



Western
Australian
Planning
Commission

Planning and Development Act 2005

Section 171P(1)

Refusal of Form 11B-1 Significant Development Application

WAPC Ref: SD-061-25

Property Location: Lots 9049 and 9501 (No.538) Bussell Highway,
Dalyellup

Application Details: Commercial development

Determination Date: 19 August 2026

Determination Notice Issue Date: 31 August 2026

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

- A. to note this application is capable of being determined under the applicable planning instrument, being the Shire of Capel Local Planning Scheme No. 8, and it has been considered and determined accordingly; and
- B. under s.171P(1) of the *Planning and Development Act 2005*, to refuse development application reference SD-061-25 and accompanying plans (date-stamped 26 July 2026) for a commercial development at Lots 9049 and 9501 (No.538) Bussell Highway, Dalyellup, for the following reasons:
 - 1. The proposal would establish a substantial out-of-centre bulky goods/large format retail development that is separate from the Dalyellup District Centre and not within a recognised service commercial or industrial precinct and, as such, facilitates a new stand-alone retail destination which would cumulatively result in an undesirable land use outcome and adversely affect the orderly and proper planning of the locality;
 - 2. The scale and nature of the development, together with the substantial area of undeveloped land remaining on the site, would facilitate additional service commercial and retail uses, as well as a range of potential associated activities, that have not been contemplated by the planning framework and are not contextually appropriate, impacting on the intended character and amenity of the surrounding locality; and

3. The proposal for a bulky goods/large format retail development is inconsistent with the vision, objectives and land use framework of the approved Dalyellup East Structure Plan, which identifies the land for residential development and associated supporting uses. Insufficient justification has been provided to support the departure, and whether it represents the highest and best use of the subject land.