



## Metro Outer Development Assessment Panel Minutes

**Meeting Date and Time:** Tuesday, 12 May 2026; 9:30am  
**Meeting Number:** MODAP/140  
**Meeting Venue:** 140 William Street, Perth

A recording of the meeting is available via the following link: [MODAP/140 - 12 May 2026 - Shire of Murray](#)

### **PART A – INTRODUCTION**

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

### **PART B – SHIRE OF MURRAY**

1. Declaration of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
  - 3.1 Various Lots, Pinjarra - Proposed Aldi Supermarket Including Liquor Store and McDonalds Take Away Food Outlet – DAP/25/02968
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations

### **PART C – OTHER BUSINESS**

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

*Karen Hyde*

**Karen Hyde**  
Presiding Member, Metro Outer DAP



<b>DAP Members</b>
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Karen Hyde (Presiding Member)
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Clayton Higham (Deputy Presiding Member)
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Heidi Herget
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Cr Douglas McLarty (Part B – Shire of Murray)
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Cr Angela Rogers (Part B – Shire of Murray)
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<b>DAP Secretariat</b>
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Tenielle Brownfield
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Kristen Gray
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*Karen Hyde*

**Karen Hyde**  
Presiding Member, Metro Outer DAP



<b>Part B – Shire of Murray</b>
<b>Applicant</b>
Marc Re (Planning Solutions) Craig Wallace (Lavan) Radu Popescu (Aldi) Todd Wood (McDonalds) Benham Bordbar (Transcore) Graham Taylor (Place Fabric) Stephanie Voon (Place Fabric) Andrew Jennings-Lowe (Hindley and Associates)
<b>Officers/Technical Advisors in Attendance</b>
Greg Delahunty Rod Peake Martin Harrop

**Members of the Public / Media**

Nil

**Observers via livestream**

There were 11 persons observing the meeting via the livestream.

**Karen Hyde**  
Presiding Member, Metro Outer DAP



## PART A – INTRODUCTION

### 1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:37am on 12 May 2026 and acknowledged the traditional owners and custodians of the land on which the meeting was held and welcomed members.

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

#### 1.1 Announcements by Presiding Member

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

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

### 2. Apologies

Nil

### 3. Noting of Minutes

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



## PART B – SHIRE OF MURRAY

### 1. Declaration of Due Consideration

The Presiding Member noted that details of a DAP direction for services and responsible authority response in relation to Item 3.1, received on 8 May 2026 was published in Part B of the Related Information.

The Presiding Member noted that details of a DAP direction for services and responsible authority response in relation to Item 3.1, received on 11 May 2026 was published in Part B of the Related Information.

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

### 2. Disclosure of Interests

Nil

### 3. Form 1 DAP Applications

#### 3.1 Various Lots, Pinjarra - Proposed Aldi Supermarket Including Liquor Store and McDonalds Take Away Food Outlet – DAP/25/02968

##### Deputations

Greg Delahunty (Shire of Murray) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

Radu Popescu (Aldi) addressed the DAP in support of the application at Item 3.1.

Marc Re (Planning Solutions) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

Craig Wallace (Lavan) addressed the DAP in support of the application at Item 3.1 and responded to questions from the panel.

Todd Wood (McDonalds) and Benham Bordbar (Transcore) responded to questions from the panel.

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

*Karen Hyde*

**Karen Hyde**  
Presiding Member, Metro Outer DAP



## SUBSTANTIVE MOTION

**Moved by:** Cr Douglas McLarty

**Seconded by:** Cr Angela Rogers

That the Metro Outer Development Assessment Panel resolves to :

**Approve** DAP Application reference DAP/25/02968 and accompanying plans

- Proposed Site Plan DA-02, Rev 4, May 2025
- Proposed Site Signage Plan DA-03, Rev 5, May 2025
- Proposed Floor Plan DA-04, Rev P10, Apr 2025
- Liquor Plan DA-05, Rev P10, Apr 2025
- Proposed Roof Plan DA-06, Rev P10, Apr 2025
- Proposed Elevations DA-07, Rev P7, Jan 2026
- Signage Details DA-08, Rev P4, Apr 2025

in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Clause 21 of the Peel Region Scheme and the provisions of the Shire of Murray Local Planning Scheme No. 4, subject to the following conditions:

### Conditions

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

### Amended Plans

2. Pursuant to Clause 73 (b) of the Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations* and Clause 39b of the *Peel Region Scheme*, this approval does not include the McDonalds Take Away Food Outlet and associated works including parking, service infrastructure, access, drive-through lanes and signage as marked on Proposed Site Plan DA-02, Rev 2, May 2025 and the Proposed Site Signage Plan DA-03, Rev 3, May 2025. The area identified for these works is to be landscaped in accordance with the requirements of condition 18.
3. The development is to be undertaken in accordance with the approved plans 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 Local Government, and shall include the following:
  - a) Deletion of the McDonalds Take Away Food Outlet and associated works including parking, service infrastructure, access, drive-through lanes and signage from the Proposed Site Plan DA-02, Rev 4, May 2025 and the Proposed Site Signage Plan DA-03, Rev 5, May 2025

*Karen Hyde*

**Karen Hyde**  
Presiding Member, Metro Outer DAP



- b) Provide direct customer access to the from Pinjarra Road;
  - c) Provide 2.5m deep awnings for the full width of the fronting Murray Street and Pinjarra Road
  - d) Amended architectural treatment of the Murray Street gables generally consistent with Sketch 5 in the Chair Design Review date 2 April 2026
  - e) Amended window treatment for glazing fronting Pinjarra Road generally consistent with Sketch 4 in the Chair Design Review date 2 April 2026
  - f) Suitably enclose and screen the RMU.
4. 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 Local Government.

#### Legal

5. Prior to the submission of a building permit application, arrangements must be made to the satisfaction of the Local Government for the amalgamation of the lots into one Certificate of Title. The amalgamation must be completed prior to occupation of the development.
6. Prior to the occupation of the development, public access easement/s shall be created on the certificate of title for all internal parking, footpaths and access ways pursuant to sections 195 and 196 of Land Administration Act to the satisfaction of the Local Government.

#### Construction Management

7. Prior to submission of a building permit application, a Construction and Traffic Management Plan is to be submitted to and approved by the Local Government on the advice of Main Roads WA and the Heritage Council, 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) measures to protect *Masonic Hall* including a program of monitoring any structural movement and potential vibration impacts;
  - m) protection of street trees and public realm infrastructure; and
  - n) public communication and complaint handling procedures.

*Karen Hyde*



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 Local Government.

### Materials

8. Prior to the submission of a building permit application, final details of the external materials, colours and finishes of the proposed development, including a physical sample board or materials, is to be submitted and approved to the satisfaction of the Local Government. The development must be finished in accordance with the schedule provided and approved by the Local Government, prior to occupation of the development.

### Streetscape Amenity

9. Finish floor levels for the building fronting Pinjarra Road must provide entrances at-grade with the adjacent footpath for direct customer access from Pinjarra Road.
10. Public or customer access must be from Pinjarra Road for the duration of the development.
11. All customer doors facing the Pinjarra Road frontage of the buildings must be kept unlocked and available for customer access during all hours when the subject premises is trading.
12. Street awnings must be provided to Pinjarra Road and Murray Street across the full width of the proposed buildings fronting Pinjarra Road and Murray Street at a minimum 2.5m wide, with lighting being provided under the street awnings.
13. Prior to the submission of a building permit application, the applicant must demonstrate to the satisfaction of the Local Government that ground floor glazing fronting Pinjarra Road and Murray Street has a minimum visible light transmission rate of at least 79% and a maximum visible reflectivity rate of 9% in order ensure that a commercial, interactive frontage is available to the development from Pinjarra Road and Murray Street. The glazing must thereafter be installed and maintained to the satisfaction of the Local Government, for the duration of the development.
14. Entries and window frontages facing the street of ground floor tenancies must not be covered, closed or screened off (including by means of dark tinting, shutters, curtains, blinds, roller doors, internal shelving or similar), to ensure that a commercial, interactive frontage is available to the development from Pinjarra Road and Murray Street, for the duration of the development.
15. Prior to the submission of a building permit application design plans for the location, materials and construction for screening of any proposed external building plant must be submitted to and approved by the Local Government. All piped, ducted and wired services, air conditioners, hot water systems, water storage tanks, service meters, other plant and bin storage areas must be integrated into the design of the building and located to minimise any visual and/or noise impact on the occupants of nearby properties and screened from view from the street.

*Karen Hyde*



### Drainage

16. Prior to the submission of a building permit application, a drainage management plan is to be submitted and approved to the satisfaction of the Local Government. The drainage management plan must demonstrate an onsite stormwater drainage system with the capacity to contain a 1:100 year storm of a 24-hour duration and connection to the legal point of discharge. The approved drainage management plan shall be implemented during construction.
17. All stormwater and drainage run off detained on site is to be connected to a council stormwater legal point of discharge to the specification (by underground pipe) and satisfaction of the Local Government.

### Landscaping

18. Prior to submission a building permit application, detailed Landscape Plans, including pedestrian connections to existing public path network, hard (paving) and soft landscape specifications and reticulation details are to be submitted to and approved by the Local Government and Main Roads WA on the advice of the Heritage Council. The landscape plan is to:
  - a) Respond to a new pedestrian crossing to the Pinjarra Junction Shopping Centre; and
  - b) Include a low maintenance landscaped outcome for the area identified for the McDonalds Take Away Food Outlet.
19. Prior to occupation of the development, certification that all landscaping (hard and soft) and reticulation has been established in accordance with the approved landscaping plans to Australian Standards shall be submitted to the Local Government.
20. 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 Local Government.

### Traffic, Access and Parking

21.
  - a) Prior to the submission of a building permit application, plans and information are to be submitted to the requirements and satisfaction of the Local Government, for the upgrade of Murray Street where it abuts the development site including earthworks, carriageway, on-street parking bays, drainage infrastructure, street trees and all treatments including lighting, replacement of the concrete footpath, paving from the carriageway to the lot boundary and kerbing. The upgrades must be complete prior to the occupation of the development, to the satisfaction of the Local Government.
  - b) As an alternative, prior to the occupation of the development, the applicant shall pay a contribution to the upgrade of Murray Street to the standard specified above.

*Karen Hyde*



22. Prior to the submission of a building permit application plans and information are to be submitted to the requirements and satisfaction of the Local Government, on the advice of Main Roads Western Australia, for the upgrade of the Pinjarra Road where it abuts the development site. This upgrade is to include:
- Removal of redundant crossover(s);
  - Paving from the carriageway to the lot boundary, including the replacement of the concrete footpath;
  - An additional crossing point to Pinjarra Junction shopping centre, on both sides of the road; and
  - A complete median island extended from the new crossover to the existing medians.

The upgrades must be complete prior to the occupation of the development, to the satisfaction of the Local Government, on the advice of Main Roads Western Australia.

23. Prior to the submission of a building permit application plans and information are to be submitted to the requirements and satisfaction of the Local Government, on the advice of Main Roads Western Australia and the Public Transport Authority, for the upgrade of the Street where it abuts the development site. This upgrade is to include:
- Removal of redundant crossover(s);
  - A bus stop;
  - A complete median island extended from the new crossover to the existing median; and
  - Drainage infrastructure;
  - The embayment of the existing car bay south of the proposed George Street crossover.

The upgrades must be complete prior to the occupation of the development, to the satisfaction of the Local Government, on the advice of Main Roads Western Australia and the Public Transport Authority.

24. The existing car bays to the south of the George Street crossover are to be retained.
25. Prior to submission of a building permit application, the proposed car parking areas, vehicle access, universal access and bicycle bays are to be designed to the specifications of the Local Government, 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 Local Government.
26. 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 Local Government and in accordance with the applicable Australian Standard (as above), to the satisfaction of the Local Government.

*Karen Hyde*



27. Prior to the occupation of the development, seven long term bicycle parking spaces and two short term bicycle parking spaces and associated end-of-trip facilities (one shower and one change room) shall be installed, retained in perpetuity and maintained for the life of the development, to the satisfaction of the Local Government.
28. Prior to the development first being occupied, the car parking area shall be provided with one shade tree for every four (4) car parking bays. The trees shall be located within tree wells and protected from damage by vehicles. Prior to planting, the species and height of the trees is to be approved by the Local Government. Once planted, the trees shall be maintained in a healthy condition at all times to the satisfaction of the Local Government.
29. The vehicular access point to Pinjarra Road is to be designed and utilised for left in / left out traffic movements only. It is to be modified to the satisfaction of the Local Government and Main Roads Western Australia to:
  - Reduce the width of the left out movement.
  - Provide priority to pedestrian movements by designing the crossovers in the same material to the adjacent footpath providing a continuous at grade pedestrians access
30. The vehicular access point to George Street a to be designed and utilised as a left out traffic movement only. It is to be modified to the satisfaction of the Local Government and Main Roads Western Australia to:
  - Reduce the width of the crossover to reflect it is a left out movement only.
  - Provide priority to pedestrian movements by designing the crossovers in the same material to the adjacent footpath providing a continuous at grade pedestrians access
31. Prior to the occupation of the development the landowner/applicant is required to upgrade of pedestrian infrastructure at the Pinjarra Road/George Street signals to the satisfaction of Main Roads Western Australia.
32. No parking bays shall be obstructed in any way or used for purposed of storage.

#### Amenity

33. Prior to the occupation of the development, the Waste Management Plan prepared by Talis Consultants (date-stamped 29 October 2025) is to be updated to reflect the detailed design and submitted to and approved by the Local Government.
34. 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 Local Government.
35. The proposed bin store is to be screened to a height of at least 1.8m by a masonry, brick or other durable material as approved by the Local Government. The bin store is to be designed in accordance with the Shire of Murray Local Law.

*Karen Hyde*



36. Prior to the occupation of the development, the landowner is to provide a delivery/servicing management plan detailing the timing and frequency of deliveries, and how these are to be coordinated to mitigate any potential traffic and/or amenity related issues, inclusive of pedestrian safety, to the satisfaction of the Local Government. Deliveries are to be undertaken in accordance with the approved delivery management plan for the life of the development, to the satisfaction of the Local Government.
37. 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 Local Government.
38. Prior to the occupation of the development, a final illumination report must be prepared which demonstrates to the satisfaction of the Local Government, that the completed development complies with the requirements of Australian Standard AS 4282—1997, Control of the obtrusive effects of outdoor lighting.
39. Floodlighting must not be illuminated after 10:00pm or before 7:00am on any day. All illumination must be confined to the land in accordance with the requirements of Australian Standard AS 4282—1997, Control of the obtrusive effects of outdoor lighting, at all times, for the duration of the development.
40. Prior to occupation of the development, a Shopping Trolley Management Plan is to be submitted to the satisfaction of the Local Government.
41. 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 Local Government.
42. Prior to the occupation of the development, a Final Acoustic Assessment must be prepared and provided to the Local Government which demonstrates that the completed development complies with the Environmental Protection (Noise) Regulations 1997. The Final Acoustic Assessment must include the following information:
  - a) noise sources compared with the assigned noise levels as stated in the Environmental Protection (Noise) Regulations 1997, when the noise is received at the nearest “noise sensitive premises” and surrounding residential area;
  - b) tonality, modulation and impulsiveness of noise sources; and
  - c) confirmation of the implementation of noise attenuation measures.

Any further works must be carried out in accordance with the Acoustic Report and implemented as such for the duration of the development.

#### Signage

43. The location and details of the sign(s) and any supporting structure, as shown on the approved plans, must not be altered without written consent from the Local Government.

*Karen Hyde*

**Karen Hyde**  
Presiding Member, Metro Outer DAP



44. The signs shall be maintained to a high state of repair at all times to the satisfaction of the Local Government.

#### Sustainability

45. Prior to the submission of a building permit application, a Green Star 'Designed' assessment from the Green Building Council of Australia (GBCA) demonstrating that the building's design has been assessed and is on track to achieve a minimum 4 Star Green Star Certified rating; OR, a Sustainable Design Assessment Report prepared by a practicing Green Star Accredited Professional (GSAP) as equivalence, is to be submitted to, and approved by the Local Government.
46. Prior to occupation, a Green Star 'Certified' rating with certification from the Green Building Council of Australia (GBCA) confirming the building's design and construction achieve a minimum 4 Star Green Star Certified rating; OR a Sustainable Design Assessment Report prepared by a practicing Green Star Accredited Professional (GSAP) as equivalence, is to be submitted to, and approved by the Local Government.

#### Public Art

47. a) Prior to the submission of a building permit application, the applicant/landowner shall submit a public artwork concept, developed in accordance with the Pinjarra Town Centre Public Art Local Planning Policy, to the satisfaction of the Local Government. The public art concept must incorporate public art work(s):
- i) to the value of 1% of the development costs based upon a revised estimate of cost of works; and
  - ii) located in a position clearly visible to the general public, either on the site of the development or within a crown reserve adjoining or near to the development site.

The public art work(s) must be implemented prior to occupation of the development and thereafter maintained for the life of the development, to the satisfaction of the Local Government.

- b) Alternatively, prior to the occupation of the development, the applicant/landowner may contribute a monetary amount, the same value specified above, to the Local Government for development of public art works in the Pinjarra town centre to enhance the public realm.

#### Miscellaneous

48. Electrical installations are to be located above 10.1m AHD unless otherwise approved by the Local Government.

*Karen Hyde*



49. Retaining walls are to be provided where the angle of natural repose of the soil cannot be maintained along the southern boundary of the development site. A fence is to be provided, sufficient to screen the development site from the adjoining lots to the south, except where a building has been constructed abutting the common site boundary.
50. The development must be connected to the reticulation sewer system.

**The Substantive Motion was put and LOST (2/3).**

For: Cr Douglas McLarty  
Angela Rogers

Against: Karen Hyde  
Clayton Higham  
Heidi Herget

**SUBSTANTIVE MOTION 2**

**Moved by:** Clayton Higham

**Seconded by:** Karen Hyde

*An administrative change was made to Condition 2 a) for McDonalds to correct a typographical error.*

That the Metro Outer Development Assessment Panel resolves to :

**Approve** DAP Application reference DAP/25/02968 and accompanying plans

- Proposed Site Plan DA-02, Rev 4, May 2025
- Proposed Site Signage Plan DA-03, Rev 5, May 2025
- Proposed Floor Plan DA-04, Rev P10, Apr 2025
- Liquor Plan DA-05, Rev P10, Apr 2025
- Proposed Roof Plan DA-06, Rev P10, Apr 2025
- Proposed Elevations DA-07, Rev P7, Jan 2026
- Signage Details DA-08, Rev P4, Apr 2025
- McDONALD'S FLOORPLANS AND BUILDING ELEVATIONS DA-09 Rev 4 May 2025
- McDONALD'S SIGNAGE DETAILS DA-10, Rev2 May 2025

in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Clause 21 of the Peel Region Scheme and the provisions of the Shire of Murray Local Planning Scheme No. 4, subject to the following conditions:

*Karen Hyde*

**Karen Hyde**  
**Presiding Member, Metro Outer DAP**



## Conditions

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

## Amended Plans

2. The development is to be undertaken in accordance with the approved plans 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 Local Government, and shall include the following:

### Aldi

- a) Provide direct customer access to the from Pinjarra Road;
- b) Provide 2.5m deep awnings for the full width of the fronting Murray Street and Pinjarra Road
- c) Amended architectural treatment of the Murray Street gables generally consistent with Sketch 5 in the Chair Design Review dated 2 April 2026
- d) Amended window treatment for glazing fronting Pinjarra Road generally consistent with Sketch 4 in the Chair Design Review dated 2 April 2026
- e) Suitably enclose and screen the RMU.

### McDonalds

- a) Update the George Street Elevation to respond to Sketch 1 of the Design Review, dated 2 April 2026
  - b) Delete signs S14, S11C, S11F.
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 Local Government.

## Legal

4. Prior to the submission of a building permit application, arrangements must be made to the satisfaction of the Local Government for the amalgamation of the lots into one Certificate of Title. The amalgamation must be completed prior to occupation of the development.
5. Prior to the occupation of the development, public access easement/s shall be created on the certificate of title for all internal parking, footpaths and access ways pursuant to sections 195 and 196 of Land Administration Act to the satisfaction of the Local Government.

*Karen Hyde*



### Construction Management

6. Prior to submission of a building permit application, a Construction and Traffic Management Plan is to be submitted to and approved by the Local Government on the advice of Main Roads WA and the Heritage Council, 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) measures to protect *Masonic Hall* including a program of monitoring any structural movement and potential vibration impacts;
  - m) protection of street trees and public realm infrastructure; and
  - n) public communication and complaint handling procedures.

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 Local Government.

### Materials

7. Prior to the submission of a building permit application, final details of the external materials, colours and finishes of the proposed development, including a physical sample board or materials, is to be submitted and approved to the satisfaction of the Local Government. The development must be finished in accordance with the schedule provided and approved by the Local Government, prior to occupation of the development.

### Streetscape Amenity

8. Finish floor levels for the Aldi building fronting Pinjarra Road must provide entrances at-grade with the adjacent footpath for direct customer access from Pinjarra Road.
9. Public or customer access must be from Pinjarra Road for the Aldi building and George Street for the McDonalds building duration of the development.
10. All customer doors facing the Pinjarra Road and George Street frontage of the buildings must be kept unlocked and available for customer access during all hours when the subject premises is trading.

*Karen Hyde*



11. Street awnings must be provided to Pinjarra Road, Murray Street and George Street across the full width of the proposed buildings fronting Pinjarra Road and Murray Street at a minimum 2.5m wide, with lighting being provided under the street awnings.
12. Prior to the submission of a building permit application, the applicant must demonstrate to the satisfaction of the Local Government that ground floor glazing fronting Pinjarra Road, Murray Street and George Street has a minimum visible light transmission rate of at least 79% and a maximum visible reflectivity rate of 9% in order ensure that a commercial, interactive frontage is available to the development from Pinjarra Road, Murray Street and George Street. The glazing must thereafter be installed and maintained to the satisfaction of the Local Government, for the duration of the development.
13. Entries and window frontages facing the street of ground floor tenancies must not be covered, closed or screened off (including by means of dark tinting, shutters, curtains, blinds, roller doors, internal shelving or similar), to ensure that a commercial, interactive frontage is available to the development from Pinjarra Road, Murray Street and George Street, for the duration of the development.
14. Prior to the submission of a building permit application design plans for the location, materials and construction for screening of any proposed external building plant must be submitted to and approved by the Local Government. All piped, ducted and wired services, air conditioners, hot water systems, water storage tanks, service meters, other plant and bin storage areas must be integrated into the design of the building and located to minimise any visual and/or noise impact on the occupants of nearby properties and screened from view from the street.

#### Drainage

15. Prior to the submission of a building permit application, a drainage management plan is to be submitted and approved to the satisfaction of the Local Government. The drainage management plan must demonstrate an onsite stormwater drainage system with the capacity to contain a 1:100 year storm of a 24-hour duration and connection to the legal point of discharge. The approved drainage management plan shall be implemented during construction.
16. All stormwater and drainage run off detained on site is to be connected to a council stormwater legal point of discharge to the specification (by underground pipe) and satisfaction of the Local Government.

*Karen Hyde*



### Landscaping

17. Prior to submission a building permit application, detailed Landscape Plans, including pedestrian connections to existing public path network, hard (paving) and soft landscape specifications and reticulation details are to be submitted to and approved by the Local Government and Main Roads WA on the advice of the Heritage Council. The landscape plan is to:
  - a) Respond to a new pedestrian crossing to the Pinjarra Junction Shopping Centre.
18. Prior to occupation of the development, certification that all landscaping (hard and soft) and reticulation has been established in accordance with the approved landscaping plans to Australian Standards shall be submitted to the Local Government.
19. 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 Local Government.

### Traffic, Access and Parking

20.
  - a) Prior to the submission of a building permit application, plans and information are to be submitted to the requirements and satisfaction of the Local Government, for the upgrade of Murray Street where it abuts the development site including earthworks, carriageway, on-street parking bays, drainage infrastructure, street trees and all treatments including lighting, replacement of the concrete footpath, paving from the carriageway to the lot boundary and kerbing. The upgrades must be complete prior to the occupation of the development, to the satisfaction of the Local Government.
  - b) As an alternative, prior to the occupation of the development, the applicant shall pay a contribution to the upgrade of Murray Street to the standard specified above.
21. Prior to the submission of a building permit application plans and information are to be submitted to the requirements and satisfaction of the Local Government, on the advice of Main Roads Western Australia, for the upgrade of the Pinjarra Road where it abuts the development site. This upgrade is to include:
  - a) Removal of redundant crossover(s);
  - b) Paving from the carriageway to the lot boundary, including the replacement of the concrete footpath;
  - c) An additional crossing point to Pinjarra Junction shopping centre, on both sides of the road; and
  - d) A complete median island extended from the new crossover to the existing medians.

*Karen Hyde*



The upgrades must be complete prior to the occupation of the development, to the satisfaction of the Local Government, on the advice of Main Roads Western Australia.

22. Prior to the submission of a building permit application plans and information are to be submitted to the requirements and satisfaction of the Local Government, on the advice of Main Roads Western Australia and the Public Transport Authority, for the upgrade of the Street where it abuts the development site. This upgrade is to include:
- a) Removal of redundant crossover(s);
  - b) A bus stop;
  - c) A complete median island extended from the new crossover to the existing median; and
  - d) Drainage infrastructure;
  - e) The embayment of the existing car bay south of the proposed George Street crossover.

The upgrades must be complete prior to the occupation of the development, to the satisfaction of the Local Government, on the advice of Main Roads Western Australia and the Public Transport Authority.

23. The existing car bays to the south of the George Street crossover are to be retained.
24. Prior to submission of a building permit application, the proposed car parking areas, vehicle access, universal access and bicycle bays are to be designed to the specifications of the Local Government, 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 Local Government.
25. 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 Local Government and in accordance with the applicable Australian Standard (as above), to the satisfaction of the Local Government.
26. a) Prior to the occupation of the Aldi development, seven long term bicycle parking spaces and two short term bicycle parking spaces and associated end-of-trip facilities (one shower and one change room) shall be installed, retained in perpetuity and maintained for the life of the development, to the satisfaction of the Local Government.
- b) Prior to the occupation of the McDonalds development, two long term bicycle parking spaces and five short term bicycle parking spaces shall be installed, retained in perpetuity and maintained for the life of the development, to the satisfaction of the Local Government

*Karen Hyde*



27. Prior to the development first being occupied, the car parking area shall be provided with one shade tree for every four (4) car parking bays. The trees shall be located within tree wells and protected from damage by vehicles. Prior to planting, the species and height of the trees is to be approved by the Local Government. Once planted, the trees shall be maintained in a healthy condition at all times to the satisfaction of the Local Government.
28. The vehicular access point to Pinjarra Road is to be designed and utilised for left in / left out traffic movements only. It is to be modified to the satisfaction of the Local Government and Main Roads Western Australia to:
  - Reduce the width of the left out movement.
  - Provide priority to pedestrian movements by designing the crossovers in the same material to the adjacent footpath providing a continuous at grade pedestrians access
29. The vehicular access point to George Street a to be designed and utilised as a left out traffic movement only. It is to be modified to the satisfaction of the Local Government and Main Roads Western Australia to:
  - Reduce the width of the crossover to reflect it is a left out movement only.
  - Provide priority to pedestrian movements by designing the crossovers in the same material to the adjacent footpath providing a continuous at grade pedestrians access
30. Prior to the occupation of the development the landowner/applicant is required to upgrade of pedestrian infrastructure at the Pinjarra Road/George Street signals to the satisfaction of Main Roads Western Australia.
31. No parking bays shall be obstructed in any way or used for purposed of storage.

#### Amenity

32. Prior to the occupation of the development, the Waste Management Plan prepared by Talis Consultants (date-stamped 29 October 2025) is to be updated to reflect the detailed design and submitted to and approved by the Local Government.
33. 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 Local Government.
34. The proposed bin store is to be screened to a height of at least 1.8m by a masonry, brick or other durable material as approved by the Local Government. The bin store is to be designed in accordance with the Shire of Murray Local Law.

*Karen Hyde*



35. Prior to the occupation of the development, the landowner is to provide a delivery/servicing management plan detailing the timing and frequency of deliveries, and how these are to be coordinated to mitigate any potential traffic and/or amenity related issues, inclusive of pedestrian safety, to the satisfaction of the Local Government. Deliveries are to be undertaken in accordance with the approved delivery management plan for the life of the development, to the satisfaction of the Local Government.
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 Local Government.
37. Prior to the occupation of the development, a final illumination report must be prepared which demonstrates to the satisfaction of the Local Government, that the completed development complies with the requirements of Australian Standard AS 4282—1997, Control of the obtrusive effects of outdoor lighting.
38. Floodlighting must not be illuminated after 10:00pm or before 7:00am on any day. All illumination must be confined to the land in accordance with the requirements of Australian Standard AS 4282—1997, Control of the obtrusive effects of outdoor lighting, at all times, for the duration of the development.
39. Prior to occupation of the development, a Shopping Trolley Management Plan is to be submitted to the satisfaction of the Local Government.
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 Local Government.
41. Prior to the occupation of the development, a Final Acoustic Assessment must be prepared and provided to the Local Government which demonstrates that the completed development complies with the Environmental Protection (Noise) Regulations 1997. The Final Acoustic Assessment must include the following information:
  - a) noise sources compared with the assigned noise levels as stated in the Environmental Protection (Noise) Regulations 1997, when the noise is received at the nearest “noise sensitive premises” and surrounding residential area;
  - b) tonality, modulation and impulsiveness of noise sources; and
  - c) confirmation of the implementation of noise attenuation measures.

Any further works must be carried out in accordance with the Acoustic Report and implemented as such for the duration of the development.

#### Signage

42. The location and details of the sign(s) and any supporting structure, as shown on the approved plans, must not be altered without written consent from the Local Government.

*Karen Hyde*



43. The signs shall be maintained to a high state of repair at all times to the satisfaction of the Local Government.

#### Sustainability

44. Prior to the submission of a building permit application, a Green Star 'Designed' assessment from the Green Building Council of Australia (GBCA) demonstrating that the building's design has been assessed and is on track to achieve a minimum 4 Star Green Star Certified rating; OR, a Sustainable Design Assessment Report prepared by a practicing Green Star Accredited Professional (GSAP) as equivalence, is to be submitted to, and approved by the Local Government.
45. Prior to occupation, a Green Star 'Certified' rating with certification from the Green Building Council of Australia (GBCA) confirming the building's design and construction achieve a minimum 4 Star Green Star Certified rating; OR a Sustainable Design Assessment Report prepared by a practicing Green Star Accredited Professional (GSAP) as equivalence, is to be submitted to, and approved by the Local Government.

#### Public Art

46. a) Prior to the submission of a building permit application, the applicant/landowner shall submit a public artwork concept, developed in accordance with the Pinjarra Town Centre Public Art Local Planning Policy, to the satisfaction of the Local Government. The public art concept must incorporate public art work(s):
- i) to the value of 1% of the development costs being \$90,000; and
  - ii) located in a position clearly visible to the general public, either on the site of the development or within a crown reserve adjoining or near to the development site.

The public art work(s) must be implemented prior to occupation of the development and thereafter maintained for the life of the development, to the satisfaction of the Local Government.

- b) Alternatively, prior to the occupation of the development, the applicant/landowner may contribute a monetary amount, the same value specified above, to the Local Government for development of public art works in the Pinjarra town centre to enhance the public realm.

#### Miscellaneous

47. Electrical installations are to be located above 10.1m AHD unless otherwise approved by the Local Government.

*Karen Hyde*



48. Retaining walls are to be provided where the angle of natural repose of the soil cannot be maintained along the southern boundary of the development site. A fence is to be provided, sufficient to screen the development site from the adjoining lots to the south, except where a building has been constructed abutting the common site boundary.
49. The development must be connected to the reticulation sewer system.

#### AMENDING MOTION 1

**Moved by:** Clayton Higham

**Seconded by:** Karen Hyde

That Condition No. 2 b) for McDonald's be deleted and the remaining conditions be renumbered accordingly.

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

For: Karen Hyde  
Clayton Higham  
Heidi Herget

Against: Cr Douglas McLarty  
Cr Angela Rogers

**REASON:** The signage in question is primarily directional and exists for safety and legibility and the majority of the panel felt this should remain as per the plans.

#### AMENDING MOTION 2

**Moved by:** Clayton Higham

**Seconded by:** Karen Hyde

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

*Prior to the submission of a building permit application, arrangements must be made to the satisfaction of the Local Government for the amalgamation or re-subdivision of the lots into ~~one Certificate of Title~~. The amalgamation or re-subdivision must be completed **within 12 months** prior to occupation of the development.*

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

**REASON:** To ensure the condition took account of subdivision in addition to amalgamation and to provide timeframe flexibility for the process to be concluded within 12 months of occupancy.

*Karen Hyde*

Karen Hyde  
Presiding Member, Metro Outer DAP



### AMENDING MOTION 3

**Moved by:** Clayton Higham

**Seconded by:** Heidi Herget

That Condition No. 5 be amended to read as follows:

*Prior to the occupation of the development, public access easement/s shall be created on the certificate of title for all ~~internal parking, footpaths and access ways~~ pursuant to sections 195 and 196 of Land Administration Act to the satisfaction of the Local Government.*

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

**REASON:** The condition allowed for right of access to other adjoining lots which may or may not be required for development and enabled sufficient circulation. An easement over car parks and internal parking was not necessary.

### AMENDING MOTION 4

**Moved by:** Clayton Higham

**Seconded by:** Karen Hyde

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

*Prior to the submission of a building permit application, final details of the external materials, colours and finishes of the proposed development, including a physical sample board or materials, is to be submitted and approved to the satisfaction of the Local Government. The development must be finished in accordance with the schedule provided and approved by the Local Government, prior to occupation of the development **or as amended and approved following occupation.***

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

**REASON:** To allow for some flexibility for a range of minor modifications and updates without the need to require a Form 2 DAP approval and allowing the Shire to approve in accordance with the intent of the condition.

### AMENDING MOTION 5

**Moved by:** Clayton Higham

**Seconded by:** Karen Hyde

That Condition No. 9 be deleted and the remaining conditions be renumbered accordingly.

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

**REASON:** The plans clearly demonstrated the public access points and therefore the condition was unnecessary.

Karen Hyde  
Presiding Member, Metro Outer DAP



### AMENDING MOTION 6

**Moved by:** Clayton Higham

**Seconded by:** Karen Hyde

That Condition No. 10 (now Condition No. 9) be deleted and the remaining conditions be renumbered accordingly.

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

**REASON:** The rationale for maintaining an active interface with public realm was covered by other conditions and the operation of the two land uses would be subject to operational requirements which may occasionally requires some doors to be locked for security or emergency reasons. The condition did not have a clear planning rationale.

### AMENDING MOTION 7

**Moved by:** Clayton Higham

**Seconded by:** Karen Hyde

That Condition No. 11 (now Condition No. 9) be deleted and the remaining conditions be renumbered accordingly.

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

For: Karen Hyde  
Clayton Higham  
Heidi Herget

Against: Cr Douglas McLarty  
Cr Angela Rogers

**REASON:** The majority of the panel felt that awnings at 2.5m width may impede tree growth or tree planting and were keen to accommodate both for immediate shade and longer-term amenity and tree canopy. The awnings as shown on the plans were designed with this objective.

### AMENDING MOTION 8

**Moved by:** Clayton Higham

**Seconded by:** Karen Hyde

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

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

For: Karen Hyde  
Clayton Higham  
Heidi Herget

Against: Cr Douglas McLarty  
Cr Angela Rogers

*Karen Hyde*

**Karen Hyde**  
**Presiding Member, Metro Outer DAP**



**REASON:** To be consistent with deletion of condition 11.

**AMENDING MOTION 9**

**Moved by:** Clayton Higham

**Seconded by:** NIL

That Condition No. 12 (now Condition No. 9) be deleted and the remaining conditions be renumbered accordingly.

That Condition No. 13 (now Condition No. 10) be deleted and the remaining conditions be renumbered accordingly.

**The Amending Motion was put and LOST for want of a seconder.**

**AMENDING MOTION 10**

**Moved by:** Clayton Higham

**Seconded by:** Karen Hyde

That Condition No. 17 (now Condition No. 14) be amended to read as follows:

*Prior to submission a building permit application, detailed Landscape Plans, including pedestrian connections to existing public path network, hard (paving) and soft landscape specifications and reticulation details are to be submitted to and approved by the Local Government and **in consultation with Main Roads WA** on the advice of the Heritage Council. ~~The landscape plan is to:~~*

~~a) Respond to a new pedestrian crossing to the Pinjarra Junction Shopping Centre.~~

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

For: Karen Hyde  
Clayton Higham  
Heidi Herget  
Cr Douglas McLarty

Against: Cr Angela Rogers

**REASON:** The condition should not require Main Roads approval rather the Shire is at liberty to seek their advice. The pedestrian crossing is in a Main Roads controlled road and may be difficult to achieve. In addition, the overall strategic goal of intensification in the Town centre and mixed-use precinct should be appropriately considered as a cost shared exercise between authorities or through a contribution scheme and not the sole responsibility of this application. Other crossing locations exist.

Karen Hyde  
Presiding Member, Metro Outer DAP



### AMENDING MOTION 11

**Moved by:** Clayton Higham

**Seconded by:** Karen Hyde

That Condition No. 20 (now Condition No. 17) be deleted and the remaining conditions be renumbered accordingly.

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

For: Karen Hyde  
Clayton Higham  
Heidi Herget

Against: Cr Douglas McLarty  
Cr Angela Rogers

**REASON:** The comprehensive upgrade of Murray Street should be the responsibility of the Shire and not solely the responsibility of this development. It was considered that the need for a comprehensive upgrade is unlikely to be necessary as a direct result of this proposed development.

### AMENDING MOTION 12

**Moved by:** Clayton Higham

**Seconded by:** Karen Hyde

That Condition No. 21 (now Condition No. 17) be deleted and the remaining conditions be renumbered accordingly.

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

For: Karen Hyde  
Clayton Higham  
Heidi Herget

Against: Cr Douglas McLarty  
Cr Angela Rogers

**REASON:** The comprehensive upgrade of Pinjarra Road should be the responsibility of the Shire and not solely the responsibility of this development. It was considered that the need for a comprehensive upgrade is unlikely to be necessary as a direct result of this proposed development.

**Karen Hyde**  
Presiding Member, Metro Outer DAP



### AMENDING MOTION 13

**Moved by:** Clayton Higham

**Seconded by:** Karen Hyde

That Condition No. 22 (now Condition No. 17) be amended to read as follows:

*Prior to the submission of a building permit application plans and information are to be submitted to the requirements and satisfaction of the Local Government, on the advice of Main Roads Western Australia and the Public Transport Authority, for the upgrade of the **George Street** where it abuts the development site. This upgrade is to include:*

- a) *Removal of redundant crossover(s);*
- ~~b) *A bus stop;*~~
- c) *A complete median island extended from the new crossover to the existing median; and*
- ~~d) *Drainage infrastructure;*~~
- e) *The embayment of the existing car bay south of the proposed George Street crossover.*

*The upgrades must be complete prior to the occupation of the development, to the satisfaction of the Local Government, on the advice of Main Roads Western Australia and the Public Transport Authority.*

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

**REASON:** Generally agreed by the Shire in consultation with PTA and Main Roads.

### AMENDING MOTION 14

**Moved by:** Clayton Higham

**Seconded by:** Karen Hyde

That Condition No. 26 (now Condition No. 21) be deleted and the remaining conditions be renumbered accordingly.

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

For: Karen Hyde  
Clayton Higham  
Heidi Herget

Against: Cr Douglas McLarty  
Cr Angela Rogers

**REASON:** Bike parking areas are shown on the plans. Showers and change rooms where there are a lot of young staff can be a difficult amenity to make secure and usable.

*Karen Hyde*

**Karen Hyde**  
Presiding Member, Metro Outer DAP



### AMENDING MOTION 15

**Moved by:** Clayton Higham

**Seconded by:** Karen Hyde

That Condition No. 27 (now Condition No. 21) be deleted and the remaining conditions be renumbered accordingly.

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

For: Karen Hyde  
Clayton Higham  
Heidi Herget  
Cr Douglas McLarty

Against: Cr Angela Rogers

**REASON:** The aggregate provision of trees and shade canopy met and exceeded the Shire standards, however the constraints in some parts of the site prohibited even distribution across all parking areas. The Plans were supported by the DRP and further landscape plans were required by other conditions to facilitate any practical adjustment during detailed design.

### AMENDING MOTION 16

**Moved by:** Clayton Higham

**Seconded by:** Heidi Herget

That Condition No. 30 (now Condition No. 23) be amended to read as follows:

*Prior to the occupation of the development the landowner/applicant is required to **make a contribution of \$25,000 for the upgrade of pedestrian infrastructure at the Pinjarra Road/George Street signals to the satisfaction of the Shire in consultation with Main Roads Western Australia.***

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

For: Karen Hyde  
Clayton Higham  
Heidi Herget

Against: Cr Douglas McLarty  
Cr Angela Rogers

**REASON:** The majority of the panel felt that a contribution offered by the applicant for approximately 5% or \$25,000 was more than adequate given the limited nexus between this proposal and the upgrade required by Main Roads and given the uncertainty regarding the process, timing and costs of the upgrade works.

**Karen Hyde**  
Presiding Member, Metro Outer DAP



### AMENDING MOTION 17

**Moved by:** Clayton Higham

**Seconded by:** Heidi Herget

*The following amendments were made en bloc:*

- (i) That Condition No. 44 (now Condition No. 37) be deleted and the remaining conditions be renumbered accordingly.
- (ii) That Condition No. 45 (now Condition No. 38) be deleted and the remaining conditions be renumbered accordingly.

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

**REASON:** A sufficient Sustainability Statement has been submitted and forms part of the application.

### AMENDING MOTION 18

**Moved by:** Karen Hyde

**Seconded by:** Clayton Higham

That Condition No. 12 (now Condition No. 9) be deleted and the remaining conditions be renumbered accordingly.

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

**REASON:** The matters required as normal planning practice were adequately covered by condition 13 and those measures supported sufficient interaction, activation and passive surveillance without the need to stipulate glazing specifications transparency percentages.

### SUBSTANTIVE MOTION (AS AMENDED)

That the Metro Outer Development Assessment Panel resolves to :

**Approve** DAP Application reference DAP/25/02968 and accompanying plans

- Proposed Site Plan DA-02, Rev 4, May 2025
- Proposed Site Signage Plan DA-03, Rev 5, May 2025
- Proposed Floor Plan DA-04, Rev P10, Apr 2025
- Liquor Plan DA-05, Rev P10, Apr 2025
- Proposed Roof Plan DA-06, Rev P10, Apr 2025
- Proposed Elevations DA-07, Rev P7, Jan 2026
- Signage Details DA-08, Rev P4, Apr 2025
- McDONALD'S FLOORPLANS AND BUILDING ELEVATIONS DA-09 Rev 4 May 2025
- McDONALD'S SIGNAGE DETAILS DA-10, Rev2 May 2025

*Karen Hyde*

**Karen Hyde**  
**Presiding Member, Metro Outer DAP**



in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Clause 21 of the Peel Region Scheme and the provisions of the Shire of Murray Local Planning Scheme No. 4, subject to the following conditions:

### Conditions

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

### Amended Plans

2. The development is to be undertaken in accordance with the approved plans 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 Local Government, and shall include the following:

#### Aldi

- a) Provide direct customer access to the from Pinjarra Road;
- b) Amended architectural treatment of the Murray Street gables generally consistent with Sketch 5 in the Chair Design Review dated 2 April 2026
- c) Amended window treatment for glazing fronting Pinjarra Road generally consistent with Sketch 4 in the Chair Design Review dated 2 April 2026
- d) Suitably enclose and screen the RMU.

#### McDonalds

- a) Update the Geroge Street Elevation to respond to Sketch 1 of the Design Review, dated 2 April 2026
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 Local Government.

### Legal

4. Prior to the submission of a building permit application, arrangements must be made to the satisfaction of the Local Government for the amalgamation or re-subdivision of the lots. The amalgamation or re-subdivision must be completed within 12 months occupation.
5. Prior to the occupation of the development, public access easement/s shall be created on the certificate of title for all access ways pursuant to sections 195 and 196 of Land Administration Act to the satisfaction of the Local Government.

*Karen Hyde*



### Construction Management

6. Prior to submission of a building permit application, a Construction and Traffic Management Plan is to be submitted to and approved by the Local Government on the advice of Main Roads WA and the Heritage Council, 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) measures to protect *Masonic Hall* including a program of monitoring any structural movement and potential vibration impacts;
  - m) protection of street trees and public realm infrastructure; and
  - n) public communication and complaint handling procedures.

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 Local Government.

### Materials

7. Prior to the submission of a building permit application, final details of the external materials, colours and finishes of the proposed development, including a physical sample board or materials, is to be submitted and approved to the satisfaction of the Local Government. The development must be finished in accordance with the schedule provided and approved by the Local Government, prior to occupation of the development or as amended and approved following occupation.

### Streetscape Amenity

8. Finish floor levels for the Aldi building fronting Pinjarra Road must provide entrances at-grade with the adjacent footpath for direct customer access from Pinjarra Road.
9. Entries and window frontages facing the street of ground floor tenancies must not be covered, closed or screened off (including by means of dark tinting, shutters, curtains, blinds, roller doors, internal shelving or similar), to ensure that a commercial, interactive frontage is available to the development from Pinjarra Road, Murray Street and George Street, for the duration of the development.

*Karen Hyde*



10. Prior to the submission of a building permit application design plans for the location, materials and construction for screening of any proposed external building plant must be submitted to and approved by the Local Government. All piped, ducted and wired services, air conditioners, hot water systems, water storage tanks, service meters, other plant and bin storage areas must be integrated into the design of the building and located to minimise any visual and/or noise impact on the occupants of nearby properties and screened from view from the street.

#### Drainage

11. Prior to the submission of a building permit application, a drainage management plan is to be submitted and approved to the satisfaction of the Local Government. The drainage management plan must demonstrate an onsite stormwater drainage system with the capacity to contain a 1:100 year storm of a 24-hour duration and connection to the legal point of discharge. The approved drainage management plan shall be implemented during construction.
12. All stormwater and drainage run off detained on site is to be connected to a council stormwater legal point of discharge to the specification (by underground pipe) and satisfaction of the Local Government.

#### Landscaping

13. Prior to submission a building permit application, detailed Landscape Plans, including pedestrian connections to existing public path network, hard (paving) and soft landscape specifications and reticulation details are to be submitted to and approved by the Local Government and in consultation with Main Roads WA on the advice of the Heritage Council.
14. Prior to occupation of the development, certification that all landscaping (hard and soft) and reticulation has been established in accordance with the approved landscaping plans to Australian Standards shall be submitted to the Local Government.
15. 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 Local Government.

#### Traffic, Access and Parking

16. Prior to the submission of a building permit application plans and information are to be submitted to the requirements and satisfaction of the Local Government, on the advice of Main Roads Western Australia and the Public Transport Authority, for the upgrade of George Street where it abuts the development site. This upgrade is to include:
  - a) Removal of redundant crossover(s);
  - b) A complete median island extended from the new crossover to the existing median; and

*Karen Hyde*



- c) The embayment of the existing car bay south of the proposed George Street crossover.

The upgrades must be complete prior to the occupation of the development, to the satisfaction of the Local Government, on the advice of Main Roads Western Australia and the Public Transport Authority.

17. The existing car bays to the south of the George Street crossover are to be retained.
18. Prior to submission of a building permit application, the proposed car parking areas, vehicle access, universal access and bicycle bays are to be designed to the specifications of the Local Government, 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 Local Government.
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 Local Government and in accordance with the applicable Australian Standard (as above), to the satisfaction of the Local Government.
20. The vehicular access point to Pinjarra Road is to be designed and utilised for left in / left out traffic movements only. It is to be modified to the satisfaction of the Local Government and Main Roads Western Australia to:
  - Reduce the width of the left out movement.
  - Provide priority to pedestrian movements by designing the crossovers in the same material to the adjacent footpath providing a continuous at grade pedestrians access
21. The vehicular access point to George Street a to be designed and utilised as a left out traffic movement only. It is to be modified to the satisfaction of the Local Government and Main Roads Western Australia to:
  - Reduce the width of the crossover to reflect it is a left out movement only.
  - Provide priority to pedestrian movements by designing the crossovers in the same material to the adjacent footpath providing a continuous at grade pedestrians access
22. Prior to the occupation of the development the landowner/applicant is required to make a contribution of \$25,000 for the upgrade of pedestrian infrastructure at the Pinjarra Road/George Street signals to the satisfaction of the Shire in consultation with Main Roads Western Australia.
23. No parking bays shall be obstructed in any way or used for purposed of storage.

*Karen Hyde*



### Amenity

24. Prior to the occupation of the development, the Waste Management Plan prepared by Talis Consultants (date-stamped 29 October 2025) is to be updated to reflect the detailed design and submitted to and approved by the Local Government.
25. 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 Local Government.
26. The proposed bin store is to be screened to a height of at least 1.8m by a masonry, brick or other durable material as approved by the Local Government. The bin store is to be designed in accordance with the Shire of Murray Local Law.
27. Prior to the occupation of the development, the landowner is to provide a delivery/servicing management plan detailing the timing and frequency of deliveries, and how these are to be coordinated to mitigate any potential traffic and/or amenity related issues, inclusive of pedestrian safety, to the satisfaction of the Local Government. Deliveries are to be undertaken in accordance with the approved delivery management plan for the life of the development, to the satisfaction of the Local Government.
28. 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 Local Government.
29. Prior to the occupation of the development, a final illumination report must be prepared which demonstrates to the satisfaction of the Local Government, that the completed development complies with the requirements of Australian Standard AS 4282—1997, Control of the obtrusive effects of outdoor lighting.
30. Floodlighting must not be illuminated after 10:00pm or before 7:00am on any day. All illumination must be confined to the land in accordance with the requirements of Australian Standard AS 4282—1997, Control of the obtrusive effects of outdoor lighting, at all times, for the duration of the development.
31. Prior to occupation of the development, a Shopping Trolley Management Plan is to be submitted to the satisfaction of the Local Government.
32. 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 Local Government.
33. Prior to the occupation of the development, a Final Acoustic Assessment must be prepared and provided to the Local Government which demonstrates that the completed development. complies with the Environmental Protection (Noise) Regulations 1997. The Final Acoustic Assessment must include the following information:

*Karen Hyde*



- a) noise sources compared with the assigned noise levels as stated in the Environmental Protection (Noise) Regulations 1997, when the noise is received at the nearest “noise sensitive premises” and surrounding residential area;
- b) tonality, modulation and impulsiveness of noise sources; and
- c) confirmation of the implementation of noise attenuation measures.

Any further works must be carried out in accordance with the Acoustic Report and implemented as such for the duration of the development.

#### Signage

34. The location and details of the sign(s) and any supporting structure, as shown on the approved plans, must not be altered without written consent from the Local Government.
35. The signs shall be maintained to a high state of repair at all times to the satisfaction of the Local Government.

#### Public Art

36. a) Prior to the submission of a building permit application, the applicant/landowner shall submit a public artwork concept, developed in accordance with the Pinjarra Town Centre Public Art Local Planning Policy, to the satisfaction of the Local Government. The public art concept must incorporate public art work(s):
  - i) to the value of 1% of the development costs being \$90,000; and
  - ii) located in a position clearly visible to the general public, either on the site of the development or within a crown reserve adjoining or near to the development site.

The public art work(s) must be implemented prior to occupation of the development and thereafter maintained for the life of the development, to the satisfaction of the Local Government.

- b) Alternatively, prior to the occupation of the development, the applicant/landowner may contribute a monetary amount, the same value specified above, to the Local Government for development of public art works in the Pinjarra town centre to enhance the public realm.

#### Miscellaneous

37. Electrical installations are to be located above 10.1m AHD unless otherwise approved by the Local Government.

*Karen Hyde*



38. Retaining walls are to be provided where the angle of natural repose of the soil cannot be maintained along the southern boundary of the development site. A fence is to be provided, sufficient to screen the development site from the adjoining lots to the south, except where a building has been constructed abutting the common site boundary.
39. The development must be connected to the reticulation sewer system.

**The Substantive Motion (as amended) was put and CARRIED (3/2).**

For: Karen Hyde  
Clayton Higham  
Heidi Herget

Against: Cr Douglas McLarty  
Cr Angela Rogers

**REASON:** The land uses shop and take away food are contemplated in the current scheme; the current scheme does not distinguish if the food outlet permissibility has a drive through. In any case, the drive through was clearly defined on the plans as integral to this development proposal. The Shire's scheme Amendment 322, whilst seriously entertained, was not regarded by the majority of the panel as imminent or certain as, at the time of decision making, it was still open to the Minister to request further amendments, and no Gazettal date had been set. The majority of the panel were therefore supportive of making a decision under the current statutory planning scheme.

The matters raised in the previous deferral concerned the works associated with the development and not the land use itself. The deferral issues including access, circulation and pedestrian amenity had all been satisfied and support the activation, improved pedestrian amenity, tree canopy and passive surveillance of the town centre, which aligns with the objectives of the Shire's strategic planning framework. The proposal for a drive through element for a restaurant with a takeaway outlet as designed in this proposal, that is, relatively discrete and sleeved behind active frontages oriented to the key streets, was regarded as not entirely out of character with the current relatively car-oriented centre. Sufficient modifications had been made to signage, landscape, pedestrian circulation and façade design in response to the reasons for deferral.

State agencies including the Heritage Council, DPLH, DWER and Main Roads were all generally supportive and it was noted that the community sentiment was largely in support of the proposal. The panel considered the need and nexus associated with comprehensive upgrades to Murray Street, Pinjarra Road and George Street, which had been flagged by The Shire and Main Roads, however the majority of the panel were of the opinion that the sole responsibility did not fall or rest with this development. The voluntary contribution to upgrade works on George Street was accepted as part of a condition of approval.

**Karen Hyde**  
Presiding Member, Metro Outer DAP



The panel made a number of amendments to the conditions of approval provided by the Shire; however, the amendments did not substantially change the land uses or the overall plans, rather the modifications provided certainty and clarity related to the specific development proposal and land under the control of the applicant. On balance the majority of the panel were supportive of the development subject to conditions of approval.

**4. Form 2 DAP Applications**

Nil

**5. Section 31 SAT Reconsiderations**

Nil

*Karen Hyde*

**Karen Hyde**  
Presiding Member, Metro Outer DAP



## PART C – OTHER BUSINESS

### 1. State Administrative Tribunal Applications and Supreme Court Appeals

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

Finalised SAT Applications*				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Finalised
DR196/2025	City of Kwinana	Lot 9501, No. 32 Meares Avenue, Kwinana Town Centre	Proposed Drive-In Takeaway Food Shop (McDonalds)	7/05/2026

### 2. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 11:43am.

*Karen Hyde*