



Regional Development Assessment Panel Minutes

Meeting Date and Time: Thursday, 14 May 2026; 9:30AM
Meeting Number: RDAP/74
Meeting Venue: 140 William Street, Perth

A recording of the meeting is available via the following link:
[RDAP/74 - 14 May 2026 - Shire of Exmouth](#)

PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement
2. Apologies
3. Noting of Minutes

PART B – SHIRE OF EXMOUTH

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 2 on Plan 14686 and Lot 557 on Deposited Plan 412260, Yardie Creek Road, North West Cape - Proposed Tourism Development - DAP/25/03025
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

PART C – OTHER BUSINESS

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

Clayton Higham
Presiding Member, Regional DAP



DAP Members

Clayton Higham (Presiding Member)

Karen Hyde (Deputy Presiding Member)

Agata Cabanek

Cr Gary Mounsey (Part B – Shire of Exmouth)

Cr Matthew Thorburn (Part B – Shire of Exmouth)

DAP Secretariat

Shanara Wijethunga

Kristen Gray

Clayton Higham
Presiding Member, Regional DAP



Part B – SHIRE OF EXMOUTH
Applicant
Daniel Lees (SLR Consulting (formerly Element Advisory)) Daniel Griffin (Fiveight) Anton Kuczerepa (Fiveight)
Officers/Technical Advisors in Attendance
Tony Dowling Ben Lewis

Members of the Public / Media

Nil

Observers via livestream

There were 2 persons observing the meeting via the livestream.

Clayton Higham
Presiding Member, Regional DAP



PART A – INTRODUCTION

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:33am on 14 May 2026 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 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

Cr Kirsty Devereux (Local Government DAP Member, Shire of Exmouth)

3. Noting of Minutes

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

Clayton Higham
Presiding Member, Regional DAP



PART B – SHIRE OF EXMOUTH

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 2 on Plan 14686 and Lot 557 on Deposited Plan 412260, Yardie Creek Road, North West Cape - Proposed Tourism Development - DAP/25/03025

Deputations

Daniel Lees (SLR Consulting (formerly Element Advisory)) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

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

SUBSTANTIVE MOTION

Moved by: Karen Hyde

Seconded by: Cr Gary Mounsey

That the Regional Development Assessment Panel resolves to:

1. **Accept** that the DAP Application reference DAP/25/03025 is appropriate for consideration as a “Tourist Development” land use and compatible with the objectives of the zoning table in accordance with Clause 3.10.4.1 of the *Shire of Exmouth Local Planning Scheme No. 4*;
2. **Approve**, pursuant to clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, DAP Application reference DAP/25/03025, generally in accordance with the applicant’s Development Application (DA) document 17-601 dated November 2025 (Attachment 1), **subject to the following conditions:**

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Presiding Member, Regional DAP



Conditions

1. Prior to the submission of an application for the relevant building permit, the following is to be provided to the satisfaction of the Shire of Exmouth, upon the advice of the Director, Historic Heritage Conservation:
 - (i) The existing wall to the north of the fireplace is to be retained and the wall nib to the southern portion of the fireplace is to be retained;
 - (ii) Demarcation of the removed party wall is to be expressed in the floor finish in addition to the wall nibs being retained to articulate and interpret the original internal layout;
 - (iii) Details showing new openings to be of contemporary style and without quoining detail;
 - (iv) Details showing doors enclosing the breezeways to be predominantly glazed, contemporary in style and visually lightweight;
 - (v) A standard archival record of the Lighthouse Quarters in accordance with the *Guide-to-Preparing-an-Archival-Record-2019.pdf*
 - (vi) An Interpretation Plan for the Lighthouse Quarters, including a proposal for implementation.

The Plan must interpret the following:

- (a) The history and significance of the Lighthouse Quarters, including the significance of the place as a rare duplex lighthouse keeper's residence;
 - (b) The important relationship between the Lighthouse and Lighthouse Quarters;
 - (c) The existing pathway between the Lighthouse and the Lighthouse Quarters;
 - (d) The social history of the Lighthouse Quarters and the lives of the people who lived there and worked in the adjacent Lighthouse; and
 - (e) The original internal layout and room functions of the Lighthouse Quarters;
- (vii) A structural engineering report demonstrating that the proposed demolition within the Lighthouse Quarters will not undermine the structural integrity of the building;
 - (viii) A detailed schedule of conservation works for the Lighthouse Quarters including a written specification and plans;
 - (ix) A paint schedule for the Lighthouse Quarters on the findings of a detailed paint analysis of previous finishes;
 - (x) A dilapidation survey prepared by a structural engineer that records the current condition of the Lighthouse Quarters and existing damage, and elements that are likely to be impacted by the approved development;

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2. The proposed conservation works as listed in preceding condition 1 are to be executed and completed to the satisfaction of the Shire of Exmouth, upon the advice of the Director, Historic Heritage Conservation, and prior to the use commencing;
3. Prior to the submission of an application for the relevant building permit, the Site Plan (Proposed Masterplan) provided at Attachment 2 and other relevant plans (where necessary) listed in the W-B Woods Bagot Drawing Schedule (Project number 161002) contained in Attachment 1, are to be suitably modified to the satisfaction of the Shire of Exmouth, denoting an additional 9 onsite car bays within the overflow guest parking area (numbered 16 on the Site Plan).

An endorsed copy of the modified plans shall form part of the development approval hereby granted;

4. Prior to the submission of an application for the relevant building permit, the Landscape Design Report (Emerge Associates, dated 15-08-2025) is to be suitably modified delineating retention and incorporation of the existing pathway between the Lighthouse and the Lighthouse Quarters.

An endorsed copy of the modified Landscape Design Report shall form part of the development approval hereby granted;

5. Prior to the use commencing, landscaping of the subject site shall be executed, and be maintained thereafter, generally in accordance with the endorsed modified Landscape Design Report (Emerge Associates, dated 15-08-2025), to the satisfaction of the Shire of Exmouth;

The existing pathway between the Lighthouse and the Lighthouse Quarters must be visible from the Lighthouse and be maintained thereafter;

6. Prior to the submission of an application for the relevant building permit, submission of a revised engineering services report containing additional stormwater management information on the advice of the Departments of Water and Environmental Regulation (DWER) and the Department of Biodiversity Conservation and Attractions (DBCA), for approval by the Shire of Exmouth.

The approved revised engineering services report is to be executed prior to the use commencing, and shall be adhered to thereafter, to the satisfaction of the Shire of Exmouth;

7. Prior to the submission of an application for the relevant building permit, final details of the materials, colours and finishes of the exterior of all buildings, including a materials and finishes schedule for the Lighthouse Quarters and adjacent restaurant, are to be submitted for approval by the Shire of Exmouth.

Approval of the materials and finishes schedule for the Lighthouse Quarters and adjacent restaurant shall be subject to the advice and endorsement of the Director, Historic Heritage Conservation;

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8. Prior to the submission of an application for the relevant building permit, a signage strategy is to be submitted for approval by the Shire of Exmouth.

The approved signage strategy is to be executed prior to the use commencing, and shall be adhered to thereafter, to the satisfaction of the Shire of Exmouth;

9. Prior to works commencing, submission of a revised Landscape and Visual Impact Assessment, prepared in consultation with the Department of Biodiversity Conservation and Attractions (DBCA), to the satisfaction of the Shire of Exmouth.

The endorsed revised Landscape and Visual Impact Assessment is to be executed prior to the use commencing, and shall be adhered to thereafter, to the satisfaction of the Shire of Exmouth;

10. Prior to the use commencing, the Bushfire Management Plan (JBS&G, 167,153/63388 (Rev 4), dated 21 August 2025) shall be executed and adhered to thereafter, to the satisfaction of the Shire of Exmouth;

11. Prior to the use commencing, the Bushfire Emergency Plan (JBS&G, 36688/168,268 (Rev 4), dated 21 August 2025) shall be executed and adhered to thereafter, to the satisfaction of the Shire of Exmouth;

12. Prior to the use commencing, and pursuant to Section 70A of the *Transfer of Land Act 1893*, the following notification shall be registered on the Certificate of Title to the subject land and also be included on the relevant Deposited Plan:

"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";

13. Prior to the use commencing, certification shall be provided by a suitably qualified/accredited Bushfire Consultant that the measures included in the approved Bushfire Management Plan and Bushfire Emergency Plan have been fully implemented to the satisfaction of the Shire of Exmouth;

14. Prior to the use commencing, the Waste Management Plan (Talis Consultants, Project Number WMP25032, dated 1 August 2025) shall be executed and adhered to thereafter, to the satisfaction of the Shire of Exmouth;

15. Prior to works commencing, submission to the Shire of Exmouth of a water management report (WMR), incorporating a site and soil evaluation report of the subject land, that has been prepared on the advice of the Department of Water and Environmental Regulation (DWER).

The approved WMR is to be executed prior to the use commencing, and be adhered to thereafter, to the satisfaction of the Shire of Exmouth;

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16. Prior to works commencing, submission of details of a proposed public artwork – with a minimum value of \$700,000 – for approval by the Shire of Exmouth.

The approved public artwork shall be installed within the development site prior to the approved use commencing, and shall be maintained thereafter, to the satisfaction of the Shire of Exmouth;

17. All proposed access driveways/roads, internal vehicle manoeuvring areas, car and bus parking bays, footpaths and buggy paths, being designed and constructed to the specifications and satisfaction of the Shire of Exmouth prior to the use commencing, and thereafter be maintained, to the satisfaction of the Shire of Exmouth;

18. A Construction Management Plan (CMP) shall be submitted to and be approved by the Shire of Exmouth before construction commences. The CMP shall detail how it is proposed to—

(A) Manage:

- noise from carrying out work and from plant and trucks;
- hours of operation;
- light;
- dust issues;
- the delivery of materials and equipment to the site;
- protection of existing roads, footpaths and services;
- site security and the storage of materials and equipment on the site; and
- the parking arrangements for contractors and subcontractors; and

- (B) Protect the Lighthouse Quarters and Grave whilst site works and development is being undertaken.

The manner in which it is proposed to protect the Lighthouse Quarters and Grave shall be subject to the advice and endorsement of the Director, Historic Heritage Conservation;

19. Prior to the use commencing, Lots 2 and 557 Yardie Creek Road are to be legally amalgamated into a single lot and be comprised within a single Certificate of Title;
20. This decision constitutes development approval only and is valid for a period of 4 years from the date of approval. If the approved development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect;

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Presiding Member, Regional DAP



Advice Notes

1. This is a development approval only, and does not constitute nor is to be taken as any other approval, permit, license etc required to be obtained under other legislation.

It is the applicant's responsibility to identify and obtain any other relevant approvals, permits, licences etc required as well as any relevant due diligence to be undertaken, before the use hereby approved commences.

In particular, the following licences, approvals and permits may be required—

- Groundwater licenses pursuant to the *Rights in Water and Irrigation Act 1914*;
 - Native vegetation clearing permits pursuant to Part V of the *Environmental Protection Act 1986*; and
 - Works approvals for the proposed waste water treatment plant and water desalination plant pursuant to Part V of the *Environmental Protection Act 1986*.
2. In respect to condition 1, the number of proposed staff parking bays denoted on relevant plans contained in the W-B Woods Bagot Drawing Schedule (Project number 161002) (Attachment 1) may be reduced by up to 9 bays accordingly (in lieu of the 9 additional bays required to be provided within the proposed overflow parking area);
 3. In respect to condition 5, and with regard to the visual amenity impacts on the land and seascape values of the Jurabi Coastal Park and the Ningaloo Marine Park, the Department of Biodiversity, Conservation and Attractions (DBCA) advises that the LVIA is to be revised to –
 - (i) Clarify the colours and materials to be used on external surfaces with a commitment to minimise surfaces with potential to create glare or reflection;
 - (ii) Demonstrate that the proposed vegetation will achieve screening outcomes, with a commitment to integrating screening objectives with the proposed landscape design at key viewpoints, where possible; and
 - (iii) Provide trigger criteria to ensure that visual amenity impacts from the proposal do not increase over time;
 4. In respect to condition 12, the required Water Management Report (WMR) is to be prepared in accordance with *State Planning Policy (SPP) 9 – Water*;
 5. In respect to condition 13, a cash payment of no less than \$700,000 - in lieu of producing and installing a public artwork within the development site - can be accepted by the Shire of Exmouth, with payment to be made prior to the use commencing;

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6. In respect to condition 14, and except for the proposed main entry crossover from the Yardie Creek Road which is to be paved with asphalt, the proposed internal roads/driveways, car bays, bus bays, footpaths and buggy paths can be paved with crushed road base (limestone) or gravel materials as proposed in the Landscape Design Report. The reuse of existing pathways is also acceptable subject to these being suitably drained and not presenting a trip hazard to users;
7. In respect to condition 17, if the approval lapses, no development shall be carried out without further approval having first been sought and obtained, unless the applicant has applied for and obtained Development Assessment Panel approval to extend the approval term pursuant to regulation 17(1)(a) or local government approval under regulation 17A of the *Planning and Development (Development Assessment Panels) Regulations 2011*.

AMENDING MOTION 1

Moved by: Karen Hyde

Seconded by: Agata Cabanek

That Condition No. 4 be amended to read as follows:

*Prior to the submission of an application for the relevant building permit, the Landscape Design Report (Emerge Associates, dated 15-08-2025) is to be suitably modified delineating retention and incorporation of the existing pathway between the Lighthouse and the Lighthouse Quarters **to the satisfaction of the Shire of Exmouth.***

An endorsed copy of the modified Landscape Design Report shall form part of the development approval hereby granted;

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: This is standard procedure to ensure there is clarity around the responsible authority for clearing this condition

Clayton Higham
Presiding Member, Regional DAP



AMENDING MOTION 2

Moved by: Karen Hyde

Seconded by: Clayton Higham

The following amendments were made en bloc:

- (i) That Condition No. 7 be amended to read as follows:

Prior to the submission of an application for the relevant building permit, final details of the materials, colours and finishes of the exterior of all buildings, including a materials and finishes schedule for the Lighthouse Quarters and adjacent restaurant, are to be submitted for approval by the Shire of Exmouth.

Approval of the materials and finishes schedule for the Lighthouse Quarters and adjacent restaurant shall be subject to the advice ~~and endorsement~~ of the Director, Historic Heritage Conservation;

- (ii) That Condition No. 18 be amended to read as follows:

A Construction Management Plan (CMP) shall be submitted to and be approved by the Shire of Exmouth before construction commences. The CMP shall detail how it is proposed to—

(A) *Manage:*

- *noise from carrying out work and from plant and trucks;*
- *hours of operation;*
- *light;*
- *dust issues;*
- *the delivery of materials and equipment to the site;*
- *protection of existing roads, footpaths and services;*
- *site security and the storage of materials and equipment on the site; and*
- *the parking arrangements for contractors and subcontractors; and*

(B) *Protect the Lighthouse Quarters and Grave whilst site works and development is being undertaken.*

The manner in which it is proposed to protect the Lighthouse Quarters and Grave shall be subject to the advice ~~and endorsement~~ of the Director, Historic Heritage Conservation;

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The word “endorsement” suggests approval if required by a third party, which is contrary to normal practice. The amendment clarifies the condition is to the satisfaction of the Shire, but the Shire may seek advice from the Heritage authority.

Clayton Higham
Presiding Member, Regional DAP



AMENDING MOTION 3

Moved by: Karen Hyde

Seconded by: Cr Matthew Thorburn

The following amendments were made en bloc:

- (i) That Condition No. 12 be amended to read as follows:

*Prior to the use commencing, **the landowner shall provide consent to a Notification** and pursuant to Section 70A of the Transfer of Land Act 1893, the following notification ~~shall be~~ **being** registered on the Certificate of Title to the subject land and ~~also be included~~ on the relevant Deposited Plan:*

“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”;

- (ii) That a new Advice Note No. 8 be added to read as follows:

Condition 12 is not imposing an obligation on the Shire. If the Shire chooses to lodge a Notification under Section 70A the proponent’s obligation is to consent to the Shire’s application and nothing more

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To reflect the correct application of a section 70A notification whereby the responsibility is with the Local Government and the applicant is to give consent to the Local Government to lodge the notification should the Local Government wish to do so.

AMENDING MOTION 4

Moved by: Karen Hyde

Seconded by: Cr Gary Mounsey

The following amendments were made en bloc:

- (i) That Advice Note No. 5 be deleted and the remaining advice notes be renumbered accordingly.

- (ii) That Condition No. 16 be amended to read as follows:

Prior to works commencing, submission of details of a proposed public artwork – with a minimum value of \$700,000 – for approval by the Shire of Exmouth

The approved public artwork shall be installed within the development site prior to the approved use commencing, and shall be maintained thereafter, to the satisfaction of the Shire of Exmouth

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Alternatively, a cash payment of no less than \$700,000 - in lieu of producing and installing a public artwork within the development site - can be accepted by the Shire of Exmouth, with payment to be made prior to the use commencing;

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The advice note attempted to act as an alternative to the original condition. The panel agreed to add the advice note to the condition to make it clear that there are two options.

AMENDING MOTION 5

Moved by: Cr Gary Mounsey
Thorburn

Seconded by: Cr Matthew

That Condition No. 3 be amended to read as follows:

Prior to the submission of an application for the relevant building permit, the Site Plan (Proposed Masterplan) provided at Attachment 2 and other relevant plans (where necessary) listed in the W-B Woods Bagot Drawing Schedule (Project number 161002) contained in Attachment 1, are to be suitably modified to the satisfaction of the Shire of Exmouth, denoting an additional 9 onsite car bays within the overflow guest parking area (numbered 16 on the Site Plan).

Additionally, consideration is to be given to designating on the modified plans the following elements:

- (i) ***Provision for the parking of trailer boats, caravans, vans etc within the proposed overflow parking area; and***
- (ii) ***A central crossing point, indicated by either appropriate signage, lighting, bollards, or road markings/pavement treatment, being provided from the subject land to the adjacent Jurabi Coastal Park (Crown Reserve 40456) over the Yardie Creek Road.***

An endorsed copy of the modified plans shall form part of the development approval hereby granted;

The Amending Motion was put and LOST.

Clayton Higham
Presiding Member, Regional DAP



AMENDING MOTION 6

Moved by: Cr Gary Mounsey

Seconded by: Cr Matthew Thorburn

That Condition No. 3 be amended to read as follows:

Prior to the submission of an application for the relevant building permit, the Site Plan (Proposed Masterplan) provided at Attachment 2 and other relevant plans (where necessary) listed in the W-B Woods Bagot Drawing Schedule (Project number 161002) contained in Attachment 1, are to be suitably modified to the satisfaction of the Shire of Exmouth, denoting an additional 9 onsite car bays within the overflow guest parking area (numbered 16 on the Site Plan).

Further consideration is to be given to:

- (i) **being able to accommodate boats and vans on the overflow parking area,**
- (ii) **a central crossing point.**

An endorsed copy of the modified plans shall form part of the development approval hereby granted;

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The panel considered that there is an opportunity to accommodate the occasional caravan or boat trailer in the overflow car park area that may arrive and use the tourist facility. The panel were also of the view that a single crossing point of the busy Yardie Creek Road to the reserve would be appropriate noting that the applicant could only consider this from the aspect of the land over which they have control.

SUBSTANTIVE MOTION (AS AMENDED)

That the Regional Development Assessment Panel resolves to:

1. **Accept** that the DAP Application reference DAP/25/03025 is appropriate for consideration as a "Tourist Development" land use and compatible with the objectives of the zoning table in accordance with Clause 3.10.4.1 of the *Shire of Exmouth Local Planning Scheme No. 4*;
2. **Approve**, pursuant to clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, DAP Application reference DAP/25/03025, generally in accordance with the applicant's Development Application (DA) document 17-601 dated November 2025 (Attachment 1), **subject to the following conditions:**

Conditions

1. Prior to the submission of an application for the relevant building permit, the following is to be provided to the satisfaction of the Shire of Exmouth, upon the advice of the Director, Historic Heritage Conservation:

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Presiding Member, Regional DAP



- (i) The existing wall to the north of the fireplace is to be retained and the wall nib to the southern portion of the fireplace is to be retained;
- (ii) Demarcation of the removed party wall is to be expressed in the floor finish in addition to the wall nibs being retained to articulate and interpret the original internal layout;
- (iii) Details showing new openings to be of contemporary style and without quoining detail;
- (iv) Details showing doors enclosing the breezeways to be predominantly glazed, contemporary in style and visually lightweight;
- (v) A standard archival record of the Lighthouse Quarters in accordance with the *Guide-to-Preparing-an-Archival-Record-2019.pdf*
- (vi) An Interpretation Plan for the Lighthouse Quarters, including a proposal for implementation.

The Plan must interpret the following:

- (a) The history and significance of the Lighthouse Quarters, including the significance of the place as a rare duplex lighthouse keeper's residence;
 - (b) The important relationship between the Lighthouse and Lighthouse Quarters;
 - (c) The existing pathway between the Lighthouse and the Lighthouse Quarters;
 - (d) The social history of the Lighthouse Quarters and the lives of the people who lived there and worked in the adjacent Lighthouse; and
 - (e) The original internal layout and room functions of the Lighthouse Quarters;
- (vii) A structural engineering report demonstrating that the proposed demolition within the Lighthouse Quarters will not undermine the structural integrity of the building;
 - (viii) A detailed schedule of conservation works for the Lighthouse Quarters including a written specification and plans;
 - (ix) A paint schedule for the Lighthouse Quarters on the findings of a detailed paint analysis of previous finishes;
 - (x) A dilapidation survey prepared by a structural engineer that records the current condition of the Lighthouse Quarters and existing damage, and elements that are likely to be impacted by the approved development;
2. The proposed conservation works as listed in preceding condition 1 are to be executed and completed to the satisfaction of the Shire of Exmouth, upon the advice of the Director, Historic Heritage Conservation, and prior to the use commencing;

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Presiding Member, Regional DAP



3. Prior to the submission of an application for the relevant building permit, the Site Plan (Proposed Masterplan) provided at Attachment 2 and other relevant plans (where necessary) listed in the W-B Woods Bagot Drawing Schedule (Project number 161002) contained in Attachment 1, are to be suitably modified to the satisfaction of the Shire of Exmouth, denoting an additional 9 onsite car bays within the overflow guest parking area (numbered 16 on the Site Plan).

Further consideration is to be given to:

- (i) being able to accommodate boats and vans on the overflow parking area,
- (ii) a central crossing point.

An endorsed copy of the modified plans shall form part of the development approval hereby granted;

4. Prior to the submission of an application for the relevant building permit, the Landscape Design Report (Emerge Associates, dated 15-08-2025) is to be suitably modified delineating retention and incorporation of the existing pathway between the Lighthouse and the Lighthouse Quarters to the satisfaction of the Shire of Exmouth.

An endorsed copy of the modified Landscape Design Report shall form part of the development approval hereby granted;

5. Prior to the use commencing, landscaping of the subject site shall be executed, and be maintained thereafter, generally in accordance with the endorsed modified Landscape Design Report (Emerge Associates, dated 15-08-2025), to the satisfaction of the Shire of Exmouth;

The existing pathway between the Lighthouse and the Lighthouse Quarters must be visible from the Lighthouse and be maintained thereafter;

6. Prior to the submission of an application for the relevant building permit, submission of a revised engineering services report containing additional stormwater management information on the advice of the Departments of Water and Environmental Regulation (DWER) and the Department of Biodiversity Conservation and Attractions (DBCA), for approval by the Shire of Exmouth.

The approved revised engineering services report is to be executed prior to the use commencing, and shall be adhered to thereafter, to the satisfaction of the Shire of Exmouth;

7. Prior to the submission of an application for the relevant building permit, final details of the materials, colours and finishes of the exterior of all buildings, including a materials and finishes schedule for the Lighthouse Quarters and adjacent restaurant, are to be submitted for approval by the Shire of Exmouth.

Approval of the materials and finishes schedule for the Lighthouse Quarters and adjacent restaurant shall be subject to the advice of the Director, Historic Heritage Conservation;

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8. Prior to the submission of an application for the relevant building permit, a signage strategy is to be submitted for approval by the Shire of Exmouth.

The approved signage strategy is to be executed prior to the use commencing, and shall be adhered to thereafter, to the satisfaction of the Shire of Exmouth;

9. Prior to works commencing, submission of a revised Landscape and Visual Impact Assessment, prepared in consultation with the Department of Biodiversity Conservation and Attractions (DBCA), to the satisfaction of the Shire of Exmouth.

The endorsed revised Landscape and Visual Impact Assessment is to be executed prior to the use commencing, and shall be adhered to thereafter, to the satisfaction of the Shire of Exmouth;

10. Prior to the use commencing, the Bushfire Management Plan (JBS&G, 167,153/63388 (Rev 4), dated 21 August 2025) shall be executed and adhered to thereafter, to the satisfaction of the Shire of Exmouth;

11. Prior to the use commencing, the Bushfire Emergency Plan (JBS&G, 36688/168,268 (Rev 4), dated 21 August 2025) shall be executed and adhered to thereafter, to the satisfaction of the Shire of Exmouth;

12. Prior to the use commencing, the landowner shall provide consent to a Notification pursuant to Section 70A of the Transfer of Land Act 1893, the following notification being registered on the Certificate of Title to the subject land and on the relevant Deposited Plan:

“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”;

13. Prior to the use commencing, certification shall be provided by a suitably qualified/accredited Bushfire Consultant that the measures included in the approved Bushfire Management Plan and Bushfire Emergency Plan have been fully implemented to the satisfaction of the Shire of Exmouth;

14. Prior to the use commencing, the Waste Management Plan (Talis Consultants, Project Number WMP25032, dated 1 August 2025) shall be executed and adhered to thereafter, to the satisfaction of the Shire of Exmouth;

15. Prior to works commencing, submission to the Shire of Exmouth of a water management report (WMR), incorporating a site and soil evaluation report of the subject land, that has been prepared on the advice of the Department of Water and Environmental Regulation (DWER).

The approved WMR is to be executed prior to the use commencing, and be adhered to thereafter, to the satisfaction of the Shire of Exmouth;

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16. Prior to works commencing, submission of details of a proposed public artwork – with a minimum value of \$700,000 – for approval by the Shire of Exmouth.

The approved public artwork shall be installed within the development site prior to the approved use commencing, and shall be maintained thereafter, to the satisfaction of the Shire of Exmouth

In respect to condition 13, a cash payment of no less than \$700,000 - in lieu of producing and installing a public artwork within the development site - can be accepted by the Shire of Exmouth, with payment to be made prior to the use commencing;

17. All proposed access driveways/roads, internal vehicle manoeuvring areas, car and bus parking bays, footpaths and buggy paths, being designed and constructed to the specifications and satisfaction of the Shire of Exmouth prior to the use commencing, and thereafter be maintained, to the satisfaction of the Shire of Exmouth;

18. A Construction Management Plan (CMP) shall be submitted to and be approved by the Shire of Exmouth before construction commences. The CMP shall detail how it is proposed to—

(A) Manage:

- noise from carrying out work and from plant and trucks;
- hours of operation;
- light;
- dust issues;
- the delivery of materials and equipment to the site;
- protection of existing roads, footpaths and services;
- site security and the storage of materials and equipment on the site; and
- the parking arrangements for contractors and subcontractors; and

- (B) Protect the Lighthouse Quarters and Grave whilst site works and development is being undertaken.

The manner in which it is proposed to protect the Lighthouse Quarters and Grave shall be subject to the advice of the Director, Historic Heritage Conservation;

19. Prior to the use commencing, Lots 2 and 557 Yardie Creek Road are to be legally amalgamated into a single lot and be comprised within a single Certificate of Title;
20. This decision constitutes development approval only and is valid for a period of 4 years from the date of approval. If the approved development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect;

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Advice Notes

1. This is a development approval only, and does not constitute nor is to be taken as any other approval, permit, license etc required to be obtained under other legislation.

It is the applicant's responsibility to identify and obtain any other relevant approvals, permits, licences etc required as well as any relevant due diligence to be undertaken, before the use hereby approved commences.

In particular, the following licences, approvals and permits may be required—

- Groundwater licenses pursuant to the *Rights in Water and Irrigation Act 1914*;
 - Native vegetation clearing permits pursuant to Part V of the *Environmental Protection Act 1986*; and
 - Works approvals for the proposed waste water treatment plant and water desalination plant pursuant to Part V of the *Environmental Protection Act 1986*.
2. In respect to condition 1, the number of proposed staff parking bays denoted on relevant plans contained in the W-B Woods Bagot Drawing Schedule (Project number 161002) (Attachment 1) may be reduced by up to 9 bays accordingly (in lieu of the 9 additional bays required to be provided within the proposed overflow parking area);
 3. In respect to condition 5, and with regard to the visual amenity impacts on the land and seascape values of the Jurabi Coastal Park and the Ningaloo Marine Park, the Department of Biodiversity, Conservation and Attractions (DBCA) advises that the LVIA is to be revised to –
 - (i) Clarify the colours and materials to be used on external surfaces with a commitment to minimise surfaces with potential to create glare or reflection;
 - (ii) Demonstrate that the proposed vegetation will achieve screening outcomes, with a commitment to integrating screening objectives with the proposed landscape design at key viewpoints, where possible; and
 - (iii) Provide trigger criteria to ensure that visual amenity impacts from the proposal do not increase over time;
 4. In respect to condition 12, the required Water Management Report (WMR) is to be prepared in accordance with *State Planning Policy (SPP) 9 – Water*;
 5. In respect to condition 14, and except for the proposed main entry crossover from the Yardie Creek Road which is to be paved with asphalt, the proposed internal roads/driveways, car bays, bus bays, footpaths and buggy paths can be paved with crushed road base (limestone) or gravel materials as proposed in the Landscape Design Report. The reuse of existing pathways is also acceptable subject to these being suitably drained and not presenting a trip hazard to users;

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6. In respect to condition 17, if the approval lapses, no development shall be carried out without further approval having first been sought and obtained, unless the applicant has applied for and obtained Development Assessment Panel approval to extend the approval term pursuant to regulation 17(1)(a) or local government approval under regulation 17A of the *Planning and Development (Development Assessment Panels) Regulations 2011*.
7. Condition 12 is not imposing an obligation on the Shire. If the Shire chooses to lodge a Notification under Section 70A the proponent's obligation is to consent to the Shire's application and nothing more

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

REASON: The panel were unanimous in their support for the development which proposes the conservation and adaptive reuse of the heritage-listed Lighthouse Keepers' Quarters as the main administration and reception facility for the proposed resort which includes tourist villas and associated amenities for visitors and staff. Tourism development is a "P" use in the planning framework and could therefore be contemplated in this location.

The panel had regard for the Landscaping and revegetation throughout the subject site to integrate built form elements and visually anchor the development into its environment and noted that cultural heritage and environmental approvals also impose a number of cultural heritage and environmental conditions upon the proposed development via their respective separate legislative approval processes. Members of the panel encouraged the applicant to draw upon cultural and historic interpretation in the preparation of the revised Landscape plan, signage and materiality for the development. In terms of the supporting works, some minor elements of the building encroached beyond the development envelopes designated in the LDP, but these were regarded as acceptable and the panel were comfortable with the application of discretion on these elements.

The panel made some amendments to conditions including the requirement to consider relatively minor updates to the plans to include space for larger recreational vehicles, boats and caravans in the overflow parking area and a potential pedestrian pathway to the boundary of the site where it adjoins Yardie Creek Road, having regard for the Masterplan and the existing pedestrian 'desire lines'. This would enable the Shire and others to extend or formalise the link over the road to the reserve at some future time. Overall, the panel believed the development would provide a further and unique short-stay option for visitors and tourists to Exmouth, in line with overarching objectives of the local planning framework and the State's tourism strategy.

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4. Form 2 DAP Applications

Nil

5. Section 31 SAT Reconsiderations

Nil

A handwritten signature in black ink, appearing to read 'Clayton Higham'.

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PART C – 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.	File No. & SAT DR No.	File No. & SAT DR No.	File No. & SAT DR No.	File No. & SAT DR No.
DP/14/00039 DR65/2020	Shire of York	Lots 4869 (2256), 5931, 9926 (2948) and 26934 Great Southern Highway, St Ronans	Construction and Use of Allawuna Farm for the purposes of a Class II Landfill	28 July 2020
DAP/25/03017 DR53/2026	Shire of Kojonup	Various Lots, Jingalup	Windfarm and Transmission Line	2 April 2026

2. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 10:25am.

Clayton Higham
Presiding Member, Regional DAP