



Minutes of the Southern Joint Development Assessment Panel

Meeting Date and Time: 10 August 2015; 9:30am
Meeting Number: SJDAP/1
Meeting Venue: Department of Planning
140 William Street, Perth

Attendance

DAP Members

Ms Stacey Towne (Presiding Member)
Ms Sheryl Chaffer (Deputy Presiding Member)
Mr Anthony Casella (Specialist Member)
Cr Veronica Fleay (Local Government Member, Shire of Kojonup) *via teleconference*
Cr Ian Pedler (Local Government Member, Shire of Kojonup) *via teleconference*
Cr Peter McCleery (Local Government Member, Shire of Capel)
Cr Greg Norton (Local Government Member, Shire of Capel) *via teleconference*

Officers in attendance

Mr Phil Shephard (Shire of Kojonup) *via teleconference*
Ms Michelle Dennis (Shire of Kojonup) *via teleconference*
Mr Kim Muste (Shire of Capel) *via teleconference*

Department of Planning Minute Secretary

Mr Sean O'Connor

Applicant/s and Submitters

Mr Torben Soerensen (GD Pork Holdings)
Mr Andre van der Westhuizen (McDonald's Australia Ltd)
Mr Ray Haeren (Urbis)

Members of the Public

Nil

1. Declaration of Opening

The Presiding Member, Ms Stacey Towne declared the meeting open at 10:37am on 10 August 2015 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 *Development Assessment Panel Standing Orders 2012* 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 Standing Orders 2012; No Recording of Meeting, 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

Minutes of the of the South-West JDAP meeting No.19 held on the 5 May 2015 and the Great Southern JDAP meeting No.15 held 16 June 2015 were noted by DAP members.

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 Torben Soerensen (GD Pork Holdings) addressed the DAP for the application at Item 8.1.

The presentation at Item 7.1 was heard prior to the application at Item 8.1.

7.2 Mr Andre van der Westhuizen (McDonald's Australia Ltd) presenting for the application at Item 9.1.

The presentation at Item 7.2 was heard prior to the application at Item 9.1.

8. Form 1 - Responsible Authority Reports – DAP Application/s

PROCEDURAL MOTION

Moved by: Cr Greg Norton

Seconded by: Ms Sheryl Chaffer

That the application at Item 9.1 be heard prior to the application at Item 8.1

The Procedural Motion was put and CARRIED UNANIMOUSLY.



8.1 Property Location: Lot 10 Crapella Road, Boscabel
Application Details: Piggery expansion
Applicant: Torben Soerensen – Managing Director GD Pork Holdings Pty Ltd
Owner: GD Pork Holdings Pty Ltd
Responsible authority: Shire of Kojonup
DoP File No: DAP/15/00829

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Veronica Fleay **Seconded by:** Cr Ian Pedler

That the Southern JDAP resolves to:

Approve DAP Application reference DAP/15/00829 for the proposed expansion of the existing piggery (intensive agriculture) at Lot 10 Crapella Road, Boscabel in accordance with Clause 6.3 of the Shire of Kojonup Town Planning Scheme No. 3, subject to the following conditions:

1. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the 4 year period, the approval shall lapse and be of no further effect.
2. Development shall be in accordance with the attached stamped approved plans (date stamped ?????????? to be completed for DAP meeting date) being:
 - Site Plan General Layout Drawing No. A00-00A (January 2015);
 - Finisher Shed Drawings A01-01 & A01-02 (May 2015);
 - Feed Mill Shed Drawing A02-01 (May 2015);
 - 10Tp/h Mash Mill Layout Edition 6 (2/03/14); and
 - WTP Plant Production of Electricity and Heat from Animal Sewage & Manure Installed Power 380kW General Views (13/04/2015) & General Layout (01/04/2015).
3. All uncontaminated stormwater runoff from buildings and roadways being drained into the stormwater basins on the property to the satisfaction of the Shire of Kojonup.
4. A Landscaping Plan being prepared and implemented to the satisfaction of the Shire of Kojonup. The Landscaping Plan shall show location, species and size of trees and shrubs to be planted along the southern property boundary and in the south-west corner of the property between the ponds/waste treatment plant and Albany Highway to assist screen these developments from direct view from outside the property.
5. The loading and unloading of stock and goods to and from the premises shall be carried out entirely within the site.
6. Implementation of the submitted attached Environmental Management Plan Document to the satisfaction of the Shire of Kojonup.
7. The new crossover onto Crapella Road shall be located, designed and constructed to the satisfaction of the Shire of Kojonup.



8. Arrangements being made to the satisfaction of the Shire of Kojonup for the disposal of solid waste from the dwellings and other piggery sources not able to be disposed of in the waste digester (eg household rubbish, office rubbish, chemical drums).
9. A Fire Management Plan to be prepared and implemented to the satisfaction of the Shire of Kojonup in conjunction with the Department of Fire and Emergency Services.
10. Lighting devices are to be positioned and shielded so as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries, in accordance with Australian Standard AS4282/1997.
11. All waste water run-off from machinery, plant and equipment wash-down shall be drained into a treatment system to the satisfaction of the Shire of Kojonup.

Advice Notes

Please be advised of the following:

- a) Where approval has lapsed, development is not to occur without the further approval of the relevant authority having first been obtained.
- b) Planning approval should not be construed as an approval to commence works as a separate Building Permit is also required.
- c) All on-site sewerage systems will require approval from the Department of Health.
- d) It is an offence to clear native vegetation without the authority of a permit from the Department of Environment Regulation unless the clearing is exempt from a permit. It is recommended to liaise with the Department of Environment Regulation in relation to whether a clearing permit or exemption applies.
- e) The works and operations will require Works Approval and Licensing from the Department of Environment Regulation prior to any activities commencing.

AMENDING MOTION

Moved by: Cr Veronica Fleay

Seconded by: Cr Ian Pedler

To insert '10 August 2015' as the stamp date of the plans in Condition 2.

REASON: So the Condition refers to the correct plans.

The Amending Motion was put and CARRIED UNANIMOUSLY.



AMENDING MOTION

Moved by: Ms Stacey Towne

Seconded by: Ms Sheryl Chaffer

To amend Condition 6 to read as follows:

6. Implementation of the Environmental Management Plan Document submitted on 2 May 2015 to the satisfaction of the Shire of Kojonup.

REASON: For clarity.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Ms Stacey Towne

Seconded by: Mr Anthony Casella

To insert a new condition to read as follows:

12. The internal gravel round network is to be maintained in a serviceable condition to the satisfaction of the Shire's engineer for the duration of the use.

REASON: To ensure that no dust is generated from the internal road network, in the interest of the onsite residents.

The Amending Motion was put and Lost (4 / 1).

For: Ms Stacey Towne

Against: Ms Sheryl Chaffer
Mr Anthony Casella
Cr Veronica Fleay
Cr Ian Pedler

PRIMARY MOTION (AS AMENDED)

That the Southern JDAP resolves to:

Approve DAP Application reference DAP/15/00829 for the proposed expansion of the existing piggery (intensive agriculture) at Lot 10 Crapella Road, Boscabel in accordance with Clause 6.3 of the Shire of Kojonup Town Planning Scheme No. 3, subject to the following conditions:

1. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the 4 year period, the approval shall lapse and be of no further effect.
2. Development shall be in accordance with the attached stamped approved plans 10 August 2015 being:
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- Feed Mill Shed Drawing A02-01 (May 2015);
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 4. A Landscaping Plan being prepared and implemented to the satisfaction of the Shire of Kojonup. The Landscaping Plan shall show location, species and size of trees and shrubs to be planted along the southern property boundary and in the south-west corner of the property between the ponds/waste treatment plant and Albany Highway to assist screen these developments from direct view from outside the property.
 5. The loading and unloading of stock and goods to and from the premises shall be carried out entirely within the site.
 6. Implementation of the Environmental Management Plan Document submitted on 2 May 2015 to the satisfaction of the Shire of Kojonup.
 7. The new crossover onto Crapella Road shall be located, designed and constructed to the satisfaction of the Shire of Kojonup.
 8. Arrangements being made to the satisfaction of the Shire of Kojonup for the disposal of solid waste from the dwellings and other piggery sources not able to be disposed of in the waste digester (eg household rubbish, office rubbish, chemical drums).
 9. A Fire Management Plan to be prepared and implemented to the satisfaction of the Shire of Kojonup in conjunction with the Department of Fire and Emergency Services.
 10. Lighting devices are to be positioned and shielded so as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries, in accordance with Australian Standard AS4282/1997.
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- c) All on-site sewerage systems will require approval from the Department of Health.



- d) It is an offence to clear native vegetation without the authority of a permit from the Department of Environment Regulation unless the clearing is exempt from a permit. It is recommended to liaise with the Department of Environment Regulation in relation to whether a clearing permit or exemption applies.
- e) The works and operations will require Works Approval and Licensing from the Department of Environment Regulation prior to any activities commencing.

The Primary Motion (as amended) was put and CARRIED UNANIMOUSLY.

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

- 9.1** Property Location: Lot 6023 Norton Promenade, Dalyellup
(Previously Lot 9028 prior to subdivision clearance)
- Application Details: Take-Away Food Outlet
- Applicant: McDonalds Australia Limited C/o Urbis
- Owner: Dalyellup Beach Pty Ltd
- Responsible authority: Shire of Capel
- DoP File No: DAP/15/00773

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Peter McCleery

Seconded by: Mr Anthony Casella

That the South-West JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/15/00773 as detailed on the DAP Form 2 dated 9 June 2015 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** the DAP Application reference DAP/15/00773 as detailed on the DAP Form 2 date 9 June 2015 and revised accompanying amended plans DA02 (Rev G), DA03 (Rev D) DA04 (Rev A), DA05 (Rev C and DA06 (Rev B) in accordance with the provisions of the Shire of Capel Town Planning Scheme No.7, for the proposed minor amendment to the approved Take-Away Food Outlet at Lot 6023 Norton Promenade, Dalyellup, subject to the following conditions.
 - a) **Amend Condition 14 to read:**

The provision of 35 car parking bays (inclusive of the two (2) waiting car parking bays and one (1) disabled car parking bay) and vehicle manoeuvring areas being constructed, drained marked out and maintained to the satisfaction of the Shire of Capel for the life of the development. Where parking spaces adjoin pedestrian paths wheel stops shall be provided.
 - c) **Delete Condition 4 and related advice note**

The Report Recommendation/Primary Motion was put and CARRIED UNANIMOUSLY.



10. Appeals to the State Administrative Tribunal

Nil

11. General Business / Meeting Close

The Presiding Member reminded the meeting that in accordance with Standing Order 7.3 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.