



Environmental Protection Authority

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 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

Pursuant to s. 43A of the *Environmental Protection Act 1986* (EP Act), the Environmental Protection Authority (EPA) delegated board member gives approval to the assessment of the proposal being completed in respect of the proposal as amended in accordance with the proponent's request:

- Removal of the universal access ramp (UAR) from the Crown land (public beach) outside of Lot 4131 Smiths Beach Road (Attachment 1). Instead, a sub-surface erosion protection structure (structure) is proposed to be constructed entirely within the private Lot 4131 boundary, with an indicative location shown in Attachment 2. Temporary clearing and works within the adjoining road reserve is proposed to facilitate construction activities and machinery access for the structure.
- Slight increase in vegetation clearing following a review of the design elements to accommodate practical on-ground implementation. This includes an increase in native vegetation clearing, due to 0.28 hectare (ha) of additional 'full' clearing, which was previously proposed to be 'partially modified' for landscaping and bushfire management.
- The amendments will result in a reduction in the development envelope (0.15 ha) from 41.94 ha to 41.79 ha.

The amended proposal content document and figures are attached.

SUMMARY OF REASONS:

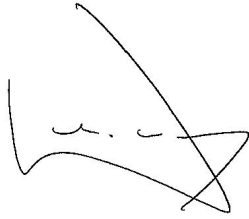
- The change to the development envelope (minor reduction) and vegetation clearing area (minor increase) is unlikely to significantly increase impacts to flora and vegetation, terrestrial fauna, coastal processes and social surroundings.
- The removal of the UAR from the public beach is likely to result in reduced impacts to coastal processes given the larger setback from the proposed development to the shoreline.
- The removal of the UAR from the public beach is also likely to result in reduced impacts to social surroundings given the use and amenity of the beach is highly valued by the local community and tourists.
- Construction of the structure within the boundary of private Lot 4131 may have a minor impact on visual amenity due to the temporary clearing of native vegetation along the lot boundary and works within the road reserve. These impacts, combined with the overall impacts of the amended proposal, will be considered through the assessment process.
- There are no new environmental factors likely to be significantly affected as a result of the amendments.
- The EPA 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 will continue to assess the amended proposal and consider whether the environmental outcomes of the amended proposal are consistent with the EPA's objectives for the key environmental factors.
- The EPA considers the amended proposal to be substantially the same character as the existing referred proposal, and does not consider that the amendment would be a significant amendment if the proposal were already approved.

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.

A handwritten signature in black ink, appearing to read 'Luke Twomey', with a large, sweeping flourish extending from the end of the name.

Dr Luke Twomey
Delegate of the Environmental Protection Authority under Delegation No. 69

24 June 2025

Attachment 1- Amended proposal content document and figures showing the new approved proposal

Attachment 2 – Foreshore Assessment with indicative location of the subsurface erosion protection structure (noting additional foreshore infrastructure is outside the proposal boundary and subject to additional approval requirements).

Attachment 1- Amended proposal content document and figures showing the new approved proposal

Proposal Content Document

Smiths Beach Project, Yallingup

Table 1: General proposal content description

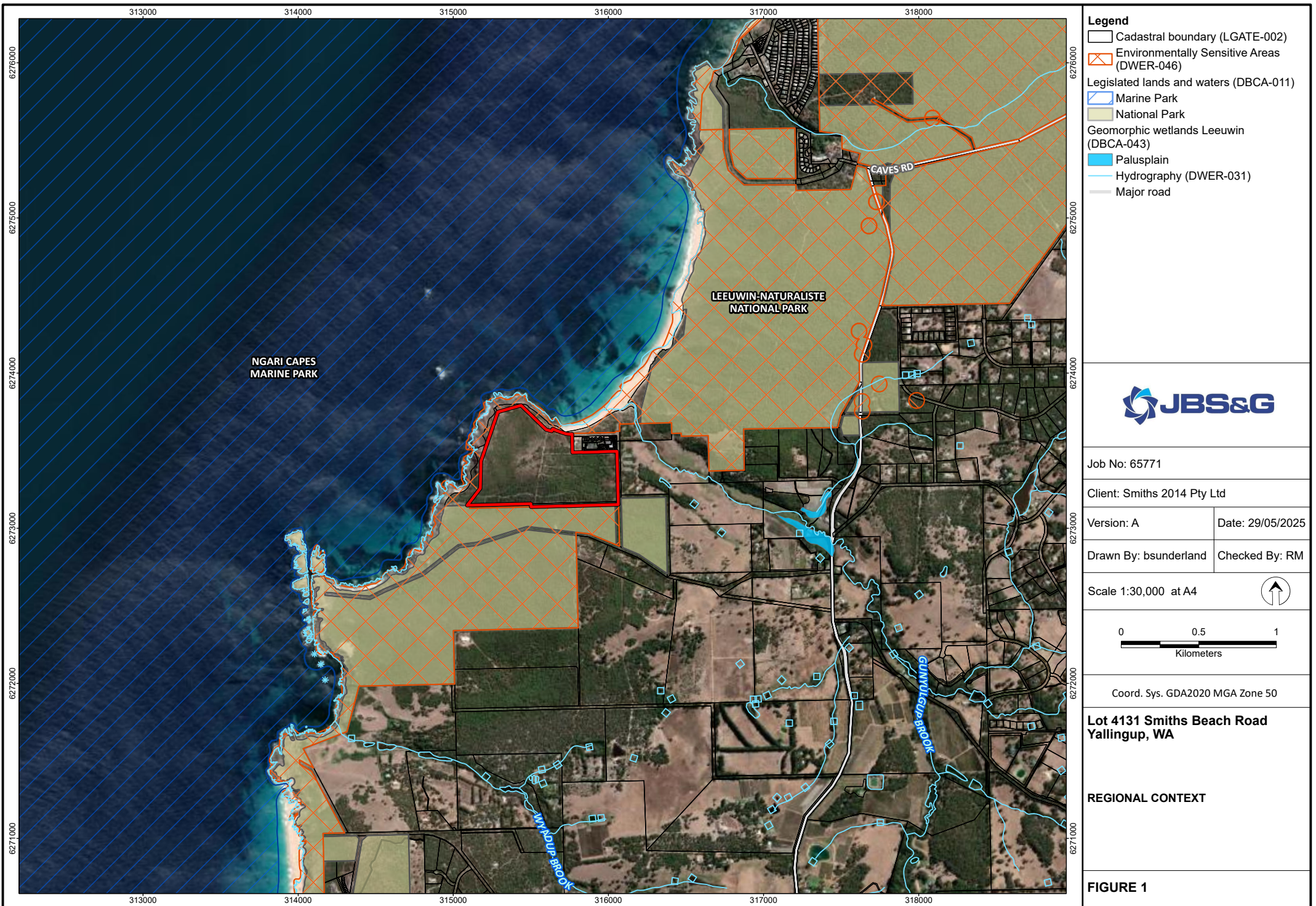
Proposal title	Smith's Beach Project, Yallingup – Coastal Tourism Village
Proponent name	Smith's 2014 Pty Ltd
Short description	<p>The Proposal is to develop Lot 4131 Smiths Beach Road, Yallingup, into a sensitive coastal village. The Proposal consists of a Tourist Development including hotel accommodation 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) and facilities for the Surf Life Saving Club will be included.</p>

Table 2: Proposal content elements

Proposal element	Location and 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.	Located within Lot 4131 Smiths Beach Road, Yallingup and adjacent Crown Land as depicted in Figure 1 and Figure 2 .	Clearing and earthworks for development of the coastal village of approximately 10.69 ha of which 9.43 ha consists of native vegetation, within a Development Envelope of 41.79 ha .
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 11.76 ha of which includes partial modification of 10.47 ha of native vegetation within the 41.79 ha Development Envelope.
Conservation	Located within Lot 4131 Smiths Beach Road, Yallingup and depicted in Figure 2 .	Within the 41.79 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		
Annual Scope 1 emissions of up to 17,724 tCO ₂ -e Scope 1.		Annual Scope 1 emissions of up to 17,750 tCO ₂ -e 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	Up to 3 years from approval
	Operations phase	2028/2029 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)
 - Temporary construction area outside lot boundary
 - Cadastral boundary (LGATE-002)
 - Roads (LGATE-195)
 - Minor road
 - Track



Job No: 65771

Client: Smiths 2014 Pty Ltd

Version: C	Date: 23/06/2025
Drawn By: bsunderland	Checked By: YS

Scale 1:4,500 at A4

0 50 100 metres

Coord. Sys. GDA2020 MGA Zone 50

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

PROPOSAL ELEMENTS

FIGURE 2

Attachment 2 – Foreshore Assessment with indicative location of the subsurface erosion protection structure



Foreshore Reserve Assessment
SMITHS BEACH

scale / 1:2000@A3 | 1:1000@A1
plan / 19/05/030D
date / 24/04/2025

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