



Metro Outer Development Assessment Panel Minutes

Meeting Date and Time: Thursday, 18 September 2025; 10:00am
Meeting Number: MODAP/103
Meeting Venue: 140 William Street, Perth and via Zoom

A recording of the meeting is available via the following link:

[MODAP/103 - 18 September 2025 - City of Rockingham - City of Gosnells - City of Mandurah](#)

PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement
2. Apologies
3. Members on Leave of Absence
4. Noting of Minutes

PART B – CITY OF ROCKINGHAM

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
4. Form 2 DAP Applications
 - 4.1 Lot 622 (No.2) Aurea Boulevard, Golden Bay - Proposed mixed commercial development (Golden Bay Neighbourhood Centre) – DAP/23/02447
5. Section 31 SAT Reconsiderations

PART C – CITY OF GOSNELLS

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
4. Form 2 DAP Applications
 - 4.1a Lots 3, 4, 8, 17, 18, 20, 21, 23, 24, 25, 42, 201, 500 Albany Highway, Maddington - Showroom (Bunnings Warehouse) – DAP/18/0154
 - 4.1b Lots 3, 4, 8, 17, 18, 20, 21, 23, 24, 25, 42, 201, 500 Albany Highway, Maddington - Showroom (Bunnings Warehouse) – DAP/18/0154
5. Section 31 SAT Reconsiderations

PART C – CITY OF MANDURAH

1. Declaration of Due Consideration
2. Disclosure of Interests

Eugene Koltasz
Presiding Member, Metro Outer DAP



3. Form 1 DAP Applications

3.1 Lot 502 (No.400) Pinjarra Road, Greenfields - Proposed Bulky Goods
Showroom – DAP/25/02919

PART E – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals
2. Meeting Closure

Eugene Koltasz
Presiding Member, Metro Outer DAP



ATTENDANCE	
<i>Specialist DAP Members</i>	<i>DAP Secretariat</i>
Eugene Koltasz (Presiding Member)	Tenielle Brownfield
Dale Page (Deputy Presiding Member)	Ashlee Kelly
John Syme	
<i>Part B – City of Rockingham</i>	
<i>Local Government DAP Members</i>	<i>Officers/Technical Advisors in Attendance</i>
Cr Lorna Buchan	Casey Gillespie
Cr Mark Jones	David Banovic
<i>Part C – City of Gosnells</i>	
<i>Local Government DAP Members</i>	<i>Officers/Technical Advisors in Attendance</i>
Cr David Goode	Brenton Scambler
Cr Caren Baayans	Felicitas Dhliwayo
	Jas Lapinski
	Jye Fagan
<i>Part D – City of Mandurah</i>	
<i>Local Government DAP Members</i>	<i>Officers/Technical Advisors in Attendance</i>
Mayor Caroline Knight	Aaron Lucas
Cr Peter Rogers	

Eugene Koltasz
Presiding Member, Metro Outer DAP



Applicant and Submitters
<i>Part B – City of Rockingham</i>
Isabelle How (Planning Solutions) Marc Re (Planning Solutions) Matt Moyle (Lloyd George Acoustics)
<i>Part C – City of Gosnells</i>
Mark Scarfone (Element Advisory) Jason Eden (Bunnings) George Hajigabriel (Rowe Group) James Galuccio (Rowe Group) Stan Warsman (Rowe Group) Lydia Perzezic (Rowe Group)
<i>Part D – City of Mandurah</i>
Nik Hidding (Hidding Urban Planning) Steve Shircore (Meyer Shircore Architects)

Members of the Public / Media

Nil

Observers via livestream

There were 4 persons observing the meeting via the livestream.

Eugene Koltasz
Presiding Member, Metro Outer DAP



PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 10.07am on 18 September 2025 and acknowledged the traditional owners and custodians of the land on which the meeting was held and welcomed members.

The Presiding Member announced the meeting would be run in accordance with the DAP Standing Orders 2024 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

1.1 Announcements by Presiding Member

The Presiding Member advised that panel members may refer to technical devices, such as phones and laptops, throughout the meeting to assist them in considering the information before them.

The meeting was recorded and livestreamed on the DAP website in accordance with regulation 40(2A) of the *Planning and Development (Development Assessment Panels) Regulations 2011*. Members were reminded to announce their name and title prior to speaking.

2. Apologies

Nil

3. Members on Leave of Absence

Nil

4. Noting of Minutes

DAP members noted that signed minutes of previous meetings are available on the [DAP website](#).

Eugene Koltasz
Presiding Member, Metro Outer DAP



PART B – CITY OF ROCKINGHAM

1. Declaration of Due Consideration

All members declared that they had duly considered the documents contained within Part B of the Agenda and Part B of the Related Information.

2. Disclosure of Interests

Nil

3. Form 1 DAP Applications

Nil

4. Form 2 DAP Applications

4.1 Lot 622 (No.2) Aurea Boulevard, Golden Bay - Proposed mixed commercial development (Golden Bay Neighbourhood Centre) – DAP/23/02447

Deputations

Isabelle How and Marc Re (Planning Solutions) addressed the DAP in support of the application at Item 4.1 and responded to questions from the panel.

The City of Rockingham addressed the DAP in relation to the application at Item 4.1 and responded to questions from the panel.

PRIMARY MOTION

Moved by: Cr Lorna Buchan

Seconded by: Cr Mark Jones

That the Metro Outer Development Assessment Panel resolves to:

1. **Accept** that the DAP Application reference DAP/23/02447 as detailed on the DAP Form 2 dated 14 May 2025 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*; and
2. **Approve** DAP Application reference DAP/23/02447 and accompanying plans in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the City of Rockingham Town Planning Scheme No. 2, for the proposed amendment to the approved Mixed Commercial development (Golden Bay Neighbourhood Centre) dated 20 March 2024 at No.2 Aurea Boulevard Golden Bay, subject to the following conditions:

Eugene Koltasz
Presiding Member, Metro Outer DAP



Amended Conditions

1. Existing Condition No.2 to be modified to include reference to the following plans:
 - DA01 – Locality Plan (Proposed Car Wash), revision M dated 13 August 2025;
 - DA02 – Site Plan (Proposed Car Wash), revision J dated 13 August 2025;
 - DA03 – Floor Plan (Proposed Car Wash), revision E dated 11 August 2025;
 - DA04 – Elevations (Proposed Car Wash), revision B dated 6 March 2025;
 - DA05 – Elevations (Proposed Car Wash), dated 1 February 2025;
 - DA06 – Elevations (Proposed Car Wash), dated 1 February 2025;
 - DA08 – Elevations (Proposed Car Wash), dated 1 February 2025; and
 - L-01 – Planting Plan and Schedule, revision B dated 12 August 2025.
2. Existing Condition No.7(ii) which reads as follows:
 - (ii) *A solid screen wall to be constructed in the vicinity of the Liquor Store bin area fronting Warnbro Sound Avenue, of minimum height 1.6m and of minimum surface mass of 4kg/m², and be free of gaps, as shown on the approved plans. The screening to be of a masonry construction and of a suitable design complementing the overall development, as illustrated in the Material Schedule, to ensure an attractive appearance to Warnbro Sound Avenue and internal to the site to the satisfaction of the City of Rockingham, having regard to the high level of visibility of the screen wall to Warnbro Sound Avenue.*

to be deleted as the Liquor Store use has been removed from the development.

New Conditions

1. Prior to applying for a Building Permit for the Motor Vehicle Wash, an Acoustic Report prepared by a suitably qualified acoustic consultant and demonstrating compliance with the *Environmental Protection (Noise) Regulations 1997*, must be submitted to and approved by the City of Rockingham. The acoustic report shall, at a minimum but not be limited to, addressing mechanical plant elements and any attenuation measures required.
2. The Motor Vehicle Wash development must comply with the requirements and recommendations of the Lloyd George Acoustics report dated 27 June 2025 (ref. 24119644-01A) and shall incorporate:
 - (i) A five metre high solid screening wall to the west end of car wash building, as shown on the approved plans;
 - (ii) Vacuum centrifugal system with no more than 90 dB(A) sound power level and with full perimeter fencing of 1.8m in height and 8kg/m² surface mass or greater that seals at ground. Exhaust flue must not protrude beyond the fence height;

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Presiding Member, Metro Outer DAP



- (iii) Auto wash bays being fitted with automated RL3500 doors, at entry and exit achieving acoustic performances of Rw19 dB or greater. Both doors are to be programmed to close during 7pm to 7am Monday to Saturday, and 7pm to 9am Sundays and Public Holidays;
 - (iv) Plant room roller door to remain shut when the car wash is operating between 7pm to 7am Monday to Saturday, and 7pm to 9am Sundays and Public Holidays. Door may be opened for periods during the day where required for maintenance access.
3. Prior to the occupation of the Motor Vehicle Wash development written confirmation shall be provided from a suitably qualified acoustic consultant confirming that all requirements indicated in the Lloyd George Acoustics report dated 27 June 2025 (ref. 24119644-01A) have been incorporated into the development.
4. Prior to applying for a Building Permit for the Motor Vehicle Wash development, a bin storage area must be:
- (a) designed with a size suitable to service the development and be screened from view of the street, or the internal service road to the satisfaction of the City of Rockingham; and
 - (b) constructed prior to the occupation of the development and must be retained and maintained in good condition for the duration of the Development.
5. Prior to the occupation of the Motor Vehicle Wash development, the car wash bays must be constructed of hard-stand, bunded, graded, roofed and be serviced by a petrol and oil separator suitable for connection to Water Corporation sewer mains.
- Wash bays, including petrol and oil separators, must be maintained to the satisfaction of the City of Rockingham for the duration of the development.
6. The Motor Vehicle Wash and ancillary offerings are restricted to the following operating hours:
- Automated Motor Vehicle Wash - 7:00am to 8:00pm, seven days a week;
 - Vacuum system associated with the Motor Vehicle Wash
 - 7:00am to 8:00pm Monday to Saturday;
 - 9:00am to 7:00 pm Sundays and/or Public Holidays;
 - Dog Wash facility
 - 7:00am to 8:00pm Monday to Saturday;
 - 9:00am to 7:00 pm Sundays and/or Public Holiday

Amended Advice Notes

1. Existing Advice Note 7 which reads as follows:

The Liquor Store is to comply with the Liquor Control Act 1988, all relevant approvals and licenses are to be sought prior to the occupation of the development in conjunction with the Department of Local Government, Sport and Cultural Industries.

being deleted as it is no longer relevant.

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New Advice Notes

1. In regards to Condition 6 of the existing Development Approval dated 20 March 2024, the intended one-way traffic flow for the Motor Vehicle Wash development being shown via pavement marking.

All other conditions and requirements detailed on the original Development Approval dated 20 March 2024 shall remain.

The Primary Motion was put and CARRIED UNANIMOUSLY.

REASON: The Panel was satisfied that the proposal is appropriate for consideration as a Form 2. Although the land use and configuration and design of the building are different, the panel considered that the changes do not have significant impact on the functionality and amenity of the site and surrounding area, and the new use is preferred over the previously approved use. The panel agreed that the amendments propose a use that will benefit the community, and that the concerns raised through the two submissions received have been addressed in the RAR and via new conditions of approval. The panel further agreed that traffic will not be an issue and that fewer people will be accessing the site than for the liquor store and the queue analysis provided demonstrates that queuing will not be an issue. The panel also noted that noise impacts will also be addressed via boundary wall design and other recommendations contained in the Environmental Noise Assessment, which have been included as conditions of approval.

5. Section 31 SAT Reconsiderations

Nil

Cr Lorna Buchan and Cr Mark Jones (Local Government DAP Member, City of Rockingham) left the panel at 10:24am.

Eugene Koltasz
Presiding Member, Metro Outer DAP



PART C – CITY OF GOSNELLS

Cr Davide Goode and Cr Caren Baayans (Local Government DAP Member, City of Gosnells) joined the panel at 10:25am.

1. Declaration of Due Consideration

All members declared that they had duly considered the documents contained within Part C of the Agenda and Part C of the Related Information.

2. Disclosure of Interests

Nil

3. Form 1 DAP Applications

Nil

4. Form 2 DAP Applications

4.1a Lots 3, 4, 8, 17, 18, 20, 21, 23, 24, 25, 42, 201, 500 Albany Highway, Maddington - Showroom (Bunnings Warehouse) – DAP/18/0154

Deputations

George Hajigabriel (Rowe Group) addressed the DAP in support of the application at Item 4.1a & b and responded to questions from the panel.

Mark Scarfone (Element Advisory) and Jason Eden (Bunnings) addressed the DAP in support of the application at Item 4.1a & b and responded to questions from the panel.

The City of Gosnells addressed the DAP in relation to the application at Item 4.1a and responded to questions from the panel.

PRIMARY MOTION

Moved by: Cr David Goode

Seconded by: Cr Caren Baayans

That the Metro Outer DAP resolves to:

1. **Accept** that the DAP Application reference DAP/18/01540 as detailed on the DAP Form 2 dated 21 May 2025 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;

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2. **Approve** DAP Application reference DAP/18/01540 and accompanying plans (Attachment 2) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Gosnells Town Planning Scheme No. 6, for the proposed minor amendment to the approved Bunnings Warehouse at Lots 3, 4, 8, 17, 18, 20, 21, 23, 24, 25, 42, 201, 500 Albany Highway, Maddington subject to the following conditions:

Conditions

1. The warehouse (including bagged goods, nursery, goods inwards/outwards, timber trade sales, building materials/landscape yard areas) shall be constructed using weather-proof material with impervious and chemically resistant flooring, designed and graded to contain any spills and wastewater generated from the operation. All spills and wastewater shall be disposed to sewer (subject to Water Corporation consent) or at a licenced waste disposal facility.
2. Prior to any fill and/or topsoil being brought onto the site, the landowner/applicant shall demonstrate to the satisfaction of the City of Gosnells in consultation with the Department of Biodiversity, Conservation and Attractions that all material is certified clean, uncontaminated, and free from rubber, weeds and diseases, and is suitable from a geotechnical perspective, for the proposed works.
3. Prior to any works occurring within the Parks and Recreation reserve, a Construction Environmental Management Plan is to be submitted and approved to the satisfaction of the City of Gosnells in consultation with the Department of Biodiversity, Conservation and Attractions and the Western Australian Planning Commission.

All works within the Parks and Recreation reserve are to be carried out in accordance with the approved Construction Environmental Management Plan.

4. No debris, rubbish or any other deleterious matter shall be placed on the Parks and Recreation Reserve or be allowed to enter the Canning River.
5. No dewatering tail-water is to be discharged directly or indirectly (e.g. via the stormwater system) into the Canning River unless a Dewatering Management Plan has been approved by the City of Gosnells in consultation with the Department of Biodiversity, Conservation and Attractions and the Western Australian Planning Commission.

In the event that dewatering tail-water is required to be discharged into the Canning River, discharge is to be carried out in accordance with the approved Dewatering Management Plan.

6. The garrison fencing installed on top of the retaining walls on the western boundaries shall be visually permeable to a maximum height of 1.8m and be black in colour.

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Presiding Member, Metro Outer DAP



7. Prior to the commencement of development, an updated Stormwater Management Plan is to be submitted and approved to the satisfaction of the City of Gosnells in consultation with the Department of Biodiversity, Conservation and Attractions and the Western Australian Planning Commission. Stormwater runoff from constructed impervious surfaces generated by small rainfall events (i.e. the first 15mm of rainfall) must be retained and/or detained at-source as much as practical and will not be permitted to enter the wetland buffer or Canning River untreated.
8. Prior to the commencement of development, a Wetland and Wetland Buffer Management Plan is to be submitted, approved and thereafter implemented to the satisfaction of the City of Gosnells in consultation with the Department of Biodiversity, Conservation and Attractions and the Western Australian Planning Commission.
9. Prior to applying for a Building Permit, detailed plan(s) for the design and alignment of the limestone track and principal shared path are to be submitted and approved to the satisfaction of the City of Gosnells in consultation with the Department of Biodiversity, Conservation and Attractions and the Western Australian Planning Commission. The following details are to be included:
 - (i) Pathway design in accordance with Australian Standard AS2156.2 - Walking Tracks - Infrastructure Design;
 - (ii) The alignment of the limestone track and pathway with separation distances to existing vegetation consistent with tree protection zones as defined in Australian Standard AS4970-2009 - Protection of Trees on Development Sites;
 - (iii) Earthworks and fill levels in accordance with the Construction Environmental Management Plan; and
 - (iv) Details of any stormwater run-off, to prevent erosion.
10. Prior to the occupation of the development, the limestone track and pathway, as shown on the approved site plan, shall be:
 - (i) Installed in accordance with the detailed plan(s) at no expense to the Crown; and
 - (ii) Ceded to the Crown free of cost and without any payment of compensation by the Crown, following a defects period as agreed to by the City of Gosnells in consultation with the Western Australian Planning Commission.
11. Prior to the commencement of works, all significant vegetation within the wetland and wetland buffer shall be identified and protected by installation of Tree Protection Zones in accordance with Australian Standard AS 4970-2009- Protection of trees on development sites to the satisfaction of the City of Gosnells.
12. Replacement trees are to be planted at a rate of no less than three for each tree removed and maintained to the requirements and satisfaction of the Department of Biodiversity, Conservation and Attractions in consultation with the City of Gosnells.
13. All lighting is to be installed in accordance with a Lighting Plan which is to be submitted to and approved to the specifications of the Department of Biodiversity, Conservation and Attractions and to the satisfaction of the City of Gosnells prior to commencement of works.

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Presiding Member, Metro Outer DAP



14. Prior to applying for a Building Permit, a Landscape Plan for the development site and the adjoining road verge(s) is to be submitted and approved to the satisfaction of the City of Gosnells in consultation with the Department of Biodiversity, Conservation and Attractions and the Western Australian Planning Commission. The following details are to be included:
 - (i) Native vegetation to be planted between the retaining walls on the western boundaries of the site;
 - (ii) Existing street trees and vegetation to be retained on the site;
 - (iii) Landscape treatments such as lawn, mulch areas, paving and bin collection areas;
 - (iv) The location, species, quantity and pot size of proposed trees and shrubs; and
 - (v) Areas to be irrigated.
15. Prior to the occupation of the development, the landscaping and irrigation of the development site and the adjoining verges is to be installed in accordance with the approved Landscape Plan and thereafter maintained to the satisfaction of the City of Gosnells.
16. Prior to occupation of the development, the Resource Enhancement Wetland (14428) and associated buffer are to be transferred to the Western Australian Planning Commission free of cost and without any payment of compensation.
17. Prior to applying for a Building Permit, a geotechnical report is to be submitted, detailing site conditions with respect to soil, groundwater and stormwater disposal, to the satisfaction of the City of Gosnells.
18. Prior to commencement of the development, the applicant is to submit an Acid Sulphate Soils Self-Assessment Form, to the satisfaction of the City of Gosnells. If, as a result of the self-assessment, an Acid Sulphate Soils Report and Acid Sulphate Soils Management Plan are required, those documents must be submitted to and approved by the City of Gosnells, on the advice of the Department of Water and Environmental Regulation.

Where an Acid Sulphate Soils Management Plan is required, all works shall be carried out in accordance with the approved management plan.

19. The applicant shall submit a drainage design, prescribing a functional drainage system, including detailed engineering drawings, and necessary technical information to demonstrate functionality of the design. The design is to be endorsed prior to the lodgement of a Building Permit application and thereafter implemented to the satisfaction of the City of Gosnells.

It should be noted that a maximum stormwater runoff coefficient equivalent to predevelopment levels shall be applied to calculate the critical permissible site discharge (PSD) from the development. This PSD shall not be exceeded in all storm events up to the 1 in 20 year Average Recurrence Interval. All excess stormwater shall be detained and/or infiltrated on site through suitable structural means.

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20. Prior to occupation of the development, redundant vehicle crossover(s) are to be removed and the kerbing, footpath and verge (where relevant) reinstated with grass or landscaping to the satisfaction of the City of Gosnells.
21. Prior to occupation of the development, the proposed hardstand area is to be paved, sealed and drained to the satisfaction of the City of Gosnells.
22. Prior to the commencement of development works, the applicant is to submit, have approved, and thereafter implement, a management plan detailing how risks of wind and/or water borne erosion and sedimentation and dust will be minimised during the works and thereafter, to the satisfaction of the City of Gosnells.
23. Prior to occupation of the development, all existing septic tanks and leach drains are to be decommissioned and all components removed to the satisfaction of the City of Gosnells, with the applicant providing a Statutory Declaration confirming as such.
24. Prior to applying for a Building Permit, satisfactory arrangements being made with the City of Gosnells for the disposal of industrial wastewater, including:
 - (i) The approval of the Water Corporation for disposal of all industrial wastewater produced from activities on site;
 - (ii) Provision of a bunded washdown area a minimum of 75mm in height, serviced by an approved petrol and oil waste disposal treatment system is required. Washdown areas greater than 20m² size must be roofed;
 - (iii) Detailed plans and specifications of the petrol and oil waste disposal treatment system; and
 - (iv) Registration of all petrol and oil waste disposal treatment systems with the Waste Management Division of the Department of Water and Environment Regulation.
25. Prior to applying for a Building Permit, arrangements being made to the satisfaction of the City of Gosnells for the amalgamation of lots 3, 4, 17, 20, 21, 42, 201 and 500 Albany Highway, Maddington into one Certificate of Title. The amalgamation must be completed prior to occupation of the development.
26. Prior to occupation of the development, a notification under section 70A of the transfer of Land Act 1893 must be registered over the Certificate of Title of the subject lot to notify owners and prospective purchasers of the land of the factor affecting the use of the land. The notification is to be prepared and executed at the applicant's cost to the satisfaction of the City of Gosnells and 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.'

Eugene Koltasz
Presiding Member, Metro Outer DAP



27. Prior to applying for a Building Permit, a Bushfire Management Plan and Emergency Evacuation Plan shall be prepared in accordance with State Planning Policy 3.7 - Planning in Bushfire Prone Areas and the Guidelines for Planning in Bushfire Prone Areas, endorsed by the City of Gosnells in consultation with the Department of Fire and Emergency Services, and thereafter implemented to the satisfaction of the City of Gosnells.
28. Prior to applying for a Building Permit, a Waste Management Plan is to be submitted and approved to the satisfaction of the City of Gosnells and include the following detail:
- (i) the location of bin storage areas and bin collection areas;
 - (ii) the number, volume and type of bins, and the type of waste to be placed in the bins;
 - (iii) management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and
 - (iv) frequency of bin collections.

All works must be carried out in accordance with the Waste Management Plan and maintained at all times, for the duration of development.

29. Prior to occupation of the development, public rubbish bin facilities must be provided adjacent to the shop frontage so as to be convenient to pedestrians, but positioned so as not to obstruct pedestrian movements, to the satisfaction of the City of Gosnells. Public rubbish bin facilities must be emptied daily, continuously maintained in good condition and the surrounding area kept free of litter thereafter for the duration of the development.
30. Prior to applying for a Building Permit, the proponent shall submit to the City of Gosnells for approval a preliminary proposal for an art work designed by a professional artist at a cost of 1% of the total project cost (to a maximum of \$250,000), to be located within the subject site as an integral part of the development. Alternatively, prior to occupation of the development, the owner/applicant shall make a cash contribution towards public art in lieu of the above.

Prior to the commencement of development, and if not making a cash contribution, the proponent shall submit to the City of Gosnells for approval an 'Application for Artwork Design' and the proponent is to enter into a contract with a professional artist/s to design and install (if appropriate) the artwork approved by the City of Gosnells.

Prior to the occupation of the development, the art work shall be installed and maintained thereafter to the satisfaction of the City of Gosnells.

31. Prior to occupation or use of the development, vehicle parking, manoeuvring and circulation areas shall be designed, constructed, sealed, drained, line marked and kerbed in accordance with:
- (i) The approved plan(s);
 - (ii) Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking facilities, Part 1: Off street car parking (for User Class 1A);

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Presiding Member, Metro Outer DAP



- (iii) Australian/New Zealand Standard AS/NZS 2890.6:2009, Parking facilities, Part 6: Off street parking for people with disabilities;
- (iv) Australian Standard AS 1428.1 2009, Design for access and mobility, Part 1: General Requirements for access New building work (by providing a link to the main entrance of the development by a continuous accessible path of travel); and
- (v) Council's engineering requirements and design guidelines.

The car parking is to be maintained to the satisfaction of the City of Gosnells for the duration of the development.

32. Prior to applying for a Building Permit, the landowner/applicant must submit a request to the City of Gosnells for amenity tree evaluations for all verge trees, including within the Albany Highway road reserve. The amenity value and removal cost of the street trees must be paid prior to occupation of the development.

The landowner/applicant must submit a request to the City of Gosnells in writing for an invoice to meet the total cost of the removal of the street trees.

The landowner/applicant is not permitted to undertake removal of, or engage a contractor to, undertake removal of any street tree. The City of Gosnells will remove the trees.

33. The development is approved until 15 April 2028. If the development is not substantially commenced by this date, the approval shall lapse and be of no further effect.
34. Prior to the issue of a Building Permit, the applicant must undertake a 15% design concept plan to determine the land requirements for both signalised access points. The concept plan is to demonstrate the land required to accommodate the signal infrastructure, truncations, sight lines, existing infrastructure, footpath and verge to Main Roads requirements.
35. Prior to occupation of the development, the land required for the widening of Albany Highway, as shown on the Land Protection Plan No.201432-0109 (enclosed), must be ceded free of cost to the State of Western Australia without any payment of compensation.
36. Prior to occupation of the development, the land required for the widening of Albany Highway, as per Condition 34 and 35, must be ceded free of cost to the State of Western Australia without any payment of compensation.
37. Prior to occupation of the development, easement(s) in accordance with Sections 195 and 196 of the Land Administration Act 1997 for the benefit of the City of Gosnells and Main Roads WA are to be placed on the certificate(s) of title of Lot 20 specifying access rights. Notice of this easement(s) is to be included on the diagram or plan of survey (deposited plan).
38. No works are permitted within the Albany Highway Road Reservation unless Main Roads has issued a Working on Roads Permit.

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Presiding Member, Metro Outer DAP



39. No part of the development, other than approved landscaping is to be located within the land requirement for Albany Highway as detailed in the enclosed Land Protection Plan No.201432-0109.
40. Any proposed illumination of the signage must not exceed 300 cd/m² (candela per square metre) during the daytime and 150 cd/m² during nighttime.
41. The signs must not contain fluorescent, reflective or retro-reflective colours or materials.
42. The signs shall only display static content of the business operating on the subject site.
43. Stormwater shall not be discharged to the Albany Highway Road Reserve or the widened road reservation to the satisfaction of the City of Gosnells on advice of Main Roads Western Australia.
44. The 2,186m² 'pad site' shown on the approved Site Plan is not part of this application and is subject to future development applications.
45. Prior to occupation, the development shall be connected to the reticulated sewerage system to the specification of the Water Corporation and to the satisfaction of the City of Gosnells.

Advice Notes:

1. The associated plans and conditions approved under this development approval showing or requiring access to roads within the jurisdiction of Main Roads WA require the subsequent approval of Main Roads of WA for that access and should be read as subject to the jurisdiction of Main Roads of WA.
2. The upgrading/widening of Albany Highway is not in Main Roads current 4-year forward estimated construction program and all projects not listed are subject to change without notice, and Main Roads assumes no liability for the information provided.
3. Approval of signals or intersection modifications do not form part of this application. The installation of traffic signals will require further approval from Main Roads under the Main Roads Act 1930.
4. This property is affected by land reserved in the Metropolitan Region Scheme as shown on the attached extract of the Main Roads Land Protection Plan No.201432-0109.
5. The applicant is required to submit an Application form to undertake works within the road reserve prior to undertaking any works within the road reserve. Application forms and supporting information about the procedure can be found on the Main Roads website > Technical & Commercial > Working on Roads.

Eugene Koltasz
Presiding Member, Metro Outer DAP



For clarity a consolidated list of conditions detailing the recommended condition amendments, deletions, renumbering and new conditions is provided as Attachment 11.

AMENDING MOTION 1

Moved by: Dale Page

Seconded by: John Syme

That Condition No. 12 be amended to read as follows:

*Replacement trees are to be planted at a rate of no less than three for each tree removed and maintained to the requirements and satisfaction of the ~~Department of Biodiversity, Conservation and Attractions~~ **City of Gosnells** in consultation with the ~~City of Gosnells~~ **Department of Biodiversity, Conservation and Attractions**.*

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: It is not appropriate to make a condition to the satisfaction of a third party, even if it is a government agency. The City of Gosnells will be responsible for clearing this condition.

AMENDING MOTION 2

Moved by: Dale Page

Seconded by: John Syme

That Condition No. 35 be amended to read as follows:

*~~Prior to occupation lodgement of the development~~ **an application for a building permit, the land required for the widening of Albany Highway, as shown on the Land Protection Plan No.201432-0109 (enclosed), must be ceded free of cost to the State of Western Australia without any payment of compensation. applicant needs to demonstrate that ceding arrangements have been made in relation to the land required for the widening of Albany Highway, as shown on the Land Protection Plan No.201432-0109 (enclosed).***

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The City has advised the condition should reference prior to a building permit rather than prior to occupation, and that the intent of the condition is to ensure ceding arrangements have been made at that point, rather than actual ceding of the land.

AMENDING MOTION 3

Moved by: Dale Page

Seconded by: Eugene Koltasz

That Condition No. 37 be deleted and the remaining conditions be renumbered accordingly.

The Amending Motion was put and LOST (1/4).

Eugene Koltasz
Presiding Member, Metro Outer DAP



For: Dale Page

Against: Eugene Koltasz
John Syme
Cr David Goode
Cr Caren Baayans

AMENDING MOTION 4

Moved by: John Syme

Seconded by: Cr Caren Baayans

That Condition No. 37 be amended to read as follows:

*Prior to occupation of the development, easement(s) in accordance with Sections 195 and 196 of the Land Administration Act 1997 for the benefit of the City of Gosnells and, Main Roads WA, **Lot 19 and the Public** are to be placed on the certificate(s) of title of Lot 20 specifying access rights. Notice of this easement(s) is to be included on the diagram or plan of survey (deposited plan).*

The Amending Motion was put and LOST (1/4).

For: John Syme

Against: Eugene Koltasz
Dale Page
Cr David Goode
Cr Caren Baayans

PRIMARY MOTION (AS AMENDED)

That the Metro Outer DAP resolves to:

1. **Accept** that the DAP Application reference DAP/18/01540 as detailed on the DAP Form 2 dated 21 May 2025 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** DAP Application reference DAP/18/01540 and accompanying plans (Attachment 2) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Gosnells Town Planning Scheme No. 6, for the proposed minor amendment to the approved Bunnings Warehouse at Lots 3, 4, 8, 17, 18, 20, 21, 23, 24, 25, 42, 201, 500 Albany Highway, Maddington subject to the following conditions:

Eugene Koltasz
Presiding Member, Metro Outer DAP



Conditions

1. The warehouse (including bagged goods, nursery, goods inwards/outwards, timber trade sales, building materials/landscape yard areas) shall be constructed using weather-proof material with impervious and chemically resistant flooring, designed and graded to contain any spills and wastewater generated from the operation. All spills and wastewater shall be disposed to sewer (subject to Water Corporation consent) or at a licenced waste disposal facility.
2. Prior to any fill and/or topsoil being brought onto the site, the landowner/applicant shall demonstrate to the satisfaction of the City of Gosnells in consultation with the Department of Biodiversity, Conservation and Attractions that all material is certified clean, uncontaminated, and free from rubber, weeds and diseases, and is suitable from a geotechnical perspective, for the proposed works.
3. Prior to any works occurring within the Parks and Recreation reserve, a Construction Environmental Management Plan is to be submitted and approved to the satisfaction of the City of Gosnells in consultation with the Department of Biodiversity, Conservation and Attractions and the Western Australian Planning Commission.
All works within the Parks and Recreation reserve are to be carried out in accordance with the approved Construction Environmental Management Plan.
4. No debris, rubbish or any other deleterious matter shall be placed on the Parks and Recreation Reserve or be allowed to enter the Canning River.
5. No dewatering tail-water is to be discharged directly or indirectly (e.g. via the stormwater system) into the Canning River unless a Dewatering Management Plan has been approved by the City of Gosnells in consultation with the Department of Biodiversity, Conservation and Attractions and the Western Australian Planning Commission.

In the event that dewatering tail-water is required to be discharged into the Canning River, discharge is to be carried out in accordance with the approved Dewatering Management Plan.

6. The garrison fencing installed on top of the retaining walls on the western boundaries shall be visually permeable to a maximum height of 1.8m and be black in colour.
7. Prior to the commencement of development, an updated Stormwater Management Plan is to be submitted and approved to the satisfaction of the City of Gosnells in consultation with the Department of Biodiversity, Conservation and Attractions and the Western Australian Planning Commission. Stormwater runoff from constructed impervious surfaces generated by small rainfall events (i.e. the first 15mm of rainfall) must be retained and/or detained at-source as much as practical and will not be permitted to enter the wetland buffer or Canning River untreated.

Eugene Koltasz
Presiding Member, Metro Outer DAP



8. Prior to the commencement of development, a Wetland and Wetland Buffer Management Plan is to be submitted, approved and thereafter implemented to the satisfaction of the City of Gosnells in consultation with the Department of Biodiversity, Conservation and Attractions and the Western Australian Planning Commission.
9. Prior to applying for a Building Permit, detailed plan(s) for the design and alignment of the limestone track and principal shared path are to be submitted and approved to the satisfaction of the City of Gosnells in consultation with the Department of Biodiversity, Conservation and Attractions and the Western Australian Planning Commission. The following details are to be included:
 - (i) Pathway design in accordance with Australian Standard AS2156.2 - Walking Tracks - Infrastructure Design;
 - (ii) The alignment of the limestone track and pathway with separation distances to existing vegetation consistent with tree protection zones as defined in Australian Standard AS4970-2009 - Protection of Trees on Development Sites;
 - (iii) Earthworks and fill levels in accordance with the Construction Environmental Management Plan; and
 - (iv) Details of any stormwater run-off, to prevent erosion.
10. Prior to the occupation of the development, the limestone track and pathway, as shown on the approved site plan, shall be:
 - (i) Installed in accordance with the detailed plan(s) at no expense to the Crown; and
 - (ii) Ceded to the Crown free of cost and without any payment of compensation by the Crown, following a defects period as agreed to by the City of Gosnells in consultation with the Western Australian Planning Commission.
11. Prior to the commencement of works, all significant vegetation within the wetland and wetland buffer shall be identified and protected by installation of Tree Protection Zones in accordance with Australian Standard AS 4970-2009- Protection of trees on development sites to the satisfaction of the City of Gosnells.
12. Replacement trees are to be planted at a rate of no less than three for each tree removed and maintained to the requirements and satisfaction of the City of Gosnells in consultation with the Department of Biodiversity, Conservation and Attractions.
13. All lighting is to be installed in accordance with a Lighting Plan which is to be submitted to and approved to the specifications of the Department of Biodiversity, Conservation and Attractions and to the satisfaction of the City of Gosnells prior to commencement of works.
14. Prior to applying for a Building Permit, a Landscape Plan for the development site and the adjoining road verge(s) is to be submitted and approved to the satisfaction of the City of Gosnells in consultation with the Department of Biodiversity, Conservation and Attractions and the Western Australian Planning Commission. The following details are to be included:
 - (i) Native vegetation to be planted between the retaining walls on the western boundaries of the site;

Eugene Koltasz
Presiding Member, Metro Outer DAP



- (ii) Existing street trees and vegetation to be retained on the site;
 - (iii) Landscape treatments such as lawn, mulch areas, paving and bin collection areas;
 - (iv) The location, species, quantity and pot size of proposed trees and shrubs; and
 - (v) Areas to be irrigated.
15. Prior to the occupation of the development, the landscaping and irrigation of the development site and the adjoining verges is to be installed in accordance with the approved Landscape Plan and thereafter maintained to the satisfaction of the City of Gosnells.
16. Prior to occupation of the development, the Resource Enhancement Wetland (14428) and associated buffer are to be transferred to the Western Australian Planning Commission free of cost and without any payment of compensation.
17. Prior to applying for a Building Permit, a geotechnical report is to be submitted, detailing site conditions with respect to soil, groundwater and stormwater disposal, to the satisfaction of the City of Gosnells.
18. Prior to commencement of the development, the applicant is to submit an Acid Sulphate Soils Self-Assessment Form, to the satisfaction of the City of Gosnells. If, as a result of the self-assessment, an Acid Sulphate Soils Report and Acid Sulphate Soils Management Plan are required, those documents must be submitted to and approved by the City of Gosnells, on the advice of the Department of Water and Environmental Regulation.

Where an Acid Sulphate Soils Management Plan is required, all works shall be carried out in accordance with the approved management plan.

19. The applicant shall submit a drainage design, prescribing a functional drainage system, including detailed engineering drawings, and necessary technical information to demonstrate functionality of the design. The design is to be endorsed prior to the lodgement of a Building Permit application and thereafter implemented to the satisfaction of the City of Gosnells.

It should be noted that a maximum stormwater runoff coefficient equivalent to predevelopment levels shall be applied to calculate the critical permissible site discharge (PSD) from the development. This PSD shall not be exceeded in all storm events up to the 1 in 20 year Average Recurrence Interval. All excess stormwater shall be detained and/or infiltrated on site through suitable structural means.

20. Prior to occupation of the development, redundant vehicle crossover(s) are to be removed and the kerbing, footpath and verge (where relevant) reinstated with grass or landscaping to the satisfaction of the City of Gosnells.
21. Prior to occupation of the development, the proposed hardstand area is to be paved, sealed and drained to the satisfaction of the City of Gosnells.

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Presiding Member, Metro Outer DAP



22. Prior to the commencement of development works, the applicant is to submit, have approved, and thereafter implement, a management plan detailing how risks of wind and/or water borne erosion and sedimentation and dust will be minimised during the works and thereafter, to the satisfaction of the City of Gosnells.
23. Prior to occupation of the development, all existing septic tanks and leach drains are to be decommissioned and all components removed to the satisfaction of the City of Gosnells, with the applicant providing a Statutory Declaration confirming as such.
24. Prior to applying for a Building Permit, satisfactory arrangements being made with the City of Gosnells for the disposal of industrial wastewater, including:
 - (i) The approval of the Water Corporation for disposal of all industrial wastewater produced from activities on site;
 - (ii) Provision of a bunded washdown area a minimum of 75mm in height, serviced by an approved petrol and oil waste disposal treatment system is required. Washdown areas greater than 20m² size must be roofed;
 - (iii) Detailed plans and specifications of the petrol and oil waste disposal treatment system; and
 - (iv) Registration of all petrol and oil waste disposal treatment systems with the Waste Management Division of the Department of Water and Environment Regulation.
25. Prior to applying for a Building Permit, arrangements being made to the satisfaction of the City of Gosnells for the amalgamation of lots 3, 4, 17, 20, 21, 42, 201 and 500 Albany Highway, Maddington into one Certificate of Title. The amalgamation must be completed prior to occupation of the development.
26. Prior to occupation of the development, a notification under section 70A of the transfer of Land Act 1893 must be registered over the Certificate of Title of the subject lot to notify owners and prospective purchasers of the land of the factor affecting the use of the land. The notification is to be prepared and executed at the applicant's cost to the satisfaction of the City of Gosnells and 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.'
27. Prior to applying for a Building Permit, a Bushfire Management Plan and Emergency Evacuation Plan shall be prepared in accordance with State Planning Policy 3.7 - Planning in Bushfire Prone Areas and the Guidelines for Planning in Bushfire Prone Areas, endorsed by the City of Gosnells in consultation with the Department of Fire and Emergency Services, and thereafter implemented to the satisfaction of the City of Gosnells.
28. Prior to applying for a Building Permit, a Waste Management Plan is to be submitted and approved to the satisfaction of the City of Gosnells and include the following detail:
 - (i) the location of bin storage areas and bin collection areas;
 - (ii) the number, volume and type of bins, and the type of waste to be placed in the bins;

Eugene Koltasz
Presiding Member, Metro Outer DAP



- (iii) management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and
- (iv) frequency of bin collections.

All works must be carried out in accordance with the Waste Management Plan and maintained at all times, for the duration of development.

29. Prior to occupation of the development, public rubbish bin facilities must be provided adjacent to the shop frontage so as to be convenient to pedestrians, but positioned so as not to obstruct pedestrian movements, to the satisfaction of the City of Gosnells. Public rubbish bin facilities must be emptied daily, continuously maintained in good condition and the surrounding area kept free of litter thereafter for the duration of the development.
30. Prior to applying for a Building Permit, the proponent shall submit to the City of Gosnells for approval a preliminary proposal for an art work designed by a professional artist at a cost of 1% of the total project cost (to a maximum of \$250,000), to be located within the subject site as an integral part of the development. Alternatively, prior to occupation of the development, the owner/applicant shall make a cash contribution towards public art in lieu of the above.

Prior to the commencement of development, and if not making a cash contribution, the proponent shall submit to the City of Gosnells for approval an 'Application for Artwork Design' and the proponent is to enter into a contract with a professional artist/s to design and install (if appropriate) the artwork approved by the City of Gosnells.

Prior to the occupation of the development, the art work shall be installed and maintained thereafter to the satisfaction of the City of Gosnells.

31. Prior to occupation or use of the development, vehicle parking, manoeuvring and circulation areas shall be designed, constructed, sealed, drained, line marked and kerbed in accordance with:
- (i) The approved plan(s);
 - (ii) Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking facilities, Part 1: Off street car parking (for User Class 1A);
 - (iii) Australian/New Zealand Standard AS/NZS 2890.6:2009, Parking facilities, Part 6: Off street parking for people with disabilities;
 - (iv) Australian Standard AS 1428.1 2009, Design for access and mobility, Part 1: General Requirements for access New building work (by providing a link to the main entrance of the development by a continuous accessible path of travel); and
 - (v) Council's engineering requirements and design guidelines.

The car parking is to be maintained to the satisfaction of the City of Gosnells for the duration of the development.

Eugene Koltasz
Presiding Member, Metro Outer DAP



32. Prior to applying for a Building Permit, the landowner/applicant must submit a request to the City of Gosnells for amenity tree evaluations for all verge trees, including within the Albany Highway road reserve. The amenity value and removal cost of the street trees must be paid prior to occupation of the development.
The landowner/applicant must submit a request to the City of Gosnells in writing for an invoice to meet the total cost of the removal of the street trees.
The landowner/applicant is not permitted to undertake removal of, or engage a contractor to, undertake removal of any street tree. The City of Gosnells will remove the trees.
33. The development is approved until 15 April 2028. If the development is not substantially commenced by this date, the approval shall lapse and be of no further effect.
34. Prior to the issue of a Building Permit, the applicant must undertake a 15% design concept plan to determine the land requirements for both signalised access points. The concept plan is to demonstrate the land required to accommodate the signal infrastructure, truncations, sight lines, existing infrastructure, footpath and verge to Main Roads requirements.
35. Prior to lodgement of an application for a building permit, the applicant needs to demonstrate that ceding arrangements have been made in relation to the land required for the widening of Albany Highway, as shown on the Land Protection Plan No.201432-0109 (enclosed).
36. Prior to occupation of the development, the land required for the widening of Albany Highway, as per Condition 34 and 35, must be ceded free of cost to the State of Western Australia without any payment of compensation.
37. Prior to occupation of the development, easement(s) in accordance with Sections 195 and 196 of the Land Administration Act 1997 for the benefit of the City of Gosnells and Main Roads WA are to be placed on the certificate(s) of title of Lot 20 specifying access rights. Notice of this easement(s) is to be included on the diagram or plan of survey (deposited plan).
38. No works are permitted within the Albany Highway Road Reservation unless Main Roads has issued a Working on Roads Permit.
39. No part of the development, other than approved landscaping is to be located within the land requirement for Albany Highway as detailed in the enclosed Land Protection Plan No.201432-0109.
40. Any proposed illumination of the signage must not exceed 300 cd/m² (candela per square metre) during the daytime and 150 cd/m² during nighttime.
41. The signs must not contain fluorescent, reflective or retro-reflective colours or materials.
42. The signs shall only display static content of the business operating on the subject site.

Eugene Koltasz
Presiding Member, Metro Outer DAP



43. Stormwater shall not be discharged to the Albany Highway Road Reserve or the widened road reservation to the satisfaction of the City of Gosnells on advice of Main Roads Western Australia.
44. The 2,186m² 'pad site' shown on the approved Site Plan is not part of this application and is subject to future development applications.
45. Prior to occupation, the development shall be connected to the reticulated sewerage system to the specification of the Water Corporation and to the satisfaction of the City of Gosnells.

Advice Notes:

1. The associated plans and conditions approved under this development approval showing or requiring access to roads within the jurisdiction of Main Roads WA require the subsequent approval of Main Roads of WA for that access and should be read as subject to the jurisdiction of Main Roads of WA.
2. The upgrading/widening of Albany Highway is not in Main Roads current 4-year forward estimated construction program and all projects not listed are subject to change without notice, and Main Roads assumes no liability for the information provided.
3. Approval of signals or intersection modifications do not form part of this application. The installation of traffic signals will require further approval from Main Roads under the Main Roads Act 1930.
4. This property is affected by land reserved in the Metropolitan Region Scheme as shown on the attached extract of the Main Roads Land Protection Plan No.201432-0109.
5. The applicant is required to submit an Application form to undertake works within the road reserve prior to undertaking any works within the road reserve. Application forms and supporting information about the procedure can be found on the Main Roads website > Technical & Commercial > Working on Roads.

For clarity a consolidated list of conditions detailing the recommended condition amendments, deletions, renumbering and new conditions is provided as Attachment 11.

The Primary Motion (as amended) was put and CARRIED UNANIMOUSLY.

REASON: The Panel unanimously supported the proposed Form 2 amendments. Given the scale of the development, the panel was of the view the design amendments are relatively minor in nature and enhance the proposal without increasing any impact on the surrounding area. The key matters for Panel consideration were resolving issues around new and amended conditions, primarily relating to access/egress arrangements, the ceding of land for the widening of Albany Hwy and the access easements.

Eugene Koltasz
Presiding Member, Metro Outer DAP



**4.1b Lots 3, 4, 8, 17, 18, 20, 21, 23, 24, 25, 42, 201, 500 Albany Highway,
Maddington - Showroom (Bunnings Warehouse) – DAP/18/0154**

Deputations

The Western Australian Planning Commission addressed the DAP in relation to the application at Item 4.1b and responded to questions from the panel.

PRIMARY MOTION

Moved by: Cr David Goode

Seconded by: Cr Caren Baayans

That the Outer Metro DAP resolves to:

1. **Accept** that the DAP Application reference DAP/18/01540 as detailed on the DAP Form 2 dated 21 May 2025 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** DAP Application reference DAP/18/01540 and accompanying plans (TP-01, TP-02, TP-03, EP18-125) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, for the proposed minor amendment to the approved Warehouse (Showroom) for Bunnings Group Ltd and Limestone Track at Lots 3, 4, 17, 21, 23, 42, 200, 201, 500 and 501 Albany Highway, Maddington subject to:

Amended Conditions

7. Prior to the commencement of works, plans and technical specifications for a shared path extending from Gosnells Road West to Pitchford Avenue, adjacent to the Canning River foreshore shall be submitted and approved to the specification of the Department of Biodiversity, Conservation, and Attractions, City of Gosnells and Main Roads Western Australia and to the satisfaction of the Western Australian Planning Commission.
8. Prior to the commencement of works, a Landscape and Lighting Plan shall be submitted and approved to the specification of the Department of Biodiversity, Conservation and Attractions, the City of Gosnells and to the satisfaction of the Western Australian Planning Commission.
22. Prior to occupation of the development, a principal shared path shall be installed, in accordance with the plans and technical specifications approved through Condition No. 2, at no expense to the Crown, to the specification of the Department of Biodiversity, Conservation and Attractions and to the satisfaction of the Western Australian Planning Commission.

Eugene Koltasz
Presiding Member, Metro Outer DAP



25. Prior to commencement of works, amended plans are to be submitted to the satisfaction of the Western Australian Planning Commission and to the specifications of the Department of Biodiversity, Conservation and Attractions showing removal of the retaining walls at the rear of the site where it does not immediately abut a vehicle circulation road and provision of a landscaped slope to the adjoining Parks and Recreation reserve.

New Conditions

26. Prior to the issue of a Building Permit, the applicant is to undertake a 15% design concept plan to determine the land requirements for both signalised access points. The concept plan is to demonstrate the land required to accommodate the signal infrastructure, truncations, sight lines, existing infrastructure, footpath and verge to the specifications of Main Roads and the satisfaction of the Western Australian Planning Commission.
27. Prior to occupation of the development, the land required for the widening of Albany Highway, as per Condition 26, must be transferred free of cost to the Commissioner of Main Roads without any payment of compensation.
28. Prior to occupation of the development, the land required for the widening of Albany Highway, as shown on the Land Protection Plan No.201432-0109 (enclosed), must be transferred free of cost to the Commissioner of Main Roads without any payment of compensation.
29. Prior to occupation of the development, the applicant is to design and construct the required upgrades to Albany Highway and the intersections of Gosnells Road West and Pitchford Avenue to the specifications of Main Roads and to the satisfaction of the Western Australian Planning Commission. This includes any proposed deceleration lanes, slip lanes, crossovers, access ways and footpaths.
30. Easement(s) in accordance with Sections 195 and 196 of the Land Administration Act 1997 for the benefit of the Western Australian Planning Commission are to be placed on the certificate(s) of title of the amalgamated lot subject site required by Condition 30 to the satisfaction of the Western Australian Planning Commission. Notice of this easement(s) is to be included on the diagram or plan of survey (deposited plan). The easement(s) are to state as follows: "access".
31. Easement(s) in accordance with Sections 195 and 196 of the Land Administration Act 1997 for the benefit of Lot 5 (No. 2097) Albany Highway, Gosnells are to be placed on the certificate(s) of title of lots containing the proposed arrangement for Lot 5 to access Albany Highway to the satisfaction of the Western Australian Planning Commission. Notice of this easement(s) is to be included on the diagram or plan of survey (deposited plan). The easement(s) are to state as follows: "access"
32. Prior to the occupation of the development, the applicant is to construct a 6m wide crossover to allow access from the proposed private driveway to the Canning River foreshore to the satisfaction of the Western Australian Planning Commission.

Eugene Koltasz
Presiding Member, Metro Outer DAP



33. If development has not substantially commenced within two years of the date of this letter, the approval shall lapse and be of no further effect.

Amended Advice Notes

2. The Wetland Buffer Management Plan should address wetland values and how those values will be protected from the various urban threats including weeds and nutrient/hydrocarbon export on an ongoing basis. Provide details on any works proposed within the buffer area and how the works will be managed to protect the wetland and existing vegetation.
All significant vegetation should be identified and, where trees must be removed, replacement trees are to be planted at rate of no less than three (3) for each tree removed and those trees maintained to ensure ongoing viability.

New Advice Notes

14. Regarding Condition 4, Guidance for preparation of a Construction Environmental Management Plan is provided in the Department of Biodiversity Conservation and Attractions Guidance Note - Construction Environmental Management Plans and Swan and Canning River Management Authority Policies.
15. Regarding Condition 5, It is recommended that the biofilters are designed in accordance with the: *Adoption Guidelines for Stormwater Biofiltration Systems* (Payne et al. 2015) and the *Vegetation Guidelines for Stormwater Biofilters in the South-West of Western Australia* (Monash University 2014). The plan shall address, unless otherwise agreed in writing, that:
- a) stormwater run-off from constructed impervious surfaces generated by small rainfall events(i.e. the first 15 mm of rainfall) has been retained and/or detained at-source as much as practical (noting that untreated stormwater will not be permitted to enter the river).
 - b) pre-development hydrology for 1 exceedance per year (1 EY) and 1% annual exceedance probability (1% AEP) events (including peak flow rates, run-off volumes, floodplain storage volumes and flood levels) has been maintained (unless alterations have either been published in an approved catchment plan, or have been approved by writing by the Department of Biodiversity, Conservation and Attractions, Department of Water and Environmental Regulation and the Water Corporation, where applicable).
 - c) existing tributaries and surface water flow paths have been retained, or it is demonstrated that replacement with piped systems will maintain or improve the habitat values and water quality of receiving waterways.
 - d) details of any subsoil drains.
16. Regarding Condition 6, the Wetland Buffer Management Plan should include:
- a) the number of plants (and species) to be removed (noting that any native plants should be relocated where possible)

Eugene Koltasz
Presiding Member, Metro Outer DAP



- b) the location, details of the planting densities and species composition proposed for each area (noting that appropriate local native species should be planted in riparian zones at a ratio of 500:50:5 herbs/sedges:shrubs:trees for each 100m²)
 - c) a schedule of works
 - d) weed control, including target species and any chemicals to be used, and its management within a water sensitive environment
 - e) stabilisation measures (eg matting type and extent bioengineering solutions),
 - f) a reticulation plan, indicating type and location of sprinkler, bubbler, drippers and if bore or scheme water will be utilised
 - g) fencing requirements
 - h) ongoing monitoring and maintenance requirements
17. Regarding Condition 8, lighting should be designed to minimise light spill so that fauna, community enjoyment and visual amenity are not unacceptably affected. All lighting is to be consistent with the National Light Pollution Guidelines for Wildlife (Department of Climate Change, Energy, the Environment and Water, 2023) and AS4282 Control of the Obtrusive Effects of Outdoor Lighting.

All other conditions and requirements detailed on the previous approval dated 22 January 2020 and the Form 2 approval dated 13 November 2020 shall remain unless altered by this application.

AMENDING MOTION 1

Moved by: John Syme

Seconded by: Dale Page

That Condition No. 33 be amended to read as follows:

If development has not substantially commenced ~~within two years of the date of this letter~~ by the 15th of April 2028, the approval shall lapse and be of no further effect.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The amendment brings the condition into alignment with the same condition in the City of Gosnells RAR.

AMENDING MOTION 2

Moved by: John Syme

Seconded by: Dale Page

That Condition No. 30 be amended to read as follows:

Easement(s) in accordance with Sections 195 and 196 of the Land Administration Act 1997 for the benefit of the Western Australian Planning Commission are to be placed on the certificate(s) of title of the ~~amalgamated lot subject site required by Condition 30~~ subject site to the satisfaction of the Western Australian Planning Commission. Notice of this easement(s) is to be included on the diagram or plan of survey (deposited plan). The easement(s) are to state as follows: "access".

Eugene Koltasz
Presiding Member, Metro Outer DAP



The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To reflect the intent of the WAPC and to remove the typo within the condition referring to Condition 30.

AMENDING MOTION 3

Moved by: Dale Page

Seconded by: John Syme

That Condition No. 22 be amended to read as follows:

Prior to occupation of the development, a principal shared path shall be installed, in accordance with the plans and technical specifications approved through Condition No. 2 7, at no expense to the Crown, to the specification of the Department of Biodiversity, Conservation and Attractions and to the satisfaction of the Western Australian Planning Commission.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: Proposed Condition 22 refers to installation of the PSP in accordance with the specifications approved in Condition 2. This appears to be a typo and should reference Condition 7.

PRIMARY MOTION (AS AMENDED)

That the Outer Metro DAP resolves to:

1. **Accept** that the DAP Application reference DAP/18/01540 as detailed on the DAP Form 2 dated 21 May 2025 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** DAP Application reference DAP/18/01540 and accompanying plans (TP-01, TP-02, TP-03, EP18-125) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, for the proposed minor amendment to the approved Warehouse (Showroom) for Bunnings Group Ltd and Limestone Track at Lots 3, 4, 17, 21, 23, 42, 200, 201, 500 and 501 Albany Highway, Maddington subject to:

Amended Conditions

6. Prior to the commencement of works, plans and technical specifications for a shared path extending from Gosnells Road West to Pitchford Avenue, adjacent to the Canning River foreshore shall be submitted and approved to the specification of the Department of Biodiversity, Conservation, and Attractions, City of Gosnells and Main Roads Western Australia and to the satisfaction of the Western Australian Planning Commission.

Eugene Koltasz
Presiding Member, Metro Outer DAP



8. Prior to the commencement of works, a Landscape and Lighting Plan shall be submitted and approved to the specification of the Department of Biodiversity, Conservation and Attractions, the City of Gosnells and to the satisfaction of the Western Australian Planning Commission.
22. Prior to occupation of the development, a principal shared path shall be installed, in accordance with the plans and technical specifications approved through Condition No. 7, at no expense to the Crown, to the specification of the Department of Biodiversity, Conservation and Attractions and to the satisfaction of the Western Australian Planning Commission.
25. Prior to commencement of works, amended plans are to be submitted to the satisfaction of the Western Australian Planning Commission and to the specifications of the Department of Biodiversity, Conservation and Attractions showing removal of the retaining walls at the rear of the site where it does not immediately abut a vehicle circulation road and provision of a landscaped slope to the adjoining Parks and Recreation reserve.

New Conditions

26. Prior to the issue of a Building Permit, the applicant is to undertake a 15% design concept plan to determine the land requirements for both signalised access points. The concept plan is to demonstrate the land required to accommodate the signal infrastructure, truncations, sight lines, existing infrastructure, footpath and verge to the specifications of Main Roads and the satisfaction of the Western Australian Planning Commission.
27. Prior to occupation of the development, the land required for the widening of Albany Highway, as per Condition 26, must be transferred free of cost to the Commissioner of Main Roads without any payment of compensation.
28. Prior to occupation of the development, the land required for the widening of Albany Highway, as shown on the Land Protection Plan No.201432-0109 (enclosed), must be transferred free of cost to the Commissioner of Main Roads without any payment of compensation.
29. Prior to occupation of the development, the applicant is to design and construct the required upgrades to Albany Highway and the intersections of Gosnells Road West and Pitchford Avenue to the specifications of Main Roads and to the satisfaction of the Western Australian Planning Commission. This includes any proposed deceleration lanes, slip lanes, crossovers, access ways and footpaths.
30. Easement(s) in accordance with Sections 195 and 196 of the Land Administration Act 1997 for the benefit of the Western Australian Planning Commission are to be placed on the certificate(s) of title of the subject site to the satisfaction of the Western Australian Planning Commission. Notice of this easement(s) is to be included on the diagram or plan of survey (deposited plan). The easement(s) are to state as follows: "access".

Eugene Koltasz
Presiding Member, Metro Outer DAP



31. Easement(s) in accordance with Sections 195 and 196 of the Land Administration Act 1997 for the benefit of Lot 5 (No. 2097) Albany Highway, Gosnells are to be placed on the certificate(s) of title of lots containing the proposed arrangement for Lot 5 to access Albany Highway to the satisfaction of the Western Australian Planning Commission. Notice of this easement(s) is to be included on the diagram or plan of survey (deposited plan). The easement(s) are to state as follows: "access"
32. Prior to the occupation of the development, the applicant is to construct a 6m wide crossover to allow access from the proposed private driveway to the Canning River foreshore to the satisfaction of the Western Australian Planning Commission.
33. If development has not substantially commenced by the 15th of April 2028, the approval shall lapse and be of no further effect.

Amended Advice Notes

2. The Wetland Buffer Management Plan should address wetland values and how those values will be protected from the various urban threats including weeds and nutrient/hydrocarbon export on an ongoing basis. Provide details on any works proposed within the buffer area and how the works will be managed to protect the wetland and existing vegetation.

All significant vegetation should be identified and, where trees must be removed, replacement trees are to be planted at rate of no less than three (3) for each tree removed and those trees maintained to ensure ongoing viability.

New Advice Notes

14. Regarding Condition 4, Guidance for preparation of a Construction Environmental Management Plan is provided in the Department of Biodiversity Conservation and Attractions Guidance Note - Construction Environmental Management Plans and Swan and Canning River Management Authority Policies.
15. Regarding Condition 5, It is recommended that the biofilters are designed in accordance with the: *Adoption Guidelines for Stormwater Biofiltration Systems* (Payne et al. 2015) and the *Vegetation Guidelines for Stormwater Biofilters in the South-West of Western Australia* (Monash University 2014). The plan shall address, unless otherwise agreed in writing, that:
 - a) stormwater run-off from constructed impervious surfaces generated by small rainfall events(i.e. the first 15 mm of rainfall) has been retained and/or detained at-source as much as practical (noting that untreated stormwater will not be permitted to enter the river).

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- b) pre-development hydrology for 1 exceedance per year (1 EY) and 1% annual exceedance probability (1% AEP) events (including peak flow rates, run-off volumes, floodplain storage volumes and flood levels) has been maintained (unless alterations have either been published in an approved catchment plan, or have been approved by writing by the Department of Biodiversity, Conservation and Attractions, Department of Water and Environmental Regulation and the Water Corporation, where applicable).
- c) existing tributaries and surface water flow paths have been retained, or it is demonstrated that replacement with piped systems will maintain or improve the habitat values and water quality of receiving waterways.
- d) details of any subsoil drains.

16. Regarding Condition 6, the Wetland Buffer Management Plan should include:

- a) the number of plants (and species) to be removed (noting that any native plants should be relocated where possible)
- b) the location, details of the planting densities and species composition proposed for each area (noting that appropriate local native species should be planted in riparian zones at a ratio of 500:50:5 herbs/sedges:shrubs:trees for each 100m²)
- c) a schedule of works
- d) weed control, including target species and any chemicals to be used, and its management within a water sensitive environment
- e) stabilisation measures (eg matting type and extent bioengineering solutions),
- f) a reticulation plan, indicating type and location of sprinkler, bubbler, drippers and if bore or scheme water will be utilised
- g) fencing requirements
- h) ongoing monitoring and maintenance requirements

17. Regarding Condition 8, lighting should be designed to minimise light spill so that fauna, community enjoyment and visual amenity are not unacceptably affected. All lighting is to be consistent with the National Light Pollution Guidelines for Wildlife (Department of Climate Change, Energy, the Environment and Water, 2023) and AS4282 Control of the Obtrusive Effects of Outdoor Lighting.

All other conditions and requirements detailed on the previous approval dated 22 January 2020 and the Form 2 approval dated 13 November 2020 shall remain unless altered by this application.

The Primary Motion (as amended) was put and CARRIED UNANIMOUSLY.

REASON: The Panel unanimously supported the proposed Form 2 amendments. Given the scale of the development, the Panel was of the view the design amendments are relatively minor in nature and enhance the proposal without increasing any impact on the surrounding area. The key matters for panel consideration were resolving issues around new and amended conditions, primarily relating to access/egress arrangements, the ceding of land for the widening of Albany Hwy and access easements.

5. Section 31 SAT Reconsiderations

Nil

Eugene Koltasz
Presiding Member, Metro Outer DAP



*Cr David Goode and Cr Caren Baayans (Local Government Member, City of Gosnells)
left the panel at 11:57am.*

A handwritten signature in blue ink, reading "Eugene Koltasz".

Eugene Koltasz
Presiding Member, Metro Outer DAP



PART C – CITY OF MANDURAH

Mayor Caroline Knight and Cr Peter Rogers (Local Government Member, City of Mandurah) joined the panel at 12:08pm.

1. Declaration of Due Consideration

All members declared that they had duly considered the documents contained within Part B of the Agenda and Part B of the Related Information.

2. Disclosure of Interests

Nil

3. Form 1 DAP Applications

3.1 Lot 502 (No.400) Pinjarra Road, Greenfields - Proposed Bulky Goods Showroom – DAP/25/02919

Deputations

Nik Hidding (Hidding Urban Planning) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

The City of Mandurah addressed the DAP in relation to the application at Item 3.1 and responded to questions from the panel.

PRIMARY MOTION

Moved by: Mayor Caroline Knight

Seconded by: Dale Page

That the Metro Outer DAP resolves to:

1. **Approve** DAP Application reference and accompanying plans (Plan No 9477, Revision SK025) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the City of Mandurah Local Planning Scheme No. 12, subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. The development shall be carried out and fully implemented in accordance with the details indicated on the stamped approved plan(s) unless otherwise required or agreed in writing by the City of Mandurah, including the following modifications illustrated in red ink:

Eugene Koltasz
Presiding Member, Metro Outer DAP



- a. The setback of the “back of house” portion of Building 1 shall be increased to a minimum of 6m from all boundaries.
 - b. The Motor Vehicle Repair tenancy (“Tenancy 9”) is to be replaced with Bulky Goods Showroom tenancy.
 - c. The proposed crossover via Lakes Road to the east shall be identified as left in / left out movement only.
 - d. Incorporate window openings to the facades addressing Pinjarra and Lakes Road and to the eastern facade in Building 1 to the satisfaction of the City of Mandurah.
3. All uncovered car parking bays to be in accordance with Australian Standard AS2890.1. Any bays adjacent to kerbs or for those bays that are to be used for disabled parking, shall be in accordance with Australian Standards AS1428.1

Prior to Construction

4. Prior to the commencement of site works, a detailed stormwater plan must be submitted to and approved by the City of Mandurah showing all stormwater from roofed and paved areas being collected and disposed of on-site in accordance with water sensitive design principles.
5. Prior to the commencement of site works, a Construction Management Plan shall be submitted to and approved by the City of Mandurah. The Plan must detail how the site will be managed during and after works are completed, in order to minimise issues associated with dust/sand, erosion, noise, vibration, traffic and general construction issues. The approved plan must thereafter be implemented to the satisfaction of the City of Mandurah.

Prior to Occupation

6. Prior to occupancy, the landowner shall enter into a deed of agreement with the City of Mandurah and adjoining Lots 105, 9003 and 9100 for the creation of a reciprocal car parking and access easement. The easement shall ensure reciprocal rights of access and will be placed on the title as an encumbrance which will facilitate the movement of vehicles and pedestrians over the subject lots to the satisfaction of the City of Mandurah. All costs associated with the preparation and registration of the encumbrance shall be borne by the applicant.
7. Prior to the commencement of site works, a detailed landscaping plan for the subject site and road verge(s) must be submitted to, and approved to the satisfaction of the City of Mandurah, and must include the following:
 - The location, number and type of proposed trees and shrubs;
 - Any existing vegetation and/or landscaped areas to be retained;
 - Pedestrian, paving and lighting treatments;
 - An implementation schedule; and,
 - Maintenance/management responsibilities.

Eugene Koltasz
Presiding Member, Metro Outer DAP



The plan, once approved, shall be implemented and maintained to the satisfaction of the City of Mandurah.

8. Prior to the commencement of the use, vehicle parking, manoeuvring and circulation areas shall be suitably constructed, sealed, drained, kerbed, marked (including loading and disabled bays), and thereafter maintained to the specification and satisfaction of the City of Mandurah.
9. The HVAC and services shall be appropriately screened from public view to the specifications and satisfaction of the City of Mandurah.
10. Bicycle parking facilities shall be provided within the precinct to the satisfaction of the City of Mandurah.

Ongoing Conditions

11. All delivery and service vehicles must be located entirely on the site, and have their engines and refrigeration units turned off during loading and unloading of goods associated with the use of the site, and shall only access the site during the 'day period' of 7:00am to 7:00pm Monday to Saturday, and 9:00am to 7:00pm Sunday to the satisfaction of the City of Mandurah.
12. Rubbish collection vehicles, forklifts and similar equipment shall not enter the site or be operated on site outside of 7am to 7pm Monday to Saturday and 9am and 7pm Sundays and Public Holidays, unless otherwise approved by the City of Mandurah.
13. Security, building, signage and carpark lighting must be located, designed and installed to prevent excess light spillage from the development and must comply with AS4282 Control of the Obtrusive Effects of Outdoor Lighting and other relevant lighting standards.
14. Window signage, heavy tinting and imagery are limited to 25% of the total glass area of the elevation for the entire development unless otherwise approved by the City of Mandurah.
15. Painting, heavy tinting or otherwise obscuring of the shop front is not permitted to ensure interaction between the car parking area / street and shop floor is maintained unless otherwise approved by the City of Mandurah.

Advice Notes

1. Prior to any work commencing, an application for a building permit is to be submitted to and approved by the City of Mandurah.
2. In relation to Condition 6, the City of Mandurah's solicitors are required to check any deed prepared, at the applicant's cost. Alternatively, the City's solicitors (at the applicant's cost) may prepare the required deed by completing an authority form with the City. A survey quality sketch, showing the required access easement on the subject lot, is required and shall be prepared by a practicing land surveyor.

Eugene Koltasz
Presiding Member, Metro Outer DAP



AMENDING MOTION 1

Moved by: Dale Page

Seconded by: John Syme

That Condition No. 2 a. be amended to read as follows:

The development shall be carried out and fully implemented in accordance with the details indicated on the stamped approved plan(s) unless otherwise required or agreed in writing by the City of Mandurah, including the following modifications illustrated in red ink:

- a. *The setback of the "back of house" portion of Building 1 shall be increased to a minimum of ~~6~~3.26m from all boundaries.*
- b. *The Motor Vehicle Repair tenancy ("Tenancy 9") is to be replaced with Bulky Goods Showroom tenancy.*
- c. *The proposed crossover via Lakes Road to the east shall be identified as left in / left out movement only.*
- d. *Incorporate window openings to the facades addressing Pinjarra and Lakes Road and to the eastern facade in Building 1 to the satisfaction of the City of Mandurah.*

The Amending Motion was put and CARRIED (3/2).

For: Eugene Koltasz
Dale Page
John Syme

Against: Mayor Caroline Knight
Cr Peter Rogers

REASON: When the applicant was made aware of this condition, the applicant submitted an amended Site Plan to the City showing an increased setback to 3.26m. The back of house area is now set back further from Lakes Road, reducing building bulk when viewed at pedestrian level and the city has advised that the new setback is acceptable. The amended condition reflects this agreement.

AMENDING MOTION 2

Moved by: Dale Page

Seconded by: John Syme

That Condition No. 2 b. be deleted and the remaining conditions be renumbered accordingly.

The Amending Motion was put and CARRIED (3/2).

For: Eugene Koltasz
Dale Page
John Syme

Eugene Koltasz
Presiding Member, Metro Outer DAP



Against: Mayor Caroline Knight
Cr Peter Rogers

REASON: The City has recommended removal of the motor vehicle repairs tenancy because it is listed in the current (outdated) structure plan as a use which is Not Permitted, even though the use is ordinarily capable of approval under the Service Commercial zone. The structure plan needs to be given due regard only and given there are no other concerns or amenity impacts associated with the use, and given the use will benefit the local community, the panel was satisfied that the use could be approved on the site.

AMENDING MOTION 3

Moved by: Dale Page

Seconded by: John Syme

That Condition No. 2 d. (now Condition 2 c.) be deleted and the remaining conditions be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The plans have already been amended to include these openings, so the condition is not needed.

AMENDING MOTION 4

Moved by: Dale Page

Seconded by: John Syme

That Condition No. 13 be amended to read as follows:

Security, building, signage and carpark lighting must be located, designed and installed to prevent excess light spillage from the development and must comply with AS4282 Control of the Obtrusive Effects of Outdoor Lighting and other relevant lighting standards to the satisfaction of the City of Mandurah.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: This ensures that installation, future replacement, and ongoing use of the lighting meets the requirements of the relevant Australian Standard, to the satisfaction of the City of Mandurah. The additional wording removed the potential for any disagreement or differences in agreement about whether the standard is being met.

AMENDING MOTION 5

Moved by: Dale Page

Seconded by: Eugene Koltasz

That Condition No. 15 be deleted and the remaining conditions be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY.

Eugene Koltasz
Presiding Member, Metro Outer DAP



REASON: The condition is at odds with the intent of Condition 14 and Condition 14 already deals with the issue of tinting or obscuring the glazing.

AMENDING MOTION 6

Moved by: Mayor Caroline Knight

Seconded by: Dale Page

That Condition No. 7 be amended to read as follows:

Prior to the commencement of site works, a detailed landscaping plan for the subject site and road verge(s) must be submitted to, and approved to the satisfaction of the City of Mandurah, and must include the following:

- *The location, number and type of proposed trees and shrubs;*
- *Any existing vegetation and/or landscaped areas to be retained;*
- *Pedestrian, paving and lighting treatments;*
- *An implementation schedule; and,*
- *Maintenance/management responsibilities.*
- ***Particular focus on the corner of the site at the intersection of Lakes and Pinjarra Road***

The plan, once approved, shall be implemented and maintained to the satisfaction of the City of Mandurah.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To ensure the reduced setback to this intersection is well-landscaped to mitigate any impacts of the reduced setback in this location.

PRIMARY MOTION (AS AMENDED)

That the Metro Outer DAP resolves to:

1. **Approve** DAP Application reference and accompanying plans (Plan No 9477, Revision SK025) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the City of Mandurah Local Planning Scheme No. 12, subject to the following conditions:

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1. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. The development shall be carried out and fully implemented in accordance with the details indicated on the stamped approved plan(s) unless otherwise required or agreed in writing by the City of Mandurah, including the following modifications illustrated in red ink:

Eugene Koltasz
Presiding Member, Metro Outer DAP



- a. The setback of the “back of house” portion of Building 1 shall be increased to a minimum of 3.26m from all boundaries.
 - b. The proposed crossover via Lakes Road to the east shall be identified as left in / left out movement only.
3. All uncovered car parking bays to be in accordance with Australian Standard AS2890.1. Any bays adjacent to kerbs or for those bays that are to be used for disabled parking, shall be in accordance with Australian Standards AS1428.1

Prior to Construction

4. Prior to the commencement of site works, a detailed stormwater plan must be submitted to and approved by the City of Mandurah showing all stormwater from roofed and paved areas being collected and disposed of on-site in accordance with water sensitive design principles.
5. Prior to the commencement of site works, a Construction Management Plan shall be submitted to and approved by the City of Mandurah. The Plan must detail how the site will be managed during and after works are completed, in order to minimise issues associated with dust/sand, erosion, noise, vibration, traffic and general construction issues. The approved plan must thereafter be implemented to the satisfaction of the City of Mandurah.

Prior to Occupation

6. Prior to occupancy, the landowner shall enter into a deed of agreement with the City of Mandurah and adjoining Lots 105, 9003 and 9100 for the creation of a reciprocal car parking and access easement. The easement shall ensure reciprocal rights of access and will be placed on the title as an encumbrance which will facilitate the movement of vehicles and pedestrians over the subject lots to the satisfaction of the City of Mandurah. All costs associated with the preparation and registration of the encumbrance shall be borne by the applicant.
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 - The location, number and type of proposed trees and shrubs;
 - Any existing vegetation and/or landscaped areas to be retained;
 - Pedestrian, paving and lighting treatments;
 - An implementation schedule; and,
 - Maintenance/management responsibilities.
 - Particular focus on the corner of the site at the intersection of Lakes and Pinjarra Road

The plan, once approved, shall be implemented and maintained to the satisfaction of the City of Mandurah.

Eugene Koltasz
Presiding Member, Metro Outer DAP



8. Prior to the commencement of the use, vehicle parking, manoeuvring and circulation areas shall be suitably constructed, sealed, drained, kerbed, marked (including loading and disabled bays), and thereafter maintained to the specification and satisfaction of the City of Mandurah.
9. The HVAC and services shall be appropriately screened from public view to the specifications and satisfaction of the City of Mandurah.
10. Bicycle parking facilities shall be provided within the precinct to the satisfaction of the City of Mandurah.

Ongoing Conditions

11. All delivery and service vehicles must be located entirely on the site, and have their engines and refrigeration units turned off during loading and unloading of goods associated with the use of the site, and shall only access the site during the 'day period' of 7:00am to 7:00pm Monday to Saturday, and 9:00am to 7:00pm Sunday to the satisfaction of the City of Mandurah.
12. Rubbish collection vehicles, forklifts and similar equipment shall not enter the site or be operated on site outside of 7am to 7pm Monday to Saturday and 9am and 7pm Sundays and Public Holidays, unless otherwise approved by the City of Mandurah.
13. Security, building, signage and carpark lighting must be located, designed and installed to prevent excess light spillage from the development and must comply with AS4282 Control of the Obtrusive Effects of Outdoor Lighting and other relevant lighting standards to the satisfaction of the City of Mandurah.
14. Window signage, heavy tinting and imagery are limited to 25% of the total glass area of the elevation for the entire development unless otherwise approved by the City of Mandurah.

Advice Notes

1. Prior to any work commencing, an application for a building permit is to be submitted to and approved by the City of Mandurah.
2. In relation to Condition 6, the City of Mandurah's solicitors are required to check any deed prepared, at the applicant's cost. Alternatively, the City's solicitors (at the applicant's cost) may prepare the required deed by completing an authority form with the City. A survey quality sketch, showing the required access easement on the subject lot, is required and shall be prepared by a practicing land surveyor.

The Primary Motion (as amended) was put and CARRIED UNANIMOUSLY.

REASON: The proposal largely meets the provisions of the planning scheme and the areas where discretion is being sought, have been well justified in the City's RAR. The proposal is largely supported by the City's Design Review Panel and the remaining issues for consideration raised by the Panel have either been responded to in the RAR or have been included as conditions of approval.

Eugene Koltasz
Presiding Member, Metro Outer DAP



PART E – OTHER BUSINESS

1. State Administrative Tribunal Applications and Supreme Court Appeals

The DAP noted the status of the following State Administrative Tribunal Applications and Supreme Court Appeals:

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/24/02689 DR106/2025	City of Kwinana	Lot 9000 (129) Orton Road, Casuarina	Extractive Industry (Sand)	16/7/2025

2. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 12.42pm.

Eugene Koltasz
Presiding Member, Metro Outer DAP