



Minutes of the Wheatbelt Joint Development Assessment Panel

Meeting Date and Time: 23 January 2015; 12pm
Meeting Number: WJDAP/5
Meeting Venue: Shire of Wickepin

Attendance

DAP Members

Mr David Gray (Presiding Member)
Mr Terence Tyzack (Specialist Member)
Cr Allan Lansdell (Local Government Member, Shire of Wickepin)
Cr Julie Russell (Local Government Member, Shire of Wickepin)

Officers in attendance

Mr Mark Hook (Shire of Wickepin)

Local Government Minute Secretary

Ms Leah Pearson (Shire of Wickepin)

Applicant and Submitters

Alf Baker (WA Kaolin Holdings)

Members of the Public

Mr Steven Martin (President, Shire of Wickepin)

1. Declaration of Opening

The Presiding Member, Mr David Gray declared the meeting open at 12.01pm on 23 January 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

Mr Robert Fenn

3. Members on Leave of absence

Nil

4. Noting of minutes

Minutes of the Wheatbelt JDAP meeting No.4 held on 3 September 2014 were noted by DAP members.

5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

6. Disclosure of interests

Member/Officer	Report Item	Nature of Interest
Mr Robert Fenn	8.1	Impartiality Interest

Mr Fenn, works for LandCorp and has been requested by the Shire of Wickepin to examine the possibility of creating residential lots in the Wickepin town site under the Regional Development Assistance Program to support economic growth in the region. That work also involves the examination of residential and industrial lot development opportunities in the adjacent towns of Narrogin, Wagin, Williams, Pingelly, Popanyinning, Brookton, and Lake Grace.

7. Deputations and presentations

The Presiding Member asked the applicant's representative if he had any questions.

The Presiding Member asked Mr Alf Baker WA Kaolin if there had been discussions with Western Power and the Water Corporation in relation to the individual capacities for the proposed Kaolin Mine. Mr Baker advised that they are in discussion with Western Power and the Water Corporation in relation to the needs for the Kaolin Mine.

The Presiding Member asked Mr Alf Baker WA Kaolin about the rail option. Mr Baker replied that they are currently in discussion with Brookfield Rail regarding access to the Tier 3 Rail Network.



8. Form 1 - Responsible Authority Reports – DAP Application

8.1	Property Location:	Lots 1, 8798 Line Road & Lot 7495 Sparks Road, East Wickepin
	Application Details:	Kaolin Processing Plant, Production Storage & Degritting Plant
	Applicant:	WA Kaolin Holdings Pty Ltd
	Owner:	Alf Baker
	Responsible authority:	Shire of Wickepin
	DoP File No:	DAP/14/00685

Moved by: Mr Terence Tyzack

Seconded by: Cr Julie Russell

That the Wheatbelt JDAP resolves to receive the Responsible Authority Report.

Officer Recommendation:

Recommendation:

That Council advise the Development Assessment Panel of its support for the WA Kaolin Mine Proposal with a request for it to approve the application for:

- (a) A kaolin mine and degritting plant on Lot 14431 on Deposited Plan 155015;
- (b) A processing plant, storage facility but excluding evaporation ponds on Lot 8798 on Plan 132472 and Lot 1 on Diagram 92042;

Voting Requirements: Simple majority

Conditions / Reasons

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.

subject to:

1. The transport route from the mine site/degritting plant and the WRS through the Shire to be determined and the plans for its upgrading be agreed to the Council's satisfaction;
2. A method agreed by which contributions to road upgrading/maintenance are established;
3. A landscaping/revegetation plan to be prepared to the satisfaction of the local authority;
4. A legal agreement between the applicant and the Shire to be entered into in accordance with the commitments made by the applicant in Attachment No. 9 to the Shire's planning report in respect to:
 - Environmental management;
 - Rehabilitation;
 - Noise management; and



- Including commitments to ensure farm access and access to stock watering points for adjoining farm areas.

Advice Notes

Alternate Recommendation: Nil

REPORT RECOMMENDATION / PRIMARY MOTION

ALTERNATE RECOMMENDATION

Moved by: Cr Julie Russell

Seconded by: Cr Allan Lansdell

That the Wheatbelt JDAP resolves to insert the following preamble specification of approval:

Approve DAP Application reference DAP/14/000685 and accompanying plans date stamped received 20 August 2014 for development of:

- a kaolin mine and de-gritting plant on Lot 14431 (DP 155015); and
- a processing plant and storage facility but excluding evaporation ponds on Lot 8798 (P 132472) and Lot 1 (D 92042);

in accordance with the Shire of Wickepin Local Planning Scheme No. 4, subject to the following conditions

REASON: To specify the subject land and proposed development.

The Alternate Recommendation was put and CARRIED UNANIMOUSLY.

Moved by: Cr Allan Lansdell

Seconded by: Mr Terence Tyzack

That Conditions 1-4 of the Officer's Recommendation be replaced with the following conditions 1-6;

Conditions:

1. Prior to application for a building permit a landscaping/revegetation plan for each site is to be submitted to and approved by the Shire; the landscaping plan is to be implemented and the landscaping maintained throughout the life of the development to the satisfaction of the Shire.
2. Prior to application for a building permit the applicant is to submit the following for the approval of the Shire:
 - (a) an environmental management plan for the development to the satisfaction of the Shire; and
 - (b) a site Rehabilitation Plan for the subject sites to the satisfaction of the Shire.



3. Access crossovers onto dedicated roads shall be located, designed, constructed, and maintained to the satisfaction of the Shire. Details of the access crossovers shall be submitted to the Shire for assessment and approval prior to application for a Building Permit.
4. All outdoor lighting is to be confined at all times to the land in accordance with the requirements of Australian Standard AS 4282—1997, *Control of the obtrusive effects of outdoor lighting*.
5. Storage of chemicals and liquids shall be within bunded impervious areas capable of containing any spillages and be connected to an appropriate treatment and disposal system.
6. A detailed Dust Management Plan shall be submitted to and approved by the Shire, prior to any works commencing on-site and compliance with the plan must be achieved at all times.

REASON: For consistency and clarity.

The Alternate Recommendation was put and CARRIED UNANIMOUSLY.

Moved by: Cr Julie Russell

Seconded by: Cr Allan Lansdell

That the following advice notes 1-7 be inserted;

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. This Approval relates to the details provided in the application; a new application for Planning Approval must be submitted to the Shire to undertake the development in a different manner to that stated in the application.
3. The applicant is reminded of the requirements to comply at all times with the *Environmental Protection (Noise) Regulations 1997*.
4. This is a Planning Approval only and does not remove the responsibility of the applicant/owner to comply with all relevant building, health, and engineering requirements of the Shire, or with any requirements of the Shire's Local Planning Scheme No. 4. A building permit is required prior to the commencement of any works associated with the development.
5. The Shire should be consulted if there are any questions relating to the requirements of this approval, or the planning controls applicable to the land and/or location.
6. The development is to comply with the requirements of the National Construction Code. In this regard, it is recommended the applicant consult the Shire's Building Surveyor prior to the commencement of working drawings.



7. The applicant should ensure that the proposed development complies with all other relevant legislation, including but not limited to, the *Environmental Protection Act 1986* and Regulations, and *Dangerous Goods Safety Act 2004* and Regulations.

REASON: For consistency and clarity

The Alternate Recommendation was put and CARRIED UNANIMOUSLY.

PRIMARY MOTION (AS AMENDED)

That the Wheatbelt JDAP resolves to:

Approve DAP Application reference DAP/14/000685 and accompanying plans date stamped received 20 August 2014 for development of:

- (i). a kaolin mine and de-gritting plant on Lot 14431 (DP 155015); and
- (ii). a processing plant and storage facility but excluding evaporation ponds on Lot 8798 (P 132472) and Lot 1 (D 92042);

in accordance with the Shire of Wickepin Local Planning Scheme No. 4, subject to the following conditions

Conditions:

1. Prior to application for a building permit a landscaping/revegetation plan for each site is to be submitted to and approved by the Shire; the landscaping plan is to be implemented and the landscaping maintained throughout the life of the development to the satisfaction of the Shire.
2. Prior to application for a building permit the applicant is to submit the following for the approval of the Shire:
 - (a) an environmental management plan for the development to the satisfaction of the Shire; and
 - (b) a site Rehabilitation Plan for the subject sites to the satisfaction of the Shire.
3. Access crossovers onto dedicated roads shall be located, designed, constructed, and maintained to the satisfaction of the Shire. Details of the access crossovers shall be submitted to the Shire for assessment and approval prior to application for a Building Permit.
4. All outdoor lighting is to be confined at all times to the land in accordance with the requirements of Australian Standard AS 4282—1997, *Control of the obtrusive effects of outdoor lighting*.
5. Storage of chemicals and liquids shall be within bunded impervious areas capable of containing any spillages and be connected to an appropriate treatment and disposal system.



6. A detailed Dust Management Plan shall be submitted to and approved by the Shire, prior to any works commencing on-site and compliance with the plan must be achieved at all times.

Advice Notes

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. This Approval relates to the details provided in the application; a new application for Planning Approval must be submitted to the Shire to undertake the development in a different manner to that stated in the application.
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6. The development is to comply with the requirements of the National Construction Code. In this regard, it is recommended the applicant consult the Shire's Building Surveyor prior to the commencement of working drawings.
7. The applicant should ensure that the proposed development complies with all other relevant legislation, including but not limited to, the *Environmental Protection Act 1986* and Regulations, and *Dangerous Goods Safety Act 2004* and Regulations.

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

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

Nil

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 12.29pm.