporation
- Margaret River Coastal Residents Association Inc.
- Margaret River Regional Environment Centre



- Nature Conservation Margaret River
- Parkwater Community Group Inc.
- Preserve Gnarabup
- Rewild Margaret River
- Surfrider Foundation Australia.

#### Government Agencies

- Department of Biodiversity, Conservation and Attractions
- Department of Planning, Lands and Heritage
- Department of Water and Environmental Regulation
- Shire of Augusta-Margaret River.

## Appendix G: Assessment timeline

Date	Progress stages	Time (weeks)
9 December 2021	EPA decided to assess – level of assessment set (Public Environmental Review)	
28 September 2022	Public review period of Environmental Scoping Document closed	2
10 February 2023	EPA approved the Environmental Scoping Document	19
16 October 2024	EPA received final Environmental Review Document	87
21 October 2024	Environmental Review Document released for public review	5 days
18 November 2024	Public review period for Environmental Review Document closed	4
5 February 2025	EPA accepted the proponent's Response to Submissions	
20 February 2025	EPA completed its assessment	
26 May 2025	EPA provided report to the Minister for Environment	
28 May 2025	EPA report published	3 days
18 June 2025	Appeals period closed	3

Timelines for an assessment may vary according to the complexity of the proposal and are usually agreed with the proponent soon after the EPA decides to assess the proposal and records the level of assessment.

In this case, the EPA provided its assessment report to the Minister 14 weeks after completing its assessment as it was not practicable to provide it within 6 weeks, due to a revised response to submissions from the proponent and further consultation on conditions.

## Appendix H: Relevant policy, guidance, procedures and references

Bamford Consulting Ecologists 2024, *Gnarabup Tourism Development – Resort and Beach Village; Assessment for Sanderling, Quokka and Woylie*, Kingsley, WA.

Brad Goode & Associates 2020, *Due Diligence Risk Assessment Advice for Proposed Hotel Development at Gnarabup in Shire of Augusta Margaret River, Western Australia*, Dunsborough, WA.

Department of Climate Change, Energy, the Environment and Water (DCCEEW) 2023, *National Light Pollution Guidelines for Wildlife*, Version 2, Canberra, ACT.

Department of Environment and Conservation (DEC) 2013, *Quokka (Setonix brachyurus) Recovery Plan*. Western Australian Wildlife Management Program No. 56. Bentley, WA.

Department of Parks and Wildlife (DPAW) 2013, *Carnaby's Cockatoo (Calyptorhynchus latirostris) Recovery Plan*. Western Australian Wildlife Management Program No. 52. Bentley, WA.

Department of Parks and Wildlife (DPAW) 2017, *Western Ringtail Possum (Pseudocheirus occidentalis) Recovery Plan*. Western Australian Wildlife Management Program No. 58. Bentley, WA.

Department of the Environment and Energy 2017, *EPBC Act Policy Statement 3.21 Industry guidelines for avoiding, assessing and mitigating impacts on EPBC Act listed migratory shorebird species*. Commonwealth of Australia.

Emerge Associates 2021a, *Referral Supporting Information*, Perth, WA.

Emerge Associates 2021b, *Visual Impact Assessment*, Perth, WA.

Emerge Associates 2021c, *The Westin Margaret River Resort @ Spa Gnarabup Beach Village and Apartments – Landscape Design Package*, Revision B, Perth, WA.

Emerge Associates 2024a, *Basic Fauna and Targeted Western Ringtail Possum Assessment*, Perth, WA.

Emerge Associates 2024b, *Detailed Flora and Vegetation Assessment*, Perth, WA.

Emerge Associates 2024c, *Environmental Review Document, Gnarabup Tourism Development: Resort and Beach Village*, Revision C, Perth, WA.

Emerge Associates 2024d, *Environmental Risk Assessment*, Version A, Perth, WA.

Emerge Associates 2024e, *Integrated Water Management Strategy*, Version 1, Perth, WA.

Emerge Associates 2024f, *Other Approvals and Regulations*, Perth, WA.

Emerge Associates 2024g, *Technical Memorandum - Local and Regional Flora and Vegetation Assessment*, Perth, WA.

Emerge Associates 2024h, *Targeted Western Ringtail Possum Assessment*, Perth, WA.

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