



## Minutes of the Kimberley/Pilbara/Gascoyne Joint Development Assessment Panel

**Meeting Date and Time:** 18 May 2017; 10:00am  
**Meeting Number:** KPGJDAP/12  
**Meeting Venue:** Department of Planning  
140 William Street  
Perth

### Attendance

#### DAP Members

Mr Clayton Higham (A/Presiding Member)  
Ms Jacky Jurmann (A/Deputy Presiding Member)  
Mr Luigi D'Alessandro (Specialist Member) – *via teleconference*  
Cr John Lally (Local Government Member, City of Karratha) – *via teleconference*  
Cr Fiona White-Hartig (Local Government Member, City of Karratha) – *via teleconference*

#### Officers in attendance

Mr Chaz Roberts (City of Karratha) – *via teleconference*  
Mr Jerom Hurley (City of Karratha) – *via teleconference*

#### Department of Planning Minute Secretary

Ms Michelle Tan

#### Applicant and Submitters

Mr Owen Hightower (RFF)  
Mr Roger Bradford (Ausco)

#### Members of the Public / Media

Nil

### 1. Declaration of Opening

The A/Presiding Member, Mr Clayton Higham declared the meeting open at 10:02am on 18 May 2017 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

The A/Presiding Member announced the meeting would be run in accordance with the *Development Assessment Panel Standing Orders 2012* under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

Mr Clayton Higham  
A/Presiding Member, Kimberley/Pilbara/Gascoyne JDAP



The A/Presiding Member advised that the meeting is being audio recorded in accordance with Section 5.16 of the Standing Orders 2012; 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 A/Presiding Member granted permission for the minute taker to record proceedings for the purpose of the minutes only.

**2. Apologies**

Mr Eugene Koltasz (Presiding Member)

**3. Members on Leave of Absence**

Panel member, Mr Eugene Koltasz has been granted leave of absence by the Director General for the period of 12 May 2017 to 22 May 2017 inclusive.

**4. Noting of Minutes**

Minutes of the Kimberley/Pilbara/Gascoyne JDAP meeting No. 11 held on 14 February 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 Owen Hightower (RFF) and Mr Roger Bradford (Ausco) addressed the DAP for the application at Item 9.1. Mr Hightower answered questions from the panel.

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

Nil

**9. Form 2 – Responsible Authority Reports – Amending or cancelling DAP development approval**

9.1 Property Location:	Lot 500 Madigan Road, Stove Hill
Application Details:	Transient Workforce Accommodation
Applicant:	RFF Pty Ltd
Owner:	Eradu Pty Ltd
Responsible Authority:	City of Karratha
DoP File No:	DP/13/00062



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## REPORT RECOMMENDATION / PRIMARY MOTION

**Moved by:** Nil

**Seconded by:** Nil

That the Kimberley/Pilbara/Gascoyne JDAP resolves to:

1. **Refuse** that the DAP Application reference DP/13/00062 as detailed on the DAP Form 2 dated 23 March 2017 is appropriate for consideration in accordance with Regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Refuse** the DAP Application reference DP/13/00062 as detailed on the DAP Form 2 dated 23 March 2017 in accordance with the provisions of Town Planning Scheme No. 8, to amend Condition 22 for an extension to six [6] years to substantially commence the expansion of the Transient Workforce Accommodation facility at Lot 500 Madigan Road, Stove Hill, for the following reasons:

### Reasons

1. Regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011* only provides for one opportunity to amend a development approval to extend the period a development may be substantially commenced, and this opportunity has already been exhausted through a previous amendment (Reference: DP/13/00062 dated 29/05/2015).
2. A further extension in time to the lapsing period is not consistent with orderly and proper planning as outlined in Clause 4.4 (i) of Town Planning Scheme No. 8, because the development would not be supported by the City today and the applicant has not actively and relatively conscientiously pursued the implementation of the approval.
3. A further extension in time to the lapsing period is inconsistent with Clause 5.9 (i) Karratha Objectives of the Scheme as a further extension for a speculative Transient Workforce Accommodation development does not facilitate the continued growth of Karratha as the regional centre of the West Pilbara as it increases the potential for fly-in fly-out workforce accommodation which without a demonstrated need undermines the Karratha Objective of growing Karratha as a regional centre.

### Advice Notes

1. The Pilbara Joint Development Assessment Panel (Pilbara JDAP) has determined this application. Rights of appeal are available to the applicant under the *Planning and Development Act 2005* against the decision of the Pilbara JDAP, including any conditions associated with this decision. Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal [Tel 1300 306 017].

**The Report Recommendation / Primary Motion lapsed for want of a mover and a seconder.**

Mr Clayton Higham  
A/Presiding Member, Kimberley/Pilbara/Gascoyne JDAP



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## ALTERNATE RECOMMENDATION / PRIMARY MOTION

**Moved by:** Ms Jacky Jurmann      **Seconded by:** Mr Luigi D'Alessandro

That the Kimberley/Pilbara/Gascoyne JDAP resolves to:

1. **Accept** that the DAP Application reference DP/13/00062 as detailed on the DAP Form 2 dated 23 March 2017 is appropriate for consideration in accordance with Regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** the DAP Application reference DP/13/00062 as detailed on the DAP Form 2 dated 23 March 2017 in accordance with the provisions of Town Planning Scheme No. 8, for an amendment to Condition 22 for an extension to six [6] years to substantially commence the expansion of the Transient Workforce Accommodation facility at Lot 500 Madigan Road, Stove Hill, subject to the addition of the following conditions:
  1. Implementation of the recommendations contained in the Bushfire Management Plan dated April 2017 to the satisfaction of the City of Karratha.

### REASONS:

- (i) **The framework hasn't substantially changed.**
- (ii) **The development is likely to receive approval now.**
- (iii) **The proponent has made substantial progress towards implementing the development.**

The Alternate Recommendation / Primary Motion was put and **CARRIED UNANIMOUSLY.**

### 10. Appeals to the State Administrative Tribunal

Nil

### 11. General Business / Meeting Close

There being no further business, the A/Presiding Member declared the meeting closed at 10:30am.