

Environmental Protection Act 1986

Section 43A

**NOTICE OF DECISION TO CONSENT TO AMEND A REFERRED PROPOSAL
DURING ASSESSMENT**

PERSON TO WHOM THIS NOTICE IS GIVEN

- (a) Smiths 2014 Pty Ltd (ACN: 600 626 426)
C/O Strategen-JBS&G
Level 9/77 St Georges Terrace
PERTH WA 6000

PROPOSAL TO WHICH THIS NOTICE RELATES

Smiths Beach Project, Yallingup – Coastal Tourism Village
Assessment No. 2340

DECISION

Pursuant to s. 43A of the *Environmental Protection Act 1986* (EP Act) and Delegation No. 58 of 3 November 2023, the Environmental Protection Authority (EPA) delegated Panel (EPA Panel) gives approval to the assessment of the proposal being completed in respect of the proposal as amended in accordance with the proponent's request:

- Expansion of proposal development envelope by 1.13 hectares (ha) to accommodate further waste water storage and access road infrastructure.
- Increase in extent of cleared vegetation by 1.5 ha, and modified vegetation by 0.32 ha, to accommodate further waste water storage and access road infrastructure.

The amended proposal content document and figures are attached.

SUMMARY OF REASONS

- The change in development envelope and proposed clearing extent is minor in a spatial context, and unlikely to significantly increase impacts to flora and vegetation, terrestrial fauna, inland waters and social surroundings.
 - The potential increased impacts to flora and vegetation, terrestrial fauna, inland waters and social surroundings will be assessed as part of the active EPA Panel assessment at the Environmental Review Document stage.
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- There are no new environmental factors likely to be significantly affected as a result of the amendments.
- The EPA Panel considers it has enough information to reasonably proceed with assessment of the amended proposal, and no additional EPA functions need to be performed to assess the amended proposal.
- The EPA Panel considers the amended proposal to be substantially the same character as the existing referred proposal. The EPA Panel considers that the amendment may be a significant amendment if the proposal were already approved, but that the EPA Panel has enough information to reasonably proceed with assessment of the amended proposal without performing any additional functions at this stage.

EFFECT OF THIS NOTICE:

1. The assessment of the proposal is to be completed in respect of the proposal as amended in accordance with the decision set out in this notice.
2. The proposal as amended in accordance with this notice is taken to have been referred to the EPA under s. 38 of the EP Act.

RIGHTS OF APPEAL:

There are no rights of appeal under the EP Act in respect of this decision.



Prof. Matthew Tonts
Delegate of the Environmental Protection Authority under Delegation No. 58

09 August 2024



Dr Jenny Pope
Delegate of the Environmental Protection Authority under Delegation No. 58

09 August 2024



Dr Bruce Hegge
Delegate of the Environmental Protection Authority under Delegation No. 58

09 August 2024



Dr Kathleen Broderick
Delegate of the Environmental Protection Authority under Delegation No. 58

12 August 2024

Att: Amended proposal content document and figures

Proposal Content Document

Smiths Beach Project, Yallingup

Table 1: General proposal content description

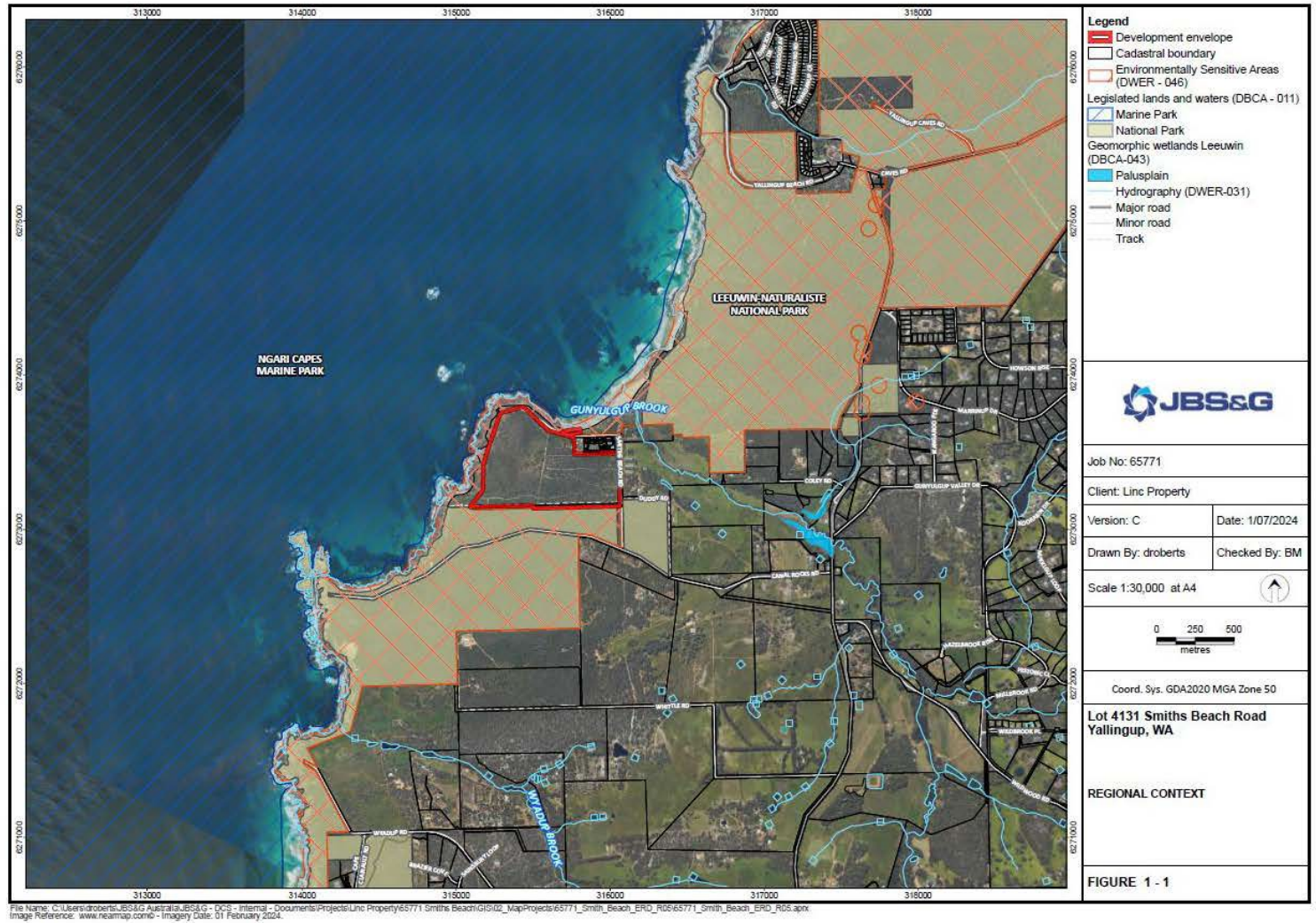
Proposal title	Smith's Beach Project, Yallingup – Coastal Tourism Village
Proponent name	Smith's 2014 Pty Ltd
Short description	<p>The Proposal is to develop Lot 4131 Smiths Beach Road, Yallingup, into a sensitive coastal village. The Proposal consists of a Tourist Development including hotel accommodation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

Table 2: Proposal content elements

Proposal element	Location / description	Maximum extent, capacity or range
Physical elements		
Planning and development for the coastal village, incorporating elements including, but not limited to, hotel, holiday homes, campgrounds, community facilities, service infrastructure and universal beach access ramp.	Located within Lot 4131 Smiths Beach Road, Yallingup and adjacent Crown Land as depicted in Figure 1 and Figure 2	Within the 41.94 ha Development Envelope, clearing and earthworks for development of the coastal village of approximately 10.36 hectares (ha) of which 9.15 ha consists of native vegetation and clearing and construction for the Universal Access Ramp of approximately 0.29 ha of which 0.12 ha consists of native vegetation.
Planning and development for Landscaping and Bushfire Management	Located within Lot 4131 Smiths Beach Road, Yallingup and depicted in Figure 2	Landscaping and bushfire management of approximately 12.03 ha of which includes partial modification of 10.68 ha of native vegetation within the 41.94 ha Development Envelope.
Conservation	Located within Lot 4131 Smiths Beach Road, Yallingup and depicted in Figure 2	Within the 41.94 ha Development Envelope, 19.26 ha will be retained as Conservation (16.83 ha) or designated as Public Open Space (2.43 ha).
Proposal elements with greenhouse gas emissions		

Greenhouse Gas Emissions is not expected to exceed 100,000 tCO ₂ -e per annum (Scope 1).		
Rehabilitation		
Rehabilitation will be undertaken in areas represented by previous informal tracks and fire access tracks within the Conservation Area, Public Open Space and the coastal village footprint.		
Commissioning		
N/A		
Decommissioning		
N/A		
Other elements which affect extent of effects on the environment		
Proposal time*	Maximum project life	N/A
	Construction phase	2025-2027
	Operations phase	2027 onwards
	Decommissioning phase	N/A

* Proponents should only provide realistic timeframes to avoid unnecessary change to proposal applications at referral (section 38C), assessment (section 43A) or post assessment (section 45C).





Legend

- Development envelope
- Proposed full clearing
- Proposed modified areas
- Area to be placed into conservation (Area 1)
- Public Open Space/ Conservation Lot (Area 2)
- Public Open Space (Area 3)
- Public Open Space (Area 4)
- Universal access ramp
- Cadastral boundary
- Minor road
- Track



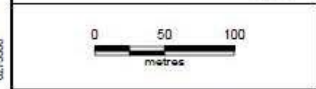
Job No: 65771

Client: Smiths 2014 Pty Ltd

Version: C Date: 2/07/2024

Drawn By: droberts Checked By: RM

Scale 1:4,500 at A4 ↑



Coord. Sys. GDA2020 MGA Zone 50

**Lot 4131 Smiths Beach Road
Yallingup, WA**

SMITHS BEACH PROPOSAL ELEMENTS

FIGURE 1 - 2

File Name: C:\Users\droberts\JBS&G Australia\JBS&G - DCS - Internal - Documents\Projects\Inc Property\65771 Smiths Beach\GIS\02_Map\Projects\65771_Smiths_Beach_ERD_R06\65771_Smiths_Beach_ERD_R06.aprx
Image Reference: www.heamap.com - Imagery Date: 01 February 2024.



- Legend**
- Development envelope
 - Proposed full clearing (8.85 ha)
 - Proposed modified areas (11.96 Ha)
 - Area to be placed into conservation (Area 1)
 - Public Open Space/ Conservation Lot (Area 2)
 - Public Open Space (Area 3)
 - Public Open Space (Area 4)
 - Universal Access Ramp (0.29 ha)
 - Cadastral boundary
 - Minor road
 - Track



Job No: 59550

Client: Smiths 2014 Pty Ltd

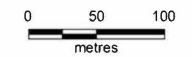
Version: B

Date: 3/11/2023

Drawn By: droberts

Checked By: RM

Scale 1:5,000 at A4



Coord. Sys. GDA2020 MGA Zone 50

**Lot 4131 Smiths Beach Road
Yallingup, WA**

SMITHS BEACH PROPOSAL ELEMENTS

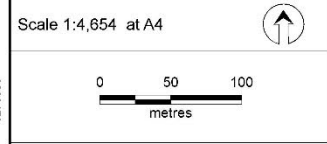
Original Proposal



- Legend**
- Development envelope
 - Proposed full clearing
 - Proposed modified areas
 - Area to be placed into conservation (Area 1)
 - Public Open Space/ Conservation Lot (Area 2)
 - Public Open Space (Area 3)
 - Public Open Space (Area 4)
 - Cadastral boundary
 - Minor road
 - Track



Job No: 65771
 Client: Smiths 2014 Pty Ltd
 Version: C Date: 5/07/2024
 Drawn By: droberts Checked By: RM



Coord. Sys. GDA2020 MGA Zone 50

**Lot 4131 Smiths Beach Road
 Yallingup, WA**

PROPOSAL ELEMENTS

Amended proposal