



Minutes of the Metro North-West Joint Development Assessment Panel

Meeting Date and Time: 7 November 2017; 3:00pm
Meeting Number: MNWJDAP/191
Meeting Venue: City of Wanneroo Lechenaultia Meeting Room
23 Dundobar Road
Wanneroo

Attendance

DAP Members

Mr Karen Hyde (Presiding Member)
Mr Ray Haeren (Deputy Presiding Member)
Mr Jason Hick (A/Specialist Member)
Cr Christine Hamilton-Prime (Local Government Member, City of Joondalup)
Cr Philippa Taylor (Local Government Member, City of Joondalup)
Cr Russell Driver (Local Government Member, City of Wanneroo)
Cr Frank Cvitan JP (Local Government Member, City of Wanneroo)

Officers in attendance

Mr Alex Campbell (Department of Planning, Lands and Heritage)
Mr Andrew Cook (Department of Planning, Lands and Heritage)
Mr Chris Leigh (City of Joondalup)

Minute Secretary

Ms Linda Easson (City of Wanneroo)

Applicants and Submitters

Mr Michael Kevill (TPG Town Planning, Urban Design and Heritage)

Members of the Public / Media

Nil

1. Declaration of Opening

The Presiding Member, Ms Karen Hyde declared the meeting open at 2:58pm on 7 November 2017 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 2017* 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 2017; 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 John Syme (Specialist Member)

3. Members on Leave of Absence

Panel member, Mr John Syme has been granted leave of absence by the Director General for the period of 25 October 2017 to 24 November 2017 inclusive.

4. Noting of Minutes

Minutes of the Metro North-West JDAP meeting No. 189 held on 30 October 2017 and meeting No. 190 held on 1 November 2017 were not available for noting at the time of meeting.

5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

6. Disclosure of Interests

Panel member, Mr Jason Hick, declared an impartiality interest in item 8.1a and item 8.1b. Emerge Environmental Services Pty Ltd is included on a panel of environmental consultants who undertake commercial fee paying consultancy work for the Water Corporation. Mr Hick is a shareholder, director and employee of Emerge Environmental Services however neither Emerge nor Mr Hick have been personally involved with DAP/17/01228 or broader proposal being considered.

In accordance with section 4.6.1 and 4.6.2 of the Standing Orders 2017, the Presiding Member determined that the member listed above, who had disclosed an impartiality interest, was permitted to participate in discussion and voting on the items.

7. Deputations and Presentations

Nil

8. Form 1 – Responsible Authority Reports – DAP Applications

8.1a Property Location:	Various Lots
Application Details:	Public Utility (underground pipeline, supporting infrastructure and two recharge stations)
Applicant:	TPG Town Planning, Urban Design and Heritage
Owner:	Various Landowners
Responsible Authority:	WAPC
DAP File No:	DAP/17/01228



REPORT RECOMMENDATION

Moved by: Cr Philippa Taylor **Seconded by:** Cr Christine Hamilton-Prime

That the Metro North-West Joint Development Assessment Panel resolves to:

1. **Approve** DAP Application reference number DAP/17/01228 and accompanying plans (**Attachment 1**) date-stamped 14 September 2017 by the Department of Planning, Lands and Heritage, on behalf of the Western Australian Planning Commission, in accordance with Clause 30(1) of the *Metropolitan Region Scheme*, subject to the following conditions:

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. This development relates specifically to the Public Utility (underground pipeline, supporting infrastructure and two recharge stations) associated with Stage 2 of the Water Corporation Ground Water Replenishment Scheme as indicated on the attached plans date stamped 14 September 2017 by the Department of Planning, Lands and Heritage.
3. Disturbed landscape shall be returned to its pre-excavation condition as far as practical.
4. The Water Corporation entering into a Deed of Indemnity with the Western Australian Planning Commission (WAPC) indemnifying the WAPC against any and all claims arising from the use of the WAPC's land for construction purposes.
5. All stormwater shall be collected and retained on site and erosion shall be managed so that sand is not deposited on road reserves.
6. The proponent shall ensure that any damage to a local government owned or managed asset is remediated, to the specification of the City of Joondalup or the City of Wanneroo as applicable.
7. Where the proposed Groundwater Pipeline is located outside of existing easement boundaries or road reserves, easements in accordance with Sections 195 and 196 of the Land Administration Act 1997, for the benefit of the Water Corporation, are to be placed on the certificate(s) of title. The easement(s) shall specify access rights, and be included on the diagram or plan of survey (deposited plan).
8. A work site traffic management plan being submitted to and approved by the City of Joondalup prior to the commencement of development. The management plan shall detail the following:
 - a) construction work sites;
 - b) barrier treatments; and
 - c) road closures and detours.



The plan shall be submitted to the City of Joondalup for approval a minimum of two weeks prior to the commencement of construction activities.

Advice Notes

1. ATCO Gas Australia has High Pressure gas mains and Medium Pressure gas mains within the area of this development application. ATCO Gas must be notified of any works within 15 metres of High Pressure gas infrastructure before those works begin. Construction, excavation and other activities may be restricted in this zone. No pavements (including crossovers) are to be constructed over the pipeline without consent from ATCO Gas Australia. Various pipeline safety tests may apply. The applicant is advised to contact ATCO on 9499 5272 in this regard.

Anyone proposing to carry out construction or excavation works must contact 'Dial Before You Dig' (Ph 1100) to determine the location of buried gas infrastructure.

2. The proposal is located within the Perth Groundwater Area proclaimed under the Rights in Water and Irrigation Act 1914 where a licence to take water for dewatering and construction purposes may be required. The proponent is therefore encouraged to contact the Department of Water and Environmental Regulation's Business Support Unit on 1800 508 885 to discuss licensing options.
3. The proposed development is to be carried out in accordance with the implementation conditions and procedures outlined in the Minister for Environment Statement No. 1065.
4. The City of Joondalup requests copies of the following details prior to the commencement of construction works:
 - Confirmation that approvals under the Environmental Protection Act 1986 and the Environmental Protection and Biodiversity Act 1999 have been obtained; and
 - The Acid Sulphate Soils and Dewatering Management Plan, Rehabilitation Plans and the Construction Environmental Management Framework and Plans are provided to the City.
5. With respect to local government owned or managed assets, the City of Joondalup requests the details of reinstatement standards and construction practices, including but not limited to:
 - The details of the road pavement finish, concrete kerbing, compaction and bitumen resurfacing, to be in accordance with relevant Australian Standards and City of Joondalup guidelines;
 - Construction drawings outlining the location of the proposed pipeline alignment, road carriageway, kerbing, road drainage systems, traffic islands, roundabouts and road pavement markings. The extent of road resurfacing will be required for the approval of the City prior to works commencing.
 - The details of the reinstatement of intersections and road sections including kerbing, road drainage, traffic islands, roundabouts and road pavement markings, to the satisfaction of the City.



- As-constructed drawings detailing the location of intersection and road carriageway treatments including traffic islands, storm water drainage and road pavement markings.
6. Main Roads Western Australia advise the applicant/landowner to:
- i. search and check for conflicting service infrastructure before construction commences.
 - ii. be advised that any future relocation or modification to this proposed pipeline as a result of road infrastructure works within a primary or other regional road reserve will be at the cost of the applicant.
 - iii. obtain approval from Main Roads before all works are undertaken within the Mitchell Freeway and Wanneroo Road reservations. The applicant seeking access to the Main Roads network will be required to submit an application as outlined in the "Application Kit and Guidelines" for state roads. Application Kits can be found on the Main Roads website.
 - iv. make good any damage to the existing verge vegetation within the road reserve.
 - v. consult with Main Roads Western Australia Infrastructure Delivery Directorate regarding:
 - a) the timing of the works for site access and interfacing with traffic management;
 - b) where the pipeline is within the Wanneroo Road reserve, the pipeline shall be located in the standard services corridor or as close as practical to the road reserve boundary; and
 - c) the exact depth of the horizontal drilling and will undertake all of the service protection requirements necessary to facilitate construction activities along Joondalup Drive and Wanneroo Road.
7. The City of Joondalup has requested that a project communication plan, outlining stakeholder management and resident notification is to be provided to the City prior to works commencing.
8. If archaeological artefacts are discovered, work is to stop, and Heritage Services, Department of Planning, Lands and Heritage is to be contacted for advice.

AMENDING MOTION

Moved by: Cr Philippa Taylor **Seconded by:** Mr Jason Hick

To amend Advice Note 8 to include additional wording to read as follows:

The applicant is reminded of the obligations afforded to Aboriginal Heritage Sites by the Aboriginal Heritage Act (1972) and any disturbance of a registered site would require approval under the legislation.

If archaeological artefacts are discovered, work is to stop, and Heritage Services, Department of Planning, Lands and Heritage is to be contacted for advice.



REASON: To ensure the applicant is made aware of the requirements under legislation relating to Aboriginal Heritage Sites.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REPORT RECOMMENDATION (AS AMENDED)

That the Metro North-West Joint Development Assessment Panel resolves to:

1. **Approve** DAP Application reference number DAP/17/01228 and accompanying plans (**Attachment 1**) date-stamped 14 September 2017 by the Department of Planning, Lands and Heritage, on behalf of the Western Australian Planning Commission, in accordance with Clause 30(1) of the *Metropolitan Region Scheme*, subject to the following conditions:

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. This development relates specifically to the Public Utility (underground pipeline, supporting infrastructure and two recharge stations) associated with Stage 2 of the Water Corporation Ground Water Replenishment Scheme as indicated on the attached plans date stamped 14 September 2017 by the Department of Planning, Lands and Heritage.
3. Disturbed landscape shall be returned to its pre-excavation condition as far as practical.
4. The Water Corporation entering into a Deed of Indemnity with the Western Australian Planning Commission (WAPC) indemnifying the WAPC against any and all claims arising from the use of the WAPC's land for construction purposes.
5. All stormwater shall be collected and retained on site and erosion shall be managed so that sand is not deposited on road reserves.
6. The proponent shall ensure that any damage to a local government owned or managed asset is remediated, to the specification of the City of Joondalup or the City of Wanneroo as applicable.
7. Where the proposed Groundwater Pipeline is located outside of existing easement boundaries or road reserves, easements in accordance with Sections 195 and 196 of the Land Administration Act 1997, for the benefit of the Water Corporation, are to be placed on the certificate(s) of title. The easement(s) shall specify access rights, and be included on the diagram or plan of survey (deposited plan).
8. A work site traffic management plan being submitted to and approved by the City of Joondalup prior to the commencement of development. The management plan shall detail the following:



- a) construction work sites;
- b) barrier treatments; and
- c) road closures and detours.

The plan shall be submitted to the City of Joondalup for approval a minimum of two weeks prior to the commencement of construction activities.

Advice Notes

1. ATCO Gas Australia has High Pressure gas mains and Medium Pressure gas mains within the area of this development application. ATCO Gas must be notified of any works within 15 metres of High Pressure gas infrastructure before those works begin. Construction, excavation and other activities may be restricted in this zone. No pavements (including crossovers) are to be constructed over the pipeline without consent from ATCO Gas Australia. Various pipeline safety tests may apply. The applicant is advised to contact ATCO on 9499 5272 in this regard.

Anyone proposing to carry out construction or excavation works must contact 'Dial Before You Dig' (Ph 1100) to determine the location of buried gas infrastructure.

2. The proposal is located within the Perth Groundwater Area proclaimed under the Rights in Water and Irrigation Act 1914 where a licence to take water for dewatering and construction purposes may be required. The proponent is therefore encouraged to contact the Department of Water and Environmental Regulation's Business Support Unit on 1800 508 885 to discuss licensing options.
3. The proposed development is to be carried out in accordance with the implementation conditions and procedures outlined in the Minister for Environment Statement No. 1065.
4. The City of Joondalup requests copies of the following details prior to the commencement of construction works:
 - Confirmation that approvals under the Environmental Protection Act 1986 and the Environmental Protection and Biodiversity Act 1999 have been obtained; and
 - The Acid Sulphate Soils and Dewatering Management Plan, Rehabilitation Plans and the Construction Environmental Management Framework and Plans are provided to the City.
5. With respect to local government owned or managed assets, the City of Joondalup requests the details of reinstatement standards and construction practices, including but not limited to:
 - The details of the road pavement finish, concrete kerbing, compaction and bitumen resurfacing, to be in accordance with relevant Australian Standards and City of Joondalup guidelines;
 - Construction drawings outlining the location of the proposed pipeline alignment, road carriageway, kerbing, road drainage systems, traffic islands, roundabouts and road pavement markings. The extent of road resurfacing will be required for the approval of the City prior to works commencing.



- The details of the reinstatement of intersections and road sections including kerbing, road drainage, traffic islands, roundabouts and road pavement markings, to the satisfaction of the City.
 - As-constructed drawings detailing the location of intersection and road carriageway treatments including traffic islands, storm water drainage and road pavement markings.
6. Main Roads Western Australia advise the applicant/landowner to:
- i. search and check for conflicting service infrastructure before construction commences.
 - ii. be advised that any future relocation or modification to this proposed pipeline as a result of road infrastructure works within a primary or other regional road reserve will be at the cost of the applicant.
 - iii. obtain approval from Main Roads before all works are undertaken within the Mitchell Freeway and Wanneroo Road reservations. The applicant seeking access to the Main Roads network will be required to submit an application as outlined in the "Application Kit and Guidelines" for state roads. Application Kits can be found on the Main Roads website.
 - iv. make good any damage to the existing verge vegetation within the road reserve.
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7. The City of Joondalup has requested that a project communication plan, outlining stakeholder management and resident notification is to be provided to the City prior to works commencing.
8. The applicant is reminded of the obligations afforded to Aboriginal Heritage Sites by the *Aboriginal Heritage Act (1972)* and any disturbance of a registered site would require approval under the legislation.

If archaeological artefacts are discovered, work is to stop, and Heritage Services, Department of Planning, Lands and Heritage is to be contacted for advice.

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

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



8.1b Property Location:	Various Lots (City of Wanneroo)
Application Details:	Public Utility (underground pipeline, supporting infrastructure and two recharge stations)
Applicant:	TPG Town Planning, Urban Design and Heritage
Owner:	Various Landowners
Responsible Authority:	WAPC
DAP File No:	DAP/17/01228

REPORT RECOMMENDATION

Moved by: Cr Russell Driver **Seconded by:** Cr Frank Cvitan

That the Metro North-West Joint Development Assessment Panel resolves to:

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AMENDING MOTION

Moved by: Ms Karen Hyde

Seconded by: Cr Russell Driver



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REASON: To ensure the applicant is made aware of the requirements under legislation relating to Aboriginal Heritage Sites.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REPORT RECOMMENDATION (AS AMENDED)

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If archaeological artefacts are discovered, work is to stop, and Heritage Services, Department of Planning, Lands and Heritage is to be contacted for advice.

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

The Report Recommendation (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 Section 7.3 of DAP Standing Order 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 Presiding Member declared the meeting closed at 3:15pm.