

# Smiths Beach Project, Yallingup – Coastal **Tourism Village**

Smiths 2014 Pty Ltd

**DRAFT Environmental Scoping Document - Assessment Number:** 2340

148,003 | 59550 17 May 2023



We acknowledge the Traditional Custodians of Country throughout Australia and their connections to land, sea and community.

We pay respect to Elders past and present and in the spirit of reconciliation, we commit to working together for our shared future.



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		Name	Name	Signature	Date
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4	C. Jury	D. Walsh	D. Walsh	D. Walsh	17/05/2023

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# **Abbreviations**

Abbreviation	Definition		
AH Act	Aboriginal Heritage Act 1972		
ACH Act	Aboriginal Cultural Heritage Act 2021		
BC Act	Biodiversity Conservation Act 2016		
CE	Critically Endangered		
CEO	Chief Executive Officer		
CIA	Cumulative Impact Assessment		
СНМР	Cultural Heritage Management Plan		
CHRMAP	Coastal Hazard Risk Management and Adaption Plan		
CSFMP	Conservation Significant Fauna Management Plan		
CSVMP	Conservation Significant Vegetation Management Plan		
DCCEEW	Department of Climate Change, Energy, the Environment and Water		
DBCA	Department of Biodiversity, Conservation and Attractions		
DFES	Department of Fire and Emergency Services		
DMA	Decision-making Authority		
DPaW	Department of Parks and Wildlife		
DPLH	Department of Planning, Lands and Heritage		
DWER	Department of Water and Environmental Regulation		
EIA	Environmental Impact Assessment		
EMP	Environmental Management Plan		
EN	Endangered		
EPA	Environmental Protection Authority		
EP Act	Environmental Protection Act 1986		
EPBC Act	Environment Protection and Biodiversity Conservation Act 1999		
ERD	Environmental Review Document		
ESD	Environmental Scoping Document		
FMP	Foreshore Management Plan		
GHG	Greenhouse Gas		
ha	Hectare		
IBSA	Index of Biodiversity Surveys for Assessments		
km	Kilometre		
LPS	Local Planning Scheme		
m <sup>3</sup>	Cubic metres		
MNES	Matters of National Environmental Significance		
MS	Ministerial Statement		
PD Act	Planning and Development Act 2005		
PEC	Priority Ecological Community		
PER	Public Environmental Review		
SDAU	State Development Assessment Unit		



Abbreviation	Definition	
SSE	Site and Soil Evaluation	
SPP	State Planning Policy	
SRE	Short Range Endemic	
TEC	Threatened Ecological Community	
VIA	Visual Impact Assessment	
VU	Vulnerable	
WA	Western Australia	
WAPC	Western Australia Planning Commission	
WRT	Western Ring Tail (Possum)	



# Invitation to make a submission

The Environmental Protection Authority (EPA) invites public submissions on the draft Environmental Scoping Document (ESD) for this proposal.

Smiths Beach 2014 Pty Ltd proposes to develop Lot 4131 Smiths Beach Road, Yallingup, into a sensitive coastal village consisting of a Tourist Development which will include hotel accommodation and wellness centre, campground and 61 holiday homes. The development will also include a number of features (not limited to) such as a Community Hub with a café, bakery, general store and the Cape to Cape Welcome Centre, as a central node for all visitors to the region. Facilities for the Surf Life Saving Club and a universal beach access ramp will also be included.

The draft ESD has been prepared in accordance with the EPA's *Environmental Impact Assessment Procedures Manual (Part IV Divisions 1 and 2) 2021*. The draft ESD outlines the work required and key areas of focus for the environmental review. The proponent will undertake this work and the information will be used to prepare an Environmental Review Document.

The draft ESD is available for a public review period of 2 weeks from 29 May 2023, closing on 13 June 2023.

## Why write a submission?

The EPA seeks information that will inform the EPA's consideration of the likely effect of the proposal, if implemented, on the environment.

The EPA will use the information in the submissions to identify any additional preliminary key environmental factors/issues and the type and extent of any additional work for the environmental review that should be included in the ESD.

Submissions will be treated as public documents unless provided and received in confidence, subject to the requirements of the *Freedom of Information Act 1992*.

# Why not join a group?

It may be worthwhile joining a group or other groups interested in making a submission on similar issues. Joint submissions may help to reduce the workload for an individual or group. If you form a small group (up to 10 people) please indicate all the names of the participants. If your group is larger, please indicate how many people your submission represents.

## **Developing a submission**

The draft ESD specifies the form, content, indicative timing and procedure of the proponent's environmental review. The ESD also outlines the preliminary key environmental factors, any specific work required and key areas of focus for the environmental review. The likely environmental impacts and the proposed management measures will be addressed in the Environmental Review Document (ERD) after the proponent undertakes the studies outlined in the ESD.

You may agree or disagree with, or comment on, the general issues discussed in the draft ESD or on specific elements.

When making comments on the draft ESD:

• Suggest other preliminary key (i.e., most important) environmental factors and/or any additional work you consider would be appropriate.

Clearly state your point of view and give reasons for your conclusions.

- Reference the source of your information, where applicable.
- Suggest recommendations or alternatives.

## What to include in your submission?



Include the following in your submission to make it easier for the EPA to consider your submission:

- your contact details name and address
- date of your submission
- whether you want your contact details to be confidential
- summary of your submission, if your submission is long
- list points so that issues raised are clear, preferably by environmental factor
- refer each point to the page, section and if possible, paragraph of the draft ESD
- attach any reference material, if applicable.

Make sure your information is accurate.

The closing date for public submissions is: 13 June 2023

The EPA prefers submissions to be made electronically via the EPA's website at <u>https://consultation.epa.wa.gov.au</u>.

Alternatively, submissions can be:

- posted to: Chair, Environmental Protection Authority, Locked Bag 10, Joondalup DC, WA 6919, or
- delivered to: Environmental Protection Authority, Prime House 8 Davidson Terrace, Joondalup Western Australia 6027.

If you have any questions on how to make a submission, please contact EPA Services at the Department of Water and Environmental Regulation on 6364 7000.



# **Proposal Details**

# Table 1 General proposal and proponent information

Proposal Information	
Proposal name	Smiths Beach Project, Yallingup – Coastal Tourism Village
Proponent	Smiths 2014 Pty Ltd
Assessment number	2340
Local Government area	City of Busselton
Location	Lot 4131 Smiths Beach Road, Yallingup
Public review period	Proponent-prepared Environmental Scoping Document – 2 weeks Environmental Review Document – 6 weeks
EPBC reference no	EPBC 2021/9141



# 1. Introduction

Smiths 2014 Pty Ltd (the Proponent) is proposing to develop Lot 4131 Smiths Beach Road, Yallingup, approximately 23 kilometres (km) west of Busselton. The Proposal is for the delivery of a coastal tourism village which incorporates an environmentally sensitive and landscape led design approach. The design prioritises the unique natural elements of the area and the built form will integrate lightly into the landscape and be sympathetic to surrounding vegetation. The Proposal is bound by Smiths Beach Road to the east, the Indian Ocean to the west, the existing Foreshore Reserve to the north and Lot 302 and the Leeuwin Naturaliste National Park to the south (Figure 1).

In 2010, the EPA determined that the Smiths Beach Development, Sussex Location 413, Yallingup, could be implemented by Canal Rocks Pty Ltd (the then nominated proponent) as a strategic proposal subject to the conditions in Ministerial Statement (MS) 831. Condition 5 (National Park Extension) of MS 831 stated that a western portion of the privately owned land was to be incorporated into the adjoining Leeuwin-Naturaliste National Park prior to any subdivision. The remaining area would be developed for tourism and residential purposes with associated public open space and foreshore reserves. The Development Envelope has been zoned for development since 1999 and the approved Structure Plan in place is for suburban form with high development intensity. As such it will require extensive retaining walls, resulting in substantial clearing within the footprint area. The outcome provides a limited opportunity for retention of the vegetation or for revegetation. The outcomes from the previous EPA strategic proposal have been considered in the development of the Proposal. Because of the sensitivity of the environment and the high biodiversity, the Proposal was referred to Environmental Protection Authority (EPA) for assessment under Part IV of the *Environmental Protection Act 1986* (EP Act).

On the 18 May 2022 the EPA determined that the Smiths Beach Project, Yallingup – Coastal Tourism Village (the Proposal) would be assessed and set the level of assessment at Public Environmental Review (PER) with a proponent-prepared Environmental Scoping Document (ESD). The ESD has a 2-week public review period while the PER for the Environmental Review Document (ERD) has been set at 6-weeks.

The ESD is a document which the EPA uses to specify the form, content, indicative timing and procedure of the environmental review to meet the requirements of s. 40(3) of the EP Act. The ESD outlines the preliminary key environmental factors, any specific work required and key areas of focus for the environmental review.

This draft ESD has been prepared on behalf of Smiths 2014 Pty Ltd (the Proponent) by JBS&G in consultation with the EPA, decision-making authorities and relevant stakeholders.

# **1.1 Form**

The EPA requires that the form of the report on the environmental review required under section 40 of the EP Act is in accordance with the EPA 2021 *Instruction: How to prepare an Environmental Review Document, EPA, Western Australia.* It also requires that the ERD be prepared in accordance with the EPA's ERD template (October 2021).

# **1.2 Content**

The EPA has determined that several preliminary key environmental factors require assessment as the Proposal is in an area of high biodiversity. As such, nine preliminary key environmental factors require consideration. Detailed assessment is required to determine the extent of the direct and indirect impacts from implementation of the Proposal and how they can be managed.

The EPA requires that the environmental review includes the content outlined in **Section 3** to **Section 5** of this ESD.



# **1.3** Procedure

The EPA requires the proponent to undertake the environmental review according to the procedures in the *Environmental Impact Assessment (Part IV Divisions 1 and 2) Administrative Procedures 2021* and the EIA Procedures Manual.

# 1.4 Indicative timing of the environmental review

Table 2 sets out the indicative outline of the timing of the environmental review (indicative timeline) agreed between the EPA and the Proponent.

## Table 2 Indicative assessment timeline

Key assessment milestones	
ESD is released for 2-week public review by EPA	29 May 2023
Public submissions on ESD are compiled and reviewed	23 June 2023
Proponent provides response to submissions	21 July 2023
EPA approves ESD	18 August 2023
Proponent submits first draft Environmental Review Document	29 September 2023
EPA and DCCEEW provide comment on first draft Environmental Review Document	10 November 2023
(6 weeks from receipt of ERD)	
Proponent submits revised draft Environmental Review Document	1 December 2023
(3 weeks from receipt of EPA advice)	
EPA and DCCEEW to review and provide comment on any subsequent revisions prior to an	15 December 2023
Environmental Review Document being published for public comment.	
EPA authorises release of Environmental Review Document for public review (2 weeks from	12 January 2024
EPA approval of ERD)	
Proponent releases Environmental Review Document for public review for 6 weeks	15 January 2024
Close of public review period	26 February 2024
EPA provides Summary of Submissions	18 March 2024
(3 weeks from close of public review period)	
Proponent provides Response to Submissions	15 April 2024
(4 weeks from receipt of Response to Submissions)	
EPA and DCCEEW review the Response to Submissions	13 May 2024
(4 weeks from receipt of Response to Submissions)	
EPA finalises Assessment report (including two-week consultation on draft conditions) and gives report to Minister.	24 June 2024
(6 weeks from completion of assessment)	



## Key assessment milestones

Provision of the EPA's Assessment report to the DCCEEW to commence the assessment 24 July 2024 under the EPBC Act (30 days)

# **1.5** Commonwealth Government approvals

The Proposal was referred to the Department of Climate Change, Energy, the Environment and Water (DCCEEW) on the potential to impact matters of national environmental significance (MNES). The DCCEEW determined the action to be a Controlled Action under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The proponent requested the Proposal be assessed as an accredited process under section 87 of EPBC Act. On the 9 June 2022 the DCCEEW made the decision to assess the Proposal as an accredited assessment under the EP Act.

The relevant controlling provisions for this Proposal are:

• Listed threatened species and ecological communities (section 18 and 18A of the EPBC Act).

In particular, there is the potential for the Proposal to impact on the following MNES:

- Western ringtail possum (Pseudocheius occidentalis);
- Black cockatoos Baudin's black cockatoo (*Calyptorhynchus baudinii*), Carnaby's black cockatoo (*C. latirostris*) and the Forest red-tailed black cockatoo (*C. banksii naso*);
- Chuditch (Dasyurus geoffroii); and
- Giant spider orchid (*Caladenia excelsa*).

This draft ESD includes work required to be carried out and reported on in the ERD in relation to MNES. The ERD will also address the matters in Schedule 4 of the *Environmental Protection and Biodiversity Conservation Regulations 2000* (Appendix A).

MNES which may be impacted by the Proposal will be identified and the potential impacts on these matters addressed within each relevant preliminary environmental factor identified in Table 5. The ERD will include a separate section which summarises the potential impacts on MNES and describes, to the extent practicable, any feasible alternatives to the proposed action and mitigation measures. Proposed offsets to address residual significant impacts on MNES are also to be discussed and demonstrate how any proposed offsets are consistent with the EPBC Act Environmental Offsets Policy, October 2012.



# 2. Proposal

The Proposal is located within the City of Busselton, Western Australia, approximately 23 km west of Busselton CBD (Figure 1). The Proposal has a Development Envelope of 40.53 ha (Figure 2). The Proponent is proposing to deliver a sensitively designed coastal village as summarised in Table 3.

The Proposal is based on an environmentally sensitive and landscape led design approach that prioritises the area's unique natural elements. The design vision for the Proposal is to embrace a strong sense of place that respects the local area and its flora and fauna and takes a leading sustainable approach to all design and materials. Anchored by the Cape to Cape Track, the heart of the village will be the 'Cape to Cape Welcome Centre' a highly curated and innovative 'Welcome Centre' providing tourist information, facilities and amenity within a central node for all visitors to the region.

The Proposal will include a number of features, not limited to:

- Tourist Development including hotel accommodation and wellness centre;
- Campground;
- Community Hub including café, bakery, general store and the Cape to Cape Welcome Centre;
- Facilities for the Surf Life Saving Club; and
- 61 Holiday Homes.

The Design Vision for the Proposal has been formulated to achieve the following key objectives:

- Landscape Led allowing the landscape to define the appropriate location for development within the Proposal;
- **Visual Integration** design and location of built form sensitively located within the landscape to minimise visual impact;
- Environmental Safeguard protecting the Proposal from bushfire risk and coastal erosion processes; and
- Landscape Rehabilitation regenerating degraded areas within the Proposal with endemic species.

The result is a built form Proposal that integrates lightly into the landscape and is sympathetic to surrounding vegetation. Overall, the Masterplan proposes a lower yield and dispersed footprint which has been shaped around vegetation classified as 'Excellent'. This will result in the retention of significantly more native vegetation than what could be retained under the current approved Structure Plan.

Proposal title	Smiths Beach Project, Yallingup – Coastal Tourism Village
Proponent name	Smiths 2014 Pty Ltd
Short description	The Proposal is to develop Lot 4131 Smiths Beach Road, Yallingup, into a sensitive coastal village. The Proposal consists of a Tourist Development including hotel accommodation and wellness centre, campground and 61 holiday homes.
	The development will also include a number of features (not limited to) a Community Hub with a café, bakery, general store and the Cape to Cape Welcome Centre - as a central node for all visitors to the region and facilities for the Surf Life Saving Club

## Table 3 General proposal content description

## Table 4 Proposal content elements

Proposal element	Location/ description	Maximum extent, capacity or range
Physical elements		



public open space/conservation areas.

Planning and development for the coastal village, incorporating elements including, but not limited to, hotel, holiday homes, campgrounds, community facilities	Located within Lot 4131 Smiths Beach Road, Yallingup and depicted in Figure 1	Clearing and earthworks of approximately 8.17 hectares (ha) which includes clearing of 7.32 ha of native vegetation within a 40.53 ha Development Envelope.
and service infrastructure.		Of the 7.32 ha of native vegetation proposed to be cleared, 2.8 ha will be subject to revegetation.
Planning and development for Landscaping and Bushfire Management	Located within Lot 4131 Smiths Beach Road, Yallingup and depicted in Figure 2	Partially modifying 12.52 ha, of which 11.14 ha includes modifying native vegetation within a 40.53 ha Development Envelope.
Conservation	Located within Lot 4131 Smiths Beach Road, Yallingup and depicted in Figure 2	Within the Development Envelope, 18.18 ha of existing native vegetation will be fully retained. Of this retained vegetation, 15.82 ha will be placed into conservation.
		Additionally, the remaining 2.36 ha of the uncleared vegetation will be retained as

## Proposal elements with greenhouse gas emissions

Greenhouse Gas Emissions is not expected to exceed 100,000 tCO<sub>2</sub>-e per annum (Scope 1).

## Rehabilitation

Of the 7.32 ha of native vegetation to be cleared, 2.8 ha will be revegetated in line with bushfire management requirements. A further 1.26 ha of already cleared area, represented by previous informal tracks and fire access tracks, outside of the proposed footprint will be revegetated.

## Commissioning

N/A

## Decommissioning

N/A

Other elements which affect extent of effects on the environment			
Proposal time*	Maximum project life	N/A	
	Construction phase	2024-2026	
	Operations phase	2026 onwards	
	Decommissioning phase	N/A	



Legend Project area Environmentally sensitive areas (DWER)	Legislated lands and waters (DBCA)	() JB	S&G	0 m	500 etres	Lot 4131 Smiths Beach Road Yallingup WA 6282 REGIONAL CONTEXT
Geomorphic wetlands	Other Reserves	Job No: 59550		Scale 1:28,000 at A	3	
(Leeuwin layer)	—— Gunyulgup Brook	Client: Smiths 2014 Pty Ltd		Coord. Sys. GDA 199	94 MGA Zone 50	
Palusplain		Drawn By: cthatcher	Checked By: CT	Version: A	Date: 12-Oct-2022	FIGURE: 1
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Image Reference: SLIP Public Services Locate 2019-2021.



File Name: W:\Projects\1)Open\Linc Property\59550 Smiths Beach Stage 2 Approvals\GIS\Maps\59550\_02\_01\_SmithsBeachProposalElements.mxd Image Reference: www.nearmap.com@ - Imagery Date: 15 October 2021.



# 3. Preliminary key environmental factors

The preliminary key environmental factors for the environmental review are:

- Marine Environmental Quality;
- Coastal Processes;
- Landforms;
- Flora and Vegetation;
- Subterranean Fauna;
- Terrestrial Fauna;
- Inland Waters;
- Greenhouse Gas Emissions; and
- Social Surroundings.

The following are considered 'Other' factors:

- Terrestrial Environmental Quality;
- Air Quality;
- Human Health;
- Benthic Communities and Habitats; and
- Marine Fauna.

Table 5 outlines the work required for each preliminary key environmental factor to inform the environmental review. Table 5 contains the following elements for each factor:

- EPA factor and EPA objective for that factor;
- The relevant activities which may have a significant impact on that factor;
- Potential impacts and risks to that factor;
- Required work for that factor;
- Relevant policy and guidance; and
- Any MNES, and the relevant DCCEEW policy and guidance.

The Department of Biodiversity, Conservation and Attraction's (DBCA) draft document (30 January 2023) on the survey and identification of Western Australian threatened ecological communities (TECs) has also been considered when scoping for the environmental assessment.

# Table 5 Preliminary key environmental factors and required work

Marine Environmental Quality				
EPA Objective	To maintain the quality of water, sediment and biota so that environmental values are protected.			
Relevant activities	Development and operation of a coastal tourism village.			
Potential	The Proposal has the potential to cause impacts to marine water quality:			
impacts and risks	<ul> <li>From construction activities, clearing of vegetation and nutrient application on grassed areas via stormwater runoff and groundwater infiltration; and</li> </ul>			
	From wastewater facilities within the coastal tourism village.			
Required work	1. Conduct a desktop study to characterise the existing marine environmental quality in the area potentially affected by the Proposal.			
	•			



	2. Should treated wastewater require disposal onsite then a hydrodynamic assessment will be undertaken.		
	3. Assess the extent, severity, and duration of any impacts from the coastal tourism village including potential impacts to water quality entering Smiths Beach and the Ngari Capes Marine Park after outlining any avoidance and mitigation options that will be applied. Predicted impacts will be presented spatially.		
	4. Describe and justify any proposed mitigation measures to reduce the potential impacts of the Proposal. Identify the environmental outcome that will be achieved during clearing, construction and operation of the Proposal and the monitoring and/or management actions that will be undertaken to achieve the outcome. If plans are required to demonstrate how the environmental outcome will be achieved, they are to be presented in accordance with the relevant EPA Instructions.		
	<ol> <li>Identify, describe and quantify the potential residual impacts (direct, indirect and cumulative) that may occur during construction, operation and following implementation of the Proposal after considering and applying avoidance and minimisation measures.</li> </ol>		
Relevant	EPA Policy and Guidance		
policy and guidance	<ul> <li>EPA (2021) Statement of environmental principles, factors, objectives and aims of EIA</li> <li>EPA (2021) Instructions: How to prepare an Environmental Review Document</li> <li>EPA (2016) Environmental Factor Guideline: Marine Environmental Quality</li> <li>EPA (2016) Technical Guidance – Protecting the quality of Western Australia's marine environment.</li> </ul>		
	Other policy and guidance		
	Government Sewerage Policy (WAPC 2019)		
Coastal Process	es		
EPA Objective	To maintain the geophysical processes that shape coastal morphology so that the environmental values of the coast are protected.		
Relevant activities	Development and operation of a coastal tourism village in proximity to Smiths Beach, Yallingup.		
Potential	The Proposal has the potential to cause:		
impacts and risks	<ul> <li>Increased erosion from the clearing of native vegetation;</li> </ul>		
	<ul> <li>Alteration of drainage in extreme flooding events, with possible implications on the foreshore environment and dune stability; and</li> </ul>		
	• Risk to public safety and future infrastructure due to coastal inundation, sea level rise, and coastal erosion.		
Required	6. Characterise the environment by describing the current coastal processes in proximity to		

- a. spatially quantify the coastal morphology and
  b. characterise erosion and inundation provided by extreme events as well as during the required planning timeframe per *State Planning Policy 2.6* (SPP 2.6).
- 7. Identify elements of the future development and associated infrastructure which may potentially affect coastal processes, including direct, indirect and cumulative impacts and for clearing, construction and operation.
- 8. Provide a coastal erosion hazard assessment for the Proposal, following the requirements of the *State Coastal Planning Policy* (SPP2.6).

the Proposal area. This is to include, but not be limited to:

- 9. Provide a Coastal Hazard Risk Management and Adaptation Planning (CHRMAP).
- 10. Provide a Foreshore Management Plan (FMP) which delineates the foreshore location, detail the proposed development within the foreshore, areas of retained vegetation and

work



	revegetation works and define how the development will interface with the existing and proposed Smiths Beach foreshore. The FMP will define management of:
	a Foreshore stability and erosion resilience.
	<ul> <li>b. Improvement of native vegetation cover within the portion of the Foreshore Reserve covered by the FMP;</li> </ul>
	<ul> <li>Enhancement of public amenity with the area of the Foreshore Reserve covered by the FMP;</li> </ul>
	d. Improvement of pedestrian and vehicular movements; and
	e. Rehabilitation of uncontrolled access areas and existing tracks in the future National Park extension
	<ol> <li>Describe and justify any proposed mitigation to reduce the potential impacts of the Proposal. Identify the environmental outcome that will be achieved during clearing, construction and operation of the Proposal and the monitoring and/or management actions that will be undertaken to achieve the outcome. If plans are required to demonstrate how the environmental outcome will be achieved, they are to be presented in accordance with the relevant EPA Instructions</li> <li>Predict the residual impacts (direct, indirect and cumulative) from the Proposal after outlining any avoidance, mitigation and management options that will be applied. Impact predictions are to:</li> </ol>
	<ul><li>a. Be informed by monitoring undertaken in the local area.</li><li>b. Address the requirements of State Planning Policy 2.6</li></ul>
Relevant	EPA Policy and Guidance
policy and	EPA (2021) Statement of environmental principles, factors, objectives and aims of EIA
Buldance	EPA (2021) Instructions: How to prepare an Environmental Review Document
	EPA (2016) Environmental Factor Guideline: Coastal Processes
	<ul> <li>EPA (2021) Instructions on how to prepare Environmental Protection Act 1986 Part IV Environmental Management Plans</li> </ul>
	Other policy and guidance
	City of Busselton (2022) Coastal Hazard Risk Management and Adaptation Plan
	• WAPC (2013) State Planning Policy No. 2.6, State Coastal Planning Policy.
	WAPC (2021) State Coastal Planning Policy Guidelines.
	<ul> <li>Coastal Engineering Group (2010) Sea Level Change in Western Australia – Application of Coastal Planning, Department of Transport Coastal Infrastructure</li> </ul>
	<ul> <li>DPLH (2019) Coastal hazard risk management and adaptation planning guidelines</li> </ul>
Landforms	
EPA Objective	To maintain the variety and integrity of significant physical landforms so that environmental values are protected
Relevant activities	Development and operation of the resort and village.
Potential	The Proposal has the potential to cause:
impacts and	<ul> <li>Filling, compaction and ground disturbance;</li> </ul>
11282	<ul> <li>Recreational pressure and damage over time (increased visitors);</li> </ul>
	<ul> <li>Structural alteration of limestone karst (if present) and/or coastal dune systems;</li> </ul>
	<ul> <li>Impacts to the ecological function and environmental values of limestone karst systems (if present); and</li> </ul>
	<ul> <li>Movement of unstable dunes (blowouts) owing to cut and fill works.</li> </ul>



Required work	<ol> <li>Characterise the landform systems, including limestone karst (as part of the Leeuwin Naturaliste Ridge), granite outcrop communities and any dune systems, in terms of variety, integrity, ecological importance, scientific importance, rarity and social importance/cultural associations.</li> <li>Undertake a geotechnical assessment to inform the site characteristics and whether the landform is robust or sensitive to damage and degradation.</li> <li>Undertake the required level of assessment to determine the presence of karst and karst communities within the development envelope.</li> <li>Describe and assess the significance of potential direct, indirect and cumulative impacts to the landform system within and directly adjacent to the Proposal area. Include an analysis of the nature, magnitude and duration of the impacts (temporary and permanent).</li> <li>Apply the mitigation hierarchy to any identified significant landforms, including any potential limestone karst, granite outcrop communities, and any dune systems. Discuss how the coastal tourism village may be designed to avoid and minimise impacts to the geomorphology and structure of the system through design and location. Detail proposed specific monitoring, management and mitigation measures.</li> <li>Predict the residual impacts and the significance of any identified landforms of importance after considering and applying the mitigation hierarchy.</li> </ol>
Relevant	EPA Policy and Guidance
policy and guidance	<ul> <li>EPA (2021) Statement of environmental principles, factors, objectives and aims of EIA</li> <li>EPA (2021) Instructions: How to prepare an Environmental Review Document</li> <li>EPA (2018) Environmental Factor Guideline: Landforms.</li> </ul>
Greenhouse Ga	s Emissions
EPA Objective	To reduce net greenhouse gas emissions in order to minimise the risk of environmental harm associated with climate change
Relevant activities	<ul> <li>Clearing of 7.32 ha of native vegetation for the development of the coastal tourism village; and</li> <li>Development and operation of the coastal tourism village</li> </ul>
Potential	The Proposal has the potential to cause:
impacts and risks	• Direct emissions from the clearing of native vegetation and operation of machinery and plant equipment (Scope 1 emissions); and
	Indirect emissions from the consumptions of electricity (Scope 2 emissions).
Required work	<ol> <li>Describe how greenhouse gas (GHG) emissions have been considered for the Proposal during clearing, construction and operations and provide a Scope 1 GHG emissions estimate and information why (if applicable) Scope 2 and Scope 3 GHG emissions are not a consideration.</li> <li>Outline the mitigation and management measures to be undertaken to avoid, reduce and offset (where relevant) GHG emissions associated with the Proposal.</li> <li>In consideration of the EPA's expectations for assessing the coastal tourism village at Smiths Beach and its surrounds, describe how climate change is likely to interact with the pressures from implementation of the Proposal and demonstrate how the Proposal will adapt to climate change, including measures of resilience to a changing climate.</li> </ol>
	and address how the Proposal may contribute to the state's GHG emissions.
Relevant	EPA Policy and Guidance
policy and guidance	• EPA (2021) Statement of environmental principles, factors, objectives and aims of EIA.



	EPA (2021) Instructions: How to prepare an Environmental Review Document
	EPA (2020a) Environmental Factor Guideline: Greenhouse Gas Emissions.
	EPA (2022) EPA's Draft Greenhouse Gas Emissions Environmental Factor Guideline
Subterranean F	auna
EPA Objective	To protect subterranean fauna so that biological diversity and ecological integrity are maintained
Relevant	<ul> <li>Development of the coastal tourism village (construction and operation);</li> </ul>
activities	<ul> <li>Indirect impacts associated with changes in groundwater or surface water quality from the clearing of native vegetation; and</li> </ul>
	<ul> <li>Indirect impacts from increased nutrient to groundwater from the coastal tourism village (wastewater management systems).</li> </ul>
Potential impacts and	The Proposal has the potential to cause impacts to subterranean fauna (loss of species and habitat):
risks	From clearing of vegetation;
	<ul> <li>Excavation works during construction;</li> </ul>
	<ul> <li>Changes to hydrological regimes and water quality; and</li> </ul>
	<ul> <li>Groundwater contamination.</li> </ul>
Demuined	22. In accordance with EPA guidance conduct a desktop study to identify and characterise
work	the subterranean fauna and subterranean fauna habitats in a local and regional context; and based on the results of the desktop study undertake the appropriate surveys as per EPA Guidance for subterranean fauna.
	23. All survey reports and data will be submitted via the IBSA Submissions portal with the IBSA number provided for verification.
	24. Provide a map of the survey effort applied in relation to the study area, subterranean fauna habitats, and development envelope, identifying the direct and indirect impact areas.
	25. Identify and describe the subterranean fauna habitats that may be impacted directly and indirectly by the proposal during construction and operations. Describe the significance of these values in a local and regional context. Include relevant geological and hydrological information to determine habitat suitability and connectivity, including inside, and outside the impact areas.
	<ul> <li>Provide figures and maps showing the extent of subterranean fauna habitats in</li> <li>relation to the proposal and species distributions</li> </ul>
	<ul> <li>Identify and describe the fauna assemblages present and likely to be present within the development envelope that may be impacted by the proposal.</li> </ul>
	<ol> <li>Identify significant or restricted fauna and describe in detail their known ecology, likelihood of occurrence, habitats and known threats.</li> </ol>
	29. Map the locations of significant/restricted fauna records in relation to the subterranean fauna habitats, the study area, the development envelope, and direct and indirect impact areas.
	30. Describe and quantify the extent of potential direct, indirect and cumulative impacts, including percentages, to subterranean fauna and their habitat as a result of implementation of the proposal during both construction and operations, in a local and regional context.
	31. Provide a table of the proportional extents of each habitat within the study area and development envelope, and the predicted amount to be directly impacted and
	<ul> <li>remaining. Consider any local or regional cumulative impacts.</li> <li>32. Outline the proposed avoidance and mitigation measures to reduce the potential impacts of the proposal. Include proposed management and/or monitoring plans that will be implemented pre- and post-construction to demonstrate and ensure</li> </ul>



Relevant EP. policy and guidance	A Policy and Guidance EPA (2021) Statement of environmental principles, factors, objectives and aims of EIA. EPA (2021) Instructions: How to prepare an Environmental Review Document EPA (2016) Environmental Factor Guideline: Subterranean Fauna, EPA, December 2016; EPA (2021) Technical guidance – Subterranean fauna surveys for environmental impact assessment.
policy and guidance •	EPA (2021) Statement of environmental principles, factors, objectives and aims of EIA. EPA (2021) Instructions: How to prepare an Environmental Review Document EPA (2016) Environmental Factor Guideline: Subterranean Fauna, EPA, December 2016; EPA (2021) Technical guidance – Subterranean fauna surveys for environmental impact assessment.
•	Instructions for the preparation of data packages for the Index of Biodiversity Surveys for Assessments (IBSA), March 2020 EPA (2021) Instructions on how to prepare Environmental Protection Act 1986 Part IV
	Environmental Management Plans.
Flora and Vegetatic	n
EPA Objective To ma	protect flora and vegetation so that biological diversity and ecological integrity are intained
Relevant • activities •	Clearing of native vegetation for the development of the coastal tourism village; and Partially modifying native vegetation.
Potential The impacts and risks • •	e Proposal has the potential to cause: Direct loss of up to 7.32 ha of native vegetation; Direct loss of native flora species; Direct impacts to 11.14 ha of native vegetation which will be partially modified, Indirect impacts on adjacent native vegetation resultant from: o dust during construction; o the introduction and spread of weeds; o the introduction and spread of phytophthora; o changes to surface water or groundwater hydrology and quality.
Required work         34           35         35           36         37           38         39           40         40	<ul> <li>Conduct surveys to identify, characterise and describe the flora and vegetation within the proposal area and in a local and regional context, consistent with the EPA's technical guidance below. Where multiple surveys have been undertaken, a consolidated report will be provided including the integrated results of the surveys.</li> <li>All survey reports and data will be submitted via the IBSA Submissions portal with the IBSA number provided for verification.</li> <li>Provide a map of the survey effort applied in relation to the study area, and development envelope, identifying the direct and indirect impact areas.</li> <li>Identify and describe the vegetation and flora species present within the proposal area, and in any other areas that may be impacted by the proposal. Provide an analysis of the significance of the identified flora and vegetation in a local and regional context.</li> <li>Provide maps showing the recorded locations of conservation significant flora in relation to the proposal and species distributions and the extent of all vegetation, and significant vegetation, in the study area, the development envelope, direct and indirect impact areas, and in the local and regional contexts.</li> <li>Apply draft DBCA (2023) Methods for survey and identification of WA threatened ecological communities, where applicable.</li> <li>Describe and quantify the extent of potential direct and indirect impacts including</li> </ul>



following implementation of the Proposal during clearing, construction and operations, in a local and regional context.

- 41. Undertake baseline weed mapping in areas likely to be directly or indirectly impacted by the Proposal.
- 42. A dieback survey and mapping will be undertaken which will facilitate subsequent risk analysis and proposed management actions.
- 43. Describe the extent and type of potential cumulative impacts to all vegetation and significant flora and vegetation that may occur following implementation of the Proposal within a local, regional and state context.
- 44. Provide table with quantitative assessments of impacts;
  - a. For significant flora, this includes:
  - number of individuals and populations in a local and regional context;
  - numbers and proportions of individuals and populations directly or potentially indirectly impacted; and
  - numbers/proportions/populations currently protected within the conservation estate (where known).
  - b. For all vegetation units (noting threatened and priority ecological communities and significant vegetation) this includes:
    - area (in hectares) and proportions directly or potentially indirectly impacted; and
    - proportions/hectares of the vegetation unit currently protected within conservation estate (where known).
- 45. Outline and justify the proposed avoidance and mitigation measures to reduce the potential impacts of the proposal. Include proposed management and/or monitoring plans that will be implemented pre- and post-construction to demonstrate and ensure residual impacts are not greater than predicted. Management and/or monitoring plans are to be presented in accordance with the EPAs Instructions.
- 46. There is potential to impact priority ecological communities within the Leeuwin-Naturaliste Ridge area. The herbaceous layers within these communities may vary considerably among outcrops and be a significant component in outcrop similarity/uniqueness. Where required, rescore vegetation quadrats to capture the herbaceous layer.
- 47. Prepare a Conservation Significant Vegetation Management Plan (CSVMP), in accordance with the requirements of EPA Instructions on how to prepare *Environmental Protection Act 1986* Part IV Environmental Management Plans (2021, or any subsequent revisions) and in accordance with *Environment Management Plan Guidelines* (Commonwealth of Australia 2014), to include all conservation significant species recorded within the development envelope. The CSVMP will describe any proposed management and/or monitoring plans that will be implemented pre- and post- construction to ensure residual impacts (direct and indirect) are not greater than predicted. Where a separation zone is proposed, discussion should include an evaluation of the appropriateness of the proposed separation zone in terms of its size and relevant characteristics as it relates to the significant species.
- 48. Predict the residual impacts from the proposal on flora and vegetation after considering and applying the mitigation hierarchy.
- 49. Determine and quantify any residual significant impacts by applying the Residual Impact Significance Model and *WA Environmental Offsets Guideline* (2014, or any subsequent revisions). Spatial data will be provided identifying this area.
- 50. Where residual significant impacts remain, propose an appropriate draft offsets package consistent with the WA Environmental Offsets Policy (2011, or any subsequent revision) and EPBC Act Environmental Offsets Policy (2012).

Required The potential impacts to MNES include: work (MNES)



	• Potential habitat for the Giant Spider-orchid ( <i>Caladenia excelsa</i> ) (EN under EPBC Act and BC Act): Impacts to <i>C. excelsa</i> during construction include direct loss of individuals from clearing
	<ul> <li>Impacts to <i>C. excelsa</i> during operation include weed invasion, grazing (native animals), prescribed burining (April to November), accidental damage maintenance (infrastructure and firebreaks), modification of landscape, use of herbicides in control of weeds.</li> </ul>
	51. Targeted surveys for <i>C. excelsa</i> will be undertaken following the <i>Draft survey guidelines</i> for Australia's threatened orchids (Commonwealth Department of Environment 2013). The survey will include the identification of other orchid taxa such as <i>Caladenia nivalis, C.</i> huegelii, and <i>C. viridescens</i> .
	<ul> <li>52. The mitigation hierarchy will be applied for <i>C. excelsa</i></li> <li>53. Application of the conservation advice for <i>Caladenia</i> species, where applicable, in the FRD</li> </ul>
	<ol> <li>Application of the Interim Recovery Plan for <i>Caladenia viridescens</i> (Patten, Webb and Batty, 2005) as it applies to other <i>Caladenia</i> taxa.</li> <li>Application of the threat abatement actions for conservation significant species in the construction management plan, including the development and implementation of a fire management strategy if the <i>C. excelsia</i> and other <i>Caladenia</i> taxa are present.</li> </ol>
Relevant	EPA Policy and Guidance
policy and guidance	<ul> <li>EPA (2021) Statement of environmental principles, factors, objectives and aims of EIA</li> </ul>
8	• EPA (2021) Instructions: How to prepare an Environmental Review Document.
	EPA (2016) Environmental Factor Guideline: Flora and Vegetation.
	<ul> <li>EPA (2016) Technical Guidance: Flora and Vegetation Surveys for Environmental Impact Assessment.</li> </ul>
	<ul> <li>Instructions for the preparation of data packages for the Index of Biodiversity Surveys for Assessments (IBSA), March 2020</li> </ul>
	<ul> <li>EPA (2021) Instructions on how to prepare Environmental Protection Act 1986 Part IV Environmental Management Plans.</li> </ul>
	Other policy and guidance
	Commonwealth of Australia (2014) Environmental Management Plan Guidelines.
	<ul> <li>Significant Impact Guidelines 1.1 – Matters of National Environmental Significance (Commonwealth Department of Environment 2013).</li> </ul>
	• Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy, Department of Sustainability, Environment, Water, Population and Communities, October 2012;
	<ul> <li>DoEE (2017) Guidance for delivering 'risk of loss' estimates when evaluating biodiversity offset proposals under the EPBC Act;</li> </ul>
	DSEWaPC (2012) Offset Assessments Guide;
	DSEWaPC (2012) Offset Calculator Guidelines;
	Western Australian Environmental Offsets Policy, September 2011;
	Western Australian Environmental Offsets Guidelines, August 2014;
	Western Australian Environmental Offsets Template, 2014;
	<ul> <li>DBCA (2022) Methods for survey and identification of WA threatened ecological communities (Draft Ver 3.1. 27 June 2022);</li> </ul>
	<ul> <li>DBCA's (2017) Threatened and Priority Flora Report Form – Field Manual</li> </ul>
	<ul> <li>Draft survey guidelines for Australia's threatened orchids (Commonwealth Department of Environment 2013)</li> </ul>
	• DEC (2009) Grand Spider Orchid ( <i>Caladenia huegelii</i> ) Recovery Plan;
	<ul> <li>Patten, J., Webb, A., and Batty, A. (2005) Dunsborough spider orchid (<i>Caladenia viridescens</i>) Interim Recovery Plan 2005-2010, IRP No. 213.</li> </ul>



	Cape Spider Orchid <i>Caladenia caesarea</i> subsp. <i>maritima</i> Recovery plan. Interim Recovery
	<ul> <li>Plan No. 232 (Department of Environment and Conservation, Western Australia, 2010).</li> <li>Approved Conservation Advice for Caladenia excelsa (Giant Spider orchid) (Commonwealth</li> </ul>
	Department of the Environment, Water, Heritage and the Arts, 2008).
	• Threat abatement plan for disease in natural ecosystems caused by <i>Phytophthora cinnamomi</i> (Commonwealth Department of the Environment and Energy 2018).
	<ul> <li>Threat abatement plan for competition and land degradation by rabbits (Commonwealth Department of the Environment and Energy 2016).</li> </ul>
	<ul> <li>Any other relevant recovery plans, conservation advice and/or threat abatement plans for conservation significant species or communities that are known to occur or are likely to occur in the vicinity of the proposal area.</li> </ul>
	Commonwealth of Australia (2014) Environmental Management Plan Guidelines
Terrestrial Faur	าล
EPA Objective	To protect terrestrial fauna so that biological diversity and ecological integrity are maintained.
Relevant activities	• Clearing of up to 8.17 ha of potential native fauna habitat for the development of the coastal tourism village (7.32 ha of which is native vegetation);
	Modification of fauna habitat;
	<ul> <li>Movement of heavy machinery and vehicles during construction; and</li> <li>Disturbance during the expection of the will be</li> </ul>
	Disturbance during the operation of the village.
Potential	The Proposal has the potential to cause:
impacts and risks	<ul> <li>Direct loss of up to 7.32 ha of native vegetation which is native fauna habitat, including habitat for conservation significant fauna species, resulting from clearing and ground disturbance;</li> </ul>
	<ul> <li>Direct impacts from the modification of 11.14 ha of native vegetation;</li> </ul>
	<ul> <li>Direct loss of fauna or Short-Range Endemic (SRE) individuals through impacts resulting from clearing, ground disturbance, machinery and vehicle movements during construction and operation; and</li> </ul>
	<ul> <li>Indirect impacts to fauna habitat as a result of:</li> </ul>
	<ul> <li>displacement of MNES individuals;</li> </ul>
	• habitat loss and/or habitat degradation due to habitat modification of 12.52 ha;
	<ul> <li>degradation of habitat and/or watering sources from changes to groundwater/surface water quality and quantity, including any impacts from on-</li> </ul>
	site sewerage;
	<ul> <li>barrier effects of the physical presence of development and fragmentation of babitat and populations;</li> </ul>
	<ul> <li>invasive species predation on, and competition with, native species and</li> </ul>
	destruction of habitat;
	<ul> <li>degradation of habitat from introduction and increased spread of weeds/dust;</li> </ul>
	<ul> <li>alteration of fire regimes; and,</li> <li>altered fauna behaviour due to poice, light and human presence.</li> </ul>
	C altered faula behaviour due to hoise, light and human presence.
Required work	56. In accordance with EPA Guidance, conduct a desktop study to identify and characterise the vertebrate and short-range endemic (SRE) invertebrate fauna and fauna habitats in a local and regional context; and based on the results of the desktop study conduct the required terrestrial fauna survey as per EPA guidelines. Where multiple surveys have been undertaken a consolidated report will be provided.
	57. All survey reports and data will be submitted via the IBSA Submissions portal with the
	IBSA number provided for verification.
	fauna habitats, and development envelope, identifying the direct and indirect impact areas.



	<ol> <li>Identify and describe the terrestrial fauna habitats identified by the studies and surveys. Describe significant fauna habitats, including but not limited to: SRE invertebrate microhabitats, refugia, breeding areas, key foraging habitat, movement corridors and linkages. All survey reports to be provided as an appendix to the ERD.</li> <li>Provide maps showing the extent of terrestrial fauna habitats in relation to the proposal and species distributions, including fauna movement corridors and linkages outside the proposal area</li> </ol>
	61. Identify and describe the fauna assemblages present and likely to be present within the development envelope that may be impacted by the proposal.
	62. Identify significant or restricted fauna and describe in detail their known ecology, likelihood of occurrence, habitats and known threats, including displacement of fauna individuals, and how these may be impacted (directly or indirectly) by the proposal.
	63. Map the locations of significant/restricted fauna records in relation to the terrestrial fauna habitats, the study area, the development envelope, and direct and indirect impact areas.
	64. Describe and quantify the extent of potential direct, indirect and cumulative impacts, including percentages, to habitats and significant species that may occur following implementation of the proposal during clearing, construction and operations, in a local and regional context
	<ul> <li>65. Provide a table of the proportional extents of each habitat within the study area and development envelope, and the predicted amount to be directly impacted and remaining. Consider any local or regional sumulative impacts.</li> </ul>
	<ul> <li>66. Outline and justify the proposed avoidance and mitigation measures to reduce the potential impacts of the Proposal. Include proposed management and/or monitoring plans that will be implemented pre- and post-construction to demonstrate and ensure residual impacts are not greater than predicted. Management and/or monitoring plans are to be presented in accordance with the EPAs Instructions and <i>Environmental Management Plan Guidelines,</i> (Commonwealth of Australia 2014).</li> <li>67. Predict the residual impacts from the proposal on terrestrial fauna after considering</li> </ul>
Required	and applying the mitigation hierarchy. Potential impacts to MNES include impacts as a result of modified fauna habitat. MNES that may
work (MNES)	be impacted include the following listed threatened species:
	<ul> <li>Western ringtail possum (Pseudocheius occidentalis);</li> </ul>
	<ul> <li>Black cockatoos - Baudin's black cockatoo (<i>Calyptorhynchus baudinii</i>), Carnaby's black cockatoo (<i>C. latirostris</i>) and the Forest red-tailed black cockatoo (<i>C. banksii naso</i>); and</li> <li>Chuditch (<i>Dasyurus geoffroii</i>).</li> </ul>
	68. Surveys will be undertaken in accordance with the survey guidelines and expert advice for Australia's threatened fauna including:
	<ul> <li>Survey guidelines for Australia's threatened mammals. EPBC Act survey guidelines 6.5 (DSEWPac 2011).</li> </ul>
	<ul> <li>Survey guidelines for Australia's threatened birds (Commonwealth Department of the Environment, Water, Heritage and the Arts, 2010).</li> </ul>
	69. Habitat mapping and population estimates (size and densities) for Western Ringtail Possums (WRT) will be undertaken within the Development Envelope and surrounding area.
	70. Undertake an impact assessment on the potential impacts from displacement of the WRT
	<ul> <li>71. Application of the DPaW (2017). Western Ringtail Possum (<i>Pseudocheirus occidentalis</i>) Recovery Plan. Wildlife Management Program No. 58. Department of Parks and Wildlife, Perth, WA. Specifically, management for populations on the Swan Coastal Plan management zone (associated with stands of myrtaceous trees).</li> </ul>



	72.	Application of the Department of Parks and Wildlife (DPaW) Carnaby's cockatoo
		Western Australia
	73	Application of Department of Environment and Conservation (DEC) (2008) Forest Black
	701	Cockatoo (Baudin's Cockatoo <i>Calvatorhynchus baudinii</i> and Forest Red-tailed Black
		Cockatoo <i>Calvatorhynchus banksii naso</i> ) Recovery Plan. Department of Parks and
		Wildlife. Perth. Western Australia.
	74.	Application of the DEC (2012). Chuditch ( <i>Dasyurus geoffroii</i> ) Recovery Plan. Wildlife
		Management Program No. 54. Department of Environment and Conservation. Perth.
		Western Australia.
	75.	Prepare a Conservation Significant Faung Management Plan, in accordance with the
		requirements of EPA Instructions on how to prepare Environmental Protection Act 1986
		Part IV Environmental Management Plans (2021, or any subsequent revisions) and
		Environmental Management Plan Guidelines (Commonwealth of Australia 2014), to
		include all conservation significant species (EPBC/BC Act and DBCA ) recorded within the
		development envelope. The CSFMP will describe any proposed management and/or
		monitoring plans that will be implemented pre- and post- construction to ensure residual
		impacts (direct and indirect) are not greater than predicted. Where a separation zone is
		proposed, discussion should include an evaluation of the appropriateness of the
		proposed separation zone in terms of its size and relevant characteristics as it relates to
		the significant species.
	76.	Describe the extent and type of potential cumulative impacts to all fauna and fauna
		habitat that may occur following implementation of the Proposal within a local, regional,
		and state context.
	77.	Determine and quantify any Residual Significant Impacts. Where Residual Significant
		Impacts to MNES remain, provide an appropriate offsets package consistent with the
		EPBC Environmental Offsets Policy (2012) Spatial data will be provided identifying this
	70	area. Where Desidual Significant Imposts to MNES remain, provide on expression effects.
	78.	package consistent with the EPBC Environmental Offsets Policy (2012).
Relevant	EPA P	olicy and Guidance
policy and	• EF	PA (2021) Statement of environmental principles, factors, objectives and aims of EIA
guidance	● EF	PA (2021) Instructions: How to prepare an Environmental Review Document
	• EF	PA (2016) Environmental Factor Guideline: Terrestrial Fauna
	● FF	PA (2020) Technical Guidance: Terrestrial vertebrate fauna surveys for environmental
	in	npact assessment.
	• EF	PA (2016) Technical Guidance: Sampling of short-range endemic fauna
	• In	structions for the preparation of data packages for the Index of Biodiversity Surveys for
	As	ssessments (IBSA), March 2020
	• El Er	<sup>3</sup> A (2021) Instructions on how to prepare Environmental Protection Act 1986 Part IV nvironmental Management Plans.
	Other	r policy and guidance
	• D:	SEWPac (2011). Survey guidelines for Australia's threatened mammals. EPBC Act survey
	۵۰ ۱	Paw (2013) Carnaby's cockaton (Caluntarhunchus latirastric) Pacayony Plan Donortment of
	• Di Pa	arks and Wildlife, Perth, Western Australia
	• D	EC (2008). Forest Black Cockatoo (Baudin's Cockatoo (Calyptorhynchus baudinii) and Forest
	Re	ed-tailed Black Cockatoo (Calyptorhynchus banksii naso)) Recovery Plan. Department of
	Pa	arks and Wildlife, Perth, Western Australia.
	• Di 54	EC (2012). Chuditch ( <i>Dasyurus geoffroii</i> ) Recovery Plan. Wildlife Management Program No. 4. Department of Environment and Conservation. Perth. Western Australia.

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- DPaW (2017). Western Ringtail Possum (*Pseudocheirus occidentalis*) Recovery Plan. Wildlife Management Program No. 58. Department of Parks and Wildlife, Perth, WA. Specifically, management for populations on the Swan Coastal Plan management zone (associated with stands of myrtaceous trees)
- Referral guidelines for three WA threatened black cockatoo species: Carnaby's cockatoo, Baudin's cockatoo and Forest red-tailed black cockatoo (Commonwealth Department of Agriculture, Water and the Environment, 2022)
- EPBC Act Policy Statement 3.10: Significant impact guidelines for the vulnerable western ringtail possum (*Pseudocheirus occidentalis*) in the southern Swan Coastal Plain, Western Australia (Commonwealth Department of the Environment, Water, Heritage and the Arts, 2009).
- Approved Conservation Advice for *Calyptorhynchus banksii naso* (Forest Red-tailed Black Cockatoo) (including listing advice) (Commonwealth Department of the Environment, Water, Heritage, and the Arts, 2009).
- Conservation Advice for *Calyptorhynchus baudinii* Baudin's cockatoo (Threatened Species Scientific Committee, Canberra: Department of the Environment and Energy, 2018).
- Conservation Advice for *Pseudocheirus occidentalis* Western ringtail possum (Threatened Species Scientific Committee, Canberra: Department of the Environment and Energy, 2018).
- Threat abatement plan for predation by feral cats (Commonwealth Department of the Environment, 2015).
- Threat abatement plan for predation by the European red fox (Commonwealth Department of Environment, Water, Heritage and the Arts, 2008).
- Threat abatement plan for competition and land degradation by rabbits (Commonwealth Department of the Environment and Energy, 2016).
- Significant Impact Guidelines 1.1 Matters of National Environmental Significance (Commonwealth Department of Environment 2013).
- Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy, Department of Sustainability, Environment, Water, Population and Communities, October 2012;
- DSEWPaC (2013) EPBC Policy Statement *Translocation of Listed Threatened Species* Assessment under Chapter 4 of the EPBC Act.
- DSEWaPC (2012) Offset Assessments Guide
- DSEWaPC (2012) Offset Calculator Guidelines
- DoEE (2017) Guidance for delivering 'risk of loss' estimates when evaluating biodiversity offset proposals under the EPBC Act
- Western Australian Environmental Offsets Policy, September 2011;
- Western Australian Environmental Offsets Guidelines, August 2014;
- Western Australian Environmental Offsets Template, 2014.
- Commonwealth of Australia (2014) Environmental Management Plan Guidelines.

# Inland WatersEPA ObjectiveTo maintain the hydrological regimes and quality of groundwater and surface water so that<br/>environmental values are protectedRelevant<br/>activities• Clearing of native vegetation for the development of the coastal tourism village;<br/>• Alteration of landscape for construction of village;<br/>• Introduction of hardstand areas where buildings and carparks are located, leading to<br/>distribution of infiltrated runoff of rainfall and stormwater;<br/>• Disposal of wastewater as a result of implementation of the Proposal; and<br/>• Landscaping for turfed areas and gardens requiring nutrient inputs;



Potential	The Proposal has the potential to cause:					
impacts and risks	<ul> <li>Indirect impacts on surface water or groundwater dependent ecosystems due to changes to surface water flows or hydrological regimes;</li> </ul>					
	<ul> <li>Changes in surface water or groundwater quality associated with stormwater management, wastewater disposal and landscaping treatments causing increased nutrient runoff;</li> </ul>					
	Changes in groundwater quality through infiltration of potentially contaminated stormwater;					
	<ul> <li>Potential impacts to the flora and vegetation and fauna habitat due to onsite wastewater disposal.</li> </ul>					
Required work	<ol> <li>Characterise the baseline hydrological and hydrogeological regimes and water quality and quantity, both in a local and regional context, including, but not limited to, groundwater levels, water chemistry, groundwater dependant ecosystems, aquifer characteristics and recharge potential and surface water features and flow.</li> <li>Undertake a site and soil evaluation for onsite wastewater management in accordance with the DoH Guidance on Site-and-soil Evaluation (SSE) for on-site sewerage management (<i>Government Sewerage Policy</i> (WAPC 2019)) to inform impacts to Inland Waters values.</li> <li>Provide a detailed description of the design and location, including sewerage design, of</li> </ol>					
	the proposal with the potential to impact surface and groundwater, flora and vegetation and fauna habitat.					
	82. Provide evidence that groundwater interaction during construction activities will not be expected nor anticipated as a result of the Proposal.					
	83. Undertake hydrological investigations to assess the impact from surface discharge and modified drainage on surface and ground water quality and quantity, including direct and indirect impacts					
	84. Predict the residual impacts on hydrological processes and inland waters environmental quality, for direct, indirect and cumulative impacts, after considering avoidance and minimisation measures.					
	85. Provide maps of, and justification for, the location and number of any proposed drainage and stormwater infrastructure.					
	86. Demonstrate how best practice water sensitive urban design principles will be implemented in the design of the infrastructure and in stormwater and drainage components to ensure hydrological regimes and groundwater quality are maintained.					
	<ul> <li>87. Prepare a surface water management plan for the proposed development which demonstrates how the Proposal will be managed to mitigate impacts from any potential altered surface water flows to the receiving environment and the risk of localised erosion at stormwater system discharge locations.</li> <li>88. Prepare a groundwater management plan (including a groundwater manitoring plan) to</li> </ul>					
	mitigate any impacts to the groundwater quality from the Proposal.					
Relevant	EPA Policy and Guidance					
policy and	EPA (2021) Statement of environmental principles, factors, objectives and aims of EIA					
guiuance	EPA (2021) Instructions: How to prepare an Environmental Review Document					
	• EPA (2021) Instructions on how to prepare Environmental Protection Act 1986 Part IV					
	Environmental Management Plans.					
	• EPA (2018) Environmental Factor Guideline: Inland Waters					
	Other Policy and Guidance					
	Better Urban Water Management (WAPC 2008);					
	<ul> <li>State Planning Policy 2.7 - Public drinking Water source;</li> <li>State Planning Policy 2.9 - Water resources;</li> </ul>					
	<ul> <li>Stormwater Management Manual for WA (Department of Water 2007).</li> </ul>					
	<ul> <li>Decision Making Process for Stormwater in Western Australia (Decision Process, DWER 2017)</li> </ul>					



Social Surround	lings					
EPA Objective	To protect social surroundings from significant harm					
Relevant activities	Clearing of up to 7.32 ha of native vegetation for the coastal tourism; and					
	Development and operation of the coastal tourism village.					
Potential	The Proposal has the potential to cause:					
impacts and	• Disturbance to Aboriginal heritage places and/or cultural associations within the Proposal;					
LISKS	<ul> <li>Temporary and/or permanent constraint on access and traditional cultural activities;</li> </ul>					
	Changes to the environment which may impact on Aboriginal heritage places; and					
	<ul> <li>Impacts to visual amenity values of the Proposal it supports.</li> </ul>					
Required works (Heritage)	<ol> <li>89. Characterise the heritage and cultural values of the Proposal area, including areas that may be indirectly impacted, to identify sites of significance and their relevance within the Yallingup region.</li> <li>90. Conduct an ethnographic and archaeological site identification Aboriginal heritage survey with Traditional Owners, to ensure all heritage values are identified and managed prior to any ground disturbance.</li> </ol>					
	<ul> <li>91. Undertake a comprehensive consultation program with the appropriate Traditional</li> <li>Owners on the advice of the relevant Aboriginal Corporation to plan and manage social surroundings. Provide evidence of the consultation and demonstrate how issues raised through consultation have been addressed.</li> </ul>					
	<ul><li>92. Engage with the relevant Aboriginal Corporation on the Proposal.</li><li>93. Provide a Cultural Heritage Management Plan (CHMP) to ensure the protection of</li></ul>					
	culturally significant Aboriginal Heritage sites identified within and close to the Proposal, especially around dune systems. Ensure the CHMP has been undertaken in consultation with the appropriate Traditional Owners, as advised by the relevant Aboriginal Corporation.					
	94. Provide a detailed description and figure(s) of the proposed disturbance and impacts to heritage sites (if any), values and/or cultural associations associated with the Proposal.					
	95. Assess the impacts on heritage sites, values and/or cultural associations as a direct result of the coastal tourism village, including those resulting from changes to the environment which may impact on cultural and heritage significance or value.					
	96. Outline the mitigation and management measures to ensure impacts to heritage sites, values and/or cultural associations (direct and indirect) are minimised, and not greater than predicted.					
Required works (Amenity)	97. Identify and discuss the potential sources and impacts of noise, dust, light-spill and alteration to landscape from the Proposal, and how potential impacts can be avoided and/ or mitigated.					
	98. Provide a description of nearby conservation areas including National Parks and Department of Biodiversity, Conservation and Attractions (DBCA) managed areas and provide a figure(s) of these areas in relation to the proposed disturbance.					
	99. Design and undertake a visual impact assessment (VIA) for the future development and associated infrastructure to assess the impacts of it on visual amenity in accordance with the Western Australian Planning Commission (2007) Visual Landscape Planning in Western Australia: a manual for evaluation, assessment, siting, and design.					
	100. The VIA will identify and describe the aspects of the future development and associated infrastructure which may potentially affect the visual landscape character and valued key views both temporarily and permanently. The reference and vantage points used as part of the VIA will be informed by advice provided by government agencies to date (i.e., DPLH and DBCA), and available reference documents and guidelines.					



- 101. Demonstrate how the Proposal has been designed to minimise visual impacts and that the visual amenity impacts are consistent with the existing planning framework and suited to its location. This should include consideration of the following:
- Reference to State Planning Policy 6.1 Leeuwin Naturaliste Ridge, in particular in relation to the Visual Management Objectives;
- Description of the visual components of the natural and built landscape character;
- Identify existing character and areas most likely to be highly valued by the community and provide specific visual management objectives for these. Include reference to whether the development footprint impinges on the convex landform that comprises the western portion of the site and adjoins the rocky shoreline.
- A general overview of the existing and proposed viewing experience and types of views available.
- Identification of key important viewpoints within the local area from which the development would be visible, and provision of specific visual management objectives for each.
- Provision of appropriate, legible cross-sections, viewshed mapping and photo simulations from key important viewpoints towards the proposed development.
- Indicate whether the development would be visible from the Cape to Cape Track, particularly from elevated sections. Consider developing a set of transects radiating from the highest point of the Cape to Cape Track west of the development, and spanning the extent of the project envelope.
- Description of how the viewshed analysis and cross- sections were undertaken and the information/parameters used for analysis. Viewshed analysis should be undertaken using terrain data. Where the screening ability of vegetation has been assessed, this should be presented in a separate viewshed.
- Outline the visual management measures or strategies that will be used to mitigate potential impacts, by addressing visual management objectives for valued landscape character and key views.
- 102. Predict the residual amenity impacts from the future development on the landscape, land and recreation use and amenity values after considering and applying avoidance and minimisation measures. Impact predictions are to include, but not be limited to: a) the likely extent, severity and duration of the impacts; and b) simulations/modelling of the predicted residual impacts from the Proposal including changes to the landscape from the agreed reference and vantage points. Include the cumulative impacts on amenity from the Proposal and other currently approved developments.

Relevant
policy and
guidance

## EPA Policy and Guidance

- EPA (2021) Statement of environmental principles, factors, objectives and aims of EIA
- EPA (2021) Instructions: How to prepare an Environmental Review Document

EPA (2016) Environmental Factor Guideline: Social Surroundings.

Other policy and guidance

- State Planning Policy 6.1 Leeuwin-Naturaliste Ridge;
- Environmental Protection (Noise) Regulations 1997;
- Aboriginal Heritage Due Diligence Guidelines Version 3.0 (Department of Aboriginal Affairs and Department of Premier and Cabinet 2013);
- Leeuwin-Naturaliste Capes Area Parks and Reserves Management Plan 81 (2015); and
- Visual Landscape and Planning in Western Australia manual.

# 3.1 Holistic assessment

The connections and interactions between relevant environmental factors will be considered in the ERD, to inform a holistic assessment of potential impacts to the whole environment.



# 3.2 Cumulative impact assessment

The potential cumulative effects of the Proposal will be assessed in the ERD. The cumulative impact assessment (CIA) will consider successive, incremental and interactive impacts of the proposal on the environment, with one or more past, present and reasonably foreseeable future activities.

Specifically, there is the potential for cumulative impacts on the environmental values for flora and vegetation, terrestrial fauna, subterranean fauna, inland waters, social surroundings (Aboriginal heritage and amenity), greenhouse gas emissions (from the clearing of vegetation), coastal processes, landforms, and marine environmental quality from implementation of the Proposal and the activities of adjacent land use. This includes impacts from the clearing of native vegetation and the impacts from increased visitation and the effects on subterranean environments from the construction of residences.

The cumulative impacts on MNES species and their associated habitats will be described and assessed. This includes the western ringtail possum (*Pseudocheius occidentalis*), Baudin's black cockatoo (*Calyptorhynchus baudinii*), Carnaby's black cockatoo (*C. latirostris*) and the forest red-tailed black cockatoo (*C. banksii naso*), and the Chuditch (*Dasyurus geoffroii*). The cumulative impacts on surrounding WRT possum populations from the displacement of the WRT possum within the Proposal area will be described and assessed.

For flora it includes the giant spider orchid (*Caladenia excelsa*) and any other orchid species that normally coexist in the area. Additional MNES flora species identified will also be considered. The cumulative impacts on the Melaleuca lanceolata forests, Leeuwin Naturaliste Ridge PEC (P2) and the low shrublands on acidic greybrown sands of the Gracetown soil-landscape system PEC (P2) communities will be considered.

Additionally, the CIA will consider the vision of the *Leeuwin-Naturaliste Capes area parks and reserves management plan 81* (DPaW 2015) and the effects implementation of the Proposal will have to this vision.

# 3.3 Matters of National Environmental Significance

The ERD will provide a discussion to demonstrate that the Proposed Action (the Proposal) will not be inconsistent with Australia's obligations under:

- a. the Biodiversity Convention
- b. the Apia Convention, and the
- c. Convention on International Trade in Endangered Species of Wild Fauna and Flora.

The discussion will also demonstrate how the Proposal is not inconsistent with each relevant recovery plan and threat abatement plan for threatened species and communities. To be consistent with the requirements of s. 139 of the EPBC Act, the ERD will also provide a discussion to demonstrate how regard has been given to each relevant conservation advice for any threated species and communities which may be impacted by the Proposal.

The ERD will include a discussion of how the Proposed Action meets the principles of ecologically sustainable development, as defined in s.3A of the EPBC Act, this includes social and economic impacts. This will be taken into account under s. 136(2)(a) of the EPBC Act.

# 4. Stakeholder consultation

The Proponent will consult with stakeholders affected or interested in the Proposal. This includes, but is not limited to, the decision-making authorities (Section 5), other government agencies (State and Commonwealth), local government authorities, the local communities, non-government organisation and in particular the Traditional Owners and Knowledge Holders.



Significant stakeholder engagement occurred during 2003 and 2005 under the previous landowner (Canal Rocks Pty Ltd), to inform the planning framework that exists for the Proposal today. This consultation included 66 one on one meetings with local residents, agencies and stakeholders. The process then continued in 2005 with a further 114 consultation meetings and presentations to community groups.

The key themes and main community perceptions that were identified as part of the previous engagement has informed and influenced this Proposal, which does not seek to challenge or circumvent the existing planning framework. Instead, it seeks to capitalise on the planning framework and refine the design to achieve the best possible outcome for the unique site.

In order to do this effectively, Smiths 2014 Pty Ltd is conducting targeted stakeholder engagement in an open and transparent manner. The methods of engagement include one on one, face to face presentations of the project vision by key members of the project team.

For this Proposal, Smiths 2014 Pty Ltd has identified and actively engaged with a number of stakeholders, including but not limited to, the:

- Department of Water and Environmental Regulation;
- Department of Climate Change, Energy, the Environment and Water;
- Department of Biodiversity Conservation and Attractions;
- Department of Health;
- Department of Fire and Emergency Services;
- Department of Planning Lands and Heritage;
- Western Australian Planning Commission;
- Southwest Development Commission;
- Margaret River Busselton Tourism Association;
- City of Busselton; and
- Community groups, environmental groups, local associations and local action groups.

In 2020 a Cultural Working Group of Wardandi Traditional Owners was formed to provide ongoing input into the Project Vision and Cultural Strategy, design and future operations. This includes, but is not limited to, working with the project team on areas such as traditional bushfire and vegetation management, design of wayfinding and site storytelling, tourism offerings and supply chain opportunities.

Formal public consultation on the development application was conducted as part of the approval process run by the State Development Assessment Unit (SDAU). This was a 6-week period that occurred throughout August and September 2022 and provided the community an opportunity to provide their feedback on the proposal.



# 5. Decision-making authorities

There have been no changes to the decision-making authorities (DMAs) as listed in the referral documentation (referral form and supporting document).

# Table 6 Decision making authorities and processes

Decision-making authority	Legislation or Agreement regulating the activity	Approval required	Whether and how statutory decision-making process can mitigate impacts on the environment? (Yes/No and summary of reasons Include a separate line item for each relevant impact, and discuss how the EPA's factor objective will be met)
Minister for Environment (WA) Chief Executive Officer (DWEB)	Environmental Protection Act 1986 (V) Environmental Protection Regulation 1987	Clearing permit	Potential impact
			Clearing and earthworks of approximately 8.17 hectares (ha) which includes clearing of 7.32 ha of native vegetation.
			Relevant Key EPA Factor
			Flora and Vegetation
			Subterranean Fauna
			Ierrestrial Fauna
			Can the DMA mitigate impacts and how will the EPA's factor be met?
			Yes.
			The clearing and disturbance of native vegetation will be formally assessed under Part IV of the EP Act and therefore will be exempt from requiring a clearing permit (Schedule 6 exemptions). The clearing of vegetation will be in accordance with the decision made under Part IV of the EP Act. The extent to which environmental impacts can be managed and the EPA objective achieved will be discussed in detail within the ERD.
Minister for	Biodiversity Conservation	Section 40	Potential impact
Environment (WA)	Act 2016	authorisation to take or disturb flora and/or fauna (where the flora/fauna to be taken or disturbed is threatened)	Loss of species diversity and impacts to conservation species and priority ecological communities through clearing and disturbance of habitat.
Chief Executive Officer (DBCA)			Relevant Key EPA Factor/s
			Flora and Vegetation;
			Subterranean Fauna; and
			Terrestrial Fauna.
			Can the DMA mitigate impacts and how will the EPA's factor be met?



Yes.

			The BC Act provides for the listing of threatened native flora, threatened native animals and threatened ecological communities that need protection as critically endangered, endangered and vulnerable species or ecological communities. It is considered an offence to 'take or 'disturb' threatened flora and fauna listed under the BC Act without Ministerial approval.
			The BC Act provides the ability to impose authorisation from the Minister for Environment or delegate under s.40 for the taking or disturbing of threatened flora and/or fauna.
			The BC Act mitigates the potential for a Proposal to impact on threatened flora and/or flora and in a not therefore is consistent with the EPA objectives for those factors.
			The extent to which environmental impacts can be managed and the EPA objective achieved will be discussed in detail within the ERD.
Minister for Aboriginal Affairs	Aboriginal Heritage Act 1972 or Aboriginal Cultural Heritage Act 2021 <sup>1</sup>	Consent to use the land for a given purpose is required under a Section 18 Authorisation during the transitional period or Application for a permit under Part 6 of the ACH Act	Potential impact
			Disturbance of an Aboriginal Heritage site (site 15080; artefacts/scatter) and sites yet to be listed (such as burial sites, sites of cultural significance).
			Relevant Key EPA Factor/s
			Social Surroundings
			Can the DMA mitigate impacts and how will the EPA's factor be met? Yes.
			The following will be undertaken for unavoidable disturbance:
			<ul> <li>Obtain consent under section 18 of the AH Act is required (during transitional period).</li> <li>Section 18 of the AH Act allows for disturbance to the site under specified conditions; or</li> </ul>
			<ul> <li>Submit an application under Part 6 of the ACH Act will assess the significance of any proposed disturbance and determine what mitigation measures are required to obtain consent for any disturbance of an Aboriginal Heritage Site.</li> </ul>

<sup>&</sup>lt;sup>1</sup> A 12-month transitional period during which the regulations, statutory guidelines and operational policies of the ACH Act will be developed. During this time the AH Act will remain in force to enable proponents to seed Section 18 consent if required.

			This consultation and assessment process will meet the EPA's objective for Social Surroundings by protecting Aboriginal Heritage Sites from significant harm. Further avoidance and mitigation measures will be detailed in the ERD.
Minister for the	Environment Protection and Biodiversity Conservation Act 1999	EPBC Act Approval	Potential impact
Environment (Commonwealth)			Potential impacts to listed threatened species and ecological communities (section 18 and 18A of the EPBC Act), namely:
			Western ringtail possum (Pseudocheius occidentalis);
			• Black Cockatoo species: Baudin's black cockatoo ( <i>C. baudinii</i> ), Carnaby's black cockatoo ( <i>C. latirostris</i> ) and the Forest Red-Tailed black cockatoo ( <i>C. banksii naso</i> );
			Chuditch ( <i>Dasyurus geoffroii</i> ); and
			Giant spider orchid (Caladenia excelsa).
			Relevant Key EPA Factors
			Flora and Vegetation; and
			Terrestrial Fauna.
			Can the DMA mitigate impacts and how will the EPA's factor be met?
			Yes.
			The Proposal was referred to DCCEEW on 18 February 2022, due to the potential to impacts MNES. On 29 March 2022, the DCCEEW determined the action to be a Controlled Action under the EPBC Act. On 9 June 2022 the DCCEEW made the decision to assess the Proposal as an accredited assessment under the EP Act.
			The extent to which environmental impacts can be managed and the EPA objectives achieved will be discussed in detail within the ERD.
Western	Planning and Development Act 2005	Development Approval	Potential impact
Australian			Development not consistent with the values assigned to the local area (eg natural and
Planning	Planning and Development (Local Planning Schemes) Regulations 2015 City of Busselton Local Planning Scheme No. 21		physical environment, heritage places).
State			Relevant Key EPA Factor/s
Development			Coastal Processes;
Assessment Unit			Flora and Vegetation;
(SDAU)			Inland Waters;     Jandforms: and
Minister for Planning			<ul> <li>Social Surroundings.</li> </ul>
			Can the DMA mitigate impacts and how will the EPA's factor be met?

**GJBS&G** 

Chief Health Officer Public Health

Chief Executive Officer (City of Busselton)

Minister for Lands

Yes.

Under the PD Act, there are number of State Planning Policies (SPPs) which are required to be prepared and kept under review pursuant to the PD Act. These polices require a recommendation by the Minister and approval by the Governor. The policies are intended to assist the decision maker with respect to subdivision and development approval and the decision maker is required to have due regard to these policies. SPPs relevant to the proposal, which addresses EPA factors include (but are not limited to): Environment and natural resources; State coastal planning; Water resources; Natural hazards and disasters; Planning in bushfire prone areas; and Leeuwin Naturaliste Ridge (with visual amenity a key consideration).

A development application has been lodged under Part 17 of the *Planning and Development Act 2005* and is currently under assessment by the SDAU. The development application will undergo a transparent and rigorous assessment by the Department of Planning, Lands and Heritage (DPLH), including design review, extensive public consultation and referrals to relevant stakeholders including the City of Busselton, the Health Department of Western Australia, the DBCA and the DFES. This assessment will focus on matters such as design quality, building height and density, visual and environmental impacts, bushfire management, Aboriginal heritage, coastal erosion, servicing, parking and traffic impacts, landscaping and public access to the beach. Conditions of approval will be applied by the WAPC addressing how the development is undertaken.

As part of the development approval, approval is required to be in accordance with the City of Busselton Local Planning Scheme (LPS) No. 21. LPS No.21 sets out a number of general requirements applicable to land within certain zones. The site is currently identified under LPS No.21 as a combination of 'Tourism Zone' and 'Recreation Reserve.' The Site is also affected by Additional Use Site No. 36 which provides for residential development in accordance with the residential zone. Schedule 8 of LPS No. 21 also lists a number of provisions that apply to the site and that may assist in achieving the EPA's objectives. The Development.

The extent to which environmental impacts are proposed to be managed and how the EPA objectives will be achieved will be detailed further in the ERD.



# Appendix A EPBC Regulations 2000 Schedule 4

# Schedule 4—Matters to be addressed by draft public environment report and environmental impact statement

(regulation 5.04)

# 1. General information

1.01 The background of the action including:

- a. the title of the action;
- b. the full name and postal address of the designated proponent;
- c. a clear outline of the objective of the action;
- d. the location of the action;
- e. the background to the development of the action;
- f. how the action relates to any other actions (of which the proponent should reasonably be aware) that have been, or are being, taken or that have been approved in the region affected by the action;
- g. the current status of the action;
- h. the consequences of not proceeding with the action.

# 2. Description

2.01 A description of the action, including:

- a. all the components of the action;
- b. the precise location of any works to be undertaken, structures to be built or elements of the action that may have relevant impacts;
- c. how the works are to be undertaken and design parameters for those aspects of the structures or elements of the action that may have relevant impacts;
- d. relevant impacts of the action;
- e. proposed safeguards and mitigation measures to deal with relevant impacts of the action;
- f. any other requirements for approval or conditions that apply, or that the proponent reasonably believes are likely to apply, to the proposed action;
- g. to the extent reasonably practicable, any feasible alternatives to the action, including:
  - i. if relevant, the alternative of taking;
  - ii. a comparative description of the impacts of each alternative on the matters protected by the controlling provisions for the action;
  - iii. sufficient detail to make clear why any alternative is preferred to another;
- h. any consultation about the action, including:
  - i. any consultation that has already taken place;
  - ii. proposed consultation about relevant impacts of the action;
  - iii. if there has been consultation about the proposed action—any documented response to, or result of, the consultation;
- i. identification of affected parties, including a statement mentioning any communities that may be affected and describing their views.

# 3. Relevant impacts

3.01 Information given under paragraph 2.01(d) must include:

a. a description of the relevant impacts of the action;



- b. a detailed assessment of the nature and extent of the likely short term and long term relevant impacts;
- c. a statement whether any relevant impacts are likely to be unknown, unpredictable or irreversible;
- d. analysis of the significance of the relevant impacts;
- e. any technical data and other information used or needed to make a detailed assessment of the relevant impacts.

## 4. Proposed safeguards and mitigation measures

4.01 Information given under paragraph 2.01(e) must include:

- a. a description, and an assessment of the expected or predicted effectiveness of, the mitigation measures;
- b. any statutory or policy basis for the mitigation measures;
- c. the cost of the mitigation measures;
- d. an outline of an environmental management plan that sets out the framework for continuing management, mitigation and monitoring programs for the relevant impacts of the action, including any provisions for independent environmental auditing;
- e. the name of the agency responsible for endorsing or approving each mitigation measure or monitoring program;
- f. a consolidated list of mitigation measures proposed to be undertaken to prevent, minimise or compensate for the relevant impacts of the action, including mitigation measures proposed to be taken by State governments, local governments or the proponent.

# 5. Other approvals and conditions

5.01 Information given under paragraph 2.01(f) must include:

- a. details of any local or State government planning scheme, or plan or policy under any local or State government planning system that deals with the proposed action, including:
  - i. what environmental assessment of the proposed action has been, or is being, carried out under the scheme, plan or policy;
  - ii. how the scheme provides for the prevention, minimisation and management of any relevant impacts;
- b. a description of any approval that has been obtained from a State, Territory or Commonwealth agency or authority (other than an approval under the Act), including any conditions that apply to the action;
- c. a statement identifying any additional approval that is required;
- d. a description of the monitoring, enforcement and review procedures that apply, or are proposed to apply, to the action.

# 6. Environmental record of person proposing to take the action

6.01 Details of any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against:

- a. the person proposing to take the action; and
- b. for an action for which a person has applied for a permit, the person making the application.

6.02 If the person proposing to take the action is a corporation—details of the corporation's environmental policy and planning framework.

# 7. Information sources

7.01 For information given in a draft public environment report or environmental impact statement, the draft must state:



- a. the source of the information; and
- b. how recent the information is; and
- c. how the reliability of the information was tested; and
- d. what uncertainties (if any) are in the information.



# 6. Limitations

# Scope of services

This report ("the report") has been prepared by JBS&G in accordance with the scope of services set out in the contract, or as otherwise agreed, between the Client and JBS&G. In some circumstances, a range of factors such as time, budget, access and/or site disturbance constraints may have limited the scope of services. This report is strictly limited to the matters stated in it and is not to be read as extending, by implication, to any other matter in connection with the matters addressed in it.

# **Reliance on data**

In preparing the report, JBS&G has relied upon data and other information provided by the Client and other individuals and organisations, most of which are referred to in the report ("the data"). Except as otherwise expressly stated in the report, JBS&G has not verified the accuracy or completeness of the data. To the extent that the statements, opinions, facts, information, conclusions and/or recommendations in the report ("conclusions") are based in whole or part on the data, those conclusions are contingent upon the accuracy and completeness of the data. JBS&G has also not attempted to determine whether any material matter has been omitted from the data. JBS&G will not be liable in relation to incorrect conclusions should any data, information or condition be incorrect or have been concealed, withheld, misrepresented or otherwise not fully disclosed to JBS&G. The making of any assumption does not imply that JBS&G has made any enquiry to verify the correctness of that assumption.

The report is based on conditions encountered and information received at the time of preparation of this report or the time that site investigations were carried out. JBS&G disclaims responsibility for any changes that may have occurred after this time. This report and any legal issues arising from it are governed by and construed in accordance with the law of Western Australia as at the date of this report.

# **Environmental conclusions**

Within the limitations imposed by the scope of services, the preparation of this report has been undertaken and performed in a professional manner, in accordance with generally accepted environmental consulting practices. No other warranty, whether express or implied, is made.

The advice herein relates only to this project and all results conclusions and recommendations made should be reviewed by a competent person with experience in environmental investigations, before being used for any other purpose.

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