



Western
Australian
Planning
Commission

Planning and Development Act 2005

Section 171P(1)

Approval of Form 11B-1 Significant Development Application

WAPC Ref: SD-066-26

Property Location: Lots 45, 456, 457, 465, 466 & 1261 St Albans Road, Baldivis

Application Details: North East Baldivis Stage 2 Bulk Earthworks

Determination Date: 9 September 2026

Determination Notice Issue Date: 22 September 2026

Under delegation of the Western Australian Planning Commission, the Statutory Planning Committee resolved to:

- A. to note this application is capable of being determined under the applicable planning instrument, being the City of Rockingham Local Planning Scheme No. 2, and it has been considered and determined accordingly; and
- B. under s.171P(1) of the Planning and Development Act 2005 to approve development application reference SD-066-26 and accompanying plans (date-stamped 23 July 2026) for bulk earthworks at Lots 45, 456, 457, 465, 466 & 1261 St Albans Road, Baldivis, subject to the following:

Conditions

Approval Timeframe

1. This decision constitutes development approval only and is valid for a period of 4 years from the date of approval. If the development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.

Conformity with Plans

2. The development is to be undertaken in accordance with the approved plans (date-stamped 23 July 2026) attached to this approval, subject to modifications required by any condition of this approval, final details of which are to be submitted at working drawings stage (condition clearance stage), to the satisfaction of the Western Australian Planning Commission.

3. Prior to commencement of works, the approved development plans and technical supporting documentation are to be modified and updated to include the following:
 - (a) the engineering plans shall remove all outlines of the future subdivision; and
 - (b) correct the title of the engineering plans from Stage 1 to Stage 2.
4. The levels shown on the approved plans are indicative only and are not to be taken as the approved final levels for the development. Final site levels, earthworks and engineering details are to be determined and approved as part of any future subdivision, engineering and/or development application approval process.

Environmental

5.
 - (a) Within 28 days of the date of this approval, a revised Drainage Management Strategy is to be submitted to the Western Australian Planning Commission for approval, on advice from the Department of Water and Environmental Regulation and the Water Corporation. The revised Strategy is to address the following:
 - (i) ensure consistency of the Strategy with the earthworks footprint on the approved development plans, and with no fill or other encroachments to occur within the Multi Use Corridor drainage areas as per the approved North East Baldivis District Structure Plan;
 - (ii) ensure consistency of the Strategy with an approved District Water Management Strategy or DWER's District Water Management Strategy Addendum advice (dated 9 July 2026), as applicable at the time of commencement of works;
 - (iii) confirm that the proposed works do not rely on a bund or any other structure performing a flood-control function;
 - (iv) clearly distinguish between the approved Stage 2 bulk earthworks footprint and the broader drainage area;
 - (v) record the applicable flood-impact criteria and the modelled flood-level, storage, discharge and downstream impacts;
 - (vi) distinguish the modelled impacts associated with the temporary surcharging works from the acceptable final district-scale outcome and explain how any potential impacts continuing beyond the surcharging period will be addressed;
 - (vii) identify any controls required to manage any potential drainage impacts associated with the surcharging works;
 - (viii) confirm that the approved earthworks will not prejudice the implementation of future district-scale emergency management and access arrangement;
 - (ix) include an Earthworks Staging Plan to address:
 - the temporary, post-surcharging and ultimate landforms and drainage arrangements;
 - the period during which the surcharging landform will remain in place, and the plan for its removal or relocation;
 - how any potential impacts continuing beyond the surcharging period will be addressed; and
 - (x) remove the statement that 'the Drainage Management Strategy supporting development application SD-004-24 was endorsed by the Department of Water and Environmental Regulation'.
 - (b) The approved Drainage Management Strategy is to be implemented to the satisfaction of the Western Australian Planning Commission.

6.

- (a) Prior to commencement of works, a Construction and Site Works Management Plan is to be submitted to and approved by the Western Australian Planning Commission, on advice from the Department of Water and Environmental Regulation, the Water Corporation, Main Roads WA and the City of Rockingham. The Plan is to address, but not limited to:
 - (i) hours of construction and works;
 - (ii) temporary fencing, hoardings, gantries, and signage;
 - (iii) site access and egress;
 - (iv) construction traffic management;
 - (v) pedestrian and cyclist management and any footpath obstructions;
 - (vi) parking arrangements;
 - (vii) deliveries and storage of construction materials and machinery;
 - (viii) management of stormwater, erosion and sediment;
 - (ix) management of stockpiles including detailing the location, height, duration etc of imported fill, any stockpiling of topsoil and stripped vegetation;
 - (x) management of any contaminated fill;
 - (xi) management of potential asbestos containing materials if identified during works;
 - (xii) fuel and chemical management;
 - (xiii) management and monitoring of groundwater, surface water, stormwater, and any dewatering, including any water quality management / mitigation measures;
 - (xiv) management of construction noise and/or vibration and other site generated noise and/or vibration;
 - (xv) demolition and construction waste management, recycling, and removal, including disposal of stripped vegetation and materials re-use;
 - (xvi) protection of any street trees and public realm infrastructure;
 - (xvii) protection of remnant vegetation on Lot 456 unless a clearing permit has been obtained;
 - (iii) mosquito management;
 - (i) fauna management;
 - (ii) weed management;
 - (iii) sand and dust management, including any remediation actions;
 - (iv) measures and monitoring to ensure stormwater discharge does not exceed predevelopment discharge to the Kwinana Freeway or Mundijong Road reserves;
 - (iii) management and monitoring of any erosion, including remediation actions;
 - (i) bushfire risk management for site office/s; and
 - (ii) public communication and complaint handling procedures, including contact details of essential site personnel.
- (b) The approved Construction and Site Works Management Plan is to be implemented, to the satisfaction of the Western Australian Planning Commission.

7.

- (a) Prior to commencement of works, a Geotechnical Engineering Report is to be prepared by a suitably qualified professional and approved by the Western Australian Planning Commission, with advice from the City of Rockingham. The Report is to detail:
 - (i) the source of the fill; and
 - (ii) certify the fill material composition and quality.

- (b) If the source of the material changes from the details as specified in the approved Geotechnical Engineering Report, then an updated report prepared by a suitably qualified professional is to be submitted and approved by the Western Australian Planning Commission, on advice from the City of Rockingham, prior to the use of the fill. The Report is to detail:
 - (i) the source of the fill; and
 - (ii) certify the fill material composition and quality.
- 8. Prior to commencement of works, a Dilapidation Survey is to be submitted to the Western Australian Planning Commission, on advice of the City of Rockingham, detailing the current condition and status of surrounding pavements, public realm infrastructure and roads.

Any damage to existing pavements and roads, associated with the works, shall be reinstated or 'made good' to the same condition prior to works commencing, to the satisfaction of the Western Australian Planning Commission.
- 9.
 - (a) Prior to commencement of works, a Sand and Dust Management Plan is to be submitted to and approved by the Western Australian Planning Commission, on advice from the City of Rockingham.
 - (b) The approved Sand and Dust Management Plan is to be implemented to the satisfaction of Western Australian Planning Commission.
- 10.
 - (a) Prior to commencement of works, a Remediation Action Plan is to be submitted to and approved by the Western Australian Planning Commission, on advice from the Water Corporation. The Plan is to include actions by the proponent to rectify any adverse impacts that occur to the level of service provided by the Water Corporation's drainage system that may arise as a result of the approved earthworks, including any inundation of upstream or downstream properties that persists for more than 72 hours.
 - (b) The approved Remediation Action Plan is to be implemented, if the identified inundation or adverse impacts occur, to the satisfaction of the Western Australian Planning Commission, on advice from the Water Corporation.

Access

- 11.
 - (a) Prior to commencement of works on site, a Traffic Management Plan is to be submitted and approved by the Western Australian Planning Commission, on advice from Main Roads WA and the City of Rockingham. The Traffic Management Plan is to detail:
 - (i) how construction activities will be staged and managed to minimise impacts on Kwinana Freeway, Mundijong Road and the surrounding road network;
 - (ii) truck scheduling;
 - (iii) proposed haulage routes;
 - (iv) site access details;
 - (v) parking arrangements on site;
 - (vi) provision of suitably constructed vehicle access crossovers to site for construction vehicles;
 - (vii) measures to maintain public safety; and

- (viii) contact details of essential personnel.
- (b) The approved Traffic Management Plan is to be implemented, to the satisfaction of the Western Australian Planning Commission.

Advice Notes

- (a) This is a development approval only. The landowner/applicant is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws and/or license/permit requirements that may relate to the development. Contact the City of Rockingham for further advice on building, health, engineering and road reserve requirements.
- (b) With regard to Condition 1, the term 'substantially commenced' has the meaning as set out in the Planning and Development (Local Planning Schemes) Regulations 2015 as amended from time to time. The substantial commencement date is calculated from the date the applicant receives the determination notice.
- (c) With regard to Condition 4, the approved plans are not to be construed as final levels for development of the site, and final levels will be established through any future subdivision and engineering.
- (d) With regard to Condition 6(xiv), the plan will need to demonstrate compliance with Environmental Protection (Noise) Regulations 1997 and AS2436-2010-Guide to Noise and Vibration Control on Construction, Demolition and Maintenance sites.
- (e) With regard to Condition 6(xvii), the remnant vegetation on Lot 456 St Albans Road is to be protected from the impacts of the works through the installation of temporary fencing, until either a Clearing Permit is obtained, or confirmation is provided from the relevant agency that a Clearing Permit is not required.
- (f) With regard to Condition 6(xx), weed management shall be in accordance with the Biosecurity and Agriculture Management Act 2007.
- (g) With regard to Condition 7, the Applicant is reminded of their obligations to determine if fill material used on site is considered "waste" as defined in the Environmental Protection Act 1986 and the Waste and Resource Recovery Act 2007 and therefore whether certain provisions in the legislation apply. Please refer to the Department of Water and Environmental Regulation Factsheet – Assessing whether material is waste for more information.

Schedule 1 of the Environmental Protection Regulations 1987 provides that the use of clean fill that requires screening at the premises may cause the premises to be considered a prescribed premises under Category 12 or Category 70, and the use of uncontaminated fill that requires crushing at the premises may cause the premises to be considered a prescribed premises under Category 13.

- (h) With regard to Condition 9, the Sand and Dust Management Plan is to ensure any potential dust or mobilised sand fill does not negatively affect the operation of the Peel Main Drain or the Kwinana Freeway. The Plan should be prepared in accordance with the Department of Water and Environmental Regulation's Guidelines and should address:
 - (i) site classification (in accordance with the Department of Water and Environmental Regulation Guidelines);

- (ii) type of wetting agents and proposed interval of use;
 - (iii) what/if nearby roads will be swept clean of dust/sand and on what interval;
 - (iv) the size of the area being worked at any one time;
 - (iv) type and location of any wind barrier fencing;
 - (v) what environmental monitoring will be undertaken, how many monitors and their location, what factors will be measured and the acceptable levels;
 - (vi) further to point (vi) above, the mitigation response in the event that the 'acceptable levels' are exceeded;
 - (vii) proposed stabilising techniques and frequency they will be undertaken; and
 - (viii) dust covers on haulage vehicles.
- (i) The proponent is advised that no change to the size or layout of the Multi Use Corridor drainage areas, as per the approved North East Baldivis District Structure Plan and draft District Water Management Strategy, has been approved as part of this development approval. Any proposal to modify the drainage areas as part of a future local structure plan or subdivision applications(s) is to be assessed and determined through those planning processes.
 - (j) All drinking water provided on site must meet the health-related requirements of the Australian Drinking Water Quality Guidelines 2011. The proponent must design and install all non-drinking water systems so that they do not contaminate or be mistaken for the drinking water supply, including clear and permanent labelling of all non-drinking water outlets and installation of appropriate backflow prevention devices.
 - (k) Any use of recycled water on site must be in accordance with the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974, the Guidelines for the non-potable uses of recycled water in Western Australia and the Code of Practice for the Reuse of Greywater in Western Australia 2010.
 - (l) Main Roads WA advises that the upgrading of Kwinana Freeway and Kwinana Freeway / Mundijong Road / Kulija Road interchange is not in Main Roads current 4-year forward estimated construction program and all projects not listed are subject to change without notice, and Main Roads assumes no liability for the information provided.
 - (m) Main Roads WA advises that should the development require any modifications to the RAV network it will be subject to a separate approval process under the Road Traffic (Vehicles) Act 2012 and is subject to future support and approval from the City of Rockingham and Main Roads. Application forms and supporting information about the RAV Route Assessment procedure can be found at www.mainroads.wa.gov.au/heavy-vehicles/access-requirements-in-wa/.
 - (n) If the applicant/landowner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 11B of the Planning and Development Act 2005.

Reasons for Decision

Extract from the Minutes of the Statutory Planning Committee meeting of 9 September 2026:

Members agreed to endorse the modified recommendation of the Department of Planning, Lands and Heritage for the reasons discussed and outlined in the Department's report, noting the following:

- Recent advice following agenda publication from the Department of Water and Environmental Regulation (DWER) that previous matters in the District Water Management Strategy (DWMS) for North East Baldivis have been substantively addressed, and that DWER have endorsed the DWMS.*
- The endorsed DWMS, along with conditions of approval relating to the local Drainage Management Strategy, provide for flood management to be appropriately addressed and are supported by State referral agencies, including DWER and Water Corporation.*
- The unique and complex circumstances requiring a balanced approach while ensuring stakeholders involved have confidence that water management matters will continue to be adequately addressed.*
- Facilitating housing continues to be a priority, and this proposal presents an opportunity to progress future urban development.*
- Acknowledgment of the work undertaken by the State Referral Coordination Unit and collaboration with DWER and Water Corporation on resolving water management and drainage issues.*