



Mid-West/Wheatbelt Joint Development Assessment Panel Minutes

Meeting Date and Time: 11 July 2019; 10.00am
Meeting Number: MWWJDAP/39
Meeting Venue: Department of Planning, Lands and Heritage
140 William Street
Perth

Attendance

DAP Members

Mr Paul Kotsoglo (Presiding Member)
Mr Vernon Butterly (A/Deputy Presiding Member)
Mr Jason Hick (A/Specialist Member) - *via teleconference*
Cr Neil McIlwaine (Local Government Member, City of Greater-Geraldton) – *via teleconference*

Officers in attendance

Ms Karrie Elder (City of Greater-Geraldton) – *via teleconference*
Mr Murray Connell (City of Greater-Geraldton) – *via teleconference*

Minute Secretary

Ms Ashlee Kelly (DAP Secretariat)

Applicants and Submitters

Ms Kate Thomson (Jacobs)

Members of the Public / Media

Nil

1. Declaration of Opening

The Presiding Member declared the meeting open at 10.05am on 11 July 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 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 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

Ms Jacky Jurmann (Deputy 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

DAP Member, Mr Andrew Mack, declared an Indirect Pecuniary Interest in item 8.1 as an employee of Talis Consultants, who is a client of the City of Greater-Geraldton.

7. Deputations and Presentations

7.1 Ms Karrie Elder (City of Greater-Geraldton) addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

7.2 Mr Murray Connell (City of Greater-Geraldton) addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

7.3 Ms Kate Thomson (Jacobs) responded to questions from the panel.

8. Form 1 – Responsible Authority Reports – DAP Application

8.1 Property Location:	Lot 103 (558) Burma Road, Burma
Development Description:	15MW Solar Farm proposed within boundary of existing Mumbida Wind Farm
Applicant:	Infrastructure Capital Group
Owner:	Evan Clare Hamersley, Evelyn Dawn Hamersley
Responsible Authority:	City of Greater-Geraldton
DAP File No:	DAP/19/01599



REPORT RECOMMENDATION

Moved by: Cr Neil Mcilwaine

Seconded by: Mr Vernon Butterly

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

1. **Approve** DAP Application reference DAP/19/01599 and accompanying plans (Attachments 3-9) 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 Greater-Geraldton Local Planning Scheme No. 1 subject to the following conditions and advice notes:

Conditions

1. Development/land use shall be in accordance with the attached approved plan(s) and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
2. This decision constitutes development approval only and is valid for a period of 5 years from the date of approval. If the subject development is not substantially commenced within the five year period, the approval should lapse and be of no further effect.
3. Internal access roads (shown as "new road") shall be constructed and drained to a compacted gravel standard, and thereafter maintained to the approval of the local government.
4. No signs or hoardings are to be erected on the lot without the prior written approval of the local government.
5. Prior to lodging an application for a building permit, the applicant must submit and have approved by the local government, and thereafter implement to the satisfaction of the local government, a construction management plan addressing the following matters:
 - a. Construction traffic management,
 - b. Signage,
 - c. Noise Management,
 - d. Stormwater and dust management,
 - e. Construction operating hours,
 - f. UXO surveying requirements; and
 - g. Environmental management.
6. Prior to commencement of the development/land use, the landowner/proponent is responsible to ensure that an Environmental Management Plan is lodged with the local government for its approval, and is approved by the local government setting out in detail the management commitments and actions to mitigate potential impacts relating to:
 - a. Remnant vegetation,
 - b. Soil,
 - c. Contamination,
 - d. Stormwater; and
 - e. Fire.



Once approved, the landowner/proponent from time to time is responsible to ensure, that all installations, activities and processes carried out at all times and in all respects in accordance with the Environmental Management Plan.

7. The Battery Energy Storage Facility and Switching Station shall be consistent in colour and finish with the existing buildings, to the approval of the local government.

Advice Notes

1. Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.
2. If an applicant is aggrieved by this determination there is a right (pursuant to the *Planning and Development Act 2005*) to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.
3. Any additions to or change of use of any part of the building or land (not the subject of this approval) requires further application and development approval.
4. The proponent is encouraged to provide a contribution (by way of additional works or a financial contribution) to the existing public viewing facility along Nangetty-Walkaway Road. Prior to the commencement of the development/land use and in consultation with the local government, the landowner/proponent is to lodge with the local government proposed details of the location, size and other specifications for the interpretative signage for approval by the local government.

AMENDING MOTION

Moved by: Mr Vernon Butterly

Seconded by: Cr Neil Mcilwaine

That a new Condition No. 8 be added to read as follows:

8. *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 infrastructure must be decommissioned and removed within 1-2 years of giving this notice, unless the local government agrees otherwise.*

The Amending Motion was put and CARRIED UNANIMOUSLY

REASON: To ensure plant equipment and infrastructure is removed after end of development and land reverts to original use.



REPORT RECOMMENDATION (AS AMENDED)

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4. No signs or hoardings are to be erected on the lot without the prior written approval of the local government.
5. Prior to lodging an application for a building permit, the applicant must submit and have approved by the local government, and thereafter implement to the satisfaction of the local government, a construction management plan addressing the following matters:
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 - c. Noise Management,
 - d. Stormwater and dust management,
 - e. Construction operating hours,
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Once approved, the landowner/proponent from time to time is responsible to ensure, that all installations, activities and



processes carried out at all times and in all respects in accordance with the Environmental Management Plan.

7. The Battery Energy Storage Facility and Switching Station shall be consistent in colour and finish with the existing buildings, to the approval of the local government.
8. 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 infrastructure must be decommissioned and removed within 1-2 years of giving this notice, unless the local government agrees otherwise.

Advice Notes

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4. The proponent is encouraged to provide a contribution (by way of additional works or a financial contribution) to the existing public viewing facility along Nangetty-Walkaway Road. Prior to the commencement of the development/land use and in consultation with the local government, the landowner/proponent is to lodge with the local government proposed details of the location, size and other specifications for the interpretative signage for approval by the local government.

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

The Report Recommendation (as amended) was put and LOST WITH THE CASTING VOTE (2/2).

For: Mr Vernon Butterly
Cr Neil Mcilwaine

Against: Mr Paul Kotsoglo
Mr Jason Hick

Due to the equality of votes, the Presiding Member exercised a casting vote in accordance with Section 5.13.1 of the Standing Orders 2017.



PROCEDURAL MOTION

Moved by: Mr Jason Hick

Seconded by: Mr Paul Kotsoglo

That the consideration of DAP Application DAP/19/01599 be deferred until 12 August 2019 at the latest, in accordance with section 5.10.1a of the DAP Standing Orders 2017, for the following reasons:

- To address the bushfire risks and how they will be mitigated and provide a bushfire management plan to justify the State Planning Policy 3.7 and its requirements.

The Procedural Motion was put and CARRIED (3/1).

For: Mr Paul Kotsoglo
Mr Jason Hick
Mr Vernon Butterly

Against: Cr Neil Mcilwaine

REASON: For reason stated above.

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 Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 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 11.25am.