



Minutes of the Southern Joint Development Assessment Panel

Meeting Date and Time: 14 August 2017; 11.30am
Meeting Number: SJDAP/27
Meeting Venue: Shire of Manjimup,
37-39 Rose Street,
Manjimup

Attendance

DAP Members

Mr Eugene Koltasz (Presiding Member)
Ms Jaqueline Jurmann (Deputy Presiding Member)
Ms Shelley Shepherd (Specialist Member)
Cr Paul Omodei (Local Government Member, Shire of Manjimup)
Cr Dean Bavich (Local Government Member, Shire of Manjimup)

Officers in attendance

Mr Jason Giadresco (Shire of Manjimup)
Mr Brian Robinson (Shire of Manjimup)

Local Government Minute Secretary

Ms Gaye Burridge (Shire of Manjimup)

Applicant and Submitters

Mr Marc Halsall (Halsall and Associates)
Mrs Danny Layman (Summerstar Pty Ltd)
Mr John Layman (Summerstar Pty Ltd)

Members of the Public / Media

Nil

1. Declaration of Opening

The Presiding Member, Mr Eugene Koltasz declared the meeting open at 11.42am on 14 August 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

Nil

3. Members on Leave of Absence

Nil

4. Noting of Minutes

Minutes of the Southern JDAP meeting No. 26 held on 8 August 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 Marc Halsall (Halsall and Associates) addressed the DAP in support of the application at Item 8.1.

8. Form 1 – Responsible Authority Reports – DAP Application

8.1 Property Location:	Lots 302, 303, 540 & 541 Rest Point Road, Walpole
Application Details:	Redevelopment and Improvements to Existing Caravan Park and Chalets
Applicant:	Halsall & Associates
Owner:	Summerstar Pty Ltd
Responsible Authority:	Shire of Manjimup
DAP File No:	DAP/17/01217

REPORT RECOMMENDATION / PRIMARY MOTION

Moved by: Ms Jacqueline Jurmann

Seconded by: Cr Dean Bavich

That the Southern JDAP resolves to:

1. **Approve** DAP Application reference DAP/17/01217 and accompanying plans at Attachment 3 of this report in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Clause 10.3 of the Shire of Manjimup Local Planning Scheme No. 4, subject to the following conditions as follows:



Conditions

1. This decision constitutes planning approval only and is valid for a period of 5 years from the date of approval. If the subject development is not substantially commenced within the 5 year period, the approval shall lapse and be of no further effect.
2. A Construction Management Plan is to be submitted for assessment of, and approval by the Shire of Manjimup prior to issue of a Building Permit.
3. A Local Water Management Plan shall be prepared and implemented to the satisfaction of the Department of Biodiversity, Conservation and Attractions, Department of Water and Environment Regulation and the Shire of Manjimup to ensure that any and all stormwater or other waste water flows are sufficiently retained on site and treated prior to discharge off the property.
4. A Waste Management Plan is to be submitted for assessment and approval prior to occupation of the facility and thereafter the Plan shall be implemented at all times to the satisfaction of the Shire of Manjimup.
5. Prior to the commencement of any site works, the proponent shall submit to local government a flora and fauna survey of the land and a management plan identifying measures to minimise the clearing of existing flora and to protect and/or relocate fauna. The survey and management plan shall be to the satisfaction of the local government and shall be implemented to its satisfaction prior to the occupation of the land/development for its approved purpose and thereafter maintained, as appropriate, under the approved plan.
6. Prior to the commencement of works on site, the applicant shall prepare a plan to the satisfaction of the Shire of Manjimup detailing the proposed staging of development. Unless otherwise approved by the Shire, with the exception of clearing associated with any approved effluent disposal system, the clearing of land shall be restricted to the operative stage of work.
7. A Bushfire Management Plan for the subject site, detailing both the initial and ongoing fire management procedures to be implemented, is to be prepared to meet the requirements of both the local government and the Department of Fire and Emergency Services and be endorsed by those parties prior to the commencement of any site works. Thereafter, the endorsed Bushfire Management Plan shall be implemented and subsequently maintained to the satisfaction of the local government.
8. The accessways located within the application site, are to be constructed to a sealed standard for its approved purpose and maintained to a trafficable standard at all times to allow two wheel drive vehicles to pass and be of sufficient width to allow a service truck and car to pass to the satisfaction of the Shire of Manjimup.
9. The car parking spaces, access ways and vehicle manoeuvring areas shown on the approved plan shall be laid out and constructed at the time of the development and prior to the occupation of the land and/or buildings for their approved purpose and those areas shall thereafter be permanently maintained by the owner/occupier as vehicle parking and manoeuvring areas to the satisfaction of the Shire of Manjimup.



10. Prior to commencement of each stage of works, a detailed landscaping plan for the related stage shall be prepared and submitted to, and approved by the Shire of Manjimup. Such landscaping to be established on site within 60 days of the practical completion of the civil works associated with the stage of construction and from thereon in maintained to the satisfaction of the Shire of Manjimup.
11. Prior to occupation of the short stay accommodation units and/or caravan park/camping ground sites, the applicant shall prepare an updated Emergency Evacuation Response Plan to reflect the approved accommodation units. The Emergency Evacuation Response Plan is to be displayed in all guest bedrooms at all times;
12. The Holiday Accommodation is not to be occupied by a person for more than three (3) months within any twelve (12) month period. In this regard, the manager/operator is to maintain a register of guests and the duration of their occupation to the satisfaction of the local government, and the register shall be made available for perusal by Shire officers on demand;
13. In order to minimise the impact of the development and/or any guest on the adjacent foreshore, a Foreshore Management Plan shall be prepared and implemented to the satisfaction of the Western Australian Planning Commission, Department of Biodiversity, Conservation and Attractions and the Shire of Manjimup. This plan shall be approved and implemented prior to occupation of the development hereby approved, or at any other time as may be agreed to by the approval authorities.
14. Prior to the occupation of any chalet, the chalet shall be provided with an adequate on-site potable water supply to the satisfaction of the Shire of Manjimup. This potable water system is to be extended so as to service the proposed Caravan Park/Camping Ground as may be required to service the proposed sites in accordance with the requirements of the Caravan Park and Camping Grounds Act 1995 and associated Regulations.
15. The development hereby approved shall be connected to an alternative domestic wastewater treatment system (as approved by the Health Department of Western Australia) with an adequate phosphorus retention capacity as determined by the Environmental Protection Authority, and with the base of the system or the modified irrigation area being above the highest know water table.
16. Prior to commencement of any site work:
 - a) A site assessment shall be conducted on the advice of the Department of Biodiversity, Conservation and Attractions to determine whether Acid Sulphate Soils are present on the land, and if present, their extent and severity;
 - b) If the site is found to contain acid sulphate soils, an Acid Sulphate Soil Management Plan shall be submitted to and assessed and approved by the Department of Biodiversity, Conservation and Attractions; and
 - c) All development shall be carried out in accordance with the provisions of the approved Management Plan.



AMENDING MOTION

Moved by: Eugene Koltasz **Seconded by:** Cr Dean Bavich

(i) To amend Condition 2 to read as follows:

A Construction Management Plan is to be submitted for assessment of, and approval by the Shire of Manjimup prior to commencement of works.

REASON: To allow for sufficient time for the applicant to prepare and the Shire to assess the Construction Management Plan. It is not considered necessary to have it submitted prior to the issue of a building permit.

(ii) To amend Condition 3 to read as follows:

Prior to commencement of works, a Local Water Management Plan shall be prepared and implemented to the satisfaction of the Shire of Manjimup, in consultation with Department of Water and Environment Regulation and Department of Biodiversity, Conservation and Attractions to ensure that stormwater or other waste water flows are sufficiently retained on site and/ or treated prior to discharge off the property.

REASON: The approval of third parties cannot be certain hence the condition is required to be to the satisfaction of the Shire of Manjimup.

(iii) To amend Condition 5 to read as follows:

Prior to the commencement of any site works south of Rest Point Road, the proponent shall submit to the Shire of Manjimup, in consultation with Department of Biodiversity, Conservation and Attractions, a flora and fauna survey of the land and a management plan identifying measures to minimise the clearing of existing flora and to protect and/or relocate fauna. The survey and management plan shall be implemented to the satisfaction of the Shire of Manjimup.

REASON: To ensure that the relevant authority is consulted on removal of vegetation and protection/relocation of fauna, if required.

(iv) To amend Condition 7 to read as follows:

Prior to commencement of site works, a Bushfire Management Plan for the subject site, detailing both the initial and ongoing fire management procedures to be implemented, is to be prepared to meet the requirements of the Shire of Manjimup in consultation with Department of Fire Emergency Services. Thereafter, the endorsed Bushfire Management Plan shall be implemented and subsequently maintained to the satisfaction of the Shire of Manjimup.

REASON: The approval of third parties cannot be certain hence the condition is required to be to the satisfaction of the Shire of Manjimup.

(v) To delete Condition 8 and renumber all remaining Conditions accordingly.



REASON: The requirements of that condition are covered in Condition 9 (now new condition 8).

(vi) To amend Condition 10 (now Condition 9) to read as follows:

Prior to commencement of each stage of works, a detailed landscaping plan for the related stage shall be prepared and submitted to, and approved by the Shire of Manjimup. Such landscaping to be established on site within 12 months of the practical completion of the civil works associated with the stage of construction and from thereon in maintained to the satisfaction of the Shire of Manjimup.

REASON: To take account of the likelihood that some stages may be completed in late spring or summer and therefore the establishment of plantings would be problematic without sufficient rainfall.

(vii) To amend Condition 12 (now Condition 11) to read as follows:

The Chalets are not to be occupied by a person for more than three (3) months within any twelve (12) month period. In this regard, the manager/operator is to maintain a register of guests and the duration of their occupation to the satisfaction of the local government, and the register shall be made available for perusal by Shire officers on demand.

REASON: To reflect the correct terminology for that type of accommodation.

(viii) To delete Condition 13 and renumber all remaining Conditions accordingly.

REASON: The foreshore is not owned by the applicant as does not form part of the application area.

(ix) To amend Condition 15 (now Condition 13) to read as follows:

The development hereby approved shall be connected to an alternative domestic wastewater treatment system to the satisfaction of the Shire of Manjimup.

REASON: The approval of third parties cannot be certain hence the condition is required to be to the satisfaction of the Shire of Manjimup.

(x) To amend Condition 16 (now Condition 14) to read as follows:

Prior to commencement of any ground disturbing activities requiring dewatering:

a) *A site assessment of those activities shall be conducted to the requirements of WAPC and DBCA to determine whether acid sulphate soils are present. If acid sulphate soils are present a management plan shall be approved to the satisfaction of the Shire of Manjimup.*

REASON: The approval of third parties cannot be certain hence the condition is required to be to the satisfaction of the Shire of Manjimup.



(xi) To include a new Condition 15 to read as follows:

A Heritage Impact Assessment is to be prepared by a suitably qualified heritage professional to the satisfaction of the Shire of Manjimup, prior to the demolition of Rest Point Guest House

REASON: To ensure an historical record is kept of the Rest Point Guest House.

The Amending Motion was put and CARRIED UNANIMOUSLY.

PRIMARY MOTION (AS AMENDED)

That the Southern JDAP resolves to:

1. **Approve** DAP Application reference DAP/17/01217 for Redevelopment and Improvements to existing Caravan Park and Chalets and accompanying plans at Attachment 3 of this report in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Clause 10.3 of the Shire of Manjimup Local Planning Scheme No. 4, subject to the following conditions as follows:

Conditions

1. This decision constitutes planning approval only and is valid for a period of 5 years from the date of approval. If the subject development is not substantially commenced within the 5 year period, the approval shall lapse and be of no further effect.
2. A Construction Management Plan is to be submitted for assessment of, and approval by the Shire of Manjimup prior to commencement of works.
3. Prior to commencement of works, a Local Water Management Plan shall be prepared and implemented to the satisfaction of the Shire of Manjimup, in consultation with Department of Water and Environment Regulation and Department of Biodiversity, Conservation and Attractions to ensure that stormwater or other waste water flows are sufficiently retained on site and/ or treated prior to discharge off the property.
4. A Waste Management Plan is to be submitted for assessment and approval prior to occupation of the facility and thereafter the Plan shall be implemented at all times to the satisfaction of the Shire of Manjimup.
5. Prior to the commencement of any site works south of Rest Point Road, the proponent shall submit to the Shire of Manjimup, in consultation with Department of Biodiversity, Conservation and Attractions, a flora and fauna survey of the land and a management plan identifying measures to minimise the clearing of existing flora and to protect and/or relocate fauna. The survey and management plan shall be implemented to the satisfaction of the Shire of Manjimup.
6. Prior to the commencement of works on site, the applicant shall prepare a plan to the satisfaction of the Shire of Manjimup, detailing the proposed staging of development. Unless otherwise approved by the Shire, with the exception of



clearing associated with any approved effluent disposal system, the clearing of land shall be restricted to the operative stage of work.

7. Prior to commencement, a Bushfire Management Plan for the subject site, detailing both the initial and ongoing fire management procedures to be implemented, is to be prepared to meet the requirements of the Shire of Manjimup in consultation with Department of Fire Emergency Services. Thereafter, the endorsed Bushfire Management Plan shall be implemented and subsequently maintained to the satisfaction of the Shire of Manjimup.
8. The car parking spaces, access ways and vehicle manoeuvring areas shown on the approved plan shall be laid out and constructed at the time of the development and prior to the occupation of the land and/or buildings for their approved purpose and those areas shall thereafter be permanently maintained by the owner/occupier as vehicle parking and manoeuvring areas to the satisfaction of the Shire of Manjimup.
9. Prior to commencement of each stage of works, a detailed landscaping plan for the related stage shall be prepared and submitted to, and approved by the Shire of Manjimup. Such landscaping to be established on site within 12 months of the practical completion of the civil works associated with the stage of construction and from thereon in maintained to the satisfaction of the Shire of Manjimup.
10. Prior to occupation of the short stay accommodation units and/or caravan park/camping ground sites, the applicant shall prepare an updated Emergency Evacuation Response Plan to reflect the approved accommodation units. The Emergency Evacuation Response Plan is to be displayed in all guest bedrooms at all times.
11. The Chalets are not to be occupied by a person for more than three (3) months within any twelve (12) month period. In this regard, the manager/operator is to maintain a register of guests and the duration of their occupation to the satisfaction of the local government, and the register shall be made available for perusal by Shire officers on demand;
12. Prior to the occupation of any chalet, the chalet shall be provided with an adequate on-site potable water supply to the satisfaction of the Shire of Manjimup. This potable water system is to be extended so as to service the proposed Caravan Park/Camping Ground as may be required to service the proposed sites in accordance with the requirements of the Caravan Park and Camping Grounds Act 1995 and associated Regulations.
13. The development hereby approved shall be connected to an alternative domestic wastewater treatment system to the satisfaction of the Shire of Manjimup.
14. Prior to commencement of any ground disturbing activities requiring dewatering:
 - a) A site assessment of those activities shall be conducted to the requirements of WAPC and DBCA to determine whether acid sulphate soils are present. If acid sulphate soils are present a management plan shall be approved to the satisfaction of the Shire of Manjimup.



15. A Heritage Impact Assessment is to be prepared by a suitably qualified heritage professional to the satisfaction of the Shire of Manjimup, prior to the demolition of Rest Point Guest House.

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

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**

There being no further business, the Presiding Member declared the meeting closed at 1.47pm.