



## Regional Joint Development Assessment Panel Minutes

**Meeting Date and Time:** Thursday, 7 April 2022; 09:30am  
**Meeting Number:** RJDAP/51  
**Meeting Venue:** Electronic Means

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

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## Attendance

### DAP Members

Mr Paul Kotsoglo (Presiding Member)  
Ms Kanella Hope (Deputy Presiding Member)  
Mr Justin Page (Third Specialist Member)  
Mayor Peter Carter (Local Government Member, Town of Port Hedland)

### Officers in attendance

Ms Karli Beresford (Town of Port Hedland)  
Mr Chaz Roberts (Town of Port Hedland)

### Minute Secretary

Ms Samantha Hansen (DAP Secretariat)  
Ms Adele McMahon (DAP Secretariat)

### Applicants and Submitters

Mr Russell Slaughter (Alinta Energy)

### Members of the Public / Media

Nil

## 1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:36am on 7 April 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.

In response to the COVID-19 situation, this meeting was convened via electronic means (Zoom). Members were reminded to announce their name and title prior to speaking.

## 2. Apologies

Cr Renae Coles (Local Government Member, Town of Port Hedland)

Mr Paul Kotsoglo  
Presiding Member, Regional JDAP



### 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

Nil

### 7. Deputations and Presentations

- 7.1 Mr Russell Slaughter (Alinta Energy) responded to questions from the panel in relation to Item 8.1.
- 7.2 Mr Chaz Roberts (Town of Port Hedland) 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 255 on DP 192056 53 Boodarie Station Access Road, Boodarie, Crown Lease LGE L371264

Development Description: Installation utility scale battery power station  
Applicant: Alinta Energy  
Owner: Alinta DEWAP Pty Ltd  
Responsible Authority: Town of Port Hedland  
DAP File No: DAP/22/02165

### REPORT RECOMMENDATION

**Moved by:** Ms Kanella Hope

**Seconded by:** Mayor Peter Carter

*The following amendment was made administratively to amend Condition No.1 to read as follows;*

*This decision constitutes planning approval only and is valid for a period of ~~two~~four 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.*

**REASON:** In accordance with regulation 16(2)(a) of the Planning and Development (Development Assessment Panels) Regulations 2011, the approval period for DAP Applications is 4 years.

Mr Paul Kotsoglo  
Presiding Member, Regional JDAP



That the Regional JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/22/02165 is appropriate for consideration as a “Industry” land use and compatible with the objectives of the zoning table in accordance with Town of Port Hedland Local Planning Scheme No. 7;
2. **Approve** DAP Application reference DAP/22/02165 and accompanying plans in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions Town of Port Hedland 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 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.
2. All development and use of the land must be carried out in accordance with the approved plans as listed below, unless otherwise approved in writing by the Town of Port Hedland:
  - a) Site plan, 1 of 4, 10 December 2021;
  - b) Transformer bay plan and section, 2 of 4, 10 December 2021;
  - c) Switchyard bay elevation, 3 of 4, 10 December 2021; and
  - d) Control building elevation, 4 of 4, 10 December 2021
3. Prior to commencement of works, a plan shall be submitted to and approved by the Town of Port Hedland that demonstrates the development will be suitably protected from storm surge and river flooding.
4. Prior to commencement of works, a public art concept plan shall be submitted to the specification and satisfaction of the Town of Port Hedland for approval. This shall have details of proposed public art to a minimum value of \$150,000 in accordance with Local Planning Policy/04 Percent for Public Art (LPP/04). The approved artwork shall be completed prior to the occupation or use of the development, to the specification and satisfaction of the Town of Port Hedland and shall be maintained for the duration of the development. Alternatively, an equivalent cash-in-lieu contribution shall be paid in full to the Town of Port Hedland prior to commencement of works in accordance with LPP/04.
5. Prior to the submission of the Responsible Authority Report to the Joint Development Assessment Panel, the applicant shall submit to the Town of Port Hedland a Bushfire Attack Level Assessment and if necessary, a Management Plan and/or Risk Management Plan (specifically relating to Bushfire Management) which demonstrates compliance with appropriate Bushfire Protection Criteria.

**Mr Paul Kotsoglo**  
Presiding Member, Regional JDAP



## Advice Notes

1. The applicant shall gain approval from the Town of Port Hedland for the installation of any new on-site effluent disposal system, prior to the commencement of site works for the infrastructure.
2. In relation to Condition 3, the minimum finished levels of development and infrastructure at risk is recommended to be at least 0.5m above the Annual Exceedance Probability (AEP) of 1% (one in 100 year event) of the modelled inundation level for the site, in relation to both storm surge and river flooding.
3. Any transportation of oversized objects that may impact the Great Northern Highway must be approved by Main Roads WA prior to commencement of works.

## AMENDING MOTION 1

**Moved by:** Ms Kanella Hope

**Seconded by:** Mayor Peter Carter

That Condition No. 5 be deleted.

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

**REASON:** The Panel agreed to delete Condition 5 on the basis of the advice received from the Town of Port Hedland, being satisfied that without any permanent employees stationed at the development, the development is exempt from bushfire obligations. The Panel also took into consideration that the application is a minor expansion to an existing land use.

## REPORT RECOMMENDATION (AS AMENDED)

That the Regional JDAP resolves to:

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1. This decision constitutes planning approval only and is valid for a period of four 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 Paul Kotsoglo**  
Presiding Member, Regional JDAP



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#### **Advice Notes**

1. The applicant shall gain approval from the Town of Port Hedland for the installation of any new on-site effluent disposal system, prior to the commencement of site works for the infrastructure.
2. In relation to Condition 3, the minimum finished levels of development and infrastructure at risk is recommended to be at least 0.5m above the Annual Exceedance Probability (AEP) of 1% (one in 100 year event) of the modelled inundation level for the site, in relation to both storm surge and river flooding.
3. Any transportation of oversized objects that may impact the Great Northern Highway must be approved by Main Roads WA prior to commencement of works.

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

**REASON:** The panel determined that the application satisfies the planning framework, and were also satisfied that the conditions, as amended, were acceptable. The approval took into consideration the existing land use of the site and cognisant that the application was an expansion to this use as proposed. The Panel noted that the proponent (Alinta Energy) is prepared to pay a financial contribution for public art in this instance.

#### **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
DP/14/00039 DR 65/2020	Shire of York	Lots 4869 (2256), 5931, 9926 (2948) and 26934 Great Southern Highway, St Ronans	Construction and Use of Allawuna Farm for the purposes of a Class II Landfill	28 July 2020
DAP/21/02063 DR241/2021	Shire of Dardanup	Lot 2 Banksia Road, Crooked Brook	Cleanaway Dardanup Landfill Facility	5 November 2021
DAP/21/02102 DR11/2022	City of Busselton	Lot 108 (No.57) Dunn Bay Road & Lot 109 (No. 6) Cyrilleen Way, Dunsborough	Mixed Use Development (Office, Shops, Restaurant/Cafe, Liquor Store – Small & 42 Multiple Dwellings)	13 January 2022
DAP/21/02120 DR49/2022	City of Busselton	Lot 400 (No.24) Dunn Bay Road, Dunsborough	Proposed six storey mixed use (Restaurant/Cafe and Multiple Dwellings) Development	23 March 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 10:36am.