

15 July 2013

Environmental Protection Authority  
Locked Bag 10,  
EAST PERTH WA 6892

Dear Sir/Madam,

**RE: Lot 4131 Smiths Beach Road, Yallingup – Referral of Subdivision (Derived Proposal)**

On behalf of the owners, Canal Rocks Pty Ltd, we submit under Section 38 of the *Environmental Protection Act, 1986* (EP Act) the subdivision of Lot 4131 Smiths Beach Road, Yallingup, and a request under Section 39B (1) of the EP Act to consider the subdivision referral to be a derived proposal.

The subdivision has been approved through an Order from the State Administrative Tribunal on 18 June 2013 (refer Attachment 1 for Subdivision Plan and Attachment 2 for SAT Orders).

The subdivision creates eight large tourist lots, 73 residential lots, Public Open Space and a portion of coastal Foreshore Reserve. We believe that the subdivision design is generally in accordance with the environmental approval for a tourism and residential development of the site which was assessed by the Environmental Protection Authority (EPA) as a Strategic Environmental Assessment (SEA) and approved by the Minister for the Environment (Ministerial Statement 831) (Attachment 3). Further explanation of the SEA is provided below.

#### Strategic Environmental Assessment

The proposal to develop the eastern part of Sussex Location 413 (now Lot 4131) for tourism and residential purposes and to extend the Leeuwin-Naturaliste National Park into the western part of Location 413 was assessed by the Environmental Protection Authority (EPA) as a Strategic Environmental Assessment (SEA) (Assessment Number 1597). The SEA was approved by the Minister for the Environment in June 2010 (Ministerial Statement 831).

Schedule 1 of Ministerial Statement 831 identifies the types of proposals that are considered Future Proposals and which can be referred to the EPA for consideration as a derived proposal. Future proposals include subdivision and development proposals for tourism or residential purposes and the provision of public infrastructure directly related to the subdivision and development proposals.

Office of the Environmental Protection Authority	
pgv ENVIRONMENTAL	
File: .....	
16 JUL 2013	
A:	<input type="checkbox"/> For Information
fa:	<input type="checkbox"/> For Discussion
Officer:	<input type="checkbox"/> For Action
<input type="checkbox"/> Dir. AC	Response please:
<input type="checkbox"/> Dir. Bus Ops	<input type="checkbox"/> GM Signature
<input type="checkbox"/> Dir. SPPD	<input type="checkbox"/> Dir for GM (copy to GM)
<input type="checkbox"/> Dir. Strat Sup	<input type="checkbox"/> Dir Signature (copy to GM)
<input type="checkbox"/>	<input type="checkbox"/> Mgr Direct (copy to GM)

Phone + 61 8 9202 8780  
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Email paul@pgv.net.au  
Unit 1, 61 Guthrie Street  
Osborne Park WA 6017  
ABN 44 981 725 498  
Knightside Nominees Pty Ltd

Table 1 of Schedule 1 outlines the key proposal characteristics for future proposals as follows:

#### **Tourist**

- Generally in accordance with the *Smith's Beach – Development Guide Plan (Mediated Plan) Plan No. 160-60K* dated 18 June 2009 (Figure 1);
- Within the 'Identified Development Land Area' (Figure 2);
- Compliant with the *Smiths Beach – Development Guide Plan – Special Height Control Area Map No. 160-61M* dated 18 June 2009 (Figure 3);
- Sets out building envelopes;
- Includes Development Guidelines specifying an acceptable colour palette;
- Prohibits fencing apart from a private courtyard; and
- Restricts plantings to an approved plant species list of appropriate native plants.

#### **Residential**

- Generally in accordance with the *Smith's Beach – Development Guide Plan (Mediated Plan) Plan No. 160-60K* dated 18 June 2009 (Figure 1);
- Within the 'Identified Development Land Area' (Figure 2);
- Compliant with the *Smiths Beach – Development Guide Plan – Special Height Control Area Map No. 160-61M* dated 18 June 2009 (Figure 3);
- Includes Development Guidelines specifying an acceptable colour palette;
- Prohibits fencing apart from a private courtyard; and
- Restricts plantings to an approved plant species list of appropriate native plants.

#### **Subdivision**

The SAT approved subdivision meets the requirements of Schedule 1 as follows:

- The subdivision plan is generally in accordance with the Smiths Beach Development Guide Plan
- The tourism and residential areas are within the Identified Development Land Area;
- Condition 8 of the SAT Orders requires a notification to be placed on Certificates of Title advising that development of lots is "subject to the provisions of the Special Height Control Area Map forming part of the adopted and endorsed Development Guide Plan for Lot 4131"
- Condition 7 of the SAT Orders requires a detailed plan identifying building envelopes on all lots to be prepared in consultation with the City of Busselton prior to the commencement of site works;
- Condition 6 of the SAT Orders requires detailed design and settlement guidelines to be lodged and approved by the City of Busselton prior to the commencement of site works. The guidelines will, among other things, set appropriate external colours for all buildings and structures;
- Condition 9 and 75 of the SAT Orders requires a Restrictive Covenant to be placed on the Certificates of Title prohibiting boundary fencing on lots except those boundaries common with public access ways and public open space; and



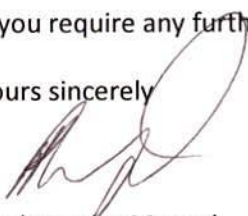
- Condition 49 of the SAT Orders requires the preparation of a revegetation, rehabilitation and landscaping plan for the Identified Developable Area and submitted to the City of Busselton for approval. In addition, a landscape strategy for road reserves abutting Lot 4131 and public open space needs to be prepared to the satisfaction of the City of Busselton and Department of Environment and Conservation.

### **Conclusion**

We believe that the referred subdivision of Lot 4131 Smiths Beach Road, Yallingup, can be considered a Future Proposal according to Schedule 1 of Ministerial Statement 831 and has satisfied the requirements of the key characteristics of a Future Proposal as stated in Table 1 of Ministerial Statement 831 and therefore request that the EPA declare the subdivision a derived proposal.

If you require any further information please contact the undersigned.

Yours sincerely



Paul van der Moezel  
Managing Director

Attachment 1: Subdivision Plan

Attachment 2: SAT Orders

Attachment 3: Ministerial Statement 831



## Environmental Protection Authority

### Referral of a Proposal by the Proponent to the Environmental Protection Authority under Section 38(1) of the *Environmental Protection Act 1986*.

EPA REFERRAL  
FORM  
PROPONENT

#### PURPOSE OF THIS FORM

Section 38(1) of the *Environmental Protection Act 1986* (EP Act) provides that where a development proposal is likely to have a significant effect on the environment, a proponent may refer the proposal to the Environmental Protection Authority (EPA) for a decision on whether or not it requires assessment under the EP Act. This form sets out the information requirements for the referral of a proposal by a proponent.

Proponents are encouraged to familiarise themselves with the EPA's *General Guide on Referral of Proposals* [see Environmental Impact Assessment/Referral of Proposals and Schemes] before completing this form.

A referral under section 38(1) of the EP Act by a proponent to the EPA must be made on this form. A request to the EPA for a declaration under section 39B (derived proposal) must be made on this form. This form will be treated as a referral provided all information required by Part A has been included and all information requested by Part B has been provided to the extent that it is pertinent to the proposal being referred. Referral documents are to be submitted in two formats – hard copy and electronic copy. The electronic copy of the referral will be provided for public comment for a period of 7 days, prior to the EPA making its decision on whether or not to assess the proposal.

#### CHECKLIST

Before you submit this form, please check that you have:

	Yes	No
Completed all the questions in Part A (essential).	✓	
Completed all applicable questions in Part B.	✓	
Included Attachment 1 – location maps.	✓	
Included Attachment 2 – additional document(s) the proponent wishes to provide (if applicable).		
Included Attachment 3 – confidential information (if applicable).		
Enclosed an electronic copy of all referral information, including spatial data and contextual mapping but excluding confidential information.		



Following a review of the information presented in this form, please consider the following question (a response is optional).

Do you consider the proposal requires formal environmental impact assessment?

☐ Yes

☒ No

☐ Not sure


If yes, what level of assessment?

☐ Assessment on Proponent Information

☐ Public Environmental Review

**PROPONENT DECLARATION** (to be completed by the proponent)

I, PAUL VANDER MOEZEL, (full name) declare that I am authorised on behalf of CANAL ROCKS PTY LTD (being the person responsible for the proposal) to submit this form and further declare that the information contained in this form is true and not misleading.

Signature 	Name (print) Dr Paul van der Moezel
Position: Managing Director	Company: PGV Environmental
Date: 15.7.13	

## PART A - PROPONENT AND PROPOSAL INFORMATION

(All fields of Part A must be completed for this document to be treated as a referral)

### 1 PROPONENT AND PROPOSAL INFORMATION

#### 1.1 Proponent

Name	Canal Rocks Pty Ltd
Joint Venture parties (if applicable)	
Australian Company Number (if applicable)	
Postal Address (where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or of the principal office in the State)	c/- NS Projects Suite A7, 435 Roberts Rd SUBIACO WA 6008
Key proponent contact for the proposal: <ul style="list-style-type: none"><li>• name</li><li>• address</li><li>• phone</li><li>• email</li></ul>	Dr Paul van der Moezel PGV Environmental Unit 1, 61 Guthrie St Osborne Park WA 6017
Consultant for the proposal (if applicable): <ul style="list-style-type: none"><li>• name</li><li>• address</li><li>• phone</li><li>• email</li></ul>	Environmental Consultant (As above)

#### 1.2 Proposal

Title	Subdivision of Lot 4131 Smiths Beach Road, Yallingup
Description	Tourist and Residential Subdivision
Extent (area) of proposed ground disturbance.	Subdivision covers 19.12ha
Timeframe in which the activity or development is proposed to occur (including start and finish dates where applicable).	Subject to market conditions
Details of any staging of the proposal.	
Is the proposal a strategic proposal?	It has been assessed as a Strategic Environmental Assessment (EPA 1597)
Is the proponent requesting a declaration that the proposal is a derived proposal? If so, provide the following information on the strategic assessment within which the referred proposal was identified: <ul style="list-style-type: none"><li>• title of the strategic assessment; and</li><li>• Ministerial Statement number.</li></ul>	Yes  SEA Title – Smiths Beach Development, Sussex Loc 413, Yallingup Ministerial Statement 831
Please indicate whether, and in what way, the proposal is related to other proposals in the region.	Not related to other proposals in the region.
Does the proponent own the land on which the proposal is to be established? If not, what other arrangements have been established to access	Yes



the land?	
What is the current land use on the property, and the extent (area in hectares) of the property?	Undeveloped bushland (Total lot size 40.4ha)

### 1.3 Location

Name of the Shire in which the proposal is located.	City of Busselton
For urban areas: <ul style="list-style-type: none"> <li>• street address;</li> <li>• lot number;</li> <li>• suburb; and</li> <li>• nearest road intersection.</li> </ul>	
For remote localities: <ul style="list-style-type: none"> <li>• nearest town; and</li> <li>• distance and direction from that town to the proposal site.</li> </ul>	Yallingup town site is approximately 3km to the NNE.
Electronic copy of spatial data - GIS or CAD, geo-referenced and conforming to the following parameters: <ul style="list-style-type: none"> <li>• GIS: polygons representing all activities and named;</li> <li>• CAD: simple closed polygons representing all activities and named;</li> <li>• datum: GDA94;</li> <li>• projection: Geographic (latitude/longitude) or Map Grid of Australia (MGA);</li> <li>• format: Arcview shapefile, Arcinfo coverages, Microstation or AutoCAD.</li> </ul>	Enclosed?: No

### 1.4 Confidential Information

Does the proponent wish to request the EPA to allow any part of the referral information to be treated as confidential?	No
If yes, is confidential information attached as a separate document in hard copy?	

### 1.5 Government Approvals

Is rezoning of any land required before the proposal can be implemented? If yes, please provide details.	No		
Is approval required from any Commonwealth or State Government agency or Local Authority for any part of the proposal? If yes, please complete the table below.	No (EPBC Act approval already granted – EPBC 2007/3483)		
Agency/Authority	Approval required	Application lodged Yes / No	Agency/Local Authority contact(s) for proposal



## PART B - ENVIRONMENTAL IMPACTS AND PROPOSED MANAGEMENT

### 2. ENVIRONMENTAL IMPACTS

Describe the impacts of the proposal on the following elements of the environment, by answering the questions contained in Sections 2.1-2.11:

- 2.1 flora and vegetation;
- 2.2 fauna;
- 2.3 rivers, creeks, wetlands and estuaries;
- 2.4 significant areas and/ or land features;
- 2.5 coastal zone areas;
- 2.6 marine areas and biota;
- 2.7 water supply and drainage catchments;
- 2.8 pollution;
- 2.9 greenhouse gas emissions;
- 2.10 contamination; and
- 2.11 social surroundings.

These features should be shown on the site plan, where appropriate.

For all information, please indicate:

- (a) the source of the information; and
- (b) the currency of the information.

#### 2.1 Flora and Vegetation

2.1.1 Do you propose to clear any native flora and vegetation as a part of this proposal?

[A proposal to clear native vegetation may require a clearing permit under Part V of the EP Act (Environmental Protection (Clearing of Native Vegetation) Regulations 2004)]. Please contact the Department of Environment and Conservation (DEC) for more information.

(please tick) ☒ Yes

**If yes**, complete the rest of this section.

☐ No

**If no**, go to the next section

2.1.2 How much vegetation are you proposing to clear (in hectares)?

Maximum 19.12ha less retention on lots and POS

2.1.3 Have you submitted an application to clear native vegetation to the DEC (unless you are exempt from such a requirement)? **Exempt**

☐ Yes

☐ No

**If yes**, on what date and to which office was the application submitted of the DEC?

2.1.4 Are you aware of any recent flora surveys carried out over the area to be disturbed by this proposal?

☐ Yes

☐ No

**If yes**, please attach a copy of any related survey reports and provide the date and name of persons / companies involved in the survey(s).

**If no**, please do not arrange to have any biological surveys conducted prior to consulting with the DEC.

2.1.5 Has a search of DEC records for known occurrences of rare or priority flora or threatened ecological communities been conducted for the site?

☐ Yes

☐ No

If you are proposing to clear native vegetation for any part of your proposal, a search of DEC records of known occurrences of rare or priority flora and threatened ecological communities will be required. Please contact DEC for more information.

2.1.6 Are there any known occurrences of rare or priority flora or threatened ecological communities on the site?

☐ Yes

☐ No

**If yes**, please indicate which species or communities are involved and provide copies of any correspondence with DEC regarding these matters.

2.1.7 If located within the Perth Metropolitan Region, is the proposed development within or adjacent to a listed Bush Forever Site? (You will need to contact the Bush Forever Office, at the Department for Planning and Infrastructure)

☐ Yes

☐ No

**If yes**, please indicate which Bush Forever Site is affected (site number and name of site where appropriate).

2.1.8 What is the condition of the vegetation at the site?

## 2.2 Fauna

2.2.1 Do you expect that any fauna or fauna habitat will be impacted by the proposal?

(please tick)

☐ Yes

**If yes**, complete the rest of this section.

☐ No

**If no**, go to the next section.

2.2.2 Describe the nature and extent of the expected impact.



2.2.3 Are you aware of any recent fauna surveys carried out over the area to be disturbed by this proposal?

☒ Yes

☐ No

**If yes**, please attach a copy of any related survey reports and provide the date and name of persons / companies involved in the survey(s).

**- All addressed in the Strategic Environmental Assessment approved by the Minister**

**If no**, please do not arrange to have any biological surveys conducted prior to consulting with the DEC.

2.2.4 Has a search of DEC records for known occurrences of Specially Protected (threatened) fauna been conducted for the site?

☒ Yes

☐ No

(please tick)

2.2.5 Are there any known occurrences of Specially Protected (threatened) fauna on the site?

☒ Yes

☐ No

**If yes**, please indicate which species or communities are involved and provide copies of any correspondence with DEC regarding these matters.

**- Western Ringtail Possums and Black Cockatoos. - All addressed in the Strategic Environmental Assessment approved by the Minister**

### 2.3 Rivers, Creeks, Wetlands and Estuaries

2.3.1 Will the development occur within 200 metres of a river, creek, wetland or estuary?

(please tick)

☐ Yes

**If yes**, complete the rest of this section.

☒ No

**If no**, go to the next section.

2.3.2 Will the development result in the clearing of vegetation within the 200 metre zone?

☐ Yes

☐ No

**If yes**, please describe the extent of the expected impact.

2.3.3 Will the development result in the filling or excavation of a river, creek, wetland or estuary?

☐ Yes

☐ No

**If yes**, please describe the extent of the expected impact.

2.3.4 Will the development result in the impoundment of a river, creek, wetland or estuary?

☐ Yes

☐ No

**If yes**, please describe the extent of the expected impact.



2.3.5 Will the development result in draining to a river, creek, wetland or estuary?

☐ Yes

☐ No

**If yes**, please describe the extent of the expected impact.

2.3.6 Are you aware if the proposal will impact on a river, creek, wetland or estuary (or its buffer) within one of the following categories? (please tick)

Conservation Category Wetland	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure
Environmental Protection (South West Agricultural Zone Wetlands) Policy 1998	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure
Perth's Bush Forever site	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure
Environmental Protection (Swan & Canning Rivers) Policy 1998	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure
The management area as defined in s4(1) of the <i>Swan River Trust Act 1988</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure
Which is subject to an international agreement, because of the importance of the wetland for waterbirds and waterbird habitats (e.g. Ramsar, JAMBA, CAMBA)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unsure

## 2.4 Significant Areas and/ or Land Features

2.4.1 Is the proposed development located within or adjacent to an existing or proposed National Park or Nature Reserve?

☒ Yes

☐ No

**If yes**, please provide details.

**- Adjacent to the Leeuwin-Naturaliste National Park**

2.4.2 Are you aware of any Environmentally Sensitive Areas (as declared by the Minister under section 51B of the EP Act) that will be impacted by the proposed development?

☐ Yes

☒ No

**If yes**, please provide details.

2.4.3 Are you aware of any significant natural land features (e.g. caves, ranges etc) that will be impacted by the proposed development?

☐ Yes

☒ No

**If yes**, please provide details.

## 2.5 Coastal Zone Areas (Coastal Dunes and Beaches)

2.5.1 Will the development occur within 300metres of a coastal area?

(please tick)

☒ Yes

**If yes**, complete the rest of this section.

☐ No

**If no**, go to the next section.

2.5.2 What is the expected setback of the development from the high tide level and from the primary dune? **Minimum 80m**

2.5.3 Will the development impact on coastal areas with significant landforms including beach ridge plain, cusped headland, coastal dunes or karst?

☐ Yes

☒ No

**If yes**, please describe the extent of the expected impact.

2.5.4 Is the development likely to impact on mangroves?

☐ Yes

☒ No

**If yes**, please describe the extent of the expected impact.

## 2.6 Marine Areas and Biota

2.6.1 Is the development likely to impact on an area of sensitive benthic communities, such as seagrasses, coral reefs or mangroves?

☐ Yes

☒ No

**If yes**, please describe the extent of the expected impact.

2.6.2 Is the development likely to impact on marine conservation reserves or areas recommended for reservation (as described in *A Representative Marine Reserve System for Western Australia*, CALM, 1994)?

☐ Yes

☒ No

**If yes**, please describe the extent of the expected impact.

2.6.3 Is the development likely to impact on marine areas used extensively for recreation or for commercial fishing activities?

☐ Yes

☒ No

**If yes**, please describe the extent of the expected impact, and provide any written advice from relevant agencies (e.g. Fisheries WA).



## 2.7 Water Supply and Drainage Catchments

2.7.1 Are you in a proclaimed or proposed groundwater or surface water protection area?

(You may need to contact the Department of Water (DoW) for more information on the requirements for your location, including the requirement for licences for water abstraction. Also, refer to the DoW website)

☐ Yes      ☒ No      **If yes**, please describe what category of area.

2.7.2 Are you in an existing or proposed Underground Water Supply and Pollution Control area?

(You may need to contact the DoW for more information on the requirements for your location, including the requirement for licences for water abstraction. Also, refer to the DoW website)

☐ Yes      ☒ No      **If yes**, please describe what category of area.

2.7.3 Are you in a Public Drinking Water Supply Area (PDWSA)?

(You may need to contact the DoW for more information or refer to the DoW website. A proposal to clear vegetation within a PDWSA requires approval from DoW.)

☐ Yes      ☒ No      **If yes**, please describe what category of area.

2.7.4 Is there sufficient water available for the proposal?

(Please consult with the DoW as to whether approvals are required to source water as you propose. Where necessary, please provide a letter of intent from the DoW)

☒ Yes      ☐ No      (please tick)

2.7.5 Will the proposal require drainage of the land?

☐ Yes      ☒ No      **If yes**, how is the site to be drained and will the drainage be connected to an existing Local Authority or Water Corporation drainage system? Please provide details.

2.7.6 Is there a water requirement for the construction and/ or operation of this proposal?

(please tick)      ☒ Yes      **If yes**, complete the rest of this section.  
No      **If no**, go to the next section.

2.7.7 What is the water requirement for the construction and operation of this proposal, in kilolitres per year? **Minimal for dust control**

2.7.8 What is the proposed source of water for the proposal? (e.g. dam, bore, surface water etc.) **Bore**

## 2.8 Pollution

2.8.1 Is there likely to be any discharge of pollutants from this development, such as noise, vibration, gaseous emissions, dust, liquid effluent, solid waste or other pollutants?

(please tick)

☐ Yes

**If yes**, complete the rest of this section.

☒ No

**If no**, go to the next section.

2.8.2 Is the proposal a prescribed premise, under the Environmental Protection Regulations 1987?

(Refer to the EPA's *General Guide for Referral of Proposals to the EPA under section 38(1) of the EP Act 1986* for more information)

☐ Yes

☐ No

**If yes**, please describe what category of prescribed premise.

2.8.3 Will the proposal result in gaseous emissions to air?

☐ Yes

☐ No

**If yes**, please briefly describe.

2.8.4 Have you done any modelling or analysis to demonstrate that air quality standards will be met, including consideration of cumulative impacts from other emission sources?

☐ Yes

☐ No

**If yes**, please briefly describe.

2.8.5 Will the proposal result in liquid effluent discharge?

☐ Yes

☐ No

**If yes**, please briefly describe the nature, concentrations and receiving environment.

2.8.6 If there is likely to be discharges to a watercourse or marine environment, has any analysis been done to demonstrate that the State Water Quality Management Strategy or other appropriate standards will be able to be met?

☐ Yes

☐ No

**If yes**, please describe.

2.8.7 Will the proposal produce or result in solid wastes?

☐ Yes

☐ No

**If yes**, please briefly describe the nature, concentrations and disposal location/ method.



2.8.8 Will the proposal result in significant off-site noise emissions?

☐ Yes

☐ No

**If yes**, please briefly describe.

2.8.9 Will the development be subject to the Environmental Protection (Noise) Regulations 1997?

☐ Yes

☐ No

**If yes**, has any analysis been carried out to demonstrate that the proposal will comply with the Regulations?

Please attach the analysis.

2.8.10 Does the proposal have the potential to generate off-site, air quality impacts, dust, odour or another pollutant that may affect the amenity of residents and other "sensitive premises" such as schools and hospitals (proposals in this category may include intensive agriculture, aquaculture, marinas, mines and quarries etc.)?

☐ Yes

☐ No

**If yes**, please describe and provide the distance to residences and other "sensitive premises".

2.8.11 If the proposal has a residential component or involves "sensitive premises", is it located near a land use that may discharge a pollutant?

☐ Yes

☐ No

☐ Not Applicable

**If yes**, please describe and provide the distance to the potential pollution source

## 2.9 Greenhouse Gas Emissions

2.9.1 Is this proposal likely to result in substantial greenhouse gas emissions (greater than 100 000 tonnes per annum of carbon dioxide equivalent emissions)?

☐ Yes

☒ No

**If yes**, please provide an estimate of the annual gross emissions in absolute and in carbon dioxide equivalent figures.

2.9.2 Further, if yes, please describe proposed measures to minimise emissions, and any sink enhancement actions proposed to offset emissions.



## 2.10 Contamination

2.10.1 Has the property on which the proposal is to be located been used in the past for activities which may have caused soil or groundwater contamination?

☐ Yes      ☒ No      ☐ Unsure      **If yes, please describe.**

2.10.2 Has any assessment been done for soil or groundwater contamination on the site?

☐ Yes      ☒ No      **If yes, please describe.**

2.10.3 Has the site been registered as a contaminated site under the *Contaminated Sites Act 2003*? (on finalisation of the CS Regulations and proclamation of the CS Act)

☐ Yes      ☒ No      **If yes, please describe.**

## 2.11 Social Surroundings

2.11.1 Is the proposal on a property which contains or is near a site of Aboriginal ethnographic or archaeological significance that may be disturbed?

☒ Yes      ☐ No      ☐ Unsure      **If yes, please describe.**

**Artefact Scatter. Section 18 approval to disturb has been granted.**

2.11.2 Is the proposal on a property which contains or is near a site of high public interest (e.g. a major recreation area or natural scenic feature)?

☒ Yes      ☐ No      **If yes, please describe.**

**Views to site from tourist locations addressed thoroughly in SEA approved by the Minister.**

2.11.3 Will the proposal result in or require substantial transport of goods, which may affect the amenity of the local area?

☐ Yes      ☒ No      **If yes, please describe.**

### 3. PROPOSED MANAGEMENT

#### 3.1 Principles of Environmental Protection

3.1.1 Have you considered how your project gives attention to the following Principles, as set out in section 4A of the EP Act? (For information on the Principles of Environmental Protection, please see EPA Position Statement No. 7, available on the EPA website). **All addressed in the Strategic Environmental Assessment.**

- |  |       |                             |
|--|-------|-----------------------------|
| 1. The precautionary principle.  | ✓ Yes | <input type="checkbox"/> No |
| 2. The principle of intergenerational equity.  | ✓ Yes | <input type="checkbox"/> No |
| 3. The principle of the conservation of biological diversity and ecological integrity. | ✓ Yes | <input type="checkbox"/> No |
| 4. Principles relating to improved valuation, pricing and incentive mechanisms.        | ✓ Yes | <input type="checkbox"/> No |
| 5. The principle of waste minimisation.  | ✓ Yes | <input type="checkbox"/> No |

3.1.2 Is the proposal consistent with the EPA's Environmental Protection Bulletins/Position Statements and Environmental Assessment Guidelines/Guidance Statements (available on the EPA website)?

✓ Yes ☐ No

#### 3.2 Consultation

3.2.1 Has public consultation taken place (such as with other government agencies, community groups or neighbours), or is it intended that consultation shall take place?

✓ Yes ☐ No

**If yes**, please list those consulted and attach comments or summarise response on a separate sheet.

**Extensive consultation through the Strategic Environmental Assessment process.**





PROPOSED SUBDIVISION  
LOT 4131 SMITHS BEACH ROAD, YALLINGUP  
SHIRE OF BUSSELTON

- Legend**
- Lot 4131 (40,5012ha)
  - Easement (Pedestrian Access)
  - Easement (Drainage)
  - Easement (Reciprocal Rights of Carriageway)
  - Road Closure

**NOTES**

DIMENSIONS AND AREAS  
All dimensions and areas depicted on the Plan are subject to pre-civil and final survey and will therefore vary from the figures shown.

Single:	61 Lots
Grouped:	4 Lots
Tourist:	8 Lots
Other:	1 Lot
(Provisional Park)	
Yield:	74 Lots





SAT

State  
Administrative  
Tribunal

Western Australia

*Planning and Development Act 2005*

IN THE MATTER OF:

**Canal Rocks Pty Ltd**

Applicant

-and-

**Western Australian Planning Commission**

Respondent

**Matter Number: DR 149 of 2010****Application Lodged: 18 May 2010**


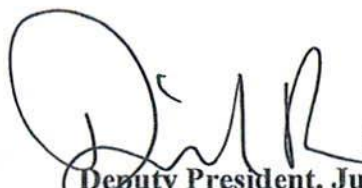
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**ORDER**

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On the application heard before Deputy President, Judge Parry and Member Marie Connor on 4 and 7 June 2013, it is ordered that:

1. The application for review is allowed.
2. The decision made by the respondent on 26 February 2013 to refuse subdivision approval for the subdivision of Lot 4131 Smiths Beach Road, Yallingup is set aside and a decision is substituted that subdivision approval is granted subject to the conditions in Attachment A.
3. The prescribed period for the purposes of s 145 of the *Planning and Development Act 2005* (WA) commences on 7 June 2013.



Deputy President, Judge Parry

I certify the foregoing to be a true  
and correct copy of the original



State Administrative Tribunal  
Date: 18/06/13

## Attachment A

Pursuant to section 157 of the *Planning and Development Act 2005* (WA), approval of the plan of subdivision is not to be taken as approval by the responsible authority under the planning scheme of the carrying out of the works mentioned in section 157(1) until the Western Australian Planning Commission (WAPC) has certified that conditions 6, 7, 19, 20, 21A, 22A, 25, 29, 32, 38, 50, 51, 59, 64, 65, 71, 72, and 73 have been fulfilled.

### Subdivision

1. The subdivision to be carried out in a single stage. (LG)
2. [deleted]
3. [deleted]
4. [deleted]
5. [deleted]

I certify the foregoing to be a true and correct copy of the original



State Administrative Tribunal

Date: 18/06/13

### Design & Settlement

6. Prior to the commencement of site works detailed design and settlement guidelines ("the Design and Settlement Guidelines") are required for all buildings and structures on Lot 4131 and must be lodged with, and if acceptable, be approved by the City of Busselton. The Design and Settlement Guidelines must ameliorate the visual impact of development and:
  - (a) set appropriate themes and standards for building location and orientation, built form, building heights, scale, roof pitch, external colours and materials, signage, curtilage and landscaping including retention of significant flora, vehicle parking and access and fencing;
  - (b) with respect to proposed Lot 4, provide for access and egress, and an address and entry statement or portal to the road and a suitable refuse collection area that is coordinated and responsive to the design on proposed Lots 2 and 3;
  - (c) in relation to Lots 19, 20 and 55 provide for a uniform design treatment interface to address the adjacent public open space;
  - (d) provide a system of pedestrian easements across the tourist lots to facilitate permeability and access to public open space, community facilities, the village centre and public roads; and
  - (e) have regard to the matters referred to in:
    - (i) clause 27 of the Local Planning Scheme No. 20 and
    - (ii) the City of Busselton Reflective Building Materials Policy.



- (f) include an integrated village centre that provides for an active frontage immediately abutting the northern most boundaries of proposed Lot 1. The village centre is to include an area for pedestrians to congregate (including seating) and may include a focal or feature point. The village centre is to act as transitional area between the public foreshore and private spaces. A site planning diagram should be included for the integrated village centre.
- (g) a maximum of 500 m<sup>2</sup> of ancillary retail floor space shall be integrated with the tourist and recreational facilities of the Resort and Village Centre and provide for local convenience shopping and services.
- (h) stand-alone retail floor space within the Identified Developable Land Area shall not exceed 700 m<sup>2</sup> of net lettable area.  
(LG)

7. Prior to commencement of site works, a detailed plan identifying building envelopes on all lots on the approved plan of subdivision is to be prepared in consultation with the City of Busselton. Spot heights are to be provided for each building envelope to establish natural ground level as a reference for building height limits. (LG)
8. Notification in the form of a s 70A notification, pursuant to the *Transfer of Lands Act 1893* (WA) is to be placed on the Certificates of Title of the proposed lot(s) advising that development of lots is subject to the provisions of the:
  - (a) Special Height Control Area Map forming part of the adopted and endorsed Development Guide Plan for Lot 4131 (dated 21 January 2011) ("DGP");
  - (b) Design and Settlement Guidelines; and
  - (c) Fire Management Plan.

and requiring compliance with that map, those guidelines and that plan. (LG)

9. A Restrictive Covenant, pursuant to section 129BA of the *Transfer of Land Act 1893* (WA) is to be placed on the Certificates of Title of the proposed lot(s) advising of the existence of a restriction on the use of the land relative to the Design and Settlement Guidelines and the prohibition of boundary fencing. Notice of the restriction is to be included on the Deposited Plan. (LG)
10. [deleted]
11. Easement(s) in accordance with s 195 and s 196 of the *Land Administration Act 1997* (WA) for the benefit of the City of Busselton are to be placed on the Certificates of Title of the proposed lot(s) specifying access and drainage rights as laid out on the approved plan. Notice of the easement(s) is to be included on the Deposited Plan. (LG)
12. A suitable, durable and landscape sensitive fence design to be designed and implemented by the proponent needs to be acceptable to Department of Environment and Conservation to ensure pedestrian access from the residential area to the western coast across the sensitive granite heath vegetation community is prevented and directed to suitable pathways shown on the Foreshore Management Plan. The installed fence shall meet engineering design standards



to achieve its purpose and long term durability in the marine coastal environment of the site. (DEC)

### **Open Space**

13. The 21.3813 ha depicted as "National Park Extension" in the plan of subdivision shall be transferred to the Crown to be incorporated into the Leeuwin-Naturaliste National Park. Such land to be ceded free of cost and without any payment of compensation by the Crown. (DEC)
14. The surveyed boundaries of the development, the national park and the national park extension should be clearly marked with durable and fire resistant marker posts every 150 to 200 meters where fencing is not on the boundary to aid future identification of the national park boundaries. (DEC)
15. The proposed reserves shown on the approved plan of subdivision being shown on the Deposited Plan as a "Reserve for Recreation" and vested in the Crown under section 152 of the *Planning and Development Act 2005* (WA), such land to be ceded free of cost and without any payment of compensation by the Crown. (LG)
16. A Maintenance Agreement for all public open space areas is to be prepared and endorsed by the City of Busselton. The Agreement shall ensure maintenance responsibilities are undertaken by the developer for a three year period. (LG)
17. Uniform fencing along the boundaries of all of the proposed lots abutting Public Open Space is to be constructed. (LG)

### **Utilities & Services**

18. All utilities and services on Lot 4131 shall be contained within the Identifiable Developable Land Area or where utilities and services are outside the Identified Developable Land Area they shall be within a public road reserve, or easement specifically created for that purpose. No sewerage pump station is to be located within the foreshore reserve to be created by the approved subdivision. (LG)
19. Prior to approval of engineering design plans and commencement of site works, arrangements being made with the Water Corporation or an alternate licensed service provider so that provision of a suitable water supply service will be available to lot(s) shown on the approved plan of subdivision. (LG, WAPC)
20. Prior to commencement of site works, engineering design plans must be approved by and arrangements must be made with the Water Corporation or an alternate licensed service provider to the satisfaction of the Western Australian Planning Commission so that the Community Wastewater Management Scheme (Syrinx environmental, Report No. RPT - 1023 V3, 13 August 2012) will be available to the lot/s shown on the approved plan of subdivision. (LG, WC, WAPC)
- 20A. Prior to approval of engineering design plans, arrangements must be made with the Water Corporation to the satisfaction of the Western Australian Planning Commission for connection of the sewerage system to the Anniebrook Wastewater Treatment Plant, Dunsborough. (WC, WAPC)



20B. Prior to commencement of site works, arrangements must be made with the City of Busselton to the satisfaction of the Western Australian Planning Commission for construction and commissioning of appropriate aerobic treatment units ("ATUs") on each lot to be created. (DoH, WC, LG, WAPC)

21. The provision of easements for existing or future water, sewerage and/or drainage infrastructure as may be required by the Water Corporation and/or other relevant service provider being granted free of cost to that body. (LG)

21A. Prior to commencement of site works, a management plan must be prepared and adopted to the satisfaction of the Western Australian Planning Commission, City of Busselton and the licensed service provider to ensure ongoing maintenance of all components of the sewerage system, including ATUs located on private land. The plan must stipulate roles and responsibilities for, and timing of, implementation and include arrangements and mechanisms for:

- (i) appointment, management, funding and payment of appropriate contractors for monitoring, maintenance and repair purposes;
- (ii) ensuring access by regulators and operators or contractors to ATUs for monitoring, maintenance and repair purposes, including use of easements-in-gross on titles;
- (iii) notifying prospective purchasers of lots subject to the management plan of the plan and its requirements, including ongoing payment of relevant costs for monitoring, maintenance and repair purposes;
- (iv) binding landowners and successors in title to the regular monitoring, maintenance and repair of ATUs and other components of the system, and payment of ongoing costs; and
- (v) recording of relevant information concerning the content and operation of the plan on memorials on titles and in management statements of strata titled subdivision and development;
- (vi) mechanisms for variation of the management plan in the future, if required, including in relation to management, maintenance and repair costs.

The Management Plan prepared and adopted in accordance with this condition must be implemented. The Management Plan may require elements of it to be implemented prior to the commencement of site works, which implementation shall be to the satisfaction of the Western Australian Planning Commission, the City of Busselton and the licensed service provider. (DoH, WC, LG, WAPC)

22. The transfer of land as a Crown Reserve, free of cost to the Water Corporation and/or other relevant service provider for the purposes of the provision of water and sewerage infrastructure, if required. (LG)

22A. Prior to approval of engineering design plans and commencement of site works, arrangements must be made at the subdivider's cost for land tenure in respect of any land required for infrastructure and site works. (This condition is not to be taken as approval of such arrangements.) (RDL, WAPC)



23. The land is to be provided with an adequate outlet drainage system at the applicant/owner's cost. (LG)
24. Drainage easements as may be required by the City of Busselton for drainage infrastructure being shown on the Deposited Plan as such and granted free of cost and vested in that local government under section 167 of the *Planning and Development Act 2005* (WA). (LG)
25. Prior to commencement of site works a stormwater and drainage management plan shall be:
  - (a) prepared, which excludes the foreshore reserve to be created by the approved subdivision from containing or being used for a sewerage pump station, and identifies the locations and dimensions of all proposed infiltration basins and sumps;
  - (b) submitted to and, if acceptable, approved by the City of Busselton and the Department of Water; and
  - (c) implemented by the applicant/owner to the satisfaction of the City of Busselton. (LG)
26. An urban water management plan is to be prepared prior to the commencement of ground disturbing activities, to the satisfaction of the Western Australian Planning Commission on advice of the Department of Water. (DoW, LG)
27. The urban water management plan shall be implemented by the landowner, including construction of the identified wastewater, stormwater and groundwater management systems, to the satisfaction of the Western Australian Planning Commission on advice of the Local Government. (LG)
28. Refuse collection areas to be provided to the satisfaction of the City of Busselton. (LG)
29. Prior to the commencement of any site works associated with the implementation of any approved development, subdivision or strata-subdivision, a management plan for the Western Ringtail Possums shall:
  - (a) be prepared and submitted to the Department of Environment and Conservation for approval prior to implementation of this plan; and
  - (b) once approved, be implemented to the satisfaction of the Department of Environment and Conservation. (DEC)
30. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power for the provision of an underground electricity supply service to the lot(s) shown on the approved plan of subdivision. (Western Power)
31. The transfer of land as a Crown Reserve, free of cost to the Western Power Corporation for the provision of electricity supply infrastructure. (Western Power)



## Roads, Parking & Access

32. Prior to the commencement of site works, a traffic and parking strategy shall be:

- (a) prepared by a suitably qualified traffic engineer, which:
  - (i) shows the required upgrading works for the local road system, including Canal Rocks Road, Smiths Beach Road and the intersection of Canal Rocks Road and Caves Road;
  - (ii) shows the staging of these works relative to the staging of the development and identify provision of or contribution to those works by the developers of the respective stages;
  - (iii) assesses the future public, private residential and tourist car park requirements generated by the development proposed in the DGP; and
  - (iv) demonstrates that sufficient foreshore parking or alternative access is provided for tourist and residential development as well as the demands of visitors and the general public.
- (b) submitted to the City of Busselton and, if acceptable, approved by the City of Busselton and Main Roads WA; and
- (c) implemented to the satisfaction of the City of Busselton prior to the City of Busselton clearance of any condition of any approval granted for the subdivision or strata subdivision of land within Lot 4131.  
(LG, MRWA)

33. Satisfactory arrangements being made with Main Roads WA for a contribution towards the ultimate upgrading of the Canal Rocks Road/Caves Road intersection to a Type C intersection to the satisfaction of the Western Australian Planning Commission. The arrangements to include a requirement that the applicant provide a detailed design of the intersection to the satisfaction of Main Roads WA for the purposes of estimating and allocation of costs.  
(MRWA)

34. The cul-de-sac head adjoining Lots 2, 3 and 4 being designed and constructed to the satisfaction of the City of Busselton. (LG)

35. Those lots not fronting an existing road being provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) being constructed and drained at the applicant/owner's cost. (LG)

36. Roads that have been designed to connect with existing or proposed roads abutting the subject land are to coordinate such that the road reserve location and width match and connect seamlessly. (LG)

37. Street corners within the subdivision are to be truncated to the standard truncation of 8.5 metres. (LG)



38. A detailed plan demonstrating dual use path/cycleway design to the specifications of the local government is to be submitted by the applicant/owners prior to the commencement of site works. (LG)
39. The dual use path/cycleway shall be constructed by the applicant/owners. (LG)
40. Suitable arrangements being made with the City of Busselton for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision. (LG)
41. The battleaxe accessway(s) being constructed and drained at the applicant/owner's cost to the specifications of the City of Busselton. (LG)
42. [deleted]
43. A Restrictive Covenant, pursuant to section 129BA of the *Transfer of Land Act 1893* (WA) is to be placed on the Certificates of Title of proposed lot 30, advising of the existence of a restriction on the use of the land, namely that vehicular access is restricted to the battleaxe access leg. Notice of the restriction is to be included on the Deposited Plan. (LG)
44. [deleted]

#### **Construction & Implementation**

45. A dieback hygiene management plan shall be prepared and submitted by the applicant/owners for approval by the City of Busselton, which:
  - (a) proposes measures to ensure that dieback disease is not spread from, or to, Lot 4131 during development;
  - (b) conforms with the Department of Environment and Conservation's publication entitled: "Best Practice Guidelines for the Management of *Phytophthora cinnamoni*";
  - (c) conforms with the dieback requirements contained in section 3 of the City's publication entitled "Engineering Technical Standard's Specifications"; and
  - (d) shall be implemented by the applicant/owners to the satisfaction of the City of Busselton. (LG)
46. Work associated with the implementation of any approved development, subdivision or strata-subdivision must not commence until the dieback hygiene management plan is approved by the City of Busselton. (LG)
47. A comprehensive community facilities infrastructure contribution plan shall:
  - (a) be prepared by the applicant/owners, which identifies the basis for determination of contributions to be made to fund community facilities and infrastructure within the locality required as a direct result of the development of the land;
  - (b) include provision of a community purpose facility with a minimum floor area (GFA) of 200 m<sup>2</sup> in association with the village centre or as part of the proposed multi-purpose surf club building;



- (c) be submitted to, and approved by, the City of Busselton prior to the lodgement of an application for planning approval or building licence and prior to the clearance of any subdivision or strata subdivision of land within Lot 4131; and
  - (d) be implemented by the applicant/owners to the satisfaction of the City of Busselton.
48. To discharge its obligations under that part of the comprehensive community facilities infrastructure contribution plan referred to by condition 47(b), the applicant is to enter into a legally binding agreement with the City of Busselton to pay \$1million prior to clearance of titles as the applicant's total contribution towards, and in discharge of, its obligations to provide each of:
- (a) 200 m<sup>2</sup> towards a community purpose facility to be built within an integrated community purpose and multi-purpose lifesaving facility (the integrated facility); and
  - (b) a contribution towards the provision of the integrated facility. (LG)
49. A revegetation, rehabilitation and landscaping plan for the Identified Developable Land Area shall be:
- (a) prepared by the applicant/owners and submitted to the City of Busselton for approval; and
  - (b) implemented by the applicant/owners to the satisfaction of the City of Busselton. (LG)
50. Prior to commencement of site works a landscape strategy plan for the road reserves including Smiths Beach Road, where it adjoins Lot 4131, and public open space areas shall be prepared by the applicant/owners, which:
- (a) indicates the location and species of all trees to be removed and/or retained;
  - (b) indicates the location and type of fencing to be installed, including where appropriate to clearly delineate open space and prevent informal vehicle access, parking on and use of open space and adjacent national park and foreshore reserves;
  - (c) indicates the location and type of reticulation to be installed;
  - (d) indicates the location and type of paving to be installed; and
  - (e) includes a plant schedule nominating each species, the spacing of species, the numbers of plants required, the size of each plant to be used at the time of planting and the anticipated height of each plant at maturity.

The landscape strategy plan shall be:

- (a) submitted to and, if acceptable, approved by the City of Busselton with advice from the Department of Environment and Conservation;
- (b) the subject of a management agreement between the owner and the City of Busselton; and



- (c) implemented by the applicant/owners to the satisfaction of the City of Busselton with advice from the Department of Environment and Conservation.  
(LG)

51. Prior to commencement of any works on Lot 4131, a construction management plan shall be:

- (a) prepared by the applicant/owners, which details the technical, physical and contractual measures to minimise environmental impacts during construction and post-construction phases of subdivision and development;
- (b) submitted to and, if acceptable, approved by the City of Busselton; and
- (c) implemented by the applicant/owners to the satisfaction of the City of Busselton.  
(LG)

52. A dust management plan is to be:

- (a) prepared by the applicant/owners and submitted to and, if acceptable, approved by the City of Busselton;
- (b) implemented by the applicant/owners at subdivision and each and every stage of development to the satisfaction of the City.

53. [deleted]

54. Installation of services between Lot 4131 and external connection points shall be undertaken in accordance with a construction plan approved by the City of Busselton, the primary objective of which is to ensure that landscape values of the road reserves, declared rare flora and remnant vegetation and the road pavements of the proposed service routes are not degraded by installation of service connections off site. (LG)

55. Where the installation of services within the road reserve is constrained as a consequence of the presence of remnant vegetation or declared rare fauna, the owners of land adjoining the service route should be consulted to ascertain whether an alternative alignment of the servicing can be provided. (LG)

56. The land being filled and/or drained at the subdivider's cost and any easements and/or reserves necessary for the implementation thereof, being granted free of cost. (LG)

57. The applicant providing a geotechnical report certifying that any filling or backfilling has been adequately compacted and any necessary Section 70A Notification has been imposed on the deposited plan. (LG)

58. The land being graded and stabilised. (LG)

59. The applicant/owner is to provide a geotechnical report certifying that the land is physically capable of development prior to the commencement of subdivision works.(LG)



### **Fire Management Plan**

60. A memorial is to be placed on the Certificate of Title for those lots affected by the fire management plan advising of the requirement to comply with the approved fire management plan and the owner's responsibility to maintain fire protection measures and emergency access to an appropriate standard. (LG)
61. The applicant/owner shall implement the *Fire Management Plan - Lot 4131 Smiths Beach Road, Yallingup - October 2011* prepared by Michael Swift and Associates to the satisfaction of the City of Busselton in consultation with the Department of Environment and Conservation and Fire and Emergency Services Authority. (LG)
62. [deleted]
63. The Detailed Design and Settlement Guidelines and the revised Fire Management Plan shall refer to air conditioners (if allowed) needing to be of a suitable design to prevent the possibility of bushfire embers being drawn into and igniting houses. (LG)
64. Prior to commencement of site works the conflicts between the Fire Management Plan requirements for vegetation management in bushfire buffer areas and the Detailed Design and Settlement Guidelines which states that vegetation in these areas is to be retained shall be ameliorated. Conflicts about vegetation management between the Fire Management Plan and the Detailed Design and Settlement guidelines shall be resolved without compromising bushfire protection standards to the satisfaction of the City of Busselton in consultation with Department of Environment and Conservation and Fire and Emergency Services Authority (LG)

### **Foreshore Reserve**

65. The foreshore reserve boundary to be surveyed, pegged and clearly identified by the applicant/owners prior to the commencement of any works on the subject land. (LG)
66. The foreshore reserve is not to be used for any drainage works or functions, excluding absorption structures and subsurface stormwater drainage and that do not diminish the capacity of the area for public use. (LG)
67. A foreshore reserve as demarcated on the approved plan, as established by survey, being shown on the Deposited Plan as a "Reserve for Foreshore Management and Recreation" and vested in the City of Busselton under s 152 of the *Planning and Development Act 2005* (WA), such land to be ceded free of cost and without any payment of compensation by the Crown. (LG)
68. The foreshore management plan shall be implemented by the applicant/owners to the satisfaction of the City of Busselton prior to the clearance of titles. (LG)
69. The applicant/owners entering into a legally binding deed with the City of Busselton for the care, maintenance and management of the foreshore reserve. This shall be for a period of 3 years commencing upon practical completion of all recommended and required works. (LG)
70. [deleted]



71. Prior to commencement of subdivision works, a foreshore management plan shall be prepared by the applicant/owners under clause 5.1(x) and (xi) of State Planning Policy No. 2.6: State Coastal Planning Policy. The foreshore management plan shall be approved, if acceptable, by the City of Busselton, with advice from the Western Australian Planning Commission and Department of Environment and Conservation. The foreshore management plan shall:
- (a) include Crown allotments 5043 and 1410, and the area designated in the DGP for national park extension that is adjacent to the coast;
  - (b) contain a schedule of works, public facilities, infrastructure and amenities provision and implementation schedule, including a detailed design specifications and implementation section. The implementation schedule in the foreshore management plan is to be in accordance with the implementation schedule attached and marked "C".
  - (c) identify appropriate siting of the proposed multi-purpose surf club building.
  - (d) identify those with responsibility for implementation of the plan;
  - (e) provide for the appropriate upgrading of the Cape to Cape Walk Trail within and adjacent to Lot 4131.
- (LG)

#### **Vegetation**

72. Measures being taken to ensure vegetation within the proposed National Park Extension is protected prior to the commencement of site works. (DEC)
73. Measures being taken to ensure the identification and protection of any vegetation on the site worthy of retention prior to commencement of site works. (LG)
74. Remnant vegetation (i.e. native vegetation remaining once clearing consistent with the revegetation, rehabilitation and landscaping and landscape strategy plans has occurred) on Lot 4131 that is to be retained in the development is to be protected in perpetuity by covenant or another similar measure which shall be established to the satisfaction of the City of Busselton. (LG)
75. Covenants are to be placed on all lots to prohibit boundary fencing except those boundaries common with public access ways and public open space where open style fencing only may be permitted where consistent with the Design and Settlement Guidelines required by condition 6. (LG)
76. A soil erosion and sediment control plan is to be prepared and implemented to the satisfaction of the City of Busselton. (LG)



TABLE 3 PROPOSED MANAGEMENT MEASURES FOR THE SECTORS OF THE CAPE TO CAPE WALK TRAIL - 6 October 2011

SECTOR	PROPOSED MANAGEMENT MEASURES	FUNDING AND MANAGEMENT RESPONSIBILITY	MONITORING AND TIMING
<b>Northern Trail Head A</b>	<ul style="list-style-type: none"> <li>Align the location of the Trail Head with end of development. This allows for passive surveillance of the trail head and reinforces the change from a settlement to a natural area.</li> <li>Remodel existing road converting to a universal access path with a width of 2.5m.</li> <li>No specific trail head parking to be located and the path to have traffic barriers, however emergency vehicle access is required.</li> <li>Signage – National Park information - No Dogs, no bicycles - Keep to trail - Distance and directional information</li> <li>Managed access to rocks at this point to be considered.</li> </ul>	<ul style="list-style-type: none"> <li>Proponent funded</li> <li>Proponent monitored and managed for the first three years upon practical completion of all works/actions required by this foreshore management plan.</li> <li>Shire of Busselton and/or Department of Environment and Conservation managed thereafter</li> </ul>	To be implemented in accordance with subdivision condition requirements prior to the issue of titles and managed thereafter for three years
<b>Northern Trail Head B</b>	<ul style="list-style-type: none"> <li>Access to lookout.</li> <li>Terrain management – steps or trail alignment.</li> <li>Signage: - trail classification change (Class 21 to Class 3) - distance, time and directional information - warnings (strong winds, large waves, unstable rocks and cliffs) - National Park information - rules and</li> </ul>	<ul style="list-style-type: none"> <li>Proponent funded</li> <li>Proponent monitored and managed for the first three years upon practical completion of all works/actions required by this foreshore management plan.</li> <li>Department of Environment and Conservation managed thereafter</li> </ul>	To be implemented in accordance with subdivision condition requirements prior to the issue of titles and managed thereafter for three years.



SECTOR	PROPOSED MANAGEMENT MEASURES	FUNDING AND MANAGEMENT RESPONSIBILITY	MONITORING AND TIMING
	regulations (keep to trail)		
Cape to Cape Walk Trail	<ul style="list-style-type: none"> <li>• Signage: - Risk - Information - Keep on Track</li> <li>• Terrain management – steps may be required or trail realignment.</li> <li>• Surface treatment / materials to be low key.</li> <li>• Identify opportunities for lookout and interpretation.</li> <li>• Align on best alignment for the trail.</li> <li>• Ensure no incursion back to development area through vegetation over headland.</li> <li>• Key issue: management of land holding means alignment may change.</li> </ul>	<ul style="list-style-type: none"> <li>• Signage and Terrain Management Proponent funded</li> </ul> <p>Proponent monitored and managed for the first three years upon practical completion of all works/actions required of the proponent by this foreshore management plan.</p> <ul style="list-style-type: none"> <li>• Department of Environment and Conservation managed</li> </ul>	To be implemented in accordance with subdivision condition requirements prior to the issue of titles and managed thereafter for three years.

SECTOR	PROPOSED MANAGEMENT MEASURES	FUNDING AND MANAGEMENT RESPONSIBILITY	MONITORING AND TIMING
<b>Northern Lookout</b>	<ul style="list-style-type: none"> <li>• Universal access to lookout. • Interpretive and information signage: - Trail classification change - Distances / times</li> <li>• Co-ordinate with DEC Leeuwin Naturaliste Interpretation Plan.</li> <li>• Look out to be created at ground level not elevated with no shade structure.</li> <li>• Incorporate a space for viewing and separate seating.</li> </ul>	<ul style="list-style-type: none"> <li>• Proponent funded</li> <li>• Proponent monitored and managed for the first three years upon practical completion of all works/actions required by this foreshore management plan.</li> <li>• Department of Environment and Conservation managed thereafter</li> </ul>	To be implemented in accordance with subdivision condition requirements prior to the issue of titles and managed thereafter for three years.
<b>Link to Canal Rocks</b>	<ul style="list-style-type: none"> <li>• Trail definition – way marking.</li> <li>• Cape to Cape doesn't currently link to Canal Rocks. This is not an issue that can be addressed in the FMP as is off-site.</li> </ul>	<ul style="list-style-type: none"> <li>• Department of Environment and Conservation funded</li> <li>• Department of Environment and Conservation managed</li> </ul>	To be determined by Department of Environment and Conservation
<b>Development Interface</b>	<ul style="list-style-type: none"> <li>• Localised fencing.</li> <li>• Associated signage.</li> <li>• Car park facilities</li> </ul>	<ul style="list-style-type: none"> <li>• Proponent funded</li> <li>• Proponent monitored and managed for the first three years upon practical completion of all works/actions required by this foreshore management plan.</li> <li>• Shire of Busselton and Department of Environment and Conservation managed thereafter</li> </ul>	To be implemented in accordance with subdivision condition requirements prior to the issue of titles and managed thereafter for three years.



TABLE 6 PROPOSED MANAGEMENT MEASURES FOR THE FORESHORE RESERVE - 6 October 2011

Management Measure		Responsibility	Monitoring	Timing
<b>M1</b>	Implement a weed control program that prioritises control of weeds in rehabilitation areas using appropriate weed control methods.	<ul style="list-style-type: none"> <li>• Proponent funded</li> <li>• Proponent monitored and managed for the first three years upon practical completion of all works/actions required by this foreshore management plan.</li> <li>• Shire of Busselton managed thereafter</li> </ul>	<p>Monitor weed growth on an annual basis after rehabilitation has commenced for up to three years from completion of development of Location 413 and implement appropriate control methods as necessary.</p> <p>Refer to Table 5.</p>	<ul style="list-style-type: none"> <li>• To be implemented in accordance with subdivision condition requirements prior to the issue of titles and managed thereafter for three years.</li> </ul>
<b>M2</b>	Rehabilitate areas through planting of native species in planting densities as recommended in Table 4.	<ul style="list-style-type: none"> <li>• Proponent funded</li> <li>• Proponent monitored and managed in accordance with this foreshore management plan monitoring and review provisions for the first three years upon practical completion of all works/actions required by this foreshore management plan.</li> <li>• Shire of Busselton managed thereafter</li> </ul>	<p>Use the performance indicators described in Section 6.5 to quantify the success of the rehabilitation program.</p> <p>Conduct ongoing monitoring of the overall health of the existing foreshore vegetation for the duration of the implementation and maintenance period as described in Section 6.9 and 6.10.</p> <p>Refer to Table 5.</p>	<ul style="list-style-type: none"> <li>• To be implemented in accordance with subdivision condition requirements prior to the issue of titles and managed thereafter for three years.</li> </ul>
<b>M3</b>	Install tree guards as required.	<ul style="list-style-type: none"> <li>• Proponent funded</li> <li>• Proponent monitored and managed for the first three years upon practical completion of all works/actions required by this foreshore management plan.</li> <li>• Shire of Busselton managed thereafter</li> </ul>	<p>Ongoing monitoring of the tree guards to identify and replace those tree guard which are defective or removed.</p> <p>Refer to Table 5.</p>	<ul style="list-style-type: none"> <li>• To be implemented in accordance with subdivision condition requirements prior to the issue of titles and managed thereafter for three years.</li> </ul>
<b>M4</b>	Paths and trails identified in Figures 4, 5 and 6 will be constructed and will conform to the Australian Standards for Walking Track	<ul style="list-style-type: none"> <li>• Proponent funded</li> <li>• Proponent monitored and managed for the first three years upon practical completion of all works/actions required by this foreshore management plan.</li> <li>• Shire of Busselton and/or</li> </ul>	<p>Ongoing monitoring to ensure all paths and trails meet this standard.</p> <p>Refer to Table 5.</p>	<ul style="list-style-type: none"> <li>• To be implemented in accordance with subdivision condition requirements prior to the issue of titles and managed thereafter for three</li> </ul>



Management Measure		Responsibility	Monitoring	Timing
	Classification: AS 2156.1-2001.	Department of Environment and Conservation managed thereafter		years.
M5	Close off existing informal access paths with revegetation and logs or brush.	<ul style="list-style-type: none"> <li>• Proponent funded</li> <li>• Proponent monitored and managed for the first three years upon practical completion of all works/actions required by this foreshore management plan.</li> <li>• Department of Environment and Conservation managed thereafter</li> </ul>	<p>Ongoing monitoring to review success of closed off access ways.</p> <p>Refer to Table 5.</p>	<ul style="list-style-type: none"> <li>• To be implemented in accordance with subdivision condition requirements prior to the issue of titles and managed thereafter for three years.</li> </ul>
M6	Passive recreational grassed areas will be created with associated BBQ facilities, car parking, drainage provisions, access, fencing, signage and bins.	<ul style="list-style-type: none"> <li>• Proponent funded</li> <li>• Proponent monitored and managed for the first three years upon practical completion of all works/actions required by this foreshore management plan.</li> <li>• Shire of Busselton and Department of Environment and Conservation managed thereafter</li> </ul>	<p>Ongoing monitoring to replace defective, damaged or removed facilities within the foreshore.</p> <p>Refer to Table 5.</p>	<ul style="list-style-type: none"> <li>• To be implemented in accordance with subdivision condition requirements prior to the issue of titles and managed thereafter for three years.</li> </ul>
M7	Discourage random public access into the dune environment by installing uniform fencing as shown on Figures 4, 5 and 6.	<ul style="list-style-type: none"> <li>• Proponent funded</li> <li>• Proponent monitored and managed for the first three years upon practical completion of all works/actions required by this foreshore management plan.</li> <li>• Shire of Busselton managed thereafter</li> </ul>	<p>Ongoing monitoring to replace defective, damaged or removed fences.</p> <p>Refer to Table 5.</p>	<ul style="list-style-type: none"> <li>• To be implemented in accordance with subdivision condition requirements prior to the issue of titles and managed thereafter for three years.</li> </ul>
M8	Install educational, informative and safety signage at key locations identified on Figures 4, 5 and 6.	<ul style="list-style-type: none"> <li>• Proponent funded</li> <li>• Proponent monitored and managed for the first three years upon practical completion of all works/actions required by this foreshore management plan.</li> <li>• Shire of Busselton and Department of Environment and Conservation managed thereafter</li> </ul>	<p>Ongoing monitoring to replace defective, damaged or removed signs.</p> <p>Refer to Table 5.</p>	<ul style="list-style-type: none"> <li>• To be implemented in accordance with subdivision condition requirements prior to the issue of titles and managed thereafter for three years.</li> </ul>



Management Measure		Responsibility	Monitoring	Timing
M9	Provide bins within the Foreshore Reserve.	<ul style="list-style-type: none"> <li>• Proponent funded</li> <li>• Proponent monitored and managed for the first three years upon practical completion of all works/actions required by this foreshore management plan.</li> <li>• Shire of Busselton managed thereafter</li> </ul>	<p>Ongoing monitoring to replace defective, damaged or removed bins.</p> <p>Refer to Table 5.</p>	<ul style="list-style-type: none"> <li>• To be implemented in accordance with subdivision condition requirements prior to the issue of titles and managed thereafter for three years.</li> </ul>
M10	Install underground stormwater storage facility under 58 bay car park and overflow area into adjacent grassed areas	<ul style="list-style-type: none"> <li>• Proponent funded</li> <li>• Proponent monitored and managed for the first three years upon practical completion of all works/actions required by this foreshore management plan.</li> <li>• Shire of Busselton managed thereafter</li> </ul>	<p>Ongoing monitoring to check drainage system is functioning as intended and replace defective, damaged or removed components.</p> <p>Refer to Table 5.</p>	<ul style="list-style-type: none"> <li>• To be implemented in accordance with subdivision condition requirements prior to the issue of titles and managed thereafter for three years.</li> </ul>
M11	Car parking is to be installed within the Foreshore Reserve according to Figure 5.	<ul style="list-style-type: none"> <li>• Proponent funded</li> <li>• Proponent monitored and managed for the first three years upon practical completion of all works/actions required by this foreshore management plan.</li> <li>• Shire of Busselton and Department of Environment and Conservation managed thereafter</li> </ul>	<p>Ongoing monitoring to check and replace defective, damaged or removed car park kerbing, surfacing and line markings.</p> <p>Refer to Table 5.</p>	<ul style="list-style-type: none"> <li>• To be implemented in accordance with subdivision condition requirements prior to the issue of titles and managed thereafter for three years.</li> </ul>
M12	Provisions will be made for the design and construction of a Multi-Functional Surf Lifesaving Facility	<ul style="list-style-type: none"> <li>• Funding responsibility will be jointly with the proponent, Shire of Busselton and possibly Surf Lifesaving WA (SLWA) and Government Community Grants. Final funding breakdown on approval of building.</li> <li>• Design (Development Application Standard) to be managed by the Proponent</li> <li>• Development Application to be</li> </ul>	<p>N/A</p> <p>Currently subject to funding proposal. If funding proposal agreed, dot point 2 to be deleted and timing adjusted accordingly.</p>	<ul style="list-style-type: none"> <li>• The extent of the proponent's financial contributions/works in kind to be agreed during the detail design and approval process and to be implemented or secured by bond prior to the issue of titles.</li> </ul>

Management Measure		Responsibility	Monitoring	Timing
		managed by the Shire of Busselton • Refinement of design (if required) to be managed by the Shire of Busselton • The management of the facility to be managed by the Shire of Busselton		
M14	Cape to Cape walk trail	• Proponent funded • Proponent monitored and managed for the first three years upon practical completion of all works/actions required by this foreshore management plan. • Department of Environment and Conservation managed thereafter	Ongoing monitoring to review success of walk trail.	• To be implemented in accordance with subdivision condition requirements prior to the issue of titles and managed thereafter for three years.



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Published on: 15 June 2010

Statement No: 831

**STATEMENT THAT A STRATEGIC PROPOSAL MAY BE IMPLEMENTED  
(PURSUANT TO THE PROVISIONS OF THE  
ENVIRONMENTAL PROTECTION ACT 1986)**

**SMITHS BEACH DEVELOPMENT, SUSSEX LOC 413, YALLINGUP**

**Proposal:** The strategic proposal is to:

- a) extend the Leeuwin Naturaliste National Park into the western part of Sussex Location 413; and
- b) develop the eastern part of Sussex Location 413 for tourism and residential purposes with associated public open space and foreshore reserves as generally depicted on the Development Guide Plan.

The strategic proposal and identification of future proposals is further documented in Schedule 1 of this statement.

**Proponent:** Canal Rocks Pty Ltd

**Proponent Address:** Suite A7  
435 Roberts Road  
SUBIACO WA 6008

**Assessment Number:** 1597

**Report of the Environmental Protection Authority:** Report 1318

The future proposals identified in the strategic proposal referred to Schedule 1 of this statement may be implemented. The implementation of the future proposals shall be subject to the following conditions and procedures (subject to the Minister for Environment's identification of relevant conditions under section 45A(3) of the *Environmental Protection Act 1986*):

**1 Proponent Nomination and Contact Details**

- 1-1 The proponent for the time being nominated by the Minister for Environment under sections 38(6) or 38(7) of the *Environmental Protection Act 1986* is responsible for the implementation of the proposal.

- 1-2 The proponent shall notify the Chief Executive Officer of the Office of the Environmental Protection Authority of any change of the name and address of the proponent for the serving of notices or other correspondence within 30 days of such change.

**2 Time Limit of Authorisation**

- 2-1 The authorisation to implement future proposals provided for in this statement shall lapse and be void within ten years after the date of this statement if the future proposals to which this statement relates are not substantially commenced.
- 2-2 The proponent shall provide the Chief Executive Officer of the Office of the Environmental Protection Authority with written evidence that demonstrates that future proposals have substantially commenced on or before the expiration of ten years from the date of this statement.

**3 Compliance Reporting**

- 3-1 The proponent shall prepare and submit a compliance assessment plan to the satisfaction of the Chief Executive Officer of the Office of the Environmental Protection Authority at least 6 months prior to the first compliance report required by condition 3-6 or prior to the commencement of future proposals, whichever is sooner.
- 3-2 The proponent shall implement and maintain to the Chief Executive Officer of the Office of the Environmental Protection Authority the compliance assessment plan required by condition 3-1. The compliance assessment plan shall indicate:
- a) the frequency of compliance reporting;
  - b) the approach and timing of compliance assessments;
  - c) the retention of compliance assessments;
  - d) the reporting of potential non-compliances and corrective actions taken;
  - e) the table of contents of compliance reports; and
  - f) the public availability of compliance reports.
- 3-3 The proponent shall assess compliance with conditions in accordance with the compliance assessment plan required by condition 3-1.
- 3-4 The proponent shall retain reports of all compliance assessments described in the compliance assessment plan required by condition 3-1 and shall make those reports available when requested by the Chief Executive Officer of the Office of the Environmental Protection Authority.



- 3-5 The proponent shall advise the Chief Executive Officer of the Office of the Environmental Protection Authority of any potential non-compliance as soon as practicable.
- 3-6 The proponent shall submit a compliance assessment report annually from the date of the Minister for Environment's notice under section 45A(2) of the *Environmental Protection Act 1986* addressing the previous twelve month period or other period as agreed by the Chief Executive Officer of the Office of the Environmental Protection Authority. The compliance assessment report shall:
- a) be endorsed by the proponent's Managing Director or a person, approved in writing by the Office of the Environmental Protection Authority, delegated to sign on the Managing Director's behalf;
  - b) include a statement as to whether the proponent has complied with the conditions;
  - c) identify all potential non-compliances and describe corrective and preventative actions taken;
  - d) be made publicly available in accordance with the compliance assessment plan; and
  - e) indicate any proposed changes to the compliance assessment plan required by condition 3-1.

#### **4 Development**

- 4-1 Development of Sussex Location 413 shall be generally in accordance with the *Smith's Beach - Development Guide Plan (Mediated Plan) Plan No. 160-60K* dated 18 June 2009 ("DGP") (Figure 1).
- 4-2 There shall be no development of Sussex Location 413 outside the Identified Development Land Area shown on the *Smith's Beach - Development Guide Plan — IDLA Plan No. 160-73G* dated 18 June 2009 (Figure 2), other than development of public infrastructure such as works, public facilities, infrastructure and amenities within foreshores reserves; community facilities; landscape works; stormwater and drainage infrastructure; and utilities and services.
- 4-3 Development on Sussex Location 413 shall not exceed the heights indicated on the *Smith's Beach - Development Guide Plan - Special Height Control Area Map Plan No. 160-61M* dated 18 June 2009 (Figure 3).

#### **5 National Park Extension**

- 5-1 The 20.97 ha depicted as "National Park Extension" in the DGP (Figure 1) shall be incorporated into the Leeuwin-Naturaliste National Park prior to any subdivision or development of Sussex Location 413 (other than subdivision or development undertaken for the sole purpose of transferring that land to the Crown for incorporation into the National Park).

5-2 The Fire Management Plan referred to in Figure 1 shall be to the requirements of the Department of Environment and Conservation in relation to impacts on the Leeuwin-Naturaliste National Park and the extension to the Leeuwin-Naturaliste National Park.

5-3 Public access from the development to the Leeuwin-Naturaliste National Park extension shall be managed to the requirements of the Department of Environment and Conservation in order to protect the granite heath vegetation.

**6 Revegetation**

6-1 Within five years from the date of the Minister for Environment's first notice under section 45A(2) of the *Environmental Protection Act 1986*, the proponent shall revegetate 20 hectares of the 'Mt Duckworth Site' (shaded area in Figure 4) and 2.4 hectares of the 'Gunyulup Site' (shaded area in Figure 5) to meet the criterion of 2000 plants per hectare using the species and proportions as listed in Attachment 1 of this statement.

Hon Donna Faragher JP MLC  
MINISTER FOR ENVIRONMENT; YOUTH



## Schedule 1

### The Strategic Proposal and Identification of Future Proposals (Assessment No. 1597)

The Strategic Proposal is to:

- a) extend the Leeuwin-Naturaliste National Park into the western part of Sussex Location 413; and
- b) develop the eastern part of Sussex Location 413 for tourism and residential purposes with associated public open space and foreshore reserves as generally depicted on the Development Guide Plan (Figure 1).

Future proposals will include:

- Subdivision and development proposals for tourism or residential purposes;
- The provision of public infrastructure within Sussex Location 413 directly related to the above mentioned derived proposals.

The main characteristics of the strategic proposal and extent of future proposals are summarised in Table 1 below.

**Table 1: Summary of Key Proposal Characteristics**

Strategic proposal	
Element	Description
Overall area	Sussex Location 413
Development area	The Identified Development Land Area as delineated in <i>Smith's Beach - Development Guide Plan — IDLA Plan No. 160-73G</i> dated 18 June 2009 (Figure 2).
National Park Extension area	The National Park Extension as delineated in the <i>Smith's Beach - Development Guide Plan (Mediated Plan) Plan No. 160-60K</i> dated 18 June 2009 (Figure 1).
Future proposals	
Type of future proposal	Key characteristics
Tourist	<ul style="list-style-type: none"> <li>• generally in accordance with the <i>Smith's Beach - Development Guide Plan (Mediated Plan) Plan No. 160-60K</i> dated 18 June 2009 (Figure 1).</li> <li>• within the 'Identified Development Land Area' (Figure 2).</li> <li>• compliant with the <i>Smith's Beach - Development Guide Plan - Special Height Control Area Map No. 160-61M</i> dated 18 June 2009 (Figure 3).</li> <li>• sets out building envelopes.</li> <li>• includes Development Guidelines specifying an</li> </ul>

	<ul style="list-style-type: none"> <li>acceptable colour palette.</li> <li>prohibits fencing apart from a private courtyard.</li> <li>restricts plantings to an approved plant species list of appropriate native plants.</li> </ul>
Residential	<ul style="list-style-type: none"> <li>generally in accordance with the <i>Smith's Beach - Development Guide Plan (Mediated Plan) No. 160-60K</i> dated 18 June 2009 (Figure 1).</li> <li>within the 'Identified Development Land Area' (Figure 2).</li> <li>compliant with the <i>Smith's Beach - Development Guide Plan - Special Height Control Area Map Plan No. 160-61M</i> dated 18 June 2009 (Figure 3).</li> <li>includes Development Guidelines specifying an acceptable colour palette</li> <li>prohibits fencing apart from a private courtyard.</li> <li>restricts plantings to an approved plant species list of appropriate native plants.</li> </ul>
Public Infrastructure	<ul style="list-style-type: none"> <li>generally in accordance with the <i>Smith's Beach - Development Guide Plan (Mediated Plan) Plan No. 160-60K</i> dated 18 June 2009 (Figure 1).</li> </ul>

#### Figures:

Figure 1: *Smith's Beach - Development Guide Plan (Mediated Plan) Plan No. 160-60K* dated 18 June 2009.

Figure 2: *Smith's Beach - Development Guide Plan - IDLA Plan No. 160-73G* dated 18 June 2009.

Figure 3: *Smith's Beach - Development Guide Plan - Special Height Control Area Map Plan No. 160-61M* dated 18 June 2009.

Figure 4: Revegetation - Mt Duckworth Site.

Figure 5: Revegetation - Gunyulup Site.



**Figure 1** *Smith's Beach - Development Guide Plan (Mediated Plan) Plan No. 160-60K dated 18 June 2009*

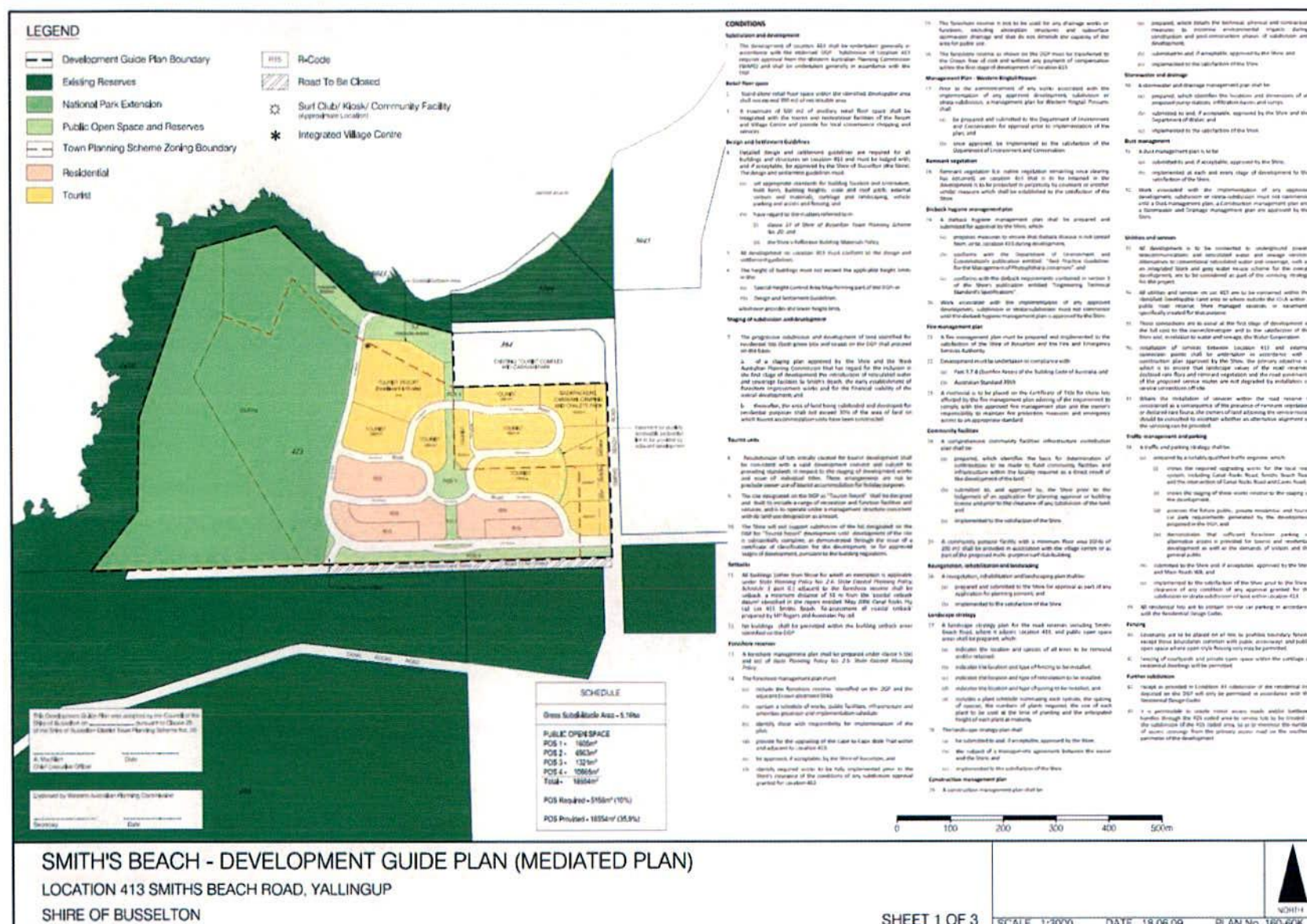
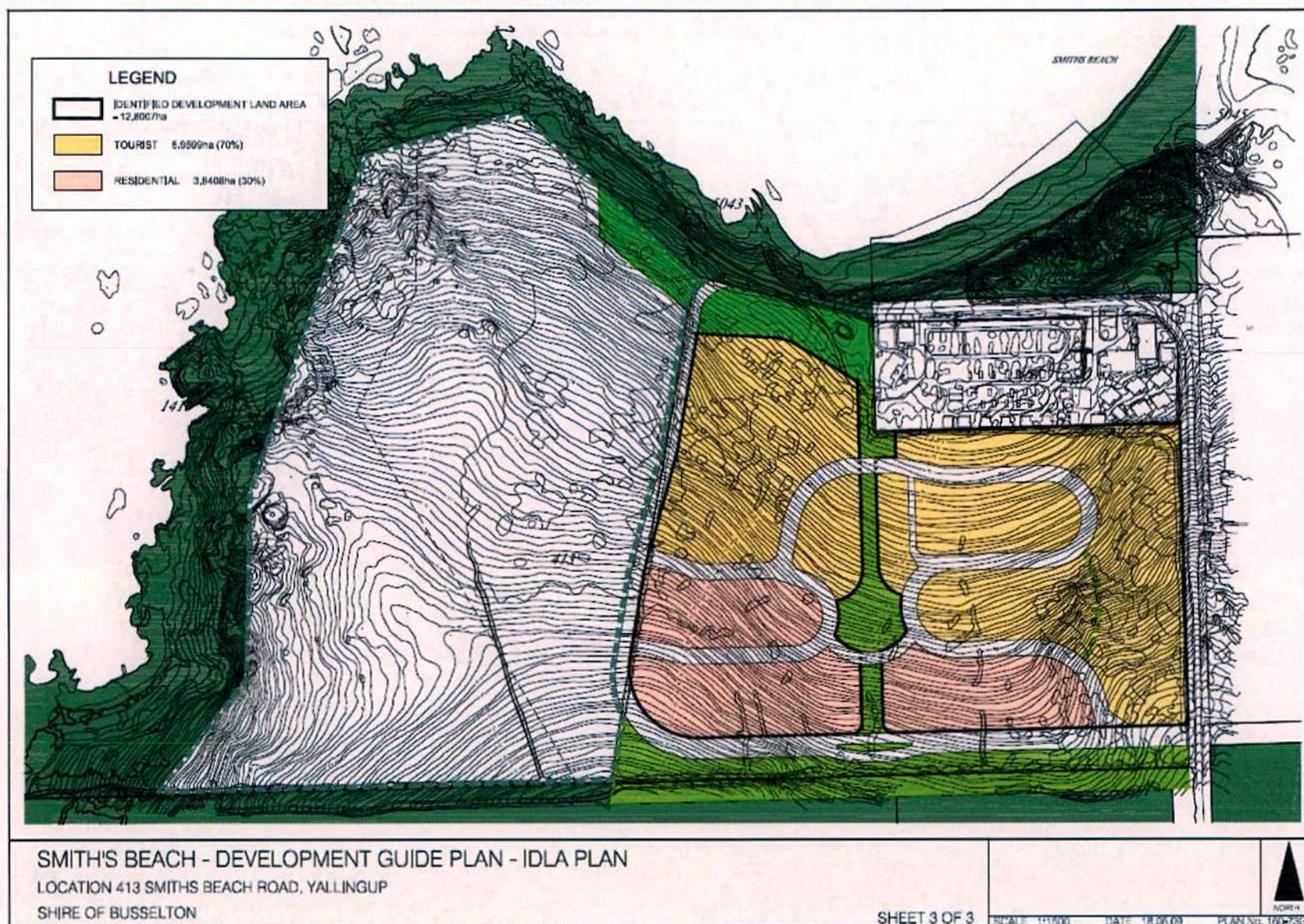




Figure 2 Smith's Beach - Development Guide Plan - IDLA Plan No. 160-73G dated 18 June 2009.





**Legend**

- 4m
- 5m
- 7m
- 10m

**SMITH'S BEACH - DEVELOPMENT GUIDE PLAN - SPECIAL HEIGHT CONTROL AREA MAP**

LOCATION 413 SMITHS BEACH ROAD, YALLINGUP

SHIRE OF BUSSELTON

SHEET 2 OF 3

SCALE 1:500 DATE 18/06/09 PLAN No. 18061M



Figure 4 Revegetation - Mt Duckworth Site

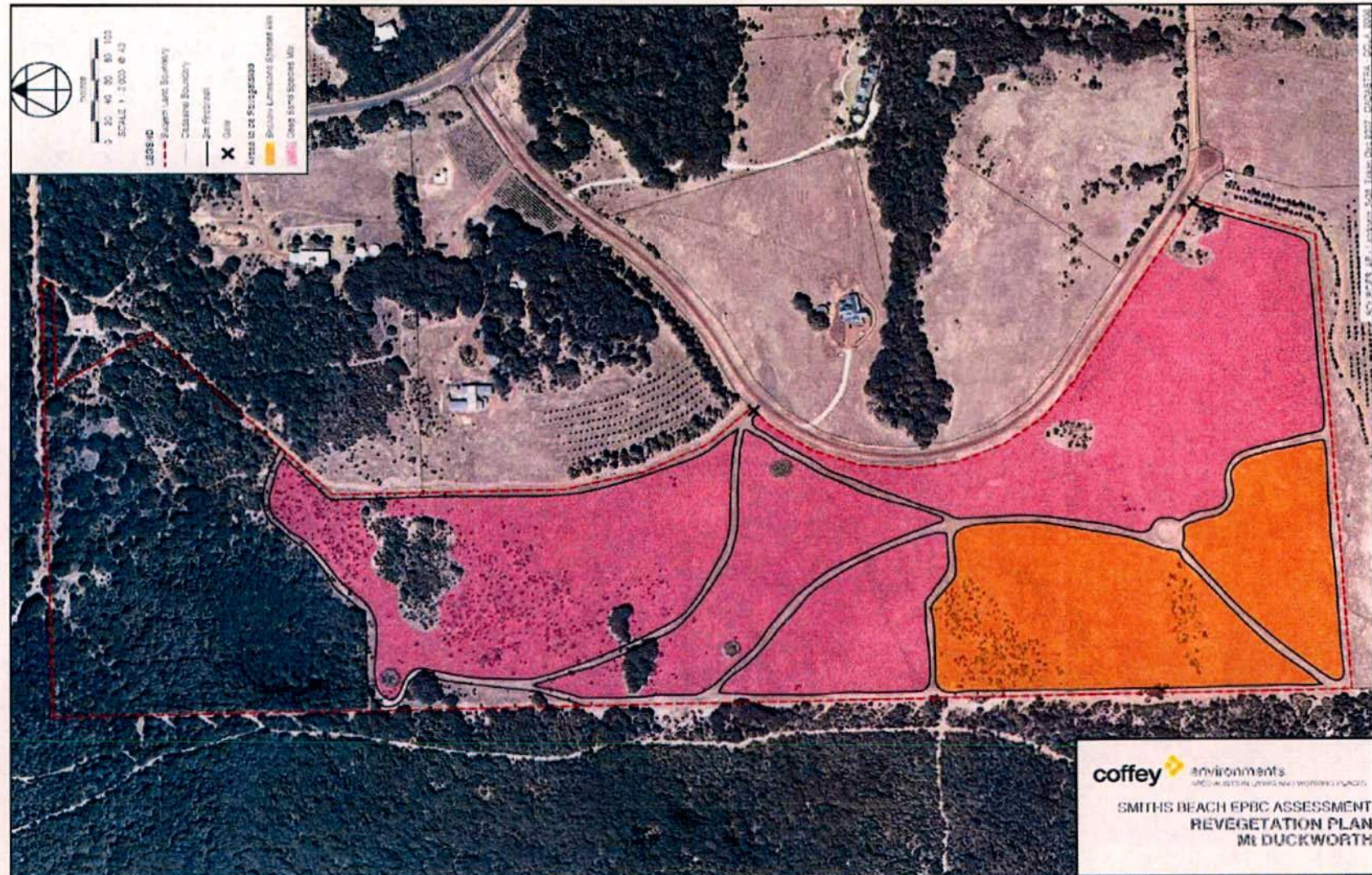
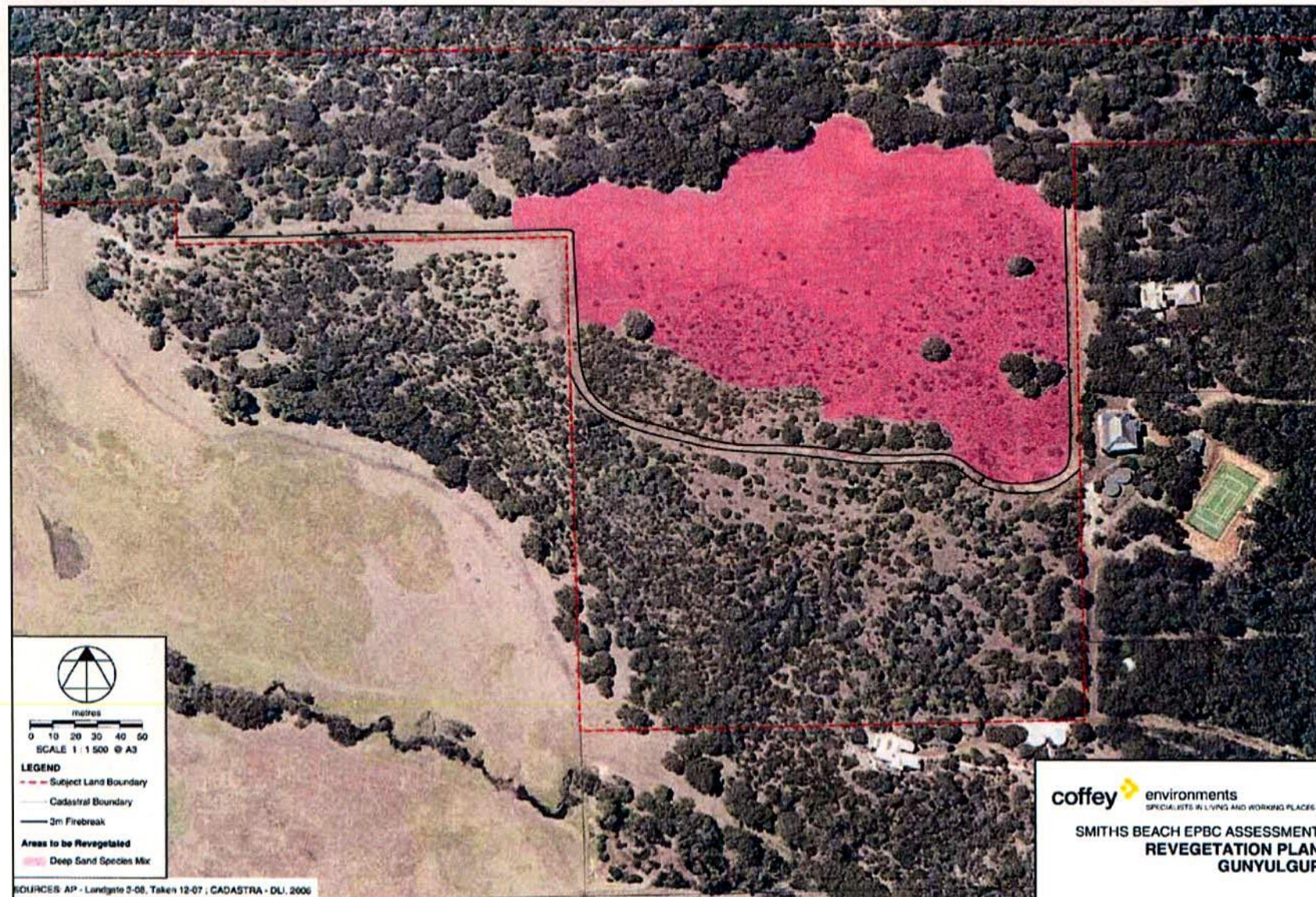




Figure 5 Revegetation - Gunyulup Site





## Attachment 1

Species mix for revegetation (percentage of tubestock seedlings)

Mt Duckworth Site	Gunyulgup Site
<b>Sandy Soils</b>	<b>Whole Site</b>
<i>Agonis flexuosa</i> (WA Peppermint)	<i>Agonis flexuosa</i> (75%)
<i>Corymbia calophylla</i> (Marri)	<i>Corymbia calophylla</i> (15%)
<i>Eucalyptus marginata</i> (Jarrah)	<i>Banksia grandis</i> (5%)
<b>Shallow Limestone Soils</b>	<i>Banksia sessilis var cordata</i> (5%)
<i>Banksia sessilis var cordata</i> (formerly <i>Dryandra sessilis var cordata</i> ) (Parrot Bush) (50%)	
<i>Agonis flexuosa</i> (30%)	
<i>Hakea oleifolia</i> (10%)	
<i>Corymbia calophylla</i> (10%)	