



## Regional Joint Development Assessment Panel Minutes

**Meeting Date and Time:** Tuesday, 15 March 2022; 9:30am  
**Meeting Number:** RJDAP/49  
**Meeting Venue:** Via Zoom

*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

Ms Kanella Hope (A/Presiding Member)  
Mr Gene Koltasz (A/Deputy Presiding Member)  
Mr Justin Page (Third Specialist Member)

#### *Item 8.1*

Cr Michelle Steck (Local Government Member, City of Bunbury)  
Cr Betty McClearly (Local Government Member, City of Bunbury)

#### *Item 8.2*

Cr Margaret Bertling (Local Government Member, City of Karratha)

### Officers in attendance

#### *Item 8.1*

Ms Barbara Macaulay (City of Bunbury)  
Mr Justin Biggar (City of Bunbury)  
Mr Kyle Daly (City of Bunbury)

#### *Item 8.2*

Mr Chris Sayer (City of Karratha)  
Mr Ryan Hall (City of Karratha)  
Mr Chris Adams (City of Karratha)

### Minute Secretary

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

### Applicants and Submitters

#### *Item 8.1*

Mr Larry Guise (V&V Walsh Pty Ltd C/o Across Planning)  
Mr Brent Dancer (V&V Walsh Pty Ltd)  
Mr Gerhard Reyneke (V&V Walsh Pty Ltd)  
Mr Cameron Cody (V&V Walsh Pty Ltd)  
Ms Louisa Robertson (Strategen-JBS&G)

#### *Item 8.2*

Mr Vikas Rambal (Perdaman Chemicals and Fertilisers Pty Ltd)  
Mr Ishan Rambal (Perdaman Chemicals and Fertilisers Pty Ltd)  
Ms Nicole Hynes (Perdaman Chemicals and Fertilisers Pty Ltd)  
Mr Danny Van Niekerk (Clough)

### Members of the Public / Media

There were 2 members of the public in attendance.

Ms Jesinta Burton from Business News was in attendance.

**Ms Kanella Hope**  
Presiding Member, Regional JDAP



## 1. Opening of Meeting, Welcome and Acknowledgement

The A/Presiding Member declared the meeting open at 9:34am on 15 March 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 A/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 A/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

Mr Paul Kotsoglo (Presiding Member)  
Cr Kelly Nunn (Local Government Member, City of Karratha)

## 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

The A/Presiding Member noted that an addendum to the agenda was published to include details of a DAP direction for further information and responsible authority response in relation to Item 8.1, received on 14 March 2022.

All members declared that they had duly considered the documents.

## 6. Disclosure of Interests

DAP Member, Mr Paul Kotsoglo, declared an Indirect Pecuniary Interest in item 8.2. As Managing Director of Planning Solutions, Mr Kotsoglo has had discussions with parties involved in the project.



In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2020, the Deputy Presiding Member, Ms Kanella Hope, determined that the member listed above, who had disclosed an Indirect Pecuniary Interest, was not permitted to participate in the discussion and voting on the items.

DAP Member, Ms Kanella Hope, declared an Impartiality Interest at Item 8.1. As a planning consultant practising in the Bunbury Geographe region which includes liaising on behalf of applicants with the City of Bunbury on various other planning proposals. Ms Hope was formerly a colleague of the applicant, Larry Guise of Across Planning when they worked together at Calibre Consulting (which ceased 3.5 years ago). They remain affiliated but do not presently work together. Further, on occasion, Ms Hope works for various other shared clients with Strategen JBS&G. At times this has involved Louisa Robertson providing expert fire advice. Ms Hope declared that these connections will not affect her ability to make sound judgements in this matter.

In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2020, the Presiding Member, Mr Ian Birch, determined that the member listed above, who had disclosed an Impartiality Interest, was permitted to participate in the discussion and voting on the items.

DAP Member, Cr Michelle Steck, declared an Impartiality Interest at Item 8.1. Cr Steck declared that her son used to work for the applicant, V & V Walsh.

In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2020, A/Presiding Member, Ms Kanella Hope, determined that the member listed above, who had disclosed an Impartiality Interest, was permitted to participate in the discussion and voting on the items

## 7. Deputations and Presentations

- 7.1 Mr Larry Guise (Across Planning) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.2 Ms Louisa Robertson (Strategen-JBS&G) responded to questions from the panel in relation to the application at Item 8.1.
- 7.3 Officers from the City of Bunbury addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

***The presentation at Item 7.1 – 7.3 was heard prior to the application at Item 8.2.***

- 7.4 Officers from the City of Karratha addressed the DAP in relation to the applicant at Item 8.2 and responded to questions from the panel.



- 7.5** Mr Vikas Rambal (Perdaman Chemicals and Fertilisers Pty Ltd) responded to questions from the panel in relation to the application at Item 8.2.
- 7.6** Mr Ty Hibberd (Yara Pilbara) addressed the DAP in relation to the application at Item 8.2.

***The presentations at Items 7.4 - 7.6 were heard prior to the application at Item 8.2.***

## **8. Form 1 – Responsible Authority Reports – DAP Applications**

### **8.1 Lot 5 Rawling Road and Portion Lot 1050 South Western Hwy, Davenport**

Development Description: Proposed Cold Store Warehouse  
Applicant: V and V Walsh Pty Ltd  
Owner: Rawling Road Pty Ltd  
Responsible Authority: City of Bunbury  
DAP File No: DAP/21/02130

### **REPORT RECOMMENDATION**

**Moved by:** Cr Michelle Steck

**Seconded by:** Cr Betty McCleary

*The A/Presiding Member noted that there were incorrect references on the Agenda at Item 7 where it referenced the City of Busselton rather the City of Bunbury*

With the approval of the mover and seconder the following amendment was made to the report recommendation:

- (i) To amend Condition 5 to read as follows:

*Prior to development commencing, the subject land parcels (portion of Lot 1050 South Western Hwy, ~~Lot 1 Rawling Road~~ and Lot 5 Rawling Road) must be amalgamated into one certificate of title, new title issued and a copy of the new title provided to the satisfaction of the City of Bunbury.*

*Alternatively, the landowner must enter into a legal agreement with the City of Bunbury to secure the amalgamation of the subject land parcels into one certificate of title within 12 months. The legal agreement must be at the full cost of the landowner and to the specification and satisfaction of the City of Bunbury.*

**REASON:** The Panel was reassured that the V&V Walsh operations were interconnected across the various Titles regardless, and that despite deleting this lot from condition 5, there would still be ability to create easements to connect integral parking and emergency access in the unlikely event Lot 1 was sold as a separate entity in the future.



That the Regional JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/21/02130 is appropriate for consideration as a “Warehouse/Storage” land use and compatible with the objectives of the zoning table in accordance with Clause 16 of the City of Bunbury Local Planning Scheme No. 8
2. **Approve** DAP Application reference DAP/21/02130 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 of the City of Bunbury 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 four (4) 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 shall be in accordance with the approved development plans (attached) which form part of this development approval.
3. At all times, the development the subject of this approval must comply with the land use definition ‘Warehouse/Storage,’ as contained in Part 6, Division 2 of the City of Bunbury Local Planning Scheme No. 8.
4. All works required to satisfy a condition of this approval are required to be installed / constructed and maintained in accordance with the approved plans and conditions of approval for the life of the development.
5. Prior to development commencing, the subject land parcels (portion of Lot 1050 South Western Hwy and Lot 5 Rawling Road) must be amalgamated into one certificate of title, new title issued and a copy of the new title provided to the satisfaction of the City of Bunbury.

Alternatively, the landowner must enter into a legal agreement with the City of Bunbury to secure the amalgamation of the subject land parcels into one certificate of title within 12 months. The legal agreement must be at the full cost of the landowner and to the specification and satisfaction of the City of Bunbury.

6. Prior to development commencing, elevation details for the amenities and plant room as clouded in red on the approved plans are to be submitted to the satisfaction of the City of Bunbury.



7. Prior to development commencing, a Stormwater and Drainage Management Plan, prepared in accordance with the Department for Water's Stormwater Management Manual must be submitted for the approval of the City of Bunbury. The Stormwater and Drainage Management Plan will determine the drainage infrastructure required to support the development and as a minimum it must address:
  - (a) Proposed development;
  - (b) Storm events to be managed;
  - (c) Onsite retention at a rate of 2m<sup>3</sup> for each 65m<sup>2</sup> of site impervious area;
  - (d) Overland flow path for larger events (up to the 1% AEP);
  - (e) Effect of groundwater;
  - (f) Use of water sensitive urban design principles;
  - (g) Water quality;
  - (h) Protection of adjacent/nearby waterways and wetlands; and
  - (i) Conclusions / recommendations.
  
8. Prior to development commencing, a Construction Management Plan (CMP) is to be submitted for approval to the specifications and satisfaction of the City of Bunbury. The CMP must address the following issues, where applicable:
  - (a) Public safety and amenity;
  - (b) Site plan and security;
  - (c) Contact details of essential site personnel, construction period and operating hours;
  - (d) Community information, consultation and complaints management plan;
  - (e) Noise, vibration and dust management;
  - (f) Dilapidation reports of nearby properties and City of Bunbury assets;
  - (g) Traffic, access and parking management;
  - (h) Waste management and materials re-use and/or recycling;
  - (i) Earthworks, excavation, land retention/piling and associated matters;
  - (j) Contamination risks;
  - (k) Storm water and sediment control;
  - (l) Tree management and protection; and
  - (m) Any other matters deemed appropriate by the local government.

The approved CMP must be complied with at all times during the construction of the development.
  
9. Prior to development commencing, an application to construct or install an apparatus for the treatment of sewage and the disposal of effluent and liquid wastes must be submitted for the approval of the City of Bunbury's Environmental Health Services, in accordance with the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*.
  
10. Prior to development commencing, a landscaping plan must be submitted for the approval of the City of Bunbury. The landscape plan must address the following:
  - (a) A site plan of existing and proposed development with natural and finished ground levels;
  - (b) The location, species and size of existing vegetation and vegetation to be removed;
  - (c) Exact species, location and number of proposed plants





- (d) A key or legend detailing proposed species types grouped under the subheadings of tree, shrub and ground cover.
- (e) Mulching or similar treatments of garden beds;
- (f) Details of reticulation of landscaped areas including the source of water supply and proposed responsibility for maintenance; and
- (g) Demonstrate consistency with the Bushfire Management Plan (BMP) and compliance with the requirements of Schedule 1: Standards for Asset Protection Zones.

Before the development is occupied, the landscaped area(s) must be planted, established and reticulated in accordance with the endorsed landscape plan. The landscaped areas must be maintained at all times to the satisfaction of the City of Bunbury and in accordance with the BMP.

11. Before the development is occupied, confirmation is to be provided that the measures contained at Section 6 of the Bushfire Management Plan have been implemented. This information should include a completed 'Certification by Bushfire Consultant.' All ongoing works are to be maintained for the life of the development.
12. Before the development is occupied, a notification, pursuant to section 70A of the *Transfer of Land Act 1893*, is to be placed on the certificate of title of the lot falling within, or partially within, a 'bushfire prone area' as designated by an Order made by the Fire and Emergency Services Commissioner under section 18P of the *Fire and Emergency Services Act 1998*, advising of the existence of a hazard or other factor. The notification is to state as follows:

*"This land is within a 'bushfire prone area' as designated by an Order made by the Fire and Emergency Services Commissioner under section 18P of the Fire and Emergency Services Act 1998 and may be subject to a Bushfire Management Plan or Bushfire Protection Criteria Assessment."*

### **Advice Notes**

1. This is a development approval only. The applicant/owner is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws and/or license requirements that may relate to the development.
2. The City of Bunbury advises that this development approval does not remove or affect any statutory responsibility the proponent may have in notifying the relevant federal government public authority of the proposal under the Commonwealth of Australia *Environment Protection and Biodiversity Conservation Act 1999* as amended. Further information can be obtained from the Department of Agriculture, Water and Environment on (02) 6274 1111.
3. The applicant is advised that in accordance with clause 4.2 of the Notice Exemption from Planning Requirements During a State of Emergency issued by the Minister for Planning under clause 78H of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 on 8 April 2020, the timeframe for the substantial commencement of works associated with this approval is extended by two years from the expiry date stated in the conditions of approval.





4. The development is subject to the Building Act 2011, Building Regulations 2012 and Building Code of Australia. A separate building permit must be granted before the development commences, where offences occur statutory penalties apply. The applicant/owner is advised to liaise further with the City of Bunbury's Building Services on (08) 9792 7000.
5. Please be aware that the subject land is located in a high groundwater table area. Treatments such as subsoil drainage may be required to prevent any increases to groundwater table levels on adjoining properties.
6. In the event dewatering is proposed, the proponent is advised to contact DWER on 9726 4111 for a licence to dewater under the Rights in Water and Irrigation Act 1914 (RIWI Act) if the proposed activity is to exceed the threshold specified at <https://www.water.wa.gov.au/licensing/water-licensing/exemptions>.
7. Acid sulfate soils (ASS) risk mapping indicates that the site is located within an area identified as representing a moderate to high risk of ASS occurring within 3 metres of the natural soil surface. Please refer to the Department of Water of Environmental Regulation's (DWER) acid sulfate soil guidelines for information to assist with the management of ground disturbing works. <https://www.der.wa.gov.au/your-environment/acid-sulfate-soils/69-acidsulfatesoils-guidelines>

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

**REASON:** The Panel recognised the significance of the proposal and the complexities involved. The Panel was satisfied the development met the planning framework and the conditions proposed were suitable, including for bushfire risk management, save for the deletion of reference to Lot 1 Rawling Road from Condition 5.

This was discussed amongst a range of matters, with the Panel noting general agreement between the applicant and the city in this regard, although there were other options available from the city's perspective to manage this circumstance.

The Panel was reassured that the V&V Walsh operations were interconnected across the various Titles regardless, and that despite deleting this lot from condition 5, there would still be ability to create easements to connect integral parking and emergency access in the unlikely event Lot 1 was sold as a separate entity in the future.

*Cr Michelle Steck and Cr Betty McCleary (City of Bunbury) left the panel at 10:10am.  
Cr Margaret Bertling (City of Karratha) joint the panel at 10:10am.*

**8.2 Lots 3012, 3013, 3015, 3016 on DP42282, Lots 553, 556, 557 on DP406755.  
Lots 566, 567, 568, 571 on DP28209, Lot 538 on DP221364 & Lot 581 on DP72793, Burrup**

Development Description:	Urea Production Facility and Associated Works
Applicant:	Perdaman Chemicals and Fertilisers Pty Ltd
Owner:	State of WA, City of Karratha
Responsible Authority:	City of Karratha
DAP File No:	DAP/2/02/155



## REPORT RECOMMENDATION

**Moved by:** Mr Gene Koltasz

**Seconded by:** Mr Justin Page

With the approval of the mover and seconder the following amendment was made to the report recommendation:

- (i) To amend Condition 4 to read as follows:

*Prior to construction beginning on any buildings on site a revised plan set providing **site, elevations and floor plans of buildings updated to reflect compliance with Development Approval conditions**, is to be submitted to and approved by the City of Karratha*

- (ii) To amend Condition 14 to read as follows:

*An Operational Management Plan is to be submitted **prior to operations beginning** and approved by the City of Karratha and thereafter be implemented to the satisfaction of the City of Karratha.*

**REASON:** The Panel amended condition 4 and 14 to ensure clarity and finality of obligations. The City and the applicant were agreeable to these revisions.

That the Regional JDAP resolves to:

1. **Approve** DAP Application reference DAP/21/02155 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 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) A revised operational site plan, including the proposed use of the laydown area being submitted to and approved by the City of Karratha and thereafter being implemented to the satisfaction of the City of Karratha.
- 3) Prior to any civil works beginning on Lot 556 on DP406755 and Lot 557 on DP406755 a revised 'construction layout' site plan based on initial access from the current alignment of Hearson Cove Road, for the construction phase of the development, is to be submitted to and approved by the City of Karratha. A revised version of this approved plan shall be submitted to and approved by the City of Karratha prior to the construction laydown area gaining access from the realigned Hearson Cove Road. The approved plan shall be implemented and adhered to through the construction phase of the development, to the satisfaction of the City of Karratha.



- 4) Prior to construction beginning on any buildings on site a revised plan set providing site, elevations and floor plans updated to reflect compliance with Development Approval conditions, is to be submitted to and approved by the City of Karratha.
- 5) Prior to works beginning on the conveyor infrastructure, plans showing the alignment and details of the infrastructure, as authorised and approved by Development WA to be shared with the City of Karratha.
- 6) Prior to any civil works beginning on Lot 556 on DP406755 and Lot 557 on DP406755 a revised Drainage Management Plan and Surface Water Management Plan based on initial access from the current alignment of Hearson Cove Road, for the construction phase of the development, is to be submitted to and approved by the City of Karratha. A revised version of these approved plans shall be submitted to and approved by the City of Karratha prior to the construction laydown area gaining access from the realigned Hearson Cove Road. The approved plans shall be implemented and adhered to through the construction phase of the development, to the satisfaction of the City of Karratha.
- 7) Prior to any civil works beginning on Lot 3016 (being Site C) and on land parcels containing the conveyor footprint, a revised Drainage Management Plan and Surface Water Management Plan for the construction phase of the development, is to be submitted to the City of Karratha. The approved plans shall be implemented and adhered to through the construction phase of the development.
- 8) Prior to the development becoming operational a revised Surface Water Management Plan is to be submitted to and approved by the City of Karratha. The approved plan shall be implemented and adhered to through the operational phase of the development, to the satisfaction of the City of Karratha.
- 9) Public access is to be maintained along existing Hearson Cove Road at all times while being used for access to Site F, unless any temporary closure or diversion is approved in writing by the City of Karratha.
- 10) Prior to earthworks beginning on Lot 556 on DP406755 and Lot 557 on DP406755 (being Site F), a Traffic Management Plan for the use of and access to and from the current alignment of Hearson Cove Road (being within Reserve 52836), is to be submitted to and approved by the City of Karratha and thereafter be implemented to the satisfaction of the City of Karratha while the existing alignment of Hearson Cove Road is being used for access.
- 11) Damage to road pavements or City assets caused by construction activity or operations including, but not limited to vehicle movements, shall be repaired or replaced at no cost to the City and in accordance with specifications, works supervision and scheduling arrangements to be approved by the City of Karratha.
- 12) Prior to the development becoming operational, car parking areas, vehicle access and vehicle circulation areas shown on the approved plan are to be constructed (sealed), drained and line marked and thereafter maintained to the satisfaction of the City of Karratha.



- 13) The Construction Environmental Management Plan shall be implemented and adhered to through the construction phase of the development to the satisfaction of the City of Karratha.
- 14) An Operational Management Plan is to be submitted prior to operations beginning and approved by the City of Karratha and thereafter be implemented to the satisfaction of the City of Karratha.
- 15) The current draft Social Impact Management Plan as it relates to the construction phase of the project being revised to address the City's comments from 24 February 2022 prior to earthworks beginning on site and thereafter being implemented to the satisfaction of the City of Karratha during the construction phase. The Social Impact Management Plan being further revised to address the operational phase of the project and submitted to and approved by the City of Karratha prior to operations beginning on site and thereafter be implemented to the satisfaction of the City of Karratha.
- 16) Prior to the development becoming operational a revised Bushfire 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.
- 17) Prior to the development becoming operational a detailed landscaping plan is to be submitted to and approved by the City of Karratha and thereafter implemented to the satisfaction of the City of Karratha.
- 18) The mitigation measures outlined in Section 5.6 of the Landscape and Visual Impact Assessment Report are to be implemented to the satisfaction of the City of Karratha.
- 19) Any external lighting shall be installed and maintained so as to minimise the potential for passing motorists on Burrup and Hearson Cove Roads to be distracted and causing nuisance to nearby industrial operations and/or visitors to nearby sites within the public domain, to the satisfaction of the City of Karratha.

#### **Advice Notes**

1. The revised 'construction layout' site plans are to address managing access from Hearson Cove Road and the visual and amenity impact of the layout for laydown on the entry to Hearson Cove Road.
2. In accordance with the Ministerial Statement 1180 published on 24 January 2022, the Aboriginal Heritage Management Plan and the Cultural Heritage Management Plan shall be implemented through the construction and operational phases of the development as per the conditions and commitments that apply.
3. The applicant is to comply with other relevant legislative requirements, including:
  - a. *Aboriginal Heritage Act 1972*;
  - b. *Environmental Protection Act 1986*, *Ministerial Statement 1180* and any Works Approval required for the proposed development under Schedule 1 of the *Environmental Protection Regulations 1987*.
  - c. *Dangerous Goods Safety Act 2004* and relevant associated regulations.



4. The applicant will be required to seek approval from Main Roads Western Australia for connection to and any required modifications to the intersection of site access roads and Burrup Road. Approval will also need to be sought from Main Roads Western Australia for the transportation of restricted and oversized loads.
5. The City of Karratha should also be consulted regarding approvals required to utilise Hearson Cove Road for the transport of modules and oversized loads. The City will consider factors including: number of vehicle trips; size and weight of vehicles; and current condition and ability of Hearson Cove Road to accommodate proposed usage.
6. The applicant shall implement dust management measures at all times during the construction and operational phases of the development in accordance with the required plans and any other relevant legislation and/or approvals applicable to this development.
7. The proponent may be required to submit an application to the City of Karratha's Environmental Health Services and/or the Department of Health for the use of temporary effluent disposal systems.
8. No signs are included as part of this approval. Should any signs be proposed on buildings and structures across the site please refer to the City's Local Planning Policy DP22 – Advertising Signs to determine whether any signs that may be proposed would require the submission of a Development Application to gain Development Approval.
9. The applicant is required to comply with the *Environmental Protection Act 1986* and any Works Approval required for the proposed development under Schedule 1 of the *Environmental Protection Regulations 1987* issued by the Department of Water and Environmental Regulation.
10. The applicant is required to undertake the development in accordance with the *Dangerous Goods Safety Act 2004* and relevant associated regulations.
11. Should the proponent be aggrieved by this decision, or any of the conditions imposed, there is a right of review under the *Planning and Development Act 2005*. An application for review must be submitted in accordance with Part XIV of the *Planning and Development Act 2005* within twenty-eight (28) days of the date of this decision to: the State Administrative Tribunal, GPO Box U1991, Perth, WA 6845. Further information regarding this right of review is available on the SAT website [www.sat.justice.wa.gov.au](http://www.sat.justice.wa.gov.au) or by phoning 1300 306 017

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

**REASON:** The panel members recognised this is a major project for the applicant, the City of Karratha and the State of Western Australia, if not also of national and international significance.

The environmental and heritage processes to date, that have preceded and sit alongside but separate to the planning framework were acknowledged, including the City position and applicant acknowledgment that these matters have and will continue to be thoroughly and appropriately dealt with via these other processes.



This particularly included consultation with the Murajuga Aboriginal Corporation (MAC) and implementation of the Cultural Heritage Management Plan and associated considerations that apply to the site and the surrounds on the significant Burrup Peninsula.

Overall, the Panel was satisfied that the proposal was consistent with the planning framework and would be sufficiently regulated from a land use planning perspective during construction and operations via the conditions set out.

**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 -

<b>Current SAT Applications</b>				
<b>File No. &amp; SAT DR No.</b>	<b>LG Name</b>	<b>Property Location</b>	<b>Application Description</b>	<b>Date Lodged</b>
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

**11. General Business**

The A/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 A/Presiding Member declared the meeting closed at 10:45am.