



Kimberley/Pilbara/Gascoyne Joint Development Assessment Panel Minutes

Meeting Date and Time: 14 June 2019; 10:00 AM
Meeting Number: KPGJDAP/21
Meeting Venue: Department of Planning, Lands and Heritage
140 William Street
Perth

Attendance

DAP Members

Ms Samantha Thompson (A/Presiding Member)
Mr Vernon Butterly (A/ Deputy Presiding Member)
Mr Patrick Dick (Specialist Member)
Cr Grant Cucel (Local Government Member, City of Karratha) *via teleconference*
Cr Evette Smeathers (Local Government Member, City of Karratha) *via teleconference*

Officers in attendance

Mr Chris Sayer (City of Karratha) *via teleconference*
Mr Arqum Hayat (City of Karratha) *via teleconference*
Mr Ryan Hall (City of Karratha) *via teleconference*

Minute Secretary

Ms Ashlee Kelly (DAP Secretariat)
Ms Andrea Dawson (DAP Secretariat)

Applicants and Submitters

Item 8.1

Mr Geoff Loxton (PDS Consult)
Mr Doug Cooksey (Cooksey Property Group)

Item 9.1

Mr Roger Bradford (Ausco Modular Pty Limited)
Mr Owen Hightower (RFF Pty Ltd)

Members of the Public / Media

Nil



1. Declaration of Opening

The A/Presiding Member declared the meeting open at 10.01am on 14 June 2019 and acknowledged the past and present traditional owners and custodians 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 2017 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

The A/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 A/Presiding Member has given permission to do so.', the meeting would not be recorded.

2. Apologies

Mr Eugene Koltasz (Presiding 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, Ms Samantha Thompson, declared an Impartiality Interest in Item 9.1 as director and shareholder of Taylor Burrell Barnett. TBB was engaged by the City of Karratha to prepare Amendment No. 39 in 2016. This contract has now ended, and the application will be considered based on the applicable planning framework.

In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2017, the A/Deputy Presiding Member 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 Geoff Loxton (PDS Consult) responded to questions from the panel for Item 8.1.

7.2 Mr Chris Sayer (City of Karratha) responded to questions from the panel for Item 8.1

7.3 Mr Ryan Hall (City of Karratha) responded to questions from the panel for Item 8.1.

The presentation at Item 8.1 was heard prior to the application at Item No. 9.1.

7.4 Mr Owen Hightower (RFF Pty Ltd) addressed the DAP in support of the application at Item No. 9.1 and responded to questions from the panel.

7.5 Mr Roger Bradford (Ausco Modular Pty Limited) responded to questions from the panel for Item 9.1

7.6 Mr Ryan Hall (City of Karratha) addressed the DAP in relation to the application at Item No. 9.1 and responded to questions from the panel.

8. Form 1 – Responsible Authority Reports – DAP Application

8.1 Property Location: Lot 1500 (Proposed Lot 104) Bathgate Road, Nickol
Development Description: Shopping Centre, convenience store and fast food drive-thru (Tambrey Village)
Applicant: Property Development Solutions
Owner: Western Australian Land Authority
Responsible Authority: City of Karratha
DAP File No: DAP/19/01598



REPORT RECOMMENDATION

Moved by: Cr Grant Cucel

Seconded by: Mr Vernon Butterly

With the agreement of the mover and seconder the following amendments were made to the report recommendation;

- (i) That a new Condition 1, a new Condition 14 and a new condition 15 be added and the conditions be renumbered accordingly.*
- (ii) That a new advice note c) and a new advice note d) be added.*

REASON: To provide certainty to applicant and City of Karratha in the implementation of elements of the Project.

That the Kimberley, Pilbara, Gascoyne JDAP resolves to:

1. **Approve** DAP Application reference DAP/19/01598 and accompanying plans:

Proposed Site Plan: DWG No.DA01: Revision C – Dated 29/05/19
Proposed Shopping Centre Floor Plan: DWG No.DA02: Revision A – Dated 29/03/19

Proposed Elevations: DWG No.DA03: Revision A – Dated 29/03/19
Proposed Service Station Plans and Elevs: DWG No.DA04: Revision B – Dated 29/05/19

Proposed Signage plan & Elevations: Drawing No.DA05: Revision A – Dated 29/03/19

HJ Karratha WA: DA01 Site & Signage Location Plan: Revision 4 – Dated Jan 2019

HJ Karratha WA: DA02 Ground Floor Plan: Revision 3 – Dated Jan 2019

HJ Karratha WA: DA03 Elevations 1 of 3: Revision 4 – Dated Jan 2019

HJ Karratha WA: DA04 Elevations 2 of 3: Revision 2 – Dated Jan 2019

HJ Karratha WA: DA05 Elevation 3 of 3: Revision 2 – Dated Jan 2019

HJ Karratha WA: DA06 Signage Details 1: Revision 1 – Dated Jan 2019

HJ Karratha WA: DA07 Signage Details 2: Revision 1 – Dated Jan 2019

HJ Karratha WA: DA08 Order Station Details: Revision 1 – Dated Jan 2019

HJ Karratha WA: DA09 Landscape Plan: Revision 1 – Dated Jan 2019

HJ Karratha WA: DA10 External Finishes Schedule: Revision 1 – Dated Jan 2019

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 development 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. Prior to the development becoming operational, Cockatoo Road being constructed to the satisfaction of the City of Karratha.
3. Prior to the development becoming operational all parking, vehicle access and manoeuvring areas are to be sealed, line marked, kerbed, drained and thereafter maintained to the satisfaction of the City of Karratha.
4. Prior to works beginning on site detailed plans outlining vehicle access at the Bathgate Road crossover entry are to be submitted to and approved by the City of Karratha.
5. Prior to construction of accessible parking bays on site, revised plans of these parking bays shall be submitted to and approved by the City of Karratha.
6. Prior to earthworks beginning on site a revised Stormwater Management Plan is to be submitted to and approved by the City of Karratha. The approved Stormwater Management Plan is to be implemented in accordance with the plan and drainage is to be maintained at all times the development is operational.
7. Prior to installation of external lighting, an External Lighting Plan is to be submitted to and approved by the City of Karratha. All external lighting is to be installed prior to the development becoming operational and thereafter be maintained in accordance with the approved External Lighting Plan.
8. Prior to the development becoming operational, a detailed landscape plan shall be submitted to and approved by the City of Karratha. Landscaping is to be planted and installed in accordance with the approved plan and ongoing maintenance of the landscaping within the site and the future Drainage Reserve, is to be undertaken by the proponent to the satisfaction of the City of Karratha.
9. Prior to installation of the monolith pylon sign marked as P1 on the approved plan: Proposed Signage Plan & Elevations: Drawing No.DA05: Revision A - Dated 29/03/19, revised plans are to be submitted to and approved by the City of Karratha.
10. Prior to the development becoming operational a Noise Management Plan is to be submitted to and endorsed by the City of Karratha. The Noise Management Plan is to be implemented by the proponent at all times the development is operational.
11. Prior to the development becoming operational an Operational Environmental Management Plan is to be submitted to and approved by the City of Karratha. The Operational Environmental Management Plan is to be implemented by



the proponent at all times the development is operational.

12. Prior to construction beginning on site, a Construction Environmental Management Plan is to be submitted to and approved by the City of Karratha. The Construction Environmental Management Plan is to be implemented by the proponent for the duration of the construction phase of the development.
13. Prior to construction of the buildings beginning on site, a detailed schedule and/or plans of external cladding materials and colours is to be submitted to and approved by the City of Karratha.
14. With respect to parking in the future Drainage Reserve (Lot 8001), the proponent is to enter into an appropriate agreement with the City of Karratha that allows the 49 parking bays in this location to be used by the public and requires the proponent to maintain these bays and associated landscaping.
15. Arrangements being made to the satisfaction of the City of Karratha to allow for vehicle and pedestrian access to be provided between the development and future approved adjoining development to the north of the site.

Advice Notes

- a) With respect to the accessible parking bays, all bays are to be designed to Australian Standard AS 2890.6.
- b) With respect to the vehicle entry from Bathgate Road, revised plans are to provide sufficient detail to show that safe traffic movement can be achieved taking into consideration variations between the levels of the site to that of the road verge.
- c) With respect to providing access to future development to the north of the site, it would be the responsibility of a future developer of the adjacent land to the north to design any connection and undertake the works at their cost.
- d) With respect to the External Lighting Plan, the plan is to include consideration and provision of the following:
 - i. External light spill from all components of the development, including potential impacts on surrounding existing residential properties, future residents of the greater Tambrey Neighbourhood Centre and traffic on nearby Dampier and Bathgate Roads. The plan is expected to provide mitigation measures where required.
 - ii. The physical form/appearance of lighting installations (e.g. light poles). It is expected the Plan provide details of all proposed external lighting installations.

REASON: In accordance with details contained in the Responsible Authority Report and Amending Motion.

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



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

- 9.1** Property Location: Lot 500 Madigan Road, Stove Hill
Development Description: Workforce Accommodation
Proposed Amendments: Form 2.3 - Amendment to Condition 3 and 22 of the original decision
Applicant: RFF Pty Ltd
Owner: Eradu Pty Ltd
Responsible Authority: City of Karratha
DAP File No: DP/13/00062

REPORT RECOMMENDATION

Moved by: Cr Grant Cucel

Seconded by: Mr Vernon Butterly

That the Kimberley/Pilbara/Gascoyne JDAP resolves to:

1. **Refuse** DAP Application reference DP/13/00062 and accompanying plans (Attachment 2) 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 for the following reasons:

Reasons

1. The proponent has not specified a construction project associated with the proposed development, as required by Council Workforce Accommodation Policy DP10;
2. The proponent has not made substantial progress towards implementing the development, as specified by the Kimberley/Pilbara/Gascoyne Joint Development Assessment Panel as one of the criteria for determining whether extensions to the substantially commenced period should be approved; and
3. The planning framework has changed through Council adopting Amendment No.39 for final approval, which would make Workforce Accommodation a use not permitted in the Rural Residential zone that applies to the portion of Lot 500 subject of the proposed expansion.

The Report Recommendation was put and CARRIED (3/2).

For: Mr Vernon Butterly
Cr Grant Cucel
Cr Evette Smeathers

Against: Ms Samantha Thompson
Mr Patrick Dick

REASON: In accordance with details contained in the Responsible Authority Report.



10. Appeals to the State Administrative Tribunal

Nil

11. General Business / Meeting Close

The A/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 A/Presiding Member declared the meeting closed at 11.08AM.

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