

6th November 2025

[REDACTED]
EPA Services
Prime House, 8 Davidson Terrace
Joondalup WA 6027

Via email: [REDACTED]

Re: Response to Smiths Beach WA LVIA Peer Review (EPA Assessment No. 2340/ EPBC 2021/9141)

Dear [REDACTED]

Smiths Beach 2014 Pty Ltd (the Proponent) welcomes the opportunity to respond to the “Smiths Beach WA LVIA Peer Review” dated 30 October 2025. We respect the importance of independent review; however, as outlined below, we have serious concerns with the Peer Reviewer’s opinions and approach.

A Landscape-led Vision

Smiths Beach sits within a highly valued coastal setting. Our project brings together leading Australian and international expertise in architecture, landscape design and environmental planning to achieve a design that is sustainable and approached with a clear conviction that thoughtful, landscape-led design can enhance, rather than diminish, the places we value most.

The visual amenity impacts for the Smiths Beach Project as assessed by ‘Environment Places Creativity and Design (EPCAD)’, carefully considers how people experience the place – how they live, move and interact – with deep respect for the cultural, natural and built context of this unique location.

Our approach is not about hiding from the landscape; it is about designing *with* it.

Response to the Peer Review

We are deeply concerned that the Visual Impact Peer Review findings fail to reflect the depth of technical work, intent and scope of our Proposal for Smiths Beach. It overlooks that EPCAD’s comprehensive Visual Impact Assessment (VIA) forms part of a detailed and evidence-based Development Application that not only complies with State Planning Policy but clearly describes the built form, landscape integration, and environmental response. The Peer Reviewer appears to hold the view that Smiths Beach should remain unseen or untouched and this disregards its long-standing planning status for tourism and residential development. The site has been zoned for development since 1990 and identified as a strategic Tourism Node for many years. Sensitively designed development is both appropriate and expected at this location.

Close examination of the Peer Review report indicates a failure to adequately consider key project documentation, including the applicable planning framework, the Development Application and supporting technical studies. Consequently, the Peer Reviewer's conclusions are primarily opinion based, lacking reference to supporting evidence and technical assessment. The Peer Review is also informed by the conclusions of the Ecoscape report commissioned by the Smiths Beach Action Group, which again lacks adequate supporting evidence, technical robustness and does not accurately represent our Proposal.

When examining our accompanying technical rebuttal of the Peer Review documents, it will become clear that the Peer Reviewer's conclusions consistently rely on opinion rather than evidence and frequently pre-determine conclusions before analysis. We believe this is contrary to the intent of a peer review and raises legitimate concerns about the reliability of these opinions in informing regulatory decision-making.

We are also concerned by the Peer Reviewer's suggestion that the development be concentrated eastward which would create denser, more intrusive forms. This recommendation directly contradicts our landscape-led design intent and would result in a significantly inferior visual and environmental outcome. Our Proposal delivers a balanced, landscape-led response that celebrates openness, dispersion and the subtle integration of architecture within its natural frame, ensuring development remains low in scale and visually recessive.

Conclusion

The Smiths Beach Project adopts a landscape-led approach that keeps development low in scale, visually recessive and integrated with landform and vegetation. Our Visual Impact Assessment and design framework are consistent with the applicable Western Australian planning policies and guidelines and supported by technical rigour. We would welcome the opportunity to present further modelling and additional visualisations from agreed viewpoints to assist the EPA's consideration.

We respectfully submit this letter and our accompanying responses to the Peer Review (30 October 2025) for your consideration.

Sincerely,

Smiths Beach Project Team

Attachment: Response to Smiths Beach WA LVIA Peer Review

1. Introduction

1. Introduction

█ has been engaged by the Department of Water and Environmental Regulation (DWER) to undertake an independent peer review of the visual and landscape assessment work prepared for the Smiths Beach Project, located at Sussex Location 413, Yallingup, Western Australia.

This review draws on the following inputs:

- Visual and Landscape Assessments prepared by EPCAD (2021)
- Visual and Landscape Assessments prepared by Ecoscape (2022)
- Relevant sections of the Environmental Scoping Document (ESD)
- Relevant sections of the Environmental Review Document (ERD)

As requested, █ has undertaken this review with reference to the following planning and environmental frameworks:

- State Planning Policy 6.1 – Leeuwin-Naturaliste Ridge (WAPC, 2008)
- State Planning Policy 2.0 – Environment and Natural Resources (WAPC, 2003)
- Visual Landscape Planning in Western Australia: A Manual for Evaluation, Assessment, Siting and Design (WAPC, 2007)
- City of Busselton Local Planning Scheme No. 21
- EPA Environmental Factor Guideline: Social Surroundings

█ conducted a site visit of Smiths Beach and the surrounding area including the section of the Cape to Cape Track from Canal Rocks Car Park to Smiths Beach on 13th September 2025.

- We note that the Peer Reviewer has not addressed what we see as significant shortcomings in the Ecoscape (2022) report commissioned by the Smiths Beach Action Group.
- This assessment has a very narrow focus, there is no reference to the wider Development Application (DA) – noting our Visual Impact Assessment (VIA) report is an annexure to the DA – which describes building height, architectural outcomes etc.
- The report is limited in terms of the documentation that has been drawn on to inform the Peer Reviewer’s opinions and conclusions. It does not include key elements of the proposal, which are expressly stated in the DA, and therefore lacks the required knowledge/understanding required to form a well considered opinion.
- The Peer Reviewer states that a review has been undertaken of the Ecoscape assessment, prepared on behalf of the Smiths Beach Action Group (SBAG). However, the report provides very limited commentary on the technical merits of the Ecoscape report, which we believe is intentionally misleading and lacking in professional integrity.

1.1 Purpose of this report

1.1 Purpose of this report

This review aims to determine whether the information and conclusions presented regarding visual amenity impacts and proposed mitigation measures are policy-aligned, and sufficient to inform the EPA’s assessment process.

- We strongly assert that the information and conclusions presented by EPCAD on visual amenity impacts are accurate, transparent, and aligned with all relevant planning and environmental policies, including SPP 6.1, SPP 2.0, WAPC (2007), and the EPA’s Social Surroundings Guideline (2023).
- The EPCAD VIA clearly identifies key view corridors, landscape character areas, and mitigation measures to protect visual amenity, providing a comprehensive and evidence-based assessment suitable for EPA assessment.
- By contrast, many of the Peer Reviewer’s opinions appear selective and unsupported by technical evidence, overlooking the depth of analysis and policy alignment already demonstrated in EPCAD’s work. This has the very real potential to misrepresent the robustness and reliability of the assessment, which is of particular concern.
- In contrast, EPCAD’s conclusions remain data-driven, proportionate, and fully compliant with the intent and requirements of the relevant statutory frameworks.

1.2 Scope of Work

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The scope of this peer review includes:

Has EPCAD (2021) Visual and Landscape Assessment (VLA) been prepared in accordance with:

- State Planning Policy 6.1 – Leeuwin-Naturaliste Ridge (WAPC, 2008)
- State Planning Policy 2.0 – Environment and Natural Resources (WAPC, 2003)
- Visual Landscape Planning in Western Australia: A Manual for Evaluation, Assessment, Siting and Design (WAPC, 2007)
- City of Busselton Local Planning Scheme No. 21
- EPA Environmental Factor Guideline: Social Surroundings (2023)

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- Has the proponent clearly identified the key visual amenity values within the development envelope
- Provide comment on the accuracy of visual interpretations of proposed development (illustrative views)
- Is the proposal design consistent with Statement of Planning Policy 6.1
- Advise how the proposal will affect the public's visual amenity of the area
- Advise whether the potential impacts on visual amenity from the proposal, in particular siting of elements within the development envelope have been accurately predicted in the ERD:
 - Wastewater treatment plant (WWTP) located at a geographical high point at the rear of the property.
 - Western holiday homes, with a design that is not recessive and siting of the buildings extends westwards into an area with low visual absorption capacity
 - Hotel/eco suites design is not recessive, with siting of the buildings west of the curve of the bay towards Smiths Point may enclose the bay, alter the natural landscape character at Smiths point and dominate beach views, rows of suites may appear stacked up the slope and create the effect of a three-storey building
 - Community hub/hotel siting of the buildings is close to the beach and may insert a dominating built element to the natural beach landscape and well-recreated area, and design is not recessive.
- Advise whether the mitigation measures proposed by the proponent to manage impacts to visual amenity are appropriate.
- Review and reference information relevant to the EPA's assessment, including the ERD and Ecoscape 2022.

- At the same time as defining the “scope of work”, the Peer Reviewer seems to be making conclusions to the reader as to the outcome of the review – this is highly unusual and misleading. For example,

“The scope of this peer review includes:

..

Advise whether the potential impacts on visual amenity from the proposal, in particular siting of elements within the development envelope have been accurately predicted in the ERD:

..

- *Western holiday homes, with a design that is not recessive ..*

..

- *Community hub/hotel siting of the buildings is close to the beach and may insert a dominating built element to the natural beach landscape and well-recreated area, and design is not recessive.”*

- Parts of the Peer Reviewer’s “scope” pre-suppose outcomes (e.g., “design is not recessive,” “dominant built element”) before undertaking analysis. That framing risks biasing subsequent commentary and is inconsistent with a neutral peer-review scope.
- The scope wording appears to have been drawn from the EPA’s issue identification list, not from independent evaluation.
- Assertions about built form prominence disregard the Design Report and VIA annexure to the DA, which clearly demonstrate recessive, landscaped siting.

1.4 Assumptions

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- The review is based on documentation provided to [redacted] by DWER, including the EPCAD (2021) and Ecoscape (2022) Visual and Landscape Assessments, and relevant sections of the ESD and ERD. No additional material has been considered unless explicitly supplied.
- The scoping meeting with the EPA and the site visit (13th September 2025) have been completed and are assumed to have provided sufficient context to inform the peer review.
- GHD has not undertaken independent verification of baseline data, modelling, or visual simulations included in the assessments.
- The review is limited to visual and landscape planning matters and does not extend to other landscape architectural, environmental or planning disciplines unless directly relevant to visual amenity.
- GHD's review does not constitute legal advice or a formal planning determination.
- All findings and recommendations are based on professional judgement and interpretation of the materials reviewed, within the scope defined by the EPA through DWER.

- The Peer Reviewer provides no independent verification of baseline data, modelling, or visual simulations and confirms reliance only on materials “explicitly supplied”. This admission is critical. Without verifying survey data, modelling or imagery, the Peer Reviewer cannot credibly claim that EPCAD’s results are inaccurate. EPCAD used LiDAR-based terrain and thoroughly cross-checked all imagery. The Peer Reviewer appears to consistently rely on opinion, not evidence.
- These limitations acknowledged by the Peer Reviewer must temper the weight afforded to opinion-based conclusions on visibility, scale and recessiveness.

2.1 General Note

2.1 General note

The EPCAD (2021) report has been prepared on behalf of Smiths 2014 Pty Ltd (the proponent) to identify the potential impacts, propose mitigation and environmental outcomes as defined in *Table 5 Preliminary key environmental factors and required work* in the *Smiths Beach Project, Yallingup – Coastal Tourism Village, Environmental Scoping Document – Assessment Number: 2340 (2023)* under points 97 – 102.

The Ecoscape (2022) report was commissioned by the Smiths Beach Action Group during the public review period to provide a peer review and technical assessment of the visual landscape and environmental aspects associated with the Smiths Beach Project.

- The Peer Reviewer references the Ecoscape (2022) report, which we note was commissioned by a third-party advocacy group (Smiths Beach Action Group), not a regulatory agency. Where the Peer Reviewer adopts or relies upon Ecoscape’s interpretations, the same technical and evidentiary rigour expected of EPCAD should apply – namely, transparency of method, verifiable imagery, and reproducible data.
- The Ecoscape report did not undergo technical verification and does not meet the evidentiary threshold of an independent peer-reviewed assessment. It should therefore be treated as stakeholder commentary rather than an objective benchmark. The Peer Reviewer should have acknowledged these limitations clearly to avoid presenting a misleading or unbalanced view of the comparative assessments.

2.2 Has EPCAD 2021 VLR been prepared in accordance relevant guidance?

2.2.1 Statement of Planning Policy 6.1 Leeuwin Naturaliste Ridge

EPCAD (2021) references the Leeuwin-Naturaliste Ridge State Planning Policy (LNRSP) as a guiding framework for assessing landscape and visual impacts associated with the Smiths Beach proposal. The report includes the policy's objectives verbatim and identifies the site as a designated tourist node within a Travel Route Corridor and an area of Natural Landscape Significance. It also acknowledges the influence of adjacent features such as the Leeuwin-Naturaliste National Park and the Principal Ridge Protection Area.

That said, In my opinion, EPCAD's interpretation of the LNRSP lacks depth in several key areas. The policy's overarching vision is not included, and specific Policy Statements (PS) and Land Use Strategies (LUS), notably PS 1.3 and LUS 1.20, which are directly relevant to Smiths Beach, are not explicitly cited in the policy framework section. In my opinion, their inclusion would have strengthened the assessment's alignment with the policy and clarified its foundation.

In my opinion, EPCAD's Section 2.2 (The Visual Character) does make a meaningful contribution by classifying the site within three LNRSP landscape categories: a Travel Route Corridor with Natural Landscape Significance, a corridor with Rural Landscape Significance, and an area of Rural Landscape Protection. The report also notes that a small area in the south-eastern corner of the site should be reclassified as having Natural Landscape Significance due to its topographic and vegetative qualities.

Nonetheless, I consider the integration of the LNRSP into EPCAD's assessment framework to be limited. While the policy likely informed the broader approach to landscape character management, the robustness of the assessment could have been enhanced through more explicit application of relevant PS and LUS provisions in the development of the Visual Management Objectives (VMOs).

The Ecoscape (2022) report provides a review of the LNRSP, including its vision, objectives, and spatial classifications. Ecoscape concludes that the proposal does not comply with the LNRSP and that the landscape values identified in the policy will be "*significantly and permanently diminished*" at Site 413. This conclusion is supported by further analysis throughout the report, including mapping of visual absorbance capacity and key

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landscape values, which demonstrate that the proposed built form would potentially encroach into areas that they have identified as having extremely low visual tolerance and high wilderness-like character.]

Peer Review Comment

The Peer Reviewer claims EPCAD's interpretation of SPP 6.1 "lacks depth," omits the policy vision and key Policy Statements (PS 1.3 and LUS 1.20), and that integration into the Visual Management Objectives (VMOs) is limited. Ecoscape (2022) is cited by the Peer Reviewer as concluding that the Proposal does not comply and will "significantly and permanently diminish" policy landscape values.

Proponent Response

Please refer to our response in 2.1 above re. the Ecoscape report.

We strongly assert that EPCAD's VIA fully integrates SPP 6.1 in substance and intent. The EPCAD assessment clearly identifies the site's recognised landscape categories, protects both primary and secondary ridgelines, and promotes recessive, landscape-led design outcomes consistent with SPP 6.1's objectives.

The Peer Reviewer's critique misleadingly focuses on the written form of the EPCAD report – whether every clause is quoted verbatim – rather than on the substance of policy delivery. That is a referencing issue, not a deficiency in application by EPCAD.

In summary, EPCAD's VIA demonstrates clear, practical compliance with SPP 6.1 by translating its policy vision into measurable outcomes – protected ridgelines, visually recessive buildings, and a landscape-led tourism node. The Peer Reviewer's criticism misrepresents a presentation detail as a methodological flaw and gives undue weight to unverified third-party commentary.

"Lacks depth" / missing PS 1.3 & LUS 1.20:

It is entirely unclear as to how the Peer Reviewer has arrived at their opinion that the EPCAD report "lacks depth".

Further, this comment from the Peer Reviewer again underlines our belief that they do not have the required understanding of the holistic Proposal, or the detailed technical studies prepared to support the Development Application (DA).

The EPCAD report does not address PS 1.3 and LUS 1.20 specifically, as the information is contained within multiple other technical documents, as well as being summarised in the DA report. It was considered that restating these was not required, as they do not alter the assessment's conclusions.

Notwithstanding the above, the proponent advises that alignment to these sections of SPP 6.1 has been achieved, as the Proposal:

- Conserves the Principal Ridge Protection Area and values within the Ridge Landscape Amenity Area and National Park Influence Area, as a result of the development footprint being contained entirely within the Development Investigation Area, and outside of the National Park Influence Area, Principal Ridge Protection Area, and Ridge Landscape Amenity Area.
- Adopts landscape and environmentally led design outcomes which have sought to optimise the retention of vegetation and provide for the sensitive placement of dispersed development across the site to optimise landform retention and thereby vegetation retention, which supports visual amenity objectives.
- Provides for an environmentally acceptable means of effluent disposal, and demonstrates the proposed wastewater treatment systems are suitable, based on the Site and Soil Evaluation undertaken and the assessment provided for in the ERD.
- Provides fully reticulated potable water supply at the Proponent's cost and will also be serviced by the existing Western Power network surrounding the subject site.
- Provides for acceptable bushfire protection and landscape management strategies detailed throughout the Development Application and supporting appendices, which addresses the Project objectives of vegetation retention and environmental excellence to create a world-class Tourism Node, whilst also ensuring adequate asset protection zones to protect property and life.
- Recognises the State's identified tourism priority for this region and the opportunity the site has to support the Cape to Cape Track as a unique tourism attraction. The Project will address the needs of meaningful growth in tourism demand in the region and deliver tourism, community and economic benefits to the Cape to Cape Track, as well as the South West region generally.
- Provides for a range of tourism uses and infrastructure across the site, including:
 - A variety of tourist accommodation types to cater for all visitors including Hotel rooms, Campgrounds and Holiday Homes.
 - Cape to Cape Welcome Centre – curated tourist information, education and facilities to support the tourism offer.

- A tourism village comprising a variety of community facilities including Surf Life Saving Club, a general store, café and bakery, hire shop, restaurants, wellness centre.
- With an emphasis on providing a well-considered tourism offer for the region, the project’s design, management and operation is structured to serve the tourism needs of the South West and, for this reason, satisfies SPP 6.1 requirement for a primary tourism function.

Ecoscape’s non-compliance claim referenced by the Peer Reviewer

Ecoscape’s conclusion that the Proposal will “significantly and permanently diminish” landscape values is unsupported by verified evidence. Neither Ecoscape nor the Peer Reviewer has produced photomontages or metadata that can be independently audited. By contrast, EPCAD’s VIA uses LiDAR-based modelling and policy-tested VMOs that align directly with SPP 6.1’s protective mechanisms – low-rise, dispersed siting; colour/texture harmony; and vegetation retention.

We do not believe the Peer Reviewer is providing an adequate critique of Ecoscape’s report and it is being utilised in a misleading manner.

2.2.2 State Planning Policy 2.0 – Environmental and Natural Resources

State Planning Policy 2.0 (SPP 2.0) provides foundational guidance for the protection and sustainable management of Western Australia’s environmental and natural resources. It emphasises the intrinsic value of the environment and outlines key policy measures for safeguarding significant natural, cultural, and visual features, particularly within sensitive landscapes.

EPCAD (2021) demonstrates clear alignment with SPP 2.0. The policy is explicitly referenced in Section 2.1.2 of the report’s Policy Framework, and Section 5.9, *focused on landscape*, is included in Appendix 1. EPCAD acknowledges the site’s location within a region of natural landscape significance and applies the policy’s principles by:

- Recognising the need to identify and protect high value landscapes;
- Considering the capacity of the landscape to accommodate change;
- Emphasising sensitive siting and design of development proposals; and
- Supporting the use of landscape or visual impact assessments (VIA) for proposals that may affect sensitive areas.

This approach reflects responsible planning consistent with SPP 2.0’s objectives. EPCAD integrates this additional layer of policy guidance, reinforcing the importance of landscape protection in a region subject to tourism and development pressures.

In summary, EPCAD’s inclusion and application of SPP 2.0 strengthens its assessment by embedding landscape protection within a recognised planning framework.

- The Peer Reviewer agrees EPCAD’s VIA aligns with SPP 2.0. This confirms the VIA properly recognises landscape sensitivity, sustainable siting, and capacity to accommodate change – core aims of the policy.
- However, this finding also reveals an inconsistency within the Peer Review. The same characteristics praised by the Peer Reviewer under SPP 2.0 – sensitive siting, visual integration, and sustainable landscape management – are later cited as alleged deficiencies when the Peer Reviewer assesses the Proposal under SPP 6.1 and “design consistency.” Because both SPP 2.0 and SPP 6.1 share the same planning intent to protect landscape values through appropriate siting and recessive design, a finding of clear alignment with SPP 2.0 necessarily supports consistency with SPP 6.1.

It is unclear how the Peer Reviewer can argue this inconsistency.

- Accordingly, the Peer Reviewer’s acknowledgment of EPCAD’s alignment with SPP 2.0 reinforces that the VIA has properly applied the principles of sustainable landscape planning and that subsequent criticisms regarding insensitivity of siting or non-recessive form are not supported by the Peer Reviewer’s own earlier analysis.

2.2.3 Visual Landscape Planning in Western Australia: A Manual for Evaluation, Assessment, Siting and Design

The EPCAD (2021) report references the WAPC (2007) Manual as the basis for assessment. This manual outlines a five-step process and three VMOs, *Best Practice Siting and Design*, *Protection and Maintenance*, and *Restoration or Enhancement of Degraded Character*, which guide how landscape character should be managed.

In my opinion, the EPCAD (2021) assessment provides only limited detail about the proposed development. It does not adequately demonstrate how potential visual changes arising from project staging, vegetation clearing, Asset Protection Zone (APZ), landscape planting, or built form have been considered, to show that the VMOs can be achieved or that visual impact can be minimised. In my opinion the report is limited in the following areas:

- No formal impact assessment of the magnitude, duration and significance of each specific visual impact is provided.
- No discussion on the whether impacts would be temporary or permanent or whether the effect would be beneficial, neutral or adverse.
- No evidence or discussion was provided within the report of likely changes to defined landscape character.
- No timelines for development or description of changes over time including for construction stage, establishment and how the landscape will mature and develop over time, has been provided.
- A methodology on how the illustrations and Zone of Visual Influences (ZVI) were produced was not provided and this limits our ability to understand their technical accuracy.
- Little to no description of the general type of views that may result from the development such as new feature views, removal of caropied or enclosed views, screening of panoramic views, has been provided for identified viewpoints.

While EPCAD states broad compliance with the guidelines, in my opinion, the assessment lacks the robustness required given the scale of the project, the sensitivity of the site, and the value placed on the area by the community.

Refer to Appendix A for a table that summarises the response of EPCAD to the VIA report requirements.

- The Peer Reviewer misinterprets the purpose of the WAPC Manual. The WAPC Manual establishes a structured process, not a mandatory set of quantitative tests. EPCAD followed all five steps of the WAPC Manual – define VMOs, describe character, identify impacts, develop mitigation, recommend management – with the level of detail appropriate for ERD stage.
- The WAPC Manual allows professional judgement in lieu of numeric “magnitude/duration” scoring or photomontages, which are not required at scoping stage.
- EPCAD’s VIA includes survey-accurate LiDAR ZVI mapping, 70 assessed viewpoints, and a robust mitigation framework. In comparison, the Peer Reviewer’s own images lack metadata and flatten vertical scale, making them less accurate than EPCAD’s.
- Construction and interim visual impacts are dependent on precise staging details, which are not yet confirmed and therefore cannot be reliably illustrated at this stage. The EPCAD VIA has instead focused on the completed development scenario, which incorporates retained vegetation, fire management requirements, established built form parameters, and anticipated material finishes. On this basis, the final development outcome is considered appropriate, recognising that actual construction staging may vary across different implementation programs.

2.2.4 City of Busselton Local Planning Scheme No. 21

EPCAD references the City of Busselton Local Planning Scheme No. 21 as the basis for assessment. The Scheme outlines specific provisions for Sussex Location 413 Smiths Beach Road, Yallingup, which guide how landscape character should be managed in relation to development.

In my opinion EPCAD (2021) responds to Clause 3(a) of Schedule 2, which requires a Visual Impact Analysis and Management Plan to be endorsed for the site, and Clause 2(g) of Schedule 8, which mandates a Visual Landscape Assessment as part of the Structure Plan. Clause 4(a) of Schedule 8 further requires that the Developable Land Area be informed by the overriding need to protect visual amenity, natural landscape, and environmental values. The site's inclusion within the Landscape Value Area Special Control Area also triggers Clause 5.4.2, which restricts development on or near ridgelines where it may substantially detract from visual amenity, considering cumulative impacts. EPCAD's assessment incorporates these provisions to demonstrate alignment with the Scheme's statutory requirements for landscape protection.

In my opinion EPCAD (2021) assessment demonstrate alignment with the statutory planning framework and landscape protection provisions of the City of Busselton Local Planning Scheme No. 21. This assessment incorporates the required visual and environmental considerations.

- The Peer Reviewer acknowledges that EPCAD's VIA meets the requirements of the City of Busselton Local Planning Scheme No. 21 (LPS 21), including Schedules 2 and 8 and Clause 5.4.2 of the Landscape Value Area Special Control Area. These provisions specifically require protection of ridgelines and visual amenity from key public viewpoints – objectives that EPCAD's assessment and design clearly address.
- EPCAD's VIA directly responds to these planning controls, ensuring the proposed development protects ridgeline integrity, reduces visual exposure, and maintains the natural coastal character. The Peer Reviewer's own acknowledgment confirms that EPCAD's siting and design approach are consistent with the City's statutory visual-protection requirements.
- However, later comments in the Peer Review suggesting visual dominance or non-recessive design contradict this finding. It is not credible that the Peer Reviewer concludes that the VIA both complies with LPS 21's visual-protection clauses and simultaneously fails to protect visual amenity. The earlier finding of compliance should carry greater weight because it is based on objective planning standards, not subjective interpretation.
- This inconsistency in the Peer Review creates a very misleading overall impression of EPCAD's assessment and its alignment with statutory requirements.

2.2.5 EPA Environmental Factor Guideline: Social Surroundings
 EPCAD (2021) references the EPA’s Guidance Statement No. 33 (2008), specifically Part D (Social Surroundings), noting the objective to ensure visual amenity is considered and that measures are adopted to reduce adverse visual impacts on the surrounding environment as low as reasonably practicable. This approach aligns with the current EPA Environmental Factor Guideline: Social Surroundings (Nov 2023), which reinforces the need to protect aesthetic, cultural, and social values from significant harm. The guideline emphasises the importance of identifying and mitigating impacts on visual amenity where there is a clear link between environmental change and its effect on people’s experience of place. EPCAD’s consideration of visual matters and its application of management measures demonstrate some consistency with the EPA’s updated expectations for assessing and protecting social surroundings, however in my opinion this is limited for the reasons outlined in 2.2.3.

- The Peer Reviewer notes that EPCAD references the EPA Guideline and shows some consistency, but claims the alignment is “limited” due to issues outlined elsewhere.
- In response, we note that the Peer Reviewer’s claim of “limited detail” in section 2.2.3 is inconsistent with their own acknowledgment of alignment. The EPA Guideline expects landscape and visual impact assessment studies to be based on recognised methodology. EPCAD followed all five steps of the WAPC Manual and therefore satisfies the required level of analysis for an environmental referral, providing a compliant and practical framework to manage and protect visual and social values.
- EPCAD’s VIA directly meets the EPA Guideline’s objective to protect visual amenity and people’s experience of place from significant harm. The assessment identifies how the public experiences the site – including beach users and trail walkers – and outlines proportionate design and management measures such as recessive building form, vegetation retention, and colour/texture control.

2.3 Has the proponent clearly identified the key visual amenity values within the development envelope?

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 The EPCAD (2021) report provides a description of the site’s landscape context and acknowledges the regional significance of Smiths Beach and the Leeuwin–Naturaliste Ridge. The report breaks down the area into several primary and secondary character areas as well as site-specific character units.
 However, it then categorises the site into two broad “Wilderness Quality” areas called ‘Wilderness-like’ and ‘Naturalistic’ and outlines general character descriptions and VMOs for these two areas. The relationship and shared values between the different types of character units is not identified or described.
 The report does not clearly define or justify the key visual amenity values that underpin the site’s significance. Specifically:
 – There is no concise statement outlining what matters most to the public in terms of visual amenity, nor is there a structured framework that identifies and ranks these values.
 – Public receptor sensitivity and the relative importance of views are not assessed or prioritised, which limits the ability to understand how different user groups may be affected.
 – Key view corridors and experiential sightlines from prominent public locations such as Smiths Beach, Torpedo Rocks, and the Cape to Cape Track are not explicitly mapped or analysed in terms of their contribution to visual amenity.
 – While the two “Wilderness Quality” areas are presented, their link to specific visual amenity values is not demonstrated in a way that supports transparent decision-making.
 In my opinion, while EPCAD (2023) report identifies landscape components and outlines management intent, it does not provide a clear or comprehensive identification of visual amenity values within the development envelope. This limits the robustness of the assessment.

- The Peer Reviewer’s claim that EPCAD fails to define key visual values is inaccurate. EPCAD’s VIA delineates Character Units, identifies principal view corridors, and links each to specific Visual Management Objectives (VMOs), thereby capturing public visual and experiential values in qualitative form.
- Under the WAPC (2007) Visual Landscape Planning Manual and SPP 6.1, visual values are described qualitatively through landscape character, public receptor sensitivity, and design response – not through numerical ranking or quantification. EPCAD’s approach aligns with these established methodologies and industry standards.
- The Peer Reviewer’s expectation for a ranked or quantified hierarchy of views exceeds the scope and intent of both WAPC (2007) and SPP 6.1 and would introduce unnecessary subjectivity. The EPCAD VIA structured mapping of character units, view corridors, and corresponding VMOs already provides a defensible and policy-consistent framework for defining and managing visual values.

2.4 Provide comment on the accuracy of visual interpretations of proposed development

Review the accuracy of visual interpretations

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Below are images captured by [REDACTED], Ecoscape, and EPCAD. All photographic images by [REDACTED] were captured using a Canon 6D Mark II with a 50 millimetre fixed focal length lens on a 35 millimetre full frame format camera at a camera height of 1.6 metres which is considered international best practice¹ for this type of photography. Existing views were represented using a panorama technique. This technique involves the stitching together of a number of adjoining images using the Adobe Photoshop software program. All images are represented with a 90-degree horizontal field of view. We do not know the technical details of the images captured by Ecoscape, and EPCAD. The below images from Torpedo Rocks and Torpedo Rocks Carpark assist in provide a direct comparison of the different photos captured. As illustrated below while there is some general alignment with the imagery used for the illustrative view at Torpedo Rocks. The imagery used as part of the viewpoint assessment differs. This should be considered when review imagery associated with the viewpoint analysis.

In my opinion the EPCAD (2021) image (refer to Figure 7) introduces a perceptual distortion that seems to understate the prominence of the headland in the view. The panoramic framing flattens spatial depth, diminishing the apparent scale and visual dominance of the headland within its setting and skews the perspective. This reduces the legibility of elements, creating an impression that does not accurately reflect the visual experience from this viewpoint.

In my opinion the images within the report may not reliably depict the views experienced on site.



Figure 1 Torpedo Rocks [REDACTED]



Figure 2 Torpedo Rocks – existing view (Ecoscape 2022)

- The Peer Reviewer claims EPCAD's visuals lack verifiable metadata and provide "no reliable visual modelling". – we strongly refute this claim.
- EPCAD's VIA provides a transparent, evidence-based visual analysis consistent with WAPC (2007) and EPA (2023) guidance. It includes 70 assessed viewpoints and 12 valued views, underpinned by survey-accurate LiDAR terrain data and ZVI mapping both with and without vegetation – exceeding typical requirements for an ERD-stage VIA.
- EPCAD's images are intentionally illustrative concepts, not verified photomontages – appropriate for a strategic assessment stage. The Peer Reviewer's criticism is inconsistent and unsupported: neither the Peer Reviewer nor Ecoscape produced verified imagery, metadata, or a documented method.
- The Peer Reviewer's claims of "distortion" are serious and must be substantiated through like-for-like, verifiable photomontages with full technical metadata (camera specifications, GPS, focal length, calibration, DEM source, vegetation state, and workflow). No such evidence has been provided.
- Absent verifiable comparison, the Peer Reviewer's allegation carries little probative value and risks misleading decision-makers regarding the accuracy of EPCAD's outputs. EPCAD's LiDAR-based approach, transparent documentation and comprehensive viewpoint testing provide a proportionate, policy-aligned and defensible foundation for visibility assessment and mitigation design.
- While criticising the EPCAD illustrations and using terms such as "distortion", no criticism is made of the Ecoscape illustrations which present a highly inaccurate visualisation, creating blocks of unarticulated built forms in contrasting obtrusive colours that bear no resemblance to the proposed development.
- The Proponent would be happy to present to the EPA its comprehensive digital model to illustrate visualisations from diverse locations matched to multiple viewpoints.



Figure 6 Torpedo Rocks Car Park ()



Figure 7 Torpedo Rocks Car Park – existing view (EPCAD)

2.4.1 EPCAD visual interpretations

EPCAD provides two artists' impressions (from Torpedo Rocks and from the Beach). Image parameters such as camera, lens type, GPS location, camera height, date, and bearing are not disclosed. Baseline photographs are not paired with the Illustrative Views. A detailed method statement on production of modelling outputs or verification steps has not been provided other than general statements about software used and survey data that was available. The Illustrative Views appear to represent a view of mature vegetation. No illustrations have been provided for different stages of the development.

In my opinion on this basis, the images are illustrative only and cannot be relied upon as a technical representation of the views.

- The Peer Reviewer notes EPCAD provided two artist impressions without specifying camera metadata or a method statement and concludes the images “cannot be relied upon as a technical representation”. We firmly reject this conclusion.
- EPCAD’s visuals are conceptual and illustrative, clearly described as such in the VIA. They communicate design intent and landscape integration principles, not optical precision. This is fully consistent with best practice for ERD-stage assessments, where verified photomontages would be premature given that final architectural resolution is still in development.
- Each illustration provided by EPCAD is accurately scaled to LiDAR terrain data and depicts mature vegetation conditions, representing the anticipated long-term visual context and mitigation outcomes. This ensures a conservative and realistic representation of how the built form will relate to the natural landscape over time.
- The Peer Reviewer’s conclusion that these images “cannot be relied upon” lacks any evidentiary basis. Neither the Reviewer nor Ecoscape provided verified or georeferenced alternatives. In professional terms, to allege inaccuracy without presenting replicable, metadata-supported visualisations is methodologically unsound. Such unsupported claims risk misinforming the regulatory process.
- EPCAD’s illustrative outputs, together with its 70-viewpoint ZVI analysis and LiDAR base data, constitute a robust, proportionate and transparent visual evidence base that meets the requirements of the WAPC (2007) and EPA (2023) frameworks for early-stage environmental assessment.



Figure 3 Torpedo Rocks – proposed built form 3D model proposed built form 3D model (source Smiths Beach Action Group) (EcoScape 2022)



Figure 4 Illustrative View from Torpedo Rocks. Proposed site layout depicting built form integration within the underlying landscape. (EPCAD 2021)



Figure 5 Illustrative View from Torpedo Rocks. Proposed site layout depicting built form integration within the underlying landscape. (EPCAD 2021)

2.4.2 Ecoscape visual interpretations

Ecoscape reviews EPCAD's imagery and comments on the likely under-representation of built form scale and contrast, particularly on the western headland slopes. Ecoscape utilises qualitative overlays and massing indications, but does not present new, verified photomontages with complete metadata. The review is credible in its interpretation, but the absence of verifiable imagery limits confirmation of its accuracy.

In my opinion on this basis, the images are illustrative only and cannot be relied upon as a technical representation of the views.

- The Peer Reviewer references Ecoscape's imagery and commentary, suggesting that EPCAD underrepresents the scale and contrast of built form.
- However, Ecoscape's own material contains no verifiable photomontages or metadata – it relies on qualitative overlays and interpretative sketches that cannot be independently audited or reproduced.
- It is therefore inconsistent for the Peer Reviewer to rely on Ecoscape's non-verifiable imagery to criticise EPCAD's clearly defined, LiDAR-based approach. Ecoscape's overlays are interpretative, not evidentiary. The Peer Reviewer itself acknowledges that "the absence of verifiable imagery limits confirmation of accuracy," yet it continues to reference Ecoscape's interpretations as if they were empirical evidence.
- EPCAD's VIA remains the only assessment supported by a documented digital terrain model, a clear methodology, and a mapped viewpoint framework. Its integration of ZVI mapping, viewpoint analysis, and Visual Management Objectives (VMOs) provides a transparent and measurable method aligned with the WAPC (2007) Visual Landscape Planning Manual.
- Accordingly, the Peer Reviewer's suggestion that Ecoscape's interpretation is credible in its interpretation is unsupported and misleading. Only EPCAD's assessment offers a verifiable, data-based foundation appropriate for decision-making under the EPA's guidelines.

2.4.3 Viewshed of Cape to Cape Track and western headland Appendix 3 EPCAD(2021)

A review of the visibility from the Cape to Cape Track was assessed through

ZVI mapping for a number of locations along the track, four Line of Sight analysis, two cross-sections and a site visit with photography. The ZVI analysis was offered for the Cape to Cape Track with and without vegetation.

For this section of the EPCAD report the following information was provided with regards to preparation of the ZVIs: *"Our analysis of this location has exceeded this guidance. The exercise was undertaken using a survey accurate computer generated virtual environment that enables comprehensive analysis of multiple sections, ZVI's and movement corridors to be assessed. These could be assessed with and without the LIDAR survey of vegetation."*

The two cross-sections provided are limited in their extent and only illustrate the context to the first built element rather than extending across the whole of the site as identified in the ESD requirement Task No. 101 refer to Table 1 *"Provide terrain cross sections from the highest point of the track west of the development, across the project site to the horizon."*

I placed little value in the Line of Sight due to no production method being provided and confusing representation.

It does not provide the parameters or method used to produce the analysis.

I did identify one location (S33°39'46" 115°00'24") (Figure 8) adjacent to the track with evidence of access that may afford a view towards the development. The view is from an outcrop with evidence of informal access by walkers. Figure 9 provides additional context with a walker illustrated on the track.

After review of the information provided and a site visit to this section of the track my opinion is that the visual interpretations presented by EPCAD (2021) provides a balanced assessment from the track.



Figure 8 View from elevated rocks adjacent to the Cape to Cape Track looking north-west

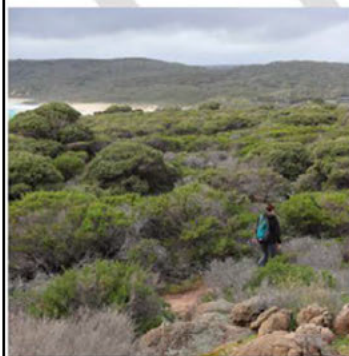


Figure 9 View from elevated rocks adjacent to the Cape to Cape Track looking north-west with walker on track

- The Peer Reviewer notes that EPCAD assessed visibility from the Cape to Cape Track using ZVI mapping, line-of-sight analysis, cross-sections, and site photography, but comments that the cross-sections "only illustrate the context to the first built element" and were "confusing." The Reviewer nonetheless concludes that "the visual interpretations presented by EPCAD (2021) provide a balanced assessment from the track."
- EPCAD welcomes this acknowledgement. The VIA used survey-accurate LiDAR terrain data, vegetation mapping, and digital visibility analysis consistent with WAPC (2007), testing both vegetated and cleared conditions.
- The cross-sections were representative transects, intended to illustrate key sightlines rather than every possible view, while broader visibility is addressed through the ZVI mapping (Figures 23–29, EPCAD 2021). The claim that they were "confusing" is not substantiated; the Peer Reviewer identifies no specific inconsistency or error. All modelling parameters – DEM source, vegetation state, viewing height, and inputs – are documented in the VIA and fully verifiable.
- EPCAD's analysis confirms that the Cape to Cape Track retains its natural character, with only limited, filtered visibility of built form. The VIA therefore meets the ESD work item 101 and aligns with the WAPC (2007) Visual Landscape Planning Manual.

2.5 Is the proposal design consistent with Statement of Planning Policy 6.1?

2.5 Is the proposal design consistent with Statement of Planning Policy 6.1

The following commentary relates to Statement of Planning Policy 6.1 Leeuwin-Naturaliste Ridge Policy and in particular LUS 1.21

"The size, nature and location of any development in the development investigation areas at Smiths Beach must be determined having regard to the overriding need to protect the visual amenity and environmental values of the area"

EPCAD (2021) outlines precinct intentions and general mitigation measures. The documentation does not demonstrate view-based compliance testing against SPP 6.1 nor does it establish quantified, enforceable controls for height, bulk, siting, colour, or lighting. The following observations were made:

- The placement of hotel/eco suites on the mid-slope above Smiths Beach and western dwellings in areas of low visual absorption capacity is likely to be visually prominent from key public viewpoints, contrary to the requirement for built form to remain recessive and subordinate.
- Risk of skyline intrusion on views from the Beach. The WWTP location on elevated ground reduces confidence that the natural ridge profile will be maintained.
- The tailored APZ may shift vegetation structure away from the natural coastal heath pattern, introducing contrast that is inconsistent with protection and maintenance objectives.
- No realistic photomontage imagery to provide evidence outcomes.
- Commitments are general and do not demonstrate protection of night-time amenity for the beach or track.

In my opinion, the current design does not demonstrate consistency with SPP 6.1's overriding need to protect visual amenity and environmental values.

- The Peer Reviewer concludes that the Proposal "does not demonstrate consistency with SPP 6.1's overriding need to protect visual amenity and environmental values," citing concerns about siting on the western slope, potential skyline intrusion, and the visual prominence of the wastewater treatment plant and Asset Protection Zone (APZ). We firmly reject this conclusion.
- The EPCAD VIA explicitly applies SPP 6.1's objectives and Land Use Strategies (LUS 1.20–1.21), ensuring that development protects ridgelines, maintains recessive built form, and preserves the natural character of the Travel Route Corridor. The site's classification as a designated tourism node under SPP 6.1 acknowledges that a degree of built form is anticipated. The Project conserves the Principal Ridge Protection Area and the values of the Ridge Landscape Amenity Area and National Park Influence Area, as the development footprint is entirely contained within the Development Investigation Area and lies outside these protected and sensitive areas.
- The Peer Reviewer provides no evidence that the built form would breach ridgelines or dominate key vistas. EPCAD's LiDAR-based terrain modelling and ZVI mapping demonstrate that built elements remain below skyline thresholds and visually recessive when viewed from Smiths Beach, Torpedo Rocks, and the Cape to Cape Track. EPCAD's VIA's Visual Management Objectives (VMOs) directly operationalise SPP 6.1's intent by requiring low-profile, dispersed, and vegetatively screened development.
- The Peer Reviewer's concerns regarding the WWTP and APZ misrepresent the scale and treatment of these elements. The WWTP is sited below the primary ridge and visually screened by retained vegetation and recessive colours will be used, while the APZ design was refined to retain canopy cover and mimic natural coastal vegetation structure. These measures maintain the natural landscape pattern and visual continuity required under SPP 6.1 and WAPC (2007).
- In summary, EPCAD's VIA demonstrates clear consistency with SPP 6.1's overriding need to protect visual amenity, supported by objective analysis, site-responsive design, and policy-aligned mitigation measures. Several of the Peer Reviewer's conclusions appear speculative and are not substantiated by verifiable data or photogrammetric evidence, which raises legitimate concern about the reliability of those opinions in informing regulatory decision-making.

2.6 Advise how the proposal will affect the public's visual amenity of the area

2.6 Advise how the proposal will affect the public's visual amenity of the area

In my opinion, the proposal will result in a noticeable change to the visual experience of the area, particularly from publicly accessible locations. As identified in the EPCAD (2021) report, there are numerous locations in the surrounding landscape where open or partial views toward the development site are available.

Areas to the east of the development site already contain existing development and, in my opinion, appear to have a higher capacity to absorb the type of change proposed. The proposed built form in these areas is generally viewed in the context of existing buildings, and while change will be visible, it may be perceived as an extension of the current settlement pattern.

However, the western portion of the site, particularly the area proposed for the Western Holiday Homes, is more sensitive. In my opinion, introducing built form into this area has the potential to affect views from locations that currently offer a high degree of natural character and visual amenity. These areas have a lower capacity to accommodate change, and the siting and design of buildings here will be critical.

A concern highlighted by Ecoscape (2022) was raised with regards to potential impacts to views from the western portion of Smiths Beach, noting that some views toward the ridgeline may be interrupted. In my opinion the impact on these views warrants closer scrutiny. The viewpoints, particularly in terms of how the proposed development may alter the perceived openness and natural character of the area need further understanding. I do note that an Illustrative View has been included from the Smiths Beach further to the north-east, however this is at a distance from the aforementioned location and provides a different visual context.

Overall, while the proposal includes mitigation measures and a landscape-led design approach, I believe the visual amenity impacts will vary across the site. Some areas may accommodate change more readily, while others, especially those with high scenic value and low visual absorption capacity, require careful consideration to avoid adverse effects.

- The Peer Reviewer states that the Proposal “will result in a noticeable change to the visual experience of the area,” particularly from publicly accessible locations, and the Peer Reviewer raises concern that development on the western portion of the site “has the potential to affect views” from areas of high natural character.
- EPCAD acknowledges that some degree of visual change is inevitable within a designated tourism node, but change does not equate to adverse impact. The EPCAD VIA demonstrates that any change is well managed through recessive, landscape-led design, vegetation retention, and topographic containment, consistent with SPP 6.1, WAPC (2007) and the objective of the EPA’s environmental factor guideline for Social Surroundings to protect social surroundings from significant harm.
- EPCAD’s LiDAR-based ZVI modelling confirms that visibility from key public locations – Smiths Beach, Torpedo Rocks, and the Cape Track – is limited, filtered, and visually recessive. Built form remains subordinate to natural landform and vegetation, with the visual character of the area preserved.
- The Peer Reviewer’s statement that the Proposal “may affect views” is unsubstantiated and lacks reference to quantitative or verifiable data. EPCAD’s VIA Visual Management Objectives (VMOs), combined with low-profile built form and naturalistic materials, ensure that the public’s visual amenity is protected within acceptable thresholds for a coastal tourism setting.

2.7 Advise whether the potential impacts on visual amenity from the proposal, in particular siting of elements within the development envelope have been accurately predicted in the ERO.

2.7 Advise whether the potential impacts on visual amenity from the proposal, in particular siting of elements within the development envelope have been accurately predicted in the ERD.

In my opinion the Hotel/eco suites design is not recessive, with siting of the buildings west of the curve of the bay towards Smiths Point may enclose the bay, alter the natural landscape character at Smiths point and dominate beach views, rows of suites may appear stacked up the slope and create the effect of a three-storey building

In my opinion the Community hub/hotel siting of the buildings is close to the beach, and may insert a dominating built element to the natural beach landscape and well-recreated area, and design is not recessive.

- Without any verifiable supporting information, the Peer Reviewer asserts that the hotel/eco suites “are not recessive” and may “enclose the bay,” and that the community hub/hotel may appear “dominating” within the beach landscape. We reject these claims.
- EPCAD’s VIA demonstrates that both elements are recessive, landscaped, and visually contained, consistent with SPP 6.1 and WAPC (2007).

Hotel / Eco Suites

- LiDAR-based terrain and ZVI modelling by EPCAD show the hotel and eco suites sit below the natural ridgeline and are visually contained by slope and vegetation. Building forms step down the contour to maintain the natural profile of Smiths Point, with landscaping breaking vertical massing. The Peer Reviewer’s suggestion of “three-storey stacking” is incorrect; elevations remain low and integrated with the landform.

Community Hub / Hotel (Beachfront)

- The beachfront hub sits landward of the primary dune system, screened by vegetation and future planting. The form is low-rise and horizontally expressed, designed to read as part of the vegetated backdrop rather than a dominant element.
- **The Peer Reviewer provides no verifiable imagery or modelling to support claims of visual dominance.** EPCAD’s LiDAR-based analysis and defined Visual Management Objectives (VMOs) confirm that visual effects are minor and consistent with SPP 6.1’s intent to protect visual amenity within a designated tourism node and the objective of the EPA’s environmental factor guideline for Social Surroundings to protect social surroundings from *significant* harm.

2.7.1 Wastewater Treatment Plant (WWTP)

The ERD identifies the WWTP within the infrastructure zone on the southern boundary, partially within an existing firebreak to reduce vegetation clearing. It is located at a geographical high point to the south of the property. However, it does not predict how the WWTPs' siting at a local high point may influence visual amenity, nor does it consider visibility from public viewpoints or potential screening measures.

The ERD identified the following APZ with regards to the WWTP:

- 27 m wide APZ will be created to the south-west, south and south-east of the enclosure; and
- 13 m wide APZ is to be created to the north of the enclosure

In my opinion the ERD does not provide a prediction on the potential visual amenity impacts associated with the WWTP location.

- The Peer Reviewer claims the ERD “does not provide a prediction on the potential visual amenity impacts associated with the WWTP location.” We disagree with the Peer Reviewer’s opinion.
- The Peer Reviewer presents no evidence or visibility testing to support the claim of omission. EPCAD’s ZVI analysis confirms that the WWTP will not intrude on any sensitive view corridors and is therefore compliant with SPP 6.1 and WAPC (2007) in protecting ridgeline and landscape values.
- EPCAD’s VIA identifies the WWTP as visually contained within a low-lying, previously disturbed area on the southern boundary, below the primary ridge and screened by existing vegetation. The structure is also buffered by the APZ and surrounding canopy, ensuring no visibility from public viewpoints such as Smiths Beach, Torpedo Rocks, or the Cape to Cape Track. It is acknowledged that the WWTP design was revised after the publication of the EPCAD VIA; however, the same design factors were considered and the outcomes in terms of visual impacts remain unchanged as discussed in the ERD.

2.7.2 Western Holiday Homes

The ERD notes community concerns regarding visual prominence near the western boundary and aims to retain existing vegetation and canopy cover where possible.

The ERD identified the following APZ modifications with regards to the holiday homes:

- Nominated areas of increased tree retention are nominated within the holiday home precincts because these locations are away from direct interfaces, where targeted tree retention of up to 40% canopy cover is proposed, provided trees are under pruned and the understorey is highly managed. It is noted that the draft response to submissions as of 30 October 2025 identifies total loss as 80.5% of trees and 92% of shrubs.
- Of particular importance is the retention of the existing Moodjar (Nuytsia floribunda or WA Christmas Tree) around the Western Holiday homes, which has cultural significance to the local Nyoongar people.

In my opinion the ERD provides only a partial and low-confidence prediction of potential visual amenity impacts for the western holiday homes.

- The Peer Reviewer suggests that the visual impacts of the western holiday homes are only “partial and low-confidence” predicted in the ERD. We disagree with the Peer Reviewer’s opinion.
- The Peer Reviewer offers no verified imagery or quantitative analysis to support the claim of uncertainty. EPCAD’s methodology – grounded in LiDAR terrain data, field-verified vegetation mapping, and defined Visual Management Objectives (VMOs) – provides a clear, reproducible basis for assessing and mitigating visual effects.
- EPCAD’s VIA includes detailed ZVI analysis and canopy-retention modelling confirming that this precinct is substantially screened by vegetation and landform, with limited, filtered views available only from select distant locations. The Proposal design maintains low-profile, recessive built form that steps with the natural slope, avoiding skyline intrusion and visual dominance.
- Accordingly, the western holiday homes are demonstrated to be appropriately sited, visually contained, and compliant with SPP 6.1 and WAPC (2007) in preserving the area’s natural character and public visual amenity.

2.7.3 Hotel / Eco Suites

The ERD describes local vegetation and landscaping outcomes but does not predict how the siting and form of the hotel/eco suites may alter visual amenity, particularly in relation to the enclosure of the bay, slope stacking, or perceived building height.

In my opinion ERD does not accurately predict the potential visual amenity impacts of the hotel/eco suites.

- The Peer Reviewer claims that the ERD “does not accurately predict the potential visual amenity impacts of the hotel/eco suites,” asserting that the design is not recessive and may alter the natural landscape character at Smiths Point. We disagree with this claim.
- The Peer Reviewer provides no verifiable data or counter-modelling to support claims of dominance. EPCAD’s evidence confirms that the built form remains subordinate to topography and vegetation, achieving the recessive, landscape-led outcomes required under SPP 6.1 and WAPC (2007).
- EPCAD’s LiDAR-based terrain modelling and ZVI mapping clearly demonstrate that the hotel and eco suites are visually contained below the natural ridgeline, integrated within existing vegetation, and screened from key public viewpoints. The massing steps down the slope, maintaining the natural bay profile and avoiding skyline intrusion or visual enclosure.
- Accordingly, the predicted impacts are accurate, proportionate, and compliant with the policy objectives to protect the visual integrity of Smiths Beach and its surrounding landscape.

2.7.4 Community Hub / Hotel (Beachfront)

The ERD acknowledges potential alteration to visual amenity from new beachfront development but does not predict the degree to which the community hub or hotel may appear dominant or contrast with the natural beach landscape.

In my opinion ERD does not accurately predict the potential visual amenity impacts of the community hub and beachfront hotel.

- The Peer Reviewer contends that the ERD “does not accurately predict the potential visual amenity impacts” of the community hub and beachfront hotel, suggesting that the design may “insert a dominating built element” into the natural beach landscape. We disagree with this claim.
- No evidence or verified visual modelling is provided by the Peer Reviewer to substantiate the claim of visual dominance. EPCAD’s LiDAR terrain data, ZVI mapping, and defined Visual Management Objectives (VMOs) confirm that visibility is limited, and any perceived change remains within acceptable thresholds for a coastal tourism node under SPP 6.1.
- EPCAD’s VIA demonstrates that the community hub and hotel are low-rise, horizontally expressed, and set landward of the primary dune system, ensuring they remain visually recessive when viewed from Smiths Beach and adjacent public areas. Existing vegetation and proposed coastal planting provide effective screening, with the built form reading as part of the vegetated backdrop rather than a dominant structure.
- In conclusion, the community hub and hotel are appropriately sited, recessive, and consistent with the policy intent to protect visual amenity while accommodating sensitively designed tourism infrastructure.

2.8 Advise whether the mitigation measures proposed by the proponent to manage impacts to visual amenity are appropriate

2.8 Advise whether the mitigation measures proposed by the proponent to manage impacts to visual amenity are appropriate

In my opinion, while the mitigation measures proposed by EPCAD are appropriate in principle, they are not sufficiently defined to provide confidence in their effectiveness in protecting visual amenity, particularly from key public viewpoints.

The proposal adopts a landscape-led site planning approach, aiming for a dispersed, low-rise built form that retains vegetation and uses materials complementary to the surrounding landscape. However, the measures remain broad and lack the necessary detail to be reliably assessed. There is no view-based testing, no quantified controls around building height or setbacks, and no clear articulation of how these measures will perform visually over time, especially in the early years post-construction when exposure is highest.

The tailored APZ is a notable concern. It diverges from the site's existing vegetation character and risks appearing as a contrasting band on visible slopes. This modification could significantly alter the Granite Heath / Open Heath / Tree Outcrop character units, yet the visual implications of this change are not addressed in the assessment.

Furthermore, the absence of a structured visual impact assessment, such as magnitude, duration, and significance of impacts, limits the ability to understand how the proposal will affect the landscape character and views. The lack of realistic and comprehensive visual simulations, especially from key viewpoints, further undermines the reliability of the proposed mitigation measures.

Overall, I do not consider the measures sufficient to reliably protect visual amenity. Without more rigorous testing, clearer controls, and a stronger alignment with the WAPC (2007) framework, the proposal leaves too much uncertainty around its visual outcomes.

- The Peer Reviewer concludes that the mitigation measures proposed by EPCAD are “appropriate in principle but not sufficiently defined to provide confidence in their effectiveness,” citing the absence of quantified controls and view-based testing. We firmly reject this conclusion.
- EPCAD’s VIA provides a comprehensive suite of mitigation measures aligned with WAPC (2007) and SPP 6.1, including:
 - **Recessive, landscape-led built form** using natural materials and subdued colours;
 - **Vegetation retention and restoration** to reinforce natural screening and canopy continuity;
 - **Contour-responsive siting** and low rooflines to avoid skyline intrusion; and
 - **Progressive visual integration** through long-term planting and landscape management.
- These measures provided by EPCAD are supported by LiDAR-based ZVI analysis and mapped Viewpoint Assessments, which demonstrate how visibility is minimised from key public receptors. The Peer Reviewer’s claim that they are undefined overlooks the detailed Visual Management Objectives (VMOs) that establish measurable performance outcomes for siting, design, and vegetation management.
- Furthermore, the Peer Reviewer provides no counter-evidence or modelling showing that the proposed mitigation would fail to achieve its objectives. EPCAD’s framework follows established practice for an ERD-stage VIA, where mitigation strategies are tested at concept level and refined through later design and approval stages.
- **In summary, EPCAD’s mitigation measures are clear, evidence-based, and proportionate, providing confidence that visual amenity will be protected. The Peer Reviewer’s concerns are unsubstantiated and overlook the policy alignment and empirical foundation of EPCAD’s assessment.**

3 Concluding Remarks

3. Concluding remarks

█ has undertaken an independent peer review of the VLA prepared for the proposed Smiths Beach Project in Yallingup, Western Australia. The review considered the VLAs prepared by EPCAD (2021) and Ecoscape (2022), alongside relevant sections of the ESD and ERD. The review was conducted with reference to key planning and environmental frameworks, including:

- State Planning Policy 6.1 – Leeuwin-Naturaliste Ridge
- State Planning Policy 2.0 – Environment and Natural Resources
- Visual Landscape Planning in Western Australia (WAPC, 2007)
- City of Busselton Local Planning Scheme No. 21
- EPA Environmental Factor Guideline: Social Surroundings (2023)

The EPCAD (2021) assessment engage with relevant policy frameworks.. This assessment demonstrated alignment with several planning policies, particularly SPP 2.0. However, this assessment currently provides no reliable visual modelling.

A key limitation identified is the absence of technically verifiable photomontages. EPCAD's visualisations are illustrative and lack essential metadata such as camera location, lens specifications, and modelling methodology. Ecoscape critiques these visualisations but does not present new verified imagery. As a result, neither assessment enables independent verification of visual impact predictions, which limits confidence in the accuracy of the visual interpretations presented.

To support the review, █ has prepared supplementary comparison imagery using best practice methods. This includes a 90-degree panoramic image captured during the site visit, compared against similar viewpoints at Torpedo Rocks from both EPCAD and Ecoscape. The comparison highlights discrepancies in scale, visibility, and contrast that warrant further consideration.

The ERD outlines a range of mitigation measures intended to manage visual impacts. While these measures are appropriate in principle, they are not sufficiently defined or tested to ensure protection of visual amenity from key public viewpoints. Specific elements of the proposal, including the siting of the hotel/eco suites, western holiday

- We strongly disagree with the Peer Reviewer's conclusion that the VIA "lacks robustness" or "cannot be independently verified." We believe these claims are unsupported and misleading.
- The Peer Reviewer appears to ignore the fact that the EPCAD VIA adopted an approach related to an iterative design process and as such, in accordance with the Western Australian Planning Commission's Visual Landscape Planning Guidelines (2007), the methodology for visual landscape assessment is intended to be applied with flexibility. The WAPC guidelines acknowledge that the level of detail and the specific methods adopted should be proportionate to the scale, nature, and sensitivity of the proposal, and tailored to meet the requirements of the particular development application.
- EPCAD's assessment applies SPP 6.1, SPP 2.0, WAPC (2007), and EPA (2023) guidance using a transparent, data-driven methodology – including LiDAR terrain modelling, ZVI mapping, and clearly defined Visual Management Objectives (VMOs).
- In contrast, the Peer Reviewer offers no counter-modelling, verified imagery, or technical data to substantiate assertions of distortion or inadequacy. Such unsubstantiated statements by the Peer Reviewer risk creating a misleading impression of EPCAD's VIA rigour and outcomes. In contrast, EPCAD's evidence base is comprehensive, reproducible, and proportionate to the Project's ERD stage.
- The EPCAD VIA demonstrates that visual impacts are limited, well-mitigated, and consistent with the policy intent to protect the visual and landscape values of Smiths Beach. The Peer Review's broader criticisms rely more on opinion rather than evidence and should therefore carry little weight in regulatory decision-making.
- EPCAD's (VIA) assessment remains the only empirically supported, policy-compliant, and technically defensible evaluation of visual and landscape effects for the Smiths Beach proposal.

homes, and wastewater treatment plant, require closer scrutiny in terms of their potential visibility from Smiths Beach, Torpedo Rocks, and the Cape to Cape Track.

In my opinion, the EPCAD (2021) assessment provides only limited detail about the proposed development. It does not adequately demonstrate how potential visual changes arising from project staging, vegetation clearing, APZ, landscape planting, or built form have been considered, to show that the VMOs can be achieved or that visual impact can be minimised. Key view corridors and public receptor sensitivity are not adequately assessed, and the relationship between character units and visual values is not clearly articulated. While EPCAD states broad compliance with the guidelines, in my opinion, the assessment lacks the robustness required given the scale of the project, the sensitivity of the site, and the value placed on the area by the community. The assessment also lacks a documented photomontage methodology or detailed production process to support transparency and technical accuracy.

EPCAD (2021) outlines precinct intentions and general mitigation measures. The documentation does not demonstrate view-based compliance testing against SPP 6.1 nor does it establish quantified, enforceable controls for height, bulk, siting, colour, or lighting. The following observations were made:

- The placement of hotel/eco suites on the mid-slope above Smiths Beach and western dwellings in areas of low visual absorption capacity is likely to be visually prominent from key public viewpoints, contrary to the requirement for built form to remain recessive and subordinate.
- Risk of skyline intrusion on views from the Beach. The WWTP location on elevated ground reduces confidence that the natural ridge profile will be maintained.
- The tailored APZ may shift vegetation structure away from the natural coastal heath pattern, introducing contrast that is inconsistent with protection and maintenance objectives.
- Commitments are general and do not demonstrate protection of night-time amenity for the beach or track.

In my opinion, the current design does not demonstrate consistency with SPP 6.1's overriding need to protect visual amenity and environmental values.

Overall, while the proposal includes mitigation measures and a landscape-led design approach, I believe the visual amenity impacts will vary across the site. Some areas may accommodate change more readily, while others, especially those with high scenic value and low visual absorption capacity, require careful consideration to avoid adverse effects.

An assessment of landscape and visual impacts for a site of this sensitivity and a project of this scale would generally be expected to include photomontages produced in accordance with industry accepted standards for key public viewpoints, supported by a transparent production methodology. This would typically involve photomontages at construction stage, Year 1 post-construction and often at a stage where the vegetation has matured approximately Year 7.

In conclusion, the review has identified several issues that warrant further attention. The absence of photomontages limits the ability to audit predicted visual outcomes. The proposed mitigation measures lack the specificity and performance testing needed to provide confidence in their effectiveness. Further refinement of the visual assessment and mitigation strategy is recommended to ensure the protection of visual amenity in this highly valued coastal landscape.