



Regional Joint Development Assessment Panel Minutes

Meeting Date and Time: Tuesday, 16 January 2024; 9:30am
Meeting Number: RJDAP/128
Meeting Venue: Electronic Means

This DAP meeting was conducted by electronic means (Zoom) open to the public rather than requiring attendance in person

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Tony Arias
Presiding Member, Regional JDAP



Attendance

DAP Members

Tony Arias (Presiding Member)
Kanella Hope (Deputy Presiding Member)
John Taylor (A/Third Specialist Member)
Cr Geoff Haerewa (Local Government Member, Shire of Derby-West Kimberley)

Officers in attendance

Joe Douglas (Shire of Derby-West Kimberley)
Mark Chadwick (Shire of Derby-West Kimberley)

Minute Secretary

Tenielle Brownfield (DAP Secretariat)
Laura Simmons (DAP Secretariat)

Applicants and Submitters

Tim Dawkins (Urbis)
Jackson Tomich (Urbis)
Carey Lyon (Lyons Architecture)
Steph Pahnis (Lyons Architecture)
Helen Drennen (Studio Schools Australia)
David Finch (Studio Schools Australia)
Ned McCord (Studio Schools Australia)
Rada Tomanovic (Syrinx Environmental)
Michael Robinson (DCWC)
Marcus Bailey (DCWC)
Sarah Delalande (DCWC)

Members of the Public / Media

Isabel Vieira from Business News was in attendance.

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9.36am on 16 January 2024 and acknowledged the traditional owners and paid respect to Elders past and present of the land on which the meeting was being held.

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.

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This meeting was convened via electronic means (Zoom). Members were reminded to announce their name and title prior to speaking.

2. Apologies

Justin Page (Third Specialist Member)
Cr Andrew Twaddle (Local Government Member, Shire of Derby-West Kimberley)

3. Members on Leave of Absence

DAP Member, Justin Page has been granted leave of absence by the Director General for the period of 20 December 2023 to 19 January 2024 inclusive.

4. Noting of Minutes

DAP members noted that signed minutes of previous meetings are available on the [DAP website](#).

5. Declaration of Due Consideration

The Presiding Member noted that an addendum to the agenda was published to include details of a DAP direction for further information and responsible authority response in relation to Item 8.1, received on 15 January 2024.

All members declared that they had duly considered the documents.

6. Disclosure of Interests

Nil

7. Deputations and Presentations

- 7.1 Helen Drennen (Studio Schools Australia) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.2 Carey Lyon (Lyons Architecture) and David Finch (Studio Schools Australia) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.3 Jackson Tomich (Urbis) addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.
- 7.4 The Shire of Derby-West Kimberley addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.

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8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 Lot 1701 on Deposited Plan 149014 Fairfield-Leopold Downs Road, King Leopold Ranges

Development Description: Proposed Educational Establishment
Applicant: Urbis
Owner: State of WA
Responsible Authority: Shire of Derby-West Kimberley
DAP File No: DAP/23/02572

REPORT RECOMMENDATION

Moved by: Cr Geoff Haerewa

Seconded by: Kanella Hope

The Regional JDAP resolve to

Approve DAP Application reference DAP/23/02572 and accompanying plans in accordance with clause 4 of the *Shire of Derby/West Kimberley Local Interim Development Order No.9* subject to the following conditions and advice notes:

Conditions - General

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.
2. The approved development shall be undertaken generally in accordance with the plans and undertakings provided by the applicant and forming the Application for Development Approval stamp dated 6 October 2023 listed as follows subject to any modifications required as a consequence of any condition/s of this approval.
 - i) Urbis Document Reference: Project Code P0041111 Report Number Final v2.0 including Appendices 'A to I'.
 - ii) Flora, Fauna and Vegetation Survey - Syrinx Report Reference 23017RPT001 Version 2 dated November 2023; and
 - iii) Site Context Plan (perimeter fence extent details) - Lyons Drawing No.KSS-DA-00-10-02, Revision 2 dated 2 June 2023.
3. Any additional development which is not in accordance with the application the subject of this approval or any condition of approval will require the further approval of the local government or the Regional Joint Development Assessment Panel.

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Conditions – Prior to Commencement of Development (School Site Works)

4. Amend the Bushfire Management and Emergency Evacuation Plan provided in Appendix D of the Urbis document referenced in Condition 2 of this approval as follows:
 - i) provide further details demonstrating compliance with Schedule 1 of the *Guidelines for Planning in Bushfire Prone Areas* (version 1.4, December 2021) as they apply specifically to LPG cylinders.
 - ii) update Implementation Action No.4 in section 6 to reference the need to make a copy of the plan available to the project builder.
 - iii) update Implementation Action No.7 in section 6 to require the annual review of this plan by the proponent (i.e., School Management) to be undertaken in consultation with, and be endorsed by, the local government prior to any additional implementation action that may be required and provide a copy of the revised plan to the local government for its information and records.
 - iv) include the following additional Implementation Actions in section 6 as it applies to 'School Management - Prior to Occupation of the Buildings':
 - v) *Ensure compliance with the Shire of Derby/ West Kimberley Annual Fire Break and Fuel Hazard Reduction Notice*; and
 - vi) *Arrange for the installation of signage in prominent locations within the school site that informs the actions of those persons on site in the event of a bushfire, including evacuation route information and site procedures.*
 - vii) include the following additional Implementation Action in section 6 of the Bushfire Management and Emergency Evacuation Plan as it applies to 'School Management - Ongoing Management':
 - viii) *Maintain the existing vehicular access routes as well as water supply, tanks and fittings within the lot to ensure compliance with the technical requirements referenced in the Bushfire Management and Emergency Evacuation Plan.*
 - ix) include the following additional Implementation Action in section 6 of the Bushfire Management and Emergency Evacuation Plan as it applies to 'Shire of Derby/West Kimberley - Ongoing Management':
 - x) *Monitor School Management's compliance with the local government's annual Firebreak Notice and all bushfire protection measures prescribed in the Bushfire Management and Emergency Evacuation Plan.*
5. Prepare an overall, consolidated Emergency Evacuation Plan with due regard for the various measures prescribed in the 'School Sites Operations Plan' and Bushfire Emergency Evacuation Plan for consideration of endorsement by the local government in consultation with the Department of Fire and Emergency Services to recognise and respond to all potential hazards / risks.

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6. Prepare a Construction Environmental Management Plan that provides the following details for consideration of endorsement by the local government in consultation with the Department of Water and Environmental Regulation and Department of Fire and Emergency Services:
 - i) Days and hours of construction.
 - ii) Location of all temporary construction, laydown and storage areas including the nature and timing of decommissioning and reinstatement works.
 - iii) Location of all temporary construction related buildings and associated infrastructure including the nature and timing of decommissioning and reinstatement works.
 - iv) Construction waste management.
 - v) Occupational health and safety measures.
 - vi) Noise and dust management.
 - vii) Drainage management.
 - viii) Site traffic management including parking.
 - ix) Potential hazards / risks and emergency management.
 - x) Environmental management and protection measures including stabilisation and rehabilitation works; and
 - xi) Contact details for key personnel including the builder, building supervisor and proponent including details of the complaints handling system to be used throughout the construction process.
7. Prepare an Operational Environmental Management Plan, with due regard for the various management measures proposed in the Flora, Fauna and Vegetation Survey report referenced in Condition 2 of this approval, for consideration of endorsement by the local government in consultation with the Department of Water and Environmental Regulation and Department of Biodiversity, Conservation and Attractions.
8. Prepare a Stormwater Drainage Management Plan, with due regard for the principles, objectives, and detailed design information contained in the *Stormwater Management Manual for Western Australia* (February 2004, updated May 2022), for consideration of endorsement by the local government in consultation with the Department of Water and Environmental Regulation.
9. Prepare an Operational Waste Management Plan for consideration of endorsement by the local government in consultation with the Department of Water and Environmental Regulation.
10. Realign the private access road within the subject land and associated crossover to Fairfield-Leopold Downs Road so they are aligned at right angles at their intersection with the road carriageway to the specifications and satisfaction of the local government. Engineering drawings and specifications are to be submitted to the local government for consideration of approval prior to the commencement of works.

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11. Remove the existing alignment of the private access road within the subject land and associated crossover at their intersection with Fairfield-Leopold Downs Road, which is no longer required, and reinstate the land they occupied to the specifications and satisfaction of the local government. Engineering drawings and specifications are to be submitted to the local government for consideration of approval prior to the commencement of works.

Conditions - Prior to Occupation and Use

12. Complete the Bushfire Emergency Evacuation Plan in Appendix 1 of the Bushfire Management and Emergency Evacuation Plan provided in Appendix D of the Urbis document referenced in Condition 2 of this approval (as amended) to include the names and contact details for all personnel in the Emergency Management Team and provide a copy of the revised plan to the local government for its information and records.
13. Implement all bushfire protection measures prescribed in section 6 of the Bushfire Management and Emergency Evacuation Plan provided in Appendix D of the Urbis document referenced in Condition 2 of this approval (as amended) as they apply specifically to 'School Management – Prior to Occupation of Buildings' and provide written confirmation of completion of implementation to the local government, including certification by a suitably qualified bushfire practitioner, for its information and records.
14. Prepare a detailed Landscaping Plan for consideration of endorsement by the local government and implementation thereafter to the satisfaction of the local government. The plan required by this condition shall be generally consistent with the endorsed development plans and Bushfire Management and Emergency Evacuation Plan and provide information with regard to species selection, reticulation, details of existing vegetation to be retained, pavement details, the treatment of landscaped surfaces, and all proposed rehabilitation works.
15. Construct all stormwater drainage infrastructure in accordance with the Stormwater Drainage Management Plan required by Condition 8 of this approval to the specifications and satisfaction of the local government.
16. Construct all new on-site driveways, parking, manoeuvring, loading and unloading areas in accordance with Australian Standard AS2890.1:2004 entitled 'Parking Facilities – Part 1: Off-Street Car Parking' (as amended) and the technical requirements prescribed in Table 5 - Compliance Table in the Bushfire Management and Emergency Evacuation Plan provided in Appendix D of the Urbis document referenced in Condition 2 of this approval (as amended) to the specifications and satisfaction of the local government.

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Conditions – Ongoing

17. Implement all bushfire protection measures prescribed in section 6 of the Bushfire Management and Emergency Evacuation Plan provided in Appendix D of the Urbis document referenced in Condition 2 of this approval (as amended) as they apply specifically to 'School Management – Ongoing Management' to the specifications and satisfaction of the local government in consultation with the Department of Fire and Emergency Services, including ongoing maintenance requirements, for the life of the development.
18. Implement all management and rehabilitation measures prescribed in the Operational Environmental Management Plan required by Condition 7 of this approval to the specifications and satisfaction of the local government, including ongoing maintenance requirements, for the life of the development.
19. Implement all management measures prescribed in the Stormwater Drainage Management Plan required by Condition 8 of this approval to the specifications and satisfaction of the local government, including ongoing maintenance requirements, for the life of the development.
20. Implement all management measures prescribed in the Operational Waste Management Plan required by Condition 9 of this approval to the specifications and satisfaction of the local government, including ongoing maintenance requirements, for the life of the development.
21. Maintain all landscaping provided in accordance with the Landscaping Plan required by Condition 14 of this approval to the specifications and satisfaction of the local government for the life of the development.
22. Maintain all on-site driveways, parking, manoeuvring, loading and unloading areas required by Condition 16 of this approval to the specifications and satisfaction of the local government for the life of the development.

Advice Notes

1. The proponent is responsible for securing all necessary approvals and tenure, providing statutory notifications and complying with all relevant laws. Nothing in this determination notice alleviates the need for the proponent to comply with all relevant local, State and Commonwealth laws and to ensure appropriate tenure **arrangements** have been made where the use of/reliance upon land other than that owned by the proponent is involved. Without this obligation, the proponent is responsible for:
 - a) Obtaining all other/further necessary approvals, licences, permits, resource entitlements etc. by whatever name called required by law before the development the subject of this development approval can be lawfully commenced and to carry out the use hereby approved for its duration;
 - b) Providing any notifications.


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- c) Securing tenure/permission from the relevant owner to use private or public land not owned by the proponent (including for access required by conditions of approval); and
 - d) Ensuring the correct siting of all structures on the land. An identification survey demonstrating correct siting and setbacks of structures and all associated improvements and infrastructure may be requested of the proponent by the local government to ensure compliance with this determination notice and all applicable provisions.
2. The clearing of native vegetation in Western Australia requires a clearing permit approval under the *Environmental Protection Act 1986* unless:
- it is undertaken under the authority of a clearing permit.
 - it is done after the person has received notice under Section 51DA(5) that a clearing permit is not required; 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 *Environmental Protection Act 1986*. 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*. These exemptions are described in the Department of Water and Environmental Regulation's publication entitled 'A Guide to the Exemptions and Regulations for Clearing Native Vegetation'. It is the proponent's responsibility to determine compliance with these exemptions and therefore whether a clearing permit is required. The proponent is advised to contact the Department of Water and Environmental Regulation for further information and advice in this regard.

3. This approval does not remove or affect any statutory responsibility the proponent may have in notifying the relevant Federal government public authority(s) of the proposal under the *Environment Protection and Biodiversity Conservation Act 1999*.
4. The proposed development is located within the Canning-Kimberley Groundwater Area which is proclaimed under the *Rights in Water and Irrigation Act 1914*. A section 5C licence to take groundwater and/or a section 26D licence to construct/alter a well is required. The Proponent is advised to contact the Department of Water and Environmental Regulation for further information and advice in this regard.
5. The proponent must ensure an adequate potable water supply is provided and meet the relevant water quality standards specified under the *Australian Drinking Water Quality Guidelines 2011* to support the development at all times. The following Water Quality Protection Notes should be considered as well as the requirements of the *Shire of Derby/West Kimberley Health Amendment Local Law 2010*:
- *Community drinking water sources – protection and management* [WQPN 9]; and
 - *Private drinking water supplies* [WQPN 41].



6. The Department of Water and Environmental Regulation regulates emissions and discharges from the construction and operation of prescribed premises through a works approval and licensing process, under Part V, Division 3 of the *Environmental Protection Act 1986*. The Act requires a works approval to be obtained from the Department before constructing a prescribed premises and makes it an offence to cause an emission or discharge from an existing prescribed premises unless a works approval or licence (or registration) has been issued and the emission is in accordance with any conditions to which the licence or works approval is subject. The Department has advised, based on the information provided, that the proposed operations will cause the premises to be considered a prescribed premise as per Schedule 1 of the *Environmental Protection Regulations 1987* for the following categories:
- Category: 85 - Sewage facility.
 - Category: 89 - Putrescible landfill site; and
 - Category: 62 - Solid waste depot.

When seeking any approvals and/or licenses required from the Department of Water and Environmental Regulation the proponent will need to demonstrate compliance with the general provisions of the Act and all relevant regulations, including *Environmental Protection (Noise) Regulations 1997*, *Environmental Protection (Controlled Waste) Regulations 2004* and *Environmental Protection (Unauthorised Discharges) Regulations 2004*. The proponent is advised to contact the Department of Water and Environmental Regulation for further information and advice in this regard.

7. All solid and inorganic waste generated by the proposed development must be managed in accordance with the requirements of the *Shire of Derby/West Kimberley Health Amendment Local Law 2010*. The proponent is advised to contact the local government for further information and advice in this regard.
8. The wastewater treatment system(s) and disposal area(s) will be required to meet all the current requirements of the *Government Sewerage Policy 2019*. An 'Application to Construct or Install an Apparatus for the Treatment of Sewage' prepared pursuant to the specific requirements of the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974* must be prepared and submitted to the local government for assessment and forwarded onto the Department of Health for consideration and determination prior to the preparation and lodgment of a building permit application. The 'Application to Construct or Install an Apparatus for the Treatment of Sewage' must include a site and soil evaluation (SSE) report prepared by a qualified person as per Australian Standard AS/NZS 1547:2012 entitled 'On-site Domestic Wastewater Management'. The report should include seasonal water table and drainage during the wettest seasonal time of the year. The land application area(s) is required to be suitably located and adequately sized based on the SSE report's findings. The wastewater system(s) needs to be adequately sized to accommodate the peak number of students and personnel based on the current health sewage legislation. Adequate separation distances, based on current health sewage legislation, are required from the effluent treatment area(s) and/or land application area(s) to any subsoil drainage system, open drainage channel on the subject land. The proponent is

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advised to contact the local government and the Department of Health for further information and advice in this regard.

9. In accordance with the *Building Act 2011* and *Building Regulations 2012*, a building permit application/s must be submitted to and approved by the local government's Building Surveyor prior to the commencement of any building construction works or associated earthworks on the subject land. The proponent is advised to contact the local government for further advice in this regard.
10. All buildings and associated built form improvements are required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements are required to be submitted with the required building permit application/s.
11. The Department of Fire and Emergency Services has advised as follows:
 - Class 9 buildings, which includes primary and secondary schools, should be afforded significant protection from the impacts of a bushfire due to being occupied by people who may need assistance or are unable to evacuate the building in the event of a bushfire. The Department therefore expects the revised provisions in the National Construction Code applicable to Class 9 Buildings in bushfire prone areas will be applied to the proposed development during the building permit application stage of the approval process: and
 - Given the proposed development is in excess of 50 kilometres from a fire station, the Building Code of Australia (BCA) requirements for fire hydrant provision do not apply. The submission of building plans to the Department for assessment pursuant to the requirements of section 18B(1) of the *Building Regulations 2012* (as amended) is still required even though a hydrant system is not.
12. Access and facilities for people with disabilities must be provided at all times to the proposed buildings and internally throughout the buildings in accordance with Australian Standard AS1428.1 2009 entitled 'Design for Access and Mobility General Requirements for Access - New Building Work'.
13. All public access areas (dining areas, etc) are required to comply with the provisions of the *Health (Miscellaneous Provisions) Act 1911*, related regulations and guidelines and in particular Part VI entitled 'Public Buildings'.
14. All food handling, preparation and storage areas are required to be designed and constructed in accordance with the *Food Act 2008*, *Food Regulations 2009* and the Australian and New Zealand Food Authority (ANZFA) Food Safety Standards.
15. All fuel storage on the land is required to comply with the *Dangerous Goods Safety Act 2004* and *Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007*, all associated Australian Standards and approved Codes of Practice. The proponent is advised to contact the Department of Energy, Mines, Industry Regulation and Safety for further information and advice in this regard.

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16. All camping on the land must be undertaken in accordance and comply with the requirements of the *Caravan Parks and Camping Grounds Act 1995* and *Caravan Parks and Camping Grounds Regulations 1997*. An application for a license is required to be prepared and submitted to the local government for consideration and determination prior to the commencement of development of the proposed new camping grounds on the subject land.
17. The proponent is advised of its obligation to:
 - a) ensure the realigned private access road required by Condition 10 of this approval is contained within the designated boundaries of the right-of-carriageway easement proposed as part of the section 91 licence agreement under the *Land Administration Act 1997*; and
 - b) prepare and submit a suitable application to the local government pursuant to regulation 12 of the *Local Government (Uniform Local Provisions) Regulations 1996*, including engineering drawings and specifications, to obtain approval to construct the new crossover required to Fairfield-Leopold Downs Road from the realigned private access road.
18. Main Roads WA requires permits to be obtained for the use of overweight and oversized vehicles. It is recommended the proponent liaise with Main Roads WA Heavy Vehicle Services Division to confirm and address the requirements for Over Sized Over Mass (OSOM) loads on all State roads proposed to be used by oversized vehicles during the construction phase of the development and any maintenance or repair works required thereafter.
19. The Shire of Derby/West Kimberley contains many places of Aboriginal heritage significance. The proponent is advised to consider Aboriginal heritage issues and its obligations under the *Aboriginal Heritage Act 1972* at an early stage of the planning process. The proponent is advised to contact the Department of Planning Lands and Heritage for further information and advice in this regard.
20. Failure to comply with any of the conditions of this development approval constitutes an offence under the provisions of the *Planning and Development Act 2005* and the *Shire of Derby/West Kimberley Local Interim Development Order No.9* and may result in legal action being initiated by the local government.
21. Should the proponent be aggrieved by this decision, or any of the conditions imposed, there is a right of review under the *Planning and Development Act 2005*. An application for review must be submitted in accordance with Part XIV of the *Planning and Development Act 2005* within 28 days of the date of this decision to the State Administrative Tribunal, GPO Box U1991, Perth, WA 6845. Further information regarding this right of review is available on the SAT website www.sat.justice.wa.gov.au or by phoning 1300 306 017.

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AMENDING MOTION 1

Moved by: Kanella Hope

Seconded by: Cr Geoff Haerewa

That Condition No. 6 be amended to read as follows:

Prepare a Construction Environmental Management Plan that provides the following details for consideration of endorsement by the local government in consultation with the Department of Water and Environmental Regulation and Department of Fire and Emergency Services:

- i) Days and hours of construction.*
- ii) Location of all temporary construction, laydown and storage areas including the nature and timing of decommissioning and reinstatement works.*
- iii) Location of all temporary construction related buildings and associated infrastructure including the nature and timing of decommissioning and reinstatement works.*
- iv) Construction waste management.*
- v) Occupational health and safety measures.*
- vi) Noise and dust management.*
- vii) Drainage management.*
- viii) Site traffic management including parking;*
- ix) Potential hazards / risks and emergency management.*
- x) Environmental management and protection measures including stabilisation and rehabilitation works; ~~and~~*
- xi) Contact details for key personnel including the builder, building supervisor and proponent including details of the complaints handling system to be used throughout the construction process; **and***
- xii) **Remote local road network traffic management, including, if required, temporary management of the existing crossover at Fairfield Leopold Downs Road intersection.***

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: Matter typical to a Construction Management Plan. The purpose is to identify and put in place, if required, temporary measures to manage predicted traffic during construction in the locality. It is noted the Panel was generally satisfied the existing road network in the immediate locality, including this entry intersection, is sufficient to cater to the likely temporary construction traffic required. This temporary construction traffic using the existing road network and intersection, is separate to the intersection upgrade required to support the ongoing operation of the development addressed in other conditions.


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AMENDING MOTION 2

Moved by: Kanella Hope

Seconded by: Cr Geoff Haerewa

The following amendments were made en bloc. Move these conditions to within the section headed "Conditions - prior to use / occupation" and add amended wording:

- i) That Condition No.9 be amended to read as follows:

*Prepare an Operational Waste Management Plan for consideration of endorsement by the local government in consultation with the Department of Water and Environmental Regulation **prior to occupation.***

- ii) That Condition No.10 be amended to read as follows:

*Realign the private access road within the subject land and associated crossover to Fairfield-Leopold Downs Road so they are aligned at right angles at their intersection with the road carriageway to the specifications and satisfaction of the local government. Engineering drawings and specifications are to be submitted to the local government for consideration of approval prior to ~~the commencement of~~ **works occupation.***

- iii) That Condition No.11 be amended to read as follows:

*Remove the existing alignment of the private access road within the subject land and associated crossover at their intersection with Fairfield-Leopold Downs Road, which is no longer required, and reinstate the land they occupied to the specifications and satisfaction of the local government. Engineering drawings and specifications are to be submitted to the local government for consideration of approval prior to ~~the commencement of works~~ **occupation.***

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The Panel was not satisfied there was a compelling reason for these matters to be addressed prior to commencement of works, and that prior to occupation was typical and appropriate. The Panel was satisfied the existing intersection at Fairfield-Leopold Downs Road could temporarily accommodate construction vehicles, with a requirement to address construction traffic added to the separate Construction Management Plan condition (Condition 6). Waste Management details are typically resolved during detailed design and whilst construction occurs, noting this plan must be resolved before occupation. It was considered that there was sufficient flexibility given the size of the site to accommodate the design and construction of wastewater infrastructure.


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AMENDING MOTION 3

Moved by: Kanella Hope

Seconded by: Cr Geoff Haerewa

The following amendments were made en bloc:

- i) That Condition No.12 be deleted, and the remaining conditions be renumbered accordingly.
- ii) That Condition No.13 be deleted, and the remaining conditions be renumbered accordingly.
- iii) That Condition No.17 be deleted, and the remaining conditions be renumbered accordingly.
- iv) That Condition No.4 be amended to read, consolidating Condition Nos. 4, 12, 13 and 17 into the one condition as follows, adopted as per the Shire's R.13 response:

Amend the Bushfire Management and Emergency Evacuation Plan provided in Appendix D of the Urbis document referenced in Condition 2 of this approval as follows, provide a copy of the revised plans to the local government for its information and records, and implement all bushfire protection measures specified therein, including ongoing maintenance requirements, for the life of the development:

- i) *provide further details demonstrating compliance with Schedule 1 of the Guidelines for Planning in Bushfire Prone Areas (version 1.4, December 2021) as they apply specifically to LPG cylinders.*
- ii) *update Implementation Action No.4 in section 6 to reference the need to make a copy of the plan available to the project builder.*
- iii) *update Implementation Action No.7 in section 6 to require the annual review of this plan by the proponent (i.e., School Management) to be undertaken in consultation with, and be endorsed by, the local government prior to any additional implementation action that may be required and provide a copy of the revised plan to the local government for its information and records.*
- iv) *include the following additional Implementation Actions in section 6 as it applies to 'School Management - Prior to Occupation of the Buildings:*
 - *Ensure compliance with the Shire of Derby/ West Kimberley Annual Fire Break and Fuel Hazard Reduction Notice; and*
 - *Arrange for the installation of signage in prominent locations within the school site that informs the actions of those persons on site in the event of a bushfire, including evacuation route information and site procedures.*


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- v) *include the following additional Implementation Action in section 6 of the Bushfire Management and Emergency Evacuation Plan as it applies to 'School Management - Ongoing Management':*
 - *Maintain the existing vehicular access routes as well as water supply, tanks and fittings within the lot to ensure compliance with the technical requirements referenced in the Bushfire Management and Emergency Evacuation Plan.*
- vi) *include the following additional Implementation Action in section 6 of the Bushfire Management and Emergency Evacuation Plan as it applies to 'Shire of Derby/West Kimberley - Ongoing Management':*
 - *Monitor School Management's compliance with the local government's annual Firebreak Notice and all bushfire protection measures prescribed in the Bushfire Management and Emergency Evacuation Plan.*
- vii) **Complete the Bushfire Emergency Evacuation Plan in Appendix 1 to include the names and contact details for all personnel in the Emergency Management Team and provide and provide a copy of the revised plan to the local government for its information and records.**

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: For clarity, and to remove repetition as supported by the applicant. Also consistent with modified Condition provided in the R13 request.

AMENDING MOTION 4

Moved by: Kanella Hope

Seconded by: Cr Geoff Haerewa

That Advice Note 8, as per the Shire's R.13 response, be amended to read as follows:

*The proponent is advised wastewater treatment system(s) and disposal area(s) will be required to meet all the current requirements of the Government Sewerage Policy 2019. An 'Application to Construct or Install an Apparatus for the Treatment of Sewage' prepared pursuant to the specific requirements of the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 is **required for consideration and determination by the Department of Health prior to the preparation and lodgement of a building permit application.***

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To remove prescription and ensuring the Advice Note reads as advice.


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AMENDING MOTION 5

Moved by: Kanella Hope

Seconded by: Cr Geoff Haerewa

The following amendments were made en bloc, adopting the Shire's R.13 response to Advice Notes 7, 9-17:

i) That Advice Note 7 be amended to read as follows:

The proponent is advised all solid and inorganic waste generated by the proposed development must be managed in accordance with the requirements of the Shire of Derby/West Kimberley Health Amendment Local Law 2010 **and** ~~The proponent is advised~~ to contact the local government for further information and advice in this regard.

ii) That Advice Note 9 be amended to read as follows:

The proponent is advised ~~In accordance with the Building Act 2011 and Building Regulations 2012,~~ a building permit application/s must be submitted **to the requirements of the Building Act 2011 and Building regulations 2012 and submitted** to and approved by the local government's Building Surveyor prior to the commencement of any building construction works or associated earthworks on the subject land ~~The proponent is advised~~ and to contact the local government for further advice in this regard.

iii) That Advice Note 10 be amended to read as follows:

The proponent is advised all buildings and associated built form improvements are required to comply in all respects with the National Construction Code of Australia **and of the need to ensure all** plans and specifications which reflect these requirements are required to be submitted with the required building permit application/s.

Tony Arias
Presiding Member, Regional JDAP



iv) That Advice Note 11 be amended to read as follows:

~~The Department of Fire and Emergency Services has advised as follows: The Proponent is advised of the following information received from the Department of Fire and Emergency Services:~~

- Class 9 buildings, which includes primary and secondary schools, should be afforded significant protection from the impacts of a bushfire due to being occupied by people who may need assistance or are unable to evacuate the building in the event of a bushfire. The Department therefore expects the revised provisions in the National Construction Code applicable to Class 9 Buildings in bushfire prone areas will be applied to the proposed development during the building permit application stage of the approval process: and
- Given the proposed development is in excess of 50 kilometres from a fire station, the Building Code of Australia (BCA) requirements for fire hydrant provision do not apply. The submission of building plans to the Department for assessment pursuant to the requirements of section 18B(1) of the Building Regulations 2012 (as amended) is still required even though a hydrant system is not.

v) That Advice Note 12 be amended to read as follows:

The Proponent is advised that access and facilities for people with disabilities must be provided at all times to the proposed buildings and internally throughout the buildings in accordance with Australian Standard AS1428.1 2009 entitled 'Design for Access and Mobility General Requirements for Access - New Building Work'.

vi) That Advice Note 13 be amended to read as follows:

The Proponent is advised that all public access areas (dining areas, etc) are required to comply with the provisions of the Health (Miscellaneous Provisions) Act 1911, related regulations and guidelines and in particular Part VI entitled 'Public Buildings'.

vii) That Advice Note 14 be amended to read as follows:

The Proponent is advised that all food handling, preparation and storage areas are required to be designed and constructed in accordance with the Food Act 2008, Food Regulations 2009 and the Australian and New Zealand Food Authority (ANZFA) Food Safety Standards.

viii) That Advice Note 15 be amended to read as follows:

The Proponent is advised that all fuel storage on the land is required to comply with the Dangerous Goods Safety Act 2004 and Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007, all associated Australian Standards and approved Codes of Practice ~~and The proponent is advised to contact the Department of Energy, Mines, Industry Regulation and Safety for further information and advice in this regard.~~

Tony Arias
Presiding Member, Regional JDAP



- ix) That Advice Note 6 be amended to read as follows:

The Proponent is advised that all camping on the land must be undertaken in accordance and comply with the requirements of the *Caravan Parks and Camping Grounds Act 1995* and *Caravan Parks and Camping Grounds Regulations 1997* **and that** an application for a license is required to be prepared and submitted to the local government for consideration and determination prior to the commencement of development of the proposed new camping grounds on the subject land.

- x) That Advice Note 17 be amended to read as follows:

The proponent is advised as follows with regard to vehicle access arrangements to/from the proposed development of its obligation to:

- a) ~~ensure~~ the realigned private access road required by ~~Condition 10~~ of this approval **is must be** contained within the designated boundaries of the right-of-carriageway easement proposed as part of the section 91 licence agreement under the Land Administration Act 1997 **unless otherwise approved the Department of Planning, Lands and Heritage; and**
- b) ~~prepare and submit~~ a suitable application to the local government **is required** pursuant to regulation 12 of the Local Government (Uniform Local Provisions) Regulations 1996, including engineering drawings and specifications, to obtain approval to construct the new crossover required to Fairfield-Leopold Downs Road from the realigned private access road.

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: To remove prescription and to ensure the Advice Notes read as advice.

AMENDING MOTION 6

Moved by: Kanella Hope

Seconded by: Tony Arias

The following amendments were made en bloc:

- i) That Advice Note 5 be deleted, and the remaining advice notes be renumbered accordingly.


Tony Arias
Presiding Member, Regional JDAP



- ii) That a new Condition No.20 be added to read as follows:

The proponent to ensure an adequate potable water supply is provided and this meets the relevant water quality standards specified under the Australian Drinking Water Quality Guidelines 2011 to support the development at all times. The following Water Quality Protection Notes should be considered as well as the requirements of the Shire of Derby/West Kimberley Health Amendment Local Law 2010:

- ***Community drinking water sources – protection and management [WQPN 9]; and***
- ***Private drinking water supplies [WQPN 41].***

The Amending Motion was put and CARRIED UNANIMOUSLY.

REASON: The Panel considered this matter was a fundamental requirement of the development and should be included as a condition of approval, not an Advice Note.

AMENDING MOTION 7

Moved by: Kanella Hope

Seconded by: Tony Arias

The following amendments were made en bloc, to delete Advice Notes 2, 3, 6 (now 5), 9 (now 8), 18-20 (now 17-19):

- i) That Advice Note 2 be deleted, and the remaining advice notes be renumbered accordingly.
- ii) That Advice Note 3 be deleted, and the remaining advice notes be renumbered accordingly.
- iii) That Advice Note 6 (now Advice Note 5) be deleted, and the remaining advice notes be renumbered accordingly.
- iv) That Advice Note 9 be deleted, and the remaining advice notes be renumbered accordingly.
- v) That Advice Note 18 (now Advice Note 17), be deleted, and the remaining advice notes be renumbered accordingly.
- vi) That Advice Note 19 (now Advice Note 18) be deleted, and the remaining advice notes be renumbered accordingly.
- vii) That Advice Note 20 (Now Advice Note 19) be deleted, and the remaining advice note be renumbered accordingly.

The Amending Motion was put and CARRIED UNANIMOUSLY.

Tony Arias
Presiding Member, Regional JDAP



REASON: The Panel considered these were all matters sufficiently addressed by Advice Note 1. The Panel was satisfied the proponent as an experienced developer, should be aware of relevant legislative requirements and to ensure all relevant legislative obligations are met.

REPORT RECOMMENDATION (AS AMENDED)

The Regional JDAP resolve to

Approve DAP Application reference DAP/23/02572 and accompanying plans in accordance with clause 4 of the *Shire of Derby/West Kimberley Local Interim Development Order No.9* subject to the following conditions and advice notes:

Conditions - General

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.
2. The approved development shall be undertaken generally in accordance with the plans and undertakings provided by the applicant and forming the Application for Development Approval stamp dated 6 October 2023 listed as follows subject to any modifications required as a consequence of any condition/s of this approval.
 - i) Urbis Document Reference: Project Code P0041111 Report Number Final v2.0 including Appendices 'A to I'.
 - ii) Flora, Fauna and Vegetation Survey - Syrinx Report Reference 23017RPT001 Version 2 dated November 2023; and
 - iii) Site Context Plan (perimeter fence extent details) - Lyons Drawing No.KSS-DA-00-10-02, Revision 2 dated 2 June 2023.
3. Any additional development which is not in accordance with the application the subject of this approval or any condition of approval will require the further approval of the local government or the Regional Joint Development Assessment Panel.

Conditions – Prior to Commencement of Development (School Site Works)

4. Amend the Bushfire Management and Emergency Evacuation Plan provided in Appendix D of the Urbis document referenced in Condition 2 of this approval as follows, provide a copy of the revised plans to the local government for its information and records, and implement all bushfire protection measures specified therein, including ongoing maintenance requirements, for the life of the development:
 - i) provide further details demonstrating compliance with Schedule 1 of the Guidelines for Planning in Bushfire Prone Areas (version 1.4, December 2021) as they apply specifically to LPG cylinders.

Tony Arias
Presiding Member, Regional JDAP



- ii) update Implementation Action No.4 in section 6 to reference the need to make a copy of the plan available to the project builder.
 - iii) update Implementation Action No.7 in section 6 to require the annual review of this plan by the proponent (i.e., School Management) to be undertaken in consultation with, and be endorsed by, the local government prior to any additional implementation action that may be required and provide a copy of the revised plan to the local government for its information and records.
 - iv) include the following additional Implementation Actions in section 6 as it applies to 'School Management - Prior to Occupation of the Buildings':
 - Ensure compliance with the Shire of Derby/ West Kimberley Annual Fire Break and Fuel Hazard Reduction Notice; and
 - Arrange for the installation of signage in prominent locations within the school site that informs the actions of those persons on site in the event of a bushfire, including evacuation route information and site procedures.
 - v) include the following additional Implementation Action in section 6 of the Bushfire Management and Emergency Evacuation Plan as it applies to 'School Management - Ongoing Management':
 - Maintain the existing vehicular access routes as well as water supply, tanks and fittings within the lot to ensure compliance with the technical requirements referenced in the Bushfire Management and Emergency Evacuation Plan.
 - vi) include the following additional Implementation Action in section 6 of the Bushfire Management and Emergency Evacuation Plan as it applies to 'Shire of Derby/West Kimberley - Ongoing Management':
 - Monitor School Management's compliance with the local government's annual Firebreak Notice and all bushfire protection measures prescribed in the Bushfire Management and Emergency Evacuation Plan.
 - vii) Complete the Bushfire Emergency Evacuation Plan in Appendix 1 to include the names and contact details for all personnel in the Emergency Management Team and provide and provide a copy of the revised plan to the local government for its information and records.
5. Prepare an overall, consolidated Emergency Evacuation Plan with due regard for the various measures prescribed in the 'School Sites Operations Plan' and Bushfire Emergency Evacuation Plan for consideration of endorsement by the local government in consultation with the Department of Fire and Emergency Services to recognise and respond to all potential hazards / risks.
6. Prepare a Construction Environmental Management Plan that provides the following details for consideration of endorsement by the local government in consultation with the Department of Water and Environmental Regulation and Department of Fire and Emergency Services:
- i) Days and hours of construction.
 - ii) Location of all temporary construction, laydown and storage areas including the nature and timing of decommissioning and reinstatement works.



- iii) Location of all temporary construction related buildings and associated infrastructure including the nature and timing of decommissioning and reinstatement works.
 - iv) Construction waste management.
 - v) Occupational health and safety measures.
 - vi) Noise and dust management.
 - vii) Drainage management.
 - viii) Site traffic management including parking;
 - ix) Potential hazards / risks and emergency management.
 - x) Environmental management and protection measures including stabilisation and rehabilitation works;
 - xi) Contact details for key personnel including the builder, building supervisor and proponent including details of the complaints handling system to be used throughout the construction process; and
 - xii) Remote local road network traffic management, including, if required, temporary management of the existing crossover at Fairfield Leopold Downs Road intersection.
7. Prepare an Operational Environmental Management Plan, with due regard for the various management measures proposed in the Flora, Fauna and Vegetation Survey report referenced in Condition 2 of this approval, for consideration of endorsement by the local government in consultation with the Department of Water and Environmental Regulation and Department of Biodiversity, Conservation and Attractions.
 8. Prepare a Stormwater Drainage Management Plan, with due regard for the principles, objectives, and detailed design information contained in the *Stormwater Management Manual for Western Australia* (February 2004, updated May 2022), for consideration of endorsement by the local government in consultation with the Department of Water and Environmental Regulation.

Conditions - prior to use / occupation

9. Prepare an Operational Waste Management Plan for consideration of endorsement by the local government in consultation with the Department of Water and Environmental Regulation prior to occupation.
10. Realign the private access road within the subject land and associated crossover to Fairfield-Leopold Downs Road so they are aligned at right angles at their intersection with the road carriageway to the specifications and satisfaction of the local government. Engineering drawings and specifications are to be submitted to the local government for consideration of approval prior to the occupation.

Tony Arias
Presiding Member, Regional JDAP



11. Remove the existing alignment of the private access road within the subject land and associated crossover at their intersection with Fairfield-Leopold Downs Road, which is no longer required, and reinstate the land they occupied to the specifications and satisfaction of the local government. Engineering drawings and specifications are to be submitted to the local government for consideration of approval prior to the occupation.
12. Prepare a detailed Landscaping Plan for consideration of endorsement by the local government and implementation thereafter to the satisfaction of the local government. The plan required by this condition shall be generally consistent with the endorsed development plans and Bushfire Management and Emergency Evacuation Plan and provide information with regard to species selection, reticulation, details of existing vegetation to be retained, pavement details, the treatment of landscaped surfaces, and all proposed rehabilitation works.
13. Construct all stormwater drainage infrastructure in accordance with the Stormwater Drainage Management Plan required by Condition 8 of this approval to the specifications and satisfaction of the local government.
14. Construct all new on-site driveways, parking, manoeuvring, loading and unloading areas in accordance with Australian Standard AS2890.1:2004 entitled 'Parking Facilities – Part 1: Off-Street Car Parking' (as amended) and the technical requirements prescribed in Table 5 - Compliance Table in the Bushfire Management and Emergency Evacuation Plan provided in Appendix D of the Urbis document referenced in Condition 2 of this approval (as amended) to the specifications and satisfaction of the local government.

Conditions – Ongoing

15. Implement all management and rehabilitation measures prescribed in the Operational Environmental Management Plan required by Condition 7 of this approval to the specifications and satisfaction of the local government, including ongoing maintenance requirements, for the life of the development
16. Implement all management measures prescribed in the Stormwater Drainage Management Plan required by Condition 8 of this approval to the specifications and satisfaction of the local government, including ongoing maintenance requirements, for the life of the development.
17. Implement all management measures prescribed in the Operational Waste Management Plan required by Condition 9 of this approval to the specifications and satisfaction of the local government, including ongoing maintenance requirements, for the life of the development.
18. Maintain all landscaping provided in accordance with the Landscaping Plan required by Condition 12 of this approval to the specifications and satisfaction of the local government for the life of the development.

Tony Arias
Presiding Member, Regional JDAP



19. Maintain all on-site driveways, parking, manoeuvring, loading and unloading areas required by Condition 14 of this approval to the specifications and satisfaction of the local government for the life of the development.
20. The proponent to ensure an adequate potable water supply is provided and this meets the relevant water quality standards specified under the Australian Drinking Water Quality Guidelines 2011 to support the development at all times. The following Water Quality Protection Notes should be considered as well as the requirements of the Shire of Derby/West Kimberley Health Amendment Local Law 2010:
Community drinking water sources – protection and management [WQPN 9]; and
Private drinking water supplies [WQPN 41].

Advice Notes

1. The proponent is responsible for securing all necessary approvals and tenure, providing statutory notifications and complying with all relevant laws. Nothing in this determination notice alleviates the need for the proponent to comply with all relevant local, State and Commonwealth laws and to ensure appropriate tenure arrangements have been made where the use of/reliance upon land other than that owned by the proponent is involved. Without this obligation, the proponent is responsible for:
 - a) Obtaining all other/further necessary approvals, licences, permits, resource entitlements etc. by whatever name called required by law before the development the subject of this development approval can be lawfully commenced and to carry out the use hereby approved for its duration;
 - b) Providing any notifications.
 - c) Securing tenure/permission from the relevant owner to use private or public land not owned by the proponent (including for access required by conditions of approval); and
 - d) Ensuring the correct siting of all structures on the land. An identification survey demonstrating correct siting and setbacks of structures and all associated improvements and infrastructure may be requested of the proponent by the local government to ensure compliance with this determination notice and all applicable provisions.
2. The proposed development is located within the Canning-Kimberley Groundwater Area which is proclaimed under the *Rights in Water and Irrigation Act 1914*. A section 5C licence to take groundwater and/or a section 26D licence to construct/alter a well is required. The Proponent is advised to contact the Department of Water and Environmental Regulation for further information and advice in this regard.
3. All solid and inorganic waste generated by the proposed development must be managed in accordance with the requirements of the Shire of Derby/West Kimberley Health Amendment Local Law 2010. The proponent is advised to contact the local government for further information and advice in this regard.

Tony Arias
Presiding Member, Regional JDAP



4. The proponent is advised wastewater treatment system(s) and disposal area(s) will be required to meet all the current requirements of the *Government Sewerage Policy 2019*. An 'Application to Construct or Install an Apparatus for the Treatment of Sewage' prepared pursuant to the specific requirements of the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974* is required for consideration and determination by the Department of Health prior to the preparation and lodgement of a building permit application.
5. The proponent is advised that all buildings and associated built form improvements are required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements are required to be submitted with the required building permit application/s.
6. The proponent is advised of the following information received from the Department of Fire and Emergency Services:
 - Class 9 buildings, which includes primary and secondary schools, should be afforded significant protection from the impacts of a bushfire due to being occupied by people who may need assistance or are unable to evacuate the building in the event of a bushfire. The Department therefore expects the revised provisions in the National Construction Code applicable to Class 9 Buildings in bushfire prone areas will be applied to the proposed development during the building permit application stage of the approval process: and
 - Given the proposed development is in excess of 50 kilometres from a fire station, the Building Code of Australia (BCA) requirements for fire hydrant provision do not apply. The submission of building plans to the Department for assessment pursuant to the requirements of section 18B(1) of the *Building Regulations 2012* (as amended) is still required even though a hydrant system is not.
7. The proponent is advised access and facilities for people with disabilities must be provided at all times to the proposed buildings and internally throughout the buildings in accordance with Australian Standard AS1428.1 2009 entitled 'Design for Access and Mobility General Requirements for Access - New Building Work'.
8. The proponent is advised all public access areas (dining areas, etc) are required to comply with the provisions of the *Health (Miscellaneous Provisions) Act 1911*, related regulations and guidelines and in particular Part VI entitled 'Public Buildings'.
9. The proponent is advised all food handling, preparation and storage areas are required to be designed and constructed in accordance with the *Food Act 2008*, *Food Regulations 2009* and the Australian and New Zealand Food Authority (ANZFA) Food Safety Standards.

Tony Arias
Presiding Member, Regional JDAP



10. The proponent is advised all fuel storage on the land is required to comply with the *Dangerous Goods Safety Act 2004* and *Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007*, all associated Australian Standards and approved Codes of Practice. The proponent is advised to contact the Department of Energy, Mines, Industry Regulation and Safety for further information and advice in this regard.
11. The proponent is advised all camping on the land must be undertaken in accordance and comply with the requirements of the *Caravan Parks and Camping Grounds Act 1995* and *Caravan Parks and Camping Grounds Regulations 1997* and that an application for a license is required to be prepared and submitted to the local government for consideration and determination prior to the commencement of development of the proposed new camping grounds on the subject land.
12. The proponent is advised as follows with regard to vehicle access arrangements to/from the proposed development:
 - a) the realigned private access road required by this approval is contained within the designated boundaries of the right-of-carriageway easement proposed as part of the section 91 licence agreement under the *Land Administration Act 1997* unless otherwise approved the Department of Planning, Lands and Heritage; and
 - b) a suitable application to the local government is required pursuant to regulation 12 of the *Local Government (Uniform Local Provisions) Regulations 1996*, including engineering drawings and specifications, to obtain approval to construct the new crossover required to Fairfield-Leopold Downs Road from the realigned private access road.

The Report Recommendation (as amended) was put and CARRIED UNANIMOUSLY.

REASON: The Panel having considered the Responsible Authority Report (RAR) and all materials and information presented, was satisfied with the RAR recommendation but with the amended conditions and advice notes.

The Panel was satisfied that the Shire of Derby/West Kimberley Local Interim Development Order No.9 provided discretion to be able to determine and approve the proposed Education Establishment. Further, in the Shire of Derby/West Kimberley's proposed new Local Planning Scheme No.9, an 'Educational Establishment' is a discretionary use within the Rural Zone and capable of being approved. The proposed Educational Development is an appropriate use within the Rural Zone. The proposal was consistent with the planning framework and supported by the RAR.

The proposed development is an appropriate response to the site characteristics and context and the unique educational requirements.

Tony Arias
Presiding Member, Regional JDAP



The proponent and Shire provided detailed information which assisted the Panel, including about design, location, social, heritage, environmental and operational rationale, plus detail that has been incorporated from the existing Studio School. The Panel was satisfied that the proposal adequately addresses all planning considerations of the relevant planning framework.

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 -

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DP/14/00039 DR 65/2020	Shire of York	Lots 4869 (2256), 5931, 9926 (2948) and 26934 Great Southern Highway, St Ronans	Construction and Use of Allawuna Farm for the purposes of a Class II Landfill	28 July 2020
DAP/21/02063 DR241/2021	Shire of Dardanup	Lot 2 Banksia Road, Crooked Brook	Cleanaway Dardanup Landfill Facility	5 November 2021
DAP/23/02479 DR 146/2023	Shire of Capel	Lot 148 (No.168) Skippings Road, Boyanup	Extractive Industry Development Proposal	30 August 2023
DAP/23/02549 DR 197/2023	City of Greater Geraldton	Lots 150 - 151 (205 and 181-195) Marine Terrace, Lot 152 (15) Fitzgerald Street and Lot 153 (222-228) Lester Avenue, Geraldton	Proposed Mixed Use Development	3 January 2024

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 11.18am.

Tony Arias
Presiding Member, Regional JDAP