

Our Ref: 21520

6 January 2026

Chief Executive Officer  
Shire of Williams  
PO BOX 96  
**WILLIAMS** WA 6391

**Attn: Planning Department**

To Whom It May Concern,

**RE: EXTENSION TO DEVELOPMENT APPROVAL (10.60.15) – SERVICE STATION - LOT 889 ALBANY HIGHWAY, WILLIAMS**

This letter requests the discretion of the Shire of Williams to extend the time period to *substantially commence works* of Development Approval (10.60.15) for a Service Station at Lot 889 Albany Highway, Williams (formally Lot 802) for a period of two years. The notice of determination and approved plans are included as part of this request for reference.

#### **BACKGROUND**

Development Approval 10.60.15 was approved by the Shire of Williams in June 2019, subject to a number of conditions, this approval was provided a three-year time period to substantially commence works.

In April 2021, an amended Development Approval was issued, which modified several of the original DA conditions, including Condition 14, which stipulated that the Development Approval timeframe was provided for a three-year period from the date of the approval letter, being April 2021.

In addition to the above, an additional two-year extension was applied through the State of Emergency Declaration. This was confirmed through correspondence received from the Shire of Williams in June 2024 (refer attached correspondence).

As a result of the above it was confirmed by the Shire of Williams that Development Approval 10.60.15 is valid until April 2026 and will expire at that time unless the proposed project is substantially progressed in accordance with all conditions, or a further extension is approved.

#### **JUSTIFICATION**

As per Clause 77, Schedule 2 of the *Planning and Development Regulations 2015*, the Local Government can amend the approval to extend the period within which any development approval must be substantially commenced.

We therefore respectfully seek approval from the Shire of Williams for a two-year extension for Development Approval 10.60.15, extending the Approval date through to April 2028 to substantially commence development. Justification for the extension request is provided below.

- Since the Development Approval was issued, the landowners have progressed the civil design of the road upgrades and proceeded to tender. Tender prices received were economically not viable at the time to proceed with the project. As part of this process, the landowners investigated numerous design amendments in an attempt to reduce the costs, without much success. In addition to the increase in construction prices generally felt since the COVID-19 pandemic, the viability of the overall project has been impacted.

Together, these collective increases have restricted the landowners from progressing with development of the service station or finding a suitable candidate to invest in the project previously within the allocated approval time period.

- In September 2021, the landowners prepared a proposal to rezone the subject land and presented a concept subdivision layout for the balance lot at a Council Briefing Forum, which was generally supported. This concept identified the potential for Service Commercial development adjacent to Albany Highway, with industrial land to make up the balance, consistent with the adjoining landholdings, providing additional development potential and expanding investor opportunities.
- In September 2023, the landowners secured a rezoning of the land to Service Commercial and Industrial, through the gazettal of Scheme Amendment No.19 to the Shire of Williams Local Planning Scheme No.2. This rezoning will facilitate the future development of the land for service commercial and industrial lots, which will provide much needed opportunities for the Williams townsite and provide additional feasibility and financial aid towards the viability of the project.
- The landowners have recently procured a new tenant for the service station, who is financially contributing to the future development of the site (which was not the case for the previous tenant), which will assist in overcoming the respective cost increases as detailed previously.

As part of this new agreement, the landowners and new tenant are undertaking a feasibility into potential modifications/alternatives to the economic structure of the project, whilst maintaining a design consistent with the development approval.

- With the procurement of a new tenant, who is financially contributing towards the proposed development, the landowners are looking to work through the development approval conditions and progress towards construction in the next 6 – 9 months, pending scheduling of contractors and necessary approvals. The request to extend the Development Application for a further two-year period will provide surety that the development can be substantially commenced within the development approval timeframe.

## PLANNING FRAMEWORK

The Shire of Williams Strategic Community Plan was adopted in 2022, which lists one of the three key findings from the community and stakeholder engagement sessions as “*maximising the strategic advantage of the Albany Highway location including opportunities for more effective commerce...*”. The proposed service station is situated on Albany Highway and will provide great exposure and service to local and passing traffic, further supported by the commercial and industrial zoned land that makes up the balance of Lot 889.

The Strategy also identifies one of its two key strategies as *Economic Development* indicating that *there are opportunities to expand as more businesses take the opportunity to invest in Williams*. The establishment of the proposed Service Station will provide a great commercial development with exposure to Albany Highway and potentially increase interest in the appropriately zoned land adjoining the development for future investors and development, which is adjacent to the existing Mardijin Way industrial area.

Beyond the above-mentioned strategic improvements, the planning framework has not changed since the time that the development approval was granted, nor does this request form the basis for a new application. As such, it is considered that a two-year extension to which the Development Approval must be substantially commenced is considered appropriate and will provide sufficient time to work through the development conditions and substantially commence development on site within the approved time period.

## CONCLUSION

It is respectfully requested that the Shire of Williams extend the substantial commencement period of Development Approval 10.60.15 for the establishment of a Service Station at Lot 889 Albany Highway, Williams for a further two-years. As outlined in this request letter, the landowner has attempted to commence development through detailed design and costings, provided additional development opportunities within the subject land to support the proposed development and is working with a new tenant to commence the development within the approval timeframe and will continue to do so upon granting of this extension of time request.

We request that this two-year extension be calculated from the date of the existing expiry date, being April 2026 or the decision by the Shire, whichever is the latter.

Yours faithfully



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