



Western Australian Planning Commission

Minutes

Meeting No. 9
Thursday, 24 June, 2021

- Members: David Caddy - Chairman WAPC
Jodi Cant - Director General, Department of Planning, Lands and Heritage
Emma Cole - Metropolitan Local Government Representative
Lynne Craigie - Nominee of the Regional Minister
Veronica Fleay - Local government representative – non-metropolitan
Kelly Faulkner - A/Director General, Department of Water and Environmental Regulation
Justin McKirdy - Urban and Regional Planning Representative
Peter Woronzow - Director General, Department of Transport
- Observers: Caroline Knight - Non-Metropolitan Local Government Representative
- Apologies: Ralph Addis - Director General, Department of Primary Industries and Regional Development (Associate member)
Michelle Andrews - Director General, Department of Water and Environmental Regulation
Jane Bennett - Professions Representative
Helen Brookes - Coastal Planning and Management Representative
Rebecca Brown - Director General, Department of Jobs, Tourism, Science and Innovation
Fred Chaney - Professions Representative
Barry McGuire - Professions Representative
Mike Rowe - Director General, Department of Communities
- Others present: Cassandra Barrow - Principal Planning Officer, Reform, Design and State Assessment
Inga Butefisch - Principal Media Advisor
Taryn Cox - Planning Administration Officer, Reform, Design and State Assessment
Paola Di Perna - Principal Planning Officer, Reform, Design and State Assessment
Shane Downes - Senior Planning Officer, Reform, Design and State Assessment
Sam Fagan - Manager Commission Business
Poppy Justice - Commission Support Officer
Michelle King - Senior Commission Support Officer
Margaret Smith - Planning Director, State Development Assessment Unit, Reform, Design and State Assessment

Applicants and Submitters: Mariska van der Linde - Senior Planning Officer, Reform, Design and State Assessment
George Ashton - Element
Matt Bounds - Coles Group Property Development
Matt Bruce - WallacePM
Murray Casselton - Element
Kelsie Davies - Kelsie Davies Landscape Architecture
Ben Dreckow - City of Mandurah
Cassie Rodwell - WallacePM
Andrew Zeller - Coles Group Property Development

There were 4 members of the public in attendance.

1. Declaration of opening

The Chairman declared the meeting open at 2:02pm, 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 and acknowledged the majority of members were attending the meeting via Zoom video conference. 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 which is available [here](#).

The Chairman advised that no person may use any electronic, visual or audio recording device or instrument to record proceedings of the WAPC and outlined that the Commission is not recording this meeting.

The Chairman also advised all participants 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.

2. Apologies

Ralph Addis - Director General, Department of Primary Industries and Regional Development

Michelle Andrews - Kelly Faulkner attending as Acting Director General, Department of Water and Environmental Regulation

Jane Bennett - Professions Representative

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

Helen Brookes - Coastal Planning and Management Representative

Fred Chaney - Professions Representative

Barry McGuire - Professions Representative

Mike Rowe - Director General, Department of Communities

3. Disclosure of interests

Ms Bennett declared an Actual Impartiality Interest on Item 7.1 - 71 Dandaragan Drive (Lot 924), Dawesville - Proposed Supermarket, Shops, Liquor Store, Child Care Premises and Health Studio (Gym). Ms Bennett stated that her employer CLE Town Planning + Design acts for the adjoining developer.

Mr Chaney declared an Actual Impartiality Interest on Item 7.1 - 71 Dandaragan Drive (Lot 924), Dawesville - Proposed Supermarket, Shops, Liquor Store, Child Care Premises and Health Studio (Gym). Mr Chaney stated that he has a client relationship with Coles Group Property Developments and Wallace PM, through his firm Taylor Robinson Chaney Broderick.

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.

4.1 Questions from members and responses from DPLH Staff provided prior to the meeting

5. Deputations and presentations

5.1 71 Dandaragan Drive (Lot 924), Dawesville – Proposed Supermarket, Shops, Liquor Store, Child Care Premises and Health Studio (Gym)

Presenter: Ben Dreckow - City of Mandurah

Mr Dreckow addressed the Western Australian Planning Commission and stated that a neighbourhood centre in the proposed location is supported by the City of Mandurah, however the City recommends a number of modifications to the development as detailed in their submission, including:

- Modification to the main street approach and access, as the focal point is outside of a walkable catchment;
- Modification to the size of signage to fit within a pedestrian scale; and
- Changes to the colour palette to reflect the coastal location and amenity of the wider area.

Mr Dreckow responded to questions from members relating to the frontage to Dandaragan Drive, landscaping, setbacks, parking and full movement access from Baily Boulevard as detailed in the Transport Report.

Ms Faulkner left the meeting at 2:26pm and did not return.

5.2 71 Dandaragan Drive (Lot 924), Dawesville – Proposed Supermarket, Shops, Liquor Store, Child Care Premises and Health Studio (Gym)

Presenters: Matt Bounds - Coles Group Property Development, Kelsie Davies - Kelsie Davies Landscape Architecture, Murray Casselton - Element

Mr Bounds, Ms Davies and Mr Casselton addressed the Western Australian Planning Commission in support of the application at Item 7.1 and requested that the substantial commencement period at Condition 1 of the recommendation of the Department of Planning, Lands and Heritage be amended to 18 months. Mr Casselton stated that this will allow additional time for possible construction and material delays.

Mr Bounds responded to questions from members relating to consultation with adjoining landowners and two-way movement on the road running on the east – west northern boundary.

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

Ms Smith, Director of the State Development Assessment Unit presented the key issues and considerations of the application at Item 7.1 and responded to questions from members relating to the colour and material palette of the development and setback of the front facing building.

7. Item/s for decision

7.1 71 Dandaragan Drive (Lot 924), Dawesville – Proposed Supermarket, Shops, Liquor Store, Child Care Premises and Health Studio (Gym)

The Chairman invited discussion from members on the report presented at Item 7.1 of the agenda. Members acknowledged the information presented to them through the deputations and the Department of Planning, Lands and Heritage.

REPORT RECOMMENDATION:

**Moved by Cr Fleay
Seconded by Ms Craigie**

That the Western Australian Planning Commission resolves to APPROVE application reference SDAU-009-20 and accompanying plans (date-stamped 26 May 2021) for a Supermarket, Shops, Liquor Store, Child Care Premises, Health Studio (Gym) at 71 Dandaragan Drive (Lot 924), Dawesville, in accordance with s.274 of the Planning and Development Act 2005, subject to the following conditions:

Conditions

Approval Timeframe

- 1. This decision constitutes planning approval only and is valid for a period of 12 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 shall be undertaken in accordance with the approved plans and documents date-stamped 26 May 2021 attached to this approval, final details of which are to be provided at working drawings stage to the satisfaction of the Western Australian Planning Commission with the following modification:*
 - a. *The northernmost car parking shade structure be modified to remove the proposed cover over the depicted landscape area and nearby car bays.*

Clearance of Conditions of Approval

3. *A covering letter and a copy of the final working drawings (prepared for submission of an application for a building permit) and all associated reports and information that address the conditions of approval shall be submitted to, and cleared by, the Western Australian Planning Commission.*

Land Use

4. *The outdoor open space areas of the Child Care Premises shall not be used between the hours of 7:00pm and 7:00am.*
5. *The Restaurant (cafe) located within the Health Studio (gym) shall remain incidental to the approved Health Studio (gym) use.*

Construction

6. *Prior to the submission of the relevant building permit application, a Construction Management Plan for the proposed development shall be submitted to, and approved by, the Western Australian Planning Commission on advice from the City of Mandurah, addressing but not limited to: the control of vibration, dust, noise, waste, dewatering, sand and sediment; temporary fencing; hoardings and gantries; site access/egress; deliveries of construction materials; heavy construction machinery; parking for contractors and tradespersons; and traffic control. The approved Plan shall be implemented and adhered to at all times during the construction phase, unless otherwise approved by the Western Australian Planning Commission on advice from the City of Mandurah.*
7. *Prior to the submission of the relevant building permit application, the applicant shall submit a geotechnical engineering report certifying that the land is physically capable of accommodating the development, to the satisfaction of the Western Australian Planning Commission, on advice from the City of Mandurah.*

Parking and Access

8. *The on-site car parking bays, vehicle access-ways and bicycle bays shall be designed and marked to comply with Australian Standards AS2890.1 and AS2890.3 as generally indicated on the approved plans and such marking shall be subsequently maintained so that the delineation of parking bays remains clearly visible. Hard-stand areas approved for the*

purpose of car parking or vehicle access shall be maintained in good condition to the satisfaction of the Western Australian Planning Commission.

- 9. Prior to the occupation of the development, the applicant shall supply certification of compliance by an architect or engineer confirming that the constructed design of all car parks, vehicle access-ways and bicycle bays complies with Australian Standards AS2890.1 and AS2890.3 and is consistent with the approved plans, to the satisfaction of the Western Australian Planning Commission.*
- 10. Prior to the occupation of the development, an access easement shall be placed on the certificate of title of Lot 924, for the benefit of the adjacent Lot 9043 for the purpose of providing vehicular and pedestrian access. The easement shall apply across the portion of two-way access on Lot 924 commencing from Bailey Boulevard, which links at right angle into the single accessway along the southern boundary of Lot 924 connecting to Cocklebidy Gate, to the satisfaction of the Western Australian Planning Commission. The easement shall be established at the owner/developer's expense and lodged with the Registrar of Titles for endorsement on the certificate of titles.*
- 11. Prior to the submission of the relevant building permit application, the applicant shall submit details of appropriate directional signage and line marking in the parking area and pavement, within the development site, to give clear direction to motorists in accordance with Australian Standards*
- 12. A Universal Access Statement prepared by a suitably qualified person is to be provided to the satisfaction of the Western Australian Planning Commission, prior to the submission of the relevant building permit application.*

Signage

- 13. The location of external advertising signage is to be integrated with the design of the building facades, as depicted on the approved plans dated 26 May 2021.*
- 14. Window signage and imagery and opaque glazing shall be limited to 25% of the total glass area of the elevation for each tenancy unless otherwise approved by the Western Australian Planning Commission on advice from the City of Mandurah.*

Bushfire management

- 15. The Bushfire Management Plan, prepared by Green Start Consulting, dated 21 March 2021, shall be implemented and adhered to at all times by the owners and/or operators of the development, to the satisfaction of the Western Australian Planning Commission.*
- 16. Prior to occupation of the development, a notification, pursuant to section 70A of the Transfer of Land Act 1893 is to be placed on the certificate(s) of title of the subject lot. The notification is to state as follows: "The lot is located within a bushfire prone area and is subject to a bushfire management plan".*

Lighting

17. All security, building, signage and carpark lighting is to be located, designed and installed to prevent excess light spillage from the development. An external lighting plan that refers to AS4282 Control of the Obtrusive Effects of Outdoor Lighting and other relevant lighting standards shall be submitted to, and approved by, the Western Australian Planning Commission on advice from the City of Mandurah, prior to the submission of the relevant building permit application.

Waste Management

18. The Waste Management Plan by Talis (ref. TW20087 dated February 2021) shall be implemented and adhered to at all times by the owners and/or operators of the development, to the satisfaction of the Western Australian Planning Commission.

Water Management

19. Prior to the submission of the relevant building permit application, a Stormwater Management Plan shall be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Mandurah, and thereafter implemented.

Acoustic Report

20. All of the recommended measures included in the Environmental Acoustic Assessment prepared by Herring Storer, dated January 2021 (Ref: 27160-2-20205-02), shall be implemented in full unless otherwise approved by the Western Australian Planning Commission, on advice from the City of Mandurah.
21. Prior to the occupation of the development, the final plans shall be certified by a qualified acoustic consultant confirming the development incorporates the recommendations outlined in the approved Environmental Acoustic Assessment and approved State Planning Policy 5.4 Acoustic Assessment.

Landscaping

22. Prior to submission of the relevant building permit application, final landscape plans, including hard and soft landscape specifications and reticulation details, are to be submitted to and approved by the Western Australian Planning Commission. The landscape plan is to be updated to include:
- Plant species as specified in Section 3.1 of the Overstorey Management Plan;
 - Size of plants to align with the details in Overstorey Management Plan, in particular noting the semi-advanced size for the car parking areas, the specific plant requirements at the entry along Bailey Boulevard and the pot size contained in Appendix B.
 - Inclusion of landscaping works along Cocklebidy Gate in the extent of works;
 - Details of landscaping within the play areas of the proposed Child Care Premises.

23. *Prior to the occupation of the development, all landscaping areas shall be installed in accordance with the final approved landscaping plan. All landscaping areas shall be maintained thereafter to the satisfaction of the Western Australia Planning Commission.*

Materials and Finishes

24. *The development being constructed with high quality and durable materials and finishes and to a level of detailing that is consistent with the elevations and perspectives date stamped 26 May 2021.*
25. *Prior to the submission of the relevant building permit application, the applicant is to submit final details, including a sample board of the materials, colours and finishes of the exterior of the building to the satisfaction of the Western Australian Planning Commission.*
26. *Prior to the occupation of the development, all fencing and blank walls at ground level are to be treated with a non-sacrificial anti-graffiti coating to discourage potential graffiti. The anti-graffiti coating is to be reapplied in the event of any graffiti being removed.*
27. *Except for approved signage, any treatment to windows fronting Dandaragan Drive, including dark tinting, shutters, curtains, blinds or similar, must be located on the inside of the windows, must be a minimum 75% visually permeable, must only be used outside normal trading hours and must ensure the windows remain transparent at all times.*

Utilities and Facilities

28. *Any proposed air-conditioning condensers, external building plant, piping, ducting, transformers and fire control rooms shall be 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, with details of the location and screening of such plant and services being submitted to, and approved by, the Western Australian Planning Commission, prior to the submission of the relevant building permit application.*

Other

29. *Prior to the occupation of the supermarket, a Shopping Trolley Management plan shall be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Mandurah, and thereafter implemented by the operators of the supermarket.*
30. *An Operational Management Plan shall be prepared to address matters such as (but not limited to) litter, servicing, truck deliveries, loading, waste management, traffic management, odour and noise management and the control of anti-social behaviour. The Plan shall be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Mandurah, prior to the occupation of the development and thereafter implemented by the centre managers.*

Advice Notes

- a) *With regard to condition 1, and in accordance with s.279(4) of the Planning and Development Act 2005, the Commission cannot do*

anything that would have the effect of extending the period within which the development must be substantially commenced.

- b) 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.*
- c) With regard to Condition 2, the shade structure to be modified is to be consistent with the illustration included in the WAPC agenda as Attachment 8.*
- d) With regard to condition 3, the final working drawings are to comply with all of the relevant conditions of development approval, as confirmed by the Western Australian Planning Commission, and any variations from the approved plans are required to be clearly identified. Once the Western Australian Planning Commission is satisfied that the working drawings are consistent with the approved development plans and any reports and information submitted have adequately addressed the conditions of approval, the Commission will provide a clearance letter and copies of the working drawings to the City of Mandurah to assist with the issuing of a building permit.*

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

Interim documentation and/or plans 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 the 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.

- e) Approval for any substantial changes to the approved plans will need to be obtained in writing from the Commission, via an Amended Application process (Form 17C).*
- f) 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.*
- g) A new crossover, temporary crossover or modification to an existing crossover will require a separate Vehicle Crossover Permit to be obtained from the City of Mandurah prior to construction commencing.*
- h) Any works proposed within the road reserves will require the prior approval from the City of Mandurah and will need to be undertaken in accordance with the City's specifications and to the City's satisfaction. Any such application should include a detailed infrastructure plan.*

- i) *Any alteration to the verge assets or to the existing verge levels at the property boundaries will require the prior approval of the City of Mandurah.*
- j) *With regard to Condition 10, the easement area is to be consistent with the illustration in the proposed access plan included in the WAPC agenda as Attachment 7.*
- k) *With regard to Condition 12, the development is required to provide access to buildings for people with disabilities in accordance with the National Construction Code Building Code of Australia, AS1428.1 and Disability (Access to Premises – Buildings) Standards 2010.*
- l) *If an applicant or owner 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:

Members moved an amendment to include an additional Condition under Parking and Access that the recommendations and work detailed in the Traffic and Access Report, dated 17 March 2021, prepared by Uloth & Associates shall be implemented in full, unless otherwise approved by the Western Australian Planning Commission, on advice from the City of Mandurah. Members noted that the applicant has committed to the work outlined in the Traffic report and that this provides certainty and orderly and proper planning. Members noted the numeration of conditions thereafter are to be amended accordingly.

Moved by Mr McKirdy

Seconded by Cr Fleay

- 8. *The details and recommendations included in the Traffic and Access Report prepared by Uloth & Associates (dated 17 March 2021) shall be implemented in full unless otherwise approved by the Western Australian Planning Commission, on advice from the City of Mandurah.*

The motion was put and carried

AMENDING MOTION:

Reason:

Members moved an amendment to proposed Condition 1 that the development be substantially commenced with a period of 18 months.

Moved by Mayor Cole

Seconded by Ms Craigie

Conditions

Approval Timeframe

- 1. *This decision constitutes planning approval only and is valid for a period of 18 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.

The motion was put and carried

SUBSTANTIVE RESOLUTION:

REASON:

Commission members discussed that adding a condition consistent Condition 3.1 of the resolution of the Council of the City of Mandurah meeting dated 25 May 2021 for improved pedestrian access and angled on-street parking adjoining Dandaragan Drive be redesigned to services tenancies, however concluded that based on State Design Review Panel advice this is difficult to achieve. Members discussed the availability of space within the verge to accommodate angled parking and noted that this would constrain outdoor areas and landscaping, however noted that there is an opportunity for some modifications to improve pedestrian connectivity to the site and frontage. Members acknowledged the work undertaken in relation to improving pedestrian penetration and access across the site.

Members discussed the concern raised in public submissions relating to the speed limit on Bailey Boulevard and Old Coast Road, however noted that this falls under the jurisdiction of the responsible authority, Main Roads WA.

Having due regard to all the submissions received during the consultation process and the depositions received, the Commission resolved that the application met the criteria to be determined as a significant development, as prescribed under Part 17 of the Planning and Development Act 2005 (as amended by the Planning and Development Act 2020) and approved the application, subject to conditions.

That the Western Australian Planning Commission resolves to APPROVE application reference SDAU-009-20 and accompanying plans (date-stamped 26 May 2021) for a Supermarket, Shops, Liquor Store, Child Care Premises, Health Studio (Gym) at 71 Dandaragan Drive (Lot 924), Dawesville, in accordance with s.274 of the Planning and Development Act 2005, subject to the following conditions:

Conditions

Approval Timeframe

- 1. This decision constitutes planning approval only and is valid for a period of 18 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 shall be undertaken in accordance with the approved plans and documents date-stamped 26 May 2021 attached to this approval, final details of which are to be provided at working drawings stage to the satisfaction of the Western Australian Planning Commission with the following modification:*
 - a. *The northernmost car parking shade structure be modified to remove the proposed cover over the depicted landscape area and nearby car bays.*

Clearance of Conditions of Approval

3. *A covering letter and a copy of the final working drawings (prepared for submission of an application for a building permit) and all associated reports and information that address the conditions of approval shall be submitted to, and cleared by, the Western Australian Planning Commission.*

Land Use

4. *The outdoor open space areas of the Child Care Premises shall not be used between the hours of 7:00pm and 7:00am.*
5. *The Restaurant (cafe) located within the Health Studio (gym) shall remain incidental to the approved Health Studio (gym) use.*

Construction

6. *Prior to the submission of the relevant building permit application, a Construction Management Plan for the proposed development shall be submitted to, and approved by, the Western Australian Planning Commission on advice from the City of Mandurah, addressing but not limited to: the control of vibration, dust, noise, waste, dewatering, sand and sediment; temporary fencing; hoardings and gantries; site access/egress; deliveries of construction materials; heavy construction machinery; parking for contractors and tradespersons; and traffic control. The approved Plan shall be implemented and adhered to at all times during the construction phase, unless otherwise approved by the Western Australian Planning Commission on advice from the City of Mandurah.*
7. *Prior to the submission of the relevant building permit application, the applicant shall submit a geotechnical engineering report certifying that the land is physically capable of accommodating the development, to the satisfaction of the Western Australian Planning Commission, on advice from the City of Mandurah.*

Parking and Access

8. *The details and recommendations included in the Traffic and Access Report prepared by Uloth & Associates (dated 17 March 2021) shall be implemented in full unless otherwise approved by the*

Western Australian Planning Commission, on advice from the City of Mandurah.

- 9. The on-site car parking bays, vehicle access-ways and bicycle bays shall be designed and marked to comply with Australian Standards AS2890.1 and AS2890.3 as generally indicated on the approved plans and such marking shall be subsequently maintained so that the delineation of parking bays remains clearly visible. Hard-stand areas approved for the purpose of car parking or vehicle access shall be maintained in good condition to the satisfaction of the Western Australian Planning Commission.*
- 10. Prior to the occupation of the development, the applicant shall supply certification of compliance by an architect or engineer confirming that the constructed design of all car parks, vehicle access-ways and bicycle bays complies with Australian Standards AS2890.1 and AS2890.3 and is consistent with the approved plans, to the satisfaction of the Western Australian Planning Commission.*
- 11. Prior to the occupation of the development, an access easement shall be placed on the certificate of title of Lot 924, for the benefit of the adjacent Lot 9043 for the purpose of providing vehicular and pedestrian access. The easement shall apply across the portion of two-way access on Lot 924 commencing from Bailey Boulevard, which links at right angle into the single accessway along the southern boundary of Lot 924 connecting to Cocklebidly Gate, to the satisfaction of the Western Australian Planning Commission. The easement shall be established at the owner/developer's expense and lodged with the Registrar of Titles for endorsement on the certificate of titles.*
- 12. Prior to the submission of the relevant building permit application, the applicant shall submit details of appropriate directional signage and line marking in the parking area and pavement, within the development site, to give clear direction to motorists in accordance with Australian Standards*
- 13. A Universal Access Statement prepared by a suitably qualified person is to be provided to the satisfaction of the Western Australian Planning Commission, prior to the submission of the relevant building permit application.*

Signage

- 14. The location of external advertising signage is to be integrated with the design of the building facades, as depicted on the approved plans dated 26 May 2021.*
- 15. Window signage and imagery and opaque glazing shall be limited to 25% of the total glass area of the elevation for each tenancy*

unless otherwise approved by the Western Australian Planning Commission on advice from the City of Mandurah.

Bushfire management

- 16. The Bushfire Management Plan, prepared by Green Start Consulting, dated 21 March 2021, shall be implemented and adhered to at all times by the owners and/or operators of the development, to the satisfaction of the Western Australian Planning Commission.*
- 17. Prior to occupation of the development, a notification, pursuant to section 70A of the Transfer of Land Act 1893 is to be placed on the certificate(s) of title of the subject lot. The notification is to state as follows: "The lot is located within a bushfire prone area and is subject to a bushfire management plan".*

Lighting

- 18. All security, building, signage and carpark lighting is to be located, designed and installed to prevent excess light spillage from the development. An external lighting plan that refers to AS4282 Control of the Obtrusive Effects of Outdoor Lighting and other relevant lighting standards shall be submitted to, and approved by, the Western Australian Planning Commission on advice from the City of Mandurah, prior to the submission of the relevant building permit application.*

Waste Management

- 19. The Waste Management Plan by Talis (ref. TW20087 dated February 2021) shall be implemented and adhered to at all times by the owners and/or operators of the development, to the satisfaction of the Western Australian Planning Commission.*

Water Management

- 20. Prior to the submission of the relevant building permit application, a Stormwater Management Plan shall be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Mandurah, and thereafter implemented.*

Acoustic Report

- 21. All of the recommended measures included in the Environmental Acoustic Assessment prepared by Herring Storer, dated January 2021 (Ref: 27160-2-20205-02), shall be implemented in full unless otherwise approved by the Western Australian Planning Commission, on advice from the City of Mandurah.*
- 22. Prior to the occupation of the development, the final plans shall be certified by a qualified acoustic consultant confirming the development incorporates the recommendations outlined in the*

approved Environmental Acoustic Assessment and approved State Planning Policy 5.4 Acoustic Assessment.

Landscaping

- 23. Prior to submission of the relevant building permit application, final landscape plans, including hard and soft landscape specifications and reticulation details, are to be submitted to and approved by the Western Australian Planning Commission. The landscape plan is to be updated to include:*
- a. Plant species as specified in Section 3.1 of the Overstorey Management Plan;*
 - b. Size of plants to align with the details in Overstorey Management Plan, in particular noting the semi-advanced size for the car parking areas, the specific plant requirements at the entry along Bailey Boulevard and the pot size contained in Appendix B.*
 - c. Inclusion of landscaping works along Cocklebidy Gate in the extent of works;*
 - d. Details of landscaping within the play areas of the proposed Child Care Premises.*
- 24. Prior to the occupation of the development, all landscaping areas shall be installed in accordance with the final approved landscaping plan. All landscaping areas shall be maintained thereafter to the satisfaction of the Western Australia Planning Commission.*

Materials and Finishes

- 25. The development being constructed with high quality and durable materials and finishes and to a level of detailing that is consistent with the elevations and perspectives date stamped 26 May 2021.*
- 26. Prior to the submission of the relevant building permit application, the applicant is to submit final details, including a sample board of the materials, colours and finishes of the exterior of the building to the satisfaction of the Western Australian Planning Commission.*
- 27. Prior to the occupation of the development, all fencing and blank walls at ground level are to be treated with a non-sacrificial anti-graffiti coating to discourage potential graffiti. The anti-graffiti coating is to be reapplied in the event of any graffiti being removed.*
- 28. Except for approved signage, any treatment to windows fronting Dandaragan Drive, including dark tinting, shutters, curtains, blinds or similar, must be located on the inside of the windows, must be a minimum 75% visually permeable, must only be used outside normal trading hours and must ensure the windows remain transparent at all times.*

Utilities and Facilities

29. Any proposed air-conditioning condensers, external building plant, piping, ducting, transformers and fire control rooms shall be 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, with details of the location and screening of such plant and services being submitted to, and approved by, the Western Australian Planning Commission, prior to the submission of the relevant building permit application.

Other

30. Prior to the occupation of the supermarket, a Shopping Trolley Management plan shall be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Mandurah, and thereafter implemented by the operators of the supermarket.

31. An Operational Management Plan shall be prepared to address matters such as (but not limited to) litter, servicing, truck deliveries, loading, waste management, traffic management, odour and noise management and the control of anti-social behaviour. The Plan shall be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Mandurah, prior to the occupation of the development and thereafter implemented by the centre managers.

Advice Notes

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- b) 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.*
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- d) With regard to Condition 3, the final working drawings are to comply with all of the relevant conditions of development approval, as confirmed by the Western Australian Planning Commission, and any variations from the approved plans are required to be clearly identified. Once the Western Australian Planning Commission is satisfied that the working drawings are consistent with the approved development plans and any reports and information submitted have adequately addressed the conditions of approval, the Commission will provide a clearance letter and copies of the*

working drawings to the City of Mandurah to assist with the issuing of a building permit.

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

Interim documentation and/or plans 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 the 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.

- e) Approval for any substantial changes to the approved plans will need to be obtained in writing from the Commission, via an Amended Application process (Form 17C).*
- f) 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.*
- g) A new crossover, temporary crossover or modification to an existing crossover will require a separate Vehicle Crossover Permit to be obtained from the City of Mandurah prior to construction commencing.*
- h) Any works proposed within the road reserves will require the prior approval from the City of Mandurah and will need to be undertaken in accordance with the City's specifications and to the City's satisfaction. Any such application should include a detailed infrastructure plan.*
- i) Any alteration to the verge assets or to the existing verge levels at the property boundaries will require the prior approval of the City of Mandurah.*
- j) With regard to Condition 11, the easement area is to be consistent with the illustration in the proposed access plan included in the WAPC agenda as Attachment 7.*
- k) With regard to Condition 13, the development is required to provide access to buildings for people with disabilities in accordance with the National Construction Code Building Code of Australia, AS1428.1 and Disability (Access to Premises – Buildings) Standards 2010.*

- l) If an applicant or owner 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. State Administrative Tribunal applications

Nil.

9. General business

Nil.

10. Meeting closure

There being no further business before the Board, the Chairman thanked the members for their attendance, and the City of Mandurah for hosting the Commission meeting and declared the meeting closed at 2:56pm.



CHAIRMAN

1 / 07 / 2021

DATE