



## Minutes of the Mid-West/Wheatbelt Joint Development Assessment Panel

**Meeting Date and Time:** 1 May 2017; 1:00pm  
**Meeting Number:** MWWJDAP/17  
**Meeting Venue:** Shire of Dandaragan Administration Centre  
69 Bashford Street  
Jurien Bay

### Attendance

#### DAP Members

Mr David Gray (Presiding Member)  
Mr Robert Fenn (Deputy Presiding Member)  
Mr Patrick Dick (Specialist Member)  
Cr Judy Kulisa (Local Government Member, Shire of Dandaragan)

#### Officers in attendance

Mr David Chidlow (Shire of Dandaragan)  
Mr Ian Rennie (Shire of Dandaragan)

#### Local Government Minute Secretary

Ms Trevena Taylor (Shire of Dandaragan)

#### Applicant and Submitters

Ms Christine Brown  
Mr Kevin McLean  
Mr Norm Yukich  
Mr Neil Ferguson (Westpork Pty Ltd)  
Mr Richard Evison (Westpork Pty Ltd)  
Mr Larry Smith (Larry Smith Planning)  
Mr Noel Davies (Aurora Environmental)  
Ms Caitlin Dorrington (Aurora Environmental)

#### Members of the Public / Media

There were 3 members of the public in attendance.

#### 1. Declaration of Opening

The Presiding Member, Mr David Gray declared the meeting open at 1:00pm on 1 May 2017 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

Mr David Gray  
Presiding Member, Mid-West/Wheatbelt JDAP



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

The Presiding Member advised that the meeting is being audio recorded in accordance with Section 5.16 of the Standing Orders 2012; No Recording of Meeting, which states: 'A person must not use any electronic, visual or audio recording device or instrument to record the proceedings of the DAP meeting unless the Presiding Member has given permission to do so.' The Presiding Member granted permission for the minute taker to record proceedings for the purpose of the minutes only.

**2. Apologies**

Nil

**3. Members on Leave of Absence**

Nil

**4. Noting of Minutes**

Minutes of the Mid-West/Wheatbelt JDAP meeting No. 16 held on 19 April 2017 were noted by DAP members.

**5. Declaration of Due Consideration**

All members declared that they had duly considered the documents.

**6. Disclosure of Interests**

Panel member, Mr Robert Fenn, declared an impartiality interest in item 8.1. Mr Fenn is an employee of LandCorp who has undertaken residential and industrial development in Jurien Bay, for the Shire of Dandaragan. LandCorp has also delivered land to the market or is undertaking feasibility studies for developments in the surrounding Shires of Coorow and Moora.

In accordance with section 4.6.1 and 4.6.2 of the Standing Orders 2012, the Presiding Member determined that the member listed above, who had disclosed an impartiality interest, was permitted to participate in discussion and voting on the items.

**7. Deputations and Presentations**

**7.1** Ms Christine Brown addressed the DAP against the application at Item 8.1. Ms Brown answered questions from the panel.

**7.2** Mr Kevin McLean addressed the DAP against the application at Item 8.1. Mr Richard Evison (Westpork) answered questions from the panel.

**7.3** Mr Norm Yukich addressed the DAP against the application at Item 8.1.



7.4 Mr Neil Ferguson (Westpork Pty Ltd) addressed the DAP for the application at Item 8.1. Mr Ferguson, Mr Davies, Mr Evison, Mr McLean, Ms Brown and Mr Chidlow answered questions from the panel.

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

8.1 Property Location: Lot 3616 Agaton Road, Dandaragan  
Application Details: Piggery  
Applicant: Mr Neil Ferguson Westpork Pty Ltd  
Owner: Mr Neil Ferguson Westpork Pty Ltd  
Responsible Authority: Shire of Dandaragan  
DoP File No: DAP/17/01180

## REPORT RECOMMENDATION / PRIMARY MOTION

**Moved by:** Mr Patrick Dick

**Seconded by:** Cr Judy Kulisa

That the Midwest/Wheatbelt JDAP resolves to:

1. **Approve** DAP Application reference 2017/01 and accompanying plans proposed Moora Piggery Supplementary report April 2017 Figures 2, 4a, 4b and Plan 2: Module Site Layout, Plans 3A > 3D: Gilt Development Shed, Plans 4A > 4D: Boar Stud Shed, Plans 5A > 5D: Mating Shed, Plans 6A > 6D : Dry Sow Shed 1, Plans 7A > 7D: Dry Sow Shed 2, Plans 8A > 8D: Dry Sow Shed 3, Plans 9A > 9D: Farrowing Shed, Plans 10A > 10D: Nursery Shed 1, Plans 11A > 11D: Nursery Shed 2, Plans 12A > 12D: Finisher Shed, Plans 13A > 13D: Load Out Shed, Plans 14A & 14B: Effluent Ponds, Plans 15A & 15B: Fan Separator & Tank and Plans 16A & 16B: Office & Staff Amenities Block in accordance with Clause 68 Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 — Deemed provisions for Local Planning Schemes of the Shire of Dandaragan Local Planning Scheme No.7, subject to the following conditions as follows:

### Conditions

1. This decision constitutes planning approval only and is valid for a period of 3 years from the date of approval. If the subject development is not substantially commenced within the 3 year period, the approval shall lapse and be of no further effect.
2. The land use and development shall be in accordance with the approved plans and specifications (including any amendments as detailed in the Moora Piggery Supplementary Report 2017) unless otherwise conditioned by this approval.
3. The use when established shall at all times comply with the definition of Animal Husbandry – Intensive (Piggery) contained within the Shire of Dandaragan Local Planning Scheme No.7.
4. This approval is for Module 2 (Moora 2) and Module 3 (Moora 3) and any ancillary works with a capacity to house approximately 68,000 pigs. Separate future application will be required if a third Module with the capacity for a further 34,000 pigs is proposed.

Mr David Gray  
Presiding Member, Mid-West/Wheatbelt JDAP



5. The endorsed plans shall not be modified or altered without the prior written approval of either the Shire of Dandaragan or Midwest/Wheatbelt JDAP in accordance with Regulation 17 of the Planning and Development (Development Assessment Panels) Regulations 2011.
6. The development at all times shall comply with the Nutrient Management Plan prepared by Aurora Environmental that was submitted with the application to the satisfaction of the Shire of Dandaragan.
7. The development at all times shall comply with the Works Approval Application prepared by Aurora Environmental that was submitted with the application to the satisfaction of the Shire of Dandaragan. This is not limited to, but specific mention is made to the management and mitigation strategies and contingency measures applicable to;
  - a) construction management;
  - b) wastewater effluent management;
  - c) solid waste management;
  - d) odour management;
  - e) noise management;
  - f) fire management; and
  - g) environmental monitoring and reporting.
8. The development at all times shall comply with the Bushfire Attack Level (BAL) Assessment prepared by Smith Fire Consulting that was submitted with the application to the satisfaction of the Shire of Dandaragan.
9. The development at all times shall comply with the Traffic Impact Assessment prepared by Shawmac Traffic Engineers that was submitted with the application to the satisfaction of the Shire of Dandaragan.
10. The piggeries will be operated to comply with the Environmental Protection (Noise) Regulations 1997. Routine observations and inspections will be required to be undertaken in regard to noise. Onsite management will be informed of the results of inspections and observations and will implement contingency actions to ensure compliance with Environmental Protection (Noise) Regulations 1997.
11. Crossovers, access and egress to the subject site from Agaton Road and any road works shall be located and constructed to the satisfaction of the Shire of Dandaragan and include all necessary drainage and signage. Costs applicable to the construction of the access point/s onto the site and any related issues shall be borne by the proponent.
12. A road condition survey is to be completed by the applicant and submitted to the Shire detailing any maintenance work required to public roads as a result of transport activity to the satisfaction of the Shire of Dandaragan.
13. Prior to commencement of site works, the Applicant/Landowner is to enter into discussions with the Shire of Dandaragan to assess the impact of the additional (heavy) traffic on Agaton Road and proposed strategies (if appropriate) to deal with the increased traffic. Furthermore, should any road upgrading and/or maintenance be required as a result of the increased traffic, then a contribution towards the cost of undertaking those works to the satisfaction of the Shire of Dandaragan will be at the expense of the Applicant/Landowner.



14. All internal roadway surfaces within the site are to be constructed of a suitable material such as paving, road base, limestone or coarse gravel and compacted to limit dust generation, to the satisfaction of the Shire of Dandaragan.
15. Notices indicating the type of operation, hours of operation and potential impacts of the piggery operation are to be displayed adjacent to the Agaton Road frontage of the site to the satisfaction of the Shire of Dandaragan. The notices must state that development approval for the construction of the Development on the site has been granted.
16. The use and development must be conducted so that it has minimum impact on the amenity of the area by reason of:
  - a) transportation of materials, goods and commodities to and from the premises;
  - b) appearance of any buildings, works and materials; and
  - c) the emission of odour, noise, vibration, dust, wastewater, waste products or reflected light.
17. The applicant is to provide landscape screening to be maintained to the satisfaction of the Shire of Dandaragan.
18. Prior to the commencement of the development, landscape plan detailing screening vegetation that is to be planted shall be submitted to the Shire and approved by the Shire of Dandaragan.
19. In addition to the disposal of carcasses strategy detailed in the submitted reports, the applicant is required to carry out the following procedures: i. large carcasses should be split to minimise bloating; ii. the pit bases should be at least 2 m above the water table at all times; iii. pits should be situated on low permeability soils and / or low risk sites; iv. carcasses need to be well covered with soil, or other suitable material, each day to avoid scavenging by feral animals and to prevent odour; v. further clay should be compacted over filled pits; vi. earth should be mounded over filled pits to promote shedding of stormwater; and vii. the mounds should be grassed over, but trees should not be planted at the site as the roots allow water to move through the pit.
20. The anaerobic ponds are at all times to be covered with an impermeable cover in order to reduce odour escaping to the environment, excluding when maintenance is carried out.
21. The piggery is to be operated in accordance with guidance document "AUSTRALIAN PORK LIMITED - Minimising Odour from Piggeries 2015".
22. That operating hours will be applied with noise limitations and requirements being taken into consideration.

### **Advice Notes**

1. Further to this approval, the Applicant may be required to submit working drawings and specifications to comply with the requirements of the Building Act 2011 and the Health Act 1911 which are to be approved by the Shire's Manager Building Services and/or Manager Environmental Health prior to issuing a Building Licence.

**Mr David Gray**  
Presiding Member, Mid-West/Wheatbelt JDAP



2. The Department of Health advises that any form of pest control using pesticides must comply with the Health (Pesticides) Regulations 2011.
3. It is advised that the proposal should at all times comply with the Biosecurity & Agriculture (Stable Fly) Management Plan 2016 in order to minimize the effects of stable flies on the community.
4. It is advised that the proposal should at all times comply with the provisions of the Food Act 2008 and related regulations, codes and guidelines.
5. The applicant be advised this is planning approval only and not a building permit. A building permit must be obtained for this development.
6. DAFWA recommends that future soil testing for monitoring is done at fixed depths (for example, 0 to 10cm, 10 to 50cm, 50 to 100cm and 100 to 200cm) to two metres to understand both the nutrient content of soils and if there is any movement of phosphorus and other nutrients down the soil profile to indicate if there is leaching to greater depths.
7. The Department of Water recommend that monitoring wells are installed to assess potential risk to the surficial unconfined aquifer from leachates associated with carcass burial pits. These should be constructed to a depth of 25m below ground level and located down (hydraulic) gradient from the pig carcass disposal sites.

#### **AMENDING MOTION**

**Moved by:** Mr Patrick Dick

**Seconded by:** Mr Robert Fenn

To amend the preamble to read as follows:

*That the Mid-West/Wheatbelt JDAP resolves to:*

**Approve** DAP application reference DAP/17/01180 for a Piggery at Lot 3616 Agaton Road, Dandaragan as detailed in accompanying indexed plans;

- *Plan 1: Site Plan (modified by Supplementary Report Plan 2) – Stamped 18/04/2017*
- *Plan 2: Module Site Layout - Stamped 06/02/2017*
- *Plans 3A>3D: Gilt Development Shed - Stamped 06/02/2017*
- *Plans 4A>4D: Boar Stud Shed - Stamped 06/02/2017*
- *Plans 5A>5D: Mating Shed - Stamped 06/02/2017*
- *Plans 6A>6D: Dry Sow Shed 1 - Stamped 06/02/2017*
- *Plans 7A>7D: Dry Sow Shed 2 - Stamped 06/02/2017*
- *Plans 8A>8D: Dry Sow Shed 3 - Stamped 06/02/2017*
- *Plans 9A>9D: Farrowing Shed - Stamped 06/02/2017*
- *Plans 10A>10D: Nursery Shed 1 - Stamped 06/02/2017*
- *Plans 11A>11D: Nursery Shed 2 - Stamped 06/02/2017*
- *Plans 12A>12D: Finisher Shed - Stamped 06/02/2017*
- *Plans 13A>13D: Load Out Shed - Stamped 06/02/2017*
- *Plans 14A & 14B: Effluent Ponds (modified by Supplementary Report Plans 4A & 4B) - Stamped 18/04/2017*
- *Plans 15A & 15B: Fan Separator and Tank - Stamped 06/02/2017*

**Mr David Gray**  
Presiding Member, Mid-West/Wheatbelt JDAP



- *Plans 16A & 16B: Office and Amenities Block and - Stamped 06/02/2017*
- *The information contained in the Proposed Moora Piggery for Westpork Pty Ltd Report (December 2016) and modified by the Proposed Moora Piggery Supplementary Report (April 2017) - Stamped 18/04/2017 in accordance with the Shire of Dandaragan Local Planning Scheme No.7, subject to the following conditions:*

**REASON:** To clarify the description of the development and comply with the DAPs Practice Note on the wording of the preamble.

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

#### **AMENDING MOTION**

**Moved by:** Mr Robert Fenn                      **Seconded by:** Cr Judy Kulisa

To amend Condition 2 to read as follows:

*The land use and development shall be in accordance with the approved plans and the Applicant's report (including any amendments as detailed in the Proposed Moora Piggery Supplementary Report (April 2017) unless otherwise conditioned by this approval.*

**REASON:** To substitute the word "specifications" with "the Applicant's report" for clarity.

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

#### **AMENDING MOTION**

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

To delete Condition 3.

**REASON:** This Condition serves no planning purpose.

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

#### **AMENDING MOTION**

**Moved by:** Mr Robert Fenn                      **Seconded by:** Cr Judy Kulisa

To amend Condition 4 (now Condition 3) to read as follows:

*A maximum of 68,000 pigs shall be housed on site within Modules 2 (Moora 2) and Module 3 (Moora 3) at any time.*

**REASON:** To clarify the Condition's intent.

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

Mr David Gray  
Presiding Member, Mid-West/Wheatbelt JDAP



### **AMENDING MOTION**

**Moved by:** Mr Robert Fenn

**Seconded by:** Cr Judy Kulisa

To delete Condition 5.

**REASON:** Moved to Advice Note as this is a requirement under the DAP regulations.

The Amending Motion was put and **CARRIED UNANIMOUSLY.**

### **AMENDING MOTION**

**Moved by:** Mr Robert Fenn

**Seconded by:** Mr Patrick Dick

To amend Condition 6 (now Condition 4) to read as follows:

*No solid effluent waste is to be applied to the soils upon Lot 3616 Agaton Road unless in accordance with a Nutrient Management Plan approved by the Shire of Dandaragan, inclusive of any on-going soil and groundwater monitoring required by the Shire of Dandaragan.*

**REASON:** To acknowledge that the Nutrient Management Plan may need to be modified over time and the application of wastes may need to be suspended if monitoring identifies excessive nutrient levels in the soil or groundwater.

The Amending Motion was put and **CARRIED UNANIMOUSLY.**

### **AMENDING MOTION**

**Moved by:** Mr Robert Fenn

**Seconded by:** Cr Judy Kulisa

To amend Condition 7 (now Condition 5) to read as follows:

*The development at all times shall comply with the commitments and standards defined in the Works Approval Application prepared by Aurora Environmental to the satisfaction of the Shire of Dandaragan. This is not limited to, but specific mention is made to the management and mitigation strategies and contingency measures applicable to:*

- a) wastewater effluent management;*
- b) solid waste management;*
- c) odour management;*
- d) noise management;*
- e) fire management; and*
- f) environmental monitoring and reporting.*

**REASON:** To clarify the Condition's intent and to delete reference to management of construction, which is addressed in Condition 23 (now Condition 15).

The Amending Motion was put and **CARRIED UNANIMOUSLY.**

Mr David Gray  
Presiding Member, Mid-West/Wheatbelt JDAP





### **AMENDING MOTION**

**Moved by:** Mr Robert Fenn                      **Seconded by:** Cr Judy Kulisa

To amend Condition 8 (now Condition 6) to read as follows:

*The vegetation, crops and pasture on Lot 3616 Agaton Road shall be maintained at all times to the satisfaction of the Shire of Dandaragan in a condition that ensures the structures on the site are not exposed to a Bushfire Attack Level (BAL) rating exceeding BAL 12.5.*

**REASON: To provide clarity on the bushfire risk standards that are required to be maintained on the Site to ensure building construction standards are not compromised.**

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

### **AMENDING MOTION**

**Moved by:** Mr Robert Fenn                      **Seconded by:** Cr Judy Kulisa

To delete Condition 9.

**REASON: This is adequately covered by Condition 13 (now Condition 9) and the new Advice Note 9 (now Advice Note 7).**

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

### **AMENDING MOTION**

**Moved by:** Mr David Gray                      **Seconded by:** Mr Patrick Dick

To delete Condition 10.

**REASON: The requirement is covered under separate legislation.**

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

### **AMENDING MOTION**

**Moved by:** Mr Robert Fenn                      **Seconded by:** Cr Judy Kulisa

To amend Condition 11 (now Condition 7) to read as follows:

*Crossovers, access and egress to the subject site from Agaton Road and any internal road works, loading areas and car parking shall be located and constructed to an all-weather standard that limits dust generation to the satisfaction of the Shire of Dandaragan and include all necessary drainage and signage. Costs applicable to the construction of the access point/s onto the site and any related internal civil works shall be borne by the applicant.*

**Mr David Gray**  
Presiding Member, Mid-West/Wheatbelt JDAP



**REASON: To confirm the standard of construction and that the access points and the internal civil works is required to be undertaken by the Applicant.**

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

#### **AMENDING MOTION**

**Moved by:** Mr Robert Fenn                      **Seconded by:** Cr Judy Kulisa

To amend Condition 12 (now Condition 8) to read as follows:

*A road condition survey is to be completed by the applicant and submitted to the Shire detailing any maintenance work required to public roads as a result of transport activities associated with the construction and operation of the piggery to the satisfaction of the Shire of Dandaragan and the Applicant shall undertake, at the Applicant's cost, any maintenance identified by the survey to retain the road network in a safe condition.*

**REASON: The development should limit its impact on road conditions in the locality.**

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

#### **AMENDING MOTION**

**Moved by:** Mr Robert Fenn                      **Seconded by:** Mr David Gray

To amend Condition 13 (now Condition 9) to read as follows:

*Prior to commencement of site works, the Applicant shall to the reasonable satisfaction of the Shire of Dandaragan quantify the impact of the additional (heavy vehicle) traffic on Agaton Road and any road upgrading and/or maintenance that is required as a result of the increased traffic, then contribute towards the cost of that upgrading and/or maintenance to the satisfaction of the Shire of Dandaragan.*

**REASON: To acknowledge there will be traffic impacts on Agaton Road and that the Applicant is required to contribute towards road upgrading.**

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

#### **AMENDING MOTION**

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

To delete Condition 14.

**REASON: This is adequately covered in the amended Condition 11 (now Condition 7).**

Mr David Gray  
Presiding Member, Mid-West/Wheatbelt JDAP



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**The Amending Motion was put and CARRIED UNANIMOUSLY.**

**AMENDING MOTION**

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

To delete Condition 15.

**REASON: This Condition serves no planning purpose.**

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

**AMENDING MOTION**

**Moved by:** Mr Robert Fenn                      **Seconded by:** Cr Judy Kulisa

To amend Condition 17 (now Condition 11) to read as follows:

*The applicant is to provide details of the landscape screening shown on Plan 2 of Proposed Moora Piggery Supplementary Report (April 2017), plus provide additional landscape screening immediately to the west and east (and for the full length) of the wastewater treatment systems for Modules 2 (Moora 2) and Module 3 (Moora 3) to the Shire of Dandaragan; the approved landscape screening is to be planted by the Applicant, all plantings are to be brought to maturity and then maintained for the duration of the land use to the satisfaction of the Shire of Dandaragan.*

**REASON: Australian Pork Ltd guidelines recommend screening plantings near wastewater treatment systems to improve visual amenity and to reduce odour transmission on prevailing winds.**

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

**AMENDING MOTION**

**Moved by:** Mr Robert Fenn                      **Seconded by:** Mr David Gray

To delete Condition 18.

**REASON: This Condition has been incorporated into the amended Condition 17 (now Condition 11).**

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

**AMENDING MOTION**

**Moved by:** Mr Robert Fenn                      **Seconded by:** Mr David Gray

To delete Condition 22.

Mr David Gray  
Presiding Member, Mid-West/Wheatbelt JDAP



**REASON: This is adequately covered by Condition 10 (now Advice Note 8).**

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

### **AMENDING MOTION**

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

To include a new Condition 23 (now Condition 15) to read as follows:

*Prior to the issue of a Building Permit, or any development being undertaken on-site, the Applicant shall submit to the Shire of Dandaragan a Construction Management Plan and secure approval for:*

- a) the location, construction designs, drainage and surfacing standards for the site access;*
- b) the delivery and storage of construction materials and equipment to the site;*
- c) the management of the fire risk on the site during the construction period;*
- d) the parking arrangements and provision of temporary amenities for contractors and subcontractors;*
- e) the management and storage of stormwater from site works, material lay down areas, internal roads, buildings and car parking areas in a manner to prevent site erosion within Lot 3616;*
- f) the extent of earthworks proposed on-site, the method of stabilising those earthworks and any on-going management required to prevent wind or water borne erosion;*
- g) a road condition survey detailing any maintenance work required to public roads as a result of transport activities associated with the construction of the piggery;*
- h) other matters likely to be impact on surrounding properties; and*
- i) the management of construction waste.*

*The Construction Management Plan shall be implemented at all times during the construction phase.*

**REASON: The information provided by the Applicant fails to address site and external impacts during the construction phase of the project.**

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

### **AMENDING MOTION**

**Moved by:** Robert Fenn                      **Seconded by:** Mr David Gray

To amend Advice Note 1 to read as follows:

*Further to this approval, the Applicant may be required to submit working drawings and specifications to comply with the requirements of the Building Act 2011, the Food Act 2008 and the Health Act 1911 which are to be approved by the Shire's Manager Building Services and/or Manager Environmental Health prior to issuing a Building Licence.*

**Mr David Gray**  
Presiding Member, Mid-West/Wheatbelt JDAP



**REASON: To include reference to the Food Act 2008.**

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

**AMENDING MOTION**

**Moved by:** Mr Robert Fenn                      **Seconded by:** Mr David Gray

To amend Advice Note 3 to read as follows:

*Management of the approved development should at all times comply with the Biosecurity and Agriculture (Stable Fly) Management Plan 2016 in order to minimize the effects of stable flies on the community.*

**REASON: Stable flies result from poor on-site management, not the proposal.**

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

**AMENDING MOTION**

**Moved by:** Mr Robert Fenn                      **Seconded by:** Mr David Gray

To delete Advice Note 4.

**REASON: This has been included in Advice Note 1.**

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

**AMENDING MOTION**

**Moved by:** Mr Robert Fenn                      **Seconded by:** Mr David Gray

To delete Advice Note 5.

**REASON: This is a duplicate of Advice Note 1.**

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

**AMENDING MOTION**

**Moved by:** Mr Robert Fenn                      **Seconded by:** Mr David Gray

To include a new Advice Note 8 (now Advice Note 6) to read as follows:

*The endorsed plans shall not be modified or altered without the prior written approval of either the Shire of Dandaragan or Mid-West/Wheatbelt JDAP in accordance with Regulation 17 of the Planning and Development (Development Assessment Panels) Regulations 2011.*

**Mr David Gray**  
Presiding Member, Mid-West/Wheatbelt JDAP



**REASON: Previously Condition 5.**

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

**AMENDING MOTION**

**Moved by:** Mr Robert Fenn                      **Seconded by:** Mr David Gray

To include a new Advice Note 9 (now Advice Note 7) to read as follows:

*The Landscape Screening shall be a minimum of 20m wide, comprise a combination of shrubs and trees to provide coverage from the ground up, comprise different species of mixed heights to promote air mixing and comprise plant species that are indigenous to the locality and need minimal upkeep and will thrive on the site.*

**REASON: To clarify the expectation on the planning of the landscape screening.**

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

**AMENDING MOTION**

**Moved by:** Mr David Gray                      **Seconded by:** Mr Robert Fenn

To include a new Advice Note 10 (now Advice Note 8) to read as follows:

*The piggeries will be operated to comply with the Environmental Protection (Noise) Regulations 1997. Routine observations and inspections will be required to be undertaken in regard to noise. Onsite management will be informed of the results of inspections and observations and will implement contingency actions to ensure compliance with Environmental Protection (Noise) Regulations 1997.*

**REASON: Previously proposed as Condition 10. To confirm that noise emissions are to comply with other legislation.**

**The Amending Motion was put and CARRIED UNANIMOUSLY.**

**PRIMARY MOTION (AS AMENDED)**

That the Mid-West/Wheatbelt JDAP resolves to:

**Approve** DAP application reference DAP/17/01180 for a Piggery at Lot 3616 Agaton Road, Dandaragan as detailed in accompanying indexed plans;

- Plan 1: Site Plan (modified by Supplementary Report Plan 2) – Stamped 18/04/2017
- Plan 2: Module Site Layout - Stamped 06/02/2017
- Plans 3A>3D: Gilt Development Shed - Stamped 06/02/2017
- Plans 4A>4D: Boar Stud Shed - Stamped 06/02/2017

**Mr David Gray**  
Presiding Member, Mid-West/Wheatbelt JDAP



- Plans 5A>5D: Mating Shed - Stamped 06/02/2017
- Plans 6A>6D: Dry Sow Shed 1 - Stamped 06/02/2017
- Plans 7A>7D: Dry Sow Shed 2 - Stamped 06/02/2017
- Plans 8A>8D: Dry Sow Shed 3 - Stamped 06/02/2017
- Plans 9A>9D: Farrowing Shed - Stamped 06/02/2017
- Plans 10A>10D: Nursery Shed 1 - Stamped 06/02/2017
- Plans 11A>11D: Nursery Shed 2 - Stamped 06/02/2017
- Plans 12A>12D: Finisher Shed - Stamped 06/02/2017
- Plans 13A>13D: Load Out Shed - Stamped 06/02/2017
- Plans 14A & 14B: Effluent Ponds (modified by Supplementary Report Plans 4A & 4B) - Stamped 18/04/2017
- Plans 15A & 15B: Fan Separator and Tank - Stamped 06/02/2017
- Plans 16A & 16B: Office and Amenities Block - Stamped 06/02/2017 and
- The information contained in the Proposed Moora Piggery for Westpork Pty Ltd Report (December 2016) and modified by the Proposed Moora Piggery Supplementary Report (April 2017) - Stamped 18/04/2017

in accordance with the Shire of Dandaragan Local Planning Scheme No.7, subject to the following conditions:

### Conditions

1. This decision constitutes planning approval only and is valid for a period of 3years from the date of approval. If the subject development is not substantially commenced within the 3 year period, the approval shall lapse and be of no further effect.
2. The land use and development shall be in accordance with the approved plans and the Applicant's report (including any amendments as detailed in the Proposed Moora Piggery Supplementary Report (April 2017) unless otherwise conditioned by this approval.
3. A maximum of 68,000 pigs shall be housed on site within Modules 2 (Moora 2) and Module 3 (Moora 3) at any time.
4. No solid effluent waste is to be applied to the soils upon Lot 3616 Agaton Road unless in accordance with a Nutrient Management Plan approved by the Shire of Dandaragan, inclusive of any on-going soil and groundwater monitoring required by the Shire of Dandaragan.
5. The development at all times shall comply with the commitments and standards defined in the Works Approval Application prepared by Aurora Environmental to the satisfaction of the Shire of Dandaragan. This is not limited to, but specific mention is made to the management and mitigation strategies and contingency measures applicable to:
  - a) wastewater effluent management;
  - b) solid waste management;
  - c) odour management;
  - d) noise management;
  - e) fire management; and
  - f) environmental monitoring and reporting.
6. The vegetation, crops and pasture on Lot 3616 Agaton Road shall be maintained at all times to the satisfaction of the Shire of Dandaragan in a



- condition that ensures the structures on the site are not exposed to a Bushfire Attack Level (BAL) rating exceeding BAL 12.5.
7. Crossovers, access and egress to the subject site from Agaton Road and any internal road works, loading areas and car parking shall be located and constructed to an all-weather standard that limits dust generation to the satisfaction of the Shire of Dandaragan and include all necessary drainage and signage. Costs applicable to the construction of the access point/s onto the site and any related internal civil works shall be borne by the applicant.
  8. A road condition survey is to be completed by the applicant and submitted to the Shire detailing any maintenance work required to public roads as a result of transport activities associated with the construction and operation of the piggery to the satisfaction of the Shire of Dandaragan and the Applicant shall undertake, at the Applicant's cost, any maintenance identified by the survey to retain the road network in a safe condition.
  9. Prior to commencement of site works, the Applicant shall to the reasonable satisfaction of the Shire of Dandaragan quantify the impact of the additional (heavy vehicle) traffic on Agaton Road and any road upgrading and/or maintenance that is required as a result of the increased traffic, then contribute towards the cost of that upgrading and/or maintenance to the satisfaction of the Shire of Dandaragan.
  10. The use and development must be conducted so that it has minimal impact on the amenity of the area by reason of:
    - a) transportation of material, goods and commodities to and from the premises;
    - b) appearance of any buildings, works and materials; and
    - c) the emission of odour, noise, vibration, dust, wastewater, waste products or reflective light.
  11. The applicant is to provide details of the landscape screening shown on Plan 2 of Proposed Moora Piggery Supplementary Report (April 2017), plus provide additional landscape screening immediately to the west and east (and for the full length) of the wastewater treatment systems for Modules 2 (Moora 2) and Module 3 (Moora 3) to the Shire of Dandaragan; the approved landscape screening is to be planted by the Applicant, all plantings are to be brought to maturity and then maintained for the duration of the land use to the satisfaction of the Shire of Dandaragan.
  12. In addition to the disposal of carcasses strategy detailed in the submitted reports, the applicant is required to carry out the following procedures:
    - i. large carcasses should be split to minimise bloating;
    - ii. the pit bases should be at least 2m above the water table at all times;
    - iii. pits should be situated on low permeability soils and/or low risk sites;
    - iv. carcasses need to be well covered with soil, or other suitable material, each day to avoid scavenging by feral animals and to prevent odour;
    - v. further clay should be compacted over filled pits;
    - vi. earth should be mounded over filled pits to promote shedding of stormwater; and
    - vii. the mounds should be grassed over, but trees should not be planted at the site as the roots allow water to move through the pits.





13. The anaerobic ponds are at all times to be covered with an impermeable cover in order to reduce odour escaping to the environment, excluding when maintenance is being carried out.
14. The piggery is to be operated in accordance with guidance document "AUSTRALIAN PORK LIMITED – Minimising Odour from Piggeries 2015".
15. Prior to the issue of a Building Permit, or any development being undertaken on-site, the Applicant shall submit to the Shire of Dandaragan a Construction Management Plan and secure approval for:
  - a) the location, construction designs, drainage and surfacing standards for the site access;
  - b) the delivery and storage of construction materials and equipment to the site;
  - c) the management of the fire risk on the site during the construction period;
  - d) the parking arrangements and provision of temporary amenities for contractors and subcontractors;
  - e) the management and storage of stormwater from site works, material lay down areas, internal roads, buildings and car parking areas in a manner to prevent site erosion within Lot 3616;
  - f) the extent of earthworks proposed on-site, the method of stabilising those earthworks and any on-going management required to prevent wind or water borne erosion;
  - g) a road condition survey detailing any maintenance work required to public roads as a result of transport activities associated with the construction of the piggery;
  - h) other matters likely to be impact on surrounding properties; and
  - i) the management of construction waste.

The Construction Management Plan shall be implemented at all times during the construction phase.

### **Advice Notes**

1. Further to this approval, the Applicant may be required to submit working drawings and specifications to comply with the requirements of the Building Act 2011, the Food Act 2008 and the Health Act 1911 which are to be approved by the Shire's Manager Building Services and/or Manager Environmental Health prior to issuing a Building Licence.
2. The Department of Health advises that any form of pest control using pesticides must comply with the Health (Pesticides) Regulations 2011.
3. Management of the approved development should at all times comply with the Biosecurity and Agriculture (Stable Fly) Management Plan 2016 in order to minimize the effects of stable flies on the community.
4. DAFWA recommends that future soil testing for monitoring is done at fixed depths (for example, 0 to 10cm, 50 to 100cm and 100 to 200cm) to two metres to understand both the nutrient content of soils and if there is any movement of phosphorus and other nutrients down the soil profile to indicate if there is leaching to greater depths.

**Mr David Gray**  
Presiding Member, Mid-West/Wheatbelt JDAP



5. The Department of Water recommend that monitoring wells are installed to assess potential risk to be superficial unconfined aquifer from leachates associated with carcass burial pits. These should be constructed to a depth of 25m below ground level and located down (hydraulic) gradient from the pig carcass disposal sites.
6. The endorsed plans shall not be modified or altered without the prior written approval of either the Shire of Dandaragan or Mid-West/Wheatbelt JDAP in accordance with Regulation 17 of the Planning and Development (Development Assessment Panels) Regulations 2011.
7. The Landscape Screening shall be a minimum of 20m wide, comprise a combination of shrubs and trees to provide coverage from the ground up, comprise different species of mixed heights to promote air mixing and comprise plant species that are indigenous to the locality and need minimal upkeep and will thrive on the site.
8. The piggeries will be operated to comply with the Environmental Protection (Noise) Regulations 1997. Routine observations and inspections will be required to be undertaken in regard to noise. Onsite management will be informed of the results of inspections and observations and will implement contingency actions to ensure compliance with Environmental Protection (Noise) Regulations 1997.

**REASON: In accordance with details contained in the Responsible Authority Report and Amending Motions.**

**The Primary Motion (as amended) was put and CARRIED UNANIMOUSLY.**

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

Nil

10. **Appeals to the State Administrative Tribunal**

Nil

11. **General Business / Meeting Close**

The Presiding Member reminded the meeting that in accordance with Standing Order 7.3 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.

There being no further business, the Presiding Member declared the meeting closed at 2.50pm.