



Metro Outer Joint Development Assessment Panel Minutes

Meeting Date and Time: Tuesday, 6 September 2022; 9:30am
Meeting Number: MOJDAP/196
Meeting Venue: Electronic Means

This DAP meeting was conducted by electronic means (Zoom) open to the public rather than requiring attendance in person

1 Table of Contents

1.	Opening of Meeting, Welcome and Acknowledgement.....	3
2.	Apologies.....	3
3.	Members on Leave of Absence.....	3
4.	Noting of Minutes.....	3
5.	Declaration of Due Consideration.....	3
6.	Disclosure of Interests.....	3
7.	Deputations and Presentations.....	4
8.	Form 1 – Responsible Authority Reports – DAP Applications.....	4
	8.1 Lot 2 Zirconia Drive, East Rockingham.....	4
9.	Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval	9
	Nil.....	9
10.	State Administrative Tribunal Applications and Supreme Court Appeals	9
11.	General Business.....	9
12.	Meeting Closure	9


Mr Eugene Koltasz
Presiding Member, JDAP



Attendance

DAP Members

Mr Eugene Koltasz (Presiding Member)
Mr Brian Curtis (A/Deputy Presiding Member)
Ms Diana Goldswain (A/Third Specialist Member)
Cr Lorna Buchan (Local Government Member, City of Rockingham)
Cr Mark Jones (Local Government Member, City of Rockingham)

Officers in attendance

Ms Casey Gillespie (City of Rockingham)
Mr David Waller (City of Rockingham)
Mr David Banovic (City of Rockingham)

Minute Secretary

Mr Stephen Haimes (DAP Secretariat)
Mr Christopher Dodson (DAP Secretariat)

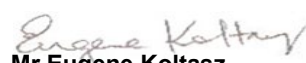
Applicants and Submitters

Mr Shaun O'Neill (Ecograf Limited)
Mr Hide Shigeyoshi (GHD)
Mr Duanne Ginger (GHD)
Ms Naomi Thomas (GHD)

Members of the Public / Media

There were 11 members of the public in attendance.

Ms Nadia Budihardjo from Perth Business News was in attendance.


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1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:30am on 6 September 2022 and acknowledged the traditional owners and paid respect to Elders past and present 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 2020 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

1.1 Announcements by Presiding Member

The Presiding Member advised that in accordance with Section 5.16 of the DAP Standing Orders 2020 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.

This meeting was convened via electronic means (Zoom). Members were reminded to announce their name and title prior to speaking.

2. Apologies

Ms Karen Hyde (Deputy Presiding Member)
Mr Jason Hick (Third 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

In accordance with section 2.4.9 of the DAP Code of Conduct 2017, DAP Member, Cr Mark Jones and Cr Lorna Buchan, declared that they participated in a prior Council meeting in relation to the application at item 8.1. However, under section 2.1.2 of the DAP Code of Conduct 2017, Cr Jones and Cr Buchan acknowledged that they are not bound by any previous decision or resolution of the local government and undertakes to exercise independent judgment in relation to any DAP application before them, which will be considered on its planning merits.

In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2020, the Presiding Member determined that the members listed above, who have disclosed a Impartiality Interest, are permitted to participate in the discussion and voting on the item.



7. Deputations and Presentations

7.1 Mr Shaun O'Neill (EcoGraf) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.

7.2 The City of Rockingham addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 Lot 2 Zirconia Drive, East Rockingham

Development Description: Industry (Graphite Processing Plant)
Applicant: Shaun O'Neill (Ecograp Limited)
Owner: DevelopmentWA
Responsible Authority: City of Rockingham
DAP File No: DAP/22/02182

REPORT RECOMMENDATION

Moved by: Cr Lorna Buchan

Seconded by: Cr Mark Jones

That the Metro Outer Joint Development Assessment Panel resolves to:


1. **Approve** DAP Application reference DAP/22/02182 and accompanying plans being:

- Site Plan - Drawing No DA-001; Rev H, dated 20 June 2022;
- Cluster 2 - Drawing No DA-103; Rev C, dated 20 June 2022;
- Streetscape Elevations - Drawing No DA-002; Rev A, dated 6 February 2022;
- Cluster 1 - Sheet 1 - Drawing No DA-101; Rev B, dated 8 February 2022;
- Cluster 1 - Sheet 2- Drawing No.DA-102; Rev B, dated 8 February 2022;
- Cluster 3 - Drawing No DA-104; Rev B, dated 8 February 2022;
- 3D Views - Drawing No DA-105; Rev A, dated 8 February 2022.

in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Rockingham Local Planning Scheme No. 2, subject to the following conditions:

Conditions

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.


Mr Eugene Koltasz
Presiding Member, JDAP



3. All development must be carried out in accordance with the approved plans as listed save that, in the event of an inconsistency between the approved plans and a requirement of the conditions, the requirement of the conditions shall prevail.
4. Prior to applying for a Building Permit, a Stormwater Management Plan must be prepared by a suitably qualified engineer showing how stormwater will be contained on-site and those plans must be submitted to the City of Rockingham for approval. All stormwater generated by the development must be managed in accordance with Planning Policy 3.4.3 - Urban Water Management to the satisfaction of the City of Rockingham. The approved plans must be implemented and all works must be maintained for the duration of the development.
5. Prior to the commencement of works a Construction Management Plan must be submitted and approved by the City of Rockingham. The Construction Management Plan shall include, but not be limited to, the following:
 - (i) A Dust, Noise and Vibration Management Plan;
 - (ii) Detail how access roads to and all trafficable areas on the site/s will be treated and maintained to prevent or minimise the generation of airborne dust;
 - (iii) How any stockpiles on site/s are to be managed;
 - (iv) Construction waste disposal strategy and location of waste disposal bins;
 - (v) How materials and equipment will be delivered and removed from the site/s; and
 - (vi) Parking arrangements for contractors.

All works must be carried out in accordance with the approved Construction Management Plan and maintained at all times, for duration of the development.



6. The carpark must:
 - (i) provide a minimum of 33 car parking spaces;
 - (ii) be designed, constructed, sealed, kerbed, drained and marked in accordance with User Class 1A for staff and User Class 2 for Visitors of Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking facilities, Part 1: Off-street car parking prior to applying for a Building Permit;
 - (iii) provide 1 universal car parking space(s) dedicated to people with disabilities, which are designed, constructed, sealed, kerbed, drained and marked in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009, Parking facilities, Part 6: Off-street parking for people with disabilities and which are linked to the main entrance of the development by a continuous accessible path of travel designed and constructed in accordance with Australian Standard AS 1428.1—2009, Design for access and mobility, Part 1: General Requirements for access—New building work;
 - (iv) have lighting installed, prior to the occupation of the development, to the satisfaction of the City of Rockingham; and
 - (v) confine all illumination to the land in accordance with the requirements of Australian Standard AS 4282-1997, Control of the obtrusive effects of outdoor lighting, at all times.
7. In accordance with City of Rockingham Planning Policy 3.3.14 - Bicycle parking and End of Trip Facilities, six (6) long-term bicycle parking spaces must be provided for the development. The bicycle parking spaces must be designed in accordance with AS2890.3—1993, Parking facilities, Part 3: Bicycle parking facilities and must be approved by the City of Rockingham prior to applying for a Building Permit and constructed prior to occupancy of the development. The bicycle parking spaces must be retained and maintained in good and safe condition for the duration of the development.
8. Prior to applying for a building permit, the Applicant must submit full detailed engineering drawings showing the various pavement types and cross sectional profiles to be adopted across the entire development site and adjoining road reserves, for review and approval by the City of Rockingham.
9. Crossovers shall be designed and constructed in accordance with the City's *Commercial Crossover Specifications*.
10. Pavement markings and signage shall be provided at the vehicular crossover locations, to clearly delineate the intended traffic flow within the site as follows:
 - (i) Restricted emergency exit only for heavy vehicles at the Zirconia Drive crossover;
 - (ii) Full movement entry and exit only for heavy vehicles at the northern-most crossover on Alumina Road. No access permitted to staff or visitor vehicles; and
 - (iii) Full movement entry and exit for staff and visitor vehicles only at the crossover for the administration building on Alumina Road.



11. Prior to the occupation of the development, a final illumination report must be prepared which demonstrates to the satisfaction of the City of Rockingham, that the completed development complies with the requirements of Australian Standard AS4282-1997, control of the obtrusive effects of outdoor lighting.
12. Prior to applying for a Building Permit, a Landscaping Plan must be submitted and approved to the satisfaction of the City of Rockingham and shall include the following detail:
 - (i) the location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area;
 - (ii) any lawns to be established and areas to be mulched;
 - (iii) any natural landscape areas to be retained;
 - (iv) those areas to be reticulated or irrigated;
 - (v) the provision of shade trees at a ratio of 1 tree per 4 car bays;
 - (vi) use of species consistent with the prescribed plant species list in the East Rockingham Development Guidelines;
 - (vii) fencing type, height and alignments generally consistent with the plans referred in condition 1;
 - (viii) Clearly defined APZ and landscaping consistent with and referenced against the Bushfire Management Plan, prepared by Bushfire Prone Planning - Job Number 190466, Ver 1.2; dated 22 June 2022;
 - (ix) internal footpath and kerb ramps providing linkages between car parking areas to the main office, including any proposed lighting; and
 - (x) proposed upgrading to landscaping, paving and reticulation of the street setback area and all verge areas;

The landscaping (including all verge landscaping, reticulation and paving) must be completed prior to the occupation of the development, and must be maintained at all times to the satisfaction of the City of Rockingham.

13. Prior to occupation of the development, the Asset Protection Zone (APZ), as depicted in the *Bushfire Management Plan* prepared by Bushfire Prone Planning - Job Number 190466, Ver 1.2; dated 22 June 2022, must be installed on the site. The APZ must, be maintained in accordance with these requirements and in a good and safe condition for the duration of the development.
14. All works must be carried out in accordance with the Waste Management Plan titled *Processing Waste Management Plan*, prepared by Encycle Consulting, dated June 2022 (Rev 0) and maintained at all times, for the duration of development.
15. This approval is limited to production of 20,000 tonnes per annum purified spherical graphite.



16. The applicant is responsible for protecting any existing City streetscape assets along Zirconia Drive and Alumina Road during the course of the project. This includes any existing streetscape lighting, grated gully pits, side entry pits, kerbing, footpaths, trees, turf etc. If any damage is caused to the existing assets (identified to be retained), they must be rectified to the satisfaction of the Manager Land and Development Infrastructure. It is recommended that a photographic dilapidation report is undertaken by the applicant, to record the current condition of these assets.
17. Materials, sea containers, goods, bins or similar must not be stored within the carpark areas or vehicle access and movement areas at any time.

Advice Notes

1. This Approval relates to the details provided in the application; to undertake the development in a different manner to that stated in the application a fresh application for Development Approval must be submitted to the City.
2. In relation to Condition 4, the Stormwater Management Plan should be generally consistent with the *Surface Water Management Strategy* prepared by GR Engineering Services; Project Number 12332J, Rev A and dated 17 December 2021 and the Addendum titled *EcoGraf Stormwater Model Response*, prepared by 360 Environmental - Reference 5383AB, Rev 1 and dated 22 June 2022. The applicant is to liaise with the City's Land Development and Infrastructure Services in this regard.
3. In relation to Condition 5, dust management is to be in accordance with the Department of Environment and Conservation Guideline: A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities.
4. The proponent is advised that this approval is not a building permit. Prior to any building work commencing on site, a building permit must be obtained.
5. A Sign Permit must be obtained for any advertising associated with the development, including signage painted on the building; the applicant and owner should liaise with the City's Building Services in this regard.
6. With respect to the Landscape Plan, the applicant is to liaise with the City's Land Development and Infrastructure Services in this regard.
7. All works in the road reserve, including construction of a crossover or footpath and any other works to the road carriageway must be to the specifications of the City of Rockingham. The Applicant should liaise with the City of Rockingham's Land and Development Infrastructure Services and Engineering Services in this regard.
8. Water and sewerage services can be made available to the site. The water service to the development may need to be dealt with under the Water Corporation's Major Customer framework. The applicant and owner should liaise with the Water Corporation in this regard.
9. An application through the Water Corporation's Protection of Assets portal for any works/groundworks that could potentially impact on any pipes within the vicinity of the site may be required. The applicant and owner should liaise with the Water Corporation in this regard.



10. The subject property is located within the Cockburn Groundwater Area (Wellard subarea) as proclaimed under the Rights in Water and Irrigation Act 1914. Any groundwater abstraction for purposes other than domestic and/or stock watering taken from the superficial aquifer, is subject to licensing by the Department of Water.
11. A Works Approval for the development, being for Industry (Graphite processing plant) under the Processing Sector - Category 31: chemical manufacturing must be obtained from the Department of Water and Environmental Regulation.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: The Panel Members were satisfied that the proposed land use and development was consistent with the Planning Framework for the locality and issues associated with access to the site were appropriately addressed.

9. Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval

Nil.

10. State Administrative Tribunal Applications and Supreme Court Appeals

The Presiding Member noted the following SAT Applications -

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/18/01543 DR 75/2022	City of Joondalup	Lot 649 (98) O'Mara Boulevard, Iluka	Commercial development	02/05/2022

11. General Business

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2020 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.

12. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 9:46am.