



## Kimberley/Pilbara/Gascoyne Joint Development Assessment Panel Minutes

**Meeting Date and Time:** 10 September 2019; 2:00 PM  
**Meeting Number:** KPGJDAP/23  
**Meeting Venue:** Department of Planning, Lands and Heritage  
140 William Street  
Perth

### Attendance

#### DAP Members

Ms Samantha Thompson (A/Presiding Member)  
Mr Brian Curtis (A/Deputy Presiding Member)  
Mr Patrick Dick (Specialist Member)  
Cr Grant Cucel (Local Government Member, City of Karratha) – *via teleconference*  
Cr Peter Long (Local Government Member, City of Karratha) – *via teleconference*

#### Officers in attendance

Mr Chris Sayer (City of Karratha) – *via teleconference*  
Mr Ryan Hall (City of Karratha) – *via teleconference*

#### Minute Secretary

Ms Ashlee Kelly (DAP Secretariat)  
Mr Philip Goodwin (DAP Secretariat)

#### Applicants and Submitters

Mr Angus Murray (Greenvally Asset Pty Ltd)  
Mr David Read (element)

#### Members of the Public / Media

Nil.

### 1. Declaration of Opening

The A/Presiding Member declared the meeting open at 1.58pm on 10 September 2019 and acknowledged the traditional owners and pay respect to Elders past and present 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

Ms Samantha Thompson  
A/Presiding Member, Kimberley/Pilbara/Gascoyne JDAP



*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.

The A/Presiding Member advised that panel members may refer to technical devices, such as phones and laptops, throughout the meeting to assist them in considering the information before them.

## **2. Apologies**

Mr Eugene Koltasz (Presiding Member)

## **3. Members on Leave of Absence**

DAP Member, Mr Eugene Koltasz has been granted leave of absence by the Director General for the period of 6 September 2019 to 16 September 2019 inclusive.

## **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, Ms Samantha Thompson, declared an Impartiality Interest in item 8.1. Ms Samantha Thompson is a director and shareholder of Taylor Burrell Barnett. TBB was engaged by the City of Karratha to prepare Amendment No. 39 back in 2016. This contract has now ended. Modifications since this contract ended have not been completed by Taylor Burrell Barnett.

In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2017, the A/Deputy Presiding Member determined that the member listed above, who had disclosed an Impartiality Interest was permitted to participate in the discussion and voting on the item.

In accordance with section 2.4.9 of the DAP Code of Conduct 2017, DAP Member, Cr Grant Cucel and Cr Peter Long, declared that they had 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 Cucel and Cr Long 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.

**Ms Samantha Thompson**  
A/Presiding Member, Kimberley/Pilbara/Gascoyne JDAP



## 7. Deputations and Presentations

- 7.1 Mr Angus Murray (Greenvalley Asset Pty Ltd) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.
- 7.2 Mr David Read (element) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.

## 8. Form 1 – Responsible Authority Reports – DAP Application

8.1 Property Location:	Lot 77 (166) De Witt Road, Stove Hill
Development Description:	Workers Accommodation
Applicant:	Element
Owner:	Greenvalley Asset Pty Ltd
Responsible Authority:	City of Karratha
DAP File No:	DAP/19/01624

## PROCEDURAL MOTION

**Moved by:** Mr Brian Curtis

**Seconded by:** Mr Patrick Dick

That the JDAP meeting be adjourned for a period of 10 minutes.

**The Procedural Motion was put and CARRIED UNANIMOUSLY.**

**REASON:** To allow for the preparation of preparation of wording of a new condition.

*The meeting was adjourned at 3.40pm*

*The meeting was reconvened at 3.52pm*

## REPORT RECOMMENDATION

**Moved by:** Cr Grant Cucel

**Seconded by:** Cr Peter Long

That the Kimberley Pilbara Gascoyne JDAP resolves to:

1. **Approve** DAP Application reference DAP/19/01624 and accompanying plans:

- DA.1 Cover Sheet
- DA.2 Site Plan
- DA.3 Structure Plan North
- DA.4 Structure Plan South
- DA.5 Open Space Network Plan
- DA.6 Landscape Intent Plan
- DA.7 Overflow/ Transition Parking Plan
- DA.8 Streetscape
- DA.9 Streetscape
- DA.10 Streetscape
- DA.11 Streetscape



- DA.12 Typical Elevation Facade A
- DA.13 Typical Elevation Facade B
- DA.14 Typical Elevation Facade C
- DA.15 Typical Elevation Facade D
- DA.16 Typical Elevation Facade E
- DA.17 Unit Floor Plans/ Section
- DA.18 Converted Unit Floor Plans/ Section
- DA.19 Converted Unit Floor Plans/ Section Option B
- DA.20 Carport
- DA.21 Gazebos 3.5 X 7.0
- DA.22 Gazebos 3.5 X 9.5
- DA.23 Staff Accommodation Floor Plan
- DA.24 Staff Accommodation
- DA.25 Staff Accommodation
- DA.26 Staff Accommodation
- DA.27 Clubhouse Ground Floor/ Roof Plan
- DA.28 Clubhouse Elevations
- DA.29 Clubhouse Elevation/ Sections
- DA.30 Fencing Plan
- DA.31 Indicative Schedule Of Colours

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 Karratha Local Planning Scheme No. 8, subject to the following conditions:

### Conditions

1. This decision constitutes planning approval only and is valid for a period of two (2) years from the date of approval. If the subject development is not substantially commenced within the two (2) year period, the approval shall lapse and be of no further effect.
2. The approval is time limited to a period of 10 years from the date of approval.
3. Prior to works beginning on site, the proponent shall provide evidence of a construction project(s) for which the proposed development is required, to the satisfaction of the City of Karratha.
4. The development only being occupied by employees of and direct contractors involved with construction project(s).
5. Prior to occupation of the accommodation units a revised Social Impact Management Plan, being submitted to and approved by the City of Karratha and thereafter being implemented for the duration of the operation of the facility, to the satisfaction of the City of Karratha.
6. Prior to occupation of any accommodation units, a revised Traffic Impact Assessment is to be submitted to the City of Karratha. Should this revised Traffic Impact Assessment identify the need for any alterations or additions to traffic management in the road reserve of DeWitt Road as a result of different traffic



movement scenarios to those currently modelled, a Traffic Management Plan is to be submitted to and approved by the City of Karratha and implemented prior to occupation of the accommodation units.

7. If at any time during the operational phase of development, it is observed by the City of Karratha that parking on site is not adequate to provide for the actual number of end of trip parking bays required by the use of the development, then the applicant is to provide additional sealed parking to the specifications and satisfaction of the City of Karratha.
8. The Water Management Strategy being implemented to the satisfaction of the City of Karratha.
9. The Bushfire Management Plan and Bushfire Emergency Evacuation Plan being implemented to the satisfaction of the City of Karratha.
10. Prior to installation of external lighting on site, an External Lighting Plan is to be submitted to and approved by the City of Karratha and thereafter implemented to the satisfaction of the City of Karratha.
11. A cyclone emergency shelter of adequate size being provided to accommodate all residents on site at any time.
12. Prior to commencement of works on site a Construction Environmental Management Plan is to be submitted to and approved by the City of Karratha and thereafter implemented to the satisfaction of the City of Karratha.
13. Prior to occupation of accommodation units, an Operational Environmental Management Plan is to be submitted to and approved by the City of Karratha and thereafter implemented to the satisfaction of the City of Karratha.
14. Prior to occupation of accommodation units, a Waste Management Plan is to be submitted to and approved by the City of Karratha and thereafter implemented to the satisfaction of the City of Karratha.
15. Prior to occupation of accommodation units, a Mosquito Management Plan is to be submitted to and approved by the City of Karratha and thereafter implemented to the satisfaction of the City of Karratha.
16. Prior to occupation of the accommodation units a Dual Use Path connection being installed between the proposed development and the existing local Dual Use Path network to the satisfaction of the City of Karratha.
17. Prior to occupation of accommodation units, Detailed Landscaping and Irrigation Plans to be submitted to and approved by the City of Karratha and thereafter implemented to the satisfaction of the City of Karratha.
18. The maximum number of single bed rooms limited to 1288.



## Advice Notes

- a) A Building Permit is required for the approved development in accordance with the *National Construction Code*. Accessible units may be required to be provided In accordance with relevant building legislation.
- b) With respect to the Social Impact Management Plan, the following advice is provided:
  - i. At the time of the due date for the Responsible Authority Report there had not been sufficient time for the City to respond to all recommendations and mitigation measures made within the Social Impact Management Plan and it is considered that with further consultation with the proponent commitments can be refined to better serve the development and the greater community within the City of Karratha.
  - ii. The Social Impact Management Plan is to encourage the use of existing local services and local businesses within Karratha.
  - iii. A commitment is to be included in the SIMP to monitor and report on the achievement of commitments and to review and revise any commitment that is reported to have been falling short of targets set in the SIMP.
- c) With respect to the Traffic Impact Assessment prepared, the document relies on the assumption that all 1288 occupants will travel to and from the site by bus. The City expects that other scenarios are considered within the Traffic Impact Assessment document whereby the use of work and private vehicles is also factored into transport arrangements. This is typical of the operation of other significant sized workforce accommodation facilities in the City of Karratha.
- d) With respect to additional parking requirements the City's experience is that for workforce accommodation that is operating for more than one or two years, the mix of vehicles parking at the site can alter dramatically depending on requirements of the companies employing the occupants of the development. The parking numbers proposed may not be sufficient during the time period of this approval. Measures are required to ensure adequate parking is provided at all times.
- e) With respect to external lighting, the lighting is to be designed to mitigate potential impacts on the adjacent existing accommodation development and traffic on DeWitt Road.
- f) With respect to cyclone shelters, Council's adopted Local Planning Policy DP10: Workforce Accommodation requires each workforce accommodation facility to provide a building(s) designed for emergency (cyclone) sheltering purposes and such building(s) to be designed to Building Code of Australia importance level four (4).
- g) With respect to the Waste Management Plan, the plan is to address storage of putrescible waste (especially during the summer period), bin storage and bin washing facility – concrete wash down pad graded to a floor drain, with a tap and hose.



- h) Angle car parking spaces shall have a minimum dimension not less than 2700 mm by 5500 mm, unless otherwise agreed by the local government in accordance with clause 5.11.15 of the City of Karratha Local Planning Scheme No.8.
- i) Council's Public Art Policy encourages private developers to spend 1% of the construction cost on public art. Through consultation with City, should the proponent agree to provide some form of public art, this should be included as a commitment within the Social Impact Management Plan.
- j) In accordance with the Environmental Protection (Noise) Regulations 1997, approved construction hours in the City of Karratha are Monday to Saturday between 7am and 7pm. Any works done outside these approved hours (including Sundays and Public holidays) are subject to a separate approval by the City and an application fee.
- k) Under the *Food Act 2008*, food businesses must comply with the Food Standards Code and food business registration is required before commencement of trade. An application for registration should be submitted to the City including detailed plans of the proposed layout and fit out of the kitchen and associated facilities.
- l) Under the Health Local Law 2012, the facility must comply with requirements under Part 8 and registration as a Lodging House is required. An application for registration should be submitted to the City. Specifically, clause 8.10(1)(a)(ii) requires that laundry facilities be provided at a ratio of at least 1 laundry unit per 15 residents.
- m) Under the *Health (Public Buildings) Regulations 1992*, the maximum accommodation of areas falling within the definition of a Public Building (e.g. central dining area, gym) needs to be calculated and a certificate of approval outlining these figures issued. A 'Form 1' application for approval should be submitted to the City.
- n) Under the *Health (Aquatic Facilities) Regulations 2007*, an approval of construction must be obtained from the Department of Health prior to construction of the swimming pool. An application for approval should be submitted to the Department of Health directly. The Department of Health then request the City's Environmental Health Service to inspect the swimming pool prior to issuing a certificate of compliance, which is required before the swimming pool opens.

## AMENDING MOTION

**Moved by:** Cr Grant Cucel

**Seconded by:** Cr Peter Long

- (i) *To amend Condition 2 to read as follows:*

*The approval is for temporary accommodation workforce use and is time limited to a period of 10 years from the date of approval, at which time the applicant shall prepare a transition plan in accordance with the requirements of DP10, to the satisfaction of the City of Karratha.*

**Reason:** *To be consistent with the DP10 City of Karratha.*

Ms Samantha Thompson  
A/Presiding Member, Kimberley/Pilbara/Gascoyne JDAP



(ii) To amend Condition 16 to read as follows:

*Prior to occupation of the accommodation units a Dual Use Path connection being installed **at the applicants cost** between the proposed development and the existing local Dual Use Path network to the satisfaction of the City of Karratha.*

**Reason:** To ensure that the applicant pays for the cost of the Dual Use Path.

(iii) To add a new Condition 19 to read as follows:

*A Transition plan is to be prepared 18 months prior to expiry of the approval to satisfaction of the City of Karratha.*

**Reason:** To be consistent with Local Planning Policy DP10 City of Karratha.

(iv) To add a new Advice Note o. to read as follows:

*Development beyond the expiry will require planning approval under the *Planning Development Act 2005*.*

**Reason:** Time Limited approval for workers accommodation requires subsequent development application.

(v) To delete Plan DA7 Overflow/Transition Parking Plan

**Reason:** So as not to prejudice Council's discretion in managing future parking demand.

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

## **REPORT RECOMMENDATION (AS AMENDED)**

That the Kimberley Pilbara Gascoyne JDAP resolves to:

1. **Approve** DAP Application reference DAP/19/01624 and accompanying plans:

- DA.1 Cover Sheet
- DA.2 Site Plan
- DA.3 Structure Plan North
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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 Karratha Local Planning Scheme No. 8, subject to the following conditions:

#### **Conditions**

1. This decision constitutes planning approval only and is valid for a period of two (2) years from the date of approval. If the subject development is not substantially commenced within the two (2) year period, the approval shall lapse and be of no further effect.
2. The approval for temporary accommodation workforce use and is time limited to a period of 10 years from the date of approval, at which time the applicant shall prepare a transition plan in accordance with the requirements of DP10, to the satisfaction of the City of Karratha.
3. Prior to works beginning on site, the proponent shall provide evidence of a construction project(s) for which the proposed development is required, to the satisfaction of the City of Karratha.
4. The development only being occupied by employees of and direct contractors involved with construction project(s).
5. Prior to occupation of the accommodation units a revised Social Impact Management Plan, being submitted to and approved by the City of Karratha and thereafter being implemented for the duration of the operation of the facility, to the satisfaction of the City of Karratha.
6. Prior to occupation of any accommodation units, a revised Traffic Impact Assessment is to be submitted to the City of Karratha. Should this revised Traffic Impact Assessment identify the need for any alterations or additions to traffic



management in the road reserve of DeWitt Road as a result of different traffic movement scenarios to those currently modelled, a Traffic Management Plan is to be submitted to and approved by the City of Karratha and implemented prior to occupation of the accommodation units.

7. If at any time during the operational phase of development, it is observed by the City of Karratha that parking on site is not adequate to provide for the actual number of end of trip parking bays required by the use of the development, then the applicant is to provide additional sealed parking to the specifications and satisfaction of the City of Karratha.
8. The Water Management Strategy being implemented to the satisfaction of the City of Karratha.
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17. Prior to occupation of accommodation units, Detailed Landscaping and Irrigation Plans to be submitted to and approved by the City of Karratha and thereafter implemented and maintained to the satisfaction of the City of Karratha.
18. The maximum number of single bed rooms limited to 1288.
19. Transition plan is to be prepared 18 months prior to expiry of the approval to satisfaction of the City of Karratha.



## Advice Notes

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- l) Under the Health Local Law 2012, the facility must comply with requirements under Part 8 and registration as a Lodging House is required. An application for registration should be submitted to the City. Specifically, clause 8.10(1)(a)(ii) requires that laundry facilities be provided at a ratio of at least 1 laundry unit per 15 residents.
- m) Under the *Health (Public Buildings) Regulations 1992*, the maximum accommodation of areas falling within the definition of a Public Building (e.g. central dining area, gym) needs to be calculated and a certificate of approval outlining these figures issued. A 'Form 1' application for approval should be submitted to the City.
- n) Under the *Health (Aquatic Facilities) Regulations 2007*, an approval of construction must be obtained from the Department of Health prior to construction of the swimming pool. An application for approval should be submitted to the Department of Health directly. The Department of Health then request the City's Environmental Health Service to inspect the swimming pool prior to issuing a certificate of compliance, which is required before the swimming pool opens.
- o) Development beyond the expiry will require planning approval under the *Planning Development Act 2005*.

**The Report Recommendation was put and CARRIED UNANIMOUSLY.**

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

**9. Form 2 – Responsible Authority Reports – Amending or cancelling DAP development approval**

Nil



## 10. Appeals to the State Administrative Tribunal

The A/Presiding Member noted the following State Administrative Tribunal Application -

Current SAT Applications		
LG Name	Property Location	Application Description
City of Karratha	Lot 211 & 326 Madigan Road, Gap Ridge	Short Stay Accommodation

## 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 4.01pm.