



Minutes of the Mid-West Joint Development Assessment Panel

Meeting Date and Time: Friday 31 August 2012, 1:10pm
Meeting Number: M-WJDAP/2
Meeting Venue: Leeman Recreation Centre,
Ruddock Street, Leeman

Attendance

DAP Members

Mr Rory O'Brien (Presiding Member)
Mr Robert Fenn (Deputy Presiding Member)
Mr Patrick Dick (Specialist Member)
Cr Ian Stirling (Local Government member, Shire of Carnamah – Item 8.2)
Cr Jan Waite (Local Government Member, Shire of Coorow – Item 8.1)
Cr Belinda McDonald (Local Government member, Shire of Coorow – Item 8.1)

Officers in attendance

Mr Stephen Ferguson (Department of Planning)
Mr Ron Couacaud (Department of Planning)
Mr Simon Lancaster (Shire of Coorow)
Mr Darren Friend (Shire of Coorow)
Mr David Hadden (Shire of Coorow)

Local Government Minute Secretary

Mrs Kathryn Jackson (Shire of Coorow)

Applicants, Submitters and Members of the Public

Mr James Townsend, Verve Energy (Applicant – Verve Energy)
Ms Linda Hett (Applicant – Verve Energy)
Cr Damien Rackemann (President – Shire of Coorow)
Cr Allan Williams (Shire of Coorow)

1. Declaration of Opening

The Presiding Member, Mr Rory O'Brien declared the meeting open at 1.10pm on Friday 31 August 2012 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 run in accordance with the *Development Assessment Panel Standing Orders 2012* under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

The Presiding Member advised that the meeting is not being audio recorded.



2. Apologies

Cr Merle Isbister (Shire of Carnamah)

3. Members on Leave of absence

Nil.

4. Noting of minutes

The Presiding Member advised that the Minutes of the Mid-West JDAP meeting No.1 held on 18 January 2012 have been confirmed and endorsed.

5. Disclosure of interests

Nil.

6. Declaration of Due Consideration

Members all declared that due consideration had been given to the agenda and supporting documents.

7. Deputations and presentations

7.1. Presenter James Townsend – Verve Energy

James Townsend (Applicant) addressed the DAP for items 8.1 & 8.2. An overview was given regarding the proposed Warradarge Wind Farm and Transmission Line. The applicant highlighted the consultation that has been undertaken with surrounding landowners and government agencies prior to the lodgement of the application with the Shires of Coorow and Carnamah.

8. Form 1 - Responsible Authority Reports – DAP Applications

8.1	Application Details:	Warradarge Wind Farm
	Property Location:	Lot 10850 and Lot 10853 Garibaldi Willis Road, and Lot 10848 and Lot 10851 Rose Thomson Road, Warradarge
	Applicant:	Verve Energy
	Owners:	Lot 10850 Garibaldi Willis Road and Lots 10848 & 10851 Rose Thomson Road, Warradarge – Judeen Nominees Pty Ltd; and Lot 10853 Garibaldi Willis Road, Warradarge – Gary Marshall Chivers & Vicki Gail Chivers
	Responsible authority:	Shire of Coorow
	Report date:	24 August 2012
	DoP File No:	DP/12/00625



REPORT RECOMMENDATION

That the Mid-West Joint Development Assessment Panel resolves to **Approve** DAP Application reference DP/12/00625 submitted by Verve Energy to develop the Warradarge Wind Farm and 330kV transmission line upon Lots 10850 & 10853 Garibaldi Willis Road and Lots 10848 & 10851 Rose Thomson Road, Warradarge as received by the Shire of Coorow on 6 June 2012 and accompanying plans (WAW-AA-GA-G/001 SH001 through WAW-AA-GA-G/001 SH003, WAW-AA-GA-G/002 SH001, WAW-AA-GA-G/002 SH002, WAW-AA-GA-G/002 SH004, WAW-AA-GA-G/004 SH001, WAW-AA-GA-G/004 SH002, WAW-AA-GA-G/005 SH001, WAW-AA-GA-G/006 SH001, WAW-AA-PR-C/001 SH001 through WAW-AA-PR-C/006 SH001, WAW-AA-PR-S/001 SH001, WAW-SS-PT-E/001 SH001 through WAW-SS-PT-E/003 SH001, WAW-SS-IC-I/001 SH001, WAW-SS-IC-I/002 SH001) in accordance with Part 4 and Section 5.14 of the Shire of Coorow Town Planning Scheme No.2, subject to the following conditions and advice notes:

Conditions of Approval

- 1 The approved development shall be undertaken generally in accordance with the plans and undertakings provided by Verve Energy and forming the Application for Planning Consent unless expressly altered by a condition attached to the approval.
- 2 The approved development shall be substantially commenced within a period of 5 years from the date of this approval and if the development is not substantially commenced the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.
- 3 The applicant is to prepare, submit and implement a Traffic Management Plan to the satisfaction of Main Roads WA and the Local Government.
- 4 The applicant is to ensure that the location, design and construction of the access point from the development site onto the road network shall be to the satisfaction of the Local Government.
- 5 The applicant is to ensure that the installation of any traffic warning/safety signage in relation to the approved development during the transportation/construction phase shall be to the satisfaction of Main Roads WA and the Local Government.
- 6 Repairing of any damage to the road network including the surface is required by reason of use of the road in connection with the development to the satisfaction of Main Roads WA and the Local Government, with all costs met by the applicant.
- 7 The applicant is to ensure the design, construction (to a minimum compacted gravel standard), drainage and maintenance of the internal roads and vehicle manoeuvring areas required for the approved development shall be to the satisfaction of the Local Government.



- 8 The applicant is to prepare, submit and implement a Noise Management Plan to the satisfaction of the Department of Environment and Conservation and the Local Government.
- 9 The applicant is to prepare, submit and implement a Fire Management Plan to the satisfaction of the Fire and Emergency Services Authority and the Local Government.
- 10 The applicant is to prepare, submit and implement an Environmental Management Plan to the satisfaction of the Department of Environment and Conservation and the Local Government.
- 11 No signs or hoardings are to be erected in relation to the development without the separate approval of the Local Government.
- 12 All lighting devices must be installed and shaded in such a way as to not cause undue light spill to passing motorists or neighbouring residences.

Advice Notes

- (a) In relation to condition 3, prior to commencement of any site works, the applicant is responsible to ensure that the Traffic Management Plan is lodged with the Mid-West Regional Manager of Main Roads WA and the Shire of Coorow for review. The Traffic Management Plan shall incorporate a Traffic Impact assessment for the transportation activities associated with the development and to ensure that intersections and impacts to the road network are addressed. The Traffic Management Plan shall set out in detail the management commitments applicable to traffic relevant to all installations, activities and processes. The Traffic Management Plan shall include if required by Main Roads WA or the Shire of Coorow the identification of any necessary road upgrading, and property access construction and the provision of a dilapidation survey prior to and at the completion of the development with any damage caused to the road network used by transport vehicles accessing the site to be repaired to the requirements of Main Roads WA and the Local Government. Once approved, the applicant from time to time is responsible to ensure, that all installations, activities and processes carried out at all times and in all respects are in accordance with the Traffic Management Plan.
- (b) Main Roads WA advise that permits are required for overweight and oversized vehicles associated with the proposed development.
- (c) Main Roads WA advise that should the proponent undertake any works within the road reserve of its network, the proponent must submit an application to Main Roads WA to undertake works within the road reserve. Applications must conform to the Main Roads WA document titled 'Application Form for Organisations Seeking to Undertake Works within the Road Reserve - High Complexity Works' (application kits are available from the Main Roads' website). No works are to commence within the road reserve until Main Roads WA has approved the proponent's application seeking to undertake works within the road reserve.

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- (d) In relation to condition 8, prior to commencement of any site works, the applicant is responsible to ensure that the Noise Management Plan is lodged with the Department of Environment and Conservation and the Local Government for its review. The Noise Management Plan shall set out in detail the management commitments applicable to noise minimisation relevant to all installations, activities and processes, based on sound level measurements of plant, both individually and in combination. The Noise Management Plan shall take proper account of tonal components, amplitude or frequency modulations or impulses, and the Noise Management Plan shall demonstrate that noise emissions will achieve compliance with the requirements of the South Australian guidelines Environmental Protection Authority – Wind Farms Environmental Noise. Once approved, the applicant from time to time as directed by the Local Government is responsible to ensure, that all installations, activities and processes carried out at all times and in all respects are in accordance with the Noise Management Plan.
- (e) The applicant is to implement and maintain reporting mechanisms and monitoring for noise complaints throughout the duration of the operation of the development. In event of a substantiated complaint being received the applicant is required to demonstrate mitigation responses to the requirements of the Department of Environment and Conservation and the Local Government. Such responses will be treated as required modifications to the Noise Management Plan.
- (f) In relation to condition 9, prior to commencement of any site works, the applicant is responsible to ensure that the Fire Management Plan is lodged with the Fire & Emergency Services Authority and the Local Government for its review. The Fire Management Plan shall address the obtaining of any relevant approvals/licences from the Department of Water, in relation to water abstraction for fire management purposes if necessary.
- (g) In relation to condition 10, prior to commencement of any site works, the applicant is responsible to ensure that the Environmental Management Plan is lodged with the Department of Environment and Conservation and the Local Government for its review. The Environmental Management Plan shall address the following issues:
- Fuel storage, handling and spill response;
 - Weed management;
 - Surface, ground and stormwater management;
 - Waste disposal;
 - Flora and fauna; and
 - Dust suppression and stabilisation of any soils disturbed or deposited on site.
- (h) The applicant is advised that this planning approval does not negate the requirement for any additional approvals which may be required under separate legislation including but not limited to the Building Code of Australia, Building Act 2012, Health Act 1911, Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974, Environmental Protection (Clearing of Native Vegetation) Regulations 2004, Environmental Protection (Noise) Regulation 1997, Traffic Act 2000, Aboriginal Heritage Act 1972 and the obtaining of a works licence from the Department of Environment and Conservation if required. It is the applicant's



responsibility to obtain any additional approvals required before the development/use lawfully commences.

- (i) The discretions listed to the Local Governments, Main Roads WA, Department of Environment and Conservation, and the Fire and Emergency Services Authority under the conditions of approval shall be exercised by those parties in a reasonable manner. Any dispute on conditions may be referred back to the Development Assessment Panel.
- (j) Signs that are required for traffic management and occupational safety and health and as agreed in the Environmental Management Plan, Fire Management Plan, Traffic Management Plan and Noise Management Plan can be erected for use throughout the construction period.
- (k) If the applicant is aggrieved by this determination there is a right (pursuant to the Planning and Development Act 2005) to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

PRELIMINARY MOTION

Moved by: Mr Robert Fenn

Seconded by: Mr Patrick Dick

That the Mid-West Joint Development Assessment Panel resolves to determine that the DAP Application reference DP/12/00625 submitted by Verve Energy to develop broadacre farming, the Warradarge Wind Farm and 330kV transmission line upon Lots 10850 & 10853 Garibaldi Willis Road and Lots 10848 & 10851 Rose Thomson Road, Warradarge as received by the Shire of Coorow on 6 June 2012 shall be classified as a "Use Not Listed – Broadacre Farming, Warradarge Wind Farm and 330 kV transmission line" pursuant to Section 4.4.2(b) of the Shire of Coorow Town Planning Scheme No. 2.

Reason:

The DAP assumes the role of the Council for the purpose of determining the application and the Scheme requires that the approving authority is required under the scheme to make a determination on whether the subject application should be considered on the basis that it is a use not listed and also whether the activity is a permitted, discretionary or prohibited activity. The Council has completed the processes required by the Scheme on the basis that this application is a discretionary land use activity.

The preliminary motion was put and CARRIED UNANIMOUSLY



Mr Robert Fenn submitted in writing an Alternate Primary Motion to provide further clarity to the Report Recommendation conditions and advice notes.

ALTERNATE PRIMARY MOTION

Moved by: Mr Robert Fenn

Seconded by: Cr Jan Waite

That the Mid-West Joint Development Assessment Panel resolves to Approve DAP Application reference DP/12/00625 submitted by Verve Energy to develop broadacre farming, the Warradarge Wind Farm and 330kV transmission line upon Lots 10850 & 10853 Garibaldi Willis Road and Lots 10848 & 10851 Rose Thomson Road, Warradarge as received by the Shire of Coorow on 6 June 2012 and accompanying plans (WAW-AA-GA-G/001 SH001 through WAW-AA-GA-G/001 SH003, WAW-AA-GA-G/002 SH001, WAW-AA-GA-G/002 SH002, WAW-AA-GA-G/002 SH004, WAW-AA-GA-G/004 SH001, WAW-AA-GA-G/004 SH002, WAW-AA-GA-G/005 SH001, WAW-AA-GA-G/006 SH001, WAW-AA-PR-C/001 SH001 through WAW-AA-PR-C/006 SH001, WAW-AA-PR-S/001 SH001, WAW-SS-PT-E/001 SH001 through WAW-SS-PT-E/003 SH001, WAW-SS-IC-I/001 SH001, WAW-SS-IC-I/002 SH001) in accordance with Part 4 and Section 5.14 of the Shire of Coorow Town Planning Scheme No.2, subject to the following conditions and advice notes:

Conditions of Approval

1. The approved development shall be undertaken generally in accordance with the plans and undertakings provided by Verve Energy and forming the Application for Planning Consent unless expressly altered by a condition attached to the approval.
2. The approved development shall be substantially commenced within a period of 5 years from the date of this approval and if the development is not substantially commenced the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without the further approval of the Shire of Coorow having first being sought and obtained.
3. The applicant is to prepare, submit and implement a Traffic Management Plan to the satisfaction of the Shire of Coorow.
4. The applicant is to ensure that the location, design and construction of the access point from the development site onto the road network is appropriate for the approved development and the access point shall be constructed by and at the expense of the Applicant to the satisfaction of the Shire of Coorow.
5. The applicant shall at the applicant's cost repair, reinstate or replace any local road infrastructure under the control of the Shire of Coorow and to the satisfaction of the Shire of Coorow that is damaged, becomes unsafe or fails to meet appropriate engineering standards where the damage to the road network is caused by reason of use of the road in connection with the approved development.



6. The approved development shall for the duration of the approved use comply with the Environmental Protection (Noise) Regulations 1997 and no turbine shall be erected on-site which has the potential to impact on noise sensitive premises (either existing or possible) located external to the site, unless the applicant has negotiated secure tenure arrangements with the owner of the existing or potential premise and that tenure applies to the entire period that the relevant turbine is located on the site.
7. The applicant is to prepare, submit and implement a Fire Management Plan to the satisfaction of the Shire of Coorow.
8. The Applicant is to prepare, submit and implement an Environmental Management Plan to the satisfaction of the Shire of Coorow.
9. No signs or hoardings are to be erected in relation to the development without the separate approval of the Shire of Coorow.
10. All lighting devices shall be installed and shaded in such a way as to not cause undue light spill to passing motorists or neighbouring residences.
11. The applicant shall prepare, submit and implement a water management plan for the site to the satisfaction of the Shire of Coorow.
12. The applicant shall upon the decommissioning of the approved Warradarge Wind Farm development (in all or part) remove and dispose of all decommissioned structures from the site to the satisfaction of the Shire of Coorow

Advice Notes:

- A. In relation to condition 3, and prior to the commencement of any site works, the applicant is advised that the Shire of Coorow shall seek advice and comment on the Traffic Management Plan from the Mid-West Regional Manager of Main Roads WA. The Traffic Management Plan shall:
 - i. Incorporate a Traffic Impact Assessment for the transportation activities associated with the development and to ensure the intersections and impacts to the road network are addressed.
 - ii. Set out in detail the management commitments applicable to traffic relevant to all installations, activities and processes.
 - iii. Include if required by Main Roads WA or the Shire of Coorow the identification of any necessary road upgrading, and property access construction and
 - iv. Include the provision of a dilapidation survey prior to and at the completion of the development with any damage caused to the road network used by transport vehicles accessing the site to be repaired to the requirements of Main Roads WA and the Shire of Coorow.

Once approved, the Applicant is responsible to ensure that all installations, activities and processes carried out at all times and in all respects are in accordance with the Traffic Management Plan.



- B. Main Roads WA advises that permits are required for overweight and oversized vehicles associates with the proposed development.
- C. Main Roads WA advise that, should the proponent undertake any works within the road reserve of its network, the proponent must submit an application to Main Roads WA. No works are to commence within the road reserve until Main Roads WA has approved the application seeking to undertake works within the road reserve.
- D. In relation to condition 6 and prior to commencement of any site works, the applicant is encouraged to submit a Noise Management Plan with the Department of Environment and Conservation and the Shire of Coorow for review. The Noise Management Plan should set out in detail the management commitments applicable to noise minimisation relevant to all installations, activities and processes on-site to ensure the noise emissions will achieve compliance with the requirements of the South Australian guidelines Environmental Protection Authority – Wind Farms Environmental Noise.
- E. In relation to condition 7, prior to commencement of any site works, the applicant is responsible to ensure that the Fire Management Plan is lodged with the Fire and Emergency Management Authority and the Shire of Coorow for review and the actions recommended in the Plan are implemented. Any relevant approvals / licences required from the Department of Water, in relation to water extraction for fire management purposes shall be secured by the applicant.
- F. In relation to condition 8, prior to commencement of any site works, the applicant is responsible to ensure that the Environmental Management Plan is lodged with the Department of Environment and Conservation and the Shire of Coorow for its review. The Environmental Management Plan shall address the following issues:
- Fuel storage, handling and spill response,
 - Weed management,
 - Extraction of any road making materials from within the site and the rehabilitation of the excavation area to a suitable end use,
 - Integration of the broadacre farming activities on-site with the wind farm operations,
 - Surface, ground and storm water management,
 - Waste disposal,
 - Flora and fauna, and
 - Dust suppression and stabilisation of any soils disturbed or deposited on site
- G. The applicant is advised that this planning approval does not negate the requirement for any additional approvals which may be required under separate legislation, including but not limited to the Building Act 2012, Health Act 1911, Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974, Environmental Protection (Clearing of Native Vegetation) Regulations 2004, Environmental Protection (Noise) Regulations 1997, Traffic Act 2000, Aboriginal Heritage Act 1972 and the obtaining of a works licence from the Department of Environment and



Conservation if required. It is the applicant's responsibility to obtain any additional approvals required before the development / use lawfully commences.

- H. The discretions listed to the Local Government, Main Roads WA, Department of Environment and Conservation, and the Fire and Emergency Services Authority under the conditions of approval shall be exercised by those parties in a reasonable manner. If the applicant is aggrieved by a condition attached to the approval, the applicant can apply to have that condition reviewed pursuant to Regulation 17(1) of the *Planning and Development (Development Assessment Panels) Regulations 2011*.
- I. In regards to Condition 9, signs that are required for traffic management and occupational safety and health and as detailed in the Environmental Management Plan, Traffic Management Plan can be erected for use throughout the construction period.
- J. If the applicant is aggrieved by this determination there is a right (pursuant to the Planning and Development Act 2005) to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

AMENDING MOTION

Moved by: Mr Patrick Dick

Seconded By: Cr Belinda McDonald

That condition 6 of the Primary Motion be amended to read:

"The approved development shall for the duration of the approved use comply with the Environmental Protection (Noise) Regulations 1997."

Reason: To clarify the development approval conditions.

The motion was put and CARRIED UNANIMOUSLY

AMENDING MOTION

Moved by: Mr Patrick Dick

Seconded By: Cr Jan Waite

That condition 12 of the Primary Motion be amended to read:

"The applicant shall upon the decommissioning of the approved Warradarge Wind Farm development (in all or part) remove and dispose of all decommissioned structures located above ground from the site to the satisfaction of the Shire of Coorow."

Reason: To clarify the development approval conditions.

The motion was put and CARRIED UNANIMOUSLY



ALTERNATE PRIMARY MOTION (AS AMENDED)

That the Mid-West Joint Development Assessment Panel resolves to Approve DAP Application reference DP/12/00625 submitted by Verve Energy to develop broadacre farming, the Warradarge Wind Farm and 330kV transmission line upon Lots 10850 & 10853 Garibaldi Willis Road and Lots 10848 & 10851 Rose Thomson Road, Warradarge as received by the Shire of Coorow on 6 June 2012 and accompanying plans (WAW-AA-GA-G/001 SH001 through WAW-AA-GA-G/001 SH003, WAW-AA-GA-G/002 SH001, WAW-AA-GA-G/002 SH002, WAW-AA-GA-G/002 SH004, WAW-AA-GA-G/004 SH001, WAW-AA-GA-G/004 SH002, WAW-AA-GA-G/005 SH001, WAW-AA-GA-G/006 SH001, WAW-AA-PR-C/001 SH001 through WAW-AA-PR-C/006 SH001, WAW-AA-PR-S/001 SH001, WAW-SS-PT-E/001 SH001 through WAW-SS-PT-E/003 SH001, WAW-SS-IC-I/001 SH001, WAW-SS-IC-I/002 SH001) in accordance with Part 4 and Section 5.14 of the Shire of Coorow Town Planning Scheme No.2, subject to the following conditions and advice notes:

Conditions of Approval

1. The approved development shall be undertaken generally in accordance with the plans and undertakings provided by Verve Energy and forming the Application for Planning Consent unless expressly altered by a condition attached to the approval.
2. The approved development shall be substantially commenced within a period of 5 years from the date of this approval and if the development is not substantially commenced the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without the further approval of the Shire of Coorow having first being sought and obtained.
3. The applicant is to prepare, submit and implement a Traffic Management Plan to the satisfaction of the Shire of Coorow.
4. The applicant is to ensure that the location, design and construction of the access point from the development site onto the road network is appropriate for the approved development and the access point shall be constructed by and at the expense of the Applicant to the satisfaction of the Shire of Coorow.
5. The applicant shall at the applicant's cost repair, reinstate or replace any local road infrastructure under the control of the Shire of Coorow and to the satisfaction of the Shire of Coorow that is damaged, becomes unsafe or fails to meet appropriate engineering standards where the damage to the road network is caused by reason of use of the road in connection with the approved development.
6. The approved development shall for the duration of the approved use comply with the Environmental Protection (Noise) Regulations 1997.
7. The applicant is to prepare, submit and implement a Fire Management Plan to the satisfaction of the Shire of Coorow.



8. The Applicant is to prepare, submit and implement an Environmental Management Plan to the satisfaction of the Shire of Coorow.
9. No signs or hoardings are to be erected in relation to the development without the separate approval of the Shire of Coorow.
10. All lighting devices shall be installed and shaded in such a way as to not cause undue light spill to passing motorists or neighbouring residences.
11. The applicant shall prepare, submit and implement a water management plan for the site to the satisfaction of the Shire of Coorow.
12. The applicant shall upon the decommissioning of the approved Warradarge Wind Farm development (in all or part) remove and dispose of all decommissioned structures located above ground from the site to the satisfaction of the Shire of Coorow

Advice Notes:

- A. In relation to condition 3, and prior to the commencement of any site works, the applicant is advised that the Shire of Coorow shall seek advice and comment on the Traffic Management Plan from the Mid-West Regional Manager of Main Roads WA. The Traffic Management Plan shall:
 - i. Incorporate a Traffic Impact Assessment for the transportation activities associated with the development and to ensure the intersections and impacts to the road network are addressed.
 - ii. Set out in detail the management commitments applicable to traffic relevant to all installations, activities and processes.
 - iii. Include if required by Main Roads WA or the Shire of Coorow the identification of any necessary road upgrading, and property access construction and
 - iv. Include the provision of a dilapidation survey prior to and at the completion of the development with any damage caused to the road network used by transport vehicles accessing the site to be repaired to the requirements of Main Roads WA and the Shire of Coorow.

Once approved, the Applicant is responsible to ensure that all installations, activities and processes carried out at all times and in all respects are in accordance with the Traffic Management Plan.

- B. Main Roads WA advises that permits are required for overweight and oversized vehicles associates with the proposed development.
- C. Main Roads WA advise that, should the proponent undertake any works within the road reserve of its network, the proponent must submit an application to Main Roads WA. No works are to commence within the road reserve until Main Roads WA has approved the application seeking to undertake works within the road reserve.



- D. In relation to condition 6 and prior to commencement of any site works, the applicant is encouraged to submit a Noise Management Plan with the Department of Environment and Conservation and the Shire of Coorow for review. The Noise Management Plan should set out in detail the management commitments applicable to noise minimisation relevant to all installations, activities and processes on-site to ensure the noise emissions will achieve compliance with the requirements of the South Australian guidelines Environmental Protection Authority – Wind Farms Environmental Noise.
- E. In relation to condition 7, prior to commencement of any site works, the applicant is responsible to ensure that the Fire Management Plan is lodged with the Fire and Emergency Management Authority and the Shire of Coorow for review and the actions recommended in the Plan are implemented. Any relevant approvals / licences required from the Department of Water, in relation to water extraction for fire management purposes shall be secured by the applicant.
- F. In relation to condition 8, prior to commencement of any site works, the applicant is responsible to ensure that the Environmental Management Plan is lodged with the Department of Environment and Conservation and the Shire of Coorow for its review. The Environmental Management Plan shall address the following issues:
- Fuel storage, handling and spill response,
 - Weed management,
 - Extraction of any road making materials from within the site and the rehabilitation of the excavation area to a suitable end use,
 - Integration of the broadacre farming activities on-site with the wind farm operations,
 - Surface, ground and storm water management,
 - Waste disposal,
 - Flora and fauna, and
 - Dust suppression and stabilisation of any soils disturbed or deposited on site
- G. The applicant is advised that this planning approval does not negate the requirement for any additional approvals which may be required under separate legislation, including but not limited to the Building Act 2012, Health Act 1911, Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974, Environmental Protection (Clearing of Native Vegetation) Regulations 2004, Environmental Protection (Noise) Regulations 1997, Traffic Act 2000, Aboriginal Heritage Act 1972 and the obtaining of a works licence from the Department of Environment and Conservation if required. It is the applicant's responsibility to obtain any additional approvals required before the development / use lawfully commences.

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- H. The discretions listed to the Local Government, Main Roads WA, Department of Environment and Conservation, and the Fire and Emergency Services Authority under the conditions of approval shall be exercised by those parties in a reasonable manner. If the applicant is aggrieved by a condition attached to the approval, the applicant can apply to have that condition reviewed pursuant to Regulation 17(1) of the *Planning and Development (Development Assessment Panels) Regulations 2011*.
- I. In regards to Condition 9, signs that are required for traffic management and occupational safety and health and as detailed in the Environmental Management Plan, Traffic Management Plan and be erected for use throughout the construction period.
- J. If the applicant is aggrieved by this determination there is a right (pursuant to the Planning and Development Act 2005) to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

The motion was put and CARRIED UNANIMOUSLY

A handwritten signature in black ink that reads "R. O'Brien".



8.2	Application Details:	Warradarge Wind Farm Transmission Line
	Property Location:	Lot 10847 and Lot 10848 Rose Thomson Road, Warradarge
	Applicant:	Verve Energy
	Owner:	Judeen Nominees Pty Ltd
	Responsible authority:	Shire of Carnamah
	Report date:	24 August 2012
	DoP File No:	DP/12/00624

REPORT RECOMMENDATION

That the Mid-West Joint Development Assessment Panel resolves to Approve DAP Application reference DP/12/00624 submitted by Verve Energy to develop the Warradarge Wind Farm 330kV transmission line upon Lots 10847 & 10848 Rose Thomson Road, Warradarge as received by the Shire of Carnamah on 6 June 2012 and accompanying plans (WAW-AA-GA-G/001 SH001, WAW-AA-GA-G/001 SH002, WAW-AA-GA-G/002 SH001, WAW-AA-GA-G/002 SH004, WAW-AA-GA-G/005 SH001, WAW-SS-PT-E/001 SH001) in accordance with Section 3.3.5(b) of the Shire of Carnamah Town Planning Scheme No.1, subject to the following conditions and advice notes:

Conditions of Approval

- 1 The approved development shall be undertaken generally in accordance with the plans and undertakings provided by Verve Energy and forming the Application for Planning Consent unless expressly altered by a condition attached to the approval.
- 2 The approved development shall be substantially commenced within a period of 5 years from the date of this approval and if the development is not substantially commenced the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.
- 3 In the event that the proposed development requires the use of any roads under the management of the Shire of Carnamah the applicant is required to undertake the following at their expense to the satisfaction of the Shire of Carnamah:
 - 3.1 Prepare, submit and implement a Traffic Management Plan to the satisfaction of the Shire of Carnamah;
 - 3.2 Ensure that the location, design and construction of the access point from the development site onto the road network shall be to the satisfaction of the Shire of Carnamah;
 - 3.3 Ensure that the installation of any traffic warning/safety signage in relation to the approved development during the transportation and construction phases shall be to the satisfaction of the Shire of Carnamah;



- 3.4 Repairing of any damage to the road network including the surface is required by reason of use of the road in connection with the development to the satisfaction of the Shire of Carnamah;
- 3.5 No signs or hoardings are to be erected on the entrance to the development without the separate approval of the Local Government.
- 4 The applicant is to prepare, submit and implement a Fire Management Plan to the satisfaction of the Fire and Emergency Services Authority and the Local Government.
- 5 All lighting devices must be installed and shaded in such a way as to not cause undue light spill to passing motorists or neighbouring residences.

Advice Notes

- (a) In relation to condition 3 (if required), prior to commencement of any site works, the applicant is responsible to ensure that the Traffic Management Plan is lodged with the Shire of Carnamah for review. The Traffic Management Plan shall incorporate a Traffic Impact assessment for the transportation activities associated with the development and to ensure that intersections and impacts to the road network are addressed. The Traffic Management Plan shall set out in detail the management commitments applicable to traffic relevant to all installations, activities and processes. The Traffic Management Plan shall include if required by the Shire of Carnamah the identification of any necessary road upgrading, and property access construction and the provision of a dilapidation survey prior to and at the completion of the development with any damage caused to the road network used by transport vehicles accessing the site to be repaired to the requirements of the Shire of Carnamah. Once approved, the applicant from time to time is responsible to ensure, that all installations, activities and processes carried out at all times and in all respects are in accordance with the Traffic Management Plan.
- (b) In relation to condition 4, prior to commencement of any site works, the applicant is responsible to ensure that the Fire Management Plan is lodged with the Fire & Emergency Services Authority and the Local Government for its review. The Fire Management Plan shall address the obtaining of any relevant approvals/licences from the Department of Water, in relation to water abstraction for fire management purposes if necessary.
- (c) The applicant is advised that this planning approval does not negate the requirement for any additional approvals which may be required under separate legislation including but not limited to the Building Code of Australia, *Building Act 2012*, *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*, *Environmental Protection (Noise) Regulation 1997*, *Traffic Act 2000*, *Aboriginal Heritage Act 1972* and the obtaining of a works licence from the Department of Environment and Conservation if required. It is the applicant's responsibility to obtain any additional approvals required before the development/use lawfully commences.
- (d) The discretions listed to the Shire of Carnamah and the Fire and Emergency Services Authority under the conditions of approval shall be exercised by



those parties in a reasonable manner. Any dispute on conditions may be referred back to the Development Assessment Panel.

- (e) In relation to condition 3.5 (if required), signs that are required for traffic management and occupational safety and health and as agreed in the Environmental Management Plan, Traffic Management Plan, and Noise Management Plan can be erected for use throughout the construction period.
- (f) If the applicant is aggrieved by this determination there is a right (pursuant to the *Planning and Development Act 2005*) to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

PRELIMINARY MOTION

Moved By: Mr Robert Fenn Seconded By: Cr Ian Stirling

That the Mid-West Joint Development Assessment Panel resolves to determine that the DAP Application reference DP/12/00624 submitted by Verve Energy to develop broadacre farming and 330kV transmission line upon Lots 10874 & 10848 Rose Thomson Road, Warradarge as received by the Shire of Carnamah on 6 June 2012 shall be classified as a "Use Not Listed – Broadacre Farming and 330 kV transmission line" pursuant to Section 3.3.5(b) of the Shire of Carnamah Town Planning Scheme No. 1.

Reason: The DAP assumes the role of the Council for the purpose of determining the application and the Scheme requires that the responsible authority is required under the scheme to make a determination on whether the subject application should be considered on the basis that it is a use not listed and also whether the activity is a discretionary or prohibited activity. The Shire of Carnamah has completed the processes required by the Scheme on the basis that this application is a discretionary land use activity.

The preliminary motion was put and CARRIED UNANIMOUSLY

Mr Robert Fenn submitted in writing an Alternate Primary Motion to provide further clarity to the Report Recommendation conditions and advice notes.

ALTERNATE PRIMARY MOTION

Moved by: Mr Robert Fenn Seconded By: Mr Patrick Dick

That the Mid-West Joint Development Assessment Panel resolves to Approve DAP Application reference DP12/00624 submitted by Verve Energy to develop broadacre farming and 330kV transmission line upon Lots 10847 & 10848 Rose Thomson Road, Warradarge as received by the Shire of Carnamah on 6 June 2012 and accompanying plans (WAW-AA-GA-G/001 SH001, WAW-AA-GA-G/001 SH002, WAW-AA-GA-G/002 SH001, WAW-AA-GA-G/002 SH004, WAW-AA-GA-G/005 SH001, WAW-SS-PT-E/001 SH001) in accordance with Section 3.3.5(b) of the Shire of Carnamah Town Planning Scheme No.1, subject to the following conditions and advice notes:



Conditions of Approval

1. The approved development shall be undertaken generally in accordance with the plans and undertakings provided by Verve Energy and forming the Application for Planning Consent unless expressly altered by a condition attached to the approval.
2. The approved development shall be substantially commenced within a period of 5 years from the date of this approval and if the development is not substantially commenced the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without the further approval of the Council having first being sought and obtained.
3. The applicant is to prepare, submit and implement a Fire Management Plan to the satisfaction of the Council.
4. All lighting devices shall be installed and shaded in such a way as to not cause undue light spill to passing motorists or neighbouring residences
5. The applicant is to prepare, submit and implement a Traffic Management Plan to the satisfaction of the Council.
6. The applicant is to ensure that the location, design and construction of the access point from the development site onto the road network is appropriate for the approved development and the access point shall be constructed by and at the expense of the Applicant to the satisfaction of the Council.
7. The applicant shall at the applicant's cost repair, reinstate or replace any local road infrastructure under the control of the Shire of Carnamah and to the satisfaction of the Council that is damaged, becomes unsafe or fails to meet appropriate engineering standards where the damage to the road network is caused by reason of use of the road in connection with the approved development.
8. No signs or hoardings are to be erected in relation to the development without the separate approval of the Council.
9. The applicant shall prepare, submit and implement a water management plan for the site to the satisfaction of the Council.

Advice Notes:

- A. In relation to condition 3, prior to commencement of any site works, the applicant is responsible to ensure that the Fire Management Plan is lodged with the Fire and Emergency Management Authority and the Council for review and the actions recommended in the Plan are implemented. Any relevant approvals / licences required from the Department of Water, in relation to water extraction for fire management purposes shall be secured by the applicant.
- B. In relation to condition 5 and prior to the commencement of any site works, the applicant is advised that the Council shall seek advice and comment on



the Traffic Management Plan from the Mid-West Regional Manager of Main Roads WA. The Traffic Management Plan shall:

- i. Incorporate a Traffic Impact Assessment for the transportation activities associated with the development and to ensure the intersections and impacts to the road network are addressed.
- ii. Set out in detail the management commitments applicable to traffic relevant to all installations, activities and processes.
- iii. Include if required by Main Roads WA or the Shire of Carnamah the identification of any necessary road upgrading, and property access construction and
- iv. Include the provision of a dilapidation survey prior to and at the completion of the development with any damage caused to the road network used by transport vehicles accessing the site to be repaired to the requirements of Main Roads WA and the Council.

Once approved, the Applicant is responsible to ensure that all installations, activities and processes carried out at all times and in all respects are in accordance with the Traffic Management Plan.

- C. In regards to Condition 8, signs that are required for traffic management and occupational safety and health and as detailed in the Traffic Management Plan can be erected for use throughout the construction period.
- D. The applicant is advised that this planning approval does not negate the requirement for any additional approvals which may be required under separate legislation, including but not limited to the Building Act 2012, Health Act 1911, Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974, Environmental Protection (Clearing of Native Vegetation) Regulations 2004, Environmental Protection (Noise) Regulations 1997, Traffic Act 2000, Aboriginal Heritage Act 1972 and the obtaining of a works licence from the Department of Environment and Conservation if required. It is the applicant's responsibility to obtain any additional approvals required before the development / use lawfully commences.
- E. The discretions listed to the Council, Main Roads WA and the Fire and Emergency Services Authority under the conditions of approval shall be exercised by those parties in a reasonable manner. If the applicant is aggrieved by a condition attached to the approval, the applicant can apply to have that condition reviewed pursuant to Regulation 17(1) of the *Planning and Development (Development Assessment Panels) Regulations 2011*.
- F. If the applicant is aggrieved by this determination there is a right (pursuant to the Planning and Development Act 2005) to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

The motion 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. Meeting Close

There being no further business, the presiding member declared the meeting closed at 2.46pm.

A handwritten signature in black ink that reads "R. O'Brien".