



## Metro Outer Joint Development Assessment Panel Minutes

**Meeting Date and Time:** Thursday, 29 July 2021; 10.00am  
**Meeting Number:** MOJDAP/110  
**Meeting Venue:** Shire of Murray  
1915 Pinjarra Road, Pinjarra

### 1 Table of Contents

1.	Opening of Meeting, Welcome and Acknowledgement.....	2
2.	Apologies.....	2
3.	Members on Leave of Absence.....	3
4.	Noting of Minutes.....	3
5.	Declaration of Due Consideration.....	3
6.	Disclosure of Interests.....	3
7.	Deputations and Presentations.....	3
8.	Form 1 – Responsible Authority Reports – DAP Applications.....	4
8.1a	Lots 71, 72, 73 Corio Road, Ravenswood.....	4
8.1b	Lots 71, 72, 73 Corio Road, Ravenswood.....	8
9.	Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval.....	10
	Nil.....	10
10.	State Administrative Tribunal Applications and Supreme Court Appeals ...	10
11.	General Business.....	10
12.	Meeting Closure .....	10



## Attendance

### DAP Members

Mr Ian Birch (Presiding Member)  
Mr Tony Arias (A/Deputy Presiding Member)  
Mr John Syme (A/Third Specialist Member)  
Cr David Bolt (Local Government Member, Shire of Murray)  
Cr Casey Rose (Local Government Member, Shire of Murray)

### Officers in attendance

#### *Item 8.1a*

Mr Greg Delahunty (Shire of Murray)

#### *Item 8.1b*

Mr Arran Sutherland (Western Australian Planning Commission)

### Minute Secretary

Ms Mary-Ann Toner (Shire of Murray)

### Applicants and Submitters

Mr David Maiorana (Harley Dykstra)

### Members of the Public / Media

Nil.

## 1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:59am on 29 July 2021 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.

## 2. Apologies

Ms Sheryl Chaffer (Deputy Presiding Member)  
Mr Jason Hick (Third Specialist Member)

Mr Ian Birch  
Presiding Member, Metro Outer JDAP



### **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, Cr Casey Rose, declared an Impartiality Interest in item 8.1. Cr Rose purchased a roll of hay from the landowner in 2017. The landowner advertises hay for sale to general public on local social media pages.

DAP Member, Cr David Bolt, declared an Impartiality Interest in item 8.1. Cr Bolt has an association with a company that owns rural residential development land (SR35) situated approximately 2.5kms to the East of the proposed development under consideration.

In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2020, the Presiding Member determined that the members listed above, who have disclosed an Impartiality Interest, were permitted to participate in the discussion and voting on the item.

### **7. Deputations and Presentations**

**7.1** Mr David Woo (G & G Corp Pty Ltd) supplied a written submission to the DAP against the recommendation for the application at Item 8.1.

**7.2** Mr David Maiorana (Harley Dykstra) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.

**7.3** The Shire of Murray officers 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

### 8.1a Lots 71, 72, 73 Corio Road, Ravenswood

Development Description: Proposed Intensive Agriculture (Poultry farm)  
Applicant: Harley Dykstra Pty Ltd  
Owner: Teresa Anne & Robert John Clayton (Lots 71 & 72)  
Sprock Group Pty Ltd (Lot 73)  
Responsible Authority: Shire of Murray  
DAP File No: DAP/21/01966

### REPORT RECOMMENDATION

**Moved by:** Mr Tony Arias

**Seconded by:** Mr John Syme

That the Metro Outer Joint Development Assessment Panel resolves to:

**Approve** DAP Application reference DAP/21/01966 and accompanying plans:

- Development Site Plan, 22533-01, 17 June 2021
- Section Plan, 22533-04, 15 June 2021
- Fill Requirements Pod 1, 22533-05, 17 June 2021
- Fill Requirements Pod 2, 22533-06, 17 June 2021
- Planview and Elevations, Sheet 1/9, 2 February 2021
- Elevation and Schedule and Detail, Sheet 2/9, February 2021
- Section and Detail, Sheet 3/9, February 2021
- Overview, Sheet 4/9, February 2021
- TYP Portal Detail, Sheet 5/9, February 2021
- TYP Post Detail, Sheet 6/9, February 2021
- TYP Beam Detail, Sheet 7/9, February 2021
- TYP Coolcell Beam Detail, Sheet 8/9, February 2021
- Drop Post and General Notes, Sheet 9/9, February 2021

in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions the Shire of Murray *Local Planning Scheme No. 4*, subject to the following conditions:

### Conditions

1. This decision constitutes development approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.

Mr Ian Birch  
Presiding Member, Metro Outer JDAP



2. Prior to applying for a Building Permit, detailed engineering plans and specifications are to be submitted to and approved by the Local Government for the vehicle access points from Corio Road. The vehicle access points include the crossover, first 20 metres of driveway within the lot and the portion of Corio Road adjacent to the crossover.

The access points must be constructed in accordance with the approved plans prior to the occupation of the development.

3. Prior to applying for a Building Permit, arrangements must be made to the satisfaction of the Local Government for the amalgamation of lots 71, 72 and 73 Corio Road, Ravenswood into one Certificate of Title.

The amalgamation must be completed prior to occupation of the development.

4. The finished floor level of each poultry shed is to be at least two metres higher than the maximum ground water level of the site.

5. Prior to applying for a Building Permit, a Landscaping Plan to the satisfaction of the Local Government must be prepared and must include the following detail:

- (i) the location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area;
- (ii) any lawns to be established and areas to be mulched;
- (iii) any natural landscape areas to be retained; and
- (iv) those areas to be reticulated or irrigated.

The landscaping plan must be implemented in accordance with the approved landscape plan prior to the occupation of the development, and must be maintained at all times to the satisfaction of the Local Government for the duration of the development.

6. Prior to applying for a Building Permit, a Waste Management Plan must be submitted and include the following detail to the satisfaction of the Local Government:

- (i) the location of waste storage areas and waste collection areas;
- (ii) Sealed concrete floor pads to the poultry sheds and wash down water that is directed to a treatment system;
- (ii) the number, volume and type of bins, and the type of waste to be placed in the bins;
- (iii) management of the waste storage areas, including cleaning, rotation and moving waste to and from the collection areas;
- (iv) procedures for dealing with dead animals;
- (v) location for off-site waste disposal;
- (iv) contingencies actions in the event of a contamination event; and
- (iv) frequency of waste collection.

All works must be carried out in accordance with the approved Waste Management Plan and maintained at all times, for the duration of development.



7. Prior to applying for a Building Permit, a Stormwater Management Plan must be prepared by a suitably qualified engineer showing how stormwater will be contained on-site and those plans must be submitted to the Local Government for its approval.  
  
The approved plans must be implemented and all works must be maintained for the duration of the development.
8. The carpark must:
  - (i) provide a minimum of seven (7) spaces designed, constructed, sealed, kerbed, drained and marked in accordance with Australian/New Zealand Standard AS/NZS 2890.1:2004, Parking facilities, Part 1: Off-street car parking prior to applying for a Building Permit;
  - (ii) include one (1) car parking space(s) dedicated to people with disabilities, which are designed, constructed, sealed, kerbed, drained and marked in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009, Parking facilities, Part 6: Off-street parking for people with disabilities and which are linked to the main entrance of the development by a continuous accessible path of travel designed and constructed in accordance with Australian Standard AS 1428.1—2009, Design for access and mobility, Part 1: General Requirements for access—New building work;
  - (iii) be constructed, sealed, kerbed, drained and marked prior to the development being occupied and maintained thereafter; and
  - (iv) comply with the above requirements for the duration of the development.
9. Earthworks over the site associated with the development must be stabilised to prevent sand or dust blowing off the site, and appropriate measures must be implemented within the time and in the manner directed by the Local Government in the event that sand or dust is blown from the site.
10. Prior to the occupation of the development the owner responsibilities identified in section 5.1 of the Bushfire Management Plan prepared by Envision Bushfire Protection dated February 2021 are to be implemented to the satisfaction of the Local Government. Compliance with the requirements of this Bushfire Management Plan are required for the duration of the development.
11. The Management Strategies contained within the Environmental Assessment and Management Plan - Lots 71, 72 & 73 Corio Road, Ravenswood, prepared by Aurora Environmental dated 17 March 2021, are to be implemented to the satisfaction of the Local Government for the duration of the development.

### Advice Notes

1. With regard to the proposed vehicle access points, the Corio Road pavement will be required to be upgraded and sealed to accommodate the turning movements of the proposed service vehicles and the crossover and first 20 metres inside the lot constructed to a sealed standard.
2. The applicant is advised to contact Dial Before You Dig on 1100, or APA directly on [APAprotection@apa.com.au](mailto:APAprotection@apa.com.au) prior to undertaking any physical works on property containing or proximate to a pipeline.

**Mr Ian Birch**  
Presiding Member, Metro Outer JDAP



3. The applicant is to be advised that the proposal is located within the Peel-Harvey coastal plain catchment and the provision of the Environmental Protection (Peel Inlet– Harvey Estuary) Policy 1992 and the Statement of Planning Policy No 2.1, Peel- Harvey Coastal Plain Catchment (SPP 2.1) apply.
4. The proposed activity shall comply with the Environmental Code of Practice for Poultry Farms in Western Australia (Department of Environment, 2004) and Code of Practice for Poultry in Western Australia (Department of Agriculture and Department of Local Government and Regional Development, 2003).

This includes, but not limited to:

- shed location, design and construction including sealed concrete pads,
  - management of waste, litter and manure,
  - wash down water directed to treatment system,
  - storage and handling of toxic and hazardous substances, and
  - monitoring and reporting.
5. Under section 51C of the Environmental Protection Act 1986 (EP Act), clearing of native vegetation is an offence unless undertaken under the authority of a clearing permit, or the clearing is subject to an exemption. Exemptions for clearing that are a requirement of written law, or authorised under certain statutory processes, are contained in Schedule 6 of the EP Act. Exemptions for low impact routine land management practices outside of environmentally sensitive areas (ESAs) are contained in the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (the Clearing Regulations).

Proposed clearing outside of the ESA for the buildings is likely to be exempt under Regulation 5, Item 1, however should any clearing be required for the buildings located within the mapped ESA, a clearing permit would be required.

6. The subject area is located in the Murray groundwater area (Nambeelup subarea) as proclaimed under the Rights in Water and Irrigation Act 1914. Any groundwater abstraction in this proclaimed area for purposes other than domestic and/or stock watering taken from the superficial aquifer, is subject to licensing by the Department including water to irrigate paddocks.
7. The applicant is advised to assess and mitigate potential accidental pesticide spray drift from the vegetable farm immediately south of the proposed sheds.
8. The proposal is required to comply with Australian Standard 4465: 2006 – Australian Standard for Construction of Premises and Hygienic Production of Poultry Meat for Human Consumption.

The proponents are required to: provide a scale drawing of the premises showing all fittings, amenities and surrounds; to be audited by the Department of Health for compliance with AS 4465: 2006; and ensure parties responsible for managing the Food Safety Plan are trained in HACCP procedures.

9. The applicant is advised that the Department of Health is to conduct a building assessment prior to commencement of production.



10. No works within the Parmelia Pipeline easement are to be commenced without an APA Group representative onsite.
11. No stockpiles or storage of material is permitted on the Parmelia Pipeline easement at any time.
12. All plans which include the area of the Parmelia Pipeline easement should have the pipeline easement clearly identified with hatching. The area must also be clearly labelled as 'high pressure gas pipeline right of way – no works to occur without the prior authorisation of the pipeline operator'.

**The Report Recommendation was put and CARRIED UNANIMOUSLY.**

**REASON:** As outlined in the Responsible Authority Report, the proposed use is consistent with the Rural zoning of the land and having been subject to comprehensive assessment against all planning as well as environmental and amenity requirements associated with the establishment of an intensive poultry farm, including referral to relevant government regulatory authorities, the application is considered to be compliant and can be approved. Various measures/strategies, supported by conditions of approval, are identified to mitigate against any undue impact the surrounding area.

**8.1b Lots 71, 72, 73 Corio Road, Ravenswood**

Development Description:	Intensive Agriculture - Expansion of poultry farm
Applicant:	Harley Dykstra Pty Ltd
Owner:	Teresa Anne & Robert John Clayton Sprock Group Pty Ltd
Responsible Authority:	Western Australian Planning Commission
DAP File No:	DAP/21/01966

**REPORT RECOMMENDATION**

**Moved by:** Mr Tony Arias

**Seconded by:** Cr Casey Rose

That the Metro Outer Joint Development Assessment Panel resolves to:

1. **Approve** DAP Application reference DAP/21/01966 and accompanying modified plans date stamped **17 June 2021** by the Department of Planning, Lands and Heritage (22533-02, rev D; 22533-01, rev F; 22533-04, rev B; 22533-03, rev A; 22533-05, rev B and 22533-06, rev A) in accordance the provisions of Clause 21 of the Peel Region Scheme subject to the following conditions:

**Conditions**

1. This decision constitutes planning approval only and is valid for a period of four years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.

**Mr Ian Birch**  
Presiding Member, Metro Outer JDAP





2. All stormwater is to be contained and disposed of on-site at all times, to the specification of the Shire of Murray and to the satisfaction of the Western Australian Planning Commission.
3. All recommendations and implementation measures identified in section 6 of the bushfire management plan (version 2, prepared by Envision Bushfire Protection, dated 27 February 2021) shall be satisfactorily implemented prior to the occupation of the development, and for the ongoing duration of the development, to the specification of the Shire of Murray and to the satisfaction of the Western Australian Planning Commission.

### **Advice Notes**

1. This decision constitutes development approval under the Peel Region Scheme only. It is the proponent'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 Western Australian Planning Commission acknowledges that the development is proposed over multiple lots. In this regard, the landowner/applicant is advised that an application for subdivision approval will be required to be lodged to the Western Australian Planning Commission under Part 10 of the *Planning and Development Act 2005* for approval to amalgamate the subject lots into a single lot prior to the commencement of development.
3. In relation the Parmelia Pipeline easement, APA Group advises the landowner/applicant of the following:
  - no works shall occur on the easement area without prior authorisation and require an APA representative onsite; and
  - no stockpiles or storage of material is to be stored within the easement area.
4. The land is located within the Murray groundwater area (Nambeelup subarea) as proclaimed under the *Rights in Water and Irrigation Act 1914*. The Department of Water and Environmental Regulation advises the landowner/applicant of the following:
  - any groundwater abstraction in this proclaimed area for purposes other than domestic and/or stock watering taken from the superficial aquifer, is subject to licensing by the Department of Water and Environmental Regulation including water to irrigate paddocks;
  - the groundwater resource is fully allocated. If additional water resources are required, a source may be secured through either a water trade agreement from another groundwater user in the area, or an alternative water source.

The landowner/applicant is advised to liaise with the Department of Water and Environmental Regulation in this respect.

**The Report Recommendation was put and CARRIED UNANIMOUSLY.**

**REASON:** The development proposal is consistent with the Rural zoning and related development considerations in the Peel Region Scheme.

**Mr Ian Birch**  
Presiding Member, Metro Outer JDAP



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

Nil.

**10. State Administrative Tribunal Applications and Supreme Court Appeals**

The Presiding Member noted the following SAT Applications –

<b>Current SAT Applications</b>				
<b>File No. &amp; SAT DR No.</b>	<b>LG Name</b>	<b>Property Location</b>	<b>Application Description</b>	<b>Date Lodged</b>
DAP/19/01708 DR 138/2020	City of Kwinana	Lot 108 Kwinana Beach Road, Kwinana	Proposed Bulk Liquid Storage for GrainCorp Liquid Terminals	01/07/2020
DAP/01729 DR 176/2020	City of Kalamunda	Lot 130 (74) Warlingham Drive, Lesmurdie	Aged Residential Care Facility	28/8/2020
DAP/20/01764 DR 204/2020	City of Swan	Lot 780 (46) Gaston Road, Bullsbrook	Proposed Stock Feed Grain Mill	8/09/2020
DAP/20/01829 DR 001/2021	City of Swan	Lot 1 (42) Dale Road & Lot 4 (43) Yukich Close, Middle Swan	Aged care and community purpose	08/01/2021
DAP/21/01952 DR 096/2021	City of Rockingham	Lot 265 (40) Talisker Bend, Golden Bay	Mixed commercial development	14/05/2021

**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 10:32am.