



Minutes of the Southern Joint Development Assessment Panel

Meeting Date and Time: Wednesday, 29 June 2016; 10.30am
Meeting Number: SJDAP/14
Meeting Venue: Shire of Capel
31 Forrest Road, Capel

Attendance

DAP Members

Mr Ian Birch (Presiding Member)
Ms Sheryl Chaffer (Deputy Presiding Member)
Mr Tony Casella (Specialist Member)
Cr Greg Norton (Local Government Member, Capel)
Cr Peter McCleery (Local Government Member, Shire of Capel)

Officers in attendance

Ms Louise Hughes (Shire of Capel)
Ms Cecilia Muller (Shire of Capel)
Mr Jason Gick (Shire of Capel)
Mr Ben Muller (Department of Planning)
Ms Kath La Nauze (Department of Planning)
Mr Paul Davies (Main Roads WA)

Local Government Minute Secretary

Ms Alison Evans (Shire of Capel)

Applicant and Submitters

Mr Marc Re (Planning Solutions)

Members of the Public

Nil

1. Declaration of Opening

The Presiding Member, Mr Ian Birch declared the meeting open at 10.30am on 29 June 2016 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*.



Mr Ian Birch
Presiding Member, Southern JDAP



The Presiding Member advised that 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 meeting would not be recorded.

2. Apologies

Nil

3. Members on Leave of absence

Nil

4. Noting of minutes

Minutes of the Southern JDAP meeting no.13 held on 27 April 2016 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 Marc Re (Planning Solutions) addressed the DAP for the application at Item 8.1a.

Officers from the Shire of Capel, Department of Planning and Main Roads WA responded to questions from the Panel.

8. Form 1 - Responsible Authority Reports – DAP Applications

8.1a Property Location:	Lot 16 and Part Lot 104 Bussell Highway Gelorup
Application Details:	Redevelopment of Existing Petrol Filling Station, Post Office and Convenience Store
Applicant:	Planning Solutions
Owner:	Edward Maynard Jenour and Simon Edward Jenour
Responsible authority:	Shire of Capel
DoP File No:	DAP/16/01016

Mr Ian Birch
Presiding Member, Southern JDAP



REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Peter McCleery

Seconded by: Cr Greg Norton

That the Southern JDAP resolves to:

Approve DAP Application reference DAP/16/01016 and accompanying plans:

Proposed Site Plan 55411-S100 Rev E;
Proposed Floor Plan 55411-A200 Rev A;
Proposed Shop Elevations Sheet 1 of 2 55411-A201 Rev A;
Proposed Shop Elevations Sheet 2 of 2 55411-A202 Rev A;
Proposed Canopy Plan Tandem 6 – 55411-A300 Rev A;
Proposed Canopy Elevations Sheet 1 of 2 55411-A301 Rev A;
Proposed Canopy Elevations Sheet 2 of 2 55411-A302 Rev A;
Proposed Truck Canopy Elevations 55411-A321 Rev A;
Site Signage Details Sheet 1 of 3 55411-S110 Rev A;
Site Signage Details Sheet 2 of 3 55411-S111 Rev A;
Site Signage Details Sheet 3 of 3 55411-S112 Rev A

in accordance with Clause 68 (2)(b) of the Deemed Provisions of the Shire of Capel Town Planning Scheme No. 7, subject to the following conditions:

General Conditions

1. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.
2. The approved development shall be undertaken and fully implemented in accordance with the approved plan(s).
3. The proposed driveway and crossover to Meadow View Road to be designed and constructed to the specifications and satisfaction of the Shire of Capel.
4. The proposed northern and southern driveways and crossovers to Bussell Highway to be modified designed and constructed to the specification and satisfaction of Main Roads including upgrading the left turn slip lane with kerbing and drainage along the highway frontage between the two driveways.
5. The road reserve widening to Bussell Highway to accommodate the required upgrading to the driveways and crossovers shall be ceded free of cost to the Crown.
6. The installation of outdoor lighting shall be in accordance with the requirements of the Australian Standard AS 4282-1997: 'Control of the Obtrusive Effects of Outdoor Lighting'.
7. Satisfactory arrangements being made for connection to a reticulated potable water supply scheme.

Mr Ian Birch
Presiding Member, Southern JDAP



Prior to Occupation of Development Conditions:

8. Prior to occupation, vehicle parking, manoeuvring and circulation areas shall be suitably constructed, sealed, drained, kerbed, marked (including loading and disabled bays) and thereafter maintained to the specification and satisfaction of the Shire of Capel.
9. Prior to occupation, any cracked or damaged kerbs shall be removed and reinstated at the full expense of the applicant and to the satisfaction of the Shire of Capel. Inspection shall be carried out Prior and Post development and shall be recorded, this will form the basis of any claims for reinstatement.
10. Prior to occupation, all disused or redundant vehicular crossover(s) must be removed and the area reinstated to the specification and satisfaction of the Shire of Capel.
11. Prior to occupation, the property shall be connected to reticulated sewerage scheme.
12. Prior to occupation of premises a Waste Management and Recycling Plan is to be submitted for assessment and approval and thereafter the plan shall be implemented at all times to the satisfaction of the Shire of Capel. A waste storage and collection area must be graded, drained and screened from public view, and the garbage collected regularly, to the satisfaction of the Shire of Capel.

Prior to Lodgement of Building Permit Application

13. Prior to the lodgement of the Building Permit Application, a detailed Stormwater Management Plan shall be submitted for approval of the Shire of Capel, and thereafter implemented in accordance with the approved plan to the satisfaction of the Shire of Capel.
14. Prior to the lodgement of the Building Permit Application a site plan showing finished ground levels, pavement levels and finished floor levels is to be submitted for assessment and approval by the Shire.
15. Prior to the lodgement of the Building Permit Application construction plans shall be submitted for assessment and approval by the Shire of Capel. All off-street parking and access thereto shall comply with Australian Standard 2890.1 to the satisfaction of the Shire of Capel.

Prior to the Commencement of Works

16. Prior to the commencement of works, a Landscape Plan is to be submitted for assessment and approval by the Shire of Capel and thereafter implemented. maintained for the life of the development and shall include:
 - A concrete shared use path within the landscaped area on the western boundary.

Mr Ian Birch
Presiding Member, Southern JDAP



- Details of the landscaping of the eastern boundary of the subject site and including screening and planting to the verge on the eastern side of Meadow View Road to protect the amenity of rural residential lots from headlight glare.
 - Landscaping of the site shall be consistent with the endorsed Outline Development Plan.
17. Prior to the commencement of works a Construction Management Plan is to be submitted for assessment and approval by the Shire of Capel.
 18. Prior to commencement of works design guidelines addressing the treatment of the western elevation of the building shall be submitted for approval of the Shire of Capel and thereafter implemented in accordance with the approved plan to the satisfaction of the Shire of Capel.

Advice Notes

1. The site is identified as high to moderate risk of acid sulfate soils. The owner is advised to contact the Department of Environmental Regulation before commencing any site works to determine the implications of this and whether there is an obligation to prepare an acid sulfate soils assessment report and implement an acid sulfate soils management plan. Further information can be obtained from the Department of Environmental Regulation's Acid Sulfate Soils Branch on (08) 6467 5000 or at www.der.wa.gov.au.
2. Any removal of underground storage tanks and/or investigation for soil and groundwater contamination must be carried out in accordance with the Department of Environmental Regulation's Contaminated Sites Management Series guidelines. The owner is advised to contact the Department of Environmental Regulation for further information, including a current list of accredited auditors, on (08) 9725 4300 or at www.der.wa.gov.au.
3. In relation to Building:
 - a. Compliance with the Building Act 2011, Building Regulations 2012 and the Building Code of Australia will be required. Advice should be sought from a registered building surveying contractor in order to obtain the appropriate certificates for building permit and occupancy permit applications.
 - b. If the project requires Fire Hydrants, the sites water pressure and flow test results will need to be established at the point of proposed water main access.
 - c. AS 2419 covers installation details and minimum required pressure and flow rates for fire hydrants. If minimum requirements cannot be obtained at the point of supply, the design of pumps and tanks would need to be considered.
4. In relation to Environmental Health Advice:



Mr Ian Birch
Presiding Member, Southern JDAP



- a. Compliance with the AS 4674-2004 will be required to meet the requirements of the National Food Safety Standards 3.2.3.
 - b. Compliance with the Environmental Protection (Noise) Regulations 1997 is required.
 - c. Contact Council's Health Services to obtain the Food Act 2008 Food Business Notification/Registration Form.
5. The Landscaping Plan is to detail the following:
- a. Those areas to be reticulated.
 - b. Verge Treatments including the verge on the eastern side of Meadow View Road.
 - c. Species Types and numbers.
 - d. Lighting to pathways, communal space and parking areas.
 - e. Outdoor furniture, bin enclosures and pavement treatments.
 - f. Measures to be taken to ensure that trees and shrubs planted will thrive and be maintained in a healthy state for the life of the development.
 - g. Pedestrian path linkages.
6. In relation to connection to reticulated water supply scheme, it would be preferable for this to be undertaken at the same time as connection to the reticulated sewerage scheme if possible.
7. The Stormwater Management Plan is to detail the following:
- a. Catchments, flow paths, water quality improvement measures, area calculations and design criteria demonstrating that all stormwater from a 100year ARI can be retained on site and infiltrated.
 - b. Events beyond a 100year ARI are to be directed to the road by overland flow.
 - c. The depth of flood water shall not be designed to be greater than 150mm on paved areas within the property for any storm.
 - d. Mosquito breeding control measures where stormwater infrastructure is likely to result in standing water that will provide breeding habitat.
 - e. Any soakwells, detention areas and flood flow paths shall be able to manage the flow and over flow without flooding the building floor level. The floor level must be at least 150mm above the outflow of a 1 in 100 year storm.
 - f. Additional information to be provided to verify the Annual Average Maximum Groundwater Level.
8. The Waste Management Plan is to address the following:
- a. The location of bin storage areas and bin collection areas;


Mr Ian Birch
Presiding Member, Southern JDAP



- b. The number, volume and type of bins, and the type of waste to be placed in the bins;
 - c. Management of the bins and the bin storage areas, including cleaning, rotation, moving bins to and from the bin collection areas and actions to contain and clean any spillage of waste or other materials; and
 - d. Frequency of bin collections.
9. The Construction Management Plan is to detail how the following matters are to be managed:
- a. Access to and from the site;
 - b. The delivery of materials and equipment to the site;
 - c. The storage of materials and equipment on the site;
 - d. Other matters likely to impact on surrounding properties;
 - e. The parking arrangements for contractors and subcontractors;
 - f. Management of construction waste; and
 - g. Dust mitigation.

AMENDING MOTION

Moved by: Mr Ian Birch

Seconded by: Mr Tony Casella

To amend the preamble to include the date plans were received and to include omitted plans, to read as follows:

Approve DAP Application reference DAP/16/01016 and accompanying plans date stamp received 18 March 2016 and amended plans date stamp received 15 June 2016:

Proposed Site Plan 55411-S100 Rev E;
Proposed Site Plan 55411-A100 Rev F;
Proposed Floor Plan 55411-A200 Rev A;
Proposed Shop Elevations Sheet 1 of 2 55411-A201 Rev A;
Proposed Shop Elevations Sheet 2 of 2 55411-A202 Rev A;
Proposed Canopy Plan Tandem 6 – 55411-A300 Rev A;
Proposed Canopy Elevations Sheet 1 of 2 55411-A301 Rev A;
Proposed Canopy Elevations Sheet 2 of 2 55411-A302 Rev A;
Proposed Truck Canopy Elevations 55411-A321 Rev A;
Site Signage Details Sheet 1 of 3 55411-S110 Rev A;
Site Signage Details Sheet 2 of 3 55411-S111 Rev A;
Site Signage Details Sheet 3 of 3 55411-S112 Rev A;
Tanker Path – 55411-107E

in accordance with Clause 68 (2)(b) of the Deemed Provisions of the Shire of Capel Town Planning Scheme No. 7, subject to the following conditions:

REASON: To provide certainty as to the Plans that are being approved.

The Amending Motion was put and CARRIED UNANIMOUSLY.

Mr Ian Birch
Presiding Member, Southern JDAP



AMENDING MOTION

Moved by: Mr Ian Birch

Seconded by: Cr Peter McCleery

To amend Condition 4 to read as follows:

4. The proposed northern and southern driveways and crossovers to Bussell Highway to be modified designed and constructed to the specification and satisfaction of Shire of Capel on advice from Main Roads WA including upgrading the left turn slip lane with kerbing and drainage along the highway frontage between the two driveways.

REASON: The responsibility for the clearance of Conditions of planning approval must remain with the responsible authority.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Ian Birch

Seconded by: Ms Sheryl Chaffer

To insert Advice Note 10 to read as follows:

10. In regards to condition 4 and the southern crossover to Bussell Highway, full movement access is approved at the crossover, including the retention of the existing right-out movement. Consultation with Mains Roads WA must be undertaken at the detailed design stage to implement design and treatment measures at the crossover. This may include line marking, kerbing and/or other appropriate measures to provide separation between vehicles entering and exiting the crossover.

REASON: To add clarity and certainty to the requirements for satisfying Condition 4.

The Amending Motion was put and CARRIED UNANIMOUSLY.

AMENDING MOTION

Moved by: Mr Ian Birch

Seconded by: Mr Tony Casella

To amend Condition 15 to read as follows:

15. Prior to the lodgement of the Building Permit Application construction plans of the carpark shall be submitted for assessment and approval by the Shire of Capel. All off-street parking and access thereto shall comply with Australian Standard 2890.1 to the satisfaction of the Shire of Capel.

REASON: To add clarity.

The Amending Motion was put and CARRIED UNANIMOUSLY.

Mr Ian Birch
Presiding Member, Southern JDAP



AMENDING MOTION

Moved by: Mr Ian Birch

Seconded by: Mr Tony Casella

To insert a new Condition after Condition 7 to read as follows and renumber remaining conditions accordingly:

8. The proponent must prepare and submit a Hydrocarbon Management Plan to the satisfaction of the Shire of Capel, detailing the management/treatment of hydrocarbons with appropriate reporting mechanisms.

REASON: To meet the standard requirement for petrol stations.

The Amending Motion was put and CARRIED UNANIMOUSLY.

PRIMARY MOTION (AS AMENDED)

That the Southern JDAP resolves to:

Approve DAP Application reference DAP/16/01016 and accompanying plans date stamp received 18 March 2016 and amended plans date stamp received 15 June 2016:

Proposed Site Plan 55411-S100 Rev E;
Proposed Site Plan 55411-A100 Rev F;
Proposed Floor Plan 55411-A200 Rev A;
Proposed Shop Elevations Sheet 1 of 2 55411-A201 Rev A;
Proposed Shop Elevations Sheet 2 of 2 55411-A202 Rev A;
Proposed Canopy Plan Tandem 6 – 55411-A300 Rev A;
Proposed Canopy Elevations Sheet 1 of 2 55411-A301 Rev A;
Proposed Canopy Elevations Sheet 2 of 2 55411-A302 Rev A;
Proposed Truck Canopy Elevations 55411-A321 Rev A;
Site Signage Details Sheet 1 of 3 55411-S110 Rev A;
Site Signage Details Sheet 2 of 3 55411-S111 Rev A;
Site Signage Details Sheet 3 of 3 55411-S112 Rev A;
Tanker Path – 55411-107E

in accordance with Clause 68 (2)(b) of the Deemed Provisions of the Shire of Capel Town Planning Scheme No. 7, subject to the following conditions:

General Conditions

1. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.
2. The approved development shall be undertaken and fully implemented in accordance with the approved plan(s).


Mr Ian Birch
Presiding Member, Southern JDAP



3. The proposed driveway and crossover to Meadow View Road to be designed and constructed to the specifications and satisfaction of the Shire of Capel.
4. The proposed northern and southern driveways and crossovers to Bussell Highway to be modified designed and constructed to the specification and satisfaction of Shire of Capel on advice from Main Roads WA including upgrading the left turn slip lane with kerbing and drainage along the highway frontage between the two driveways.
5. The road reserve widening to Bussell Highway to accommodate the required upgrading to the driveways and crossovers shall be ceded free of cost to the Crown.
6. The installation of outdoor lighting shall be in accordance with the requirements of the Australian Standard AS 4282-1997: 'Control of the Obtrusive Effects of Outdoor Lighting'.
7. Satisfactory arrangements being made for connection to a reticulated potable water supply scheme.
8. The proponent must prepare and submit a Hydrocarbon Management Plan to the satisfaction of the Shire of Capel, detailing the management/treatment of hydrocarbons with appropriate reporting mechanisms.

Prior to Occupation of Development Conditions:

9. Prior to occupation, vehicle parking, manoeuvring and circulation areas shall be suitably constructed, sealed, drained, kerbed, marked (including loading and disabled bays) and thereafter maintained to the specification and satisfaction of the Shire of Capel.
10. Prior to occupation, any cracked or damaged kerbs shall be removed and reinstated at the full expense of the applicant and to the satisfaction of the Shire of Capel. Inspection shall be carried out Prior and Post development and shall be recorded, this will form the basis of any claims for reinstatement.
11. Prior to occupation, all disused or redundant vehicular crossover(s) must be removed and the area reinstated to the specification and satisfaction of the Shire of Capel.
12. Prior to occupation, the property shall be connected to reticulated sewerage scheme.
13. Prior to occupation of premises a Waste Management and Recycling Plan is to be submitted for assessment and approval and thereafter the plan shall be implemented at all times to the satisfaction of the Shire of Capel. A waste storage and collection area must be graded, drained and screened from public view, and the garbage collected regularly, to the satisfaction of the Shire of Capel.



Mr Ian Birch
Presiding Member, Southern JDAP



Prior to Lodgement of Building Permit Application

14. Prior to the lodgement of the Building Permit Application, a detailed Stormwater Management Plan shall be submitted for approval of the Shire of Capel, and thereafter implemented in accordance with the approved plan to the satisfaction of the Shire of Capel.
15. Prior to the lodgement of the Building Permit Application a site plan showing finished ground levels, pavement levels and finished floor levels is to be submitted for assessment and approval by the Shire.
16. Prior to the lodgement of the Building Permit Application construction plans of the carpark shall be submitted for assessment and approval by the Shire of Capel. All off-street parking and access thereto shall comply with Australian Standard 2890.1 to the satisfaction of the Shire of Capel.

Prior to the Commencement of Works

17. Prior to the commencement of works, a Landscape Plan is to be submitted for assessment and approval by the Shire of Capel and thereafter implemented. maintained for the life of the development and shall include:
 - A concrete shared use path within the landscaped area on the western boundary.
 - Details of the landscaping of the eastern boundary of the subject site and including screening and planting to the verge on the eastern side of Meadow View Road to protect the amenity of rural residential lots from headlight glare.
 - Landscaping of the site shall be consistent with the endorsed Outline Development Plan.
18. Prior to the commencement of works a Construction Management Plan is to be submitted for assessment and approval by the Shire of Capel.
19. Prior to commencement of works design guidelines addressing the treatment of the western elevation of the building shall be submitted for approval of the Shire of Capel and thereafter implemented in accordance with the approved plan to the satisfaction of the Shire of Capel.

Advice Notes

1. The site is identified as high to moderate risk of acid sulfate soils. The owner is advised to contact the Department of Environmental Regulation before commencing any site works to determine the implications of this and whether there is an obligation to prepare an acid sulfate soils assessment report and implement an acid sulfate soils management plan. Further information can be obtained from the Department of Environmental Regulation's Acid Sulfate Soils Branch on (08) 6467 5000 or at www.der.wa.gov.au.



Mr Ian Birch
Presiding Member, Southern JDAP



2. Any removal of underground storage tanks and/or investigation for soil and groundwater contamination must be carried out in accordance with the Department of Environmental Regulation's Contaminated Sites Management Series guidelines. The owner is advised to contact the Department of Environmental Regulation for further information, including a current list of accredited auditors, on (08) 9725 4300 or at www.der.wa.gov.au.
3. In relation to Building:
 - a. Compliance with the Building Act 2011, Building Regulations 2012 and the Building Code of Australia will be required. Advice should be sought from a registered building surveying contractor in order to obtain the appropriate certificates for building permit and occupancy permit applications.
 - b. If the project requires Fire Hydrants, the sites water pressure and flow test results will need to be established at the point of proposed water main access.
 - c. AS 2419 covers installation details and minimum required pressure and flow rates for fire hydrants. If minimum requirements cannot be obtained at the point of supply, the design of pumps and tanks would need to be considered.
4. In relation to Environmental Health Advice:
 - a. Compliance with the AS 4674-2004 will be required to meet the requirements of the National Food Safety Standards 3.2.3.
 - b. Compliance with the Environmental Protection (Noise) Regulations 1997 is required.
 - c. Contact Council's Health Services to obtain the Food Act 2008 Food Business Notification/Registration Form.
5. The Landscaping Plan is to detail the following:
 - a. Those areas to be reticulated.
 - b. Verge Treatments including the verge on the eastern side of Meadow View Road.
 - c. Species Types and numbers.
 - d. Lighting to pathways, communal space and parking areas.
 - e. Outdoor furniture, bin enclosures and pavement treatments.
 - f. Measures to be taken to ensure that trees and shrubs planted will thrive and be maintained in a healthy state for the life of the development.
 - g. Pedestrian path linkages.
6. In relation to connection to reticulated water supply scheme, it would be preferable for this to be undertaken at the same time as connection to the reticulated sewerage scheme if possible.
7. The Stormwater Management Plan is to detail the following:


Mr Ian Birch
Presiding Member, Southern JDAP



- a. Catchments, flow paths, water quality improvement measures, area calculations and design criteria demonstrating that all stormwater from a 100year ARI can be retained on site and infiltrated.
 - b. Events beyond a 100year ARI are to be directed to the road by overland flow.
 - c. The depth of flood water shall not be designed to be greater than 150mm on paved areas within the property for any storm.
 - d. Mosquito breeding control measures where stormwater infrastructure is likely to result in standing water that will provide breeding habitat.
 - e. Any soakwells, detention areas and flood flow paths shall be able to manage the flow and over flow without flooding the building floor level. The floor level must be at least 150mm above the outflow of a 1 in 100 year storm.
 - f. Additional information to be provided to verify the Annual Average Maximum Groundwater Level.
8. The Waste Management Plan is to address the following:
- a. The location of bin storage areas and bin collection areas;
 - b. The number, volume and type of bins, and the type of waste to be placed in the bins;
 - c. Management of the bins and the bin storage areas, including cleaning, rotation, moving bins to and from the bin collection areas and actions to contain and clean any spillage of waste or other materials; and
 - d. Frequency of bin collections.
9. The Construction Management Plan is to detail how the following matters are to be managed:
- a. Access to and from the site;
 - b. The delivery of materials and equipment to the site;
 - c. The storage of materials and equipment on the site;
 - d. Other matters likely to impact on surrounding properties;
 - e. The parking arrangements for contractors and subcontractors;
 - f. Management of construction waste; and
 - g. Dust mitigation.
10. In regards to condition 4 and the southern crossover to Bussell Highway, full movement access is approved at the crossover, including the retention of the existing right-out movement. Consultation with Mains Roads WA must be undertaken at the detailed design stage to implement design and treatment measures at the crossover. This may include line marking, kerbing and/or


Mr Ian Birch
Presiding Member, Southern JDAP



other appropriate measures to provide separation between vehicles entering and exiting the crossover.

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

8.1b Property Location:	Lot 16 Bussell Highway, Gelorup
Application Details:	Proposed redevelopment of the existing Caltex filling station
Applicant:	Planning Solutions
Owner:	Edward Maynard Jenour & Simon Edward Jenour
Responsible authority:	Department of Planning
DoP File No:	DAP/16/01016

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Cr Peter McCleery **Seconded by:** Cr Greg Norton

That the Southern JDAP resolves to:

Approve DAP Application reference DAP/16/01016 and accompanying revised plan 55411-A100/F in accordance with Clause 38 of the Greater Bunbury Region Scheme, subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.
2. The proposed access driveway layout and intersections with Bussell Highway must be designed and implemented by the proponent to the satisfaction of Main Roads Western Australia.
3. The proponent must prepare and submit a Hydrocarbon Management Plan to the satisfaction of the Shire of Capel, detailing the management/treatment of hydrocarbons with appropriate reporting mechanisms.
4. An acid sulphate soils self-assessment form and, if required as a result of the self-assessment, an acid sulphate soils report and an acid sulphate soils management plan shall be submitted to and approved by the Department of Environment Regulation before any works or development are commenced. Where an acid sulphate soils management plan is required to be submitted, all works shall be carried out in accordance with the approved management plan.

Advice

1. To mitigate against water contamination risks the developer should follow the Department of Water's advice consistent with its Water Quality Protection Note (WQPN) No. 49 - 'Service stations' (September 2013) and in addition the following are also applicable:



Mr Ian Birch
Presiding Member, Southern JDAP



- *Decision process for stormwater management in WA (DoW 2009);*
- *Stormwater Management Manual for Western Australia (DoW 2004-2007);*
- *WQPN 10 - Contaminant spills- emergency response;*
- *WQPN 25 - Land use compatibility tables for PDWSA;*
- *WQPN 58 - Tanks for temporary elevated chemical storage;*
- *WQPN 60 - Tanks for mobile fuel storage in PDWSAs;*
- *WQPN 61 - Tanks for ground level chemical storage;*
- *WQPN 62 - Tanks for underground chemical storage; and*
- *WQPN 65 - Toxic and hazardous substances*

AMENDING MOTION

Moved by: Mr Ian Birch

Seconded by: Ms Sheryl Chaffer

Delete Conditions 2, 3 and 4.

REASON: These matters are covered in the Shire's approval and this will avoid any duplication of clearance.

The Amending Motion was put and CARRIED UNANIMOUSLY.

PRIMARY MOTION (AS AMENDED)

That the Southern JDAP resolves to:

Approve DAP Application reference DAP/16/01016 and accompanying revised plan 55411-A100/F in accordance with Clause 38 of the Greater Bunbury Region Scheme, subject to the following condition:

Condition

1. This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.

Advice

1. To mitigate against water contamination risks the developer should follow the Department of Water's advice consistent with its Water Quality Protection Note (WQPN) No. 49 - 'Service stations' (September 2013) and in addition the following are also applicable:

- *Decision process for stormwater management in WA (DoW 2009);*
- *Stormwater Management Manual for Western Australia (DoW 2004-2007);*
- *WQPN 10 - Contaminant spills- emergency response;*
- *WQPN 25 - Land use compatibility tables for PDWSA;*
- *WQPN 58 - Tanks for temporary elevated chemical storage;*

Mr Ian Birch
Presiding Member, Southern JDAP



- *WQPN 60 - Tanks for mobile fuel storage in PDWSAs;*
- *WQPN 61 - Tanks for ground level chemical storage;*
- *WQPN 62 - Tanks for underground chemical storage; and*
- *WQPN 65 - Toxic and hazardous substances*

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

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

Nil

17. Appeals to the State Administrative Tribunal

Nil

18. 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 11.20am.



Mr Ian Birch
Presiding Member, Southern JDAP