



Mid-West/Wheatbelt Joint Development Assessment Panel Minutes

Meeting Date and Time: 24 June 2019; 9.00am
Meeting Number: MWWJDAP/38
Meeting Venue: Department of Planning, Lands and Heritage
140 William Street
Perth

Attendance

DAP Members

Ms Jacky Jurmann (A/Presiding Member)
Mr Vernon Butterly (A/Deputy Presiding Member)
Ms Shelley Shepherd (A/Specialist Member)
Cr Peter Osborn (Local Government Member, Shire of Chittering) – *via teleconference*
Cr Gordon Houston (Local Government Member, Shire of Chittering) – *via teleconference*

Officers in attendance

Mr Jake Whistler (Shire of Chittering)

Minute Secretary

Ms Ashlee Kelly (DAP Secretariat)

Applicants and Submitters

Ms Rachel Evans (Emerge Associates)
Mr Shane Highman (Porter Consulting Engineers)
Ms Alysha Cass (BP Australia)
Mr Chris Cornelius (BP Australia)
Mr Josh Watson (Planning Solutions)
Mr Reece Hendy (Planning Solutions)

Members of the Public / Media

Nil

1. Declaration of Opening

The A/Presiding Member declared the meeting open at 8.57am on 24 June 2019 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

The A/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 A/Presiding Member advised that in accordance with Section 5.16 of the DAP Standing Orders 2017 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

Mr Paul Kotsoglo (Presiding Member)
Mr Andrew Mack (Specialist Member)

3. Members on Leave of Absence

Nil

4. Noting of Minutes

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

5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

6. Disclosure of Interests

Nil

7. Deputations and Presentations

7.1 Ms Rachel Evans (Emerge Associates) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.

7.2 Mr Shane Highman (Porter Consulting Engineers) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.

7.3 Ms Alysha Cass (BP Australia) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.

7.4 Mr Josh Watson (Planning Solutions) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.

7.5 Mr Jake Whistler (Shire of Chittering) addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.



PROCEDURAL MOTION

Moved by: Mr Vernon Butterly

Seconded by: Ms Shelley Shepherd

That the meeting be adjourned for a period of 15 minutes to allow members to prepare and discuss wording to amendment of conditions.

The Procedural Motion was put and CARRIED UNANIMOUSLY.

The meeting was adjourned at 9.55am.

The meeting was reconvened at 10.09am.

8. Form 1 – Responsible Authority Reports – DAP Application

8.1 Property Location:	Lot 809 Great Northern Highway, Muchea
Development Description:	BP Roadhouse (Roadhouse)
Applicant:	Planning Solutions
Owner:	Harvis Capital Pty Ltd (formerly Sirona Capital Management Pty Ltd)
Responsible Authority:	Shire of Chittering
DAP File No:	DAP/18/01488

REPORT RECOMMENDATION

Moved by: Ms Jacky Jurmann

Seconded by: Mr Vernon Butterly

With the agreement of the mover and seconder the following amendments were made to the report recommendation;

(i) To add a new Condition 17 (now Condition 15) to read as follows:

Prior to occupation, the development shall be connected to an approved and operational waste water treatment system to the satisfaction of the Shire of Chittering, on advice of the Department of Health.

REASON: *To ensure the development is able to be serviced by infrastructure which is critical to its operation in a manner which minimises impacts on amenity and the environment.*

(ii) To amend Condition 5 to read as follows:

All-Stormwater from the proposed development shall be contained on-site ~~at all times~~ in accordance with the approved development plans and the Urban Water Management Plan.

REASON: *To provide clarity to applicant and the Shire of Chittering*



- (iii) *That Condition 11, 12 and 13 be consolidated with a single new condition 11 and the remaining conditions be renumbered accordingly to read as follows:*

Prior to occupation, the development shall be provided with access to a fully constructed road (including all necessary lighting and shared paths) along the northern boundary of the development site, connected to the state highway network, to the satisfaction of the Shire of Chittering.

REASON: *To provide clarity to applicant and the Shire of Chittering.*

- (iv) *To amend Advice Note 3 to insert the wording "including from the storm water system."*

REASON: *To provide connection.*

- (v) *To amend Advice Note 7 to read as follows:*

*The proponent is advised that the on-site waste water system requires the approval of the Department of Health who ~~are likely~~ **will** require a 'site and soil evaluation' **in accordance with AS1547** to inform the appropriate system to be used for the development.*

REASON: *To provide clarity to applicant and the Shire of Chittering.*

REPORT RECOMMENDATION (AS AMENDED)

That the Mid-West/Wheatbelt JDAP resolves to:

1. **Approve** DAP Application DAP/18/01488 and accompanying plans provided in Attachment 1 in accordance with Clause 68 Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Chittering local Planning Scheme No. 6 subject to the following conditions as follows:

Conditions:

1. Vehicular crossovers from the proposed development site to Great Northern Highway shall be constructed by the proponent to the specifications of Main Roads WA prior to the operation of the proposed development to the satisfaction of the Shire.
2. Vehicular crossovers from the proposed development site to the proposed internal road (Loop road) within Lot 809 shall be constructed by the proponent in accordance with the Shire's 'Road and Drainage Guidance Note - Muchea Industrial Park' prior to first operation of the proposed development to the satisfaction of the Shire. The eastern most crossover to the proposed internal road shall be designed and constructed to accommodate RAV10 vehicles to exit the development site in an easterly direction.



3. A landscaping plan shall be prepared in accordance with the Shire's draft Local Planning Policy No. 33 - 'Muceha Industrial Park Design Guidelines', submitted to and approved by the Shire prior to the commencement of works on-site. The approved Landscaping Plan shall be implemented prior to first operation of the proposed development to the satisfaction of the Shire and maintained in perpetuity.
4. An urban water management plan (UWMP) shall be submitted to and approved by the Shire prior to the commencement of works on-site and implemented prior to first operation of the development. The UWMP shall be designed consistent with the approved Local Water Management Strategy for the Muceha Employment Node Local Structure Plan 1 and shall encompass the development site and relevant adjoining land to the satisfaction of the Shire.
5. Stormwater from the proposed development shall be contained on-site in accordance with the approved development plans and the Urban Water Management Plan.
6. A waste management plan shall be submitted to and approved by the Shire prior to first operation of the proposed development. The approved Waste Management Plan shall be implemented in perpetuity to the satisfaction of the Shire.
7. A reticulated water supply shall be provided at the full cost of the applicant/landowner to service the proposed development to the satisfaction of the Shire prior to first operation of the proposed development.
8. The Bushfire Management Plan dated May 2019 shall be implemented in perpetuity to the satisfaction of the Shire.
9. All buildings and signage associated with the approved Roadhouse shall be maintained to a high standard at all times to the satisfaction of the Shire.
10. Engineering drawings and specifications consistent with the approved Urban Water Management Plan shall be submitted to and approved by the Shire for the filling and draining of the development site and relevant adjoining land to the satisfaction of the Shire prior to the commencement of works on-site. Works shall be undertaken in accordance with the approved drawings and specifications and completed to the satisfaction of the Shire prior to first operation of the proposed development.
11. Prior to occupation, the development shall be provided with access to a fully constructed road (including all necessary lighting and shared paths) along the northern boundary of the development site, connected to the state highway network, to the satisfaction of the Shire of Chittering.
12. Suitable temporary and permanent fencing shall be constructed on the southern and eastern boundaries of the development site that abut the adjacent wetland/conservation area in accordance with the Flora, Vegetation, Wetland and Waterways Management Plan dated May 2019 to the satisfaction of the Shire prior to the commencement of works on site.



13. A pre-works geotechnical report shall be prepared by a suitably qualified consultant in accordance with the Shire's 'Road and Drainage Guidance Note - Muchea Industrial Park', submitted to and approved by the Shire, prior to the commencement of works on-site, certifying that the land is physically capable of development or advising how the land is to be remediated and compacted to ensure it is capable of development. In the event that remediation works are required, a post-works geotechnical report shall be prepared by a suitably qualified consultant, submitted to and approved by the Shire prior to the commencement of construction of the proposed development, certifying that the remediation works have been carried out in accordance with the pre-works geotechnical report.
14. An acid sulphate soils self-assessment form, an acid sulphate soils report and an acid sulphate soils management plan shall be prepared to the specifications of the Department of Water and Environmental Regulation, submitted to and approved by the Shire prior to the commencement of works on-site. All works on-site shall be in accordance with the approved Acid Sulphate Soils Management Plan at all times to the satisfaction of the Shire.
15. Prior to occupation, the development shall be connected to an approved and operational waste water treatment system to the satisfaction of the Shire of Chittering, on advice of the Department of Health.

Advice Notes

1. With regard to the vehicular crossovers to Great Northern Highway, the proponent is advised that they must submit 85% designs for approval and comment to Main Roads WA, followed by the 100% designs for final approval. The approved designs will then be complimented with the Low Complexity Works Application, or Complex Works Application, depending on value of the works and the construction traffic management plan to gain approval to undertake the works within the road reserve. It is inherent in this condition that the operation of the development cannot commence until such time as the Great Northern Highway has been re-aligned adjacent to the western boundary of the development site and both crossovers to the Great Northern Highway have been constructed. Reference to Great Northern Highway within the conditions of approval refer to the proposed re-aligned portion of Great Northern Highway.
2. With regard to the Urban Water Management Plan, the applicant is advised that the approved conditional subdivision over Lot 809 may address drainage of the site and adjoining land and if so, this condition can be satisfied by referencing the relevant works that have been undertaken and approved as part of this subdivision.



3. With regard to the Waste Management Plan, the applicant is advised that the following should be addressed:
 - Strategic location of waste receptacles around the site for customer use;
 - Arrangements for the bulk collection of waste from the site;
 - Management measures for containment and/or collection of litter on the site to ensure the escape of litter from the site is minimised;
 - Management measures for the collection and off-site disposal of any potential contaminants (i.e. hydrocarbons, oils, fluids) including from the stormwater management system and the avoidance of such contaminants entering into the environment including from the storm water system.
4. With regard to the construction of the internal road (Loop road), the proponent is advised that the road and road reserve shall connect seamlessly to existing road network in liaison with Main Roads WA to ensure the satisfactory connection of the internal road to Great Northern Highway.
5. The proponent is advised to contact the Department of Water and Environmental Regulation with regard to any necessary approvals/licences required from the Department prior to commencing any works on site.
6. The proponent is advised to contact the Department of Mines, Industry Regulation and Safety with regard to any necessary approvals/licences required from the Department in accordance with the *Dangerous Goods Safety (Storage and Handling of Non-Explosive) Regulations 2007*, prior to commencing any works on site.
7. The proponent is advised that the on-site wastewater system requires the approval of the Department of Health who will require a 'site and soil evaluation' in accordance with AS1547 to inform the appropriate system to be used for the development.
8. The proponent is advised that all food related areas are to comply with the provisions of the *Food Act 2008* and related code, regulations and guidelines.
9. The proponent is advised to contact Western Power prior to the commencement of any works on site to ensure the protection of any Western Power assets/infrastructure in the area.
10. With regard to the design and construction of the internal road (Loop road) adjacent to the northern boundary of the development site, the proponent is advised that this road should be designed and constructed to cater for RAV10 vehicles. Furthermore, this road should be designed and constructed to incorporate an interim cul-de-sac if determined by the Shire to be required.



11. With regards to the conditions relating to the following:

- Urban Water Management Plan;
- Filling and draining of the development site;
- Internal road construction;
- Street lighting;
- Shared path construction;
- Fencing;
- Pre-works geotechnical report; and
- Acid sulphate soils self-assessment

it is intended that the plans and works required are to relate to the development site and curtilage only, and not the entirety of Lot 809.

In the instance that the satisfactory completion of the relevant subdivision conditions (WAPC 155948) occurs prior to the proposed Roadhouse development works commencing, the related conditions of development approval listed above will be regarded as satisfactorily completed.

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

The Report Recommendation was put and CARRIED UNANIMOUSLY

9. **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 A/Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2017 only the A/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 A/Presiding Member declared the meeting closed at 10.40am.