



Western Australian Planning Commission Minutes

Meeting No. 33
Thursday, 14 March, 2024

- Members:**
- David Caddy - Chairman WAPC
 - Jane Bennett - Professions Representative
 - Helen Brookes - Coastal Planning and Management Representative
 - Lynne Craigie - Nominee of the Regional Minister
 - Anthony Kannis - Director General, Department of Planning, Lands and Heritage
 - Caroline Knight - Local government representative – non-metropolitan
 - Gene Koltasz - Professions Representative
 - Lisette Traves - Portfolio Agency Representative
- Apologies:**
- Rebecca Brown - Director General, Department of Jobs, Tourism, Science and Innovation
 - Liam Gobbert – Deputy Metropolitan Local Government Representative
 - Alistair Jones - A/Director General, Department of Water and Environmental Regulation
 - Barry McGuire - Professions Representative
 - Mike Rowe - Director General, Department of Communities
 - Peter Woronzow - Director General, Department of Transport
- Observers:**
- Damien Hills – Department of Water and Environmental Regulation
- Others present:**
- Sam Boucher - Manager Commission Business
 - Inga Butefisch - Principal Media Advisor, Communications
 - Tia Byrd - A/Executive Director, Land Use Planning
 - Alex Campbell - Senior Planner, State Development Assessment Unit
 - Michael Daymond - Strategic Advisor WAPC
 - Paola Di Perna - Planning Director, State Development Assessment Unit
 - David Saunders - Assistant Director General, Land Use Planning
 - Belinda Sleep - Commission Support Officer
- Applicants and Submitters:**
- George Ashton - Element Advisory
 - Matt Bounds - Coles Group Property Developments
 - Murray Casselton - Element Advisory
 - Kelsie Davies - KDLA

Greg Delahunty - Shire of Murray
Roger Gregson - Oldfield Knott Architects
Rod Peake - Shire of Murray
Dylan Wray - Element Advisory

There were 9 members of the public in attendance.

1. Declaration of opening

The Chairman declared the meeting open at 2.05pm, acknowledged the peoples of the Noongar nation as the traditional owners and custodians of the land on which the meeting is taking place and welcomed members. The Chairman paid respect to elders past and present, and extended solidarity and hope for a just and dignified future for us all.

The Chairman provided an introductory statement as follows:
This meeting of the Commission is to determine an application considered a significant development under Part 17 of the *Planning and Development Act 2005*.

Part 17 granted the Commission temporary decision-making powers to determine proposals that can generate investment in the State to assist with economic recovery as we respond to the global COVID-19 pandemic.

Part 17 of the legislation bestows upon the Commission a perceived unlimited level of discretion, however the discretion must be exercised responsibly.

Under the Act, the Commission must have **due regard** for:

- the purpose and intent of the local planning scheme and local planning policies;
- the need to ensure orderly and proper planning, and the preservation of the amenity of a locality;
- the need to facilitate development in response to the economic effects of COVID-19; and
- any relevant Region Planning Schemes, State planning policies, and any other relevant WAPC policies.

As with any planning application, we have the option to:

- approve the application, subject to conditions;
- approve the application, subject to minor modifications and conditions;
- defer determination pending further information; or
- refuse the application.

This is a considerable responsibility which the Commission takes very seriously.

I wish to advise observers that Commission members may refer to technical devices, such as phones and laptops, throughout the meeting to assist them in considering the information before them.

This meeting is not being recorded and I advise all participants that you are not permitted to use any electronic, visual or audio recording device or instrument to record this meeting.

On behalf of the Commission, the Department of Planning, Lands and Heritage will respond to any media enquiries relating to this application, or the process, in consultation with the Minister for Planning's office.

2. Apologies

Rebecca Brown - Director General, Department of Jobs, Tourism, Science and Innovation

Liam Gobbert - Metropolitan Local Government Representative (Deputy)

Alistair Jones - A/Director General, Department of Water and Environmental Regulation. Damien Hills observing.

Barry McGuire - Professions Representative

Mike Rowe - Director General, Department of Communities

Peter Woronzow - Director General, Department of Transport

3. Disclosure of interests

Ms Bennett declared an Impartiality Interest on Item 7.1 - Ravenswood Neighbourhood Centre and outlined that her employer, CLE, works with developers in the planning of Centres, which in some instances include Coles supermarkets. Ms Bennett outlined that CLE are not directly engaged by Coles. She further added that she is a family friend of the Shire of Murray Deputy Shire President, Doug McLarty but noted that she has not had any discussions with the Deputy Shire President in relation to the proposal. Members agreed that Ms Bennett is permitted to be present during the discussion and/or decision-making procedure on the item as it is unlikely to influence Ms Bennett's conduct in relation to the matter.

4. Declaration of due consideration

All members indicated that they had received and considered the agenda items prior to the Western Australian Planning Commission Part 17 meeting.

5. Deputations and presentations

5.1 Development Application – Ravenswood Neighbourhood Centre, Portion of Lot 9015, on Deposited Plan 400834, Corner of Old Mandurah Road and Pinjarra Road, Ravenswood (Item 7.1)

Presenters: Greg Delahunty and Rod Peake - Shire of Murray

Mr Delahunty addressed the Western Australian Planning Commission speaking against the Ravenswood Centre Development Application

and outlined discussed that the proposed development is contrary to the vision of the Ravenswood Structure Plan. Mr Delahunty answered questions from members.

5.2 Development Application – Ravenswood Neighbourhood Centre, Portion of Lot 9015, on Deposited Plan 400834, Corner of Old Mandurah Road and Pinjarra Road, Ravenswood (Item 7.1)

Presenters: Matt Bounds - Coles Group Property Developments, Roger Gregson - Oldfield Knott Architects, Kelsie Davies - KDLA, Murray Casselton and George Ashton and Dylan Wray - Element Advisory

Mr Bounds addressed the Western Australian Planning Commission speaking in support of the Ravenswood Centre Development Application and discussed the design of the centre and outlined that if the development is approved, it would be expected that the development would be completed by late 2025.

Mr Casselton discussed the community support for the development and the consistency with the planning framework. Mr Casselton requested modifications to the following conditions:

Condition 2, Part b: that the condition is modified to read "*power capacity for a minimum of two electric vehicle fast charging bays (Level 2 or above) is to be provided within the publicly accessible car park*" outlining that providing electric vehicle fast charging bays would be subject to the proponent's ability to secure a charging supplier, which is not always possible in the current market.

Condition 24: that the condition be modified to read "*Prior to occupation of the development*" outlining that the development is to be connected to in accordance with the requirements and specifications of the Water Corporation to facilitate the operation of the main shopping centre development and therefore it is appropriate that this condition is cleared prior to occupation rather than commencement of the development.

Condition 35: that reference to the Western Australian Planning Commission's Position Statement: Dark Sky and Astrotourism be removed from the condition as the Position Statement is not applicable to this development and the development will still be required to comply with the Australian standards on the control of obtrusive effects of outdoor lighting and lighting for roads and public spaces.

Mr Bounds and Mr Casselton answered questions from members regarding water management, the timing for the commencement of the development and the timing of future stages, the delivery of electric vehicle charging points and pedestrian access to the development.

6. Presentation of key issues by the Department of Planning, Lands and Heritage

Presenter: Paola Di Perna - Planning Director, State Development Assessment Unit

Ms Di Perna, Planning Director of the State Development Assessment Unit presented the key issues and considerations of the application at Item 7.1.

7. Item/s for decision

7.1 Development Application – Ravenswood Neighbourhood Centre, Portion of Lot 9015, on Deposited Plan 400834, Corner of Old Mandurah Road and Pinjarra Road, Ravenswood

The Chairman invited discussion from members and noted the request from by the proponent to amend three conditions.

REPORT RECOMMENDATION

Moved by Mr Koltasz
Seconded by Ms Bennett

That the Western Australian Planning Commission resolves to APPROVE application reference SDAU-043-21 and accompanying plans (date-stamped 9 November 2023) for a Neighbourhood Shopping Centre including and associated parking, landscaping and public realm works on a portion of Lot 9015 on Deposited Plan 400834, corner of Old Mandurah Road and Pinjarra Road, Ravenswood, in accordance with s.274 of the Planning and Development Act 2005, subject to the following conditions:

Approval Timeframe

- 1. This decision constitutes planning approval only and is valid for a period of 36 months from the date of approval. If the development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.*

Conformity with Plans

- 2. The development is to be undertaken in accordance with the approved plans (date stamped 9 November 2023) attached to this approval, subject to modifications required by any condition of this approval, final details of which are to be submitted at working drawings stage (condition clearance stage), to the satisfaction of the Western Australian Planning Commission on advice from the Shire of Murray, and shall include the following:*
 - a. an additional four bicycle bays are to be installed bringing the total to 26 on-site bicycle parking bays.*

- b. a minimum of two electric vehicle fast charging bays (Level 2 or above) are to be provided within the publicly accessible car park; and*
 - c. the provision of a 2.5 metre wide shared path connecting the shared path shown on Drawing Number P.00 (Rev 19) to the existing shared path on Lot 9014 on DP 400834 at the south east boundary of Lot 9015.*
- 3. A copy of the final working drawings (prepared for submission of a building permit application) and all associated plans, reports and information that addresses the conditions of approval are to be submitted to, and cleared by, the Western Australian Planning Commission.*

Land Use

- 4. This approval is for a 'Bank', 'Child Day Care Centre', 'Consulting Room', 'Licenced Restaurant', 'Liquor Store', 'Medical Clinic', 'Office', 'Restaurant/Café', 'Shop', 'Take-away Food Outlet', and 'Health Centre/Studio' uses as defined under the Shire of Murray Local Planning Scheme No. 4.*

Materials and Finishes

- 5. The development is to be constructed with high quality and durable external materials and finishes, consistent with the approved development plans date-stamped 9 November 2023 (other than as amended by conditions of approval). Final details are to be submitted to and approved by the Western Australian Planning Commission, prior to submission of the relevant building permit application/s.*
- 6. Prior to submission of the relevant building permit application, the applicant is to submit final details of the materials, colours and finishes of the exterior of the building(s), to the satisfaction of the Western Australian Planning Commission.*

Bushfire Management

- 7. Prior to occupation of any stage of the development, the owner shall register on the Certificate of Title(s), a notification pursuant to Section 70A of the Transfer of Land Act 1893. The notification is to be included on the diagram or plan of survey (deposited plan) and state:*

"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".

The notification is to be registered at the applicant/owner's expense, to the satisfaction of the Western Australian Planning Commission.

8. *Prior to the occupation of the relevant stage of development, certification shall be provided from a suitably qualified Bushfire Consultant that demonstrates the measures included in the Bushfire Management Plan and/or the Bushfire Emergency Evacuation Plan (where relevant) prepared by element (version 5) date stamped 9 November 2023 have been implemented in full, to the satisfaction of the Western Australian Planning Commission, on advice from the Shire of Murray.*

Construction

9. *Prior to submission of the relevant building permit application, a Construction and Traffic Management Plan is to be submitted to and approved by the Western Australian Planning Commission, on advice from the Shire of Murray and Main Roads WA, addressing but not limited to:*
 - a. *hours of construction;*
 - b. *temporary fencing, hoardings, gantries, and signage;*
 - c. *site access and egress;*
 - d. *construction traffic management;*
 - e. *pedestrian and cyclist management and any footpath obstructions;*
 - f. *parking arrangements for staff and contractors;*
 - g. *deliveries and storage of construction materials and machinery;*
 - h. *management of vibration, dust, wind, and erosion;*
 - i. *management of any site dewatering or stormwater discharge;*
 - j. *management of construction noise and other site generated noise;*
 - k. *demolition and construction waste management, recycling, and removal;*
 - l. *protection of street trees and public realm infrastructure; and*
 - m. *public communication and complaint handling procedures.*
10. *The approved Construction and Traffic Management Plan shall be implemented and adhered to at all times by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.*

Landscaping

11. *Prior to submission of the relevant building permit application, detailed Landscape Plans, including pedestrian connections to existing public path network to southeast of the lot, hard and soft landscape specifications, public artwork and reticulation details,*

aligned with the Landscape Concept Plan prepared by Kelsie Davies Landscape Architecture (date stamped 9 November 2023) and the approved Development Plans, are to be submitted to and approved by the Western Australian Planning Commission, on advice from the Shire of Murray and Main Roads WA.

- 12. Prior to occupation of the relevant stage of development, certification that all landscaping and reticulation has been established in accordance with the approved landscaping plans to Australian Standards shall be submitted to the Western Australian Planning Commission.*
- 13. The approved Landscaping Plans shall be implemented and adhered to at all times by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.*

Road Works

- 14. Prior to submission of the relevant building permit application, preliminary road upgrade design plans (15% concept) are to be submitted to the requirements and satisfaction of the Western Australian Planning Commission, on advice of Main Roads WA, for the following:*
 - a. the upgrade of Pinjarra Road / Old Mandurah Road intersection to a signalised intersection;*
 - b. Old Mandurah Road auxiliary turning lane treatments; and*
 - c. the left-in and left-out vehicle movements to and from Pinjarra Road attached concept plan entitled 'Lot 9015 – Pinjarra Road Proposed Development Concept Design Left-In / Left-out Only' dated 02 August 2022 (attached).*
- 15. Prior to the occupation of the first stage of the development, the applicant shall be responsible for all costs involved in the design, construction and upgrade of the Pinjarra Road / Old Mandurah Road intersection and the proposed access to the development site to the satisfaction of the Western Australian Planning Commission on the advice of Main Roads WA.*
- 16. Prior to the occupation of the development, a 'No U-turn' road sign shall be installed at the intersection of Pinjarra Road and Thomasfield Place and a safety barrier shall be installed in the median of Pinjarra Road opposite the left-in and left-out access to the neighbourhood shopping centre, at the owner's cost and to Main Roads WA specifications, to the satisfaction of the Western Australian Planning Commission.*
- 17. Prior to occupation of the development, the land reserved Primary Regional Road for the widening of Old Mandurah Road is to be set aside as a separate lot and ceded free of cost to the*

State of Western Australia, to the satisfaction of the Western Australian Planning Commission.

Parking and Access

- 18. Prior to submission of the relevant building permit application, a detailed parking plan shall be prepared by a suitably qualified engineering consultant which demonstrates the proposed car parking areas, vehicle access, universal access and bicycle bays have been designed to the specifications of the Shire of Murray, in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004), Off-street Parking for People with Disabilities (AS/NZS2890.6 2009), Off-street Commercial Vehicle Facilities (AS2890.2:2002) and Off-street carparking – Bicycles (AS2890.3), as applicable, unless otherwise approved, to the satisfaction of the Western Australian Planning Commission.*
- 19. Prior to occupation of the development, certification is required that all car parking spaces, access aisles, loading bays and bicycle parking spaces have been designed, constructed and marked in accordance with the approved parking plan to the specifications of the Shire of Murray and in accordance with the applicable Australian Standard (as above), to the satisfaction of the Western Australian Planning Commission.*
- 20. Prior to the occupation of the first stage of development, all bicycle parking and associated end-of-trip facilities shall be installed as indicated on the approved development plans or required as a condition of approval, retained in perpetuity and maintained for the life of the development, to the satisfaction of the Western Australian Planning Commission.*
- 21. Prior to the occupation of the development, the Waste Management Plan prepared by Talis Consultants (date-stamped 22 December 2022) is to be updated to reflect the detailed design and submitted to and approved by the Western Australian Planning Commission, on advice from the Shire of Murray.*
- 22. The approved Waste Management Plan shall be implemented and adhered to at all times by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.*

Easements

- 23. Prior to the occupation of the development, public access easement/s shall be created on the certificate of title of a portion of Lot 9015, for the following as relevantly depicted on drawing P.00 Rev 19 of the development plans date stamped 9 November 2023:*

- a. *the main street including vehicular, cyclist and pedestrian connection between Old Mandurah Road and Pinjarra Road;*
- b. *the proposed two way access providing vehicular and pedestrian connections from the 'main street' to the edge of the development site to the east;*
- c. *the proposed pedestrian link (shared path) from the 'main street' through the balance of Lot 9015 connecting with the existing shared path on Lot 9014; and*
- d. *the town square being an area of approximately 120m² between future tenancy sites T5 and T6;*

in accordance with Sections 195 and 196 of the Land Administration Act 1997, or another suitable alternative, details of which are to be submitted to the satisfaction of the Western Australian Planning Commission.

Services

24. Prior to the commencement of the development, the development site is to be connected in accordance with the requirements and specifications of the Water Corporation and to the satisfaction of the Western Australian Planning Commission.

25. Prior to the occupation of the relevant stage of development, any existing easements or encumbrances shown on Lot 9015 on Deposited Plan 400834 that are impacted by the proposed development are to be relocated or modified and placed on the relevant Certificate/s of Title, in accordance with Sections 195 and 196 of the Land Administration Act 1997, or another suitable alternative, on the advice of the Water Corporation and Shire of Murray to the satisfaction of the Western Australian Planning Commission.

Sustainability

26. Prior to the submission of the relevant building permit application, an updated sustainability report which demonstrates how all recommendations contained within the Sustainability Strategy prepared by Cundall (date stamped 22 December 2022) will be implemented, is to be submitted to the satisfaction of the Western Australian Planning Commission.

27. Prior to the occupation of the relevant stage of development, documentation from a suitably qualified professional is to be provided certifying that all applicable sustainability initiatives identified in the Sustainability Strategy have been implemented in the relevant stage of construction, to the satisfaction of the Western Australian Planning Commission.

Signage

28. *Prior to the submission of the relevant building permit application, a Signage Strategy is to be submitted to and approved by the Western Australian Planning Commission, on the advice of Main Roads WA and the Shire of Murray. The Signage Strategy is to include details of:*
- a. the location, size and format of any signage to the building exterior;*
 - b. signage to promote and guide wayfinding; and*
 - c. details on the proposed illumination of the sign.*
29. *The approved Signage Strategy is to be implemented and adhered to at all times by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.*

Environmental

30. *Prior to submission of the relevant building permit application, a Stormwater Management Plan detailing stormwater management in accordance with water sensitive urban design principles, is to be submitted to and approved by the Western Australian Planning Commission, on advice from the Shire of Murray and the Department of Water and Environmental Regulation.*
31. *The approved Stormwater Management Plans is to be implemented and adhered to at all times by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.*
32. *Stormwater shall not be discharged into the Pinjarra Road or Old Mandurah Road reserves or the future widened road reservation, except in accordance with the approved Stormwater Management Plan.*

Noise Management

33. *Prior to occupation of the relevant stage of development, certification is to be provided from a qualified acoustic consultant confirming that the recommendations of the Acoustic Report, prepared by Herring Storer Acoustics (date stamped 28 July 2023) have been implemented, to the satisfaction of the Western Australian Planning Commission.*
1. *Prior to occupation of the relevant stage of development, the owner shall register on the Certificate of Title(s), a notification pursuant to Section 70A of the Transfer of Land Act 1893. The notification is to be included on the diagram or plan of survey (deposited plan) and state:*

'The lot is situated in the vicinity of a transport corridor and is currently affected or may in future be affected by transport noise.'

The notification is to be registered at the applicant/owner's expense, to the satisfaction of the Western Australian Planning Commission.

Lighting

35. *Prior to submission of the relevant building permit application, the applicant is to submit a Lighting Strategy, detailing external illumination of the development in accordance with AS4282:1997, AS1158.3.1 and the Western Australian Planning Commission's Position Statement: Dark Sky and Astrotourism, for approval by the Western Australian Planning Commission, on advice from the Shire of Murray.*
36. *The approved Lighting Strategy shall be implemented and adhered to at all times by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.*

Other

37. *Prior to the occupation of the first stage of the development, an Operational Management Plan is to be submitted to, and approved by, the Western Australian Planning Commission on the advice of the Shire of Murray. The Plan is to address, but not limited to, the following matters:*
- a. Ongoing public access to and maintenance of footpaths, cycle paths and publicly accessible areas within the site*
 - b. Public liability, including sufficient insurance of publicly accessible areas within the site.*
 - c. Any other matter deemed relevant.*
38. *The approved Operational Management Plan shall be implemented and adhered to at all times by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.*
39. *Prior to occupation of the development, a Shopping Trolley Management Plan is to be submitted to the satisfaction of the Western Australian Planning Commission on advice of the Shire of Murray.*
40. *The approved Shopping Trolley Management Plan is to be implemented and adhered to at all times by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.*

41. *Prior to submission of the relevant building permit application, details of any proposed air-conditioning condensers, external building plant, piping, ducting, transformers and fire control rooms being integrated into the design of the buildings and located or screened to minimise any visual and noise impact on nearby residents, businesses and the public realm, being submitted to, and approved by, the Western Australian Planning Commission on advice from the Shire of Murray.*

Advice Notes

- a. *This is a development approval only. The applicant/owner is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws and/or licence/permit requirements that may relate to the development. Please contact the Shire of Murray for further advice on building, health, and engineering requirements.*
- b. *With regard to Condition 1, the term “substantially commenced” has the meaning given to it in the Planning and Development (Local Planning Schemes) Regulations 2015 as amended from time to time. The substantial commencement date is calculated from the date the applicant receives the determination notice.*
- c. *With regard to Condition 2, the final working drawings are to comply with all of the relevant conditions of development approval, as confirmed by the Western Australian Planning Commission (WAPC), and any variations from the approved plans are required to be clearly identified. Once the WAPC is satisfied that the working drawings are consistent with the approved development plans, reports and information submitted have adequately addressed the conditions of approval, WAPC will provide a clearance letter and copies of the working drawings to the Shire of Murray to assist with the issuing of a building permit.*

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

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

- d. *Where building works propose a “notifiable event” or are likely to affect neighbouring land or property, then the ‘Work affecting other land’ provisions of the Building Act 2011 will apply. This*

information sets out the requirements for managing building work on or close to a boundary. This process is used to confirm agreement with the work and with the effects it may have on neighbouring land or property.

- e. *With regard to Condition 7, the applicant is advised that the Bushfire Emergency Evacuation Plan is to be updated before the occupation of the consulting room and child care premises components of Stage 2 of the development.*
- f. *With regard to Condition 11, the Landscape Plan should include (but not be limited to):*
 - i. *species, sizes, and types of plantings;*
 - ii. *reticulation to plantings including any rain/grey water capture and re-use;*
 - iii. *pedestrian shared path connecting the proposed neighbourhood centre to the existing path network that terminates at the south east boundary of the development site;*
 - iv. *paving, kerbs, and other surface treatments;*
 - v. *details of any hard infrastructure;*
 - vi. *details of artwork installations;*
 - vii. *seating, lighting, shade structures and other hard infrastructure;*
 - viii. *integration of wind amelioration strategies for outdoor spaces;*
 - ix. *water sensitive urban design and designing out crime principles;*
 - x. *details of ongoing management and maintenance, and*
 - xi. *be an appropriate scale of either 1:100, 1:200 or 1:500.*
- g. *With regard to Conditions 14-17, Main Roads WA advises the applicant:*
 - i. *Upgrades to the road network include signage, road markings, relocation of services, street lighting, roadside furniture and Main Roads WA costs involved in the checking of the design and construction drawings and any site inspections.*
 - ii. *No part of the development, other than soft landscaping approved by Main Roads, is to be located upon the land reserved as Primary Regional Road under the Peel Region Scheme. This includes, but is not limited to signage, retaining walls and any associated infrastructure services.*
 - iii. *The road geometry, and all infrastructure and services (including signal box) for the signalised intersection design shall be contained within the road reserve.*
 - iv. *No works are permitted within the Pinjarra Road reservation unless Main Roads has issued a working on Roads Permit.*
- h. *With regard to Conditions 18-20, the applicant is advised that:*

- i. Electric Rideable Charging Provision - Electrical supply should be incorporated into the bike parking facilities to charge e-bikes, mobility devices and other emerging technologies.*
 - ii. Future stages of development will need to provide additional bike parking as required.*
 - iii. EOT facilities should be provided at the following rates: One shower for the first 5 long term parking spaces or part thereof, and an additional shower for each 10 long term bicycle spaces thereafter, in accordance with Austroads Guide to Traffic Management Part 11 – Parking (2017).*
- i. With regard to Condition 24, the applicant is advised that a private sewerage pump station to service the development as mentioned in the Site Servicing Assessment report may not be supported by the Water Corporation. Typically, the Water Corporation requires that a gravity connection should be used whenever possible and will only consider the private sewerage pump station as the last resort. The developer's consultant engineer should liaise with the Water Corporations Land Servicing Team regarding the design and construction of gravity options.*
- j. The developer is expected to provide all water and sewerage reticulation if required. A contribution for Water and Sewerage headworks may also be required. In addition, the developer may be required to fund new works or the upgrading of existing works and protection of all works. Any works being undertaken near Water Corporation water and sewerage assets that surround the subject site requires prior approval from the Water Corporation in accordance with Section 90 of the Water Services Act 2012.*
- k. With regard to Condition 28, that applicant is advised that all signage must not exceed 300cd/m² (candela per square metre) between sunset and sunrise, must not flash, pulsate or chase and must not contain fluorescent, reflective or retro reflective colours or materials.*
- l. With regard to Condition 35, the lighting plan and subsequent installed lighting should demonstrate that any light spill to adjoining properties is minimised to acceptable levels and is in compliance with AS4282:1997 and that lighting to all car parking areas, building facades and the public forecourt is in accordance with the relevant Australian Standards AS1158.3.1 and AS4282 consistent with the WAPC Safer Places by Design CPTED Guidelines and Dark Sky Position Statement.*
- m. With regard to Condition 37, the Operational Management Plan is to include details on the following, and be reflected in the working drawings, where applicable:*

- i. *effective and safe management of traffic movements to, from and within the car parking areas;*
 - ii. *the protection of cycle routes in and around the development;*
 - iii. *the identification of ACROD bays;*
 - iv. *the identification of parking, loading, delivery and waste management areas;*
 - v. *the identification of clear, safe, and accessible pedestrian paths through the car parking and delivery areas; and*
 - vi. *wayfinding and directional signage for residents, deliveries, and visitors.*
- n. *The applicant is advised that waste collection is not permitted from the Pinjarra Road or Old Mandurah Road reserves or the future widened road reservation.*
- o. *The applicant is advised that anyone proposing to carry out construction or excavation works must contact 'Before You Dig Australia' (www.byda.com.au) to determine the location of buried gas infrastructure. Refer to ATCO document AGA-O&M-PR24- Additional Information for Working Around Gas Infrastructure <https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.htm>*
- p. *The applicant is advised that proposed construction and excavation works need to be managed in accordance with the ATCO document Additional Information for Working Around Gas Infrastructure - AGA-O&M-PR24 <https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.html>*
- q. *If an applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 17 of the Planning and Development Act 2005.*

AMENDING MOTION

REASON

Moved by Mr Koltasz

Mr Koltasz moved a motion to amend Condition 2, Part b to read "power capacity for a minimum of two electric vehicle fast charging bays (Level 2 or above) is to be provided within the publicly accessible car park" as requested by the proponent.

- 2. *The development is to be undertaken in accordance with the approved plans (date stamped 9 November 2023) attached to this approval, subject to modifications required by any condition of this approval, final details of which are to be submitted at working drawings stage (condition clearance stage), to the*

satisfaction of the Western Australian Planning Commission on advice from the Shire of Murray, and shall include the following:

- a. an additional four bicycle bays are to be installed bringing the total to 26 on-site bicycle parking bays.*
- b. power capacity for a minimum of two electric vehicle fast charging bays (Level 2 or above) is to be provided within the publicly accessible car park.*
- c. the provision of a 2.5 metre wide shared path connecting the shared path shown on Drawing Number P.00 (Rev 19) to the existing shared path on Lot 9014 on DP 400834 at the south east boundary of Lot 9015.*

The motion lapsed for want of a seconder

AMENDING MOTION

REASON

Members discussed the request by the proponent to amend Condition 24 to replace the words "Prior to the commencement of development" with "Prior to the occupation of the development" and agreed to amend the condition.

Moved by Mr Koltasz

Seconded by Ms Bennett

24. Prior to the occupation of the development, the development site is to be connected in accordance with the requirements and specifications of the Water Corporation and to the satisfaction of the Western Australian Planning Commission.

The amending motion was put and carried

AMENDING MOTION

REASON

Members discussed the request by the proponent to amend Condition 35 to remove reference to the Western Australian Planning Commission's Position Statement: Dark Sky and Astrotourism and agreed to amend the condition.

Moved by Mr Koltasz

Seconded by Ms Bennett

35. Prior to submission of the relevant building permit application, the applicant is to submit a Lighting Strategy, detailing external illumination of the development in accordance with AS4282:1997, AS1158.3.1, for approval by the Western Australian Planning Commission, on advice from the Shire of Murray.

The amending motion was put and carried

AMENDING MOTION

REASON

Members discussed water management and details of the Stormwater management plan at Conditions 30 to 32 and considered including an advice note to provide guidance on the Western Australian Planning Commission's Better Urban Water Management and address matters relating to catchment of inflows, ground water and flood plain management, development levels, the provision of water and wastewater services and environmental protection.

Members agreed to include a new advice note at Advice Note L on the Western Australian Planning Commission's Better Urban Water Management and to re-number the remaining advice notes accordingly.

Moved by Ms Brookes

Seconded by Ms Bennett

- I. *With regard to Condition 30-32, the Stormwater Management Plan should be prepared in accordance with the Western Australian Planning Commission's Better Urban Water Management and address matters relating to (but not be limited to):*
 - i. *Management of catchment inflows,*
 - ii. *Potential flood impacts to surrounding and downstream landholdings,*
 - iii. *Development levels within the Murray River floodplain,*
 - iv. *Provision of water and wastewater services, and*
 - v. *Environmental protection (water quality management).*

The amending motion was put and carried

Ms Bennett discussed comments from the Shire of Murray regarding the precinct planning and acknowledged the scale of the precinct planning work underway and recognised that this is a significant exercise that will take some time and not reasonable for the proponent to wait for this work complete given the extent of planning already undertaken. Ms Bennett also acknowledged the site boundaries of Old Mandurah Road and Pinjarra Road meant the site is constrained limiting the integration with the broader precinct and noted the demand for the neighbourhood centre through the strong community support through the public submissions and members encouraged the Shire of Murray to continue with the Precinct Planning for the area.

SUBSTANTIVE RESOLUTION

That the Western Australian Planning Commission resolves to APPROVE application reference SDAU-043-21 and accompanying

plans (date-stamped 9 November 2023) for a Neighbourhood Shopping Centre including and associated parking, landscaping and public realm works on a portion of Lot 9015 on Deposited Plan 400834, corner of Old Mandurah Road and Pinjarra Road, Ravenswood, in accordance with s.274 of the Planning and Development Act 2005, subject to the following conditions:

Approval Timeframe

- 1. This decision constitutes planning approval only and is valid for a period of 36 months from the date of approval. If the development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.*

Conformity with Plans

- 2. The development is to be undertaken in accordance with the approved plans (date stamped 9 November 2023) attached to this approval, subject to modifications required by any condition of this approval, final details of which are to be submitted at working drawings stage (condition clearance stage), to the satisfaction of the Western Australian Planning Commission on advice from the Shire of Murray, and shall include the following:*
 - a. an additional four bicycle bays are to be installed bringing the total to 26 on-site bicycle parking bays.*
 - b. a minimum of two electric vehicle fast charging bays (Level 2 or above) are to be provided within the publicly accessible car park; and*
 - c. the provision of a 2.5 metre wide shared path connecting the shared path shown on Drawing Number P.00 (Rev 19) to the existing shared path on Lot 9014 on DP 400834 at the south east boundary of Lot 9015.*
- 3. A copy of the final working drawings (prepared for submission of a building permit application) and all associated plans, reports and information that addresses the conditions of approval are to be submitted to, and cleared by, the Western Australian Planning Commission.*

Land Use

- 4. This approval is for a 'Bank', 'Child Day Care Centre', 'Consulting Room', 'Licenced Restaurant', 'Liquor Store', 'Medical Clinic', 'Office', 'Restaurant/Café', 'Shop', 'Take-away Food Outlet', and 'Health Centre/Studio' uses as defined under the Shire of Murray Local Planning Scheme No. 4.*

Materials and Finishes

- 5. The development is to be constructed with high quality and durable external materials and finishes, consistent with the*

approved development plans date-stamped 9 November 2023 (other than as amended by conditions of approval). Final details are to be submitted to and approved by the Western Australian Planning Commission, prior to submission of the relevant building permit application/s.

6. *Prior to submission of the relevant building permit application, the applicant is to submit final details of the materials, colours and finishes of the exterior of the building(s), to the satisfaction of the Western Australian Planning Commission.*

Bushfire Management

7. *Prior to occupation of any stage of the development, the owner shall register on the Certificate of Title(s), a notification pursuant to Section 70A of the Transfer of Land Act 1893. The notification is to be included on the diagram or plan of survey (deposited plan) and state:*

"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".

The notification is to be registered at the applicant/owner's expense, to the satisfaction of the Western Australian Planning Commission.

8. *Prior to the occupation of the relevant stage of development, certification shall be provided from a suitably qualified Bushfire Consultant that demonstrates the measures included in the Bushfire Management Plan and/or the Bushfire Emergency Evacuation Plan (where relevant) prepared by element (version 5) date stamped 9 November 2023 have been implemented in full, to the satisfaction of the Western Australian Planning Commission, on advice from the Shire of Murray.*

Construction

9. *Prior to submission of the relevant building permit application, a Construction and Traffic Management Plan is to be submitted to and approved by the Western Australian Planning Commission, on advice from the Shire of Murray and Main Roads WA, addressing but not limited to:*
 - a. *hours of construction;*
 - b. *temporary fencing, hoardings, gantries, and signage;*
 - c. *site access and egress;*
 - d. *construction traffic management;*
 - e. *pedestrian and cyclist management and any footpath obstructions;*
 - f. *parking arrangements for staff and contractors;*

- g. deliveries and storage of construction materials and machinery;*
- h. management of vibration, dust, wind, and erosion;*
- i. management of any site dewatering or stormwater discharge;*
- j. management of construction noise and other site generated noise;*
- k. demolition and construction waste management, recycling, and removal;*
- l. protection of street trees and public realm infrastructure; and*
- m. public communication and complaint handling procedures.*

10. The approved Construction and Traffic Management Plan shall be implemented and adhered to at all times by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.

Landscaping

- 11. Prior to submission of the relevant building permit application, detailed Landscape Plans, including pedestrian connections to existing public path network to southeast of the lot, hard and soft landscape specifications, public artwork and reticulation details, aligned with the Landscape Concept Plan prepared by Kelsie Davies Landscape Architecture (date stamped 9 November 2023) and the approved Development Plans, are to be submitted to and approved by the Western Australian Planning Commission, on advice from the Shire of Murray and Main Roads WA.*
- 12. Prior to occupation of the relevant stage of development, certification that all landscaping and reticulation has been established in accordance with the approved landscaping plans to Australian Standards shall be submitted to the Western Australian Planning Commission.*
- 13. The approved Landscaping Plans shall be implemented and adhered to at all times by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.*

Road Works

- 14. Prior to submission of the relevant building permit application, preliminary road upgrade design plans (15% concept) are to be submitted to the requirements and satisfaction of the Western Australian Planning Commission, on advice of Main Roads WA, for the following:*
- a. the upgrade of Pinjarra Road / Old Mandurah Road intersection to a signalised intersection;*

- b. Old Mandurah Road auxiliary turning lane treatments; and*
 - c. the left-in and left-out vehicle movements to and from Pinjarra Road attached concept plan entitled 'Lot 9015 – Pinjarra Road Proposed Development Concept Design Left-In / Left-out Only' dated 02 August 2022 (attached).*
- 15. Prior to the occupation of the first stage of the development, the applicant shall be responsible for all costs involved in the design, construction and upgrade of the Pinjarra Road / Old Mandurah Road intersection and the proposed access to the development site to the satisfaction of the Western Australian Planning Commission on the advice of Main Roads WA.*
- 16. Prior to the occupation of the development, a 'No U-turn' road sign shall be installed at the intersection of Pinjarra Road and Thomasfield Place and a safety barrier shall be installed in the median of Pinjarra Road opposite the left-in and left-out access to the neighbourhood shopping centre, at the owner's cost and to Main Roads WA specifications, to the satisfaction of the Western Australian Planning Commission.*
- 17. Prior to occupation of the development, the land reserved Primary Regional Road for the widening of Old Mandurah Road is to be set aside as a separate lot and ceded free of cost to the State of Western Australia, to the satisfaction of the Western Australian Planning Commission.*

Parking and Access

- 18. Prior to submission of the relevant building permit application, a detailed parking plan shall be prepared by a suitably qualified engineering consultant which demonstrates the proposed car parking areas, vehicle access, universal access and bicycle bays have been designed to the specifications of the Shire of Murray, in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004), Off-street Parking for People with Disabilities (AS/NZS2890.6 2009), Off-street Commercial Vehicle Facilities (AS2890.2:2002) and Off-street carparking – Bicycles (AS2890.3), as applicable, unless otherwise approved, to the satisfaction of the Western Australian Planning Commission.*
- 19. Prior to occupation of the development, certification is required that all car parking spaces, access aisles, loading bays and bicycle parking spaces have been designed, constructed and marked in accordance with the approved parking plan to the specifications of the Shire of Murray and in accordance with the applicable Australian Standard (as above), to the satisfaction of the Western Australian Planning Commission.*

- 20. Prior to the occupation of the first stage of development, all bicycle parking and associated end-of-trip facilities shall be installed as indicated on the approved development plans or required as a condition of approval, retained in perpetuity and maintained for the life of the development, to the satisfaction of the Western Australian Planning Commission.*
- 21. Prior to the occupation of the development, the Waste Management Plan prepared by Talis Consultants (date-stamped 22 December 2022) is to be updated to reflect the detailed design and submitted to and approved by the Western Australian Planning Commission, on advice from the Shire of Murray.*
- 22. The approved Waste Management Plan shall be implemented and adhered to at all times by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.*

Easements

- 23. Prior to the occupation of the development, public access easement/s shall be created on the certificate of title of a portion of Lot 9015, for the following as relevantly depicted on drawing P.00 Rev 19 of the development plans date stamped 9 November 2023:*
 - a. the main street including vehicular, cyclist and pedestrian connection between Old Mandurah Road and Pinjarra Road;*
 - b. the proposed two way access providing vehicular and pedestrian connections from the 'main street' to the edge of the development site to the east;*
 - c. the proposed pedestrian link (shared path) from the 'main street' through the balance of Lot 9015 connecting with the existing shared path on Lot 9014; and*
 - d. the town square being an area of approximately 120m² between future tenancy sites T5 and T6;*

in accordance with Sections 195 and 196 of the Land Administration Act 1997, or another suitable alternative, details of which are to be submitted to the satisfaction of the Western Australian Planning Commission.

Services

- 24. Prior to the occupation of the development, the development site is to be connected in accordance with the requirements and specifications of the Water Corporation and to the satisfaction of the Western Australian Planning Commission.*
- 25. Prior to the occupation of the relevant stage of development, any existing easements or encumbrances shown on Lot 9015*

on Deposited Plan 400834 that are impacted by the proposed development are to be relocated or modified and placed on the relevant Certificate/s of Title, in accordance with Sections 195 and 196 of the Land Administration Act 1997, or another suitable alternative, on the advice of the Water Corporation and Shire of Murray to the satisfaction of the Western Australian Planning Commission.

Sustainability

- 26. Prior to the submission of the relevant building permit application, an updated sustainability report which demonstrates how all recommendations contained within the Sustainability Strategy prepared by Cundall (date stamped 22 December 2022) will be implemented, is to be submitted to the satisfaction of the Western Australian Planning Commission.*
- 27. Prior to the occupation of the relevant stage of development, documentation from a suitably qualified professional is to be provided certifying that all applicable sustainability initiatives identified in the Sustainability Strategy have been implemented in the relevant stage of construction, to the satisfaction of the Western Australian Planning Commission.*

Signage

- 28. Prior to the submission of the relevant building permit application, a Signage Strategy is to be submitted to and approved by the Western Australian Planning Commission, on the advice of Main Roads WA and the Shire of Murray. The Signage Strategy is to include details of:*
- a. the location, size and format of any signage to the building exterior;*
 - b. signage to promote and guide wayfinding; and*
 - c. details on the proposed illumination of the sign.*
- 29. The approved Signage Strategy is to be implemented and adhered to at all times by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.*

Environmental

- 30. Prior to submission of the relevant building permit application, a Stormwater Management Plan detailing stormwater management in accordance with water sensitive urban design principles, is to be submitted to and approved by the Western Australian Planning Commission, on advice from the Shire of Murray and the Department of Water and Environmental Regulation.*

31. *The approved Stormwater Management Plans is to be implemented and adhered to at all times by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.*
32. *Stormwater shall not be discharged into the Pinjarra Road or Old Mandurah Road reserves or the future widened road reservation, except in accordance with the approved Stormwater Management Plan.*

Noise Management

33. *Prior to occupation of the relevant stage of development, certification is to be provided from a qualified acoustic consultant confirming that the recommendations of the Acoustic Report, prepared by Herring Storer Acoustics (date stamped 28 July 2023) have been implemented, to the satisfaction of the Western Australian Planning Commission.*
34. *Prior to occupation of the relevant stage of development, the owner shall register on the Certificate of Title(s), a notification pursuant to Section 70A of the Transfer of Land Act 1893. The notification is to be included on the diagram or plan of survey (deposited plan) and state:*

'The lot is situated in the vicinity of a transport corridor and is currently affected or may in future be affected by transport noise.'

The notification is to be registered at the applicant/owner's expense, to the satisfaction of the Western Australian Planning Commission.

Lighting

35. *Prior to submission of the relevant building permit application, the applicant is to submit a Lighting Strategy, detailing external illumination of the development in accordance with AS4282:1997, AS1158.3.1, for approval by the Western Australian Planning Commission, on advice from the Shire of Murray.*
36. *The approved Lighting Strategy shall be implemented and adhered to at all times by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.*

Other

37. *Prior to the occupation of the first stage of the development, an Operational Management Plan is to be submitted to, and approved by, the Western Australian Planning Commission on*

the advice of the Shire of Murray. The Plan is to address, but not limited to, the following matters:

- a. Ongoing public access to and maintenance of footpaths, cycle paths and publicly accessible areas within the site*
- b. Public liability, including sufficient insurance of publicly accessible areas within the site.*
- c. Any other matter deemed relevant.*

38. The approved Operational Management Plan shall be implemented and adhered to at all times by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.

39. Prior to occupation of the development, a Shopping Trolley Management Plan is to be submitted to the satisfaction of the Western Australian Planning Commission on advice of the Shire of Murray.

40. The approved Shopping Trolley Management Plan is to be implemented and adhered to at all times by the owners and/or managers of the development, to the satisfaction of the Western Australian Planning Commission.

41. Prior to submission of the relevant building permit application, details of any proposed air-conditioning condensers, external building plant, piping, ducting, transformers and fire control rooms being integrated into the design of the buildings and located or screened to minimise any visual and noise impact on nearby residents, businesses and the public realm, being submitted to, and approved by, the Western Australian Planning Commission on advice from the Shire of Murray.

Advice Notes

- a. This is a development approval only. The applicant/owner is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws and/or licence/permit requirements that may relate to the development. Please contact the Shire of Murray for further advice on building, health, and engineering requirements.*
- b. With regard to Condition 1, the term “substantially commenced” has the meaning given to it in the Planning and Development (Local Planning Schemes) Regulations 2015 as amended from time to time. The substantial commencement date is calculated from the date the applicant receives the determination notice.*
- c. With regard to Condition 2, the final working drawings are to comply with all of the relevant conditions of development approval, as confirmed by the Western Australian Planning Commission (WAPC), and any variations from the approved plans are required to be clearly identified. Once the WAPC is*

satisfied that the working drawings are consistent with the approved development plans, reports and information submitted have adequately addressed the conditions of approval, WAPC will provide a clearance letter and copies of the working drawings to the Shire of Murray to assist with the issuing of a building permit.

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

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

- d. Where building works propose a “notifiable event” or are likely to affect neighbouring land or property, then the ‘Work affecting other land’ provisions of the Building Act 2011 will apply. This information sets out the requirements for managing building work on or close to a boundary. This process is used to confirm agreement with the work and with the effects it may have on neighbouring land or property.*
- e. With regard to Condition 7, the applicant is advised that the Bushfire Emergency Evacuation Plan is to be updated before the occupation of the consulting room and child care premises components of Stage 2 of the development.*
- f. With regard to Condition 11, the Landscape Plan should include (but not be limited to):*
 - i. species, sizes, and types of plantings;*
 - ii. reticulation to plantings including any rain/grey water capture and re-use;*
 - iii. pedestrian shared path connecting the proposed neighbourhood centre to the existing path network that terminates at the south east boundary of the development site;*
 - iv. paving, kerbs, and other surface treatments;*
 - v. details of any hard infrastructure;*
 - vi. details of artwork installations;*
 - vii. seating, lighting, shade structures and other hard infrastructure;*
 - viii. integration of wind amelioration strategies for outdoor spaces;*
 - ix. water sensitive urban design and designing out crime principles;*
 - x. details of ongoing management and maintenance, and*

- 28

near Water Corporation water and sewerage assets that surround the subject site requires prior approval from the Water Corporation in accordance with Section 90 of the Water Services Act 2012.

- k. With regard to Condition 28, that applicant is advised that all signage must not exceed 300cd/m² (candela per square metre) between sunset and sunrise, must not flash, pulsate or chase and must not contain fluorescent, reflective or retro reflective colours or materials.*
- l. With regard to Condition 30-32, the Stormwater Management Plan should be prepared in accordance with the Western Australian Planning Commission's Better Urban Water Management and address matters relating to (but not be limited to):*
 - i. Management of catchment inflows;*
 - ii. Potential flood impacts to surrounding and downstream landholdings;*
 - iii. Development levels within the Murray River floodplain;*
 - iv. Provision of water and wastewater services; and*
 - v. Environmental protection (water quality management).*
- m. With regard to Condition 35, the lighting plan and subsequent installed lighting should demonstrate that any light spill to adjoining properties is minimised to acceptable levels and is in compliance with AS4282:1997 and that lighting to all car parking areas, building facades and the public forecourt is in accordance with the relevant Australian Standards AS1158.3.1 and AS4282 consistent with the WAPC Safer Places by Design CPTED Guidelines and Dark Sky Position Statement.*
- n. With regard to Condition 37, the Operational Management Plan is to include details on the following, and be reflected in the working drawings, where applicable:*
 - i. effective and safe management of traffic movements to, from and within the car parking areas;*
 - ii. the protection of cycle routes in and around the development;*
 - iii. the identification of ACROD bays;*
 - iv. the identification of parking, loading, delivery and waste management areas;*
 - v. the identification of clear, safe, and accessible pedestrian paths through the car parking and delivery areas; and*
 - vi. wayfinding and directional signage for residents, deliveries, and visitors.*
- o. The applicant is advised that waste collection is not permitted from the Pinjarra Road or Old Mandurah Road reserves or the future widened road reservation.*

- p. The applicant is advised that anyone proposing to carry out construction or excavation works must contact 'Before You Dig Australia' (www.byda.com.au) to determine the location of buried gas infrastructure. Refer to ATCO document AGA-O&M-PR24- Additional Information for Working Around Gas Infrastructure <https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.htm>*
- q. The applicant is advised that proposed construction and excavation works need to be managed in accordance with the ATCO document Additional Information for Working Around Gas Infrastructure - AGA-O&M-PR24 <https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.html>*
- r. If an applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 17 of the Planning and Development Act 2005.*

The motion was put and carried

8. Reports for noting

8.1 Western Australian Planning Commission - Part 17 Delegated Authority Decisions - Nov 23 to Jan 24

Moved by Ms Brookes
Seconded by Mr Koltasz

That the Western Australian Planning Commission resolves to:

- 1. NOTE the report summary of Western Australian Planning Commission decisions made pursuant to Part 17 of the Planning and Development Act 2005 by a delegated officer between 01 November 2023 – 31 January 2024.*

The motion was put and carried

9. State Administrative Tribunal applications

The Chairman noted that State Administrative Tribunal applications have been lodged for the Recreation Facility and Restaurant at Lots 253 (120), 254 (78) Esplanade and Lot 3128 Birdwood Parade, Dalkeith and the Residential and Commercial Building at Lot 50 (22) St Quentin Avenue, Claremont.

10. General business

Nil.

11. Meeting closure

The Chairman provided the following statement in closing the meeting:

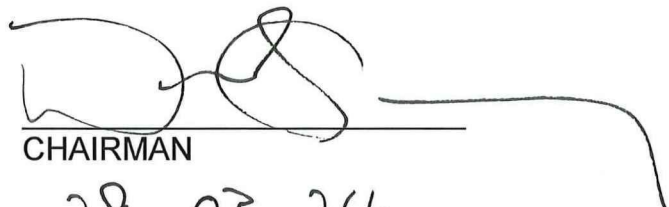
In closing this meeting, I would like to comment on and note the context of this decision, and to acknowledge the varied interests in the proposal and matters raised by the Shire of Murray.

All submissions received during the advertising of this proposal were given due regard in the assessment of the application and have been shared with Commission members for consideration in determining the application. It is also relevant to conclude that some observers might consider these matters to be reasonable grounds for refusing the application, the Commission has concluded that these concerns have been appropriately addressed in the report of the SDAU to the Commission.

Having considered all the above matters and the SDAU assessment that details the state of the current planning framework, the Commission has concluded that the proposed development could be contemplated within that framework.

Commission members have today resolved that the application as proposed, achieves the intent and objectives of the various planning instruments and the Commission is of the view that the application addresses the purpose and intent of the planning framework.

There being no further business before the Board, the Chairman thanked members for their attendance and declared the meeting closed at 3:08pm.



CHAIRMAN

28.03.24

DATE