



16.1. Saleyard Roof Covering - Lot 202 and 203 (No. 31) Salter Road, Boyanup

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Location	Lot 202 and 203 (No. 31) Salter Road, Boyanup
File Reference	PA265/2023
Applicant	Rowe Group
Owner	WA Livestock Salesman's Association
Author	Manager Development Services, Scott Price
Authorising Officer	Director Infrastructure Development, Tanya Gillett
Nature of the Decision	Legislative 16.1.1 Development Application
Attachments	16.1.2 PA265 Public Submissions 16.1.3 PA265 Agencies Submissions
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Support an application for Development Approval for a semi-permanent roof covering to be installed above the existing Boyanup Saleyard (BSY) at Lots 202 and 203 (No. 31) Salter Road, Boyanup.

The shading structure is of a sawtooth design and can be disassembled for repurposing at the eventual expiration of the BSY lease. The location of the structure will be directly above the saleyard element of the lots and will provide necessary shading to protect the welfare of animals, particularly in the harsh summer conditions that are often prevalent during the hours of sale.

Applications which are greater than \$1.5 million in estimated cost of construction are required to be determined by Council. With an estimated value of \$4 million this proposal is presented for consideration.

Officers Recommendation

That Council in accordance with Clause 68(2)(c) in Schedule 2 Part 9 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, approves development application for a Roof Covering to the existing Boyanup Saleyard at Lots 202 and 203 (No.31) Salter Road, Boyanup, subject to compliance with the following condition(s):

1. The development is to be carried out in accordance with the plans, drawings and documentation included with the application for development approval. The development shall be completed within twelve months from the date of this decision and the receipt of the subsequent Approval Notice (in accordance with c12.2 and c12.4 of the Lease).
2. Prior to the lodgement of the Building Permit Application, a detailed Engineering design plan of the stormwater disposal system shall be submitted for approval of the Shire of Capel, and thereafter implemented in accordance with the approved plan to the satisfaction of the Shire of Capel.



3. Prior to the lodgement of the Building Permit Application, a report must be prepared by a qualified acoustic engineer, who is a member of the Australian Acoustical Society, detailing the possible noise emissions from the subject development and comparing them to relevant noise criteria.

Should the predicted / measured results not comply with the criteria, the report must detail appropriate actions and mitigation measures in the form of a noise management plan to be undertaken to ensure that noise emissions do not contravene the provisions of the Environmental Protection Act 1986 and the Environmental Protection (Noise) Regulations 1997.

The report will be at the full cost of the owner/applicant and must be submitted for the endorsement of the Shire of Capel Environmental Health Team. Any endorsed report / management plan will be used in the assessment and determination of the development application.

4. Prior to the lodgement of a building permit, a Construction Management Plan shall be submitted to the satisfaction of the Shire of Capel. This plan is to address the following matters:

- noise – construction work and deliveries;
- hours of construction;
- traffic management;
- parking management;
- access management;
- management of loading and unloading of vehicles;
- heavy vehicle access;
- dust management;
- waste management
- protection of infrastructure and street trees within the road reserve;
- the need for a dilapidation report of adjoining properties; and
- any other relevant matters.

The approved Construction Management Plan shall be observed at all times throughout the construction process to the satisfaction of the Shire of Capel.

5. Drainage from the new roof shall be contained on site and not flow into the Corridor.
6. All construction works must be contained within the lot boundary and as such management protocols must be in place for all construction methods to ensure no material is placed within the rail corridor boundary.
7. No services including water, electricity, fibre optic, gas and any other services running to and from the site can run across the rail corridor, either above or below ground.
8. No parking of construction equipment, such as front-end loaders, excavators, dozers, dump trucks, bobcats, utility vehicles and any other equipment are permitted on rail corridor land at any time during the performance of the construction works.
9. Dust suppression methods must be used during the performance of any construction works.



10. No drainage, water runoff or erosion from construction works is permitted to run onto rail corridor land and as such all-water runoff must be contained on the site.
11. No clearing of native vegetation is permitted in the rail corridor.
12. Effective hygiene and biosecurity management must be in place to ensure there is no spread of weeds or diseases into rail corridor land.
13. Once all works are completed, the tenant is to provide written compliance and certificate of completion of works from their nominated contractor to the satisfaction of the local shire.
14. To ensure current insurance is updated to reflect addition to improvements (if applicable).
15. To ensure all requirements issued by Arc Infrastructure are acknowledged and adhered to in full.
16. No infrastructure, including the boundary wall, should be allowed to come closer to 10 m from the nearest rail.
17. The height of the highest structure must not exceed 9m.
18. If the land is required for the operation of the trains to Greenbushes, the land should be vacated at the cost of the lessee.

Background

Land / Title Information:	Lots 202 and 203 (No. 31) Salter Road, Boyanup
Development Description:	Roof covering of Saleyard
Land Area:	46,700m ²
Existing Land Use	Existing Animal Establishment
Local Planning Scheme zone:	Public Purposes Reserve
Greater Bunbury Region Scheme zone:	Urban Zone
Bushfire Prone Area:	Yes
Heritage Listing:	Heritage Survey Listing – Category C (Site 95)
Application Received Date:	18 December 2023
Application Process Days:	72 days

While no major Council development decision apply previously to the site, it should be acknowledged in the background section of this report that a significant level of negotiation between the Shire and WA Livestock Salesman's Association (WALSA) has occurred to ensure better conditions for animals within the saleyard prior to the lease being extended.



A development application was anticipated to be lodged with the Shire in early 2023 in a bid to erect shading for the remaining parts of the summer period, however the application process was delayed through the complexities of the site constraints, which included the requirement of state government agencies to consent to development for portions that encroached their land holdings.

Council will also consider a Development Application at the February 2024 OCM meeting for the interim wastewater infrastructure (PA264/2023) which will be used for the purpose of transporting wastewater offsite and impede its ability to infiltrate into the groundwater, reducing the risk of contamination.

Previous Council Decisions

- January 2022 (OC004/2022) – Council approved the leasing of the land known as the Boyanup Cattle Saleyards situated on Reserve 27193 and Reserve 27194 Boyanup to Elders Rural Services Limited and Nutrien Ag Solutions Limited (WALSA) on the following essential terms:
 - a. *An initial term of 10 years;*
 - b. *A further term of 10 years by mutual agreement;*
 - c. *Annual gross rent at the commencement of the lease (not including current and separate Council rate's charges) being set at \$81,000 plus GST;*
 - d. *Rent to be reviewed annually on the anniversary of the commencement date by CPI.*

That above is subject to the negotiation of a management order with WALSA that includes but is not limited to:

- i. Animal welfare legislation, regulations and standards;*
- ii. WHS standards, worker qualifications and incident response plans;*
- iii. Environmental matters including, waste and effluent management, odour, noise and dust;*
- iv. Operating standards, security and times;*
- v. Public access, vehicular movement and management, parking and conditions of entry;*
- vi. Access for people living with a disability;*
- vii. Facility standards, amenity and maintenance.*
- viii. The installation either shade sails or solid roof over all cattle pens.*

To the satisfaction of Shire Officers.

- That the Capital Upgrade Plan and Management Plan be appendices to the lease above and conditions of lease of the Boyanup Cattle Saleyards.

Decision Framework

Shire of Capel Strategic Community Plan 2023-2033

Direction 4 - Deliver good leadership, governance and decision-making

4.2 Informed and transparent decision making



Corporate Business Plan 2023-2027

DEVS 12 - **Development Applications** - Process and determine development applications in accordance with the local planning framework.

Boyanup Saleyards Lease

The executed Boyanup Saleyards lease contains the following relevant clauses and details:

12.2 Approval of Capital Upgrade Plan

- (1) The Lessee must not commence the Capital Upgrade Works until the Lessor has given the Lessee written notice to the Lessee that the Capital Upgrade Plan is acceptable to the Lessor (Approval Notice).
- (3) Once the Capital Upgrade Plan has been agreed by the Lessor and the Lessee, the Lessor must give the Lessee an Approval Notice with respect to the amended Capital Upgrade Plan.

12.4 Capital Upgrade Works

- (1) Following receipt of the Approval Notice, the Lessee must:
 - (a) perform those parts of the Capital Upgrade Works which do not require an approval from an Authority within 6 months of the Approval Notice;
 - (c) complete the remaining Capital Upgrade Works within 12 months of receiving the approvals referred to in paragraph (b) above;
- (3) The Lessee must provide the Lessor with written notice as soon as practicable following completion of the Capital Upgrade Works advising the Lessor that the Capital Upgrade Works have been completed.
- (4) If the Lessee is unable to:
 - (a) complete the Capital Upgrade Works (or parts thereof) within the timeframes specified in clause 12.4(1); or
 - (b) submit an application to an Authority for approval to the balance of the Capital Upgrade Works within 6 months of the Approval Notice,

due to an event of Force Majeure, then the relevant date shall be extended by the period of time that the Lessee is delayed by such event.

Statutory Framework

Local Framework

- Shire of Capel Local Planning Strategy;
- Shire of Capel Local Planning Scheme No. 8;
- Local Planning Policy 6.5 - Heritage Protected Places; and
- Local Planning Policy 6.7 - Community Engagement.

State Framework

- *Planning & Development Act 2005*;
- *Planning & Development (Local Planning Schemes) Regulations 2015*;
- State Planning Policy 3.7 - Planning in Bushfire Prone Areas;
- State Planning Policy 5.4 - Road and Rail Noise; and
- Greater Bunbury Region Scheme (GBRS).



Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

There are no Council policies relevant to this item.

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Reputation Rating: Medium	Possible	Moderate	Support the proposal as per the Officer’s recommendation.
Risk Description: Community Dissatisfaction - There has been a significant community desire to see a greater emphasis on animal welfare at the current saleyard. The Shire has been seeking a development application to be lodged by WALSA to address the lack of shade for cattle in summer periods. Refusing the Development Application would not alleviate such welfare issues.			
Opportunity: Upgrading the Existing facilities - The competitive advantage of providing greater animal welfare to such facilities would likely mean cattle sales people choosing the Boyanup Saleyard to conduct their business, thus resulting in money exchanging hands within the local economy.			

Financial Implications

Budget

The proposal results in minor budget implications, largely through the expenditure associated with community consultation and the various letters sent out to adjoining and nearby landowners inviting comments.

It is however acknowledged that due to the proposal being submitted for the Shire’s determination rather than the JDAP, the fee paid to the Shire that is associated with the \$4 million estimated cost of construction is \$10,251.

Sustainability Implications

Climate Change and Environmental

- The sawtooth design and carefully thought-out wastewater system that is being considered with this application should reduce the runoff and potential contamination of the groundwater that occurs when sensitive uses are proposed in low lying areas without appropriate drainage.



Social

- The covering of the Boyanup saleyards will bring the existing facilities into alignment with other saleyards throughout the state, who have made the necessary modifications to promote animal welfare.

Economic

There are no relevant economic implications relevant to this item.

Asset

There are no relevant asset implications relevant to this item.

Consultation/Engagement

External Consultation

The following agencies were consulted as part of the Shire’s referral process:

- Department of Planning, Lands and Heritage (DPLH);
- Department of Water and Environmental Regulation (DWER);
- Department of Mining, Industry Regulation and Safety (DMIRS);
- Department of Primary Industries and Regional Development (DPIRD);
- Department of Health (DoH);
- Water Corporation (WC); and
- Public Transport Authority (PTA).

A summary of the feedback received can be found in **Table 1** below.

Table 1: External Referral Comments		
Agency	Comments	Officer Response
DPLH	<p>In relation to the Greater Bunbury Region Scheme (GBRS), the land impacted by the development application is partly zoned Urban, abutting a Railways reserve and partly reserved for Railways.</p> <p>On land zoned Urban abutting the Railways reserve, approval is required under the GBRS, pursuant to Schedule 1, point 4 of the WAPC’s GBRS Clause 27 Resolution. This decision is delegated to the Shire if it accepts the recommendation of the public authority responsible for the reserved land or chooses to refuse the application, pursuant to Schedule 2, point 4 of the GBRS Delegation Powers of Local Governments.</p> <p>On land reserved for Railways under the GBRS, approval is required under the GBRS and the decision is delegated to the local government if the criteria is met under Schedule 1, point 3 of the GBRS Delegation Powers of Local Governments.</p>	<p>Noted.</p> <p>It is recognised that the Shire will have delegation to determine the proposal on the basis that the recommendation/decision reflects the advice of relevant authorities.</p> <p>It is also noted that the various land ownerships have resulted in an updated application provided by the proponent which includes signatures from delegated parties of DPLH and PTA.</p>



<p>DWER</p>	<p>Licensing under the Environmental Protection Act 1986 (EP Act). The proposed roof structure is considered a control to minimise the volume of rainfall falling on the pen floors (that would otherwise generate contaminated overland flow that would need to be managed).</p> <p>Its construction will be subject to a works approval under the EP Act, and it will be added to the licence as a control for stormwater management. However, the disposal of clean stormwater that is captured from the roof will not be regulated under the licence, as this falls outside the scope of Part V of the EP Act.</p> <p>Proposed stormwater management statements from referral documentation. The proposed shelter will result in an increase in impermeable surfaces, which would likely result in increased volumes of clean roof stormwater that requires appropriate management.</p> <p>DWER notes the following proposed changes to management of stormwater as per the following referral statements:</p> <p>“The wastewater infrastructure (as proposed in DA1) will be retained but be repurposed as part of this Application, to be utilised for wastewater (effluent) management. The existing sedimentation system (‘SST’) will also be repurposed as a stormwater detention area as part of this Application, to operate as part of the upgraded stormwater management arrangements.”</p> <p>“The Stage 2 Development Application ensures that the majority of stormwater, particularly roof water runoff, is managed independently from saleyard washdown water.”</p> <p>“The proposed development ensures that the majority of stormwater, particularly roof water runoff, is managed independently from saleyard washdown water. The roof water will be gathered and directed through soak wells sized for up to a 1 in 1-year (1-hour duration) event, featuring a storage volume of 106m³, as specified by the Shire. Subsequently, the roof water is conveyed through a stormwater system sized for a 1 in 5-year event, before being discharged to the existing drain to the northeast of the subject site.”</p> <p>“If needed to meet the Licence conditions, stormwater treatment and detention will be incorporated, utilising the SST as proposed. Additionally, during saleyard washdowns, effluent is directed to the effluent buffer tank in accordance with the Licence conditions”.</p> <p>The Stage 2 Development Application includes switching</p>	<p>Noted. All relevant advice notes have been incorporated into the Shire’s recommendation.</p> <p>It will be the responsibility of the proponent to acquire the relevant approvals from State Government agencies once any planning decision has been made.</p>
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the effluent and stormwater management systems, as proposed by the Stage 1 DA (the rainwater, storage tank now becomes the effluent management system), and the effluent/sludge management within the SST becomes part of the final infrastructure to manage roof water flows).

Advice

In view of the above and DWER's review of the referral material, the following is advised:

The separation of clean roof stormwater from the contaminated water from the pen operations is supported on the basis of reduced contaminants in the stormwater entering the proposed soakwells and the existing drain to the northeast of the subject site. Management of stormwater should be in accordance with the Decision process for stormwater management in WA (DWER 2017) and the Stormwater Management Manual for Western Australia (DoW 2004–2007)

To ensure effective operation of the proposed soakwells in attenuating clean stormwater (for the 1-hour duration event), the highest groundwater should be determined so the soakwell system can be designed accordingly.

Confirmation of the shed roof size, as the Shire referral letter states an area of ~6,100m² compared to ~7,000m² in the letter provided in the referral by SLR Consulting Australia (SLR Ref No.: 675.64443.00000-L02-v0.1, dated: 13 December 2023).

Clarification with the Shire is required as the above referral statements are inconsistent with the Stormwater Catchment Plan (Drawing 675.64443-CI-2110, Rev B, draft, dated: 28/11/2023), which states:

"Roof Water Collected And Diverted Through Soakwells Sized For A 1 In 1 Year Event (1 Hour Duration) ~80m³ of Storage" (i.e. the referral states a storage volume of 106m³) "SST TO DETAIN 1:10 YEAR STORM EVENT, PRIOR TO DISCHARGING TO EXISTING DRAIN" (i.e. the referral states a 1 in 5-year event, before being discharged to the existing drain).

For the shed structures and the inquiries on the proposed changes to the use of the existing sedimentation system ('SST'), the proponent is advised to contact DWER's Environmental Licensing Section (regarding works approvals and licenses under Part V of the EP) at info@dwer.wa.gov.au or 6364 7000.

General

Where the Department has a statutory role, planning applications should be considered prior to the Department issuing any relevant permits, licenses



	<p>and/or approvals.</p> <p>In the event that the applicant determines that a works approval or licence application is required under Part V of the Environmental Protection Act 1986 (EP Act), the advice provided in this communication does not prejudice and must not be considered to infer the outcome of the EP Act licence and works approval process.</p> <p>In the event there are modifications to the proposal that may have implications on aspects of environment and/or water management, the Department should be notified to enable the implications to be assessed.</p>	
DMIRS	Nil.	
DPIRD	<p>The Department of Primary Industries and Regional Development (DPIRD) does not object to the proposed addition of a shelter to the existing Boyanup Sale Yards. The construction of a roof over most of the facility and the associated management of stormwater will reduce the amount of contaminated water. The reduction of contaminated water will lead to a significant improvement in the environmental outcomes at the site.</p>	Noted.
DoH	Nil.	Noted.



Table 1: External Referral Comments		
Agency	Comments	Officer Response
WC	<p><u>Water</u> Reticulated water is currently available to the subject area. All water main extensions, if required for the development site, must be laid within the existing and proposed road reserves, on the correct alignment and in accordance with the Utility Providers Code of Practice. The developer may be required to fund upgrading of existing works and protection of all works.</p> <p><u>Wastewater</u> Reticulated sewerage is not immediately available to serve the subject area. All sewer main extensions required for the development site should be laid within the existing and proposed road reserves, on the correct alignment and in accordance with the Utility Providers Code of Practice.</p> <p><u>General Comments</u> This proposal will require approval by our Building Services section prior to commencement of works. Infrastructure contributions and fees may be required to be paid prior to approval being issued.</p> <p>The information provided above is subject to review and may change. If the proposal has not proceeded within the next 6 months, please contact us to confirm that this information is still valid.</p>	<p>All shortcomings of the documentation or proposed infrastructure will look to be addressed at the point in time when the proponent applies for approval by the Water Corporation Building Services division.</p> <p>It is noted that an advice note is included to ensure the proponent remains aware of this requirement prior to the commencement of development.</p>
PTA	<p>The PTA provided comments on the proposal on the 23rd February 2024. The recommendation was to support the proposal on the basis that a series of conditions and advice notes were accompanying the Officer's Recommendation.</p>	<p>Conditions and Advice Notes included in recommendation.</p>

Further to the invitation for government agencies to comment on the proposal, the Shire sent letters to 194 nearby landowners and occupiers, which was in accordance with the Shire's Local Planning Policy 6.7- Community Engagement.

The application was advertised for a period of 28 days, with 7 submissions being received.



The main points raised as part of the community consultation are summarised in **Table 2** below.

Table 2: Community Consultation Comments	
Comments	Officer Response
<p>Why would W.A.L.S.A. want to spend upwards of 5 million dollars on a 60 year old, out dated facility in the middle of Residential Area, with a major part of the facility situated on leased railway land (leased until 2028).</p> <p>W.A.L.S.A. use Lot 146 nearly every day to run cattle on. This is Zoned R30 which makes it Non-Compliant for this purpose.</p> <p>Lot 146 has a proposal to have a new bore or an upgrade done on the existing bore (bore Licence #175973, bore Licence Allocation 4500KL). The amount of water allocation that they have is not even close to what would be required to do wash outs after each sale event.</p> <p>Lot 146 bore, if a larger Allocation of water were to be purchased for hosing purposes, it would become a Commercial bore. Can a Commercial bore be installed on a R30 Zoned block.</p> <p>Lot 146, when used for cattle holding purposes, has a problem with containing the dust within its boundaries, generated by cattle movement. This dust which can contain many Zoonotic Diseases i.e.: Q FEVER is then blown over the Residential Area houses, some of which use rainwater catchment as their sole water supply. Is the Shire and the Farming community aware that the whole complex would have to be shut down for a period of time as it would become a Construction site, which would have limited access.</p> <p>Access for machinery into the yards for construction purposes would be extremely limited, (narrow laneways overhead catwalks). This all makes Construction time so much slower.</p> <p>Welding or fixing Roof Support Columns to the existing yard panels is NOT an option as many of the posts are rusted off at ground level and</p>	<p>The upgrading of the infrastructure was part of the leasing agreement between the Shire and WALSA. The current conditions of the site are not conducive to upholding adequate or acceptable levels of animal welfare. As such, it was requested that the shelter be installed if the lease was to be renewed for the site.</p> <p>The cattle saleyards and Lot 146 contains existing non-conforming use rights. LPS8 enables such uses to continue to run with the land up until the point in which activity ceases.</p> <p>Comment to be addressed in the relevant application (PA264/2023 pertains to Lot 146).</p> <p>Comment to be addressed in the relevant application (PA264/2023 pertains to Lot 146).</p> <p>The proponent is aware that such developments may require a construction management plan as part of their application, which includes specific information relating to dust suppression to be provided to the Shire for review prior to commencement of development.</p> <p>This is not a relevant planning matter.</p> <p>This is not a relevant planning matter. Materials and structural details of the shelter will be assessed and scrutinised at the Building Permit stage.</p>



<p>just look solid because of caked on manure.</p> <p>The concrete floor of the yards is extremely slippery for both man and beast. This has been caused by years of cattle and machinery polishing the surface. (This has caused injury on a number of occasions to workers and cattle). A soft floor (Razed rubber profile) is planned to put over the existing floor, but this will cause a major cleaning problem. Hosing is the only option, but the contours (levels-falls) of the floor were never designed for this and go in all directions, not to graded low area. I also believe that a new Effluent catchment system will not be able to handle the under estimated volume of water required for each washout which is required after each sale event. (As required by the DWER licence).</p> <p>The Roof concept is a fantastic idea for Cattle Welfare, Comfort of Workers, Buyers and Sellers. However, the present location of the yards is no longer a practical option in the middle of a Town.</p> <p>The idea of the Shire setting up an all new Selling Precinct on a hundred acres is a great idea, which would enable the yards to continue as it is for the next couple of years, whilst the new facility is being built and then it would be a straight transition from old to new.</p>	<p>This element of development has been assessed by the Shire’s Environmental Health Department and not considered to be a concern. The estimated effluent catchment has been assessed by DWER and the Shire’s Environmental Health Department and deemed to be an appropriately sized system for the shelter. Further commentary on this can be found in the report put to Council in February 2024 for PA264/2023.</p> <p>The nature of the structure is temporary, and the intention is to deconstruct the shelter once the lease expires and re-sell the infrastructure. This shelter is not intended to exist within the townsite for several decades.</p> <p>Noted.</p>
<p>Installation of a roof (7000-7200m²) Question: Night-time noise from cattle already necessitates closure of windows some nights. The hard roof structure will result in increased lateral transmission of noise. Will the proponents be required to commission a noise consultant to provide advice on noise attenuation and will the recommendations be included as a condition of approval?</p> <p>Question: The area under the structure will be dry. The existing dust problem will be exacerbated. Table 7 states that dust will be monitored, and action will be taken. What dust monitoring program will be implemented and what are the management actions that will be taken in the event of high levels of dust? Dust and reduced road</p>	<p>WALSA notes the comments raised in regard to environmental noise risks and commits to ensuring ongoing compliance with the Environmental Protection (Noise) Regulations 1997, where applicable.</p> <p>WALSA also commits to responding to any complaints as they arise and implementing measures at minimising noise impacts as far as is practicable to do so. Current contact details for lodging complaints are contained within the SBMP.</p> <p>The yards are predominantly concrete floored (with some sand yards around the fringe of the saleyard) and drain to the sumps. The management of dust from these yards can therefore be managed through regular washdowns. In contrast, all access areas and roads are unsealed and have potential to become a source of dust in dry, windy conditions or during truck movements, however construction</p>



conditions from the extra traffic associated with liquid waste transport will also occur. Will Salter Road be widened and resealed to mitigate these impacts?

of the proposed roof would not affect the potential for dust emissions from these areas.

WALSA are proposing to upgrade their bore onsite and have increased their water allocation, which will provide additional water for wash downs of sealed areas and to provide dust suppression on unsealed areas. Vegetation along the eastern boundary of the site, between the sales yard and the nearest residences will be retained, which will also assist in screening and filtering dust emissions.

With these mitigation measures in place, Table 7 refers to ongoing visual inspections by site staff of on-site dust levels and any dust seen travelling off-site. No on or off-site dust monitoring using instrumental methods are currently proposed.

In the event that dust emissions are observed travelling off-site, or complaints are received regarding dust levels, hoses and water sprays will be used to wet down dusty surfaces and suppress any dust lift-off, with washdowns performed as soon as practicable to remove material from sealed surfaces that could later dry out and become airborne.

The only additional traffic generated by the upgrades in DA 1 & DA 2 are the contractors trucks used for pump out of the SST (effluent storage basin). The trucks would be travelling on-site at very low speeds, limiting the emission of wheel-generated dust. This is a minor increase and is not anticipated to result in significant dust emissions that cannot be appropriately managed through the use of water sprays.

Question: Are the soak wells adequate for the roof area? The application states that "the roof water will be gathered and directed through soak wells sized for up to a 1 in 1-year (1-hour duration) event (~18.2mm), featuring a storage volume of 106m³, as specified by the Shire, but the SLR Plan B indicates the storage will be ~80m³. An 18.2mm rain event in 1 hour x 7000m² = 127m³ or 131m³ if the roof area is 7200m².

The soakwell's have been designed and modelled to cater for a 1 in 1 year event of 1 hour duration and, the area of the soakwell has been confirmed at 80m³, based on a revised roof area of 4,900m² in accordance with SLR's RFI response to Council dated 15th January.

Switching the effluent and stormwater management systems

Subject to the conditions imposed by Council for DA 2 and, the potential conditions imposed by



<p>Question: Will there be any spot samples of the 'clean' water in the SST to check there has been no ingress of contaminated water from other areas? (i.e., overflow from the repurposed rainwater tank).</p> <p>Question: As the 300,000L tank will be repurposed for wastewater, how will odour and pests be managed in the tank?</p> <p>Question: has there been any assessment of whether the rainwater tank will be adequately sized if it is repurposed as a wastewater tank? DA 1 indicates that washdowns will increase with installation of soft flooring.</p>	<p>DWER for the Works Approval, it is envisaged that a similar sampling regime will be required for the SST as is required for the proposed buffer tank under WALSA's current Licence.</p> <p>It is assumed that because the buffer tank is a closed system, odour will be adequately managed.</p> <p>The buffer tank has sufficient capacity to act as an effluent storage tank, prior to pump out and disposal offsite.</p>
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Table 2: Community Consultation Comments

Comments	Officer Response
<p>Animals' Angels is nationally respected as a key stakeholder in the saleyard and transport industries. Our charter in Australia is to monitor animal congregation points for both short and long-distance transport. We are the only non-government organisation in Australia that actively and routinely monitors the industries nation-wide. Over the last 20 years, we have comprehensively and professionally observed and reported, to the appropriate authorities and industry, non-compliance with relevant legislation and applicable Australian Animal Welfare Standards and Guidelines. Our work has included multiple visits to, and formal reports about, the Boyanup Saleyards.</p> <p>Consistent in our assessments is that the welfare of animals held at Boyanup Saleyards has been compromised. There have been many instances where, in our view, there have been breaches of animal welfare legislation and regulations.</p> <p>These breaches are detailed in our reports which have all been sent to the Capel Shire at the relevant time but are available upon request.</p> <p>Key problem areas identified by us are heat stress and the supply of suitable water. Heat stress should be addressed, at least in part, by the installation of a solid roof across the saleyard.</p> <p>The regulatory requirement to supply suitable water will not be addressed by the addition of a roof but it is a key infrastructure improvement that is required if the Boyanup Saleyard is to be made fit for purpose and compliant with animal welfare regulations. Shortcomings identified by us are described in detail in our reports.</p> <p>In addition to the infrastructure required to deliver water around the saleyard, there is a need for training of staff and constant monitoring of cattle held there to ensure that all animals have access to water in compliance with the animal welfare regulations.</p> <p>This would include addressing the over-stocking of pens which is consistently described as an issue in our reports.</p>	<p>Noted. The Shire is progressing plans to eventually relocate the saleyards out of Boyanup Townsite, but the shelter will act as an interim measure to promote animal welfare at the current site until any alternative arrangements are tabled.</p>



<p>I am sure the cattle will be happy and more comfortable to have covered shelter at the stock yards but how about you make life better for the residents do something about the extreme number of flies attracted to the area by the cattle yards.</p> <p>I think a better idea would be to move the stock yards out of the middle of town and into an area where there are no houses where the flies would not be an annoyance for anybody.</p>	
<p>After reading the documents provided with the DA from SLR Consulting Australia I wish to make the following comments and request further information.</p> <ol style="list-style-type: none">1. What is the total cost of this upgrade?2. What is planned as far as cattle sales whilst the site becomes a construction site?3. A noise management plan be provided as to the increase acoustics being generated by the addition of a steel roof over the entire yard complex. The question is: Will the roof addition increase noise from cattle as it is quite audible now without a roof?4. The total stormwater catchment from the roof and uncovered areas is quoted as being <i>"discharged to the existing drain to the northeast of the site"</i> however it is stated that <i>"if needed to meet the Licence Conditions, storm water treatment and detention will be incorporated"</i> My question is what and how is this volume of water planned to be treated and disposed of should it not meet the Licence Conditions?	<p>Cost can be found in this report.</p> <p>This is an operational and commercial matter for WALSA and will be determined prior to construction.</p> <p>WALSA notes the comments raised in regard to environmental noise risks and commits to ensuring ongoing compliance with the Environmental Protection (Noise) Regulations 1997, where applicable.</p> <p>WALSA also commits to responding to any complaints as they arise and implementing measures at minimising noise impacts as far as is practicable to do so. Current contact details for lodging complaints are contained within the SBMP.</p> <p>It's not envisaged that detention and treatment will be required however, this is a matter for Council in assessing the DA, it may be used as detention to control stormwater flow, or it may be treatment and detention.</p>



<p>5. In Attachment A of the report on drawing title "Stormwater Catchment Plan stage 2" it shows the roof water directed stage 1 stormwater network after travelling through a new set of soak wells with a total capacity of 80 cubic metres and the plan shows the stormwater being directed into the existing SST, my concern is with the huge catchment area 7500 square metres this system will not be able to handle the volume and furthermore it should not be diverted to the SST if it is not polluted with animal effluent, after all this is what the total upgrade is designed to prevent. Refer to the amended DWER conditions of the licence.</p> <p>6. The subject site includes a portion of unused rail reserve to the east which is subject to a Lease between the Public Transport Authority ('PTA') and the Lessees, known as Lease Area L2992. The PTA land is currently leased until May 2028. My question is with the highly likely upgrade of the railway system between the mine at Greenbushes and the Lithium refinery located in the Pemberton area is the PTA about to approve a mayor upgrade development on their land given the likelihood of an upgraded rail system being planned?</p>	<p>The soakwells have been designed and modelled to cater for a 1 in 1 year event of 1 hour duration and, the area of the soakwell has been confirmed at 80m³, based on a revised roof area of 4,900m² in accordance with SLR's RFI response to Council dated 15th January.</p> <p>The application has been referred to the PTA for their comment, specifically regarding the encroaching documentation and its potential impact</p>
<p>I have only recently become aware of the ability of the public to comment on the changes proposed by WALSA at the Boyanup saleyards. I am a truck driver, there has been zero consideration of 1/3 of the users of the yards despite the loading, unloading and personal safety issues caused by this extremely dysfunctional section of the yards, the proposed roof doesn't even cover these pens that are sometimes used to sell cattle.</p> <p>All loading pens have 90' and 60' corners causing cattle to be confused back up turn become confused and stressed interrupting</p>	<p>The matters raised are not land use matters relevant to this DA but, WALSA will review comments regarding operations at site and, may make contact if required.</p>



loading making cattle already loaded to come of the truck etc. this causes a lot of stress on both cattle and humans.

With the simple addition of small gates in the force pen creating a "bugle" would remove 90% of the stress and danger. Ideally corners are not sharper than 120 degrees.

Access to the loading pens from the lane way is very poor as most pens are only accessible from one direction due to the lack of gates in appropriate places and gate sizes.

Stock carriers by necessity regularly load on our own. Assistance can be hours away.

None of us want to go to a mine site level of safety overkill. With simple improvements we can improve the safety of the yards from what was acceptable 60 years ago.

There is a woeful lack of space in front of the ramps to get trucks backed on to the ramps. It is a regular event watching trucks take half an hour to get onto the ramp. If other trucks aren't blocking access to ramps 4,5 a pocket road train often drops its steer tyres of the gravel to get straight enough to then reverse. Diff locks are often required to reverse! The other ramps are not suitable for pocket road trains as you have to be lucky to get it perfectly in line on the first attempt which must be a radical piece of guesswork as the ramp and reference points are not visible from the moment you turn in front of the next ramp swing back guess at the line and stop in front of the kerb that shouldn't be there. Get it wrong and you have to do a lap around the canteen and office!

Removal of all trees and compacted gravel in its place is twenty years overdue.

A twenty-degree angle on the ramp face would be beneficial (not more than twenty degrees) and thick paint lines that don't scrub off both sides of the truck parked on the ramp also are very beneficial. Ramps 1 and 2 could easily be made suitable for side loading / unloading.

I have intentionally not mentioned other



areas of the yards as there are others who will have valid opinions as they work there.	
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For a comprehensive set of comments provided by each submitter, please refer to **Attachment 14.2.3**.

Internal Consultation

The application was circulated internally to the following relevant departments for review and comments:

- Environmental Health;
- Building Services;
- Finance;
- Projects, Engineering and Assets;
- Emergency Management;
- Natural Resource Management; and
- Operations.

A summary of the feedback received can be found in **Table 3** below.

Table 3: Internal Referral Comments	
Departmental Comments	Officer Response
<u>Environmental Health</u> Nil.	Noted.
<u>Building Services</u> An application for building permit will be required for the proposed buildings, the structures must comply with the Building Act 2011, Building Regulations 2012, National Construction Code, Building Code of Australia, and associated reference documents. Advice should be sought from a registered building surveyor contractor in order to obtain the appropriate certificates for building permit.	Advice notes to be included.
<u>Finance</u> No impact on rates levies.	Noted.
<u>Projects, Engineering and Assets</u> This is a high level document that will require detail design of all elements that need to be issued to the Shire for detail review and comment.	Advice notes to be included.
<u>Emergency Management</u> Nil.	Noted.

Officer Comment

The proposal is seeking a sawtooth roofed shelter above the existing cattle yard at the subject site. Reasons for the sawtooth design is to enable ease when disassembling, with the intent to re-sell the structure once the Lease expires. Furthermore, the design will also provide weather protection,

mitigating the impact of adverse weather conditions on the cattle and the overall operation of the Saleyards.

The shelter will have a saw tooth roof design, will be approximately 5.7m in maximum height, and occupy a total area of approximately 6,100m². The shelter will cover the entire saleyards pen, which does have elements of infrastructure that extend beyond the lot boundary and partially encroaches the PTA reserve to the east (as discussed below). Refer to **Figure 1** below for encroachment outside of the lot boundary.



Figure 1: Site Plan Demonstrating Partial Encroachment.

Local Planning Scheme No. 8 (LPS8)

Objectives of the Reserve

The subject site is reserved 'Public Purposes' under LPS8 and has been a saleyard for a significant period of time (refer to Heritage Survey assessment below). Whilst the addition of the shelter does not materially impact the overall use of the site, an assessment against the reserve's objectives is still required.

The objective of the 'Public Purposes' reserve is to 'provide for a range of essential physical and community infrastructure.' The overall use of the site has been to facilitate a long-standing tradition of cattle sales, which was centrally located to several agricultural communities. It is anticipated that by securing a shelter above the existing yards, the overall facility will be brought into consistency with other saleyards in Western Australia and will provide greater competitiveness for the region, largely due to the promotion of animal welfare.

In isolation, the shelter above the saleyard would be considered as appropriate infrastructure upgrades within the precinct and as such would be consistent with the objectives of the reserve.

Built Form



There are minor aspects of development that encroach the adjacent railway reserve, and the unmade portion of the Salter Road reserve. The subject site includes a portion of unused rail reserve to the east which is subject to a Lease between the Public Transport Authority, ending in 2028.



The subject site also includes an unmade portion of the Salter Road reserve to the south. At the Ordinary Council Meeting held on 31 August 2022, Council granted approval for the temporary closure of the unmade portion of Salter Road for the term of the Saleyard Lease (until 2042). Amongst other matters, the temporary road closure will enable WALSA to implement the required safety controls to manage internal traffic and parking in accordance with the requirements of the Lease.

As discussed below, the Shire's planning framework does not contain provisions specific to primary controls for development within reserved land. Therefore, an assessment against the Matters to be Considered under Clause 67 of the Planning & Development Regulations 2015 will be conducted below.

Local Planning Policy 6.5 - Heritage Protected Places (LPP6.5)

Heritage Survey

The site is classified as a Category C site on the Shire's Heritage Survey 2018. As per LPP6.5, Category C are places of moderate significance that contribute to the heritage of the locality, but do not form part of the Shire's Heritage List.

The Shire's Heritage Survey encourages conservation of a Category C heritage place, and states its significance as originally being the largest sales site of stock outside of Midland. The excerpt from the Heritage Survey goes on to state:

'By 1961, Boyanup had emerged as the main sales centre and the Turner Street yards were no longer suitable. A meeting between Elders Smith Co, Goldsborough Mort & Co, Dalgety & Co, and Capel Shire. It was agreed that the agents would construct steel and concrete yards subject to a suitable location close to the railways (the transport to markets) being provided. The former recreation ground was no longer in use, so the Council made these available. The new yards were opened in 1964. These yards have continued to operate on this site.'

Given the proposed development will contribute further infrastructure to the site and will result in an enhancement of the existing cattle sales use, the development would be considered an appropriate response to the heritage significance of the site.

State Planning Policy 3.7 - Planning in Bushfire Prone Areas (SPP3.7)

The site is partially located within a bushfire prone area, as designated by the Department of Fire and Emergency Services (DFES). In accordance with the provisions of SPP 3.7 (Clause 6.5) and accompanying Guidelines for Planning in Bushfire Prone Areas (Clause 2.6), the proposed roof structure would be an ancillary development which will not intensify the existing land use.

Furthermore, the development is not likely to result in a greater patronage of sellers on the site, thus meaning that the current threat of bushfire and risk of people being onsite remains consistent.

Based upon the above, an assessment against the provisions of SPP3.7 is not required.



Greater Bunbury Region Scheme (GBRS)

In accordance with the Resolution Under Clause 27 of the GBRS RES2014/03, as the proposed patio is proposed to be located on land that abuts a railway reserve, approval under the Greater Bunbury Region Scheme is required, in addition to approval under the Shire of Capel Local Planning Scheme No.8.

The proposal was referred to DPLH for assessment and consideration. Appropriate comments regarding the GBRS elements to the land tenure and ownership have been outlined in **Table 1** above.

Planning & Development Regulations 2015 – Clause 67 Matters to be Considered

The development will need to have due regard to the matters to be considered as part of any assessment. Given the subject site and the Public Purposes reserve does not have any primary controls (maximum building heights, minimum lot boundary setbacks), it would be for the Shire Officers to determine the appropriateness of what is proposed and the scale of which it is proposed at.

Clause 67 of the *Planning & Development Regulations 2015* requires an assessment from Shire Officers to consider the bulk and scale of the proposal, as well as various other factors around environmental impacts, local residential amenity, and feedback from state government agencies.

Table 4 below contains a comprehensive assessment against the Matters to be Considered.

Table 4: Clause 67(2) - Matters to be Considered		
Clause	Matter to be Considered	Officer Comment
(c)	any approved State planning policy	The applicable State Planning Policy (SPP3.7) has been considered as part of the proposal and is considered exempt from assessment due to the non-residential nature of the development.
(j)	in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve	As demonstrated above, the development is considered to enhance the current operations and does not materially impact the overall use of the site, nor its compatibility with the objectives of the Public Purposes reserve.
(k)	the built heritage conservation of any place that is of cultural significance	As demonstrated above, Category C on the Shire’s Heritage Survey are considered of limited significance. The proposal is not considered to compromise the overall value of the site, which is largely linked to its historical use rather than built environment.



Table 4: Clause 67(2) - Matters to be Considered

Clause	Matter to be Considered	Officer Comment
(m)	<p>the compatibility of the development with its setting, including –</p> <ul style="list-style-type: none"> <li data-bbox="288 439 715 577">(i) the compatibility of the development with the desired future character of its setting; and <li data-bbox="288 577 715 965">(ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development 	<p>The development is considered very compatible in its setting, as the industrial style of shelter is to aid the existing saleyard.</p> <p>Given the significant level of mature vegetation flanking the site, and the separation of the site to the eastern town centre via a railway line, the structure is relatively separated and screened from the view of the public domain.</p> <p>It is acknowledged that the subject site is surrounded by a transitioning urban environment, as most of the sites to the south and west have been rezoned R30 Residential as part of the recently gazetted LPS8. Whilst it would not be considered a positive outcome to have such infrastructure established at the site for a significant period of time (as it would not reflect the desired future character of the locality), it's acknowledged that the future relocation of the Boyanup Saleyard and the semi-temporary nature of the structure will not jeopardise the future character of the area, which will predominantly be medium density residential.</p> <p>Furthermore, the height, scale and location of the shelter is considered appropriate in the context of the site's use and size. The location of the shelter is predominantly contained to the portion of the lot that's furthest from abutting residential development. Due to the orientation of the lot and the positioning of the shelter, the shadow cast from the structure in morning periods would not extend beyond the western boundary of the property to impact the adjoining residential lots.</p>



Table 4: Clause 67(2) - Matters to be Considered

Clause	Matter to be Considered	Officer Comment
(n)	<p>the amenity of the locality including the following –</p> <ul style="list-style-type: none"> (i) environmental impacts of the development; (ii) the character of the locality; (iii) social impacts of the development; 	<p>The proposal and the concurrent Development Application for the wastewater disposal has been assessed by the Shire’s Environmental Health Officers, Natural Resource Management Officer, and the Department of Water and Environmental Regulation.</p> <p>Whilst the Shire’s internal EH and NRM Departments had no comments on the proposal, DWER provided numerous advice notes which will be incorporated into the recommendation for the purpose of addressing any environmental impacts or considerations.</p> <p>In terms of the character of the area, the overall use of the site remains the same and the simple erection of a shelter will continue the site’s use as a Saleyard. The character of the area being predominantly a rural townsite (albeit the site being surrounded by Residential Zone) is not considered to be compromised, as the shelter design is not deviating from similar agricultural infrastructure designed in the local area.</p> <p>Lastly, the social impacts of the shelter are considered negligible. Noise from the development will be monitored and controlled through the imposition of a planning condition, aimed at ensuring compliance with the <i>Environmental (Noise) Regulations 1997</i> is upheld.</p>
(o)	<p>the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource</p>	<p>The application is accompanied by a separate DA to upgrade the wastewater management on the site. This will provide modern day practice to avoid any potential contamination etc.</p>
(q)	<p>the suitability of the land for the development considering the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk</p>	<p>The bushfire risk was assessed above and deemed to be exempt from the provisions of SPP3.7.</p> <p>Furthermore, the structure is accompanied by a Development Application for a comprehensive wastewater discharge system that will mitigate any contamination of groundwater.</p>
(y)	<p>any submissions received on the application</p>	<p>Responses to the submissions received can be found in Table 2 of this report.</p>
(za)	<p>the comments or submissions received from any authority</p>	<p>Responses to the submissions by external authorities can be found in Table 1 of this report.</p>



consulted under clause 66

Summary

Council are being asked to consider the appropriateness of a roof shelter addition above the existing Boyanup Saleyard pens. This is considered a Development Application that has been forthcoming for some time, but has been lodged as part of responding to community and Council concern around animal welfare.

As such, it is encouraged that the Council endorses the Officer's Recommendation for conditional approval.

Voting Requirements

Simple Majority

Officer's Recommendation – {item-no}

That Council in accordance with Clause 68(2)(c) in Schedule 2 Part 9 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, approves development application for a Roof Covering to the existing Boyanup Saleyard at Lots 202 and 203 (No.31) Salter Road, Boyanup, subject to compliance with the following condition(s):

- 1. The development is to be carried out in accordance with the plans, drawings and documentation included with the application for development approval. The development shall be completed within twelve months from the date of this decision and the receipt of the subsequent Approval Notice (in accordance with c12.2 and c12.4 of the Lease).**
- 2. Prior to the lodgement of the Building Permit Application, a detailed Engineering design plan of the stormwater disposal system shall be submitted for approval of the Shire of Capel, and thereafter implemented in accordance with the approved plan to the satisfaction of the Shire of Capel.**
- 3. Prior to the lodgement of the Building Permit Application, a report must be prepared by a qualified acoustic engineer, who is a member of the Australian Acoustical Society, detailing the possible noise emissions from the subject development and comparing them to relevant noise criteria.**

Should the predicted / measured results not comply with the criteria, the report must detail appropriate actions and mitigation measures in the form of a noise management plan to be undertaken to ensure that noise emissions do not contravene the provisions of the Environmental Protection Act 1986 and the Environmental Protection (Noise) Regulations 1997.

The report will be at the full cost of the owner/applicant and must be submitted for the endorsement of the Shire of Capel Environmental Health Team. Any endorsed report / management plan will be used in the assessment and determination of the development application.



4. Prior to the lodgement of a building permit, a Construction Management Plan shall be submitted to the satisfaction of the Shire of Capel. This plan is to address the following matters:

- **noise – construction work and deliveries;**
- **hours of construction;**
- **traffic management;**
- **parking management;**
- **access management;**
- **management of loading and unloading of vehicles;**
- **heavy vehicle access;**
- **dust management;**
- **waste management**
- **protection of infrastructure and street trees within the road reserve;**
- **the need for a dilapidation report of adjoining properties; and**
- **any other relevant matters.**

The approved Construction Management Plan shall be observed at all times throughout the construction process to the satisfaction of the Shire of Capel.

- 5. Drainage from the new roof shall be contained on site and not flow into the Corridor.**
- 6. All construction works must be contained within the lot boundary and as such management protocols must be in place for all construction methods to ensure no material is placed within the rail corridor boundary.**
- 7. No services including water, electricity, fibre optic, gas and any other services running to and from the site can run across the rail corridor, either above or below ground.**
- 8. No parking of construction equipment, such as front-end loaders, excavators, dozers, dump trucks, bobcats, utility vehicles and any other equipment are permitted on rail corridor land at any time during the performance of the construction works.**
- 9. Dust suppression methods must be used during the performance of any construction works.**
- 10. No drainage, water runoff or erosion from construction works is permitted to run onto rail corridor land and as such all-water runoff must be contained on the site.**
- 11. No clearing of native vegetation is permitted in the rail corridor.**
- 12. Effective hygiene and biosecurity management must be in place to ensure there is no spread of weeds or diseases into rail corridor land.**
- 13. Once all works are completed, the tenant is to provide written compliance and certificate of completion of works from their nominated contractor to the satisfaction of the local shire.**
- 14. To ensure current insurance is updated to reflect addition to improvements (if applicable).**
- 15. To ensure all requirements issued by Arc Infrastructure are acknowledged and adhered to in full.**



16. **No infrastructure, including the boundary wall, should be allowed to come closer to 10 m from the nearest rail.**
17. **The height of the highest structure must not exceed 9m.**
18. **If the land is required for the operation of the trains to Greenbushes, the land should be vacated at the cost of the lessee.**

Advice Note(s):

- a) **An application for building permit will be required for the proposed buildings, the structures must comply with the Building Act 2011, Building Regulations 2012, National Construction Code, Building Code of Australia, and associated reference documents. Advice should be sought from a registered building surveyor contractor in order to obtain the appropriate certificates for building permit.**
- b) **The separation of clean roof stormwater from the contaminated water from the pen operations is supported on the basis of reduced contaminants in the stormwater entering the proposed soakwells and the existing drain to the northeast of the subject site. Management of stormwater should be in accordance with the Decision process for stormwater management in WA (DWER 2017) and the Stormwater Management Manual for Western Australia (DoW 2004–2007). To ensure effective operation of the proposed soakwells in attenuating clean stormwater (for the 1-hour duration event), the highest groundwater should be determined so the soakwell system can be designed accordingly.**
- c) **For the shed structures and the inquiries on the proposed changes to the use of the existing sedimentation system ('SST'), the proponent is advised to contact DWER's Environmental Licensing Section (regarding works approvals and licenses under Part V of the EP) at info@dwer.wa.gov.au or 6364 7000.**
- d) **Where the Department has a statutory role, planning applications should be considered prior to the Department issuing any relevant permits, licenses and/or approvals. In the event that the applicant determines that a works approval or licence application is required under Part V of the Environmental Protection Act 1986 (EP Act), the advice provided in this communication does not prejudice and must not be considered to infer the outcome of the EP Act licence and works approval process. In the event there are modifications to the proposal that may have implications on aspects of environment and/or water management, the Department should be notified to enable the implications to be assessed.**
- e) **This proposal will require approval by the Water Corporation Building Services section prior to commencement of works. Infrastructure contributions and fees may be required to be paid prior to approval being issued.**
- f) **The railway is currently undergoing a feasibility study to determine suitability and requirements to reopen the Picton-Greenbushes railway. This feasibility stage will run for most of 2024 and may require existing lease areas to be altered in the event of the railway reopening. Having said that, provided the existing infrastructure footprint is not growing, it is unlikely (albeit not certain) this area will be impacted.**



- g) In the instance where the developer requires access to, or across, the rail corridor to enable construction works, a separate application must be submitted to Arc's Third-Party Projects for review.**
- h) The certificate of completion shall be provided for PTA's records as documentation of compliance of structures within the rail corridor.**
- i) The proposed future rail operations for the Picton-Greenbushes railway, if rail operations recommence, will generate noise which cannot be mitigated to lots affected by this proposed development.**
- j) The clearance is granted for the duration of the corridor land lease.**



Job Ref: 9675
15 December 2023

Shire of Capel
PO BOX 369
CAPEL WA 6271

Attention: Ms Tanya Gillett – Director Infrastructure and Development

Dear Tanya

**Development Application – Roof Structure (DA2)
Boyanup Saleyards, Salter Road, Boyanup**

Rowe Group acts on behalf Elders Rural Services Limited and Nutrien Ag Solutions Limited, the lease holders of the Boyanup Cattle Saleyards (the 'Saleyards'). The Saleyards are operated by the Western Australia Livestock Salesmen's Association ('WALSA') and have been established since 1961.

For the purpose of this application, the 'subject site' includes:

- ▲ Lots 202 and 203 (No. 31) Salter Road, Boyanup;
- ▲ A portion of the adjacent railway reserve; and
- ▲ An unmade portion of the Salter Road reserve.

We have been instructed to prepare and lodge a Development Application ('Application') for the construction of a roof structure over the existing Saleyards.

To allow for this Application to progress, please find enclosed the following:

- ▲ A copy of the current Certificates of Title; and
- ▲ A copy of the supporting technical documentation including development plans.

Level 3
369 Newcastle Street
Northbridge 6003
Western Australia

p: 08 9221 1991
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Site Location

The subject site is located in the municipality of the Shire of Capel ('Shire') within the Boyanup townsite, west of the Boyanup town centre.

The subject site is generally bound by an unused rail corridor to the north and east and an unmade road reserve to the west.

Refer **Figure 1 – Regional Location** and **Figure 2 – Local Context**.

Lots 202 and 203, are legally described as:

- ▲ Reserve 27193, Lot 202 on Deposited Plan 169731 Crown Land Title Volume LR3005 Folio 162; and
- ▲ Reserve 27194, Lot 203 on Deposited Plan 169731 Crown Land Title Volume LR3005 Folio 163.

Refer **Attachment 1 – Certificates of Title**.

Lots 202 and 203 are reserved under Management Order to the Shire, reserving Lot 202 for the purpose of 'Stock Saleyards' and Lot 203 for the purpose of 'Stock Saleyards and Parking'. The lots are subject to a Lease between the Shire of Capel (the Lessor) and Nutrien Ag Solutions Ltd and Elders Rural Services Australia Ltd (the Lessees). The land is currently leased until December 2042.

Railway Reserve

The subject site includes a portion of unused rail reserve to the east which is subject to a Lease between the Public Transport Authority ('PTA') and the Lessees, known as Lease Area L2992. The PTA land is currently leased until May 2028.

Salter Road Closure

The subject site also includes an unmade portion of the Salter Road reserve to the south. At the Ordinary Council Meeting held on 31 August 2022, Council granted approval for the temporary closure of the unmade portion of Salter Road for the term of the Saleyard Lease (until 2042). Amongst other matters, the temporary road closure will enable WALSA to implement the required safety controls to manage internal traffic and parking in accordance with the requirements of the Lease.

The existing use of the subject site is illustrated on the Site Plan prepared as part of the application.

Refer **Figure 3 – Site Plan**.

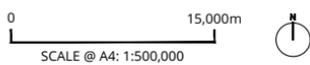
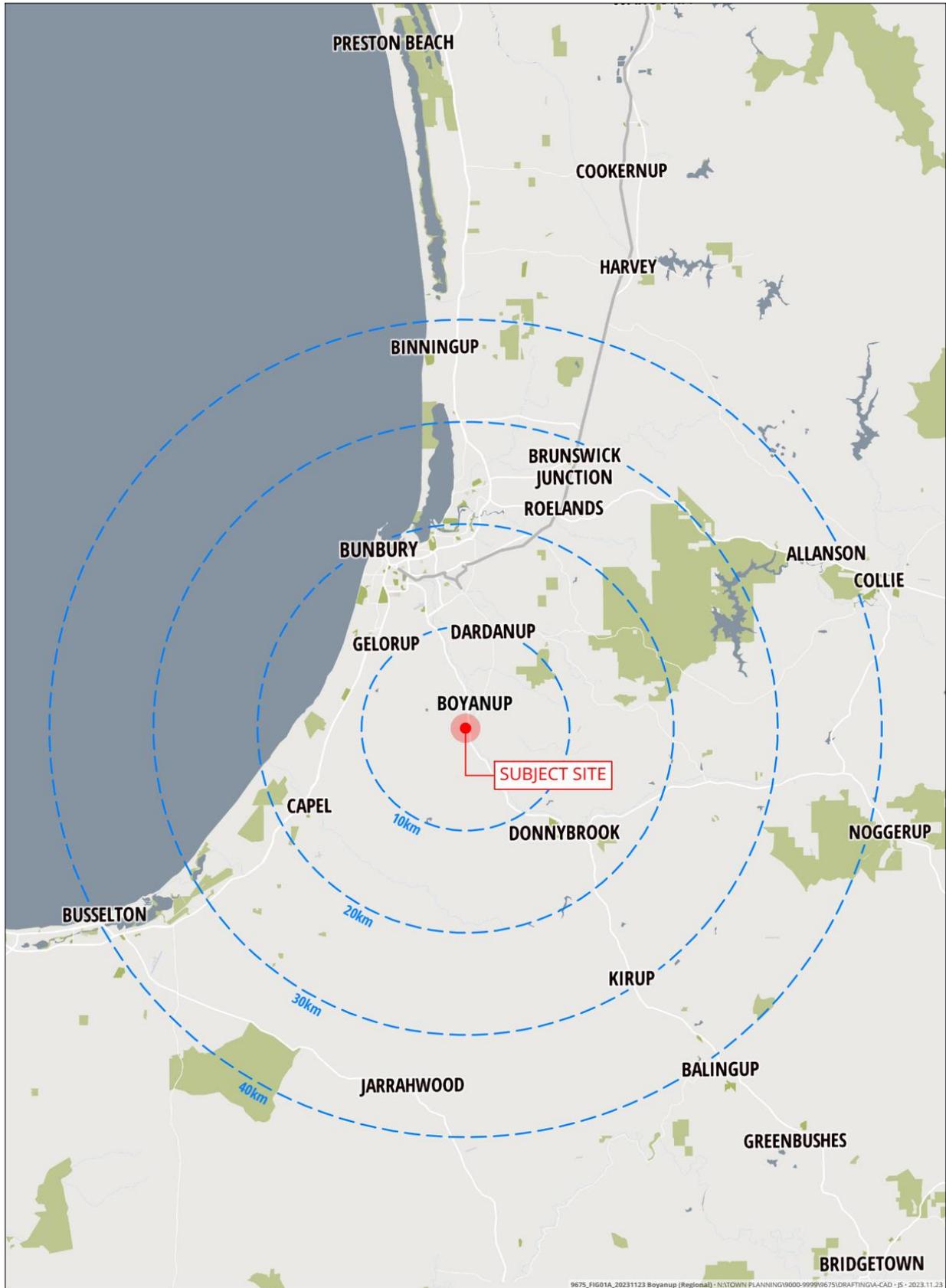


FIGURE 1
REGIONAL LOCATION

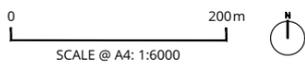
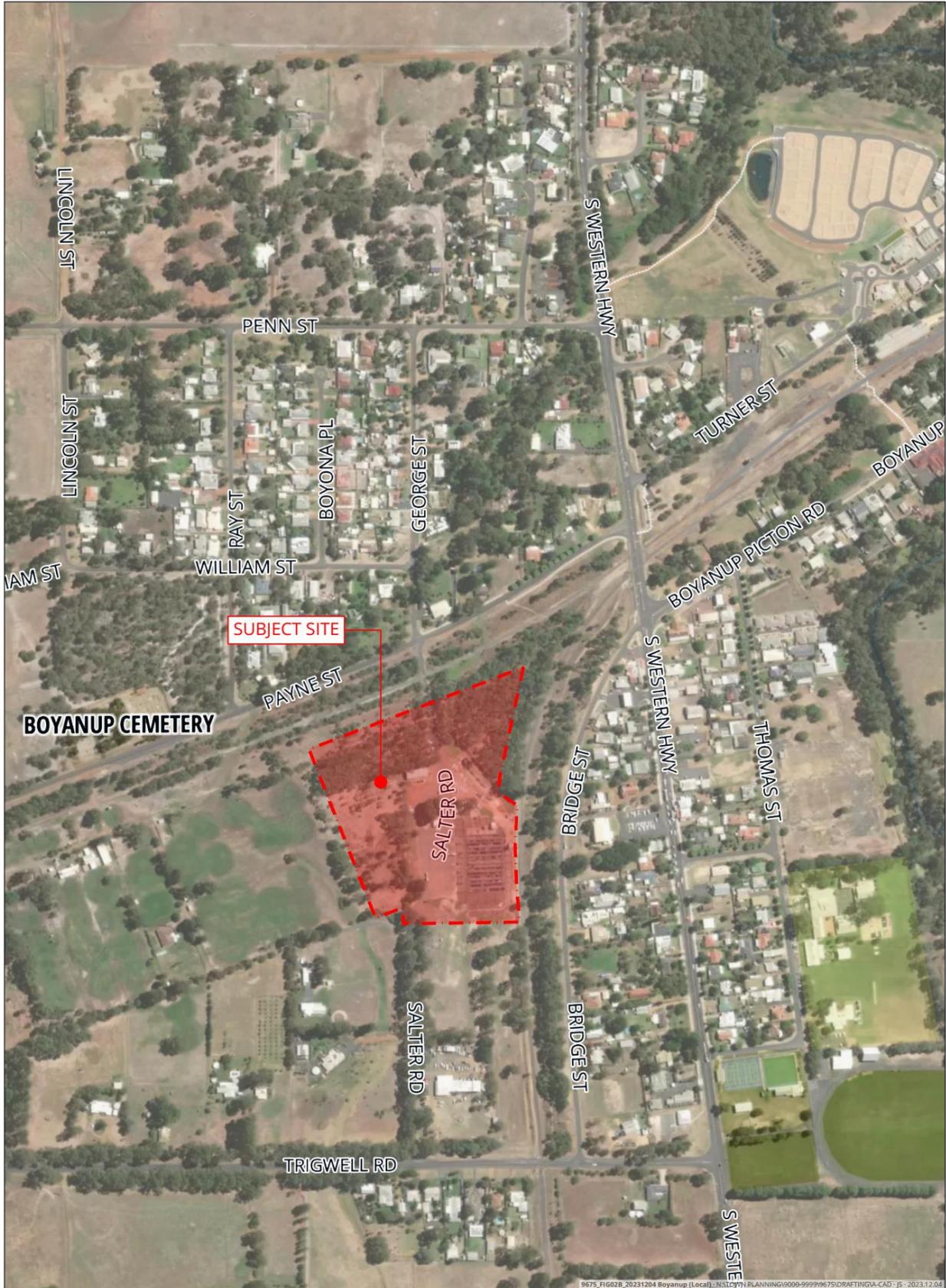
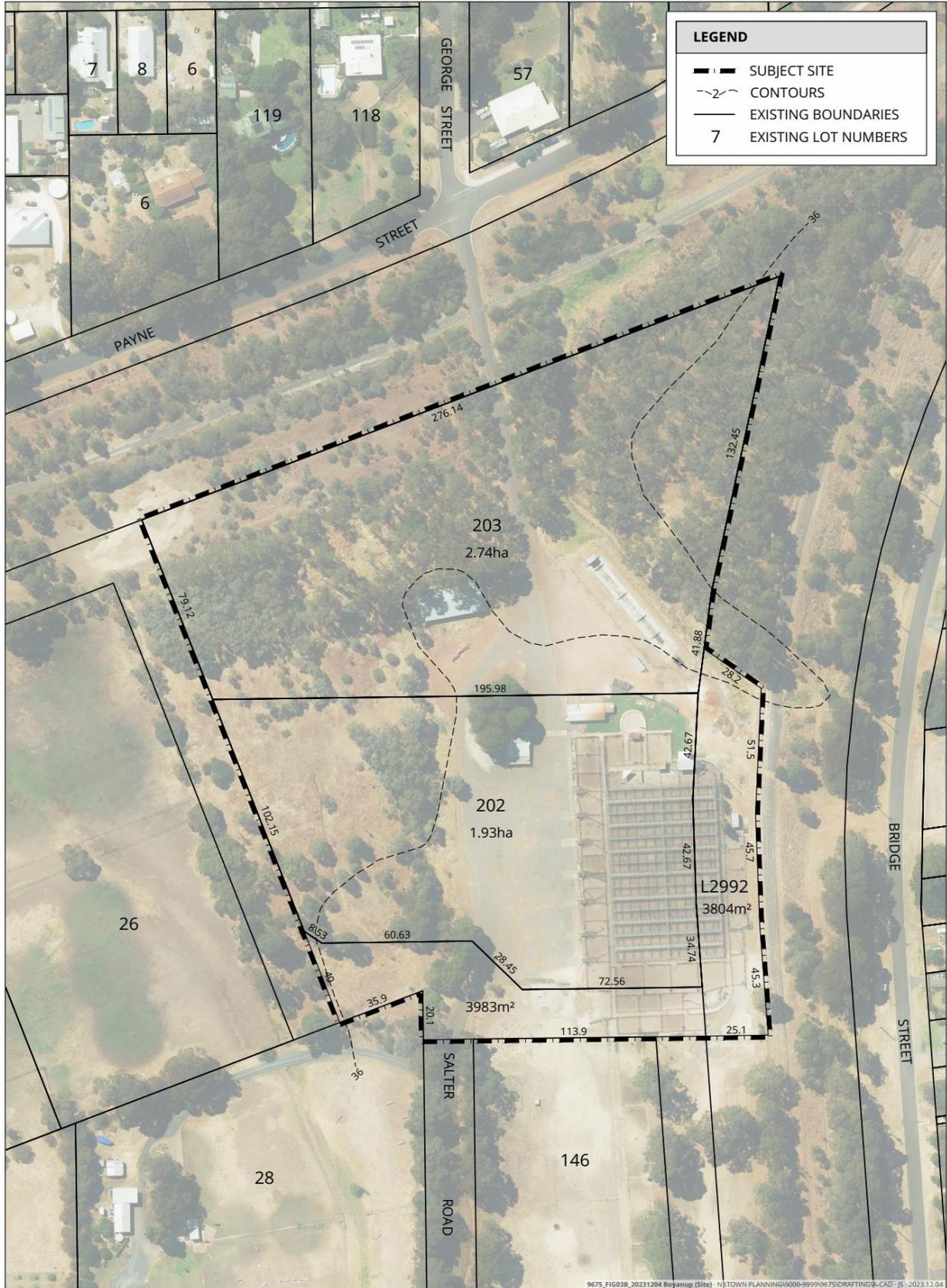


FIGURE 2
LOCAL CONTEXT



0 50 m
SCALE @ A4: 1:2000



FIGURE 3
SITE PLAN



Proposed Rood Structure (DA2)

The proposed development will involve installation of hard roof structures over the existing Saleyards for the purpose of achieving improved stormwater/wastewater management. The proposed roof structure is an open steel saw-toothed design that will also provide weather protection, mitigating the impact of adverse weather conditions on the cattle and the overall operation of the Saleyards.

The wastewater infrastructure (as proposed in DA1) will be retained but be repurposed as part of this Application, to be utilised for wastewater (effluent) management. The existing sedimentation system ('SST') will also be repurposed as a stormwater detention area as part of this Application, to operate as part of the upgraded stormwater management arrangements.

The catchment areas encompass the proposed roof structure, the uncovered saleyard catchment and the existing SST. Each catchment is enclosed by bunding to mitigate inflow from the surrounding overland flow path, adhering to the requirements outlined in the Licence conditions for a Controlled Drainage Area.

The proposed development ensures that the majority of stormwater, particularly roof water runoff, is managed independently from saleyard washdown water. The roof water will be gathered and directed through soak wells sized for up to a 1 in 1-year (1-hour duration) event, featuring a storage volume of 106m³, as specified by the Shire. Subsequently, the roof water is conveyed through a stormwater system sized for a 1 in 5-year event, before being discharged to the existing drain to the northeast of the subject site.

If needed to meet the Licence conditions, stormwater treatment and detention will be incorporated, utilising the SST as proposed. Additionally, during saleyard washdowns, effluent is directed to the effluent buffer tank in accordance with the Licence conditions.

Further supporting documentation has been prepared by SLR Consulting.

Refer **Attachment 2 – Roof Structure Development Plans and Supporting Documentation**.



Department of Water and Environmental Regulation License (L9123/2018/2)

The *Environmental Protection Act 1986* ('EP Act') is the primary legislation for the prevention, control and reduction of pollution and environmental harm, which is regulated by various governing authorities. The DWER is responsible under Part V Division 3 of the EP Act for granting works approvals and licensing prescribed premises.

Under the Schedule 1 of the *Environmental Protection Regulations 1987*, the existing Boyanup Cattle Saleyard is a Category 55 prescribed premises of a 'Livestock saleyard or holding pens' and is currently subject to DWER License L9123/2018/2.

In this regard, environmental management aspects associated with the DWER license L9123/2018/2, are dealt with under the EP Act and managed by the DWER, who have been actively involved in the preparation of this Application.

Town Planning Considerations

Greater Bunbury Region Scheme

Under the provisions of the Greater Bunbury Region Scheme ('GBRS'), Lots 202 and 203 and the unmade portion of Salter Road are zoned 'Urban'. The railway corridor land L2992 is reserved as 'Railways'.

Given the Saleyards have existed and operated on the subject site for many years, the works proposed by this application are considered to be consistent with the zoning and reservation of the land under the GBRS.

Refer **Figure 4 – Greater Bunbury Region Scheme Zoning**.

Shire of Capel Local Planning Scheme No. 8 - Zoning

Under the provisions of the Shire of Capel Local Planning Scheme No. 8 ('LPS 8'), Lots 202 and 203 are reserved for 'Public Purposes'. The LPS 8 'Public Purposes' reserve is consistent with R27193 and R27194 which provides for the land use of 'Stock Saleyard' consistent with the Management Order and existing Lease with the Shire.



Shire of Capel Local Planning Scheme No. 8 - Special Control Areas

The subject site is identified within 'Special Control Area 1 ('SCA 1') – Development Area' and 'Special Control Area 4 ('SCA 4') – Transport Corridor'. Under LPS 8, the purpose of 'SCA 1 – Development Area' is:

To designate areas requiring further investigations and structure, activity centre and/or local development planning in relation to issues such as environmental and natural resource values, natural hazards, land use options, infrastructure servicing requirements, transportation infrastructure needs, landscaping and/or urban design.

The SCA 1 application area extends across the land bound by the unused railway reserve and Trigwell Road forming a potential precinct adjacent the Boyanup town centre within which further detailed planning may be undertaken.

This notwithstanding, the proposed development is ancillary to the existing development on the subject site and is not considered to compromise the intent of SCA 1.

Under LPS 8, the purpose of 'SCA 4 – Transport Corridor' is:

To protect the function and safety of the key travel routes within the Scheme area, along with the amenity and visual character of adjacent land and to ensure that the requirements of State Planning Policy 5.4 – Road and Rail Noise are satisfied by all proposed development and land use.

The SCA 4 application area borders the existing unused railway and provides a buffer area to indicate land impacted by transport noise from the potential use of railway. In accordance with *State Planning Policy 5.4 – Road and Rail Noise* ('SPP 5.4'), the provisions of SPP 5.4 apply to sensitive land uses (such as residential and education) located within the buffer areas of transport corridors.

In this regard, the Saleyards is not considered a sensitive land use and therefore is considered exempt from the provisions of SPP 5.4 and SCA 4.

Refer **Figure 5 – Shire of Capel Local Planning Scheme No. 8 Zoning**.

State Planning Policy 3.7 – Bushfire Prone Planning

State Planning Policy 3.7 – Planning in Bushfire Prone Areas ('SPP 3.7') guides the implementation of effective risk-based land use planning and development to preserve life and reduce the impact of bushfire on life, property and infrastructure. SPP 3.7 is applicable to the proposed development as a large portion of the subject site is identified as being bushfire prone land, designated by the Department of Fire and Emergency Services ('DFES').

In accordance with the provisions of SPP 3.7 (Clause 6.5) and accompanying *Guidelines for Planning in Bushfire Prone Areas* (Clause 2.6), the proposed roof structure would be an ancillary development which will not intensify the existing land use and is therefore considered exempt from the provisions of SPP 3.7.

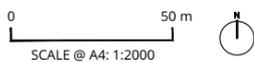
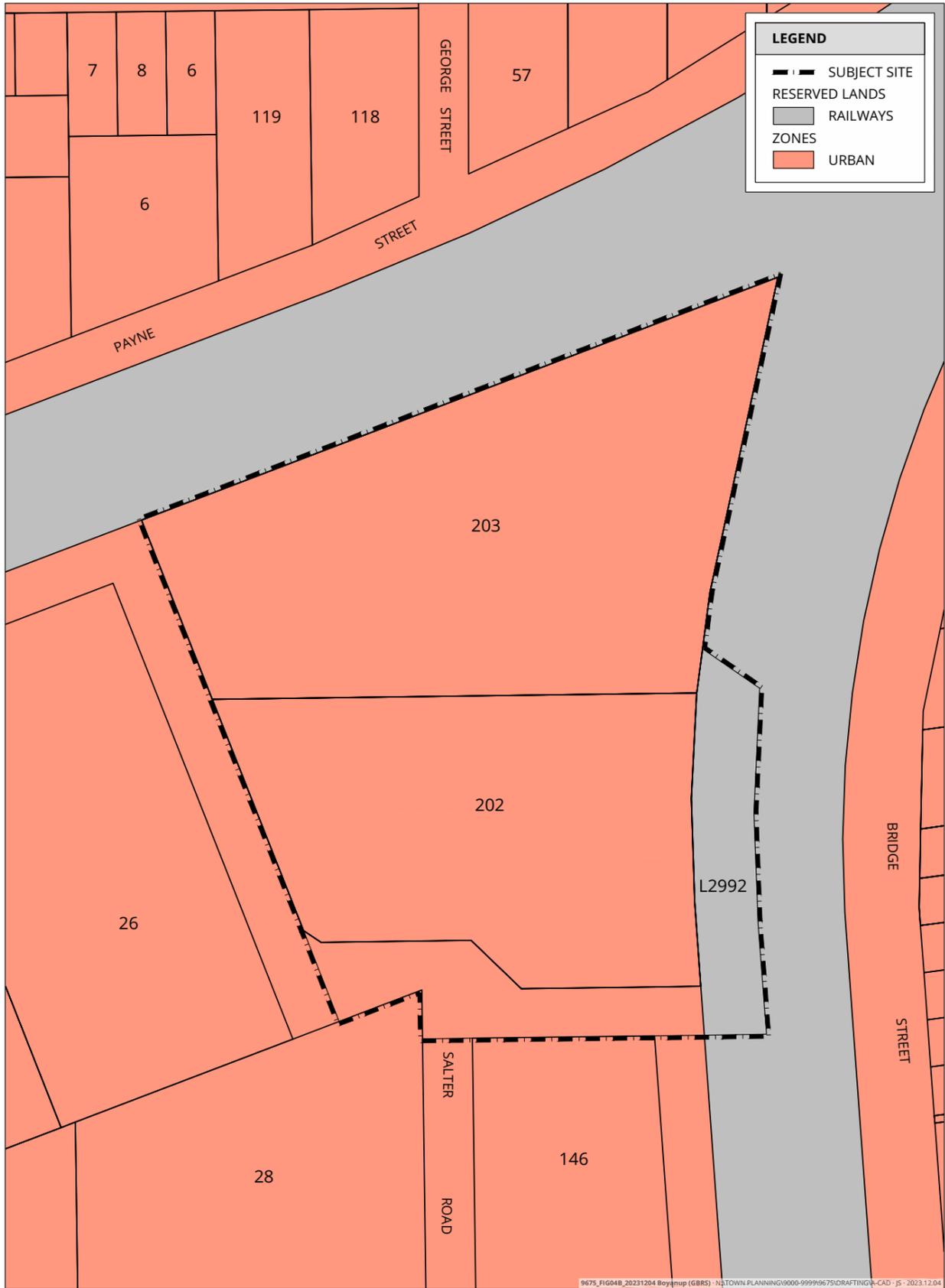


FIGURE 4
GREATER BUNBURY REGION SCHEME MAPPING

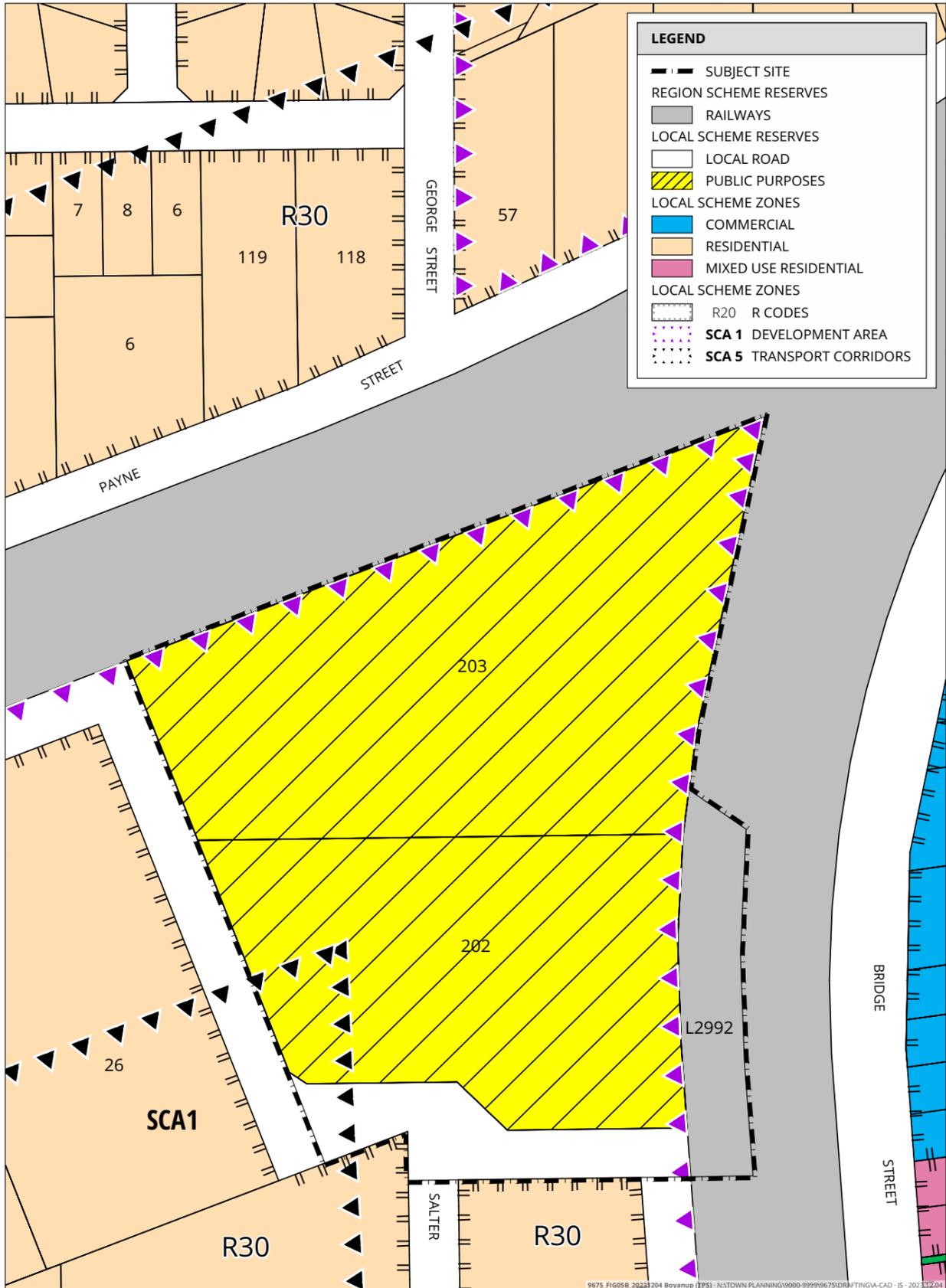


FIGURE 5
SHIRE OF CAPEL LOCAL PLANNING SCHEME No.8 ZONING



Summary

The Application (DA2) seeks approval for the provision of a roof structure over the Boyanup Cattle Saleyards.

The proposed development is consistent with the intended land uses outlined in Leases with the Shire and PTA Lease Area L2992 and is consistent with the provisions of the DWER license (L9123/2018/2). This Application is also consistent with the applicable State and local statutory planning framework.

The proposed development represents works that are ancillary to the existing, long established land use that will improve the continued operation of the Saleyards.

In view of this, we respectfully request the Shire grant development approval at its earliest convenience.

Should you require any further information or clarification in relation to this matter, please contact David Maiorana on 9221 1991.

Yours faithfully,



David Maiorana
Rowe Group



Attachment One

Certificates of Title



TITLE NUMBER	
Volume	Folio
LR3005	162

**RECORD OF QUALIFIED CERTIFICATE
OF
CROWN LAND TITLE
UNDER THE TRANSFER OF LAND ACT 1893
AND THE LAND ADMINISTRATION ACT 1997**

The undermentioned land is Crown land in the name of the STATE OF WESTERN AUSTRALIA, subject to the interests and Status Orders shown in the first schedule which are in turn subject to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES 

LAND DESCRIPTION:

LOT 202 ON DEPOSITED PLAN 169731

**STATUS ORDER AND PRIMARY INTEREST HOLDER:
(FIRST SCHEDULE)**

STATUS ORDER/INTEREST: RESERVE UNDER MANAGEMENT ORDER

PRIMARY INTEREST HOLDER: SHIRE OF CAPEL

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)**

1. RESERVE 27193 FOR THE PURPOSE OF STOCK SALEYARDS
MANAGEMENT ORDER. CONTAINS CONDITIONS TO BE OBSERVED. WITH POWER TO LEASE FOR ANY TERM NOT EXCEEDING 21 YEARS.
2. N800700 CAVEAT BY ELDERS RURAL SERVICES AUSTRALIA LIMITED, LANDMARK OPERATIONS LIMITED LODGED 3/1/2018.
3. P475837 LEASE TO ELDERS RURAL SERVICES AUSTRALIA LIMITED OF LEVEL 10 GRENFELL STREET ADELAIDE SA 5000, NUTRIEN AG SOLUTIONS LIMITED OF LEVEL 10 737 BOURKE STREET DOCKLAND VIC 3008, AS TENANTS IN COMMON IN EQUAL SHARES EXPIRES: SEE LEASE. REGISTERED 9/3/2023.

- Warning:
- (1) A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required. Lot as described in the land description may be a lot or location.
 - (2) The land and interests etc. shown hereon may be affected by interests etc. that can be, but are not, shown on the register.
 - (3) The interests etc. shown hereon may have a different priority than shown.

-----END OF CERTIFICATE OF CROWN LAND TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: DP169731

END OF PAGE 1 - CONTINUED OVER

ORIGINAL CERTIFICATE OF CROWN LAND TITLE
QUALIFIED

REGISTER NUMBER: 202/DP169731

VOLUME/FOLIO: LR3005-162

PAGE 2

PREVIOUS TITLE:

LR3005-162

PROPERTY STREET ADDRESS:

31 SALTER RD, BOYANUP.

LOCAL GOVERNMENT AUTHORITY:

SHIRE OF CAPEL

RESPONSIBLE AGENCY:

DEPARTMENT OF PLANNING, LANDS AND HERITAGE (SLSD)

NOTE 1: K813660 CORRESPONDENCE FILE 02823-1988-01RO



TITLE NUMBER	
Volume	Folio
LR3005	163

**RECORD OF QUALIFIED CERTIFICATE
OF
CROWN LAND TITLE
UNDER THE TRANSFER OF LAND ACT 1893
AND THE LAND ADMINISTRATION ACT 1997**

The undermentioned land is Crown land in the name of the STATE OF WESTERN AUSTRALIA, subject to the interests and Status Orders shown in the first schedule which are in turn subject to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES 

LAND DESCRIPTION:

LOT 203 ON DEPOSITED PLAN 169731

**STATUS ORDER AND PRIMARY INTEREST HOLDER:
(FIRST SCHEDULE)**

STATUS ORDER/INTEREST: RESERVE UNDER MANAGEMENT ORDER

PRIMARY INTEREST HOLDER: SHIRE OF CAPEL

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)**

1. RESERVE 27194 FOR THE PURPOSE OF STOCK SALEYARDS & PARKING MANAGEMENT ORDER. CONTAINS CONDITIONS TO BE OBSERVED. WITH POWER TO LEASE FOR ANY TERM NOT EXCEEDING 21 YEARS.
2. N800700 CAVEAT BY ELDERS RURAL SERVICES AUSTRALIA LIMITED, LANDMARK OPERATIONS LIMITED LODGED 3/1/2018.
3. P475837 LEASE TO ELDERS RURAL SERVICES AUSTRALIA LIMITED OF LEVEL 10 GRENFELL STREET ADELAIDE SA 5000, NUTRIEN AG SOLUTIONS LIMITED OF LEVEL 10 737 BOURKE STREET DOCKLAND VIC 3008, AS TENANTS IN COMMON IN EQUAL SHARES EXPIRES: SEE LEASE. REGISTERED 9/3/2023.

- Warning:
- (1) A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required. Lot as described in the land description may be a lot or location.
 - (2) The land and interests etc. shown hereon may be affected by interests etc. that can be, but are not, shown on the register.
 - (3) The interests etc. shown hereon may have a different priority than shown.

-----END OF CERTIFICATE OF CROWN LAND TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: DP169731

END OF PAGE 1 - CONTINUED OVER

ORIGINAL CERTIFICATE OF CROWN LAND TITLE
QUALIFIED

REGISTER NUMBER: 203/DP169731

VOLUME/FOLIO: LR3005-163

PAGE 2

PREVIOUS TITLE:

LR3005-163

PROPERTY STREET ADDRESS:

31 SALTER RD, BOYANUP.

LOCAL GOVERNMENT AUTHORITY:

SHIRE OF CAPEL

RESPONSIBLE AGENCY:

DEPARTMENT OF PLANNING, LANDS AND HERITAGE (SLSD)

NOTE 1: K813648 CORRESPONDENCE FILE 02822-1988-01RO



Attachment Two

Roof Structure Development Plans and Supporting Documentation

SLR Consulting Australia
Level 1, 500 Hay Street, Subiaco WA 6008, Australia



13 December 2023

SLR Ref No.: 675.64443.00000-L02-v0.1

Gordon MacMile
Chief Executive Officer
Shire of Capel
PO Box 369,
Capel WA

Attn: Tanya Gillett
Director Infrastructure & Development

SLR Project No.: 675.64443.00000

Dear Tanya,

RE: Boyanup Cattle Saleyard – Stage 2 Development Application - Proposed Roof Over Saleyards

The following letter provides context and additional information to support the Development Application for a proposed roof over the saleyards at Boyanup.

Background

Boyanup Saleyards (Saleyards) is located 21km south of Bunbury and is proposing to construct a roof over the saleyards. The Saleyard, with an annual cattle throughput of 70,000 head and, is classified under the *Environment Protection Act 1986* (EP Act) as a category 55 facility [refer to Licence (L9123/2018/2) issued 26th September 2023]. The Western Australian Livestock Salesmen’s Association (WALSA) manages the day-to-day operations of the Saleyards.

The Saleyards have been in operation since 1961 and currently lack roofing or shade facilities, exposing livestock, buyers, and selling agents to adverse weather conditions. The absence of adequate shelter poses a significant risk to the welfare of the livestock, as well as the comfort of staff, agents, buyers, and sellers involved in the sale process.

The proposed roof over the Saleyards has been triggered by previous studies undertaken by Deloitte (2017) and GHD (2020), the current Lease Agreement (Clause 12), WA Animal Welfare Legislation and Industry Best Practice Standards to improve conditions and welfare of the cattle within the saleyards.

Current Operations

Currently, the Saleyards rely on an internal sprinkler system located in the sand pens for stock cooling. While this system serves its purpose intermittently, it is not sufficient to provide comprehensive protection from extreme weather conditions. The proposed hard roof is an open steel saw-toothed design that will provide all weather protection and, is a long-anticipated addition to the Saleyards, mitigating the impact of adverse weather conditions on the cattle and the overall operation of the Saleyards.

Proposed Roof over the Saleyards

The Stage 2 Development Application includes switching the effluent and stormwater management systems, as proposed by the Stage 1 DA (the rainwater, storage tank now becomes the effluent management system), and the effluent/sludge management within the SST becomes part of the final infrastructure to manage roof water flows). As previously

indicated, the hard roof design is an open sawtooth design to maintain airflow whilst providing all weather protection.

Attachment A provides the design detail of the proposed roof and the proposed stormwater management approach for the Stage 2 DA. Stormwater catchment boundaries are outlined in **Attachment A** for the roof over the Saleyards (approximately 7,000m²), the uncovered saleyard catchment (approximately 200m²), and the existing SST (approximately 250m²). Similar to Stage 1, bunding is implemented on the saleyard floor and SST to regulate inflow from the surrounding overland flow path, adhering to the Licence conditions for a Controlled Drainage Area.

The Stage 2 Development Application ensures that the majority of stormwater, particularly roof water runoff, is managed independently from saleyard washdown water. The roof water is gathered and directed through soak wells sized for up to a 1 in 1-year (1-hour duration) event, featuring a storage volume of 106m³, as specified by Council. Subsequently, the roof water is conveyed through a stormwater system sized for a 1:5-year event, before being discharged to the existing drain to the northeast of the site. If needed to meet the Licence conditions, stormwater treatment and detention will be incorporated, utilising the SST as proposed.

The Stage 2 DA also proposes that during saleyard washdowns, effluent is directed to the effluent buffer tank in accordance with the Licence conditions. In the event of a major 1:100-year storm, the overland flow path is anticipated to remain directed towards the existing drain to the northeast of the Saleyards. The proposed roof construction (Stage 2 DA) aligns with WALSA's commitment to maintain the highest standards of animal welfare and creating a secure and efficient environment for all stakeholders involved in the cattle buying and selling process.

WALSA's commitment is to transparently address concerns and work collaboratively to ensure that the project aligns with the highest environmental standards. SLR has conducted a thorough assessment and developed a design that improves Saleyard infrastructure and minimises the environmental impact associated with water runoff.

SLR have thoroughly assessed the feasibility and potential benefits of this project and are prepared to address any concerns or questions that may arise during the approval process. In addition, WALSA are committed to complying with all relevant WA regulations and standards to ensure the successful implementation of this project.

Closure

We trust this meets your requirements. Should you have any questions or require further information please do not hesitate to contact Andrew O'Brien on 0439 098 404.

Regards,

SLR Consulting Australia



Andrew O'Brien
Technical Director – EMPA
adobrien@slrconsulting.com



Shire of Capel
Boyanup Cattle Saleyard – Stage 2 Development Application -
Proposed Roof Over Saleyard

13 December 2023
SLR Project No.: 675.64443.00000

Attachments

Attachment A: Boyanup Saleyard Stage 2 Site Plan and Proposed Roof Over Saleyard

cc

Leon Giglia – Nutrien Ag Solutions;

Dean Hubbard – Elders Rural Services Australia Ltd;

Dan Lowery – Nutrien Ag Solutions.



Shire of Capel
Boyanup Cattle Saleyard – Stage 2 Development Application -
Proposed Roof Over Saleyard

13 December 2023
SLR Project No.: 675.64443.00000

Attachments



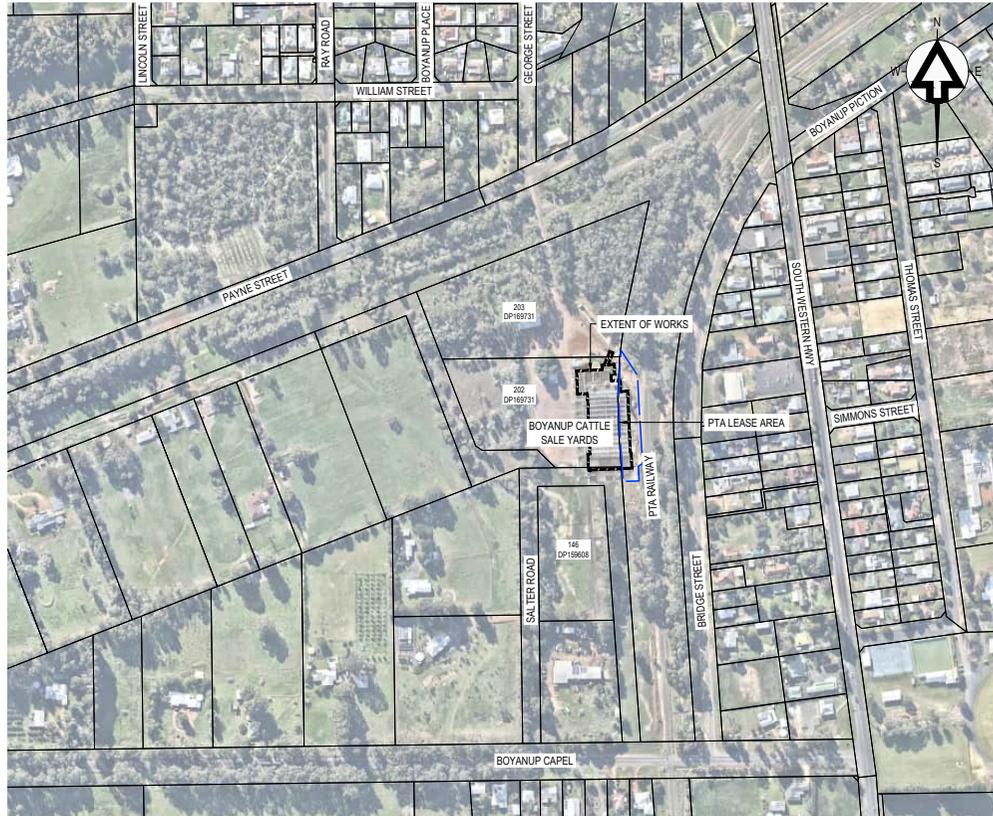
Shire of Capel
Boyanup Cattle Saleyard – Stage 2 Development Application -
Proposed Roof Over Saleyard

13 December 2023
SLR Project No.: 675.64443.00000

Attachment A
**Boyanup Saleyard Stage 2 Site Plan and Proposed Roof Over
Saleyard**



BOYANUP CATTLE SALE YARDS STAGE DA2 ROOF OVER SALEYARDS

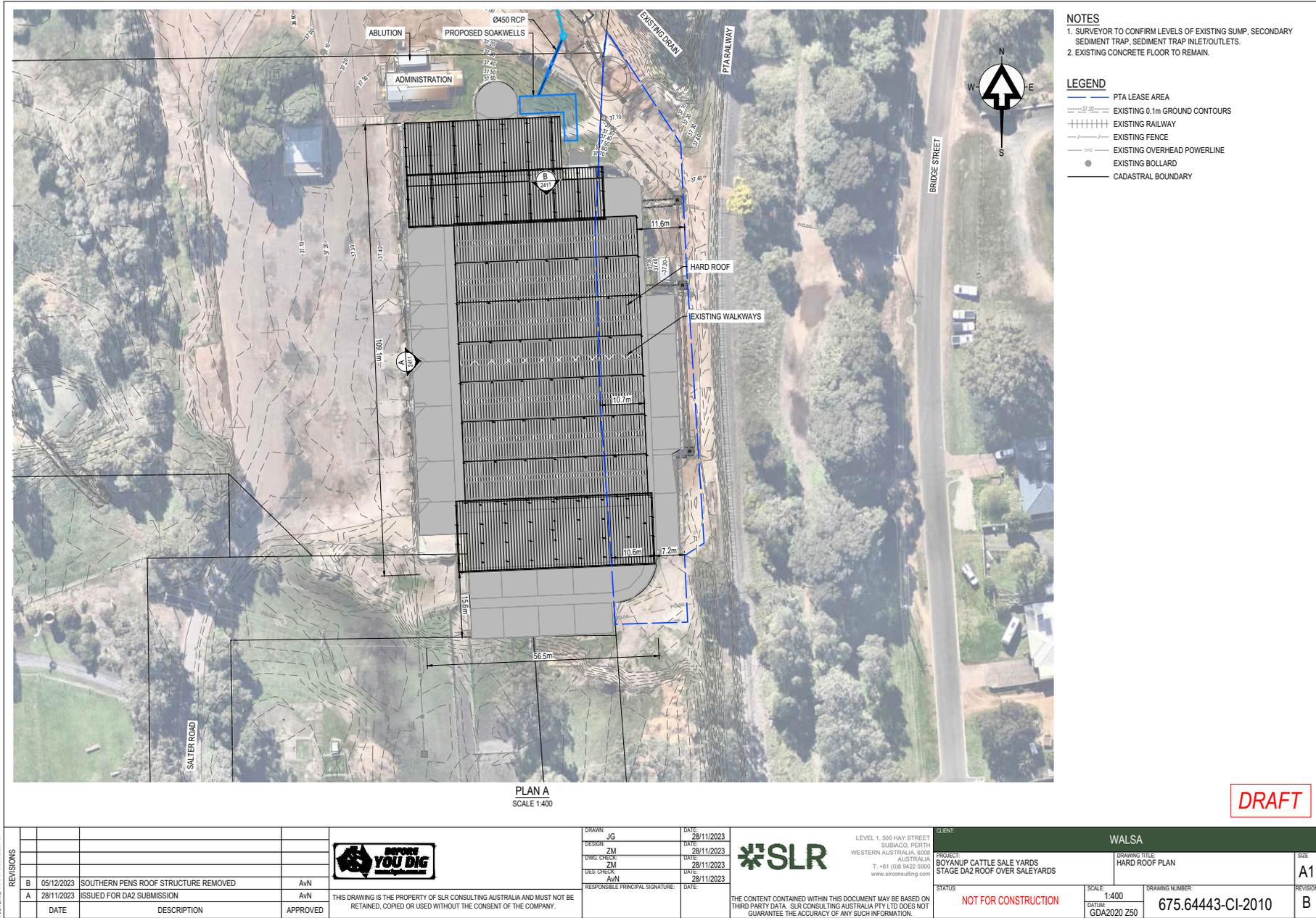


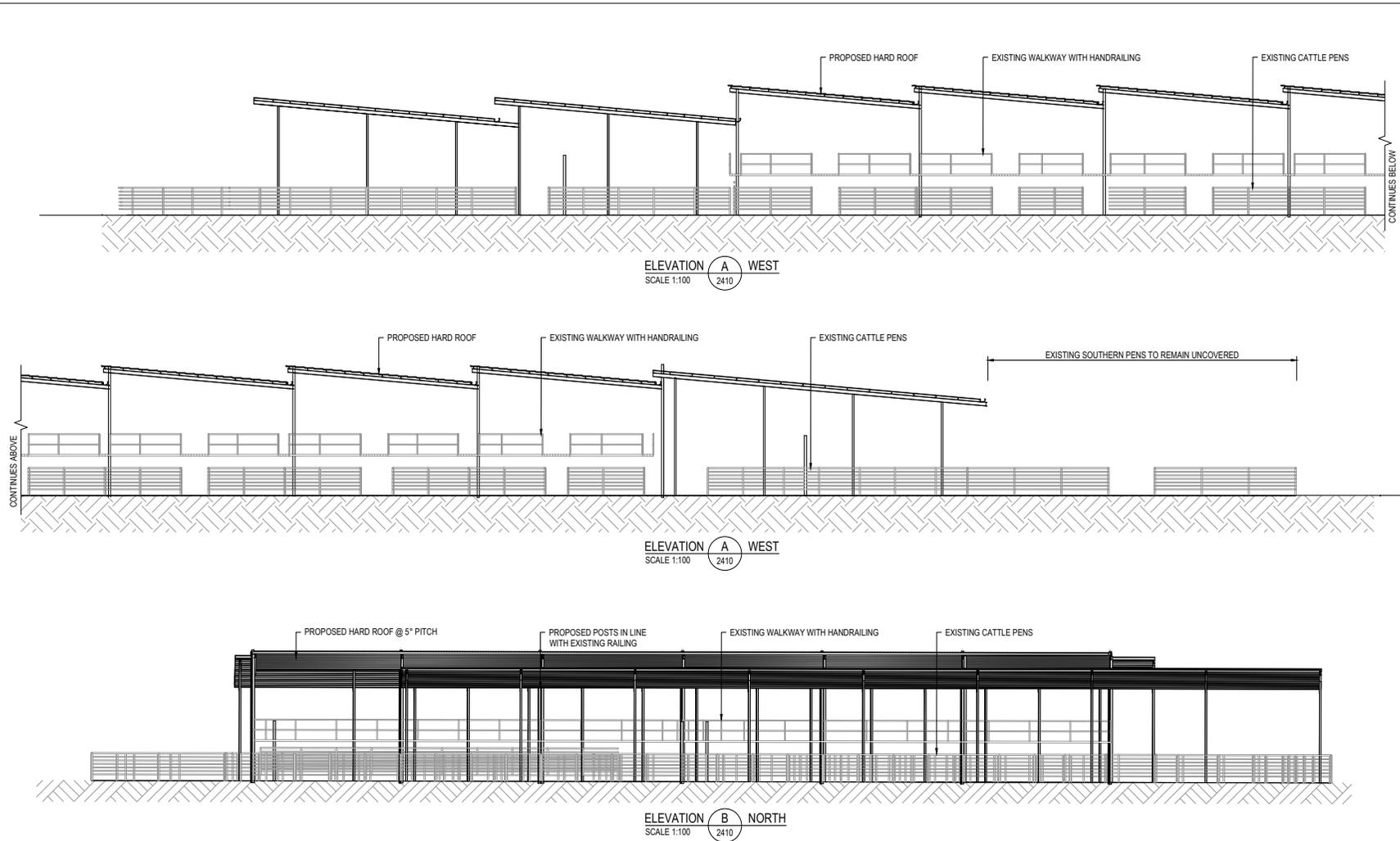
LOCALITY PLAN
SCALE 1:2500

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675.64443-CI-2010	HARD ROOF PLAN
675.64443-CI-2020	HARD ROOF ELEVATION VIEWS
675.64443-CI-2021	HARD ROOF DETAILS
675.64443-CI-2110	STORMWATER CATCHMENT PLAN

DRAFT

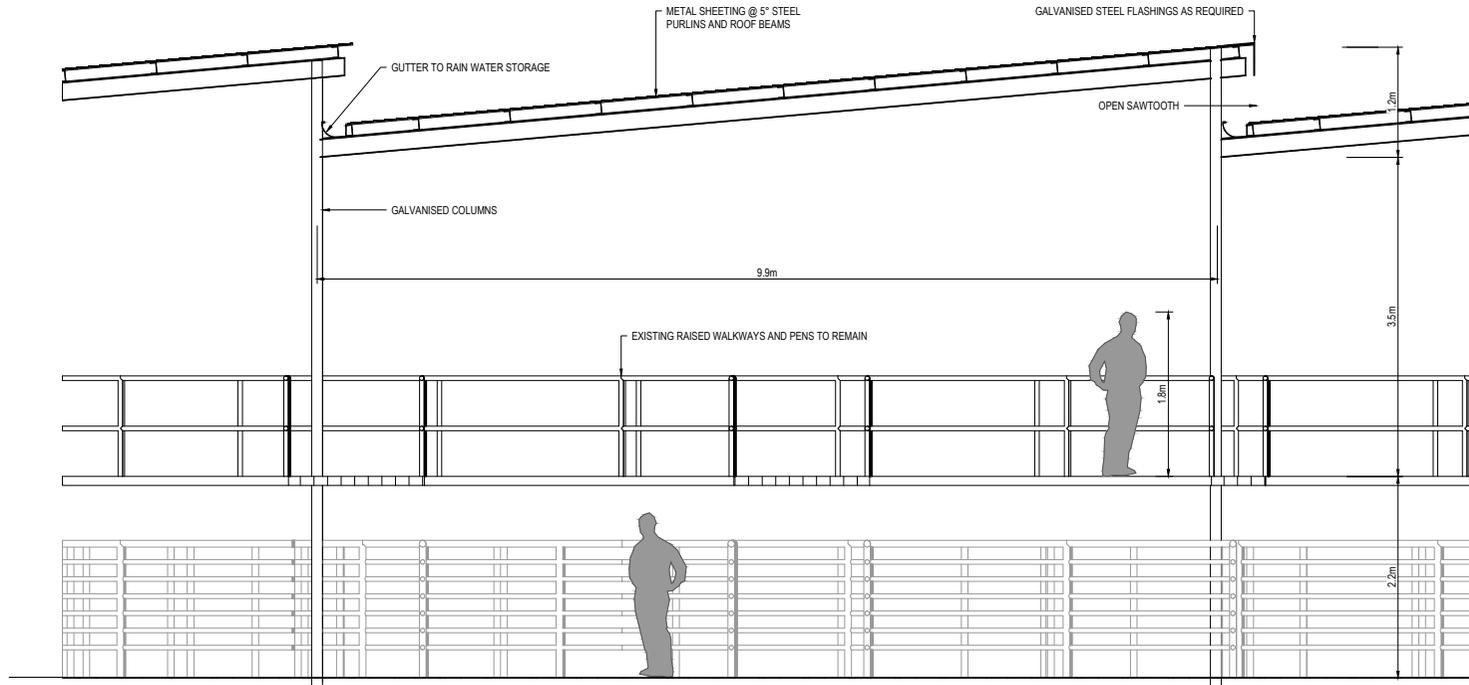
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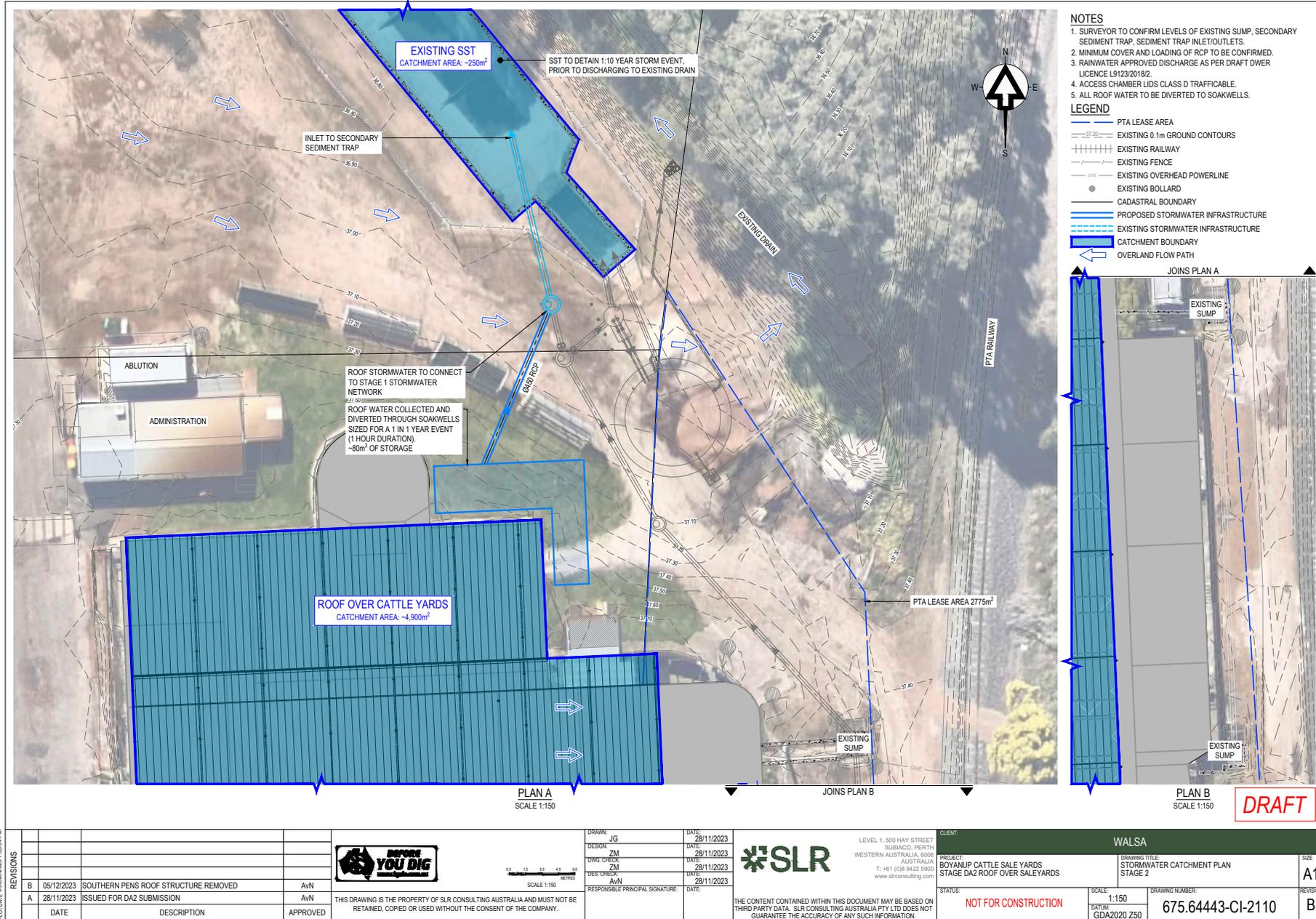
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THIS DRAWING IS THE PROPERTY OF SLR CONSULTING AUSTRALIA AND MUST NOT BE RETAINED, COPIED OR USED WITHOUT THE CONSENT OF THE COMPANY.				THE CONTENT CONTAINED WITHIN THIS DOCUMENT MAY BE BASED ON THIRD PARTY DATA. SLR CONSULTING AUSTRALIA PTY LTD DOES NOT GUARANTEE THE ACCURACY OF ANY SUCH INFORMATION.		STATUS: NOT FOR CONSTRUCTION SCALE: 1:100 DRAWING NUMBER: 675.64443-CI-2020 DATE: GDA2020 Z50																

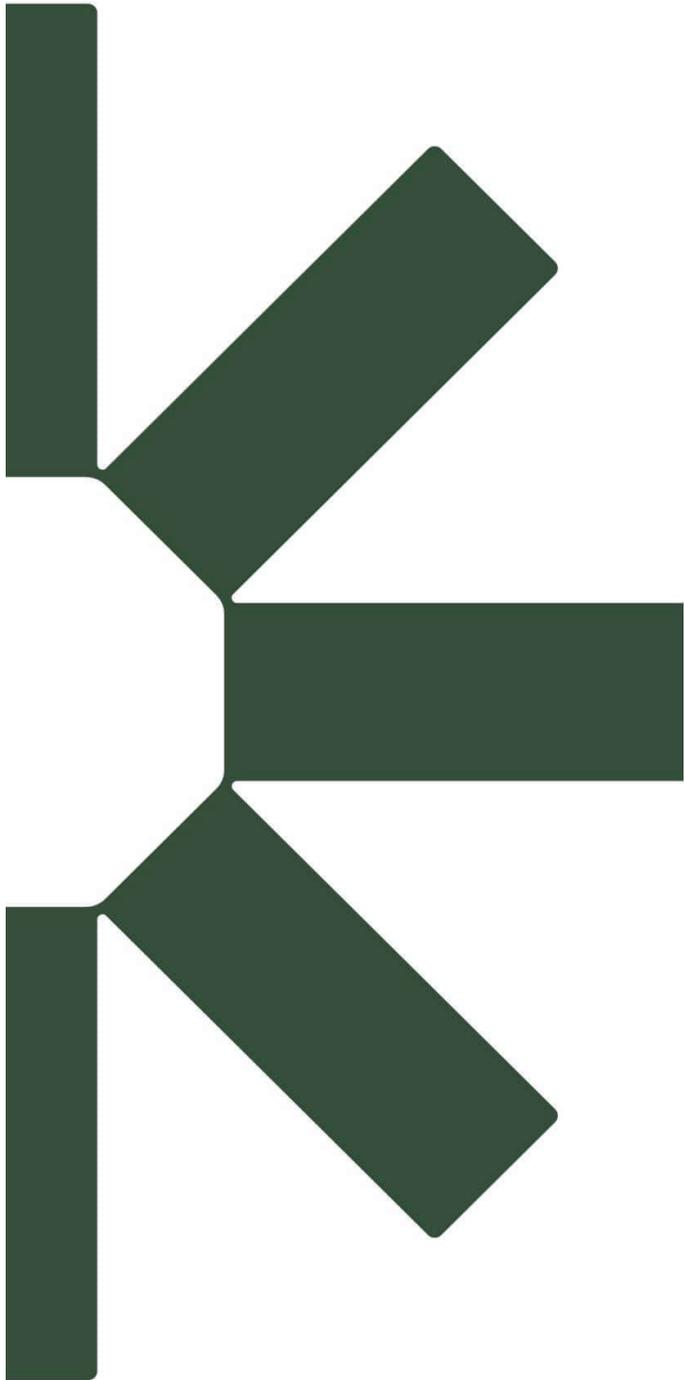


HARD ROOF DETAILS
SCALE 1:25

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Making Sustainability Happen

**SCHEDULE OF SUBMISSIONS
SHELTER ADDITION TO EXISTING SALES YARD**

**PA265/2023 - PUBLIC COMMENTS
LOTS 202 & 203 (31) SALTER ROAD BOYANUP**

SUBMITTER	SUMMARY OF SUBMISSION	COMMENTS / RECOMMENDATION
<p>1. IPA18280</p>	<p>SHELTER ADDITION TO EXISTING SALES YARD – LOTS 202 AND 203 (31) SALTER ROAD BOYANUP</p> <p>Thank you for your resent letters concerning the proposed upgrades to the Boyanup Sales Yards and the opportunity to comment.</p> <p>Firstly, I would like to start by saying that I have been in the Construction and Maintenance Industry for fifty years. I completed the maintenance at the Boyanup Sales Yards for the past eight years, much of which was in all weather conditions. Therefore, I have a very good idea of the condition of the yards structural condition and practicality for it to operate in a modern era.</p> <p>I have a number of questions that I would like to put to you as follows:</p> <ol style="list-style-type: none"> 1. Why would W.A.L.S.A. want to spend upwards of 5 million dollars on a 60 year old, out dated facility in the middle of Residential Area, with a major part of the facility situated on leased railway land (leased until 2028). 2. W.A.L.S.A. use Lot 146 nearly every day to run cattle on. This is Zoned R30 which makes it Non-Compliant for this purpose. 3. Lot 146 has a proposal to have a new bore or an upgrade done on the existing bore (bore Licence #175973, bore Licence Allocation 4500KL). The amount of water allocation that they have is not even close to what would be required to do wash outs after each sale event. 4. Lot 146 bore, if a larger Allocation of water was to be purchased for hosing purposes, it would become a 	<p>APPLICANTS COMMENT:</p> <p>OFFICER COMMENTS:</p> <p>OFFICER RECOMMENDATION:</p>

SUBMITTER	SUMMARY OF SUBMISSION	COMMENTS / RECOMMENDATION
	<p>Commercial bore. Can a Commercial bore be installed on a R30 Zoned block.</p> <ol style="list-style-type: none"> 5. Lot 146, when used for cattle holding purposes has a problem with containing the dust within its boundary's, generated by cattle movement. This dust which can contain many Zoonotic Diseases ie: Q FEVER is then blown over the Residential Area houses, some of which use rain water catchment as there sole water supply. 6. Is the Shire and the Farming community aware that the whole complex would have to be shut down for a period of time as it would become a Construction site, which would have limited access. 7. Access for machinery into the yards for construction purposes would be extremely limited, (narrow laneways overhead catwalks). This all makes Construction time so much slower. 8. Welding or fixing Roof Support Columns to the existing yard panels is NOT an option as many of the posts are rusted off at ground level and just look solid because of caked on manure. 9. The concrete floor of the yards is extremely slippery for both man and beast. This has been caused by years of cattle and machinery polishing the surface. (This has caused injury on a number of occasions to workers and cattle). 10. A soft floor (Razed rubber profile) is planned to put over the existing floor, but this will cause a major cleaning problem. Hosing is the only option, but the contours (levels-falls) of the floor were never designed for this and go in all directions, not to graded low area. 11. I also believe that a new Effluent catchment system will not be able to handle the under estimated volume of water required for each washout which is required after each sale event. (As required by the DWER licence). 12. The Roof concept is a fantastic idea for Cattle Welfare, Comfort of Workers, Buyers and Sellers. However, the present location of the yards is no longer a practical option in the middle of a Town. 13. The idea of the Shire setting up an all new Selling Precinct on a hundred acres is a great idea, which would enable the yards to continue as it is for the next couple of years, whilst the new 	

SUBMITTER	SUMMARY OF SUBMISSION	COMMENTS / RECOMMENDATION
	<p>facility is being built and then it would be a straight transition from old to new.</p> <p>I am happy to have further discussions with you at the Shire if needed. I am not against sale yards or the people that work there, but I firmly believe Boyanup will NEVER progress whilst you have stock trucks pouring effluent through our town on their way to a run down facility that should have gone ten years ago !!</p>	
<p>2.. ICR151978</p>	<p>BACKGROUND Before providing our comments specific to the captioned Applications the following outlines our present grasp of what has led to the current situation.</p> <p>We bought and built our home on our land 6 years ago having been advised by Shire Officers and others that the lease on the Sales Yards would expire in 3 years and they would then need to be relocated to a more suitable location. The lease then seems to have been extended for 2 more years presumably to provide the lessees with more time to relocate elsewhere.</p> <p>Clearly a cattle-handling facility with a throughput of 70,000 a year with regular arrivals and departures of dozens of very large stock-transporters along a single residential service road with the associated noise, odour, spillage, dust and groundwater pollution is in no way compatible with adjacent residential and residentially zoned land.</p> <p>By today's standards, any reasonable environmental assessment would call for removal of the facility and relocation to another site.</p> <p>Notwithstanding the above Capel Shire has seen fit to enter into a further 10 plus 10-year lease with the current lessees who have a DWER operating licence with which, in my view, it will be practically and economically impossible to comply. The outcome of this will be impacts to the environment and surrounding residents and an extended devaluation of much of the property in Boyanup.</p>	<p>APPLICANTS COMMENT:</p> <p>OFFICER COMMENTS:</p> <p>OFFICER RECOMMENDATION:</p>

SUBMITTER	SUMMARY OF SUBMISSION	COMMENTS / RECOMMENDATION
	<p>COMMENTS ON THE DEVELOPMENT APPLICATION PA264 (DA 1)</p> <ul style="list-style-type: none"> • Installation of a 300,000L rainwater buffer tank • Installation of a production bore • Pipework and bunding to achieve improved wastewater management <p>We note that the Site Based Management Plan (SBMP) attached to the application is still in Draft. Will we be provided with a final version of the document? Table 4 indicates that the current operation involves effluent being irrigated on site. Is this incorrect as this is not permitted according to the environmental licence. Table 7 refers to odour from a sewage treatment plant (STP). Is an STP proposed for the site?</p> <p><u>Installation of a 300,000L rainwater buffer tank</u></p> <p>Question: There is already a very high volume of cattle trucks using Salter Road, has the Shire considered the impact on the road condition, traffic management impacts on residents with the numbers of tankers in and out of the site?</p> <p>Table 4 indicates that the installation of the 300,000L tank will reduce the number of trucks initially, but the reduction is yet to be proven until the 'potentially contaminated' stormwater is tested against the DWER licence criteria. Table 4 shows that the final stage of development (soft floor installation) actually increases the number of trucks from 55 trucks/month to 56 truck/month so the impact of increased traffic will continue to be a problem long term.</p> <p>Question: Is the rainwater buffer tank adequately sized to contain potentially contaminated rain water? If the cattle yards are 7200m², a 40mm rain event will fill the 300,000L tank. Rainfall records show that daily rainfall can exceed 43mm two or three times each year. Further, the DWER licence requires stormwater in the tank to be tested and comply with limits, prior to discharge, including analysis for Biological Oxygen Demand (BOD), which takes at least 5 days</p>	

SUBMITTER	SUMMARY OF SUBMISSION	COMMENTS / RECOMMENDATION
	<p>for analysis. This means that the tank would need to be able to contain at least 5 days of rainfall as an absolute minimum.</p> <p>Questions: The drawings indicate that the rainwater buffer tank will overflow to the SST. Is the SST adequately sized to contain contaminated water as well as potentially contaminated water from the rainwater tank overflow? The drawing in the licence (Schedule 1: Maps) states the “assumed” depth of the SST is 2m depth which conflicts with the SLR Plan A which states “assumed” max. depth of the SST is 1.5m. Should the SST be accurately surveyed to confirm the storage volume to ensure it is adequate?</p> <p>The catchment area of the cattle yards and SST are collectively 7540m² so a 25mm rainfall event will generate approximately 188m³ of water. If the max. depth is 1.5m (assume an average depth of 0.75m) then the SST (250m²) may have an approximate storage volume of 187m³. If this SST volume is correct then there would be no freeboard and contaminated wastewater would overflow to the environment every time there is more than 25mm, during sales or before the concrete areas are clean. This also assumes the SST is empty and allows for no washdown water or overflow water from the rainwater buffer tank.</p> <p><u>Installation of a production bore</u></p> <p>Question: Why is the proponent proposing to use groundwater (via a bore) for washdown water when rainwater collected in the 300,000L tank could be used? Even prior to testing this water it could be used for an initial washdown and then, a smaller volume of high-pressure clean water could be used. This could reduce the overall volume of wastewater generated at the site, especially as the Site Based Management Plan (SBMP) describes the washdowns as ‘high volume flow’. Have the additional volumes of groundwater from washdown been included in the contaminated and potentially contaminated water storage calculations?</p> <p>Question: Will the Shire require installation of groundwater monitoring bores to identify potential groundwater contamination?</p>	

SUBMITTER	SUMMARY OF SUBMISSION	COMMENTS / RECOMMENDATION
	<p>Given there have been incidents of discharge of untreated wastewater at the site this should be required to determine if there has been any on-site and off-site groundwater contamination. Aging infrastructure such as the SST may also be leaking and contribute to groundwater contamination.</p> <p><u>Pipework and bunding to achieve improved wastewater management</u></p> <p>Question: The proposal description refers to a specially designed filtration and separation system but there are no details provided in the supporting documentation. Will this information be provided to us at some point in the future?</p> <p>Question: Do the proposed changes include design elements or controls to prevent mosquitos, flies and other pests breeding in the SST and effluent sumps/pits? Do the effluent sumps/pits empty completely (become dry after washdown), or do they hold stagnant water that may breed pests?</p> <p>Question: What controls will be put in place to prevent odour from the wastewater management areas (SST and effluent sumps/pits)?</p> <p>COMMENTS ON THE DEVELOPMENT APPLICATIONS PA265 (DA 2)</p> <ul style="list-style-type: none"> • Installation of a roof (7000-7200m²) • Switching the effluent and stormwater management systems <p><u>Installation of a roof (7000-7200m²)</u></p> <p>Question: Night-time noise from cattle already necessitates closure of windows some nights. The hard roof structure will result in increased lateral transmission of noise. Will the proponents be required to commission a noise consultant to provide advice on noise attenuation and will the recommendations be included as a condition of approval?</p>	

SUBMITTER	SUMMARY OF SUBMISSION	COMMENTS / RECOMMENDATION
	<p>Question: The area under the structure will be dry. The existing dust problem will be exacerbated. Table 7 states that dust will be monitored, and action will be taken. What dust monitoring program will be implemented and what are the management actions that will be taken in the event of high levels of dust? Dust and reduced road conditions from the extra traffic associated with liquid waste transport will also occur. Will Salter Road be widened and resealed to mitigate these impacts?</p> <p>Question: Are the soak wells adequate for the roof area? The application states that “the roof water will be gathered and directed through soak wells sized for up to a 1 in 1-year (1-hour duration) event (~18.2mm), featuring a storage volume of 106m³, as specified by the Shire, but the SLR Plan B indicates the storage will be ~80m³. An 18.2mm rain event in 1 hour x 7000m² = 127m³ or 131m³ if the roof area is 7200m².</p> <p><u>Switching the effluent and stormwater management systems</u></p> <p>Question: Will there be any spot samples of the ‘clean’ water in the SST to check there has been no ingress of contaminated water from other areas? (i.e overflow from the re-purposed rainwater tank).</p> <p>Question: As the 300,000L tank will be re-purposed for wastewater, how will odour and pests be managed in the tank?</p> <p>Question: has there been any assessment of whether the rainwater tank will be adequately sized if it is repurposed as a wastewater tank? DA 1 indicates that washdowns will increase with installation of soft flooring.</p> <p>I hope the above is of some assistance and will be happy to discuss it further with you if required. Incidentally, at no time during all this period of change has any representative of the proponent approached us to discuss their plan.</p>	

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<p>3. ICR152082</p>	<p>Animals' Angels' submission to the Shire of Capel on:</p> <p>DEVELOPMENT APPLICATION – PA265/2023 SHELTER ADDITION TO EXISTING SALEYARD</p> <p>Animals' Angels is nationally respected as a key stakeholder in the saleyard and transport industries. Our charter in Australia is to monitor animal congregation points for both short and long-distance transport. We are the only non- government organisation in Australia that actively and routinely monitors the industries nation-wide. Over the last 20 years, we have comprehensively and professionally observed and reported, to the appropriate authorities and industry, non-compliance with relevant legislation and applicable Australian Animal Welfare Standards and Guidelines. Our work has included multiple visits to, and formal reports about, the Boyanup Saleyards.</p> <p>Consistent in our assessments is that the welfare of animals held at Boyanup Saleyards has been compromised. There have been many instances where, in our view, there have been breaches of animal welfare legislation and regulations.</p> <p>These breaches are detailed in our reports which have all been sent to the Capel Shire at the relevant time but are available upon request.</p> <p>Key problem areas identified by us are heat stress and the supply of suitable water. Heat stress should be addressed, at least in part, by the installation of a solid roof across the saleyard.</p> <p>The regulatory requirement to supply suitable water will not be addressed by the addition of a roof but it is a key infrastructure improvement that is required if the Boyanup Saleyard is to be made fit for purpose and compliant with animal welfare regulations. Shortcomings identified by us are described in detail in our reports.</p> <p>In addition to the infrastructure required to deliver water around the saleyard, there is a need for training of staff and constant monitoring of cattle held there to ensure that all animals have</p>	<p>APPLICANTS COMMENT:</p> <p>OFFICER COMMENTS:</p> <p>OFFICER RECOMMENDATION:</p>

SUBMITTER	SUMMARY OF SUBMISSION	COMMENTS / RECOMMENDATION
	<p>access to water in compliance with the animal welfare regulations. This would include addressing the over-stocking of pens which is consistently described as an issue in our reports.</p> <p>We are grateful for the opportunity to provide comment on the Boyanup Saleyard development application and look forward to seeing the proposed improvements installed.</p>	
<p>4. IPA18320</p>	<p>Salter Road Boyanup Proposed works</p> <p>I am sure the cattle will be happy and more comfortable to have covered shelter at the stock yards but how about you make life better for the residents do something about the extreme amount of flies attracted to the area by the cattle yards.</p> <p>I think a better idea would be to move the stock yards out of the middle of town and into an area where there are no houses where the flies would not be an annoyance for anybody.</p>	<p>APPLICANTS COMMENT:</p> <p>OFFICER COMMENTS:</p> <p>OFFICER RECOMMENDATION:</p>
<p>5. ICR152407</p>	<p>DEVELOPMENT APPLICATION — PA265/2023 SHELTER ADDITION TO EXISTING SALES YARD</p> <p>As an advocate for good practice in relation to the care and welfare of all animals, I would like to take the opportunity to comment on the development application of the shelter addition to the existing sales yard in Boyanup.</p> <p>I have been made aware that these sales yards have a history of non-compliance and poor standards of animal welfare. I am disappointed to note the slow adaptation of modern animal welfare practices by this business.</p> <p>Previous work by experts in animal transport and welfare standards, including veterinarians and non- government agencies such as Animal’s Angels have included multiple visits to, and formal reports about, the Boyanup Saleyards. Consistent in their assessments is that the welfare of animals held at Boyanup Saleyards has been</p>	<p>APPLICANTS COMMENT:</p> <p>OFFICER COMMENTS:</p> <p>OFFICER RECOMMENDATION:</p>

SUBMITTER	SUMMARY OF SUBMISSION	COMMENTS / RECOMMENDATION
	<p>compromised. There have been many instances where in their view, there have been breaches of animal welfare legislation and regulations. These breaches are detailed in reports sent to the Capel Shire at the relevant times.</p> <p>they problem areas identified are heat stress and the supply of suitable water. Heat stress should be addressed, at least in part, by the installation of a solid roof across the saleyard.</p> <p>The regulatory requirement to supply suitable water will not be addressed by the addition of a roof but it is a key infrastructure improvement that is required if the Boyanup Saleyard is to be made fit for purpose and compliant with animal welfare regulations.</p> <p>Other shortcomings have been described and detailed in reports provided to the Shire; in addition to the infrastructure required to deliver water around the saleyard, there is a need for training of staff and constant monitoring of cattle held there to ensure that all animals have access to water in compliance with the animal welfare regulations.</p> <p>This would include addressing the over-stocking of pens which is consistently described as an issue in provided reports. I welcome the opportunity to provide comment on the Boyanup Saleyard development application and look forward to seeing the proposed improvements installed to improve the welfare of the animals who pass through this saleyard.</p>	
<p>6. IPA18323</p>	<p>PA 265/2023 SHELTER ADDITIONS TO EXISTING SALEYARDS.</p> <p>As Ratepayer and resident of Boyanup I wish to make comment in regards to the above Development Application.</p> <p>I have been a resident of Boyanup for over 30 years and historically heard and been advised that the sale yards have outlived their presence within the townsite of Boyanup and the shire is endeavouring to find an alternative site within the Capel</p>	<p>APPLICANTS COMMENT:</p> <p>OFFICER COMMENTS:</p> <p>OFFICER RECOMMENDATION:</p>

SUBMITTER	SUMMARY OF SUBMISSION	COMMENTS / RECOMMENDATION
	<p>shire. This can be confirmed if one looks back on the minutes for council and other meetings. These sale yards are now over 60 years old and since the opening in 1961 the townsite has grown, environmental issues have seen huge improvements in waste water treatments and disposal, and a huge increase in traffic in and through the Boyanup town site. Also, the increase of residential development in around the townsite.</p> <p>I find it amazing and quite extraordinary that the Shire of Capel even contemplate going through the process of providing Development Approval for a massive expenditure to an aging and no longer suitable site location for a Cattle Sale Yard Complex.</p> <p>The link below highlights the issue raised by the ABC in 2016. https://www.abc.net.au/news/rural/2016-01-29/alternative-saleyard-search-south-west-wa/7123912</p> <p><i>Concerned industry leaders say a solution "can't happen soon enough" on the issue of new cattle saleyards in south-west Western Australia.</i></p> <p><i>The lease on cattle saleyards in Boyanup in the Shire of Capel, 180 kilometres south of Perth, is set to expire in 2022.</i></p> <p><i>But there is currently no plan for a new site for weekly cattle sales in the south-west region after the lease expires.</i></p> <p><i>Capel Shire president Murray Scott has previously indicated the lease on the Boyanup site cannot be renewed because the yards are too close to the centre of town.</i></p> <p><i>Mr Scott said the town was set to grow six-fold and the yards would need to be relocated to accommodate growth.</i></p> <p><i>Regional industry group Bunbury Wellington Economic Alliance has formalised a working group to investigate funding options and a potential business model for new regional livestock saleyards.</i></p>	

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	<p><i>The working group includes Mr Scott, former Donnybrook-Balingup Shire president Steve Dilley, Collie Shire deputy president Glyn Yates, and Dardanup Shire councillor Tyrrell Gardiner.</i></p> <p><i>Bunbury Wellington Economic Alliance CEO Matt Granger will help to coordinate the group</i></p> <p>After reading the documents provided with the DA from SLR Consulting Australia I wish to make the following comments and request further information.</p> <ol style="list-style-type: none"> 1. What is the total cost of this upgrade? 2. What is planned as far as cattle sales whilst the site becomes a construction site? 3. A noise management plan be provided as to the increase acoustics being generated by the addition of a steel roof over the entire yard complex. The question is: Will the roof addition increase noise from cattle as it is quite audible now without a roof? 4. The total stormwater catchment from the roof and uncovered areas is quoted as being <i>“discharged to the existing drain to the northeast of the site”</i> however it is stated that <i>“if needed to meet the Licence Conditions, storm water treatment and detention will be incorporated”</i> My question is what and how is this volume of water planned to be treated and disposed of should it not meet the Licence Conditions? 5. It should be noted that the saleyards are now surrounded by established residential properties and I question page 8 comments and I quote: <p><i>Shire of Capel Local Planning Scheme No. 8 - Special Control Areas</i></p>	

SUBMITTER	SUMMARY OF SUBMISSION	COMMENTS / RECOMMENDATION
	<p><i>The subject site is identified within 'Special Control Area 1 ('SCA 1') – Development Area' and 'Special Control Area 4('SCA 4')</i></p> <p><i>In this regard, the Saleyards is not considered a sensitive land use and therefore is considered exempt from the provisions of SPP 5.4 and SCA 4.</i></p> <p>6. In Attachment A of the report on drawing title “Stormwater Catchment Plan stage 2” it shows the roof water directed stage 1 stormwater network after travelling through a new set of soak wells with a total capacity of 80 cubic metres and the plan shows the stormwater being directed into the existing SST, my concern is with the huge catchment area 7500 square metres this system will not be able to handle the volume and furthermore it should not be diverted to the SST if it is not polluted with animal effluent, after all this is what the total upgrade is designed to prevent. Refer to the amended DWER conditions of the licence.</p> <p>7. The subject site includes a portion of unused rail reserve to the east which is subject to a Lease between the Public Transport Authority ('PTA') and the Lessees, known as Lease Area L2992. The PTA land is currently leased until May 2028. My question is with the highly likely upgrade of the railway system between the mine at Greenbushes and the Lithium refinery located in the Kemberton area is the PTA about to approve a mayor upgrade development on their land given the likely hood of an upgraded rail system being planned?</p> <p>I trust that you will endeavour to provide a response to the points I have raised in relation to my concerns in the Development Application. I also intend to provide comment in relation to PA264/2023 Development Application for the Waste Disposal Facility.</p>	

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<p>7. IPA18333</p>	<p>I have only recently become aware of the ability of the public to comment on the changes proposed by WALSA at the Boyanup saleyards. I am a truck driver, there has been zero consideration of 1/3 of the users of the yards despite the loading, unloading and personal safety issues caused by this extremely dysfunctional section of the yards, the proposed roof doesn't even cover these pens that are sometimes used to sell cattle.</p> <p>I am willing to meet on-site both shire and WALSA representatives to show my areas of concern and ways to improve the functionality of the yards.</p> <p>All loading pens have 90' and 60' corners causing cattle to be confused back up turn become confused and stressed interrupting loading making cattle already loaded to come of the truck etc. this causes a lot of stress on both cattle and humans.</p> <p>With the simple addition of small gates in the force pen creating a "bugle" would remove 90% of the stress and danger. Ideally corners are not sharper than 120 degrees.</p> <p>Access to the loading pens from the lane way is very poor as most pens are only accessible from one direction due to the lack of gates in appropriate places and gate sizes.</p> <p>Stock carriers by necessity regularly load on our own. Assistance can be hours away.</p> <p>None of us want to go to a mine site level of safety overkill. With simple improvements we can improve the safety of the yards from what was acceptable 60 years ago.</p> <p>There is a woefull lack of space in front of the ramps to get trucks backed on to the ramps. It is a regular event watching trucks take half an hour to get onto the ramp. If other trucks aren't blocking access to ramps 4,5 a pocket road train often drops its steer tyres of the gravel to get straight enough to then reverse. Dif locks are often required to reverse! The other ramps are not suitable for</p>	

SUBMITTER	SUMMARY OF SUBMISSION	COMMENTS / RECOMMENDATION
	<p>pocket road trains as you have to be lucky to get it perfectly in line on the first attempt which must be a radical piece of guesswork as the ramp and reference points are not visible from the moment you turn in front of the next ramp swing back guess at the line and stop in front of the kerb that shouldn't be there. Get it wrong and you have to do a lap around the canteen and office!</p> <p>Removal of all trees and compacted gravel in its place is twenty years overdue.</p> <p>A twenty-degree angle on the ramp face would be beneficial (not more than twenty degrees) and thick paint lines that don't scrub off both sides of the truck parked on the ramp also are very beneficial. Ramps 1 and 2 could easily be made suitable for side loading / unloading.</p> <p>I have intentionally not mentioned other areas of the yards as there are others who will have valid opinions as they work there.</p> <p>Again, I reiterate my willingness to meet both shire and WALSA representatives at the yards to show both my concerns and suggested improvements. A lot of the bad press about the saleyards has been caused by a lack of vision and investment, as an industry we can and must do better.</p>	

**SCHEDULE OF SUBMISSIONS
SHELTER ADDITION TO EXISTING SALES YARD**

**PA265/2023 - AGENCIES COMMENTS
LOTS 202 & 203 (31) SALTER ROAD BOYANUP**

SUBMITTER	SUMMARY OF SUBMISSION	COMMENTS / RECOMMENDATION
<p>1. ICR150749 DPLH</p>	<p>Thank you for forwarding the application to the Department of Planning, Lands and Heritage for comment. The Department's Land Use Planning division has the following comment:</p> <ul style="list-style-type: none"> In relation to the Greater Bunbury Region Scheme (GBRS), the land impacted by the development application is partly zoned Urban, abutting a Railways reserve and partly reserved for Railways. On land zoned Urban abutting the Railways reserve, approval is required under the GBRS, pursuant to Schedule 1, point 4 of the WAPC's GBRS Clause 27 Resolution. This decision is delegated to the Shire if it accepts the recommendation of the public authority responsible for the reserved land or chooses to refuse the application, pursuant to Schedule 2, point 4 of the GBRS Delegation Powers of Local Governments. On land reserved for Railways under the GBRS, approval is required under the GBRS and the decision is delegated to the local government if the criteria is met under Schedule 1, point 3 of the GBRS Delegation Powers of Local Governments. <p>Please do not hesitate to contact me should you have any queries.</p>	<p>APPLICANTS COMMENT:</p> <p>OFFICER COMMENTS:</p> <p>OFFICER RECOMMENDATION:</p>
<p>2. IPA18289 WATER CORPORATION</p>	<p>Shelter Addition to Existing Sales Yard - Lots 202 & 203 Salter Rd, Boyanup</p> <p>Thank you for your letter dated 20/12/2023. We offer the following comments regarding this proposal.</p> <p>Water Reticulated water is currently available to the subject area. All water main extensions, if required for the development site, must be laid</p>	<p>APPLICANTS COMMENT:</p> <p>OFFICER COMMENTS:</p> <p>OFFICER RECOMMENDATION:</p>

SUBMITTER	SUMMARY OF SUBMISSION	COMMENTS / RECOMMENDATION
	<p>within the existing and proposed road reserves, on the correct alignment and in accordance with the Utility Providers Code of Practice. The developer may be required to fund upgrading of existing works and protection of all works.</p> <p><u>Wastewater</u> Reticulated sewerage is not immediately available to serve the subject area. All sewer main extensions required for the development site should be laid within the existing and proposed road reserves, on the correct alignment and in accordance with the Utility Providers Code of Practice.</p> <p><u>General Comments</u> This proposal will require approval by our Building Services section prior to commencement of works. Infrastructure contributions and fees may be required to be paid prior to approval being issued.</p> <p>For further information about building applications, the developer should follow this link: https://www.watercorporation.com.au/home/builders-and-developers/building/lodging-a-building-application</p> <p>The information provided above is subject to review and may change. If the proposal has not proceeded within the next 6 months, please contact us to confirm that this information is still valid.</p> <p>Please provide the above comments to the landowner, developer and/or their representative.</p> <p>Should you have any queries or require further clarification on any of the above issues, please do not hesitate to contact the Enquiries Officer.</p>	
<p>3 IPA18339</p>	<p>COMMENT: Shelter Addition to Existing Sales Yard – Lots 202 and 203 (31) Salter Road Boyanup</p> <p>Thank you for the opportunity to comment on the proposed</p>	<p>APPLICANTS COMMENT:</p>

SUBMITTER	SUMMARY OF SUBMISSION	COMMENTS / RECOMMENDATION
<p>Department of Primary Industries & Regional Development</p>	<p>addition of a shelter to the existing sales yard at Lots 202 and 203 (31) Salter Road Boyanup (Boyanup Sale Yards).</p> <p>The Department of Primary Industries and Regional Development (DPIRD) does not object to the proposed addition of a shelter to the existing Boyanup Sale Yards. The construction of a roof over most of the facility and the associated management of stormwater will reduce the amount of contaminated water. The reduction of contaminated water will lead to a significant improvement in the environmental outcomes at the site.</p> <p>If you have any queries regarding the comments, please contact Leon van Wyk at (08) 9780 6171 or leon.vanwyk@dpiird.wa.gov.au.</p>	<p>OFFICER COMMENTS:</p> <p>OFFICER RECOMMENDATION:</p>
<p>4</p> <p>Department of Water & Environmental Regulation</p> <p>ICR152933</p>	<p>Proposed Shelter Addition to Existing Sales Yard at Lot 202 & 203 Salter Road Boyanup</p> <p>Thank you for providing the above proposal for the Department of Water and Environmental Regulation (DWER) to consider.</p> <p>This referral relates to proposed roof structures for the operations at Lot 202 & 203 Salter Road Boyanup (see Screenshots 1-3 below) – which is a separate DA to the wastewater infrastructure proposal we responded to (PA 060914, DWERT14223~2; Shire ref: PA264/2023).</p> <p>As stated in the referral, the proposed development will involve installation of hard roof structures over the existing Saleyards for the purpose of achieving improved stormwater/wastewater management – in addition to weather protection, mitigating the impact of adverse weather conditions on the cattle and the overall operation of the Saleyards.</p> <p><u>Licensing under the <i>Environmental Protection Act 1986 (EP Act)</i></u> The proposed roof structure is considered a control to minimise the volume of rainfall falling on the pen floors (that would otherwise</p>	<p>APPLICANTS COMMENT:</p> <p>OFFICER COMMENTS:</p> <p>OFFICER RECOMMENDATION:</p>

SUBMITTER	SUMMARY OF SUBMISSION	COMMENTS / RECOMMENDATION
	<p>generate contaminated overland flow that would need to be managed).</p> <p>Its construction will be subject to a works approval under the EP Act, and it will be added to the licence as a control for stormwater management.</p> <p>However, the disposal of clean stormwater that is captured from the roof will not be regulated under the licence, as this falls outside the scope of Part V of the EP Act.</p> <p><u>Proposed stormwater management statements from referral documentation</u></p> <p>The proposed shelter will result in an increase in impermeable surfaces, which would likely result in increased volumes of clean roof stormwater that requires appropriate management.</p> <p>DWER notes the following proposed changes to management of stormwater as per the following referral statements:</p> <ul style="list-style-type: none"> • “The wastewater infrastructure (as proposed in DA1) will be retained but be repurposed as part of this Application, to be utilised for wastewater (effluent) management. The existing sedimentation system (‘SST’) will also be repurposed as a stormwater detention area as part of this Application, to operate as part of the upgraded stormwater management arrangements.” • “The Stage 2 Development Application ensures that the majority of stormwater, particularly roof water runoff, is managed independently from saleyard washdown water.” • “The proposed development ensures that the majority of stormwater, particularly roof water runoff, is managed independently from saleyard washdown water. The roof water will be gathered and directed through soak wells sized for up to a 1 in 1-year (1-hour duration) event, featuring a storage volume of 106m³, as specified by the Shire. 	

SUBMITTER	SUMMARY OF SUBMISSION	COMMENTS / RECOMMENDATION
	<p>Subsequently, the roof water is conveyed through a stormwater system sized for a 1 in 5-year event, before being discharged to the existing drain to the northeast of the subject site.”</p> <ul style="list-style-type: none"> • “If needed to meet the Licence conditions, stormwater treatment and detention will be incorporated, utilising the SST as proposed. Additionally, during saleyard washdowns, effluent is directed to the effluent buffer tank in accordance with the Licence conditions”. • The Stage 2 Development Application includes switching the effluent and stormwater management systems, as proposed by the Stage 1 DA (the rainwater, storage tank now becomes the effluent management system), and the effluent/sludge management within the SST becomes part of the final infrastructure to manage roof water flows). <p><u>Advice</u></p> <p>In view of the above and DWER’s review of the referral material, the following is advised:</p> <ul style="list-style-type: none"> • The separation of clean roof stormwater from the contaminated water from the pen operations is supported on the basis of reduced contaminants in the stormwater entering the proposed soakwells and the existing drain to the northeast of the subject site • Management of stormwater should be in accordance with the <i>Decision process for stormwater management in WA</i> (DWER 2017) and the <i>Stormwater Management Manual for Western Australia</i> (DoW 2004–2007) • To ensure effective operation of the proposed soakwells in attenuating clean stormwater (for the 1-hour duration event), the highest groundwater should be determined so the soakwell system can be designed accordingly. • Confirmation of the shed roof size, as the Shire referral letter states an area of ~6,100m² compared to ~7,000m² in the letter provided in the referral by SLR Consulting Australia (SLR Ref No.: 675.64443.00000-L02-v0.1, dated: 13 December 2023) 	

SUBMITTER	SUMMARY OF SUBMISSION	COMMENTS / RECOMMENDATION
	<ul style="list-style-type: none"> • Clarification with the Shire is required as the above referral statements are inconsistent with the <i>Stormwater Catchment Plan</i> (Drawing 675.64443-CI-2110, Rev B, draft, dated: 28/11/2023) (see Screenshot 4 below), which states: <ul style="list-style-type: none"> ○ “Roof Water Collected And Diverted Through Soakwells Sized For A 1 In 1 Year Event (1 Hour Duration) ~80m3 of Storage” (i.e. the referral states a storage volume of 106m3) ○ “SST TO DETAIN 1:10 YEAR STORM EVENT, PRIOR TO DISCHARGING TO EXISTING DRAIN” (i.e. the referral states a 1 in 5-year event, before being discharged to the existing drain) • For the shed structures and the inquiries on the proposed changes to the use of the existing sedimentation system (‘SST’), the proponent is advised to contact DWER’s Environmental Licensing Section (regarding works approvals and licences under Part V of the EP) at info@dwer.wa.gov.au or 6364 7000 <p><u>General</u></p> <p>Where the Department has a statutory role, planning applications should be considered prior to the Department issuing any relevant permits, licenses and/or approvals.</p> <p>In the event that the applicant determines that a works approval or licence application is required under Part V of the <i>Environmental Protection Act 1986</i> (EP Act), the advice provided in this communication does not prejudice and must not be considered to infer the outcome of the EP Act licence and works approval process.</p> <p>In the event there are modifications to the proposal that may have implications on aspects of environment and/or water management, the Department should be notified to enable the implications to be assessed.</p>	

SUBMITTER	SUMMARY OF SUBMISSION	COMMENTS / RECOMMENDATION
	<p>Should you require any further information on the comments please contact the undersigned.</p>  <p>Screenshot 1: Proposal area and surrounding lots</p>	

SUBMITTER	SUMMARY OF SUBMISSION	COMMENTS / RECOMMENDATION
	<p>Screenshot 2 Proposal area</p>	

SUBMITTER	SUMMARY OF SUBMISSION	COMMENTS / RECOMMENDATION
	<p data-bbox="584 295 1187 766">  </p> <p data-bbox="584 774 1064 798">Screenshot 3: Proposed roof structure coverage</p> <p data-bbox="584 821 1187 1228">  </p> <p data-bbox="584 1236 1344 1292">Screenshot 4: Stormwater Catchment Plan (Drawing 675.64443-CI-2110, Rev B, draft, dated: 28/11/2023)</p>	<p data-bbox="1198 295 1355 335"> NOTES 1. SUPERVISOR TO CONFIRM LEVELS OF EXISTING RAMP, SECONDARY SEGMENT TRAIL, EXISTING TRIP AND FOOTPATHS. 2. EXISTING CONCRETE FLOOR TO REMAIN. </p> <p data-bbox="1198 343 1355 422"> LEGEND - - - - - PTA LEASE AREA - - - - - EXISTING 6M GROUND CONTOURS - - - - - EXISTING FENCE - - - - - EXISTING PERMITS - - - - - EXISTING OVERHEAD POWERLINE ○ EXISTING BOLLARD ○ CADASTRAL BOUNDARY </p> <p data-bbox="1198 821 1355 861"> NOTES 1. SUPERVISOR TO CONFIRM LEVELS OF EXISTING RAMP, SECONDARY SEGMENT TRAIL, EXISTING TRIP AND FOOTPATHS. 2. MINIMUM COVER AND LOCUS OF PIPE TO BE CONFIRMED. 3. MANHOLE AND/OR EXISTING EXISTING EXISTING TRIP. 4. LOCUS LOCUS LOCUS. 5. ALL PIPE NETWORK TO BE SHIPPED TO SKANWELLS. </p> <p data-bbox="1198 869 1355 981"> LEGEND - - - - - PTA LEASE AREA - - - - - EXISTING 6M GROUND CONTOURS - - - - - EXISTING FENCE - - - - - EXISTING OVERHEAD POWERLINE ○ EXISTING BOLLARD ○ CADASTRAL BOUNDARY - - - - - PROPOSED STORMWATER INFRASTRUCTURE - - - - - EXISTING STORMWATER INFRASTRUCTURE - - - - - OVERLAND FLOW PATH </p> <p data-bbox="1198 989 1355 1029"> DRAWN BY: J.P.B. DATE: 28/11/2023 </p>