



Minutes of the Mid-West Wheatbelt Joint Development Assessment Panel

Meeting Date and Time: 14 December 2017; 9.30am
Meeting Number: MWWJDAP/22
Meeting Venue: Department of Planning, Lands and Heritage
140 William Street,
Perth

Attendance

DAP Members

Mr Paul Kotsoglo (Presiding Member)
Mr Vernon Butterly (Deputy Presiding Member)
Mr Jason Hick (Specialist Member)
Cr Chris Connaughton (Local Government Member, Shire of Three Springs) – *via teleconference*

Officers in attendance

Mr Nathan Stewart (Shire of Three Springs) – *via teleconference*
Ms Sylvia Yandle (Shire of Three Springs) – *via teleconference*
Mr Steve Thompson (Shire of Boddington) – *via teleconference*

Minute Secretary

Mr Phil Goodwin (Department of Planning, Lands and Heritage)
Ms Zoe Hendry (Department of Planning, Lands and Heritage)

Applicants and Submitters

Ms Merinda Logie (Spring Solar Pty Ltd)
Mr Rowan Logie (Spring Solar Pty Ltd)
Mr Craig Barker (Suez Recycling and Recovery)
Mr Eugene Olman (Suez Recycling and Recovery)
Ms Liza Dupreez (Suez Recycling and Recovery)
Mr David Smart (Shire of Boddington)
Mr Larry Smith (Larry Smith Planning)

Members of the Public / Media

Nil

1. Declaration of Opening

The Presiding Member, Mr Paul Kotsoglo declared the meeting open at 9.30am on 14 December 2017 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.



The Presiding Member announced the meeting would be run in accordance with the DAP Standing Orders 2017 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

The Presiding Member advised that in accordance with Section 5.16 of the DAP Standing Orders 2017; No Recording of Meeting, which states: '*A person must not use any electronic, visual or audio recording device or instrument to record the proceedings of the DAP meeting unless the Presiding Member has given permission to do so.*', the meeting would not be recorded.

2. Apologies

Nil

3. Members on Leave of Absence

Nil

4. Noting of Minutes

Minutes of the Mid-West Wheatbelt meeting no.21 held on 30 November 2017 were noted by DAP members.

5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

6. Disclosure of Interests

DAP member, Cr Richard Thorpe, declared a direct pecuniary interest in item 8.1. Cr Thorpe owns accommodation facilities in the area and was approached by contractors for the project to possibly provide accommodation for some contractors.

In accordance with section 6.3.1 of the DAP Standing Orders 2017, the Presiding Member determined that the member listed above, who had disclosed a Pecuniary Interest, was not permitted to participate in the discussion or voting on the items.

7. Deputations and Presentations

7.1 Ms Merinda Logie (Spring Solar Pty Ltd) addressed the DAP in support of the application at Item 8.1. Ms Logie answered questions from the panel.

7.2 Mr Nathan Stewart (Shire of Three Springs) answered questions from the panel.

7.3 Mr David Smart (Shire of Boddington) addressed the DAP in support of the application at Item 8.2. Mr Smart answered questions from the panel.

7.4 Mr Craig Barker (Suez Recycling and Recovery) addressed the DAP in support of the application at Item 8.2. Mr Barker and Ms Liza Dupreez answered questions from the panel.



7.5 Mr Steve Thompson (Shire of Boddington) answered questions from the panel.

8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 Property Location: Lot M1366, Wilson Road, Womarden
Application Details: Solar Farm, Tourist Area and Temporary Workers
Accommodation
Applicant: Spring Solar Pty Ltd
Owner: Bestry Farms Pty Ltd
Responsible Authority: Shire of Three Springs
DAP File No: DAP/17/01256

REPORT RECOMMENDATION

Moved by: Cr Chris Connaughton

Seconded by: Mr Vernon Butterly

That the Mid-West / Wheatbelt Joint Development Assessment Panel resolves to:

1. **Approve** DAP Application reference DAP/17/01256 and accompanying plans (Attachment 1) in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of Part 3, 4, 6 and Schedule 2 of the Shire of Three Springs Local Planning Scheme No. 2, subject to the following conditions as follows:

Conditions

1. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.
2. The development shall be undertaken in accordance with the stamped approved plans and supporting documents (Environmental Survey Assessment prepared by PGV Environmental dated 12 June 2017, Geotechnical Investigation Report prepared by JDSI dated 7 April 2017, Bushfire Management Plan prepared by Bushfire Prone Planning dated 24 May 2017, Aboriginal Heritage Assessment Report prepared by Terra Rosa Consulting dated May 2017), including any amendments and additional plans and information arising from the approval conditions.
3. Prior to the issue of a building permit the Applicant is to provide an updated site and elevation plan for the approval of the local government which details the proposed large battery shed of approximately 1,000m² at the south eastern corner of the solar panel array.
4. Prior to the commencement of development a Landscape Plan for the Tourist Area shall be submitted to the local government for approval detailing landscaping and fencing to be provided along the perimeter of the site.
5. Prior to the commencement of the use the landowner must implement the landscaping shown on the approved Landscape Plan. The landowner



- must thereafter maintain the landscaping to the satisfaction of the local government.
6. A Construction Management Plan shall be submitted by the landowner to the local government for approval and approved prior to commencement of works. The Construction Management Plan should address noise, traffic and vehicle movements and parking (including the movements of construction personnel during the construction phase), road upgrades, storage of materials, dust, removal of temporary workforce accommodation buildings and structures associated with the construction of the development or any other matters considered relevant by the local government.
 7. The development shall be completed in accordance with the approved Construction Management Plan to the satisfaction of the local government.
 8. The development shall be completed in accordance with the Stormwater Management Plans prepared by Calibre dated 1 September (Drawing No. COPS17054-SKT-G-005 and COPS17054-SKT-G-006) and 12 September 2017 (Drawing No. COPS17054-SKT-G-003). The construction drawings of the Stormwater Management Plan shall be submitted for the approval of the local government prior to the issue of a building permit.
 9. Prior to the commencement of use the recommendations of the Bushfire Management Plan prepared by Bushfire Prone Planning dated 24 May 2017 shall be implemented and thereafter maintained for the lifetime of the development to the satisfaction of the local government.
 10. The landowner shall confirm details of water supplies prior to the issue of a Building Permit.
 11. The design and location of on-site effluent systems is to be in accordance with Council requirements and any requirements of Local Planning Scheme No. 2.
 12. Prior to the commencement of the use all car parking bays and internal accessways shown on the stamped approved plans shall be constructed and marked out in accordance with Council requirements.
 13. The development shall be completed in accordance with the approved Light Emissions Management Plan to the satisfaction of the local government.
 14. Prior to the commencement of use any trees that are removed or impacted by the location of the proposed development shall be replaced with a suitable tree in the location shown on the approved Landscape Plan to the satisfaction of the local government.
 15. The Applicant is required to give at least 3 months notice to the local government if the proposed development is to cease operations and all solar panels and ancillary structures and infrastructure must be decommissioned and removed within two years of giving this notice, unless the local government agrees otherwise.



Advice Notes

1. The Applicant is advised that granting of development approval does not constitute a building permit and that an application for relevant building permits must be submitted to the local government and be approved before any work requiring a building permit can commence on site.
2. The Applicant should be made aware that the proposed works are near an area of high risk. It is recommended that persons planning to build or undertake works in high risk areas near transmission or communication assets (including those listed above) act in a safe manner at all times and in accordance with all applicable legal and safety requirements (including the 'duty of care' under the laws of negligence, Worksafe requirements and guidelines, Australian Standards and Western Power policies and procedures).
3. All people working and visiting the development are to have access to a sufficient supply of potable water that is of the quality specified under the *Australian Drinking Water Quality Guidelines 2004*.
4. The Applicant is advised that approval from the Department of Health is required for any on-site waste water treatment processes.
5. If operations are proposed to cease, the landowner shall rehabilitate the site to the satisfaction of the local government to ensure that land can be used for rural purposes.

AMENDING MOTION

Moved by: Mr Vernon Butterly

Seconded by: Mr Jason Hick

- (i) To amend Condition 13 to read as follows:

*Prior to the issue of a building permit the Applicant is to submit for the approval of the local government a Light Reflection and Emissions Management Plan and a **Visual Impact Assessment as per the Western Australian Planning Commission guidelines**. The Light Reflection and Emissions Management Plan shall demonstrate how the proposed solar panels and lighting will not cause adverse off-site visual impacts to the surrounding properties and locality to the satisfaction of the local government.*

REASON: To provide clarity to all parties in the determination of the application.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REPORT RECOMMENDATION (AS AMENDED)

That the Mid-West / Wheatbelt Joint Development Assessment Panel resolves to:

1. **Approve** DAP Application reference DAP/17/01256 and accompanying plans (Attachment 1) in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the



provisions of Part 3, 4, 6 and Schedule 2 of the Shire of Three Springs Local Planning Scheme No. 2, subject to the following conditions as follows:

Conditions

1. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.
2. The development shall be undertaken in accordance with the stamped approved plans and supporting documents (Environmental Survey Assessment prepared by PGV Environmental dated 12 June 2017, Geotechnical Investigation Report prepared by JDSI dated 7 April 2017, Bushfire Management Plan prepared by Bushfire Prone Planning dated 24 May 2017, Aboriginal Heritage Assessment Report prepared by Terra Rosa Consulting dated May 2017), including any amendments and additional plans and information arising from the approval conditions.
3. Prior to the issue of a building permit the Applicant is to provide an updated site and elevation plan for the approval of the local government which details the proposed large battery shed of approximately 1,000m² at the south eastern corner of the solar panel array.
4. Prior to the commencement of development a Landscape Plan for the Tourist Area shall be submitted to the local government for approval detailing landscaping and fencing to be provided along the perimeter of the site.
5. Prior to the commencement of the use the landowner must implement the landscaping shown on the approved Landscape Plan. The landowner must thereafter maintain the landscaping to the satisfaction of the local government.
6. A Construction Management Plan shall be submitted by the landowner to the local government for approval and approved prior to commencement of works. The Construction Management Plan should address noise, traffic and vehicle movements and parking (including the movements of construction personnel during the construction phase), road upgrades, storage of materials, dust, removal of temporary workforce accommodation buildings and structures associated with the construction of the development or any other matters considered relevant by the local government.
7. The development shall be completed in accordance with the approved Construction Management Plan to the satisfaction of the local government.
8. The development shall be completed in accordance with the Stormwater Management Plans prepared by Calibre dated 1 September (Drawing No. COPS17054-SKT-G-005 and COPS17054-SKT-G-006) and 12 September 2017 (Drawing No. COPS17054-SKT-G-003). The construction drawings of the Stormwater Management Plan shall be submitted for the approval of the local government prior to the issue of a building permit.



9. Prior to the commencement of use the recommendations of the Bushfire Management Plan prepared by Bushfire Prone Planning dated 24 May 2017 shall be implemented and thereafter maintained for the lifetime of the development to the satisfaction of the local government.
10. The landowner shall confirm details of water supplies prior to the issue of a Building Permit.
11. The design and location of on-site effluent systems is to be in accordance with Council requirements and any requirements of Local Planning Scheme No. 2.
12. Prior to the commencement of the use all car parking bays and internal accessways shown on the stamped approved plans shall be constructed and marked out in accordance with Council requirements.
13. Prior to the issue of a building permit the Applicant is to submit for the approval of the local government a Light Reflection and Emissions Management Plan and a Visual Impact Assessment as per the Western Australian Planning Commission guidelines. The Light Reflection and Emissions Management Plan shall demonstrate how the proposed solar panels and lighting will not cause adverse off-site visual impacts to the surrounding properties and locality to the satisfaction of the local government.
14. Prior to the commencement of use any trees that are removed or impacted by the location of the proposed development shall be replaced with a suitable tree in the location shown on the approved Landscape Plan to the satisfaction of the local government.
15. The Applicant is required to give at least 3 months notice to the local government if the proposed development is to cease operations and all solar panels and ancillary structures and infrastructure must be decommissioned and removed within two years of giving this notice, unless the local government agrees otherwise.

Advice Notes

1. The Applicant is advised that granting of development approval does not constitute a building permit and that an application for relevant building permits must be submitted to the local government and be approved before any work requiring a building permit can commence on site.
2. The Applicant should be made aware that the proposed works are near an area of high risk. It is recommended that persons planning to build or undertake works in high risk areas near transmission or communication assets (including those listed above) act in a safe manner at all times and in accordance with all applicable legal and safety requirements (including the 'duty of care' under the laws of negligence, Worksafe requirements and guidelines, Australian Standards and Western Power policies and procedures).
3. All people working and visiting the development are to have access to a sufficient supply of potable water that is of the quality specified under



the *Australian Drinking Water Quality Guidelines 2004*.

4. The Applicant is advised that approval from the Department of Health is required for any on-site waste water treatment processes.
5. If operations are proposed to cease, the landowner shall rehabilitate the site to the satisfaction of the local government to ensure that land can be used for rural purposes.

REASON: In accordance with details contained in the Responsible Authority Report and Amending Motion.

The Report Recommendation (as amended) was put and CARRIED UNANIMOUSLY.

8.2 Property Location:	Lot 2 on Plan 2767 Albany Highway, North Bannister
Application Details:	Class II and III Waste Disposal Facility (Landfill) of Nine Cells and Associated Facilities and Infrastructure
Applicant:	Suez Recycling and Recovery (North Bannister) Pty Ltd
Owner:	Suez Recycling and Recovery (North Bannister) Pty Ltd
Responsible Authority:	Shire of Boddington
DAP File No:	DAP/17/01291

REPORT RECOMMENDATION

Moved by: Mr Jason Hick

Seconded by: Mr Vernon Butterly

*With the agreement of the mover and seconder, Condition 5 was amended to include **“and all access routes used to access the site”**. Advice Note 1 was also amended to include the word **“proposed”**.*

Reason – to ensure the clarity in the application of condition 5.

That the Mid-West/Wheatbelt Joint Development Assessment Panel resolves to:

1. Accept that the DAP Application reference DAP/17/01291 is appropriate for consideration as a “use type” land use and compatible with the objectives of the zoning table in accordance with the Shire of Boddington Local Planning Scheme No. 2.
2. Approve DAP Application reference DAP/17/01291 and accompanying plans in accordance with Clause 68 of Planning and Development (Local Planning Schemes) Regulations 2015, subject to the following conditions:

Conditions

1. This approval shall expire and be of no further effect if the land use has not been substantially commenced within a period of five (5) years or within any extension of that time, requested in writing prior to the approval expiring that may be granted by the Shire of Boddington.



2. The putrescible landfill facility operates in accordance with a Class II or III of the Prescribed Premises and does not accept waste associated with a Class IV or V landfill.
3. The hours of operation of the landfill facility are limited to between 5.00am to 8.00pm.
4. Rubbish is contained on the landfill facility site to the satisfaction of the Shire of Boddington.
5. Prior to the commencement of development, submit and gain approval to a Fugitive Roadside Litter Management Plan along Albany Highway and all access routes used to access the site to the satisfaction of the Shire of Boddington which is then appropriately implemented.
6. Prior to the commencement of development, a Drainage Management Strategy consistent with "Landfills for disposal of putrescibles materials" (former Department of Water - WQN111) is submitted for approval and implemented to the satisfaction of the Shire of Boddington.
7. Dust control measures for site works and all operations are implemented to the satisfaction of the Shire of Boddington.
8. Waste transport vehicles and trailers used to haul bulk loads are to be enclosed and are to prevent the escape of liquids in order to minimise odour to the satisfaction of the Shire of Boddington.
9. Prior to commencing the operation of the landfill, the "land manager's responsibilities" set out in the Bushfire Management Plan are implemented to the satisfaction of Shire of Boddington and thereafter are appropriately maintained.
10. Prior to commencing the operation of the landfill, submit and gain approval for a Bushfire Emergency Evacuation Plan to the satisfaction of the Shire of Boddington.
11. Prior to commencing the operation of the landfill, submit and gain approval for a Vermin Management Plan to the satisfaction of the Shire of Boddington.

Advice Notes

1. With respect to the Fugitive Roadside Litter Management Plan, the Shire of Boddington will review the proposed management regime to determine its effectiveness including the frequency of roadside collection of litter.
2. Prior to undertaking any ground disturbing works, the operator to adopt the recommendations of the Archaeaus Pty Ltd "Desktop Research of the Aboriginal Heritage Values for the North Bannister Landfill Expansion Project Area" report dated June 2017.

REASON: In accordance with details contained in the Responsible Authority Report.



9. The Report Recommendation was put and CARRIED UNANIMOUSLY. **Form 2 – Responsible Authority Reports – Amending or cancelling DAP development approval**

Nil

10. **Appeals to the State Administrative Tribunal**

Nil

11. **General Business / Meeting Close**

The Presiding Member reminded the meeting that in accordance with Section 7.3 of DAP Standing Order 2017 only the Presiding Member may publicly comment on the operations or determinations of a DAP and other DAP members should not be approached to make comment.

There being no further business, the presiding member declared the meeting closed at 11.02am.