



Metro Outer Joint Development Assessment Panel Minutes

Meeting Date and Time: Wednesday, 11 May 2022; 9:30am
Meeting Number: MOJDAP/172
Meeting Venue: Electronic Means

This DAP meeting was conducted by electronic means (Zoom) open to the public rather than requiring attendance in person

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Mr Ian Birch
Presiding Member, Metro Outer JDAP



Attendance

DAP Members

Mr Ian Birch (Presiding Member)
Ms Sheryl Chaffer (Deputy Presiding Member)
Mr Jason Hick (Third Specialist Member)
Cr Chontelle Stone (Local Government Member, City of Cockburn)
Cr Tom Widenbar (Local Government Member, City of Cockburn)

Officers in attendance

Mr Sam Lissiman (Western Australian Planning Commission)
Mr Diarmuid O'Connor (Western Australian Planning Commission)
Ms Lucia Dunstan (City of Cockburn)
Mr Daniel Arndt (City of Cockburn)

Minute Secretary

Ms Megan Ventriss (DAP Secretariat)
Ms Ashlee Kelly (DAP Secretariat)

Applicants and Submitters

Mr Jarrod Ross (Taylor Burrell Barnett)
Mr Iain Appleby (Department of Transport)
Mr Matt Zuvella (Department of Transport)

Members of the Public / Media

Nil.

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:33am on 11 May 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 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 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.

This meeting was convened via electronic means (Zoom). Members were reminded to announce their name and title prior to speaking.

Mr Ian Birch
Presiding Member, Metro Outer JDAP



2. Apologies

Cr Phoebe Corke (Local Government Member, City of Cockburn)

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

Nil.

7. Deputations and Presentations

7.1 Mr Jarrod Ross (Taylor Burrell Barnett) addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

7.2 Mr Iain Appleby and Matt Zuvella (Department of Transport) addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

7.3 Mr Sam Lissiman (Western Australian Planning Commission) addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 Lot 50, 51, 61, 184, 185, 305, 501 and 502 Jervoise Bay Cove, Coogee

Development Description:	Bulk Earthworks
Applicant:	Taylor Burrell Barnett
Owner:	State of Western Australia (Department of Transport)
Responsible Authority:	Western Australian Planning Commission
DAP File No:	DAP/21/01956

Mr Ian Birch
Presiding Member, Metro Outer JDAP



REPORT RECOMMENDATION

Moved by: Cr Chontelle Stone

Seconded by: Ms Sheryl Chaffer

With the approval of the Mover and Seconder, the following amendment was made:

- (i) That Condition No. 9 be amended to read as follows:

Prior to commencement of works, a weed and rehabilitation management plan for the retained vegetation within the ~~precinct~~ site is to be prepared and approved to the satisfaction of the Western Australian Planning Commission, on the advice of the Department of Biodiversity, Conservation and Attractions. Works are to be carried out in accordance with the approved plan.

REASON: To clarify that the required management plan applies to the development site rather than the broader Woodman Point Regional Park area.

That the Metro Outer Joint Development Assessment Panel resolve to:

Approve Development Assessment Panel application reference DAP/21/01956 and the accompanying plan dated 11 April 2022 (**Attachment 2**), pursuant to clause 30(1) of the Metropolitan Region Scheme, subject to the following conditions:

Conditions

1. The development is to be carried out in accordance with the plan date stamped 11 April 2022 (attached) by the Department of Planning, Lands and Heritage subject to any modifications as required by the conditions of approval.
2. This decision constitutes planning approval only. If works have not substantially commenced within four years of this approval being granted, the approval shall lapse and be of no further effect.
3. Prior to the commencement of works, suitable arrangements are to be made with the Department of Jobs, Tourism, Science and Innovation for the granting of an easement over the existing pipeline corridor, to the benefit of Cockburn Cement Pty Ltd, to the satisfaction of the Western Australian Planning Commission.
4. Prior to the commencement of works, a revised site plan which identifies finished ground levels across the site is to be prepared and approved to the satisfaction of the Western Australian Planning Commission, on the advice of the City of Cockburn. Works are to be carried out in accordance with the approved plan.
5. Prior to the commencement of works, a construction management plan is to be prepared and approved to the satisfaction of the Western Australian Planning Commission, on the advice of the City of Cockburn. Works are to be carried out in accordance with the approved plan.
6. Prior to the commencement of works, a dust management plan is to be prepared and approved to the satisfaction of the Western Australian Planning Commission, on the advice of the City of Cockburn. Works are to be carried out in accordance with the approved plan.

Mr Ian Birch
Presiding Member, Metro Outer JDAP



7. Prior to the commencement of works, a stormwater management plan is to be prepared and approved to the satisfaction of the Western Australian Planning Commission, on the advice of the City of Cockburn and the Department of Water and Environmental Regulation. Works are to be carried out in accordance with the approved plan.
8. Prior to the commencement of works, a landscaping plan is to be prepared and approved to the satisfaction of the Western Australian Planning Commission, on the advice of the City of Cockburn. Works are to be carried out in accordance with the approved plan.
9. Prior to commencement of works, a weed and rehabilitation management plan for the retained vegetation within the site is to be prepared and approved to the satisfaction of the Western Australian Planning Commission, on the advice of the Department of Biodiversity, Conservation and Attractions. Works are to be carried out in accordance with the approved plan.
10. Other than the 7.8 hectares approved in Clearing Permit CPS 8737/1, no disturbance or clearing of native vegetation within Bush Forever area 341 is to occur, unless otherwise agreed to by the Department of Water and Environmental Regulation, to the satisfaction of the Western Australian Planning Commission.
11. No building materials, rubbish or other deleterious matter is to be deposited in the remaining portion of Bush Forever area 341 to the satisfaction of the Western Australian Planning Commission.
12. Uniform fencing, that is compatible with the natural environment, is to be provided along the boundary of the development and Bush Forever area 341 to the satisfaction of the Western Australian Planning Commission, and to the specifications of the Department of Biodiversity, Conservation and Attractions.
13. The premises shall be kept in a neat and tidy condition at all times by the owner/occupier to the satisfaction of the Western Australian Planning Commission, on the advice of the City of Cockburn.

Advice Notes

1. This decision constitutes planning approval under the Metropolitan Region Scheme only. It is the applicant's responsibility to comply with all other applicable legislation and obtain all required approvals, licences and permits prior to commencement of this development.
2. The Department of Biodiversity, Conservation and Attractions (DBCA) advises that an application to modify a threatened ecological community (*Callistris preissi/Melaleuca lanceolata* forests and woodland) is required under Section 45 of the *Biodiversity Conservation Act 2016*. The applicant is to liaise with DBCA in this regard.

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3. The works are proposed in the vicinity of the emergency outfall from the nearby Woodman Point Waste Water Treatment Plant. The applicant is advised to submit an 'Approval of Works' application to the Water Corporation for works proposed near Water Corporation assets. The applicant is required to fund the full cost of protecting or modifying any existing infrastructure which may be affected by the proposed works.
4. In regard to Condition 3, the applicant is advised to liaise with the Department of Jobs, Tourism, Science and Innovation and the Department of Planning, Lands and Heritage's Land Use Management division in relation to the granting of an easement.
5. With regard to Condition 5, the City of Cockburn advises that the construction management plan is to be prepared in accordance with the City's construction management plan guidelines and is to address the following:
 - a) access to and from the site;
 - b) delivery of materials and equipment to the site;
 - c) storage of materials and equipment on the site;
 - d) parking arrangements for contractors and subcontractors;
 - e) management of construction waste; and
 - f) other matters likely to impact on the surrounding properties.
6. With regard to Condition 5, the Department of Water and Environmental Regulation advises that due to the potential for development works to intercept soil contamination, the construction management plan should address the contamination status of the site and be developed in reference to the existing site management plan titled 'Woodman Point Boating Precinct – Site Management Plan' (AECOM, 16 September 2016).
7. With regard to Condition 6, the City of Cockburn advises that the detailed dust management plan is to comply with the City of Cockburn's "Guidelines for the Preparation of a Dust Management Plan for Development Sites within the City of Cockburn".
8. With regard to Condition 8, the City of Cockburn and the Department of Biodiversity, Conservation and Attractions advise that the landscaping plan is to address the following:
 - a) the location, number, size and species type of existing and proposed trees and shrubs, including calculations for the landscaping area;
 - b) the removal of *Casuarina equisetifolia*, a known weed species, from the plant schedule;
 - c) any lawns to be established;
 - d) any existing landscape areas to be retained;
 - e) those areas to be reticulated or irrigated; and
 - f) verge treatments.
9. With regard to Condition 9, the Department of Biodiversity, Conservation and Attractions recommends that the weed and rehabilitation management plan be implemented for a minimum period of five years and include weed mapping, weed and pest animal control, access control and interface management.

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10. The City of Cockburn advises that due to dust and sand release, bulk earthworks may be prohibited on site between 1 October and 31 March the following year in accordance with the City's Dust Management for Development Sites policy. The applicant is advised to liaise with the City's Health Services in this regard.
11. A Bushfire Management Plan has been prepared for the site (Entire Fire Management dated 21/12/2020), and this will need to be implemented during subsequent stages of planning and development, and during the ongoing operation of the precinct.
12. This site is located in an area which records confirm was used for military training but do not confirm that the site was used for live firing. No specific UXO contaminated site has been identified in the area and no UXO has been recovered from the site. However, a possibility still exists that UXO may be found on this site. The applicant is advised to contact police if a suspicious item that may be UXO is found. Further information can be found at www.defence.gov.au/uxo.
13. Main Roads Western Australia advises the landowner/applicant with regard to Cockburn Road:
 - a) temporary fencing is to be installed along the boundary of the development area and Cockburn Road to prevent access to/from the road reserve for the duration of works;
 - b) no stormwater drainage is to be discharged onto the road reserve;
 - c) the landowner/applicant shall make good any damage to the existing verge vegetation within the road reserve; and
 - d) no works are permitted within the Cockburn Road reserve, unless Main Roads has issued a Working on Roads permit

The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: The proposal facilitates implementation of the planned use of the site for recreational boating purposes. Key environmental matters and coordination with surrounding uses have been worked through with relevant authorities and landowners. Conditions of approval deal with sensitive natural environment issues.

9. Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval

Nil.

Mr Ian Birch
Presiding Member, Metro Outer JDAP



10. State Administrative Tribunal Applications and Supreme Court Appeals

The Presiding Member noted the following SAT Applications -

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/21/2047 DR257/2021	City of Swan	Lots 136 (26) & 3235 (34) Asturian Drive and Lots 137 (238) & 138 (230) Henley Street, Henley Brook	Proposed education facility	03/12/2021

11. General Business

The 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 Presiding Member declared the meeting closed at 9:50am.

Mr Ian Birch
Presiding Member, Metro Outer JDAP