



Minutes of the Metro South-West Joint Development Assessment Panel

Meeting Date and Time: 18 July 2018; 10:00am
Meeting Number: MSWJDAP/163
Meeting Venue: City of Kwinana
Darius Wells Library and Resource Centre
Ken Jackman Hall
Corner Chisham Avenue and Robbos Way
Kwinana

Attendance

DAP Members

Mr Tony Arias (Presiding Member)
Mr Brian Curtis (A/Deputy Presiding Member)
Mr Andrew Macliver (Specialist Member)

Item 8.1

Cr Chris Elliot (Local Government Member, City of Rockingham)
Cr Deb Hamblin (Local Government Member, City of Rockingham)

Item 8.2

Cr Sheila Mills (Local Government Member, City of Kwinana)
Cr Dennis Wood (Local Government Member, City of Kwinana)

Officers in attendance

Item 8.1

Mr Jason Bouwhuis (Western Australian Planning Commission)
Mr Greg Delahunty (City of Rockingham)

Item 8.2

Ms Regan Douglas (Western Australian Planning Commission)
Mr Aiden O'Brien (Western Australian Planning Commission)
Mr Janni Curtis (City of Kwinana)
Mr Brenton Scambler (City of Kwinana)

Minute Secretary

Ms Ana Behrendt (City of Kwinana)

Applicants and Submitters

Item 8.1

Mr Michael Kevill (Element)

Item 8.2

Ms Sandra McLeish (Department of Finance)
Ms Amanda Wallis (Department of Finance)



Mr Steven Luce (Department of Finance)
Mr Mark Hainsworth (Cox Howlett & Bailey Woodland)

Members of the Public / Media

Nil

1. Declaration of Opening

The Presiding Member declared the meeting open at 10:04am on 18 July 2018 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 the meeting is being audio recorded 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 Presiding Member granted permission for the minute taker to record proceedings for the purpose of the minutes only.

2. Apologies

Nil

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

DAP Member, Mr Brian Curtis, declared an impartiality interest in item 8.2. Mr Curtis has a son who works in the Planning Department at the City of Kwinana.

In accordance with section 4.6.1 and 4.6.2 of the DAP Standing Orders 2017, the Presiding Member determined that the member listed above, who had disclosed an impartiality interest, was permitted to participate in discussion and voting on the items.



7. Deputations and Presentations

Nil

8. Form 1 – Responsible Authority Reports – DAP Application

- 8.1 Property Location: Multiple properties in private and public ownership, from Woodman Point Wastewater Treatment Plant terminating to the West of Rockingham Senior High School
- Development Description: Wastewater pipeline infrastructure
- Applicant: Element
- Owner: Various landowners
- Responsible Authority: Western Australian Planning Commission
- DAP File No: DAP/18/01421

REPORT RECOMMENDATION

Moved by: Cr Chris Elliott

Seconded by: Cr Deb Hamblin

With the agreement of the mover and the seconder, Advice Note 1 was amended to include the following sentence:

“Department of Water and Environmental Regulation interest in Condition 2 relates to only the acid sulphate soils component prior to any ground disturbing activities occurring.”

REASON: *This was requested by the Western Australian Planning Commission to clarify the Department of Water and Environmental Regulation interest in Condition 2, which was agreed to by the City of Rockingham.*

That the Metro South-West Joint Development Assessment Panel (MSWJDAP) resolves to:

1. **Approve** DAP Application reference DAP/18/01421 and accompanying plans in accordance with the provisions of Clause 30(1) of the Metropolitan Region Scheme, subject to the following conditions and advice notes:

Conditions

1. This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.
2. The preparation of a construction management plan to the satisfaction of the Western Australian Planning Commission on advice from the City of Rockingham and the Department of Water and Environmental Regulation that addresses:
 - (a) acid sulphate soils;
 - (b) dust;
 - (c) noise;
 - (d) dewatering;
 - (e) the removal or surplus material; and



- (f) areas designated for the laydown and storage of equipment and machinery outside the pipeline corridor during construction.
3. The reinstatement of footpaths, grass, trees, road reserves and irrigation infrastructure that is removed or destroyed to a standard commensurate to what existed prior to the development works, to the satisfaction of the Western Australian Planning Commission on the advice of the City of Rockingham and Department of Water and Environmental Regulation.
4. All excavation works to install the proposed pipeline are to be fenced and securely fastened.
5. The replacement of two Water Corporation Infrastructure Design Branch laydown area plans with alternative laydown plans, identified below:
 - (a) PLAN MWA 19174-1-9 with Figure 5 of 5; and
 - (b) PLAN MWA 19174-1-8 with Figure 4 of 5.

Advice Notes

1. In regard to Condition 2, the Department of Biodiversity, Conservation and Attractions (DBCA) supports the Environmental Protection Authority recommendation that construction work should occur in the winter months when rainfall is more reliable and when the Lake Richmond water level is maintained by surface and groundwater flow. Department of Water and Environmental Regulation interest in Condition 2 relates to only the acid sulphate soils component prior to any ground disturbing activities occurring.
2. The Water Corporation should liaise with the DBCA regarding an existing (and a potential) recreation camp within Bush Forever Site No. 355 (Crown Reserve 48968) where infrastructure laydown areas are proposed. The western recreation camp has the potential for nature-based tourism with the DBCA receiving interest from commercial proponents whereas the eastern area is leased by a tenant group. The DBCA requests the Water Corporation to further consult (with the DBCA) for the tenant group(s) being afforded a reasonable notice period before any works commence on the leased areas.
3. Anyone proposing to carry out construction or excavation works, should contact 'Dial Before You Dig' (Ph 1100) to determine the location of buried gas infrastructure.
4. The Department of Fire and Emergency Services (DFES) advises that historical research has revealed that during the past 100 years, former elements of the Australian Defence Forces may have conducted training and/or operational activities within or close to the area of the proposed subdivision. It is possible that as a result of these activities, the subject area may contain unexploded ordnance (UXO). While it is considered that the possible risk from UXO on the land subject to this approval is minimal, an absolute guarantee that the area is free from UXO cannot be given. Should, during subdivisional works, or at any other time, a form or suspected form of UXO be located, DFES has advised that the following process should be initiated:
 - (a) do not disturb the site of the known or suspected UXO;
 - (b) without disturbing the immediate vicinity, clearly mark the site of the UXO;



- (c) notify Police of the circumstances/situation as quickly as possible; and
- (d) maintain a presence near the site until advised to the contrary by a member of the WA Police Service or Defence Forces.

Further advice on this issue may be obtained by contacting the Unexploded Ordnance Unit, Department of Fire and Emergency Services.

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

The Report Recommendation was put and CARRIED UNANIMOUSLY.

8.2 Property Location:	Lot 520 Orton Road, Casuarina
Development Description:	Expansion of Casuarina Prison and demolition of minor structures
Applicant:	The Department of Finance on behalf of the Department of Justice
Owner:	Crown Land in the name of the State of Western Australia - Reserve 31874 for the purpose of prison site
Responsible Authority:	Western Australian Planning Commission
DAP File No:	DAP/18/01401

REPORT RECOMMENDATION

Moved by: Cr Dennis Wood

Seconded by: Cr Sheila Mills

That the Metro South-West Joint Development Assessment Panel resolves to:

Approve DAP Application reference DAP/18/01401 and accompanying plan date stamped 15 June 2018 in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Metropolitan Region Scheme subject to the following conditions:

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 car park extension is to be built in the areas shown on the Updated Site Overall Plan, 19 June 2018 (Attachment 4).
3. All stormwater is to be contained on site.
4. The parking bays, driveways and points of ingress are to be sealed, kerbed, drained and line marked in accordance with AS/NZ 2890.1:2004 and AS/NZ 2890.6:2009.
5. The provision of one shade tree per four proposed car bays.
6. A construction management plan is to be prepared on the advice of the City of Kwinana prior to any works commencing on the site. The construction management plan is to address: the management of dust; vibration; light;



drainage; traffic; the protection of existing roads, footpaths and services; the delivery and storage of materials and equipment; parking arrangements for construction personnel; hours of operation; and site security. The construction management plan is to be implemented.

7. The *Bushfire Management Plan, Location: Casuarina Prison, 288 Orton Road, Casuarina*, 13 April 2017 by Bushfire Prone Planning is to be implemented.

Advice Notes:

1. The applicant is advised that this planning approval is not a building permit giving authority to commence construction. Prior to any building work commencing on site either a building permit must be issued or the applicant should apply to the state building permit authority for a building permit exemption under 70(2)(c) of the *Building Act 2011*.
2. In regard to Condition 3, the drainage system for the car park extension is to incorporate water sensitive design utilising oil water separators to treat hydrocarbons before draining into vegetated bio-retention areas such as swales, garden beds and the like. Drainage is not to be directed towards the open water body in the locality. Also, effective measures should be in place to control litter and chemical discharge resulting from any transport accidents.

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

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**

The Presiding Member noted the following State Administrative Tribunal Application -

Current Applications		
LG Name	Property Location	Application Description
City of Cockburn	Lot 803 Yangebup Road, Yangebup	Service Station (7 Eleven)

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 10:15am.