



Statutory Planning Committee

Minutes

Wednesday, 24 September, 2025

- Members:**
- Commissioner Cole - Chairperson
 - Commissioner Haeren - Deputy Chairperson
 - Commissioner Adair
 - Commissioner Brookes
 - Member Franklin
 - Member Harman
 - Member Knight
 - Commissioner Lakey
 - Member Moore
- Others Present**
- Sam Boucher - Manager, Commission Business
 - Tia Byrd - Planning Director, Development Contribution Program
 - Parker Cohen-Radosevich - Senior Commission Support Officer
 - Tyrone Desai - Planning Manager, Development Contribution Program
 - Johanna Dowsett - Director, Precincts and Projects
 - Caitlin Forbes - Project Support Officer, Major Projects Facilitation Office
 - Cate Gustavsson - Executive Planning Director – Regional, Land Use Planning
 - Ben Hesketh - A/Planning Director, Metro Central
 - Jacky Jurmann - Principal Planning Officer, Significant Development Assessment Unit
 - Ben Muller - Senior Planner, Development Contribution Program
 - Amy Pires - Governance Officer, Western Australian Planning Commission
 - Belinda Sleaf - Commission Support Officer
 - Jeremy Thompson - Senior Planner, Metro Central North

1. Meeting Opening and Commencement

The Chairperson declared the meeting open at 9:06am.

1.1 Acknowledgement of Country

The Chairperson acknowledged the Whadjuk people of the Noongar Nation as the traditional owners and custodians of the land on which the meeting is taking place and welcomed members.

1.2 Apologies and leave of absence

Nil.

1.3 Disclosure of interests

Commissioner Haeren declared an Actual Impartiality Interest on Item 3.1 - Part 11B Development Application - Proposed Service Commercial Development at Lot 805 Chapman Hill Road, Bovell - Determination. Commissioner Haeren advised that Urbis, his former employer, are acting on behalf of the applicant for this Item. Members agreed that Commissioner Haeren should not be present during the discussion and/or decision-making procedure on the item.

Commissioner Adair declared an Actual Impartiality Interest on Item 3.1 - Part 11B Development Application - Proposed Service Commercial Development at Lot 805 Chapman Hill Road, Bovell - Determination. Commissioner Adair advised that her daughter is a lawyer at Lavan, who are part of the applicant team, and she noted that her daughter has been directly involved in providing advice to the applicant. Members agreed that Commissioner Adair should not be present during the discussion and/or decision-making procedure on the item.

Commissioner Lakey declared an Indirect Pecuniary Interest on Item 3.2 - Part 11B Development Application - Multi-Storey Car Park and Commercial Tenancy at Lot 120 (No. 55) Barry Marshall Parade and portion of Lot 121 (No. 5) Fiona Wood Drive, Murdoch - Determination. Commissioner Lakey advised that he is a Director of Foundation Housing, who are working with developer H-U, to develop an apartment building for social and affordable housing on Lot 121, directly adjacent to Lot 120. Members agreed that Commissioner Lakey should not be present during the discussion and/or decision-making procedure on the item.

Commissioner Haeren declared an Actual Impartiality Interest on Item 3.2 - Part 11B Development Application - Multi-Storey Car Park and Commercial Tenancy at Lot 120 (No. 55) Barry Marshall Parade and portion of Lot 121 (No. 5) Fiona Wood Drive, Murdoch - Determination. Commissioner Haeren advised that while working at his previous employer, Urbis, he directly acted for H-U. Members agreed that Commissioner Haeren should not be present during the discussion and/or decision-making procedure on the item.

Commissioner Cole declared a Perceived Impartiality Interest on Item 3.2 - Part 11B Development Application - Multi-Storey Car Park and Commercial Tenancy at Lot 120 (No. 55) Barry Marshall Parade and portion of Lot 121 (No. 5) Fiona Wood Drive, Murdoch - Determination. Commissioner Cole advised that she is a member of the Department of Planning, Lands and Heritage's Market Led Proposals Steering Committee, where she abstained from decision making on this matter. Members agreed that Commissioner Cole is permitted to be present

during the discussion and/or decision-making procedure on the item as it is unlikely to influence Commissioner Cole's conduct in relation to the matter.

Commissioner Cole declared a Perceived Impartiality Interest on Item 3.4 - Local Development Plan - Charles Hotel and Surrounding Lots, North Perth – Amendments to Residential Design Codes.

Commissioner Cole advised that she met with the owner of the Charles Hotel in relation to potential development of the site during her time as Mayor of the City of Vincent. My term concluded in October 2023 and she is able to consider the item in an impartial manner. Members agreed that Commissioner Cole is permitted to be present during the discussion and/or decision-making procedure on the item as it is unlikely to influence Commissioner Cole's conduct in relation to the matter.

Member Harman declared a Direct Pecuniary Interest on Item 4.1 - City of Wanneroo - District Planning Scheme No. 2, Amendment No. 229 (Complex) – Recommendation to Minister. Member Harman advised that he is employed by Satterley Property Group, who has a number of projects within the City of Wanneroo. Members agreed that Member Harman should not be present during the discussion and/or decision-making procedure on the item.

Commissioner Brookes declared a Perceived Impartiality Interest on Item 4.1 - City of Wanneroo - District Planning Scheme No. 2, Amendment No. 229 (Complex) – Recommendation to Minister. Commissioner Brookes advised that Urbaqua, her employer, have previously provided water management services to developers within Cell 6 of the amendment area (Darch). All projects in this area have completed and Urbaqua have no expectation of future involvement in the area. Members agreed that Commissioner Brookes is permitted to be present during the discussion and/or decision-making procedure on the item as it is unlikely to influence Commissioner Brookes's conduct in relation to the matter.

Commissioner Lakey declared a Perceived Impartiality Interest on Item 4.1 - City of Wanneroo - District Planning Scheme No. 2, Amendment No. 229 (Complex) – Recommendation to Minister. Commissioner Lakey advised that he previously provided mentoring services to employees of Parcel Property who own land in the area. The work for Parcel Property has now ceased. Members agreed that Commissioner Lakey is permitted to be present during the discussion and/or decision-making procedure on the item as it is unlikely to influence Commissioner Lakey's conduct in relation to the matter.

1.4 Disclosures of representation

Nil.

1.5 Declaration of due consideration

All members indicated that they had received and considered the agenda items prior to the Statutory Planning Committee meeting.

1.5.1 Additional information for members

Members noted receipt of additional information provided following publication of the agenda.

1.6 Confirmation of Previous minutes - Wednesday, 10 September 2025

Moved by Commissioner Haeren
Seconded by Member Knight

That the minutes of the Statutory Planning Committee meeting held on Wednesday, 10 September 2025 be confirmed as a true and correct record of the proceedings.

The motion was put and carried

2. Deputations and presentations

Commissioner Brookes joined the meeting at 9.16 am.

2.1 Local Development Plan - Charles Hotel and Surrounding Lots, North Perth – Amendments to Residential Design Codes (Item 3.4)

Presenter: Mitchell Hoad – City of Vincent

Mitchell Hoad made a deputation to the Statutory Planning Committee regarding Item 3.4 - Local Development Plan - Charles Hotel and Surrounding Lots, North Perth – Amendments to Residential Design Codes.

3. Non-confidential items for discussion, decision or noting

3.4 Local Development Plan - Charles Hotel and Surrounding Lots, North Perth – Amendments to Residential Design Codes (DP/16/00483)

Members discussed their reasons for supporting the proposal and outlined the following:

- City of Vincent's Local Planning Scheme is currently being reviewed.
- The importance of promoting greater clarity and certainty within the planning framework, giving landowners and the local government a better understanding on future developments.

Members endorsed the recommendation of the Department of Planning, Lands and Heritage for the reasons discussed and outlined in the report.

Moved by Member Franklin

Seconded by Commissioner Haeren

That the Statutory Planning Committee resolves, in relation to the Charles Hotel Local Development Plan and pursuant to Clause 3.2.4b of the Residential Design Codes Volume 1 and Clause 1.2.3. of the Residential Design Codes Volume 2, to:

1. *Refuse the amendments to the deemed-to-comply provisions relating to:*
 - *Volume 1 - Building Height, Part C, Section 3.2 - Building height (C3.2.1); and*
 - *Volume 1 - Part D, Section 1.1 - Site area*
2. *Approve the amendments to:*
 - *Deemed-to-comply provisions relating to Volume 1, Part C, Section 1.2 - Trees and Landscaping (C1.2.8); and*
 - *Acceptable Outcomes relating to Volume 2, Part 4, Section - 4.12 Landscape design (A4.12.1),*

subject to the following modifications:

Reword Landscape Design section as follows:

“The following acceptable outcome amends deemed-to-comply requirement C1.2.8 of the R-Codes Volume 1 and acceptable outcome A4.12.1 of the R-Codes Volume 2 in relation to landscape design.

7. Landscaping for development is to be provided in accordance with the following:

Landscaping Plan

A landscaping plan is to be submitted with development applications. The selection of tree species is to be consistent with the City’s Tree Selection Tool.

For development applications that include land identified for a public plaza, the landscaping plan should provide details related of street furniture, lighting, species selection, and the incorporation of water sensitive urban design principles related to the design of the plaza/s.”

3. *Note that the balance of the Charles Hotel Local Development Plan does not require the approval of the Western Australian*

Planning Commission and therefore does not form part of this decision.

The motion was put and carried

2. Deputations and presentations

2.2 Part 11B Development Application - Proposed Service Commercial Development at Lot 805 Chapman Hill Road, Bovell - Determination (Item 3.1)

Commissioner Haeren and Commissioner Adair declared an Actual Impartiality Interest on Item 3.1 and left the meeting at 9:21 am.

Presenters: Tim Dawkins and Emma Dunning – Urbis and Alex Drake Brockman and Adam Lisle – Arise Development

Tim Dawkins, Emma Dunning, Alex Drake Brockman and Adam Lisle made a deputation to the Statutory Planning Committee regarding Item 3.1 - Part 11B Development Application - Proposed Service Commercial Development at Lot 805 Chapman Hill Road, Bovell – Determination.

Commissioner Adair returned to the meeting at 9:43am.

2.3 Part 11B Development Application - Multi-Storey Car Park and Commercial Tenancy at Lot 120 (No. 55) Barry Marshall Parade and portion of Lot 121 (No. 5) Fiona Wood Drive, Murdoch - Determination (Item 3.2)

Commissioner Haeren declared an Actual Impartiality Interest on this item and remained out of the meeting.

Commissioner Lakey declared an Indirect Pecuniary Interest on Item 3.2 and left the meeting at 9:42 am.

Presenters: Sean Fairfoul – Lateral Planning and Rhys Johnson - Human Urban

Sean Fairfoul and Rhys Johnson made a deputation to the Statutory Planning Committee regarding Item 3.2 - Part 11B Development Application - Multi-Storey Car Park and Commercial Tenancy at Lot 120 (No. 55) Barry Marshall Parade and portion of Lot 121 (No. 5) Fiona Wood Drive, Murdoch – Determination.

Commissioner Haeren and Commissioner Lakey returned to the meeting at 9:50am.

2.4 Part 11B Development Application - Narrogin Wind Farm and Battery Energy Storage System at various lots at Williams-

Kondinin, Clayton and Cowcher Roads in Minigin, Williams and Dumberning - Determination (Item 3.3)

Presenter: Brian Lange – Resident

Brian Lange made a deputation to the Statutory Planning Committee regarding Item 3.3 - Part 11B Development Application - Narrogin Wind Farm and Battery Energy Storage System at various lots at Williams-Kondinin, Clayton and Cowcher Roads in Minigin, Williams and Dumberning - Determination.

2.5 Part 11B Development Application - Narrogin Wind Farm and Battery Energy Storage System at various lots at Williams-Kondinin, Clayton and Cowcher Roads in Minigin, Williams and Dumberning - Determination (Item 3.3)

Presenters: Matilda Lloyd - Bailiwick Legal and Lewis and Binda Schulz – Neighbouring Landowners

Matilda Lloyd, Lewis and Binda Schulz made a deputation to the Statutory Planning Committee regarding Item 3.3 - Part 11B Development Application - Narrogin Wind Farm and Battery Energy Storage System at various lots at Williams-Kondinin, Clayton and Cowcher Roads in Minigin, Williams and Dumberning - Determination.

2.6 Part 11B Development Application - Narrogin Wind Farm and Battery Energy Storage System at various lots at Williams-Kondinin, Clayton and Cowcher Roads in Minigin, Williams and Dumberning - Determination (Item 3.3)

Presenters: Matilda Lloyd - Bailiwick Legal

Matilda Lloyd on behalf of Lewis and Clayton Hardie made a deputation to the Statutory Planning Committee regarding Item 3.3 - Part 11B Development Application - Narrogin Wind Farm and Battery Energy Storage System at various lots at Williams-Kondinin, Clayton and Cowcher Roads in Minigin, Williams and Dumberning - Determination.

2.7 Part 11B Development Application - Narrogin Wind Farm and Battery Energy Storage System at various lots at Williams-Kondinin, Clayton and Cowcher Roads in Minigin, Williams and Dumberning - Determination (Item 3.3)

Presenters: Peter Stubbs and Cr Simon Harding – Shire of Williams

Peter Stubbs and Cr Simon Harding made a deputation to the Statutory Planning Committee regarding Item 3.3 - Part 11B Development Application - Narrogin Wind Farm and Battery Energy Storage System

at various lots at Williams-Kondinin, Clayton and Cowcher Roads in Minigin, Williams and Dumberning - Determination.

2.8 Part 11B Development Application - Narrogin Wind Farm and Battery Energy Storage System at various lots at Williams-Kondinin, Clayton and Cowcher Roads in Minigin, Williams and Dumberning - Determination (Item 3.3)

Presenters: Cr Leigh Ballard, Cr Graham Broad and Dale Stewart – Shire of Narrogin

Cr Leigh Ballard, Cr Graham Broad and Dale Stewart made a deputation to the Statutory Planning Committee regarding Item 3.3 - Part 11B Development Application - Narrogin Wind Farm and Battery Energy Storage System at various lots at Williams-Kondinin, Clayton and Cowcher Roads in Minigin, Williams and Dumberning - Determination.

2.9 Part 11B Development Application - Narrogin Wind Farm and Battery Energy Storage System at various lots at Williams-Kondinin, Clayton and Cowcher Roads in Minigin, Williams and Dumberning - Determination (Item 3.3)

Presenters: Arkar Arkar and Rhys Williams - Neoen, Rob Karelse – Umwelt Australia Pty Ltd and Cameron Leckey – Rise Urban

Arkar Arkar, Rhys Williams, Rob Karelse and Cameron Leckey made a deputation to the Statutory Planning Committee regarding Item 3.3 - Part 11B Development Application - Narrogin Wind Farm and Battery Energy Storage System at various lots at Williams-Kondinin, Clayton and Cowcher Roads in Minigin, Williams and Dumberning - Determination.

2.10 Part 11B Development Application - Proposed Service Commercial Development at Lot 805 Chapman Hill Road, Bovell - Determination (Item 3.1)

Written Submission: Clare Kennedy – Resident

Members noted the written submission on Item 3.1 - Part 11B Development Application - Proposed Service Commercial Development at Lot 805 Chapman Hill Road, Bovell - Determination.

2.11 Part 11B Development Application - Narrogin Wind Farm and Battery Energy Storage System at various lots at Williams-Kondinin, Clayton and Cowcher Roads in Minigin, Williams and Dumberning - Determination (Item 3.3)

Written Submission: Jessica White – Resident

Members noted the written submission on Item 3.3 - Part 11B Development Application - Narrogin Wind Farm and Battery Energy Storage System at various lots at Williams-Kondinin, Clayton and Cowcher Roads in Minigin, Williams and Dumberning - Determination.

2.12 Part 11B Development Application - Narrogin Wind Farm and Battery Energy Storage System at various lots at Williams-Kondinin, Clayton and Cowcher Roads in Minigin, Williams and Dumberning - Determination (Item 3.3)

Written Submission: Courtney Nevill - Resident

Members noted the written submission on Item 3.3 - Part 11B Development Application - Narrogin Wind Farm and Battery Energy Storage System at various lots at Williams-Kondinin, Clayton and Cowcher Roads in Minigin, Williams and Dumberning - Determination.

2.13 Part 11B Development Application - Narrogin Wind Farm and Battery Energy Storage System at various lots at Williams-Kondinin, Clayton and Cowcher Roads in Minigin, Williams and Dumberning - Determination (Item 3.3)

Written Submission: Lex Hardie and Brian Lange - Resident

Members noted the written submission on Item 3.3 - Part 11B Development Application - Narrogin Wind Farm and Battery Energy Storage System at various lots at Williams-Kondinin, Clayton and Cowcher Roads in Minigin, Williams and Dumberning - Determination.

3. Non-confidential items for discussion, decision or noting

3.1 Part 11B Development Application - Proposed Service Commercial Development at Lot 805 Chapman Hill Road, Bovell - Determination (SD-018-24)

Commissioner Haeren and Commissioner Adair declared an Actual Impartiality Interest on Item 3.1 and left the meeting at 10:38 am.

During deliberations on the Item, members considered the following:

- The City of Busselton's submission on the buffer width of 30m, based on an earlier structure plan provision.
- Landscaping treatments along the Busselton Bypass, including areas with reduced setbacks, noting that many of these decisions were made prior to the implementation of State Planning Policy 3.7 – Bushfire.
- The request from the applicant to amend Condition 3(a)(i) to retain the sign annotated P1 and the signage to be modified with a reduction in the height from 12 to 8 metres.
- The request from the applicant to Condition 3(a)(ii) to increase the signage height of the sign annotated P3 to 10 metres.

- The applicant's request to remove the sign annotated P3 in Condition 3(a)(iv).
- The applicant's request to Condition 18(a) to amend the wording to "prior to occupation of the development" in relation to the public art strategy.
- Traffic and access conditions, noting the consultation undertaken with stakeholders, including Main Roads.

Members moved the recommendation of the Department of Planning, Lands and Heritage to open debate on the item.

REPORT RECOMMENDATION

Moved by Member Harman

Seconded by Member Knight

That the Statutory Planning Committee resolves:

- A. to note this application is not capable of being determined under the applicable planning instrument, being the City of Busselton Local Planning Scheme No. 21, and is seeking discretion under s.171R(1)(b) of the Planning and Development Act 2005 and it has been considered and determined accordingly; and*
- B. under s.171P(1) of the Planning and Development Act 2005 to approve development application reference SD-018-24 and accompanying plans (date-stamped 3 September 2025) for a Service Commercial Development at Lot 805 Chapman Hill Road, Bovell, subject to the following:*

Conditions

Approval Timeframe

- 1. This decision constitutes development approval only and is valid for a period of four years from the date of approval. If the development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.*

Conformity with Plans

- 2. The development is to be undertaken in accordance with the approved plans (date- stamped 3 September 2025) attached to this approval, subject to modifications required by any condition of this approval, final details of which are to be submitted at each working drawings stage (condition clearance stage), to the satisfaction of the Western Australian Planning Commission, on advice from the City of Busselton.*

3. *Prior to submission of the relevant building permit application, the approved development plans (date-stamped 3 September 2025) are to be modified, to include the following:*
 - (a) *Revise the signage for the proposed development, to include:*
 - (i) *The removal of sign annotated P1;*
 - (ii) *Reduce the maximum height of sign annotated as P2 to 8 metres;*
 - (iii) *Demonstrate that sign annotated P2 is located to ensure no impact on sightlines toward the south for vehicles exiting the site; and*
 - (iv) *Reposition sign annotated P3 to be setback a minimum of 24 metres from the Busselton Bypass boundary.*
 - (b) *Revise the theme informing the 'Feature Corner Statement' from the northeastern corner of the site to reflect an immediate local context and/or historical references rather than a broader regional 'Busselton' theme, to the satisfaction of the Western Australian Planning Commission, on advice from the City of Busselton and Main Roads WA.*
4. *A copy of the final working drawings (prepared for submission of relevant building permit application(s)) and all associated plans, reports and information that addresses the conditions of approval are to be submitted to, and cleared by, the Western Australian Planning Commission. The final working drawings and associated documents are to comply with all conditions of development approval, as confirmed by the Western Australian Planning Commission, and any variations from the approved development plans are required to be clearly identified.*

Land Use

5. *This approval is for the following land uses as defined under the City of Busselton Local Planning Scheme No. 21:*
 - (a) *Bulky Goods Showroom for all tenancies;*
 - (b) *Tenancy 1 - Trade Supplies, Warehouse/Storage and/or Garden Centre; and*
 - (c) *Tenancy 23 - Restaurant/Café.*

Amenity

6.
 - (a) *Prior to submission of the relevant building permit application, a Lighting Strategy is to be provided by a suitably qualified consultant and approved by the Western*

Australian Planning Commission, on advice from the City of Busselton, demonstrating that lighting is to be provided to all car parking areas, building facades and the children's playground and pocket park area in accordance with the relevant Australian Standards AS1158.3.1 and AS4282 and consistent with Crime Prevention Through Environmental Design Guidelines.

- (b) Prior to occupation of the relevant stage of development, the applicant is to provide certification from a suitably qualified consultant demonstrating the lighting has been installed in accordance with the approved Lighting Strategy, to the satisfaction of the Western Australian Planning Commission.*

Construction

7.

- (a) Prior to submission of the relevant building permit application, a Construction Management Plan is to be submitted to and approved by the Western Australian Planning Commission, on advice from Main Roads WA and the City of Busselton. The Plan is to address the following, but not limited to:*

- (i) hours of construction;*
- (ii) temporary fencing, hoardings, gantries and signage;*
- (iii) site access and egress;*
- (iv) construction traffic management;*
- (v) pedestrian and cyclist management and any footpath obstructions;*
- (vi) parking arrangements for staff and contractors;*
- (vii) deliveries and storage of construction materials and machinery;*
- (viii) management of vibration, dust and erosion;*
- (ix) management of any site dewatering or stormwater discharge;*
- (x) management of construction noise and other site-generated noise;*
- (xi) construction waste management, recycling and removal;*
- (xii) protection of street trees and public realm infrastructure; and*
- (xiii) public communication and complaint handling procedures.*

- (b) The approved Construction Management Plan is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.*

Water Management & Servicing

8.
 - (a) *Prior to commencement of development, an Urban Water Management Plan, is to be prepared in accordance with the approved Water Management Summary Report (dated 18 June 2025, Rev.3), Northern Swale Section Drawing B24007_C04, and the applicable Local Water Management Strategy, and submitted to and approved by the Western Australian Planning Commission, on advice from the Department of Water and Environmental Regulation, the Water Corporation and the City of Busselton.*
 - (b) *Prior to occupation of each stage of the development, certification by a suitably qualified professional is to be provided to demonstrate that all relevant provisions of the approved Urban Water Management Plan have been implemented in full, to the satisfaction of the Western Australian Planning Commission.*
 - (c) *The approved Urban Water Management Plan is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.*
9. *Prior to occupation of the first stage of the development, the applicant/landowner is to register on the Certificate of Title(s) a notification, pursuant to section 70A of the Transfer of Land Act 1893. The notification is to be included on the diagram or plan of survey (deposited plan) and registered at the applicant/landowner's expense, to the satisfaction of the Western Australian Planning Commission. The notification is to state as follows:*

"This land may be subject to flood risk hazard, affecting people and property, in the event of a breach of the Vasse Diversion Drain".
10. *The approved Mosquito Management Plan (dated 1 Oct 2024, Rev. B) is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission, on advice from the City of Busselton.*
11. *Prior to occupation of the first stage of the development, suitable arrangements are to be made for the development to be connected to the Water Corporation's local sewerage network, or as otherwise agreed, to the satisfaction of the Western Australian Planning Commission, on advice from the Water Corporation and the Department of Water and Environmental Regulation.*

Bushfire

12.

- (a) *Prior to submission of the relevant building permit application, the Bushfire Management Plan is to be updated to reflect the approved development inclusive of all conditions of development approval and submitted to and approved by the Western Australian Planning Commission, on advice from the Department of Fire and Emergency Services and the City of Busselton.*
- (b) *Prior to occupation of each stage of the development, certification by a Bushfire Consultant is to be provided to demonstrate that all relevant provisions of the approved Bushfire Management Plan have been implemented, to the satisfaction of the Western Australian Planning Commission.*
- (c) *The approved Bushfire Management Plan is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.*

13. *Prior to occupation of the first stage of the development, the applicant/landowner is to register on the Certificate of Title(s) a notification, pursuant to section 70A of the Transfer of Land Act 1893. The notification is to be included on the diagram or plan of survey (deposited plan) and registered at the applicant/landowner's expense, to the satisfaction of the Western Australian Planning Commission. The notification is to state as follows:*

"This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and is subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land".

Landscaping and Public Realm

14.

- (a) *Prior to submission of the relevant building permit application an updated Final Landscaping Plan is to be prepared to the satisfaction of the Western Australian Planning Commission, on the advice of the City of Busselton. The Landscaping Plan is to include the following:*
 - (i) *The location, number, size and species of existing and proposed trees and shrubs;*
 - (ii) *Details of all planting, as per (a) above, within the landscape buffers, consistent with the additional landscaping cross-section entitled "Northern Swale*

Section Drawing B24007_C04" date-stamped 25 August 2025 in conjunction with:

- a. increased vegetated screening planting to the northeastern corner of the site within the landscape buffer area adjacent to the intersection of the Busselton Bypass and Chapman Hill Road, outside of the 21m Asset Protection Zone and where the 'Feature Corner Statement' is to be located; and*
- b. increased vegetated screening planting to the northwestern corner of the site within the landscape buffer area adjacent the Busselton Bypass bridge over the Vasse Diversion Drain, outside of the 21m Asset Protection Zone;*

- (iii) Any lawns to be established;*
- (iv) Those areas to be reticulated or irrigated including any rain/grey water capture and re-use;*
- (v) Details of measures to ensure trees proposed to be planted within car park areas will successfully provide shade canopy, will not be impacted by root compaction and will not damage carpark infrastructure; and*
- (vi) Verge treatments, including hard and soft landscaping treatments.*

- (b) Prior to the occupation of the relevant stage of development, the landowner/applicant is to provide written confirmation from a suitably qualified professional confirming that all landscaping and reticulation has been undertaken in accordance with the approved landscaping plans relevant to that stage.*
- (c) Landscaping and reticulation is to be implemented in accordance with the approved Landscaping Plan and shall thereafter be maintained to the satisfaction of the Western Australian Planning Commission.*

15. Prior to occupation of the development, suitable arrangements being made for the implementation of the landscaping upgrades to Chapman Hill Road as depicted on the approved development and landscaping plans at the applicant/landowner's expense, to the satisfaction of the Western Australian Planning Commission, on advice from the City of Busselton.

16.

- (a) Prior to submission of the relevant building permit application, a Tree Protection Plan establishing tree protection zones as per Australian Standard AS4970-2009 and detailing the protection and care of retained site and verge trees during construction, is to be submitted to and*

approved by the Western Australian Planning Commission, on advice from the City of Busselton.

- (b) The approved Tree Protection Plan is to be implemented to the satisfaction of the Western Australian Planning Commission.*

17. Prior to commencement of development, final details of the water pump station location are to be provided, with any infrastructure to be setback a minimum of 3.0m from the edge of the Chapman Hill Road reserve, or as otherwise agreed, to the satisfaction of the Western Australian Planning Commission, on advice from the Water Corporation and the City of Busselton.

Public Art

18.

- (a) Prior to submission of the relevant building permit application, a Public Art Strategy for the development to the value of 1% of the construction value is to be submitted to, and approved by, the Western Australian Planning Commission, on advice from the City of Busselton.*
- (b) Prior to occupation of the development, the approved Public Art Strategy is to be implemented to the satisfaction of the Western Australian Planning Commission, on advice from the City of Busselton.*
- (c) The on-site public art is to be maintained in accordance with the approved Public Art Strategy to the satisfaction of the Western Australian Planning Commission.*

Materials and Finishes

19.

- (a) The development is to be constructed with high quality and durable external materials and finishes, consistent with the approved development plans and perspectives (date-stamped 3 September 2025) (other than as amended by conditions of approval), to the satisfaction of the Western Australian Planning Commission.*
- (b) Prior to submission of the relevant building permit application, the applicant is to submit final details of the materials, colours and finishes of the exterior of the building(s), to the satisfaction of the Western Australian Planning Commission.*

20. Prior to occupation of the development, a non-sacrificial anti-graffiti coating is to be applied to the external surfaces of the ground floor building and walls, and thereafter maintained, to the satisfaction of the Western Australian Planning Commission.

Operational Management

21.

- (a) *Prior to submission of the relevant building permit application, the Waste Management Plan dated 8 October 2024 is to be updated to reflect the detailed design, and submitted to, and approved by, the Western Australian Planning Commission, on advice from the City of Busselton.*
- (b) *The approved Waste Management Plan is to be implemented and adhered to by the landowner/applicant and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.*

Sustainability

22.

- (a) *Prior to submission of the relevant building permit application, a Sustainability Strategy detailing the development's sustainability initiatives is to be submitted to, and approved by, the Western Australian Planning Commission and is to include (but not be limited to) the provision of parking bays equipped for the charging of electric vehicles consistent with the Western Australian Planning Commission's Position Statement on Electrical Vehicle Charging Infrastructure.*
- (b) *Prior to occupation of each stage of the development, documentation from a suitably qualified professional is to be provided certifying that all applicable sustainability initiatives identified in the approved Sustainability Strategy have been incorporated in the construction of that stage and the ability of the development to be thereafter occupied and operated in accordance with the final approved Sustainability Strategy, to the satisfaction of the Western Australian Planning Commission.*

Transport, Access & Parking

23.

- (a) *Prior to submission of the relevant building permit application, preliminary road upgrade design plans (15% concept) for the upgrades to the Strelly Street, Busselton Bypass and Chapman Hill Road reserves, in accordance with the approved development plans, are to be submitted to, and approved by, the Western Australian Planning Commission, on the advice of Main Roads WA and the City of Busselton. The plans are to include, but are not limited to:*
 - (i) *service vehicle egress only at the northern site entry point;*

- (ii) a roundabout at the central site entry point;*
- (iii) a right turning lane into the site at the southern entry point;*
- (iv) a left turning lane at the northern end of Chapman Hill Road, adjacent to the Busselton Bypass intersection;*
- (v) a foot/cycle path along the Chapman Hill Road site frontage, connecting to the existing footpath on Busselton Bypass;*
- (vi) an additional lane to provide for turning from Strelly Street onto Busselton Bypass; and*
- (vii) a merge lane on Chapman Hill Road on departure from Busselton Bypass roundabout.*

(b) Prior to occupation of the first stage of the development, suitable arrangements are to be made for the implementation of the approved detailed design plans for the Strelly Street, Busselton Bypass and Chapman Hill Road reserves, at the full expense of the applicant/landowner, to the satisfaction of the Western Australian Planning Commission, on advice from Main Roads WA and the City of Busselton.

24.

- (a) Prior to occupation of the relevant stage of the development, certification is to be provided by a suitably qualified professional confirming that all car parking spaces, bicycle parking bays (racks and storage facilities) and vehicle accessways are constructed in accordance with Off-street Parking for People with Disabilities (AS/NZS2890.6 2009), Off-street Commercial Vehicle Facilities (AS2890.2:2002) and Off-street Car Parking - Bicycles (AS2890.3) and are consistent with the approved plans, to the satisfaction of the Western Australian Planning Commission, on advice from the City of Busselton.*
- (b) All car parking spaces, bicycle parking bays and vehicle accessways are to be maintained by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.*

Advice

- a) This is a development approval only. The landowner/applicant is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws and/or licence/permit requirements that may relate to the development. Contact the City of Busselton, Main Roads WA, Department of Fire and Emergency Services Built Environment Branch for further advice on relevant building, health, engineering and road reserve requirements.*

- b) *With regard to Condition 1, the term 'substantially commenced' has the meaning as set out in the Planning and Development (Local Planning Schemes) Regulations 2015 as amended from time to time. The substantial commencement date is calculated from the date the applicant receives the determination notice.*
- c) *With regard to Condition 2, 3 and 4, the final working drawings are to comply with all of the relevant conditions of development approval, as confirmed by the Western Australian Planning Commission (Commission), and any variations from the approved plans are required to be clearly identified.*

Once the Commission is satisfied that the working drawings are consistent with the approved development plans and any reports and information submitted have adequately addressed the conditions of approval, it will provide a clearance letter and copies of the working drawings to the landowner/applicant to assist with the issuing of a building permit.

Where works and/or building permits are proposed to be staged, the Commission may agree to a staged clearance of working drawings and associated conditions of approval. In such cases a Conditions Staging Matrix will need to be completed and submitted for the Commission's approval. Interim documentation may be acceptable for the clearance of some conditions for the initial stages of the development, in accordance with an approved Conditions Staging Matrix. In an instance where interim documents or plans are accepted by the Commission, the documentation is required to identify the time or stage for the delivery of the final documents and/or plans.

The final plans and documents submitted to the Western Australian Planning Commission to satisfy the conditions of this approval will be verified by Department of Planning, Lands and Heritage officers and any other local or State Government agency, where applicable. Approval for any substantive changes to the approved plans and/or documents will need to be obtained in writing from the Commission, via an Amendment Application process (Form 11B-2).

Where works and/or building permits are proposed to be staged, the Commission may agree to a staged/phased clearance of working drawings and associated conditions of approval. In such cases a Conditions Staging Matrix will need to be completed and submitted for the Commission's approval.

- d) *With regard to Condition 6, the Lighting Plan and subsequent installed lighting should demonstrate that any light spill to*

adjoining properties is minimised to acceptable levels and is in compliance with AS4282:1997.

- e) *With regard to Condition 8, the Urban Water Management Plan is required to address the entirety of the site and draft State Planning Policy 2.9 (SPP 2.9) Planning for Water, SPP 2.9 Planning for Water Guidelines and the Better Urban Water Management Guidelines.*
- f) *With regard to Condition 11, the Water Corporation advises that any proposal for temporary tankering of wastewater prior to connection of the development to the sewerage network requires a Tankering Agreement. Approval of the agreement will be assessed based on the developer's eligibility and approval of a tankering strategy, after a contract has been awarded for the construction of the wastewater pump station and pressure main that are required for the development. Refer to the Water Corporation's Industrial Wastewater Pump Station Water Corporation Funded & Developer Delivered process map for further information.*

In addition, the Department of Water and Environmental Regulation advises that due to the potential risks to the local environment, including potential wastewater spills entering the Vasse Wonnerup Wetlands, any proposed tankering would require a detailed risk assessment and contingency measures to be developed and approved before tankering could be supported.

- g) *With regard to Condition 18, a monetary contribution may be accepted in lieu of providing public art on site in accordance with the City of Busselton's Local Planning Policy 4.4 - Percent for Public Art.*
- h) *With regard to Condition 23, the detailed road works plans should address:*
 - (i) relevant Austroads standards;*
 - (ii) relevant Main Roads WA policies and design standards;*
 - (iii) relevant City of Busselton policies and design standards;*
 - (iv) truncations/ceding of land to the road reservation for the vehicle entry points; and*
 - (v) include any associated necessary upgrades to kerbing, pedestrian crossings, drainage, stormwater management, landscaping, footpaths, and street lighting.*
- i) *Main Roads WA advises that any signage visible from Busselton Bypass is subject to a separate assessment and approval from Main Roads WA under the Main Roads (Control of Advertisements) Regulations 1996. Refer to the Main Roads WA Policy and Assessment Guidelines for Static/Digital*

Advertising Signs, which can be found on the Main Roads website.

- j) The Department of Water and Environmental Regulation advises:
 - (i) a clearing permit may be required under Part V of the Environmental Protection Act 1986 (EP Act), unless the clearing is exempt in accordance with Schedule 6 of the EP Act and the Environmental Protection (Clearing of Native Vegetation) Regulations 2004. It is the applicant's responsibility to ensure the necessary approvals are in place before commencing development. If clarification on compliance is required, contact the Department of Water and Environmental Regulation's Native Clearing section on 9724 6109.*
 - (ii) as the site is located within the Busselton-Capel Sub-area proclaimed under the Rights in Water and Irrigation Act 1914, a section 26D Licence to Construct a Bore and section 5C Licence to 'Take' Groundwater will be required if the development landscaping is to be irrigated by groundwater.**
- k) The Water Corporation advises formal building approval will be required for the development. An application can be submitted via the Water Corporation online portal BuilderNet.*
- l) The Department of Biodiversity Conservation and Attractions advises that any trees identified with suitable hollows for black cockatoo breeding that are to be removed as part of this development should be felled outside of the birds' breeding period. If trees with suitable hollows are to be cleared within the breeding period, they should first be inspected by a suitably experienced fauna specialist to ensure that nesting is not occurring. If the inspection identifies nesting birds, a Section 40 authorisation under the Biodiversity Conservation Act 2016 will be required. Where nesting is occurring, trees should be demarcated and avoided until after the cockatoos have naturally completed nesting.*
- m) The City of Busselton advises that in accordance with the requirements of the Local Government (Uniform Local Provisions) Regulations 1996, any vehicle access from the land to a road or other public thoroughfare must be in accordance with the City of Busselton's adopted Crossover Policy and Vehicle Crossovers technical specifications.*
- n) Any handling of food intended for sale, or sale of food at this facility will need to comply with the Food Act 2008, Food Regulations 2009 and any relevant standards of the Australia New Zealand Food Standards Code. This includes the*

requirement to notify or register the food business under the Food Act 2008 with the appropriate enforcement agency (local government where the business is located) prior to commencing operating.

- o) All drinking water provided on site is required to meet the health-related requirements of the Australian Drinking Water Quality Guidelines 2011. Any non-drinking water must be managed to ensure it cannot be confused with or contaminate the drinking water supply. This requires satisfactory labelling of non-drinking water taps and, depending on system configuration and suitable backflow prevention arrangements in accordance with Australian/New Zealand Standards AS3500 – Plumbing and Drainage.*
- p) Western Power advises a load connection request/application for electricity transmission services for the development will be required to be submitted and approved.*
- q) If the landowner/applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 11B of the Planning and Development Act 2005.*

AMENDING MOTION

Members moved a motion to amend Condition 3(a)(i),(ii) and (iv) as requested by the applicant.

Moved by Member Harman

Seconded by Commissioner Lakey

- 3. Prior to submission of the relevant building permit application, the approved development plans (date-stamped 3 September 2025) are to be modified, to include the following:*
 - (a) Revise the signage for the proposed development, to include:*
 - (i) Reduce the maximum height of the sign annotated as P1 to 8 metres.*
 - (ii) Reduce the maximum height of sign annotated as P2 to 10 metres;*
 - (iii) Demonstrate that sign annotated P2 is located to ensure no impact on sightlines toward the south for vehicles exiting the site; and*
 - (iv) The removal of sign annotated P3.*

The Chairperson put the amending motion to a vote.

The votes were recorded as follows:

For: Member Harman and Commissioner Lakey

Against: Commissioner Cole, Commissioner Haeren, Commissioner Adair, Commissioner Brookes, Member Franklin, Member Knight, and Member Moore

The motion was put and lost

AMENDING MOTION

Members moved a motion to amend Condition 18(a) as requested by the applicant.

Moved by Member Harman

18.

(a) Prior to occupation of the stage of development, a Public Art Strategy for the development to the value of 1% of the construction value is to be submitted to, and approved by, the Western Australian Planning Commission, on advice from the City of Busselton.

The motion lapsed for the want of a seconder

Members discussed their reasons for supporting the proposal and outlined the following:

- The proposal aligns with the City of Busselton's Local Planning Strategy, which identifies the site for future service commercial use, and the land uses are suitable for the site which is zoned Industrial and subject to the Ambergate Service Commercial Structure Plan.
- Tenancy 1 (trade supplies) is deemed appropriate, and the restaurant use was considered incidental and of a small scale, providing amenity for site users.
- The applicant's landscaping approach with an average buffer width of 23 to 24 metres and the narrower sections being offset by well considered landscaping, resulting in an appropriate overall outcome.
- The reduction of signage, including the height of annotated sign P3 and removal of annotated sign P1.

Members endorsed the recommendation of the Department of Planning, Lands and Heritage for the reasons discussed and outlined in the report.

REPORT RECOMMENDATION

That the Statutory Planning Committee resolves:

- A. *to note this application is not capable of being determined under the applicable planning instrument, being the City of Busselton Local Planning Scheme No. 21, and is seeking discretion under s.171R(1)(b) of the Planning and Development Act 2005 and it has been considered and determined accordingly; and*
- B. *under s.171P(1) of the Planning and Development Act 2005 to approve development application reference SD-018-24 and accompanying plans (date-stamped 3 September 2025) for a Service Commercial Development at Lot 805 Chapman Hill Road, Bovell, subject to the following:*

Conditions

Approval Timeframe

1. *This decision constitutes development approval only and is valid for a period of four years from the date of approval. If the development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.*

Conformity with Plans

2. *The development is to be undertaken in accordance with the approved plans (date-stamped 3 September 2025) attached to this approval, subject to modifications required by any condition of this approval, final details of which are to be submitted at each working drawings stage (condition clearance stage), to the satisfaction of the Western Australian Planning Commission, on advice from the City of Busselton.*
3. *Prior to submission of the relevant building permit application, the approved development plans (date-stamped 3 September 2025) are to be modified, to include the following:*
- (a) Revise the signage for the proposed development, to include:*
 - (i) The removal of sign annotated P1;*
 - (ii) Reduce the maximum height of sign annotated as P2 to 8 metres;*
 - (iii) Demonstrate that sign annotated P2 is located to ensure no impact on sightlines toward the south for vehicles exiting the site; and*
 - (iv) Reposition sign annotated P3 to be setback a minimum of 24 metres from the Busselton Bypass boundary.*
 - (b) Revise the theme informing the 'Feature Corner Statement' from the northeastern corner of the site to reflect an immediate local context and/or historical references rather*

than a broader regional 'Busselton' theme, to the satisfaction of the Western Australian Planning Commission, on advice from the City of Busselton and Main Roads WA.

4. *A copy of the final working drawings (prepared for submission of relevant building permit application(s)) and all associated plans, reports and information that addresses the conditions of approval are to be submitted to, and cleared by, the Western Australian Planning Commission. The final working drawings and associated documents are to comply with all conditions of development approval, as confirmed by the Western Australian Planning Commission, and any variations from the approved development plans are required to be clearly identified.*

Land Use

5. *This approval is for the following land uses as defined under the City of Busselton Local Planning Scheme No. 21:*
 - (a) *Bulky Goods Showroom for all tenancies;*
 - (b) *Tenancy 1 - Trade Supplies, Warehouse/Storage and/or Garden Centre; and*
 - (c) *Tenancy 23 - Restaurant/Café.*

Amenity

6.
 - (a) *Prior to submission of the relevant building permit application, a Lighting Strategy is to be provided by a suitably qualified consultant and approved by the Western Australian Planning Commission, on advice from the City of Busselton, demonstrating that lighting is to be provided to all car parking areas, building facades and the children's playground and pocket park area in accordance with the relevant Australian Standards AS1158.3.1 and AS4282 and consistent with Crime Prevention Through Environmental Design Guidelines.*
 - (b) *Prior to occupation of the relevant stage of development, the applicant is to provide certification from a suitably qualified consultant demonstrating the lighting has been installed in accordance with the approved Lighting Strategy, to the satisfaction of the Western Australian Planning Commission.*

Construction

7.
 - (a) *Prior to submission of the relevant building permit application, a Construction Management Plan is to be submitted to and approved by the Western Australian*

Planning Commission, on advice from Main Roads WA and the City of Busselton. The Plan is to address the following, but not limited to:

- (i) hours of construction;*
- (ii) temporary fencing, hoardings, gantries and signage;*
- (iii) site access and egress;*
- (iv) construction traffic management;*
- (v) pedestrian and cyclist management and any footpath obstructions;*
- (vi) parking arrangements for staff and contractors;*
- (vii) deliveries and storage of construction materials and machinery;*
- (viii) management of vibration, dust and erosion;*
- (ix) management of any site dewatering or stormwater discharge;*
- (x) management of construction noise and other site-generated noise;*
- (xi) construction waste management, recycling and removal;*
- (xii) protection of street trees and public realm infrastructure; and*
- (xiii) public communication and complaint handling procedures.*

- (b) The approved Construction Management Plan is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.*

Water Management & Servicing

8.

- (a) Prior to commencement of development, an Urban Water Management Plan, is to be prepared in accordance with the approved Water Management Summary Report (dated 18 June 2025, Rev.3), Northern Swale Section Drawing B24007_C04, and the applicable Local Water Management Strategy, and submitted to and approved by the Western Australian Planning Commission, on advice from the Department of Water and Environmental Regulation, the Water Corporation and the City of Busselton.*
- (b) Prior to occupation of each stage of the development, certification by a suitably qualified professional is to be provided to demonstrate that all relevant provisions of the approved Urban Water Management Plan have been implemented in full, to the satisfaction of the Western Australian Planning Commission.*
- (c) The approved Urban Water Management Plan is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.*

9. *Prior to occupation of the first stage of the development, the applicant/landowner is to register on the Certificate of Title(s) a notification, pursuant to section 70A of the Transfer of Land Act 1893. The notification is to be included on the diagram or plan of survey (deposited plan) and registered at the applicant/landowner's expense, to the satisfaction of the Western Australian Planning Commission. The notification is to state as follows:*

"This land may be subject to flood risk hazard, affecting people and property, in the event of a breach of the Vasse Diversion Drain".

10. *The approved Mosquito Management Plan (dated 1 Oct 2024, Rev. B) is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission, on advice from the City of Busselton.*

11. *Prior to occupation of the first stage of the development, suitable arrangements are to be made for the development to be connected to the Water Corporation's local sewerage network, or as otherwise agreed, to the satisfaction of the Western Australian Planning Commission, on advice from the Water Corporation and the Department of Water and Environmental Regulation.*

Bushfire

- 12.
- (a) *Prior to submission of the relevant building permit application, the Bushfire Management Plan is to be updated to reflect the approved development inclusive of all conditions of development approval and submitted to and approved by the Western Australian Planning Commission, on advice from the Department of Fire and Emergency Services and the City of Busselton.*
 - (b) *Prior to occupation of each stage of the development, certification by a Bushfire Consultant is to be provided to demonstrate that all relevant provisions of the approved Bushfire Management Plan have been implemented, to the satisfaction of the Western Australian Planning Commission.*
 - (c) *The approved Bushfire Management Plan is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.*
13. *Prior to occupation of the first stage of the development, the applicant/landowner is to register on the Certificate of Title(s) a notification, pursuant to section 70A of the Transfer of Land Act 1893. The notification is to be included on the diagram or plan of survey (deposited plan) and registered at the*

applicant/landowner's expense, to the satisfaction of the Western Australian Planning Commission. The notification is to state as follows:

"This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and is subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land".

Landscaping and Public Realm

14.

(a) Prior to submission of the relevant building permit application an updated Final Landscaping Plan is to be prepared to the satisfaction of the Western Australian Planning Commission, on the advice of the City of Busselton. The Landscaping Plan is to include the following:

(i) The location, number, size and species of existing and proposed trees and shrubs;

(ii) Details of all planting, as per (a) above, within the landscape buffers, consistent with the additional landscaping cross-section entitled "Northern Swale Section Drawing B24007_C04" date-stamped 25 August 2025 in conjunction with:

a. increased vegetated screening planting to the northeastern corner of the site within the landscape buffer area adjacent to the intersection of the Busselton Bypass and Chapman Hill Road, outside of the 21m Asset Protection Zone and where the 'Feature Corner Statement' is to be located; and

b. increased vegetated screening planting to the northwestern corner of the site within the landscape buffer area adjacent the Busselton Bypass bridge over the Vasse Diversion Drain, outside of the 21m Asset Protection Zone;

(iii) Any lawns to be established;

(iv) Those areas to be reticulated or irrigated including any rain/grey water capture and re-use;

(v) Details of measures to ensure trees proposed to be planted within car park areas will successfully provide shade canopy, will not be impacted by root compaction and will not damage carpark infrastructure; and

(vi) Verge treatments, including hard and soft landscaping treatments.

- (b) *Prior to the occupation of the relevant stage of development, the landowner/applicant is to provide written confirmation from a suitably qualified professional confirming that all landscaping and reticulation has been undertaken in accordance with the approved landscaping plans relevant to that stage.*
 - (c) *Landscaping and reticulation is to be implemented in accordance with the approved Landscaping Plan and shall thereafter be maintained to the satisfaction of the Western Australian Planning Commission.*
- 15. *Prior to occupation of the development, suitable arrangements being made for the implementation of the landscaping upgrades to Chapman Hill Road as depicted on the approved development and landscaping plans at the applicant/landowner's expense, to the satisfaction of the Western Australian Planning Commission, on advice from the City of Busselton.*
- 16.
 - (a) *Prior to submission of the relevant building permit application, a Tree Protection Plan establishing tree protection zones as per Australian Standard AS4970-2009 and detailing the protection and care of retained site and verge trees during construction, is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Busselton.*
 - (b) *The approved Tree Protection Plan is to be implemented to the satisfaction of the Western Australian Planning Commission.*
- 17. *Prior to commencement of development, final details of the water pump station location are to be provided, with any infrastructure to be setback a minimum of 3.0m from the edge of the Chapman Hill Road reserve, or as otherwise agreed, to the satisfaction of the Western Australian Planning Commission, on advice from the Water Corporation and the City of Busselton.*

Public Art

- 18.
 - (a) *Prior to submission of the relevant building permit application, a Public Art Strategy for the development to the value of 1% of the construction value is to be submitted to, and approved by, the Western Australian Planning Commission, on advice from the City of Busselton.*
 - (b) *Prior to occupation of the development, the approved Public Art Strategy is to be implemented to the satisfaction of the Western Australian Planning Commission, on advice from the City of Busselton.*

- (c) *The on-site public art is to be maintained in accordance with the approved Public Art Strategy to the satisfaction of the Western Australian Planning Commission.*

Materials and Finishes

19.

- (a) *The development is to be constructed with high quality and durable external materials and finishes, consistent with the approved development plans and perspectives (date-stamped 3 September 2025) (other than as amended by conditions of approval), to the satisfaction of the Western Australian Planning Commission.*
- (b) *Prior to submission of the relevant building permit application, the applicant is to submit final details of the materials, colours and finishes of the exterior of the building(s), to the satisfaction of the Western Australian Planning Commission.*

20. *Prior to occupation of the development, a non-sacrificial anti-graffiti coating is to be applied to the external surfaces of the ground floor building and walls, and thereafter maintained, to the satisfaction of the Western Australian Planning Commission.*

Operational Management

21.

- (a) *Prior to submission of the relevant building permit application, the Waste Management Plan dated 8 October 2024 is to be updated to reflect the detailed design, and submitted to, and approved by, the Western Australian Planning Commission, on advice from the City of Busselton.*
- (b) *The approved Waste Management Plan is to be implemented and adhered to by the landowner/applicant and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.*

Sustainability

22.

- (a) *Prior to submission of the relevant building permit application, a Sustainability Strategy detailing the development's sustainability initiatives is to be submitted to, and approved by, the Western Australian Planning Commission and is to include (but not be limited to) the provision of parking bays equipped for the charging of electric vehicles consistent with the Western Australian Planning Commission's Position Statement on Electrical Vehicle Charging Infrastructure.*

- (b) *Prior to occupation of each stage of the development, documentation from a suitably qualified professional is to be provided certifying that all applicable sustainability initiatives identified in the approved Sustainability Strategy have been incorporated in the construction of that stage and the ability of the development to be thereafter occupied and operated in accordance with the final approved Sustainability Strategy, to the satisfaction of the Western Australian Planning Commission.*

Transport, Access & Parking

23.

- (a) *Prior to submission of the relevant building permit application, preliminary road upgrade design plans (15% concept) for the upgrades to the Strelly Street, Busselton Bypass and Chapman Hill Road reserves, in accordance with the approved development plans, are to be submitted to, and approved by, the Western Australian Planning Commission, on the advice of Main Roads WA and the City of Busselton. The plans are to include, but are not limited to:*
- (i) service vehicle egress only at the northern site entry point;*
 - (ii) a roundabout at the central site entry point;*
 - (iii) a right turning lane into the site at the southern entry point;*
 - (iv) a left turning lane at the northern end of Chapman Hill Road, adjacent to the Busselton Bypass intersection;*
 - (v) a foot/cycle path along the Chapman Hill Road site frontage, connecting to the existing footpath on Busselton Bypass;*
 - (vi) an additional lane to provide for turning from Strelly Street onto Busselton Bypass; and*
 - (vii) a merge lane on Chapman Hill Road on departure from Busselton Bypass roundabout.*
- (b) *Prior to occupation of the first stage of the development, suitable arrangements are to be made for the implementation of the approved detailed design plans for the Strelly Street, Busselton Bypass and Chapman Hill Road reserves, at the full expense of the applicant/landowner, to the satisfaction of the Western Australian Planning Commission, on advice from Main Roads WA and the City of Busselton.*

24.

- (a) *Prior to occupation of the relevant stage of the development, certification is to be provided by a suitably qualified professional confirming that all car parking*

spaces, bicycle parking bays (racks and storage facilities) and vehicle accessways are constructed in accordance with Off-street Parking for People with Disabilities (AS/NZS2890.6 2009), Off-street Commercial Vehicle Facilities (AS2890.2:2002) and Off-street Car Parking - Bicycles (AS2890.3) and are consistent with the approved plans, to the satisfaction of the Western Australian Planning Commission, on advice from the City of Busselton.

(b) All car parking spaces, bicycle parking bays and vehicle accessways are to be maintained by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.

Advice

- a) This is a development approval only. The landowner/applicant is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws and/or licence/permit requirements that may relate to the development. Contact the City of Busselton, Main Roads WA, Department of Fire and Emergency Services Built Environment Branch for further advice on relevant building, health, engineering and road reserve requirements.*
- b) With regard to Condition 1, the term 'substantially commenced' has the meaning as set out in the Planning and Development (Local Planning Schemes) Regulations 2015 as amended from time to time. The substantial commencement date is calculated from the date the applicant receives the determination notice.*
- c) With regard to Condition 2, 3 and 4, the final working drawings are to comply with all of the relevant conditions of development approval, as confirmed by the Western Australian Planning Commission (Commission), and any variations from the approved plans are required to be clearly identified.*

Once the Commission is satisfied that the working drawings are consistent with the approved development plans and any reports and information submitted have adequately addressed the conditions of approval, it will provide a clearance letter and copies of the working drawings to the landowner/applicant to assist with the issuing of a building permit.

Where works and/or building permits are proposed to be staged, the Commission may agree to a staged clearance of working drawings and associated conditions of approval. In such cases a Conditions Staging Matrix will need to be completed and submitted for the Commission's approval. Interim documentation may be acceptable for the clearance of

some conditions for the initial stages of the development, in accordance with an approved Conditions Staging Matrix. In an instance where interim documents or plans are accepted by the Commission, the documentation is required to identify the time or stage for the delivery of the final documents and/or plans.

The final plans and documents submitted to the Western Australian Planning Commission to satisfy the conditions of this approval will be verified by Department of Planning, Lands and Heritage officers and any other local or State Government agency, where applicable. Approval for any substantive changes to the approved plans and/or documents will need to be obtained in writing from the Commission, via an Amendment Application process (Form 11B-2).

Where works and/or building permits are proposed to be staged, the Commission may agree to a staged/phased clearance of working drawings and associated conditions of approval. In such cases a Conditions Staging Matrix will need to be completed and submitted for the Commission's approval.

- d) With regard to Condition 6, the Lighting Plan and subsequent installed lighting should demonstrate that any light spill to adjoining properties is minimised to acceptable levels and is in compliance with AS4282:1997.*
- e) With regard to Condition 8, the Urban Water Management Plan is required to address the entirety of the site and draft State Planning Policy 2.9 (SPP 2.9) Planning for Water, SPP 2.9 Planning for Water Guidelines and the Better Urban Water Management Guidelines.*
- f) With regard to Condition 11, the Water Corporation advises that any proposal for temporary tankering of wastewater prior to connection of the development to the sewerage network requires a Tankering Agreement. Approval of the agreement will be assessed based on the developer's eligibility and approval of a tankering strategy, after a contract has been awarded for the construction of the wastewater pump station and pressure main that are required for the development. Refer to the Water Corporation's Industrial Wastewater Pump Station Water Corporation Funded & Developer Delivered process map for further information.*

In addition, the Department of Water and Environmental Regulation advises that due to the potential risks to the local environment, including potential wastewater spills entering the Vasse Wonnerup Wetlands, any proposed tankering would require a detailed risk assessment and contingency measures

to be developed and approved before tankering could be supported.

- g) With regard to Condition 18, a monetary contribution may be accepted in lieu of providing public art on site in accordance with the City of Busselton's Local Planning Policy 4.4 - Percent for Public Art.*
- h) With regard to Condition 23, the detailed road works plans should address:
 - (i) relevant Austroads standards;*
 - (ii) relevant Main Roads WA policies and design standards;*
 - (iii) relevant City of Busselton policies and design standards;*
 - (iv) truncations/ceding of land to the road reservation for the vehicle entry points; and*
 - (v) include any associated necessary upgrades to kerbing, pedestrian crossings, drainage, stormwater management, landscaping, footpaths, and street lighting.**
- i) Main Roads WA advises that any signage visible from Busselton Bypass is subject to a separate assessment and approval from Main Roads WA under the Main Roads (Control of Advertisements) Regulations 1996. Refer to the Main Roads WA Policy and Assessment Guidelines for Static/Digital Advertising Signs, which can be found on the Main Roads website.*
- j) The Department of Water and Environmental Regulation advises:
 - (i) a clearing permit may be required under Part V of the Environmental Protection Act 1986 (EP Act), unless the clearing is exempt in accordance with Schedule 6 of the EP Act and the Environmental Protection (Clearing of Native Vegetation) Regulations 2004. It is the applicant's responsibility to ensure the necessary approvals are in place before commencing development. If clarification on compliance is required, contact the Department of Water and Environmental Regulation's Native Clearing section on 9724 6109.*
 - (ii) as the site is located within the Busselton-Capel Sub-area proclaimed under the Rights in Water and Irrigation Act 1914, a section 26D Licence to Construct a Bore and section 5C Licence to 'Take' Groundwater will be required if the development landscaping is to be irrigated by groundwater.**
- k) The Water Corporation advises formal building approval will be required for the development. An application can be submitted via the Water Corporation online portal BuilderNet.*

- l) The Department of Biodiversity Conservation and Attractions advises that any trees identified with suitable hollows for black cockatoo breeding that are to be removed as part of this development should be felled outside of the birds' breeding period. If trees with suitable hollows are to be cleared within the breeding period, they should first be inspected by a suitably experienced fauna specialist to ensure that nesting is not occurring. If the inspection identifies nesting birds, a Section 40 authorisation under the Biodiversity Conservation Act 2016 will be required. Where nesting is occurring, trees should be demarcated and avoided until after the cockatoos have naturally completed nesting.*
- m) The City of Busselton advises that in accordance with the requirements of the Local Government (Uniform Local Provisions) Regulations 1996, any vehicle access from the land to a road or other public thoroughfare must be in accordance with the City of Busselton's adopted Crossover Policy and Vehicle Crossovers technical specifications.*
- n) Any handling of food intended for sale, or sale of food at this facility will need to comply with the Food Act 2008, Food Regulations 2009 and any relevant standards of the Australia New Zealand Food Standards Code. This includes the requirement to notify or register the food business under the Food Act 2008 with the appropriate enforcement agency (local government where the business is located) prior to commencing operating.*
- o) All drinking water provided on site is required to meet the health-related requirements of the Australian Drinking Water Quality Guidelines 2011. Any non-drinking water must be managed to ensure it cannot be confused with or contaminate the drinking water supply. This requires satisfactory labelling of non-drinking water taps and, depending on system configuration and suitable backflow prevention arrangements in accordance with Australian/New Zealand Standards AS3500 – Plumbing and Drainage.*
- p) Western Power advises a load connection request/application for electricity transmission services for the development will be required to be submitted and approved.*
- q) If the landowner/applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 11B of the Planning and Development Act 2005.*

The motion was put and carried

The Chairperson declared a brief adjournment at 10:55 am.

The meeting resumed at 11:03 am, with all members present.

3.2 Part 11B Development Application - Multi-Storey Car Park and Commercial Tenancy at Lot 120 (No. 55) Barry Marshall Parade and portion of Lot 121 (No. 5) Fiona Wood Drive, Murdoch - Determination (SD-044-25)

During deliberations on the Item, members considered the following:

- The applicant's requested modifications to the recommendation and the Department of Planning, Lands and Heritage's (the Department) proposed revised recommendation.
- The applicant's extent of structural works within the Pedestrian Access Way (PAW) and constructed drawings of the PAW which have not been provided.
- The landscaping condition for the PAW intended as an offset for the lack of on-site landscaping.
- The assessment of Condition 12 (Traffic) and 22 (Lighting)
- The applicant's request to remove the reference to the green travel plan and applying the green travel plan to the hospital in relation to Condition 17.

Members discussed their reasons for supporting the revised recommendation of the Department of Planning, Lands and Heritage and outlined the following:

- The need for essential infrastructure that will be supporting the staged delivery of the hospital precinct.
- The support of the City of Melville for the proposal, noting their acknowledgement that the current activity centre plan is dated and did not account for the Women and Babies Hospital within the Murdoch precinct.
- The commercial uses at ground level will ensure that the active frontage at street level.
- The car parking floors 5 to 8 have been designed to allow future retrofitting for office use, as considered by the State Design Review Panel.
- An updated road safety audit is required to address concerns raised by Main Roads and the City of Melville regarding right-turn movements and safe access.

Members endorsed the revised recommendation of the Department of Planning, Lands and Heritage for the reasons discussed and outlined in the report.

REVISED RECOMMENDATION

Moved by Member Franklin
Seconded by Commissioner Brookes

That the Statutory Planning Committee resolves:

- A. *to note this application is capable of being determined under the applicable planning instrument, being the City of Melville Local Planning Scheme No. 6, and it has been considered and determined accordingly; and*
- B. *under section 171P(1) of the Planning and Development Act 2005 to approve the development application reference SD-044-25 and accompanying plans (date-stamped 1 September 2025) for a multi-storey public car park and ground floor commercial tenancy at Lot 120 (No. 55) Barry Marshall Parade and portion of Lot 121 (No. 5) Fiona Wood Drive, Murdoch, subject to the following:*

Conditions

Approval Timeframe

1. *This decision constitutes development approval only and is valid for a period of 4 years from the date of approval. If the development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.*

Conformity with Plans

2. *The development is to be undertaken in accordance with the approved plans (date-stamped 1 September 2025) attached to this approval, subject to modifications required by any condition of this approval, final details of which are to be submitted at working drawings stage (condition clearance stage), to the satisfaction of the Western Australian Planning Commission, on advice from the City of Melville.*
3. *A copy of the final working drawings (prepared for submission of relevant building permit applications) and all associated plans, reports and information that addresses the conditions of approval are to be submitted to, and cleared by, the Western Australian Planning Commission.*
4. *Prior to occupation of the development, suitable arrangements being made for boundary realignment between Lot 120 Barry Marshall Parade and portion of Lot 121 Lot 120 (No. 55) Barry Marshall Parade and Lot 121, as depicted on the approved plans, being created on a diagram or plan of survey (deposited plan), to the satisfaction of the Western Australian Planning Commission.*

Construction

5. *(a) Prior to submission of the relevant building permit application, a Construction Management Plan is to be*

submitted to, and approved by, the Western Australian Planning Commission, on advice from Main Roads WA, the Public Transport Authority and City of Melville. The Plan is to address the following, but not limited to:

- (i) hours of construction;*
 - (ii) temporary fencing, hoardings, gantries and signage;*
 - (iii) site access and egress;*
 - (iv) construction traffic management;*
 - (v) pedestrian and cyclist management and any footpath obstructions;*
 - (vi) parking arrangements for staff and contractors;*
 - (vii) deliveries and storage of construction materials and machinery;*
 - (viii) management of vibration, dust and erosion;*
 - (ix) management of any site dewatering or stormwater discharge;*
 - (x) investigation and management of any identified acid sulfate soils;*
 - (xi) management of construction noise and any other site generated noise;*
 - (xii) management, recycling and removal of construction waste;*
 - (xiii) protection of street trees and public realm infrastructure;*
 - (xiv) a Traffic Guidance Scheme;*
 - (xv) disruption to bus services or bus stops and proposed mitigation measures; and*
 - (xvi) public communication and complaint handling procedures.*
- (b) The approved Construction Management Plan is to be implemented, to the satisfaction of the Western Australian Planning Commission.*

Design, Materials, Finishes and Signage

- 6. Prior to submission of the relevant building permit application, the applicant is to submit final details of the materials, colours and finishes of the exterior of the building(s), demonstrating that the development is to be constructed with high quality and durable external materials and finishes, which are consistent with or enhance those detailed on the approved elevations of the development, to the satisfaction of the Western Australian Planning Commission, on advice from the City of Melville.*
- 7.*
 - (a) Prior to the installation of any signage, a Signage Strategy is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City*

of Melville. The Signage Strategy is to include, but not limited to, details of the following:

- (i) the location, size and format of any signage and future signage to the building exterior;*
- (ii) integration with the built form and existing Murdoch Health and Knowledge Precinct signage; and*
- (iii) signage to promote and guide wayfinding.*

(b) The approved Signage Strategy is to be implemented, to the satisfaction of the Western Australian Planning Commission.

- 8. Except as otherwise provided in the approved Signage Strategy, the ground floor glazing shall remain clear at all times and shall not be obscured by glazing film and/or product shelving, to the satisfaction of the Western Australian Planning Commission.*

Landscaping

- 9. Prior to occupation of the development, suitable arrangements being made for the landowner/applicant to contribute towards the cost of landscaping the adjoining public accessway at Lot 122 Barry Marshall Parade (R53438), consistent with the Deep Soil Strategy dated May 2025, to an amount equivalent to the cost of the purchase and installation of the following:*

- (i) three large trees (200L);*
- (ii) three medium trees (100L); and*
- (iii) three small trees (70L).*

to the satisfaction of the Western Australian Planning Commission on advice from the City of Melville.

- 10. (a) Prior to occupation of the development, suitable arrangements being made for a detailed landscaping plan, including hard and soft landscape specifications and reticulation details, aligned with the Landscape Strategy (dated May 2025) and the approved development plans, for the site and adjacent road verge(s) is to be submitted to, and approved by, the Western Australian Planning Commission, on advice from the City of Melville. The landscaping plan(s) is to address, but is not limited to, the following:*

- (i) The extent of works;*
- (ii) Any existing vegetation and/or landscaped areas to be retained;*

- (iii) The location, number and type of proposed trees and shrubs including planter size and planting density;*
 - (iv) Any lawns to be established;*
 - (v) Any verge treatments;*
 - (vi) Soft landscaping with at least 70% native species to be planted and at least 50% either species found in the project area or other native species suitable for foraging by Carnaby's Black Cockatoo. This excludes turfed areas;*
 - (vii) Maintenance agreement details with the City of Melville to ensure responsibilities for verge landscaping are defined; and*
 - (viii) Irrigation adhering to the City of Melville's guidelines.*
- (b) Prior to occupation of the development, certification that all landscaping and reticulation has been completed in accordance with the approved landscaping plan(s) is to be submitted to the satisfaction of the Western Australian Planning Commission, on advice from the City of Melville, on advice from the City of Melville.*
- (c) The approved landscaping plan is to thereafter be maintained by the landowner/applicant or operators of the development, to the satisfaction of the Western Australian Planning Commission.*

Noise

11.

- (a) Prior to submission of the relevant building permit application, the final plans are to be certified by a qualified acoustic consultant confirming the development incorporates the recommendations outlined in the Acoustic Report dated 15 May 2025 shall be incorporated into the final working drawings, to the satisfaction of the Western Australian Planning Commission.*
- (b) Prior to occupation of the development, certification is to be provided from a qualified acoustic consultant confirming the recommendations of the approved Acoustic Report dated 15 May 2025 have been implemented to the satisfaction of the Western Australian Planning Commission, on advice from the City of Melville.*
- (c) The recommended measures included in the Acoustic Report must remain implemented to the satisfaction of the Western Australian.*

Traffic

12.

- (a) Prior to commencement of development, an updated Road Safety Audit and Traffic Impact Assessment is to be*

submitted to, and approved by, the Western Australian Planning Commission, on advice from Main Roads WA and the City of Melville. The revised documents are to further consider the intersection of Fiona Wood Road and Wonnul Place and include the following:

- (i) Peak hour traffic period.*
 - (ii) Reference to all public transport routes that provide service to the site.*
 - (iii) An updated SIDRA model to include a “without development” scenario, revised intersections, and accurate road network layout.*
 - (iv) Updated swept path drawings.*
 - (v) 15% design concept plans.*
- (b) Prior to occupation of the development, the recommendations of the updated Road Safety Audit and Traffic Impact Assessment are to be implemented to the satisfaction of the Western Australian Planning Commission, on advice from Main Roads WA.*

Parking

13.

- (a) Prior to the commencement of development, an updated first floor plan shall be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Melville, showing 15 Short Term car parking bays, marked with 30 minute time limit on the first floor directly above the commercial tenancy, for exclusive use for the commercial tenancy.*
- (b) The designated short term car parking bays must be maintained to the satisfaction of the Western Australian Planning Commission.*

14.

- (a) Prior to occupation of the development, certification is to be provided by a suitably qualified professional confirming that all car parking spaces, vehicle accessways, access aisles and bicycle bays have been constructed and marked in accordance with Australian Standards AS2890.1:2004 and AS2890.3, to the satisfaction of the Western Australian Planning Commission, on advice from the City of Melville.*
- (b) All car parking spaces, vehicle accessways, access aisles and bicycle bays are to be maintained by the landowner/applicant and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.*

15. Prior to occupation of the development, a Parking and Operational Management Plan is to be submitted to, and

approved by, the Western Australian Planning Commission, on advice from the Department of Transport, Main Roads WA and the City of Melville. The plan is to address the following:

- (a) Details and technical specifications of car park entry technology proposed including verification of eligibility to park in the car park, including peak hourly entry capacity per entry lane and car park total.*
- (b) Details of use of live car park data including but not limited to car park occupancy indicator lights, and live car park availability signage to be installed visible to vehicles prior to entering from Fiona Wood Road.*
- (c) Details as to the capacity and location of the secure bike storage and end of trip facilities.*
- (d) Details as to the control of deliveries and service vehicles to and from the site.*

16. The approved Parking and Operational Management Plan is to be implemented and adhered to by the landowner/applicant and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.

Public Art

17.

- (a) Prior to submission of the relevant building permit application, a Public Art Strategy shall be submitted, and implemented thereafter, to the satisfaction of the Western Australian Planning Commission on the advice of the Government Architect of Western Australia.*
- (b) Prior to the occupation of the development:*
 - i. a public art concept consistent with the approved Public Art Strategy for the subject development to the value of \$150,000 plus 1.0% of the construction value over \$15 million is to be submitted to, and approved by, the Western Australian Planning Commission on advice from the City of Melville; and*
 - ii. the approved public art is to be installed by the developer and maintained thereafter by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.*

Public Realm

18.

- (a) Prior to submission of the relevant building permit application, a Crime Prevention Through Environmental Design (CPTED) report is to be submitted, and implemented thereafter, to the satisfaction of the Western*

Australian Planning Commission, on the advice of the Government Architect of Western Australia. The report is to be consistent with the Western Australian Planning Commission's 'Safer Places by Design - Crime Prevention Through Environmental Design Planning Guidelines'.

- (b) Recommendations of the CPTED Report are to be incorporated into the design to the satisfaction of the Western Australian Planning Commission.*

Stormwater Management

19.

- (a) Prior to submission of the relevant building permit application, a detailed stormwater design shall be prepared in accordance with the following design criteria:*

- (i) All stormwater generated on site shall be contained and discharged at a maximum allowable rate of no greater than 120L/s/ha;*
- (ii) All water retention tanks, devices and/or other flow restriction devices shall be provided to ensure compliance with 'a' above; and*
- (iii) All water retention devices shall be designed to cater for at least a 1:100 Average Recurrence Interval , 24hr duration storm event.*

The detailed stormwater design is to be submitted to, and approved by, the Western Australian Planning Commission, on advice from the City of Melville.

- (b) The approved stormwater design is to be implemented and adhered to by the landowner/applicant and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.*

Sustainability

20.

- (a) Prior to the submission of the relevant building permit application, written confirmation is to be provided from a suitably qualified professional confirming all the measures identified in the Sustainability Report dated 1 September 2025 (Rev C01) have been incorporated in the final drawings and documents, to the satisfaction of the Western Australian Planning Commission.*
- (b) Prior to occupation of the development, documentation from a suitably qualified professional is to be provided certifying that the sustainability measures within the approved Sustainability Report dated 1 September 2025 have been implemented, to the satisfaction of the Western Australian Planning Commission.*

Wind

21.

- (a) Prior to submission of the relevant building permit application the final plans are to be certified by a suitably qualified consultant confirming the development incorporates recommended measures included in the Wind Assessment Report dated 12 May 2025.*
- (b) Prior to the occupation of the development, written confirmation from a suitably qualified consultant that the recommended measures included in the Wind Assessment Report dated 12 May 2025, have been implemented to the satisfaction of the Western Australian Planning Commission on advice from the City of Melville.*

Lighting

22.

- (a) Prior to submission of the relevant building permit application, the applicant is to submit a Lighting Strategy, detailing that all external lighting complies with the requirements of AS4282, AS1158.3.1 and for approval by the Western Australian Planning Commission, on advice from the City of Melville.*
- (b) Prior to occupation of the development, the applicant is to provide certification from a suitably qualified person demonstrating the lighting has been installed in accordance with the approved Lighting Strategy, to the satisfaction of the Western Australian Planning Commission.*
- (c) The approved Lighting Strategy is to be implemented and adhered to unless otherwise approved by the Western Australian Planning Commission.*

Utilities & Waste

23. The approved Waste Management Plan dated 12 May 2025 (Rev. 1) is to be implemented and adhered to by the landowner/applicant and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.

24. Prior to occupation of the development, any roof mounted or freestanding plant or equipment shall be located and/or screened so as not to be visible from the surrounding street(s), to the satisfaction of the Western Australian Planning Commission.

Graffiti

- 25. Prior to occupation of the development, a non-sacrificial anti-graffiti coating is to be applied to the external surfaces of the ground floor building and walls, and thereafter maintained, to the satisfaction of the Western Australian Planning Commission.*

Advice

- A. This is a development approval only. The landowner/applicant is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws and/or license/permit requirements that may relate to the development. Contact the City of Melville for further advice on approval requirements.*
- B. With regard to Condition 1, the term 'substantially commenced' has the meaning as set out in the Planning and Development (Local Planning Schemes) Regulations 2015 as amended from time to time. The substantial commencement date is calculated from the date the applicant receives the determination notice.*
- C. With regard to Conditions 2 and 3, a copy of the final working drawings prepared for the submission of an application for a building permit and all associated reports and information that address the conditions of approval are to be submitted to and cleared by the Western Australian Planning Commission (WAPC). The final working drawings and associated documents are to comply with all conditions of development approval, as confirmed by the WAPC, and any variations from the approved development plans are required to be clearly identified.*

Following satisfactory assessment of the plans and documents, the WAPC will provide a clearance letter and copies of the document to the local government to assist with building permit assessment. Where works and/or building permit are proposed to be staged, the WAPC may agree to a staged clearance of working drawings and associated conditions of approval.

The final plans and documents submitted to the WAPC to satisfy the conditions if this approval will be verified by the Department of Planning, Lands and Heritage officers and any other local of State Government agency, where applicable. Approval for any substantive changes to the approved plans and/or documents will need to be obtained in writing from the WAPC, via an Amendment Application process (Form 11B-2).

- D. With regard to Condition 4, the proposed boundaries are to be in accordance with the subdivision approval WAPC Ref: 201708.*
- E. With regard to Condition 5:*
- (i) Barry Marshall Parade is to have continued operation throughout construction.*
 - (ii) No vehicles, equipment and/or materials are to park or be stored along Barry Marshall Parade.*
 - (iii) The Public Transport Authority and Transperth require a minimum notice period of 10 business days prior to any proposed road / lane closure that may affect bus stops or bus services. Notification can be provided via email to: transperth.servicedisruptions@pta.wa.gov.au.*
 - (iv) The plan is to include details on crane activities to ensure they are used safely and in accordance with the requirements of Jandakot Airport and the Civil Aviation Safety Authority.*
- F. With regard to Condition 9, a monetary contribution is sought due to insufficient landscaping within the site, in accordance with the City of Melville Local Planning Policy 4.4 Murdoch Health and Knowledge Precinct.*
- G. With regard to Condition 12, the Road Safety Audit is to be prepared in accordance with the City of Melville's Road Safety Audit Policy and in consultation with representatives from Main Roads WA and the City of Melville.*
- H. With regard to Condition 12, a revised Transport Impact Assessment (TIA) and associated SIDRA modelling is to include, but is not limited to, the following:*
- (i) Peak hour traffic: The peak hour used in the TIA is 7.15am - 8.15am, however Winch Way reference case uses a 6.45am - 7.45am peak period. Clarify why different periods are used, or if appropriate, update the peak periods to be consistent.*
 - (ii) The SIDRA model is to be updated to include a "without development" scenario, to allow for a comparative assessment of the proposed development impact on the road network.*
 - (iii) The staged intersection setup applied to the Fiona Wood Road / Wonnul Place model is considered impractical and the SIDRA model should be updated to reflect a realistic intersection configuration.*
 - (iv) The SIDRA model is to be updated to reflect the northbound right-turn movement on Fiona Wood Road operations as a dedicated bus lane only. All general traffic*

(light vehicle) movements for this movement are to be removed from the model.

- (v) It is observed that Fiona Wood Road northbound lane and Wonnul Place East and West are modelled to have 500m length in the SIDRA model. The SIDRA model should be amended to reflect the actual lane lengths at all intersection approaches, including Fiona Wood Road (northbound) and Wonnul Place (east and west) in accordance with the existing road geometry.*
- (vi) Refer to the State Agency Advice dated 24 July 2025 for further details.*

- I. With regards to Condition 15, staff bike parking rates and end of trip facility ratios should be in accordance with the Austroads Guide to Traffic Management Part 11 - Parking (2017) tables 4.3 'parking ratios by land use', and 4.4 'end-of-trip facilities', Austroads Bicycle Parking Facilities report, and AS 2890.3.*
- J. With regard to Condition 16, the Traffic and Operational Management Plan is to demonstrate that all service vehicles entering and exiting the site do so in forward motion and are timed appropriately to minimise impact on the local traffic network and amenity of the locality.*
- K. With regard to Condition 18, the public art is to be provided in accordance with Local Planning Policy 1.4 Provision of Art in Development Proposals (LPP 1.4). LPP 1.4 provides that arrangements can be made for a cash-in-lieu contribution by the landowner/applicant to the City of Melville in lieu of the provision of public art on site. If a cash-in-lieu contribution is sought, the amount is to be paid in full to the City of Melville prior to submission of the relevant building permit application.*
- L. The City of Melville advises any works proposed within or impacting road reserves or verges will require the prior approval of the City and will need to be undertaken in accordance with the City's specifications and to the City's satisfaction. Any application should include a detailed infrastructure plan.*
- M. Main Roads WA advises this approval does not permit the traffic signal phasing at the intersection of Fiona Wood Road and Barry Marshall Parade to be adjusted in favour of the proposed development.*
- N. If the applicant/landowner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 11B of the Planning and Development Act 2005.*

The motion was put and carried

3.3 Part 11B Development Application - Narrogin Wind Farm and Battery Energy Storage System at various lots at Williams-Kondinin, Clayton and Cowcher Roads in Minigin, Williams and Dumberning - Determination (SD-011-24)

During deliberations on the Item, members considered the following:

- The Shire of Narrogin and Shire of Williams Local Planning Policy Frameworks were considered through the planning assessment.
- The setbacks respond to factors like noise, visual impact and safety.
- The revised layout is capable of meeting the noise regulations and that a further noise assessment may be required based on the final turbine placement.
- The turbines cannot be fully screened, however visual impacts can be mitigated through conditions and an updated visual impact assessment to soften any visual impacts.
- The operational management measures detailed in the acoustic report outline curtailment strategies and post-construction compliance.
- The conditions require an operational traffic management to be submitted which will consider oversize, over mass vehicle routes.
- The Department of Water and Environmental Regulation (DWER) is responsible for assessing compliance with noise regulations and ongoing noise management and complaint handling is overseen by local government.

Members moved the recommendation of the Department of Planning, Lands and Heritage to open debate on the item.

REVISED RECOMMENDATION

Moved by Commissioner Haeren

Seconded by Commissioner Brookes

That the Statutory Planning Committee resolves:

- A. to note this application is capable of being determined under the applicable planning instruments, being the Shire of Narrogin Local Planning Scheme No. 3 and the Shire of Williams Town Planning Scheme No. 2, and it has been considered and determined accordingly; and*
- B. under s.171P(1) of the Planning and Development Act 2005 to approve development application reference SD-011-24 and accompanying plans (date-stamped 28 July 2025) for construction of a renewable energy facility across 101 lots (as listed in A2)*

located at Williams-Kondinin, Clayton and Cowcher Roads in Minigin, Williams and Dumberning subject to the following:

Conditions

Approval Timeframe

- 1. This decision constitutes development approval only and is valid for a period of 4 years from the date of approval. If the development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.*

Conformity with Plans

- 2. This approval is for a maximum of 23 wind turbines with a maximum blade tip height of 291 metres measured from natural ground level.*
- 3. The development is to be undertaken in accordance with the approved plans (date-stamped 28 July 2025) attached to this approval, subject to modifications required by any condition of this approval, final details of which are to be submitted at working drawings stage (condition clearance stage), to the satisfaction of the Western Australian Planning Commission, on advice from the Shires of Narrogin and Williams.*
- 4. Prior to the commencement of development, final details of the approved development is to submitted to the satisfaction of the Western Australian Planning Commission, on advice from the Shires of Narrogin and Williams, to include the following:*
 - (a) The location, specifications, materials and finishes of the wind turbines;*
 - (b) The location of ancillary, temporary or permanent buildings, including any accommodation facilities and associated services;*
 - (c) The location of construction activities, including laydown, car parking, temporary concrete batching plant and storage locations;*
 - (d) The alignment of the electricity cabling between the turbines and substations;*
 - (e) Details of any required aviation safety lighting;*
 - (f) The colours and finishes of all buildings and works, including the turbines, which must be non-reflective and compatible with the surroundings to minimise the visual impacts of the development; and*
 - (g) Any staging of the approved development.*
- 5. Prior to the commencement of development, a Micro-Siting plan, drawn to scale, shall be submitted for approval by the*

Western Australian Planning Commission identifying the footprint at ground level within which each turbine may be located. The footprint for each turbine identified on the Micro-Siting plan:

- (a) Must not be no more than 100 metres in any horizontal direction from the centre of the turbine at ground level as shown on the approved plans; and*
 - (b) Must not be within 600 metres of a non-involved lot boundary; and*
 - (c) Must not be within 1,500 metres of a non-involved existing dwelling.*
- 6. Prior to commencement of the relevant stage of development, evidence is to be provided of necessary approvals (clearing permit) for the clearing of native vegetation as shown in the approved plans, to the satisfaction of the Western Australian Planning Commission, on advice from the Department of Water and Environmental Regulation.*

Construction and Environmental Management

- 7.*
- (a) Prior to the commencement of development, an updated Construction and Environmental Management Plan is to be submitted to, and approved by, the Western Australian Planning Commission, on advice from the Shires of Narrogin and Williams. The updated plan is to include:*
 - (i) Surface Water Management*
 - (ii) Vegetation Clearing and Ground Disturbance*
 - (iii) Flora and Fauna Management*
 - (iv) Weed and Pest Management*
 - (v) Aboriginal Heritage Management*
 - (vi) Air Quality and Dust Management*
 - (vii) Noise and Vibration Management*
 - (viii) Waste Management*
 - (ix) Hydrocarbon and Chemical Management*
 - (x) Fire Management*
 - (xi) Demobilisation and Rehabilitation*
 - (b) The approved Construction and Environmental Management Plan is to be implemented by the developers and operators and/or operators of the development, to the satisfaction of the Western Australian Planning Commission.*
- 8. The approved Bird and Bat Adaptive Management Plan (dated August 2025, V4) is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission,*

on advice of the Department of Water and Environmental Regulation.

Water Management

9.

- (a) Prior to the commencement of development, a Flood Water, Surface Water and Erosion Management Plan is to be prepared and approved by the Western Australian Planning Commission, on advice from the Shires of Narrogin and Williams, the Department of Water and Environmental Regulation, and the Department of Primary Industries and Regional Development.*
- (b) The approved Flood Water, Surface Water and Erosion Management Plan is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.*
- (c) Prior to operation of the development, a Post-Development Flood Model, is to be prepared and where necessary, the Flood Water, Surface Water and Erosion Management Plan updated, to the satisfaction of the Western Australian Planning Commission, on advice from the Department of Water and Environmental Regulation.*

Bushfire and Hazard Management

10.

- (a) Prior to operation of the development, a Bushfire Management Plan Compliance Report is to be provided by a Level 3 Bushfire Practitioner demonstrating that all relevant measures included in the approved Bushfire Management Plan (August 2025, V2.1) have been implemented in the completed development, to the satisfaction of the Western Australian Planning Commission, on advice from the Department of Fire and Emergency Services and the Shires of Narrogin and Williams.*
- (b) The approved Bushfire Management Plan (August 2025, V2.1) and the approved Bushfire Preparedness and Response Plan (August 2025) are to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission, on advice from the Department of Fire and Emergency Services.*

11. Prior to operation of the development, the landowner/applicant is to register on the certificate(s) of title, a notification pursuant to Section 70A of the Transfer of Land Act 1893. The notification is to be included on the diagram or plan of survey (deposited plan) and registered at the landowner/applicant's expense, to the satisfaction of the Western Australian Planning Commission. The notification is to state as follows:

“This land is subject to a Bushfire Management Plan. The management measures within the Bushfire Management Plan are required to be implemented at all times.”

12.

- (a) Prior to operation of the development, an Emergency Response Plan, including details of aerial fire suppression operations, is to be submitted to and approved by the Western Australian Planning Commission, on advice from the Department of Fire and Emergency Services.*
- (b) The approved Emergency Response Plan is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.*

13.

- (a) Prior to the commencement of the development, an updated Aviation Impact Assessment, including the final Grid SLALT height, is to be submitted to the Western Australian Planning Commission for approval, on advice from the Airservices Australia and Civil Aviation Safety Authority.*
- (b) Prior to operation of the relevant stage of development, the updated Aviation Impact Assessment is to be implemented to the satisfaction of the Western Australian Planning Commission on advice from Airservices Australia and the Civil Aviation Safety Authority.*

Landscaping

14.

- (a) Prior to the commencement of development, an updated Landscaping Strategy and Plan and Visual Impact Assessment is to be submitted to the Western Australian Planning Commission for approval that includes:*
 - i) An assessment of the ridgelines where wind turbines will be located and recommendations for mitigation;*
 - ii) An assessment of the view corridors along the Williams-Kondinin Road, including but not limited to the vicinity of Glenfield Road;*
 - iii) A landscaping strategy and associated plans prepared by a suitably qualified landscape architect; and*
 - iv) The landscaping strategy and final landscape plan should consider the recommendations contained in the Landscape and Visual Impact Assessment (dated July 2025, V6) and address the interface with adjoining properties and include specifications of species used and details of reticulation.*

- (b) Prior to operation of the relevant stage of development, certification from a suitably qualified person that the recommendations of the Visual and Landscape Impact Assessment and the Landscaping Strategy and Landscape Plan have been implemented, is to be submitted to the satisfaction of the Western Australian Planning Commission.*

Noise

15.

- (a) Prior to commencement of development, an updated Acoustic Report from a qualified acoustic consultant is to be provided confirming the development can comply with the relevant provisions of the Environmental Protection (Noise) Regulations 1997 (as amended), to the satisfaction of the Western Australian Planning Commission, on advice from the Department of Water and Environmental Regulation.*
- (b) Prior to operation of the relevant stage of development, a report from a qualified acoustic consultant is to be provided confirming that all relevant recommendations and mitigations contained in the updated Acoustic Report have been implemented to the satisfaction of the Western Australian Planning Commission.*

16.

- (a) Prior to operation of the development, the proponent or operator of the development is to develop a system to record, manage and report on noise complaints, with details to be provided and approved by the Western Australian Planning Commission on advice from the Shires of Narrogin and Williams.*
- (b) The system is to be implemented to the satisfaction of the Western Australian Planning Commission, on advice from the Shires of Narrogin and Williams.*

Shadow Flicker, Blade Glint and Lighting

17.

- (a) Prior to commencement of development, a final Shadow Flicker and Blade Glint Assessment assessing the impacts of the final turbine location is to be submitted to, and approved by, the Western Australian Planning Commission.*
- (b) Prior to the operation of the relevant stage of development, the recommendations of the approved Shadow Flicker and Blade Glint Assessment are to be implemented, to the satisfaction of the Western Australian Planning Commission.*

18.

- (a) Prior to commencement of development, a Lighting Management Plan shall be prepared by a suitably qualified person and submitted to the Western Australian Planning Commission for approval demonstrating compliance with the dark sky principles.*
- (b) Prior to operation of the relevant stage of development, the recommendations of the approved Lighting Management Plan are to be implemented and monitored, to the satisfaction of the Western Australian Planning Commission.*

Temporary Facilities

19. This approval also grants temporary approval for a concrete batching plant(s) and construction compounds / materials storage area that are exclusively associated with the construction of the renewable energy facility, which shall cease and be removed within six months of the commencement of full operation of the development.

20. Temporary structures, such as prefabricated or demountable offices, portable toilets and skip bins necessary to facilitate storage, administration and construction activities are permitted to be installed within the designated construction compound as indicated on the approved plans for the duration of the construction period. These structures are to be located so as not to obstruct the vehicle sight lines to the site or adjacent road network, or of adjoining properties to the satisfaction of the Western Australian Planning Commission and are to be removed within 6 months of commencement of full operation of the development.

21. The workforce accommodation use is temporary and will expire within 6 months of commencement of full operation of the development.

22. Prior to the commencement of the relevant stage of development, a Temporary Workforce Accommodation Plan is to be submitted to and approved by the Western Australian Planning Commission, on advice from the Shire of Narrogin, addressing but not limited to:

- (i) Detailing the site layout of the proposed accommodation facilities and associated amenities including building design, setbacks, fencing, landscaping, storage, waste, drainage, vehicle and pedestrian movement network, lighting and signage;*
- (ii) Access to existing community infrastructure and services (such as roads, power, water, sewerage, telecommunications); and*

- (iii) The management, decommissioning and rehabilitation (as required) of the site for the eventual removal of the temporary workforce accommodation development and return of the land to its original state or next intended state of land use / development.*

Traffic and Access

23.

- (a) Prior to commencement of the relevant stage of development, a Construction Traffic Management Plan is to be submitted and approved by the Western Australian Planning Commission, on advice from Main Roads WA, the Public Transport Authority, the Shire of Narrogin and the Shire of Williams. The plan is to include:*
 - (i) details of the final port to site routes for delivery of over size – over mass goods;*
 - (ii) details of any required temporary or permanent modifications to the road network, including to intersections, bridges, road widths, vegetation clearing, services relocation, signage, lights, and/or other infrastructure;*
 - (iii) a rail corridor protection and safety plan, to protect the freight rail corridor and mitigate impacts of truck movements on freight services;*
 - (iv) management of construction vehicle traffic on roads surrounding the development; and*
 - (v) any required rectification works to the road network by the applicant / wind farm operator at the completion of construction.*
- (b) The approved Construction Traffic Management Plan is to be implemented and adhered to, at the applicant's cost and expense, to the satisfaction of the Western Australian Planning Commission, on advice from Main Roads WA, the Public Transport Authority, the Shire of Narrogin and the Shire of Williams.*

24.

- (a) Prior to commencement of development, the proponent must undertake a Pre-construction Road Condition Survey for the public roads and infrastructure surrounding the development site, to the satisfaction of the Western Australian Planning Commission, on advice from Main Roads WA, and the Shires of Narrogin and Williams;*
- (b) Prior to operation of the development, the proponent must undertake a Post-construction Road Condition Survey of those same roads and infrastructure, to the satisfaction of the Western Australian Planning Commission, on advice*

from Main Roads WA, and the Shires of Narrogin and Williams;

- (c) Where the Post-Construction Dilapidation Survey identifies road condition degradation because of the development's construction, roads shall be made good to the pre-condition standard by the proponent within 6 months of completion of the development.*

25.

- (a) Prior to the commencement of development, an independent Road Safety Audit for each intersection or road upgrade to local public roads surrounding the development site is to be submitted to and approved by the Western Australian Planning Commission, on advice from the Shires of Narrogin and Williams.*
- (b) Prior to operation of development, the recommendations of the Road Safety Audit are to be implemented to the satisfaction of the Western Australian Planning Commission.*

Decommissioning

- 26. Within six months of the full completion of the development, any temporary structures, such as prefabricated or demountable offices, accommodation and workers facilities, portable toilets and skip bins necessary to facilitate storage, administration and construction activities, are to be removed from the site and the area returned to its predevelopment condition, to the satisfaction of the Western Australian Planning Commission, on advice from the Shires of Narrogin and Williams.*

27.

- (a) An updated Decommissioning and Rehabilitation Management Plan is to be prepared, approved six months prior to the discontinuation of the approved wind farm, with rehabilitation actions monitored for a period of not less than 24 months, to the satisfaction of the Western Australian Planning Commission, on the advice of the Shires of Narrogin and Williams and the Department of Primary Industries and Regional Development.*
- (b) The approved Decommissioning and Rehabilitation Management Plan is to be implemented, to the satisfaction of the Western Australian Planning Commission.*

Advice

- A. This is a development approval only. The applicant/landowner is advised that it is their responsibility to ensure the proposed development complies with all other applicable legislation, local laws and/or licence/permit requirements that may relate to the development. This includes the Biodiversity*

Conservation Act 2016, Environmental Protection (Noise) Regulations 1997, Environmental Protection Act 1986, Rights in Water and Irrigation Act 1914, Aboriginal Heritage Act 1972, Environmental Protection (Clearing of Native Vegetation) Regulations 2004 and Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007, amongst others.

- B. With regard to Condition 1, the term 'substantially commenced' has the meaning as set out in the Planning and Development (Local Planning Schemes) Regulations 2015 as amended from time to time. The substantial commencement date is calculated from the date the applicant receives the determination notice.*
- C. With regard to Condition 3, a copy of the final working drawings prepared for the submission of an application for a building permit and all associated reports and information that address the conditions of approval are to be submitted to and cleared by the Western Australian Planning Commission (WAPC). The final working drawings and associated documents are to comply with all conditions of development approval, as confirmed by the WAPC, and any variations from the approved development plans are required to be clearly identified.*

Following satisfactory assessment of the plans and documents, the WAPC will provide a clearance letter and copies of the document to the local government to assist with building permit assessment. Where works and/or building permit are proposed to be staged, the WAPC may agree to a staged clearance of working drawings and associated conditions of approval.

The final plans and documents submitted to the WAPC to satisfy the conditions if this approval will be verified by the Department of Planning, Lands and Heritage officers and any other local of State Government agency, where applicable. Approval for any substantive changes to the approved plans and/or documents will need to be obtained in writing from the WAPC, via an Amendment Application process (Form 11B-2). A 'shape file' with the approved turbine locations is to be provided for the Department of Fire and Emergency Services for mapping purposes, to safeguard aerial fire suppression and helicopter operations in the area.

- D. With regard to Condition 7, the Construction and Environmental Management Plan should include a Rail Corridor Protection Plan addressing:*

- (i) All construction works are to be contained within the lot boundary and management protocols established for construction methods to ensure no material is placed within the rail corridor boundary;*
- (ii) No services including water, electricity, fibre optic, gas and any other services running to and from the site can run across the rail corridor, either above or below ground, unless PTA and asset owners' consent has been obtained;*
- (iii) No parking of construction vehicles or and any other equipment are permitted on rail corridor land at any time during the construction of the development;*
- (iv) Dust suppression methods to be used during the performance of any construction works;*
- (v) Effective hygiene and biosecurity management must be in place to ensure there is no spread of weeds or diseases into rail corridor land;*
- (vi) No clearing of native vegetation is permitted in the rail corridor, unless a clearing permit or an exemption has been obtained; and*
- (vii) No drainage, water runoff or erosion from construction works is permitted to run onto rail corridor land, with all water runoff contained on the site.*

E. With regard to Condition 9, the following control measures are to be considered for inclusion in the Flood Water, Surface Water and Erosion Management Plan, where relevant:

- (i) Inclusion of a post-development flood model, to verify that appropriate design features and mitigations will achieve adequate surface water management.*
- (ii) Mitigation of potential mosquito breeding habitat, including preventing water run-off from creating surface ponding, and constructed water bodies located, designed and maintained so they do not create or contribute to mosquito breeding.*
- (iii) Conduct on-site soil and hydrological assessments to determine soil types, drainage patterns, and hydrology to identify/avoid areas of high erosion risk.*
- (iv) Implement table drains, mitre drains, whoa boys, culverts, swales, or catch drains, if required.*
- (v) Manage water runoff - redirect water away from vulnerable surfaces, slow down or capture water with baffles, check dams in channels, and retention ponds if required; and discharge water onto stable surfaces.*
- (vi) Avoid raising the road surface above the surface of surrounding land to allow water to follow natural surface flow; and avoid lowering the road surface below the surrounding land to avoid the road becoming a drainage line.*
- (vii) Be mindful of natural drainage lines when determining road/hardstand placement.*

- (viii) Slope stabilisation measures including retaining walls or berms; revegetation with native vegetation or hydro mulch; terracing, contour banks, ripping; geogrids and geocells for soil reinforcement; erosion mats/blankets; silt socks;*
- (ix) Erosion control measures including vegetation, mulching, erosion mats/blankets, armouring check dams;*
- (x) Sediment migration control measures, including sediment fences and sediment traps; and*
- (xi) Monitoring and maintenance measures, including regular inspections of erosion control measures; checking for scouring below drainage outflow; ensuring drains, culverts and swales are clear of debris; repairing washouts/outflanking in baffles; repairing damaged areas promptly where erosion is apparent; and avoiding maintenance in high rainfall months.*

F. With regard to Condition 10, the Department of Fire and Emergency Services (DFES) Regional Office, DFES Aviation Services, District Officer and the local fire and emergency services should be consulted during the final design, construction, and leading up to the commissioning of the wind farm facility and associated infrastructure. DFES consider it critical for the local fire and emergency services to understand the hazards present in the facility and the measures required to ensure the safety of firefighting personnel when working in or around the facility. This may impact on how crews respond to a fire within the facility, which may in turn have ramifications regarding the optimal number and location of water supplies.

DFES advises that mobile telephone signal at this location is poor and communication can be challenging. Therefore, a 24/7 site contact should be identified and listed in the Bushfire Preparedness and Response Plan.

G. With regard to Condition 12, a 'shape file' with the final turbine locations is to be provided to the Department of Fire and Emergency Services for mapping purposes to safeguard aerial fire suppression and helicopter operations in the area.

H. With regards to Condition 13, advice from Airservices Australia based on the proposed nominated turbine heights is that the Grid SLALT will need to be increased to 300 feet.

I. With regards to Condition 14, the landscaping strategy and final landscape plan should consider the recommendations contained in the Landscape and Visual Impact Assessment (dated July 2025, V6) and address the interface with adjoining properties and include specifications of species used and details of reticulation. The strategy and plan should identify and address locations where tree planting would assist in screening views of wind farm infrastructure from key locations,

such as Williams-Kondinin Road, as well as locations where additional trees could assist in creating the appearance of a more vegetated landscape, such as along watercourses, roadways and other boundaries, and in open fields. Trees should also be considered for cleared ridgetops on which turbines would be located.

- J. *With regard to Conditions 21 and 22, any workforce accommodation proposal is to:*
- (i) Include a Management Plan, Needs Assessment, Infrastructure Servicing Plan, and Decommissioning Plan.*
 - (ii) Be used solely for the accommodation of workers directly involved in the construction of the approved renewable energy facility.*
 - (iii) Be removed, and the site rehabilitated within 6 months of the conclusion of the construction works.*
- K. *With regard to Condition 24, the Pre-Construction Local Public Roads Dilapidation Report should include an assessment of the suitability, design, condition and construction standard of the relevant local public roads and access points, and must:*
- (i) be prepared by a suitably qualified and experienced independent civil or traffic engineer; and*
 - (ii) include recommendations, if any, regarding upgrades required to accommodate construction traffic, and to meet the requirements of the conditions of this approval.*
- L. *With regard to Condition 24, where agreed to by the local government, the applicant may instead arrange payment to the local government for such repair, reinstatement or replacement works to be undertaken.*
- M. *Main Roads WA approval and permit requirements may include:*
- (i) Movements of wind farm components requires necessary permits from Main Roads WA Heavy Vehicle Services (HVS) under the Road Traffic (Vehicles) Act 2012 complying with the HVS route survey requirements, Oversize Overmass Transport Management Plan (OSOM-TMP) requirements, the Movement of High Risk OSOM Vehicles Policy and the Single Trip OSOM Vehicle Standard Operating Conditions;*
 - (ii) Proposed works within State road reserves are subject to a separate approval process under the Main Roads Act 1930;*
 - (iii) All Traffic Control Signal installations, removals, or alterations within Western Australia is required approval*

from Main Roads Network Operations under Regulation 297 of the Road Traffic Code 2000;

(iv) Main Roads approval for signage and pavement marking modifications is required under the Road Traffic Code 2000; and

(v) Any road signs are to comply with Main Roads Policy Application Guidelines for Advertising Signs within and beyond State Roads Reserves under the Main Roads (Control of Advertisements) Regulations 1996.

N. The proponent is encouraged to voluntarily establish and implement a Community Enhancement Fund (CEF) with the Shires of Narrogin and Williams consistent with the relevant Shire policies.

O. The applicant is encouraged to voluntarily engage with the Shire of Narrogin to implement public art contributions consistent with the Shire's Adopted Public Art Strategy and Masterplan 2019. Contributions can be through direct implementation or cash-in lieu, supporting community cultural enrichment and visual integration of renewable energy infrastructure.

P. Water supply and wastewater disposal is required to comply with the following requirements:

(i) Wastewater disposal is required to comply with the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974;

(ii) All drinking water provided on site, especially relating to a food premises or food production, must meet the health-related requirements the Australian Drinking Water Quality Guidelines 2011; and

(iii) Any non-drinking water (i.e., water that is not intended or suitable for drinking) must be managed to ensure it cannot be confused with or contaminate the drinking water supply. This requires satisfactory labelling of non-drinking water taps and, depending on system configuration and suitable backflow prevention arrangements in accordance with Australian/New Zealand Standards AS3500 – Plumbing and Drainage.

Q. Any aspects of the construction or operation of the wind farm that may 'take' a threatened species require Ministerial Authorisation under Section 40 of the Biodiversity Conservation Act. It is recommended that the applicant consults with DBCA's Species and Communities Branch via SpeciesandCommunities@dbca.wa.gov.au to discuss these potential impacts, particularly in regard to potential turbine blade strikes resulting in the 'taking' of a threatened species.

- R. *A clearing permit under the Environmental Protection Act 1986, for the proposed clearing of native vegetation is likely to be required. For more information, please contact the Department of Water and Environmental Regulation's Native Vegetation Regulation staff on 08 6364 7098 or admin.nvp@dwer.wa.gov.au.*
- S. *A Bed and Banks permit under the Rights in Water and Irrigation Act 1914, will be required for the interference with the bed and bank of any watercourse. For more information, please contact the Department of Water and Environmental Regulation's Water Licensing staff on 08 9550 4222 or peel@dwer.wa.gov.au.*
- T. *A licence to take water under the Rights in Water and Irrigation Act 1914, will be required if it is proposed to take surface water from a watercourse. For more information, please contact the Department of Water and Environmental Regulation's Water Licensing staff on 08 9550 4222 or peel@dwer.wa.gov.au.*
- U. *Aspects of the proposal may be categorised as Prescribed Premises as per Schedule 1 of the Environmental Protection Regulations 1987. A Works Approvals and Licence under Part V Division 3 of the Environmental Protection Act 1986, will be required if:*
- (i) The wastewater treatment plant meets or exceeds the specified production or design capacity of Category 54 or 85 under Schedule 1 of the Environmental Protection Regulations 1987.*
 - (ii) The concrete batching plant meets or exceeds the specified production or design capacity of Category 77 under Schedule 1 of the Environmental Protection Regulations 1987.*
 - (iii) The crushing and screening of material taken from borrow pits meets or exceeds the specified production or design capacity of Category 12 or 70 under Schedule 1 of the Environmental Protection Regulations 1987.*

The applicant is therefore advised to refer to the information and Industry Regulation Guide to Licensing at www.der.wa.gov.au/our-work/licences-and-works-approvals or contact the Department of Water and Environmental Regulation or 6364 7000 or info@dwer.wa.gov.au.

- V. *The concrete batching plant will need to demonstrate compliance with the Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998 irrespective of whether the premises is a Prescribed Premises or not.*

- W. The landowner/ applicant is advised to investigate whether or not approval is required pursuant to the Aboriginal Heritage Act 1972 prior to commencement of any activities or works on site. The landowner/applicant should conduct a search of the Register of Aboriginal Sites to determine if any aboriginal sites have been recorded in the vicinity of their application, and this heritage information should be submitted to the Department of Planning Lands and Heritage (Indigenous Affairs) with a request for advice.*
- X. If the applicant/landowner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 11B of the Planning and Development Act 2005.*

AMENDING MOTION

Members moved a motion to include a new advice note J in relation to the temporary workforce accommodation encouraging the applicant to explore accommodation options within the respective townsites to accommodate the construction workforce.

Moved by Commissioner Haeren

Seconded by Member Franklin

- J. With regard to Conditions 18 and 19, acknowledging that the proposal contemplates temporary onsite construction accommodation, the applicant is encouraged to engage with the Shires of Narrogin and Williams to investigate potential locations within the respective townsites to accommodate construction workforce. Where it does not result in off site accommodation that the following is to be addressed –*
- 1. Include evidence and dialogue of the options considers of the matters relating to exploration of alternative off-site accommodation location.*
 - 2. Include a Management Plan, Needs Assessment, Infrastructure Servicing Plan, and Decommissioning Plan.*
 - 3. Be used solely for the accommodation of workers directly involved in the construction of the approved renewable energy facility.*
 - 4. Be removed, and the site rehabilitated within 6 months of the conclusion of the construction works.*

The motion was put and carried

Members discussed their reasons for supporting the revised recommendation by the Department of Planning, Lands and Heritage and outlined the following:

- The proposal aligns with State and national energy transition policies, addressing climate change.
- That wind turbines will increasingly form part of the rural productive agricultural land environment and the visual impact in this context is considered appropriate.
- In regards to Conditions 15 and 16, the requirement of an updated acoustic report provided confirms the development can comply with environmental noise protection regulations. Additionally, the conditions require certification by an acoustic consultant that relevant recommendations and mitigation measures in the updated acoustic report requiring implementation to the satisfaction of the WAPC.
- A noise complaint management system is to be developed and approved by the WAPC, on advice from the Shires of Narrogin and Williams.
- The commitment by the applicant to a community enhancement fund.

Members endorsed the revised recommendation of the Department of Planning, Lands and Heritage with the amendment to advice note J for the reasons discussed and outlined above and in the report.

SUBSTANTIVE RESOLUTION

That the Statutory Planning Committee resolves:

- A. to note this application is capable of being determined under the applicable planning instruments, being the Shire of Narrogin Local Planning Scheme No. 3 and the Shire of Williams Town Planning Scheme No. 2, and it has been considered and determined accordingly; and*
- B. under s.171P(1) of the Planning and Development Act 2005 to approve development application reference SD-011-24 and accompanying plans (date-stamped 28 July 2025) for construction of a renewable energy facility across 101 lots (as listed in A2) located at Williams-Kondinin, Clayton and Cowcher Roads in Minigin, Williams and Dumberning subject to the following:*

Conditions

Approval Timeframe

- 1. This decision constitutes development approval only and is valid for a period of 4 years from the date of approval. If the development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.*

Conformity with Plans

2. *This approval is for a maximum of 23 wind turbines with a maximum blade tip height of 291 metres measured from natural ground level.*
3. *The development is to be undertaken in accordance with the approved plans (date-stamped 28 July 2025) attached to this approval, subject to modifications required by any condition of this approval, final details of which are to be submitted at working drawings stage (condition clearance stage), to the satisfaction of the Western Australian Planning Commission, on advice from the Shires of Narrogin and Williams.*
4. *Prior to the commencement of development, final details of the approved development is to submitted to the satisfaction of the Western Australian Planning Commission, on advice from the Shires of Narrogin and Williams, to include the following:*
 - (a) The location, specifications, materials and finishes of the wind turbines;*
 - (b) The location of ancillary, temporary or permanent buildings, including any accommodation facilities and associated services;*
 - (c) The location of construction activities, including laydown, car parking, temporary concrete batching plant and storage locations;*
 - (d) The alignment of the electricity cabling between the turbines and substations;*
 - (e) Details of any required aviation safety lighting;*
 - (f) The colours and finishes of all buildings and works, including the turbines, which must be non-reflective and compatible with the surroundings to minimise the visual impacts of the development; and*
 - (g) Any staging of the approved development.*
5. *Prior to the commencement of development, a Micro-Siting plan, drawn to scale, shall be submitted for approval by the Western Australian Planning Commission identifying the footprint at ground level within which each turbine may be located. The footprint for each turbine identified on the Micro-Siting plan:*
 - (a) Must not be no more than 100 metres in any horizontal direction from the centre of the turbine at ground level as shown on the approved plans; and*
 - (b) Must not be within 600 metres of a non-involved lot boundary; and*
 - (c) Must not be within 1,500 metres of a non-involved existing dwelling.*

6. *Prior to commencement of the relevant stage of development, evidence is to be provided of necessary approvals (clearing permit) for the clearing of native vegetation as shown in the approved plans, to the satisfaction of the Western Australian Planning Commission, on advice from the Department of Water and Environmental Regulation.*

Construction and Environmental Management

7.
 - (a) *Prior to the commencement of development, an updated Construction and Environmental Management Plan is to be submitted to, and approved by, the Western Australian Planning Commission, on advice from the Shires of Narrogin and Williams. The updated plan is to include:*
 - (i) *Surface Water Management*
 - (ii) *Vegetation Clearing and Ground Disturbance*
 - (iii) *Flora and Fauna Management*
 - (iv) *Weed and Pest Management*
 - (v) *Aboriginal Heritage Management*
 - (vi) *Air Quality and Dust Management*
 - (vii) *Noise and Vibration Management*
 - (viii) *Waste Management*
 - (ix) *Hydrocarbon and Chemical Management*
 - (x) *Fire Management*
 - (xi) *Demobilisation and Rehabilitation*
 - (b) *The approved Construction and Environmental Management Plan is to be implemented by the developers and operators and/or operators of the development, to the satisfaction of the Western Australian Planning Commission.*
8. *The approved Bird and Bat Adaptive Management Plan (dated August 2025, V4) is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission, on advice of the Department of Water and Environmental Regulation.*

Water Management

9.
 - (a) *Prior to the commencement of development, a Flood Water, Surface Water and Erosion Management Plan is to be prepared and approved by the Western Australian Planning Commission, on advice from the Shires of Narrogin and Williams, the Department of Water and Environmental Regulation, and the Department of Primary Industries and Regional Development.*

- (b) The approved Flood Water, Surface Water and Erosion Management Plan is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.*
- (c) Prior to operation of the development, a Post-Development Flood Model, is to be prepared and where necessary, the Flood Water, Surface Water and Erosion Management Plan updated, to the satisfaction of the Western Australian Planning Commission, on advice from the Department of Water and Environmental Regulation.*

Bushfire and Hazard Management

10.

- (a) Prior to operation of the development, a Bushfire Management Plan Compliance Report is to be provided by a Level 3 Bushfire Practitioner demonstrating that all relevant measures included in the approved Bushfire Management Plan (August 2025, V2.1) have been implemented in the completed development, to the satisfaction of the Western Australian Planning Commission, on advice from the Department of Fire and Emergency Services and the Shires of Narrogin and Williams.*
- (b) The approved Bushfire Management Plan (August 2025, V2.1) and the approved Bushfire Preparedness and Response Plan (August 2025) are to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission, on advice from the Department of Fire and Emergency Services.*

11. Prior to operation of the development, the landowner/applicant is to register on the certificate(s) of title, a notification pursuant to Section 70A of the Transfer of Land Act 1893. The notification is to be included on the diagram or plan of survey (deposited plan) and registered at the landowner/applicant's expense, to the satisfaction of the Western Australian Planning Commission. The notification is to state as follows:

"This land is subject to a Bushfire Management Plan. The management measures within the Bushfire Management Plan are required to be implemented at all times."

12.

- (a) Prior to operation of the development, an Emergency Response Plan, including details of aerial fire suppression operations, is to be submitted to and approved by the Western Australian Planning Commission, on advice from the Department of Fire and Emergency Services.*

- (b) The approved Emergency Response Plan is to be implemented and adhered to, to the satisfaction of the Western Australian Planning Commission.*

13.

- (a) Prior to the commencement of the development, an updated Aviation Impact Assessment, including the final Grid SLALT height, is to be submitted to the Western Australian Planning Commission for approval, on advice from the Airservices Australia and Civil Aviation Safety Authority.*
- (b) Prior to operation of the relevant stage of development, the updated Aviation Impact Assessment is to be implemented to the satisfaction of the Western Australian Planning Commission on advice from Airservices Australia and the Civil Aviation Safety Authority.*

Landscaping

14.

- (a) Prior to the commencement of development, an updated Landscaping Strategy and Plan and Visual Impact Assessment is to be submitted to the Western Australian Planning Commission for approval that includes:*
 - i) An assessment of the ridgelines where wind turbines will be located and recommendations for mitigation;*
 - ii) An assessment of the view corridors along the Williams-Kondinin Road, including but not limited to the vicinity of Glenfield Road;*
 - iii) A landscaping strategy and associated plans prepared by a suitably qualified landscape architect; and*
 - iv) The landscaping strategy and final landscape plan should consider the recommendations contained in the Landscape and Visual Impact Assessment (dated July 2025, V6) and address the interface with adjoining properties and include specifications of species used and details of reticulation.*
- (b) Prior to operation of the relevant stage of development, certification from a suitably qualified person that the recommendations of the Visual and Landscape Impact Assessment and the Landscaping Strategy and Landscape Plan have been implemented, is to be submitted to the satisfaction of the Western Australian Planning Commission.*

Noise

15.

- (a) *Prior to commencement of development, an updated Acoustic Report from a qualified acoustic consultant is to be provided confirming the development can comply with the relevant provisions of the Environmental Protection (Noise) Regulations 1997 (as amended), to the satisfaction of the Western Australian Planning Commission, on advice from the Department of Water and Environmental Regulation.*
- (b) *Prior to operation of the relevant stage of development, a report from a qualified acoustic consultant is to be provided confirming that all relevant recommendations and mitigations contained in the updated Acoustic Report have been implemented to the satisfaction of the Western Australian Planning Commission.*

16.

- (a) *Prior to operation of the development, the proponent or operator of the development is to develop a system to record, manage and report on noise complaints, with details to be provided and approved by the Western Australian Planning Commission on advice from the Shires of Narrogin and Williams.*
- (b) *The system is to be implemented to the satisfaction of the Western Australian Planning Commission, on advice from the Shires of Narrogin and Williams.*

Shadow Flicker, Blade Glint and Lighting

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- (a) *Prior to commencement of development, a final Shadow Flicker and Blade Glint Assessment assessing the impacts of the final turbine location is to be submitted to, and approved by, the Western Australian Planning Commission.*
- (b) *Prior to the operation of the relevant stage of development, the recommendations of the approved Shadow Flicker and Blade Glint Assessment are to be implemented, to the satisfaction of the Western Australian Planning Commission.*

18.

- (a) *Prior to commencement of development, a Lighting Management Plan shall be prepared by a suitably qualified person and submitted to the Western Australian Planning Commission for approval demonstrating compliance with the dark sky principles.*
- (b) *Prior to operation of the relevant stage of development, the recommendations of the approved Lighting Management*

Plan are to be implemented and monitored, to the satisfaction of the Western Australian Planning Commission.

Temporary Facilities

- 19. This approval also grants temporary approval for a concrete batching plant(s) and construction compounds / materials storage area that are exclusively associated with the construction of the renewable energy facility, which shall cease and be removed within six months of the commencement of full operation of the development.*
- 20. Temporary structures, such as prefabricated or demountable offices, portable toilets and skip bins necessary to facilitate storage, administration and construction activities are permitted to be installed within the designated construction compound as indicated on the approved plans for the duration of the construction period. These structures are to be located so as not to obstruct the vehicle sight lines to the site or adjacent road network, or of adjoining properties to the satisfaction of the Western Australian Planning Commission and are to be removed within 6 months of commencement of full operation of the development. .*
- 21. The workforce accommodation use is temporary and will expire within 6 months of commencement of full operation of the development.*
- 22. Prior to the commencement of the relevant stage of development, a Temporary Workforce Accommodation Plan is to be submitted to and approved by the Western Australian Planning Commission, on advice from the Shire of Narrogin, addressing but not limited to:*
 - (i) Detailing the site layout of the proposed accommodation facilities and associated amenities including building design, setbacks, fencing, landscaping, storage, waste, drainage, vehicle and pedestrian movement network, lighting and signage;*
 - (ii) Access to existing community infrastructure and services (such as roads, power, water, sewerage, telecommunications); and*
 - (iii) The management, decommissioning and rehabilitation (as required) of the site for the eventual removal of the temporary workforce accommodation development and return of the land to its original state or next intended state of land use / development.*

Traffic and Access

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- (a) *Prior to commencement of the relevant stage of development, a Construction Traffic Management Plan is to be submitted and approved by the Western Australian Planning Commission, on advice from Main Roads WA, the Public Transport Authority, the Shire of Narrogin and the Shire of Williams. The plan is to include:*
 - (i) *details of the final port to site routes for delivery of over size – over mass goods;*
 - (ii) *details of any required temporary or permanent modifications to the road network, including to intersections, bridges, road widths, vegetation clearing, services relocation, signage, lights, and/or other infrastructure;*
 - (iii) *a rail corridor protection and safety plan, to protect the freight rail corridor and mitigate impacts of truck movements on freight services;*
 - (iv) *management of construction vehicle traffic on roads surrounding the development; and*
 - (v) *any required rectification works to the road network by the applicant / wind farm operator at the completion of construction.*
- (b) *The approved Construction Traffic Management Plan is to be implemented and adhered to, at the applicant's cost and expense, to the satisfaction of the Western Australian Planning Commission, on advice from Main Roads WA, the Public Transport Authority, the Shire of Narrogin and the Shire of Williams.*

24.

- (a) *Prior to commencement of development, the proponent must undertake a Pre-construction Road Condition Survey for the public roads and infrastructure surrounding the development site, to the satisfaction of the Western Australian Planning Commission, on advice from Main Roads WA, and the Shires of Narrogin and Williams;*
- (b) *Prior to operation of the development, the proponent must undertake a Post-construction Road Condition Survey of those same roads and infrastructure, to the satisfaction of the Western Australian Planning Commission, on advice from Main Roads WA, and the Shires of Narrogin and Williams;*
- (c) *Where the Post-Construction Dilapidation Survey identifies road condition degradation because of the development's construction, roads shall be made good to the pre-condition standard by the proponent within 6 months of completion of the development.*

25.

- (a) Prior to the commencement of development, an independent Road Safety Audit for each intersection or road upgrade to local public roads surrounding the development site is to be submitted to and approved by the Western Australian Planning Commission, on advice from the Shires of Narrogin and Williams.*
- (b) Prior to operation of development, the recommendations of the Road Safety Audit are to be implemented to the satisfaction of the Western Australian Planning Commission.*

Decommissioning

26. Within six months of the full completion of the development, any temporary structures, such as prefabricated or demountable offices, accommodation and workers facilities, portable toilets and skip bins necessary to facilitate storage, administration and construction activities, are to be removed from the site and the area returned to its predevelopment condition, to the satisfaction of the Western Australian Planning Commission, on advice from the Shires of Narrogin and Williams.

27.

- (a) An updated Decommissioning and Rehabilitation Management Plan is to be prepared, approved six months prior to the discontinuation of the approved wind farm, with rehabilitation actions monitored for a period of not less than 24 months, to the satisfaction of the Western Australian Planning Commission, on the advice of the Shires of Narrogin and Williams and the Department of Primary Industries and Regional Development.*
- (b) The approved Decommissioning and Rehabilitation Management Plan is to be implemented, to the satisfaction of the Western Australian Planning Commission.*

Advice

A. This is a development approval only. The applicant/landowner is advised that it is their responsibility to ensure the proposed development complies with all other applicable legislation, local laws and/or licence/permit requirements that may relate to the development. This includes the Biodiversity Conservation Act 2016, Environmental Protection (Noise) Regulations 1997, Environmental Protection Act 1986, Rights in Water and Irrigation Act 1914, Aboriginal Heritage Act 1972, Environmental Protection (Clearing of Native Vegetation) Regulations 2004 and Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007, amongst others.

- B. With regard to Condition 1, the term ‘substantially commenced’ has the meaning as set out in the Planning and Development (Local Planning Schemes) Regulations 2015 as amended from time to time. The substantial commencement date is calculated from the date the applicant receives the determination notice.*
- C. With regard to Condition 3, a copy of the final working drawings prepared for the submission of an application for a building permit and all associated reports and information that address the conditions of approval are to be submitted to and cleared by the Western Australian Planning Commission (WAPC). The final working drawings and associated documents are to comply with all conditions of development approval, as confirmed by the WAPC, and any variations from the approved development plans are required to be clearly identified.*

Following satisfactory assessment of the plans and documents, the WAPC will provide a clearance letter and copies of the document to the local government to assist with building permit assessment. Where works and/or building permit are proposed to be staged, the WAPC may agree to a staged clearance of working drawings and associated conditions of approval.

The final plans and documents submitted to the WAPC to satisfy the conditions if this approval will be verified by the Department of Planning, Lands and Heritage officers and any other local of State Government agency, where applicable. Approval for any substantive changes to the approved plans and/or documents will need to be obtained in writing from the WAPC, via an Amendment Application process (Form 11B-2). A ‘shape file’ with the approved turbine locations is to be provided for the Department of Fire and Emergency Services for mapping purposes, to safeguard aerial fire suppression and helicopter operations in the area.

- D. With regard to Condition 7, the Construction and Environmental Management Plan should include a Rail Corridor Protection Plan addressing:*
- (i) All construction works are to be contained within the lot boundary and management protocols established for construction methods to ensure no material is placed within the rail corridor boundary;*
 - (ii) No services including water, electricity, fibre optic, gas and any other services running to and from the site can run across the rail corridor, either above or below ground, unless PTA and asset owners’ consent has been obtained;*

- (iii) No parking of construction vehicles or and any other equipment are permitted on rail corridor land at any time during the construction of the development;*
- (iv) Dust suppression methods to be used during the performance of any construction works;*
- (v) Effective hygiene and biosecurity management must be in place to ensure there is no spread of weeds or diseases into rail corridor land;*
- (vi) No clearing of native vegetation is permitted in the rail corridor, unless a clearing permit or an exemption has been obtained; and*
- (vii) No drainage, water runoff or erosion from construction works is permitted to run onto rail corridor land, with all water runoff contained on the site.*

E. With regard to Condition 9, the following control measures are to be considered for inclusion in the Flood Water, Surface Water and Erosion Management Plan, where relevant:

- (i) Inclusion of a post-development flood model, to verify that appropriate design features and mitigations will achieve adequate surface water management.*
- (ii) Mitigation of potential mosquito breeding habitat, including preventing water run-off from creating surface ponding, and constructed water bodies located, designed and maintained so they do not create or contribute to mosquito breeding.*
- (iii) Conduct on-site soil and hydrological assessments to determine soil types, drainage patterns, and hydrology to identify/avoid areas of high erosion risk.*
- (iv) Implement table drains, mitre drains, whoa boys, culverts, swales, or catch drains, if required.*
- (v) Manage water runoff - redirect water away from vulnerable surfaces, slow down or capture water with baffles, check dams in channels, and retention ponds if required; and discharge water onto stable surfaces.*
- (vi) Avoid raising the road surface above the surface of surrounding land to allow water to follow natural surface flow; and avoid lowering the road surface below the surrounding land to avoid the road becoming a drainage line.*
- (vii) Be mindful of natural drainage lines when determining road/hardstand placement.*
- (viii) Slope stabilisation measures including retaining walls or berms; revegetation with native vegetation or hydro mulch; terracing, contour banks, ripping; geogrids and geocells for soil reinforcement; erosion mats/blankets; silt socks;*
- (ix) Erosion control measures including vegetation, mulching, erosion mats/blankets, armouring check dams;*
- (x) Sediment migration control measures, including sediment fences and sediment traps; and*

(xi) Monitoring and maintenance measures, including regular inspections of erosion control measures; checking for scouring below drainage outflow; ensuring drains, culverts and swales are clear of debris; repairing washouts/outflanking in baffles; repairing damaged areas promptly where erosion is apparent; and avoiding maintenance in high rainfall months.

F. With regard to Condition 10, the Department of Fire and Emergency Services (DFES) Regional Office, DFES Aviation Services, District Officer and the local fire and emergency services should be consulted during the final design, construction, and leading up to the commissioning of the wind farm facility and associated infrastructure. DFES consider it critical for the local fire and emergency services to understand the hazards present in the facility and the measures required to ensure the safety of firefighting personnel when working in or around the facility. This may impact on how crews respond to a fire within the facility, which may in turn have ramifications regarding the optimal number and location of water supplies.

DFES advises that mobile telephone signal at this location is poor and communication can be challenging. Therefore, a 24/7 site contact should be identified and listed in the Bushfire Preparedness and Response Plan.

G. With regard to Condition 12, a 'shape file' with the final turbine locations is to be provided to the Department of Fire and Emergency Services for mapping purposes to safeguard aerial fire suppression and helicopter operations in the area.

H. With regards to Condition 13, advice from Airservices Australia based on the proposed nominated turbine heights is that the Grid SLALT will need to be increased to 300 feet.

I. With regards to Condition 14, the landscaping strategy and final landscape plan should consider the recommendations contained in the Landscape and Visual Impact Assessment (dated July 2025, V6) and address the interface with adjoining properties and include specifications of species used and details of reticulation. The strategy and plan should identify and address locations where tree planting would assist in screening views of wind farm infrastructure from key locations, such as Williams-Kondinin Road, as well as locations where additional trees could assist in creating the appearance of a more vegetated landscape, such as along watercourses, roadways and other boundaries, and in open fields. Trees should also be considered for cleared ridgetops on which turbines would be located.

- J. *With regard to Conditions 18 and 19, acknowledging that the proposal contemplates temporary onsite construction accommodation, the applicant is encouraged to engage with the Shires of Narrogin and Williams to investigate potential locations within the respective townsites to accommodate construction workforce. Where it does not result in off site accommodation that the following is to be addressed –*
- 1. Include evidence and dialogue of the options considers of the matters relating to exploration of alternative off-site accommodation location*
 - 2. Include a Management Plan, Needs Assessment, Infrastructure Servicing Plan, and Decommissioning Plan.*
 - 3. Be used solely for the accommodation of workers directly involved in the construction of the approved renewable energy facility.*
 - 4. Be removed, and the site rehabilitated within 6 months of the conclusion of the construction works.*
- K. *With regard to Condition 24, the Pre-Construction Local Public Roads Dilapidation Report should include an assessment of the suitability, design, condition and construction standard of the relevant local public roads and access points, and must:*
- (i) be prepared by a suitably qualified and experienced independent civil or traffic engineer; and*
 - (ii) include recommendations, if any, regarding upgrades required to accommodate construction traffic, and to meet the requirements of the conditions of this approval.*
- L. *With regard to Condition 24, where agreed to by the local government, the applicant may instead arrange payment to the local government for such repair, reinstatement or replacement works to be undertaken.*
- M. *Main Roads WA approval and permit requirements may include:*
- (i) Movements of wind farm components requires necessary permits from Main Roads WA Heavy Vehicle Services (HVS) under the Road Traffic (Vehicles) Act 2012 complying with the HVS route survey requirements, Oversize Overmass Transport Management Plan (OSOM-TMP) requirements, the Movement of High Risk OSOM Vehicles Policy and the Single Trip OSOM Vehicle Standard Operating Conditions;*
 - (ii) Proposed works within State road reserves are subject to a separate approval process under the Main Roads Act 1930;*
 - (iii) All Traffic Control Signal installations, removals, or alterations within Western Australia is required approval*

from Main Roads Network Operations under Regulation 297 of the Road Traffic Code 2000;

(iv) Main Roads approval for signage and pavement marking modifications is required under the Road Traffic Code 2000; and

(v) Any road signs are to comply with Main Roads Policy Application Guidelines for Advertising Signs within and beyond State Roads Reserves under the Main Roads (Control of Advertisements) Regulations 1996.

N. The proponent is encouraged to voluntarily establish and implement a Community Enhancement Fund (CEF) with the Shires of Narrogin and Williams consistent with the relevant Shire policies.

O. The applicant is encouraged to voluntarily engage with the Shire of Narrogin to implement public art contributions consistent with the Shire's Adopted Public Art Strategy and Masterplan 2019. Contributions can be through direct implementation or cash-in lieu, supporting community cultural enrichment and visual integration of renewable energy infrastructure.

P. Water supply and wastewater disposal is required to comply with the following requirements:

(i) Wastewater disposal is required to comply with the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974;

(ii) All drinking water provided on site, especially relating to a food premises or food production, must meet the health-related requirements the Australian Drinking Water Quality Guidelines 2011; and

(iii) Any non-drinking water (i.e., water that is not intended or suitable for drinking) must be managed to ensure it cannot be confused with or contaminate the drinking water supply. This requires satisfactory labelling of non-drinking water taps and, depending on system configuration and suitable backflow prevention arrangements in accordance with Australian/New Zealand Standards AS3500 – Plumbing and Drainage.

Q. Any aspects of the construction or operation of the wind farm that may 'take' a threatened species require Ministerial Authorisation under Section 40 of the Biodiversity Conservation Act. It is recommended that the applicant consults with DBCA's Species and Communities Branch via SpeciesandCommunities@dbca.wa.gov.au to discuss these potential impacts, particularly in regard to potential turbine blade strikes resulting in the 'taking' of a threatened species.

- R. *A clearing permit under the Environmental Protection Act 1986, for the proposed clearing of native vegetation is likely to be required. For more information, please contact the Department of Water and Environmental Regulation's Native Vegetation Regulation staff on 08 6364 7098 or admin.nvp@dwer.wa.gov.au.*
- S. *A Bed and Banks permit under the Rights in Water and Irrigation Act 1914, will be required for the interference with the bed and bank of any watercourse. For more information, please contact the Department of Water and Environmental Regulation's Water Licensing staff on 08 9550 4222 or peel@dwer.wa.gov.au.*
- T. *A licence to take water under the Rights in Water and Irrigation Act 1914, will be required if it is proposed to take surface water from a watercourse. For more information, please contact the Department of Water and Environmental Regulation's Water Licensing staff on 08 9550 4222 or peel@dwer.wa.gov.au.*
- U. *Aspects of the proposal may be categorised as Prescribed Premises as per Schedule 1 of the Environmental Protection Regulations 1987. A Works Approvals and Licence under Part V Division 3 of the Environmental Protection Act 1986, will be required if:*
- (i) The wastewater treatment plant meets or exceeds the specified production or design capacity of Category 54 or 85 under Schedule 1 of the Environmental Protection Regulations 1987.*
 - (ii) The concrete batching plant meets or exceeds the specified production or design capacity of Category 77 under Schedule 1 of the Environmental Protection Regulations 1987.*
 - (iii) The crushing and screening of material taken from borrow pits meets or exceeds the specified production or design capacity of Category 12 or 70 under Schedule 1 of the Environmental Protection Regulations 1987.*

The applicant is therefore advised to refer to the information and Industry Regulation Guide to Licensing at www.der.wa.gov.au/our-work/licences-and-works-approvals or contact the Department of Water and Environmental Regulation or 6364 7000 or info@dwer.wa.gov.au.

- V. *The concrete batching plant will need to demonstrate compliance with the Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998 irrespective of whether the premises is a Prescribed Premises or not.*

- W. The landowner/ applicant is advised to investigate whether or not approval is required pursuant to the Aboriginal Heritage Act 1972 prior to commencement of any activities or works on site. The landowner/applicant should conduct a search of the Register of Aboriginal Sites to determine if any aboriginal sites have been recorded in the vicinity of their application, and this heritage information should be submitted to the Department of Planning Lands and Heritage (Indigenous Affairs) with a request for advice.*
- X. If the applicant/landowner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 11B of the Planning and Development Act 2005.*

The motion was put and carried

4. Confidential items for discussion, decision or noting

Moved by Member Harman

Seconded by Commissioner Brookes

The Statutory Planning Committee move to the consideration of confidential items for discussion, decision or noting and resolve, pursuant to Regulation 27 of the Planning and Development (Western Australian Planning Commission) Regulations 2024, that the meeting be closed to members of the public.

The motion was put and carried

- 4.1 City of Wanneroo - District Planning Scheme No. 2, Amendment No. 229 (Complex) – Recommendation to Minister (TPS/3254)**

THIS ITEM IS CONFIDENTIAL

- 4.2 Discussion Paper – Public Art Contributions - For Noting (PLH2024P0743/1)**

THIS ITEM IS CONFIDENTIAL

5. Urgent or other business

THIS ITEM IS CONFIDENTIAL

6. Meeting conclusion and closure

The next ordinary meeting is scheduled for 9:30am on Wednesday, 8 October 2025.

There being no further business before the Committee, the Chairperson thanked members for their attendance and declared the meeting closed at 11:59am.

CHAIRPERSON

DATE

UNCONFIRMED