



## Minutes of the Mid-West/Wheatbelt Joint Development Assessment Panel

**Meeting Date and Time:** 30 November 2017; 10am  
**Meeting Number:** MWWJDAP/21  
**Meeting Venue:** Department of Planning, Lands and Heritage  
140 William Street,  
Perth

### Attendance

#### DAP Members

Mr Paul Kotsoglo (Presiding Member)  
Mr Vernon Butterly (Deputy Presiding Member)  
Mr Jason Hick (Specialist Member) – *via teleconference*  
Cr Chris Connaughton (Local Government Member, Shire of Three Springs) – *via teleconference*  
Cr Richard Thorpe (Local Government Member, Shire of Three Springs) – *via teleconference*

#### Officers in attendance

Mr Nathan Stewart (Shire of Three Springs) – *via teleconference*  
Ms Sylvia Yandle (Shire of Three Springs) – *via teleconference*

#### Minute Secretary

Mr Phil Goodwin (Department of Planning, Lands and Heritage)

#### Applicant and Submitters

Mr Paul Bashall (Three Springs Solar Pty Ltd)

#### Members of the Public / Media

Nil

### 1. Declaration of Opening

The Presiding Member, Mr Paul Kotsoglo declared the meeting open at 10am on 30 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 DAP Standing Orders 2017 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.



## 2. Apologies

Nil

## 3. Members on Leave of Absence

Nil

## 4. Noting of Minutes

Minutes of the Mid-West/Wheatbelt JDAP meeting no.20 held on 12 October 2017 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 Nathan Stewart (Shire of Three Springs) answered questions from the panel.

7.2 Mr Paul Bashall (Three Springs Solar Pty Ltd) answered questions from the panel.

## 8. Form 1 – Responsible Authority Reports – DAP Application

8.1 Property Location:	Lots M761, M762, M763 and M764 on Plan 3086
Application Details:	Photovoltaic Solar Farm
Applicant:	Mr Paul Bashall, Planwest (WA) Pty Ltd
Owner:	Three Springs Solar Pty Ltd
Responsible Authority:	Shire of Three Springs
DAP File No:	DAP/17/01181

## REPORT RECOMMENDATION

**Moved by:** Mr Vernon Butterly

**Seconded by:** Cr Richard Thorpe

That the Mid-West / Wheatbelt Joint Development Assessment Panel resolves to:

1. **Approve** DAP Application reference DAP/17/01181 and accompanying plans (Attachment 1) in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Part 3, 4, 6 and Schedule 2 of the Shire of Three Springs Local Planning Scheme No. 2, subject to the following conditions as follows:

### 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. Prior to the issue of a building permit the Applicant is to provide an updated site plan for the approval of the local government which demonstrates the following:
    - a. a new access arrangement to Perenjori-Three Springs Road which is outside the 700m extent of the road verge containing Declared Rare Flora;
    - b. the location of the Water Main Easement within Lot M764; and
    - c. No development is to be shown within the Water Main Easement or so as to impede access to the Water Main Easement (i.e. boundary fencing) to the satisfaction of the local government.
  3. The development shall be undertaken in accordance with the stamped approved plans, including any amendments and additional plans and information arising from the approval conditions.
  4. Prior to the commencement of development a Landscape Plan shall be submitted to the local government for approval detailing landscaping and fencing to be provided along the perimeter of the site.
  5. Prior to the commencement of the use the landowner must implement the landscaping shown on the approved landscape plan. The landowner must thereafter maintain the landscaping to the satisfaction of the local government.
  6. A Construction Management Plan shall be submitted by the landowner to the local government for approval and approved prior to commencement of works. The Construction Management Plan should address noise, traffic and vehicle movements and parking, storage of materials, dust or any other matters considered relevant by the local government.
  7. The development shall be completed in accordance with the approved Construction Management Plan to the satisfaction of the local government.
  8. A Stormwater Management Plan is to be submitted by the landowner to the local government for approval and approved prior to the commencement of works.
  9. Prior to the commencement of use the recommendations of the Drainage Management Plan shall be implemented to the satisfaction of the local government.
  10. The design and location of on-site effluent systems is to be in accordance with Council requirements and any requirements of Local Planning Scheme No. 2.
  11. Prior to the commencement of the use the 12 car parking bays shall be constructed and marked out in accordance with Council requirements.
  12. Prior to the issue of a building permit the Applicant is to submit for the approval of the local government a Light Reflection and Emissions Management Plan. The Light Reflection and Emissions Management Plan



shall demonstrate how the proposed solar panels and lighting will not cause adverse off-site visual impacts to the surrounding properties and locality to the satisfaction of the local government.

13. The development shall be completed in accordance with the approved Light Reflection and Emissions Management Plan to the satisfaction of the local government.
14. The Applicant is required to give at least 3 months notice to the local government if the proposed development is to cease operations and all solar panels and ancillary structures and infrastructure must be decommissioned and removed within two years of giving this notice, unless the local government agrees otherwise.

### Advice Notes

1. The Applicant is advised that granting of development approval does not constitute a building permit and that an application for relevant building permits must be submitted to the local government and be approved before any work requiring a building permit can commence on site.
2. The Applicant should be made aware that the proposed works are near an area of high risk. It is recommended that persons planning to build or undertake works in high risk areas near transmission or communication assets (including those listed above) act in a safe manner at all times and in accordance with all applicable legal and safety requirements (including the 'duty of care' under the laws of negligence, Worksafe requirements and guidelines, Australian Standards and Western Power policies and procedures).
3. As there are Aboriginal sites within the proposed solar energy facility, the Applicant is advised that they may have to submit a Section 18 under the *Aboriginal Heritage Act 1972*.
4. All people working and visiting the development are to have access to a sufficient supply of potable water that is of the quality specified under the *Australian Drinking Water Quality Guidelines 2004*.
5. The Applicant is advised that approval from the Department of Health is required for any on-site waste water treatment processes.
6. No work should be undertaken within the Perenjori-Three Springs road reserve between the Declared Rare Flora markers (approximately from the corner of Morawa-Three Springs Road and extending 700m east along Perenjori-Three Springs Road), including the installation of access points to the subject site.
7. If operations are proposed to cease, the landowner shall rehabilitate the site to the satisfaction of the local government to ensure that land can be used for rural purposes.



## AMENDING MOTION

**Moved by:** Cr Chris Connaughton

**Seconded by:** Mr Jason Hick

(i) To amend Condition 12 to read as follows:

*Prior to the issue of a building permit the Applicant is to submit for the approval of the local government a Light Reflection and Emissions Management Plan **and a Visual Impact Assessment as per the Western Australian Planning Commission guidelines.** The Light Reflection and Emissions Management Plan shall demonstrate how the proposed solar panels and lighting will not cause adverse off-site visual impacts to the surrounding properties and locality to the satisfaction of the local government.*

**REASON:** To provide clarity to all parties in the determination of the application.

(ii) To include a new Advice Note to read as follows:

*The development sites lots should be amalgamated prior to use.*

**REASON:** Given the access to the land and the facilities including car parking for services which would be provided the whole development, and components of the development traverses boundaries, the JDAP resolved to apply the advice note to ensure appropriate notification is provided to all parties of the requirement.

(iii) To include a new Advice Note to read as follows:

*The applicant is advised the Storm Water Management Plan should demonstrate that adequate flood protection from a 1 in 100 year ARI event is in place and that the concentration of run off generated by the solar panels can be appropriately managed.*

**REASON:** The advice note was applied to ensure the storm water management plan addresses key components identified by the JDAP as essential components of the storm water and its nature, which were regarded to be essential for any such plans.

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

## REPORT RECOMMENDATION (AS AMENDED)

That the Mid-West / Wheatbelt Joint Development Assessment Panel resolves to:

1. **Approve** DAP Application reference DAP/17/01181 and accompanying plans (Attachment 1) in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Part 3, 4, 6 and Schedule 2 of the Shire of Three Springs Local Planning Scheme No. 2, subject to the following conditions as follows:



## 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. Prior to the issue of a building permit the Applicant is to provide an updated site plan for the approval of the local government which demonstrates the following:
  - a. a new access arrangement to Perenjori-Three Springs Road which is outside the 700m extent of the road verge containing Declared Rare Flora;
  - b. the location of the Water Main Easement within Lot M764; and
  - c. No development is to be shown within the Water Main Easement or so as to impede access to the Water Main Easement (i.e. boundary fencing) to the satisfaction of the local government.
3. The development shall be undertaken in accordance with the stamped approved plans, including any amendments and additional plans and information arising from the approval conditions.
4. Prior to the commencement of development a Landscape Plan shall be submitted to the local government for approval detailing landscaping and fencing to be provided along the perimeter of the site.
5. Prior to the commencement of the use the landowner must implement the landscaping shown on the approved landscape plan. The landowner must thereafter maintain the landscaping to the satisfaction of the local government.
6. A Construction Management Plan shall be submitted by the landowner to the local government for approval and approved prior to commencement of works. The Construction Management Plan should address noise, traffic and vehicle movements and parking, storage of materials, dust or any other matters considered relevant by the local government.
7. The development shall be completed in accordance with the approved Construction Management Plan to the satisfaction of the local government.
8. A Stormwater Management Plan is to be submitted by the landowner to the local government for approval and approved prior to the commencement of works.
9. Prior to the commencement of use the recommendations of the Drainage Management Plan shall be implemented to the satisfaction of the local government.
10. The design and location of on-site effluent systems is to be in accordance with Council requirements and any requirements of Local Planning Scheme No. 2.
11. Prior to the commencement of the use the 12 car parking bays shall be



constructed and marked out in accordance with Council requirements.

12. Prior to the issue of a building permit the Applicant is to submit for the approval of the local government a Light Reflection and Emissions Management Plan and a Visual Impact Assessment as per the Western Australian Planning Commission guidelines. The Light Reflection and Emissions Management Plan shall demonstrate how the proposed solar panels and lighting will not cause adverse off-site visual impacts to the surrounding properties and locality to the satisfaction of the local government.
13. The development shall be completed in accordance with the approved Light Reflection and Emissions Management Plan to the satisfaction of the local government.
14. The Applicant is required to give at least 3 months notice to the local government if the proposed development is to cease operations and all solar panels and ancillary structures and infrastructure must be decommissioned and removed within two years of giving this notice, unless the local government agrees otherwise.

#### **Advice Notes**

1. The Applicant is advised that granting of development approval does not constitute a building permit and that an application for relevant building permits must be submitted to the local government and be approved before any work requiring a building permit can commence on site.
2. The Applicant should be made aware that the proposed works are near an area of high risk. It is recommended that persons planning to build or undertake works in high risk areas near transmission or communication assets (including those listed above) act in a safe manner at all times and in accordance with all applicable legal and safety requirements (including the 'duty of care' under the laws of negligence, Worksafe requirements and guidelines, Australian Standards and Western Power policies and procedures).
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7. If operations are proposed to cease, the landowner shall rehabilitate the site to the satisfaction of the local government to ensure that land can be used for rural purposes.
8. The development sites lots should be amalgamated prior to use.
9. The applicant is advised the Storm Water Management Plan should demonstrate that adequate flood protection from a 1 in 100 year ARI event is in place and that the concentration of run off generated by the solar panels can be appropriately managed.

**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 11am.