



Mid-West/Wheatbelt Joint Development Assessment Panel Minutes

Meeting Date and Time: 14 January 2020, 9:30 PM
Meeting Number: MWWJDAP/47
Meeting Venue: Department of Planning, Lands and Heritage
140 William Street, Perth, via teleconference

Attendance

DAP Members

Mr Eugene Koltasz (Presiding Member)
Ms Samantha Thompson (A/Deputy Presiding Member)
Mr Jason Hick (A/Specialist Member)
Cr Peter Scharf (Local Government Member, Shire of Dandaragan) – *via teleconference*
Cr Annette Eyre (Local Government Member, Shire of Dandaragan) - *via teleconference*

Officers in attendance

Mr Rory Mackay (Shire of Dandaragan) - *via teleconference*
Mr David Chidlow (Shire of Dandaragan) - *via teleconference*

Minute Secretary

Ms Adele McMahon (DAP Secretariat)
Ms Ashlee Kelly (DAP Secretariat)

Applicants and Submitters

Item 8.1
Mr Mark Szabo (Burgess Design Group)
Mr Carl Aloï

Item 8.2
Mr Josh Watson (Planning Solutions)
Mr Reece Hendy (Planning Solutions)
Mr Mohammad Rasouli (Transcore)

Members of the Public / Media

Nil

1. Declaration of Opening

The Presiding Member declared the meeting open at 9:27am on 14 January 2020 and acknowledged the traditional owners and paid respect to Elders past and present of the land on which the meeting was being held.



Due to the conflict of interest of the Presiding Member and the unavailability of the Deputy Presiding Member, Mr Eugene Koltasz has been appointed as Presiding Member for this meeting in accordance with regulation 27(3A) of the *Planning and Development (Development Assessment Panel) Regulations 2011*.

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

Mr Paul Kotsoglo (Presiding Member)
Ms Jacqueline 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 Paul Kotsoglo, declared a direct pecuniary interest in item 8.2. Paul Kotsoglo is the managing Director from Planning Solutions. Planning Solutions is engaged to undertake town planning services for the proposed upgrades.

In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2017, the Presiding Member determined that the member listed above, who had disclosed a direct pecuniary interest, was not permitted to participate in the discussion and voting on the item.



7. Deputations and Presentations

7.1 Mr Mark Szabo (Burgess Design Group) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.

7.2 Shire of Dandaragan officers addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

The presentations at Item 7.1 – 7.2 were heard prior to the application at Item 8.1.

7.3 Mr Reece Hendy and Mr Josh Watson (Planning Solutions) addressed the DAP in support of the application at Item 8.2 and responded to questions from the panel.

7.4 Shire of Dandaragan officers addressed the DAP in relation to the application at Item 8.2 and responded to questions from the panel.

The presentations at Items 7.3 - 7.4 were heard prior to the application at Item 8.2.

8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 Property Location:	Lot 62 (No.20) Roberts Street & part Heaton Street Road Reserve, Jurien Bay
Development Description:	Mixed Use Tourism Development
Applicant:	Burgess Design Group
Owner:	Aliceville Pty Ltd
Responsible Authority:	Shire of Dandaragan
DAP File No:	DAP/19/01678

REPORT RECOMMENDATION

Moved by: NIL

Seconded by: NIL

That the Midwest Wheatbelt JDAP resolves to:

Approve DAP Application reference DAP/19/01678 and accompanying plans (attachment 1) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, and the provisions of Clause 3.7 of the Shire of Dandaragan Local Planning Scheme No.7 subject to the following conditions.

Conditions

1. This decision constitutes planning approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the four (4) year period, the approval shall lapse and be of no further effect.



2. The land uses approved in the development shall be limited to:
- hotel;
 - tourist resort;
 - motel;
 - serviced apartment;
 - restaurant;
 - cinema/theatre;
 - tavern;
 - multiple dwelling;
 - office;
 - shop;
 - reception centre; and
 - vehicle parking

as shown on the attached approved plans of the development application report dated May 2019 and generally consistent with the Local Development Plan for the subject property.

3. Subject to any modifications required as a consequence of any conditions of this approval the approved plans shall not be altered without the prior written approval of the local government.
4. Prior to the commencement of Building H denoted on the approved plans the closure, realignment and land transfers of a portion of the Heaton Street road reserve must be finalised to the satisfaction of the local government.
5. Prior to the commencement of Building H denoted on the approved plans an agreement for the upgrade/replacement of street parking on the Streets of Roberts, Heaton and Sandpiper adjacent the development must be finalised to the satisfaction of the local government.
6. The proponent is to place the following notification on the Certificate of Title in accordance with Section 70A of the *Transfer of Land Act 1987* and *State Planning Policy 2.6*:
“VULNERBALE COASTAL AREA – this lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years.”
7. The proponent is to place the following notification on the Certificate of Title in accordance with Section 70A of the *Transfer of Land Act 1987*:
“No person shall occupy any Tourist Accommodation Unit for more than a total of three months in any one 12 month period.”
8. For all short-stay accommodation a register of guests showing periods of occupancy is to be kept and made available to the local government on request in order to ensure compliance with the requirement to limit occupation to a maximum of three months in any 12-month period.
9. Prior to the commencement of development, the site is to be remediated to the extent required for its intended use. Investigations and remediation are to be carried out in compliance with the *Contaminated Sites Act 2003* and current Department of Water and Environmental Regulation's Contaminated Sites Guidelines.



10. The development is to be implemented in accordance with the Coastal Hazard Risk Management and Adaptation Plan dated February 2019 prepared by MP Rogers & Associates.
11. The development shall be connected to a reticulated water supply and sewerage system.
12. The height of each building shall be limited to:
 - Building A – 11 storeys
 - Building B – 7 storeys
 - Building C – 4 storeys
 - Building D – 4 storeys
 - Building E – 4 storeys
 - Building F – 2 storeys
 - Building G – 5 storeys
 - Building H – 6 storeys
13. Building A shall not exceed 40 metres in height measured from natural ground level, excluding telecommunications infrastructure.
14. Prior to commencement of development a 'Landscape Masterplan' shall be approved by the local government. This masterplan should consider, but not be limited to the following:
 - The landscape layout and features for all internal atrium areas.
 - Streetscapes for adjoining Streets of Roberts, Heaton and Sandpiper.
 - Landscaping for all off-site vehicle parking areas adjacent the development.
 - The nature and colour of paving materials to be used.
 - The type and placement of street furniture (including external lighting).
 - Maintenance program including reticulation, water supply and developer responsibility for external landscaping within the adjoining road reserves.
15. Prior to commencement of development a 'Waste Management Plan' shall be approved by the local government. This management plan should consider, but not be limited to the following:
 - The location, design and methods applicable to the extraction and disposal of all contaminated soil.
 - The proposed method of collection and disposal of all construction and municipal solid waste associated with the development.
 - The location and design of the rubbish bin storage areas.
16. Prior to commencement of development a 'Water Management Plan' shall be approved by the local government. This management plan should detail the design for collection, control, re-use and disposal of storm and grey water.
17. Prior to commencement of development a 'Construction Management Plan' shall be approved by the local government. This management plan should detail construction hours, traffic management, dewatering, deliveries and storage of materials, disposal of building waste, security barrier/fencing and safety measures, signage and dust suppression measures.
18. No site earthworks or development shall occur that will cause additional runoff or stormwater onto adjacent properties.



19. The proponent ceding to the Western Australian Government a 4.5-metre-wide strip of land along the full length of the north east boundary of Lot 62 for the purpose of a Pedestrian Access Way, with all costs to be met by the developer.
20. Prior to the use of each development stage all associated access ways, vehicle parking, service/loading bays, traffic calming measures and sign posting are to be completed in accordance with the applicable International and/or Australian Standards to the satisfaction of the local government.
21. The development shall not interfere with, restrict access to, or in any way inhibit public access and use of the Jurien Bay foreshore.
22. The existing effluent disposal systems on the subject property are required to be decommissioned to the satisfaction of the local government.
23. Prior to commencement of development a 'Traffic Impact Assessment' shall be undertaken for the subject property by a suitable qualified professional to the satisfaction of the local government. Any design improvements recommended by this assessment are to be reflected in the subsequent building application for the development.

Advice Notes

1. This is a development approval only. The applicant / landowner is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws, licensing requirements and/or legal agreements that may relate to the development.
2. The applicant / landowner be advised all external signage for individual business uses are the subject to a further application to the local government for approval.
3. Prior to the construction and fit out of the approved food premises, detailed plans and specifications of internal fixtures, finishes and fittings must be submitted to the Shire's Principal Environmental Health Officer for endorsement.

The Report Recommendation LAPSED for want of a mover and a seconder.

PROCEDURAL MOTION

Moved by: Mr Eugene Koltasz

Seconded by: Ms Samantha Thompson

That the consideration of DAP Application DAP/19/01678 be deferred for a period of up to 4 weeks until 11 February 2020, in accordance with section 5.10.1a of the DAP Standing Orders 2017, for the following reasons:

- To obtain letter of authority for the use of part Heaton Street road reserve; and
- To allow the applicant and Shire of Dandaragan to receive necessary approvals for the closure of Heaton Street

The Procedural Motion was put and CARRIED UNANIMOUSLY.



REASON:

- To obtain letter of authority for the use of part Heaton Street road reserve; and
- To allow the applicant and Shire of Dandaragan to receive necessary approvals for the closure of Heaton Street

8.2 Property Location:	Lot 100 (10805) Brand Highway, Cataby
Development Description:	Proposed upgrades to existing roadhouse, including parking, access and signage
Applicant:	Planning Solutions
Owner:	Ver Custodian Pty Ltd
Responsible Authority:	Shire of Dandaragan
DAP File No:	DAP/19/01679

REPORT RECOMMENDATION

Moved by: Cr Peter Scharf

Seconded by: Cr Annette Eyre

That the Midwest Wheatbelt JDAP resolves to:

Approve DAP Application reference DAP/19/01679 and accompanying plans (attachment 1) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, and the provisions of Clause 3.9 of the Shire of Dandaragan Local Planning Scheme No. 7, subject to the following conditions.

Conditions

1. All development shall be in accordance with the approved development plans (attached), which form part of this development approval, to the specifications and satisfaction of the Shire of Dandaragan.
2. This approval is for a 'roadhouse' as shown on approved plans and defined in the *Shire of Dandaragan Local Planning Scheme No. 7*.
3. Before the development is occupied, vehicle accessways and parking area line marking, signage and lighting must be installed/constructed to the specifications and satisfaction of the Shire of Dandaragan.
4. In the event that accessways, parking areas and hard stands are not satisfactorily maintained, the Shire of Dandaragan may require by notice, in writing, that the area be brought up to a satisfactory standard within a specified period of time and the notice shall be complied with within that period. Without limitation, the notice may require that line marking of parking bays be re-painted, potholes be repaired, damaged kerbs be replaced, and degraded access or parking areas be resurfaced.
5. All proposed/endorsed landscaping works are to be completely installed prior to use of the development unless otherwise agreed in writing by the Shire of Dandaragan.
6. All external lighting shall comply with the requirements of *AS4282 – Control of Obtrusive Effects of Outdoor Lighting* to prevent any obtrusive light spill onto neighbouring properties.



7. The hydrocarbon arrestor (petrol trap) shall be regularly emptied in accordance with the *Environmental Protection (Controlled Waste) Regulations 2004*.
8. Stormwater is to be managed on site or directed to a suitable disposal system.
9. Traffic movement shall be managed in a way as to prevent damage to the wastewater infrastructure of the development.
10. No site earthworks or development shall occur that will cause additional runoff of stormwater to adjacent properties.
11. The development is to be implemented in accordance with the Bushfire Management Plan and Bushfire Risk Management Plan dated 3 October 2019 and 26 September 2019 (respectively) prepared by Ecological Australia.
12. The applicant, in agreement consultation with the adjoining landowner of Lot 3, is to install an combination of acoustic fencing fence adjacent to the truck canopy and bollards along adjacent to the western crossover the common boundary with adjoining Lot 3, to the satisfaction of the Shire.
13. Waste/rubbish (e.g. plastic, spoilt food, kitchen waste etc.) should be stored as to prevent animals or humans from dispersing the contents. The bins should be located on a hard stand and constructed in a way as to prevent liquids and other forms of waste from escaping into the environment and contaminating the site. Segregation of waste materials should be undertaken to ensure they are appropriately disposed of.
14. All vehicle access shall be restricted to the approved access points.

Advice Notes

1. This is a development approval only. The applicant / landowner is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws, licensing requirements and/or legal agreements that may relate to the development.
2. This decision constitutes development 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 time period, the approval shall lapse and be of no further effect.
3. The applicant/landowner be advised that approval of the signage has been granted based on the plans and information submitted. Any physical changes to the sign structure and/or modifications that alter the nature of the signage will require lodgement of a new application unless otherwise approved by the Shire of Dandaragan.
4. The applicant be advised that any works within the Brand Highway Road Reserve requires the separate approval of Main Roads WA as the responsible road authority.



5. It is advised the development is required to comply with the requirements of the Department of Mines, Industry Regulation and Safety (Resources Safety Section) in relation to the onsite storage and handling of dangerous goods (e.g. petrol, oil, lubricants, etc.).
6. The development is located within the Gingin, Wedge Island Perth groundwater area, which is proclaimed under the *Rights in Water and Irrigation Act 1914* (RIWI ACT). Currently there are no surface or ground water licences. Whilst the taking of groundwater for stock watering is exempt from licencing under the RIWI Act, the taking of water for commercial purposes is not. Therefore, the landowner may need to apply to the Department of Water Environmental Regulation (DWER) for a licence to take groundwater, even if drawing water from an existing bore. The landowner is advised to contact the licensing team at the DWER Swan Avon Region office on (08) 6250 8000, to discuss their licencing requirements.
7. The demolition of existing buildings and movement of infrastructure for the proposed upgrade of the roadhouse increases the risk of site contamination. The proponent should be made aware that in the course of undertaking the upgrade, should a spill or other contaminates be unearthed that this must be reported. More information can be found online at <https://www.der.wa.gov.au/your-environment/reporting-pollution>.
8. It is advised the development is required to comply with the following Department of Water and Environmental Regulation Water Quality Protection Notes (WQPN):
 - *WQPN 10: Contaminant spills - emergency response;*
 - *WQPN 41 Private drinking water supplies*
 - *WQPN 49: Service stations;*
 - *WQPN 62: Tanks for underground chemical storage;*
 - *WQPN 65: Toxic and hazardous substances - storage and use; and*
 - *WQPN 70: Wastewater treatment and disposal: domestic systems.*

AMENDING MOTION

Moved by: Ms Samantha Thompson

Seconded by: Mr Jason Hick

The following amendments were made en bloc:

- (i) That condition 3 be amended to read as follows:

Prior to the completion of ~~*Before the development, is occupied,*~~ *vehicle accessways and parking area line marking, signage and lighting must be installed/constructed and thereafter maintained to the specifications and satisfaction of the Shire of Dandaragan.*

REASON: To provide clarity as to the preparation of plans and reinforce compliance to the satisfaction of the Shire of Dandaragan.

- (ii) That condition 4 be deleted as a condition (and the remaining conditions be renumbered accordingly) and added as advice note 9:



In the event that accessways, parking areas and hard stands are not satisfactorily maintained, the Shire of Dandaragan may require by notice, in writing, that the area be brought up to a satisfactory standard within a specified period of time and the notice shall be complied with within that period. Without limitation, the notice may require that line marking of parking bays be re-painted, potholes be repaired, damaged kerbs be replaced, and degraded access or parking areas be resurfaced.

REASON: To provide clarity in relation to the expectations of the Shire of Dandaragan
(iii) That condition 5 (now condition 4) be amended to read as follows:

Prior to the completion ~~All proposed/endorsed landscaping works are to be completely installed prior to use of the development unless otherwise agreed in writing by the~~ a detailed landscaping plan is to be approved and thereafter implemented to the satisfaction of the Shire of Dandaragan.

REASON: To provide clarity as to the preparation of a landscaping plan and reinforce compliance to the satisfaction of the Shire of Dandaragan.

(iv) That condition 6 (now condition 5) be deleted as a condition (and the remaining conditions be renumbered accordingly) and added as advice note 10;

All external lighting shall comply with the requirements of AS4282 – Control of Obtrusive Effects of Outdoor Lighting to prevent any obtrusive light spill onto neighbouring properties.

REASON: To provide clarity in relation to the expectations of the Shire of Dandaragan in relation to Condition 5.

(v) That a new condition 5 be added to read as follows:

Prior to the completion of the development, a detailed external lighting plan shall be approved and implemented to the satisfaction of the Shire of Dandaragan.

REASON: To provide clarity as to the preparation of an external lighting plan and reinforce compliance to the satisfaction of the Shire of Dandaragan.

(vi) That condition 7 (now condition 6) be deleted as a condition (and the remaining conditions be renumbered accordingly) and added as advice note 11;

The hydrocarbon arrestor (petrol trap) shall be regularly emptied in accordance with the Environmental Protection (Controlled Waste) Regulations 2004.

REASON: To provide clarity in relation to the expectations of the Shire of Dandaragan

(vii) That condition 8 (now condition 6) be amended to read as follows:

Prior to the completion of the development, a detailed Stormwater management plan is to be ~~managed on site or directed to a suitable disposal system.~~ approved and implemented to the satisfaction of the Shire of Dandaragan.



REASON: To provide clarity as to the preparation of a stormwater management plan and reinforce compliance to the satisfaction of the Shire of Dandaragan.

- (viii) That condition 9 (now condition 7) be deleted as a condition (and the remaining conditions be renumbered accordingly) and added as advice note No. 12 in relation to the stormwater management plan.

Traffic movement shall be managed in a way as to prevent damage to the wastewater infrastructure of the development.

REASON: To provide clarity as to the requirement of the Shire of Dandaragan in relation to stormwater infrastructure.

- (ix) That condition 10 (now condition 7) be deleted as a condition (and the remaining conditions be renumbered accordingly) and added as advice note 13;

No site earthworks or development shall occur that will cause additional runoff of stormwater to adjacent properties.

REASON: To provide clarity in relation to the expectations of the Shire of Dandaragan

- (x) That condition 11 (now condition 7) be amended to read as follows;

The development is to be implemented in accordance with the Bushfire Management Plan and Bushfire Risk Management Plan dated 3 October 2019 and 26 September 2019 (respectively) prepared by Ecological Australia- to the satisfaction of the Shire of Dandaragan.

REASON: To provide clarity and reinforce compliance to the satisfaction of the Shire of Dandaragan.

- (xi) That condition 12 (now condition 8) be amended to read as follows;

The applicant, in ~~agreement~~ consultation with the adjoining landowner of Lot 3, is to install a combination of acoustic fencing fence adjacent to the truck canopy and bollards along and adjacent to the western crossover ~~the common boundary with adjoining Lot 3,~~ to the satisfaction of the Shire of Dandaragan.

REASON: To provide clarity and reinforce compliance to the satisfaction of the Shire of Dandaragan

- (xii) That condition 13 (now condition 9) be deleted as a condition (and the remaining conditions be renumbered accordingly) and added as advice note 14;

Waste/rubbish (e.g. plastic, spoilt food, kitchen waste etc.) should be stored as to prevent animals or humans from dispersing the contents. The bins should be located on a hard stand and constructed in a way as to prevent liquids and other forms of waste from escaping into the environment and contaminating the site. Segregation of waste materials should be undertaken to ensure they are appropriately disposed of.

REASON: Wording does not constitute a condition



(xiii) That a new condition 9 be added to read as follows;

Prior to completion of the development, a waste management plan shall be approved and implemented to the satisfaction of the Shire of Dandaragan.

REASON: To provide clarity as to the requirement to prepare a waste management plan and reinforce compliance to the satisfaction of the Shire of Dandaragan.

(xiv) That condition 14 (now condition 10) be amended to read as follows;

All vehicle access shall be restricted to the approved access points, to the satisfaction of the Shire of Dandaragan.

REASON: To provide clarity and reinforce compliance to the satisfaction of the Shire of Dandaragan.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REPORT RECOMMENDATION (AS AMENDED)

That the Midwest Wheatbelt JDAP resolves to:

Approve DAP Application reference DAP/19/01679 and accompanying plans (attachment 1) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015, and the provisions of Clause 3.9 of the Shire of Dandaragan Local Planning Scheme No. 7, subject to the following conditions.

Conditions

1. All development shall be in accordance with the approved development plans (attached), which form part of this development approval, to the specifications and satisfaction of the Shire of Dandaragan.
2. This approval is for a 'roadhouse' as shown on approved plans and defined in the *Shire of Dandaragan Local Planning Scheme No. 7*.
3. Prior to the completion of the development, vehicle accessways and parking area line marking, signage and lighting must be installed/constructed and thereafter maintained to the specifications and satisfaction of the Shire of Dandaragan.
4. Prior to the completion of the development a detailed landscaping plan is to be approved and thereafter implemented to the satisfaction of the Shire of Dandaragan.
5. Prior to the completion of the development, a detailed external lighting plan shall be approved and implemented to the satisfaction of the Shire of Dandaragan.
6. Prior to the completion of the development, a detailed stormwater management plan is to be approved and implemented to the satisfaction of the Shire of Dandaragan.



7. The development is to be implemented in accordance with the Bushfire Management Plan and Bushfire Risk Management Plan dated 3 October 2019 and 26 September 2019 (respectively) prepared by Ecological Australia to the satisfaction of the Shire of Dandaragan.
8. The applicant, in consultation with the adjoining landowner of Lot 3, is to install a combination of acoustic fence adjacent to the truck canopy and bollards along and adjacent to the western crossover, to the satisfaction of the Shire of Dandaragan.
9. Prior to completion of the development, a waste management plan shall be approved and implemented to the satisfaction of the Shire of Dandaragan.
10. All vehicle access shall be restricted to the approved access points, *to the satisfaction of the Shire of Dandaragan.*

Advice Notes

1. This is a development approval only. The applicant / landowner is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws, licensing requirements and/or legal agreements that may relate to the development.
2. This decision constitutes development 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 time period, the approval shall lapse and be of no further effect.
3. The applicant/landowner be advised that approval of the signage has been granted based on the plans and information submitted. Any physical changes to the sign structure and/or modifications that alter the nature of the signage will require lodgement of a new application unless otherwise approved by the Shire of Dandaragan.
4. The applicant be advised that any works within the Brand Highway Road Reserve requires the separate approval of Main Roads WA as the responsible road authority.
5. It is advised the development is required to comply with the requirements of the Department of Mines, Industry Regulation and Safety (Resources Safety Section) in relation to the onsite storage and handling of dangerous goods (e.g. petrol, oil, lubricants, etc.).
6. The development is located within the Gingin, Wedge Island Perth groundwater area, which is proclaimed under the *Rights in Water and Irrigation Act 1914* (RIWI ACT). Currently there are no surface or ground water licences. Whilst the taking of groundwater for stock watering is exempt from licencing under the RIWI Act, the taking of water for commercial purposes is not. Therefore, the landowner may need to apply to the Department of Water Environmental Regulation (DWER) for a licence to take groundwater, even if drawing water from an existing bore. The landowner is advised to contact the licensing team at the DWER Swan Avon Region office on (08) 6250 8000, to discuss their licencing requirements.



7. The demolition of existing buildings and movement of infrastructure for the proposed upgrade of the roadhouse increases the risk of site contamination. The proponent should be made aware that in the course of undertaking the upgrade, should a spill or other contaminates be unearthed that this must be reported. More information can be found online at <https://www.der.wa.gov.au/your-environment/reporting-pollution>.
8. It is advised the development is required to comply with the following Department of Water and Environmental Regulation Water Quality Protection Notes (WQPN):
 - *WQPN 10: Contaminant spills - emergency response;*
 - *WQPN 41 Private drinking water supplies*
 - *WQPN 49: Service stations;*
 - *WQPN 62: Tanks for underground chemical storage;*
 - *WQPN 65: Toxic and hazardous substances - storage and use; and*
 - *WQPN 70: Wastewater treatment and disposal: domestic systems.*
9. In the event that accessways, parking areas and hard stands are not satisfactorily maintained, the Shire of Dandaragan may require by notice, in writing, that the area be brought up to a satisfactory standard within a specified period of time and the notice shall be complied with within that period. Without limitation, the notice may require that line marking of parking bays be re-painted, potholes be repaired, damaged kerbs be replaced, and degraded access or parking areas be resurfaced.
10. All external lighting shall comply with the requirements of *AS4282 – Control of Obtrusive Effects of Outdoor Lighting* to prevent any obtrusive light spill onto neighbouring properties.
11. The hydrocarbon arrestor (petrol trap) shall be regularly emptied in accordance with the *Environmental Protection (Controlled Waste) Regulations 2004*.
12. Traffic movement shall be managed in a way as to prevent damage to the wastewater infrastructure of the development.
13. No site earthworks or development shall occur that will cause additional runoff of stormwater to adjacent properties.
14. Waste/rubbish (e.g. plastic, spoilt food, kitchen waste etc.) should be stored as to prevent animals or humans from dispersing the contents. The bins should be located on a hard stand and constructed in a way as to prevent liquids and other forms of waste from escaping into the environment and contaminating the site. Segregation of waste materials should be undertaken to ensure they are appropriately disposed of.

The Report Recommendation (as amended) was put and CARRIED UNANIMOUSLY.

REASON: In accordance with details contained in the Responsible Authority Report and Amending Motion and to provide clarity as to the preparation of plans and reinforce compliance to the satisfaction of the Shire of Dandaragan.



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 10:25am.