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 f: 08 9221 1919 info@rowegroup.com.au rowegroup.com.au



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

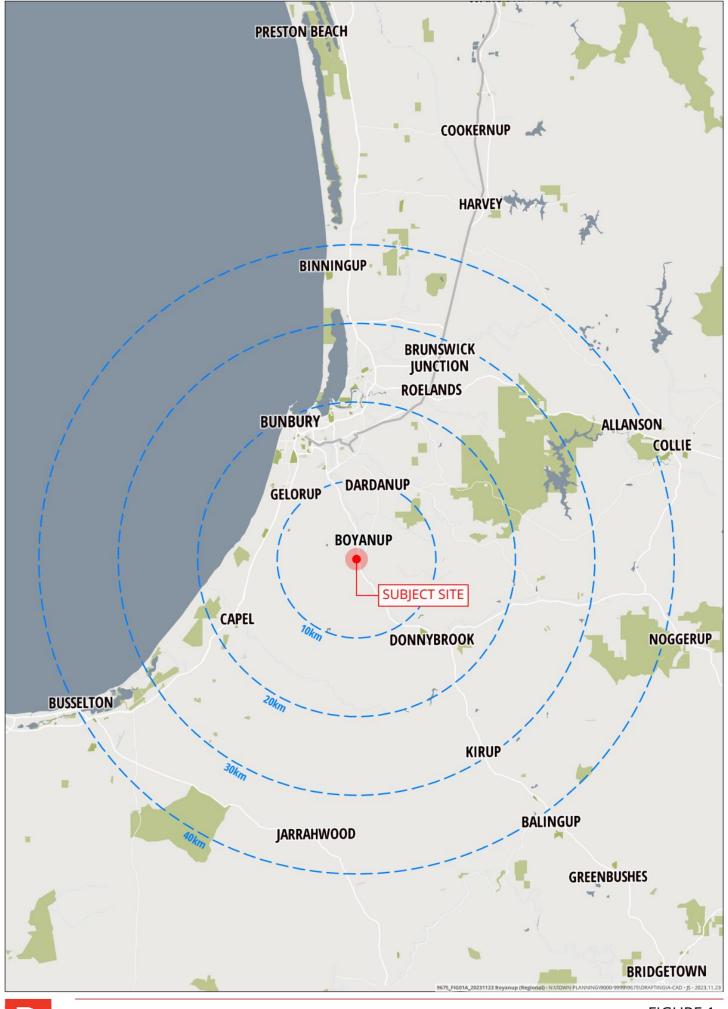
The subject site includes a portion of unused rail reserve to the east which is subject to a Lease between the Public Transport Authority ('PTA') and the Lessees, known as Lease Area L2992. The PTA land is currently leased until May 2028.

Salter Road Closure

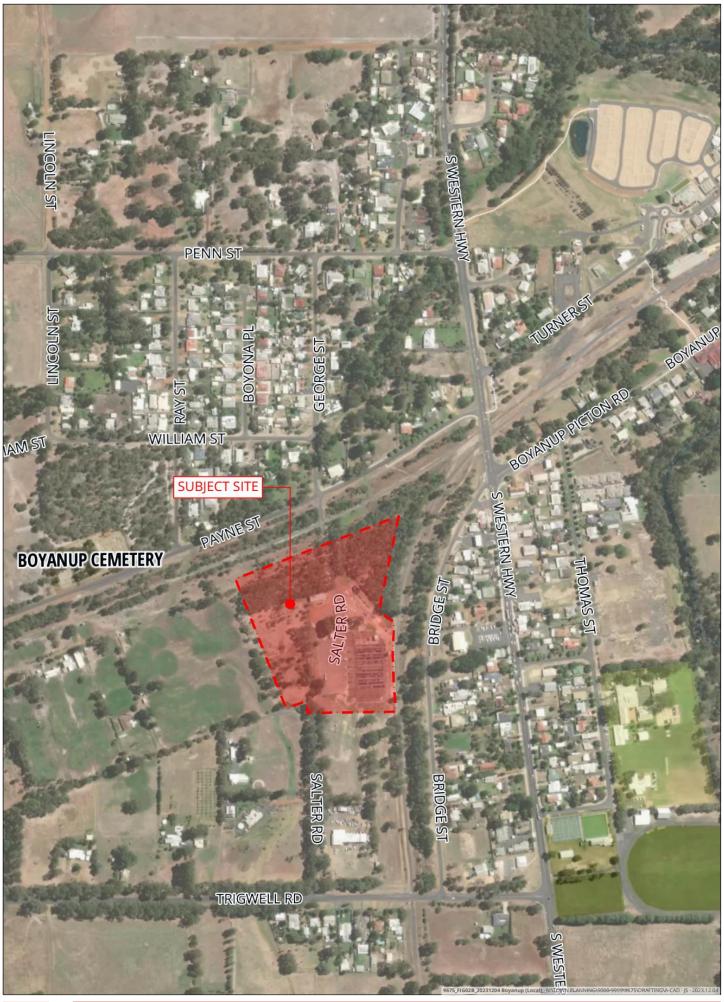
The subject site also includes an unmade portion of the Salter Road reserve to the south. At the Ordinary Council Meeting held on 31 August 2022, Council granted approval for the temporary closure of the unmade portion of Salter Road for the term of the Saleyard Lease (until 2042). Amongst other matters, 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.

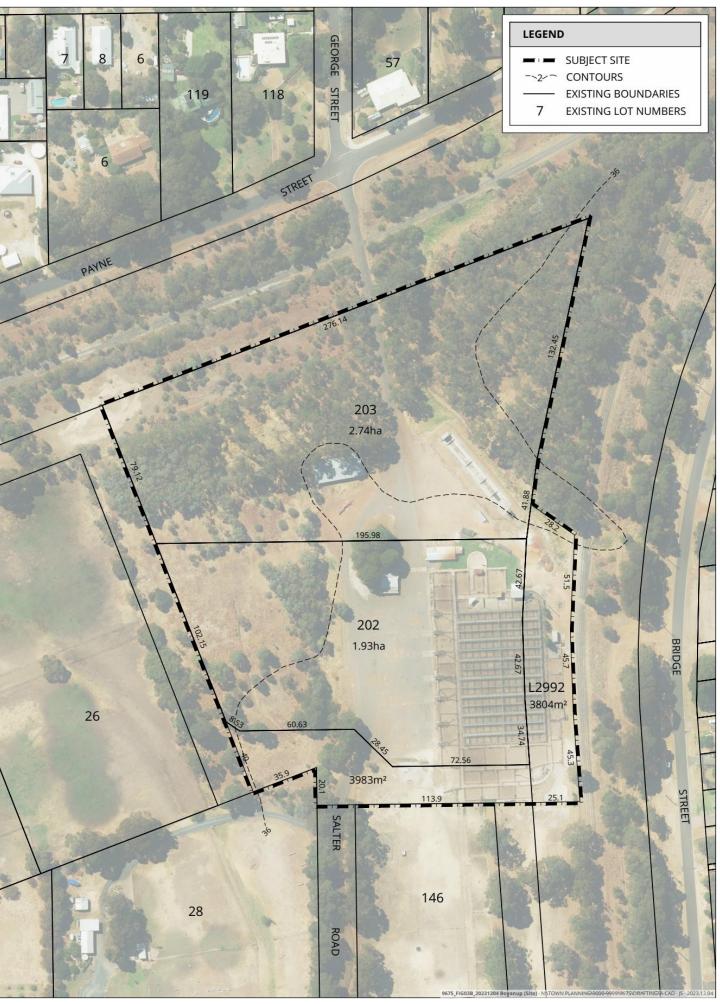
The existing use of the subject site is illustrated on the Site Plan prepared as part of the application.

Refer Figure 3 - Site Plan.











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.

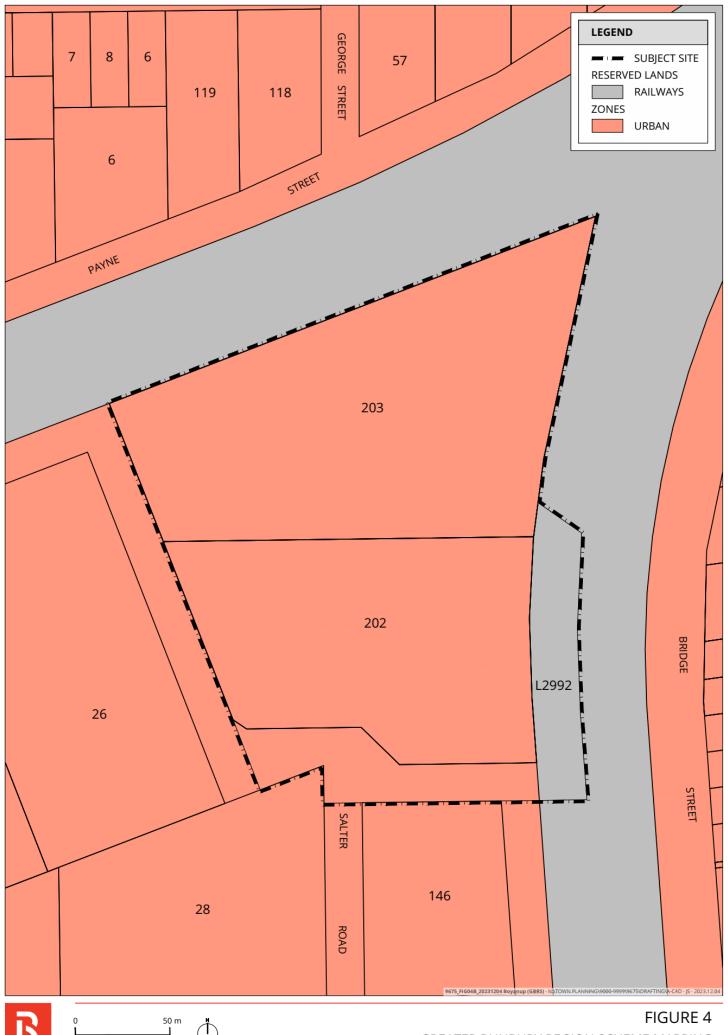
In this regard, the Saleyards is not considered a sensitive land use and therefore is considered exempt from the provisions of SPP 5.4 and SCA 4.

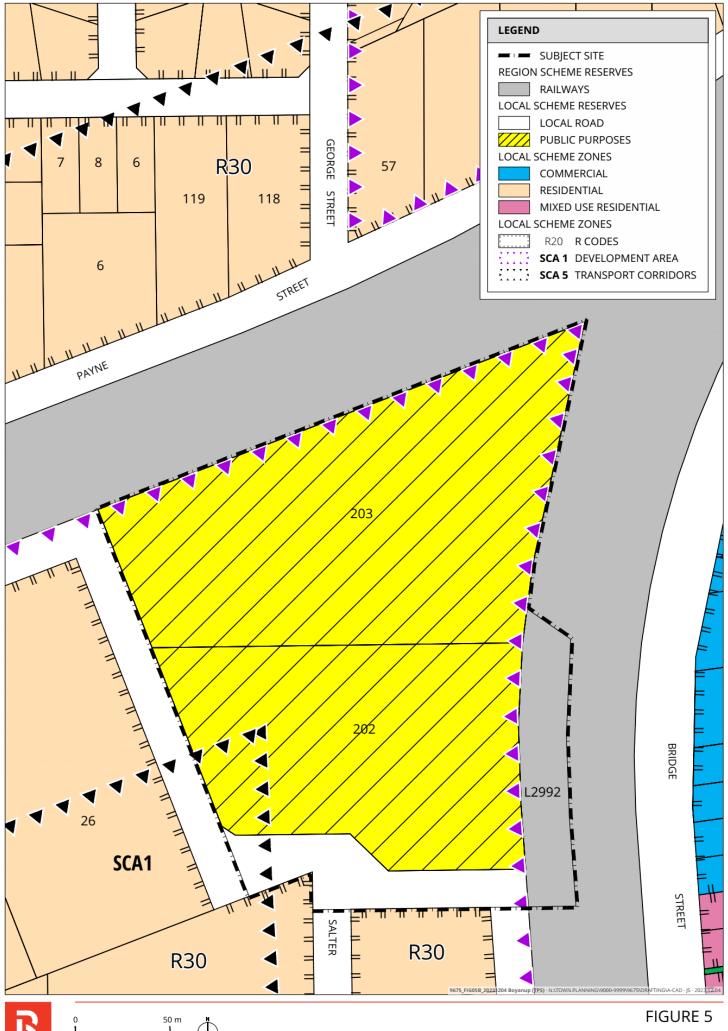
Refer Figure 5 - Shire of Capel Local Planning Scheme No. 8 Zoning.

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.





SCALE @ A4: 1:2000



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 will 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

Oct die

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.



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.



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)

- 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

13 December 2023 SLR Project No.: 675.64443.00000

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 1:100year 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 Salevard 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



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.



Attachments

13 December 2023 SLR Project No.: 675.64443.00000



Attachment A

13 December 2023

SLR Project No.: 675.64443.00000

Boyanup Saleyard Stage 2 Site Plan and Proposed Roof Over Saleyard



BOYANUP CATTLE SALE YARDS STAGE DA2 ROOF OVER SALEYARDS



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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				

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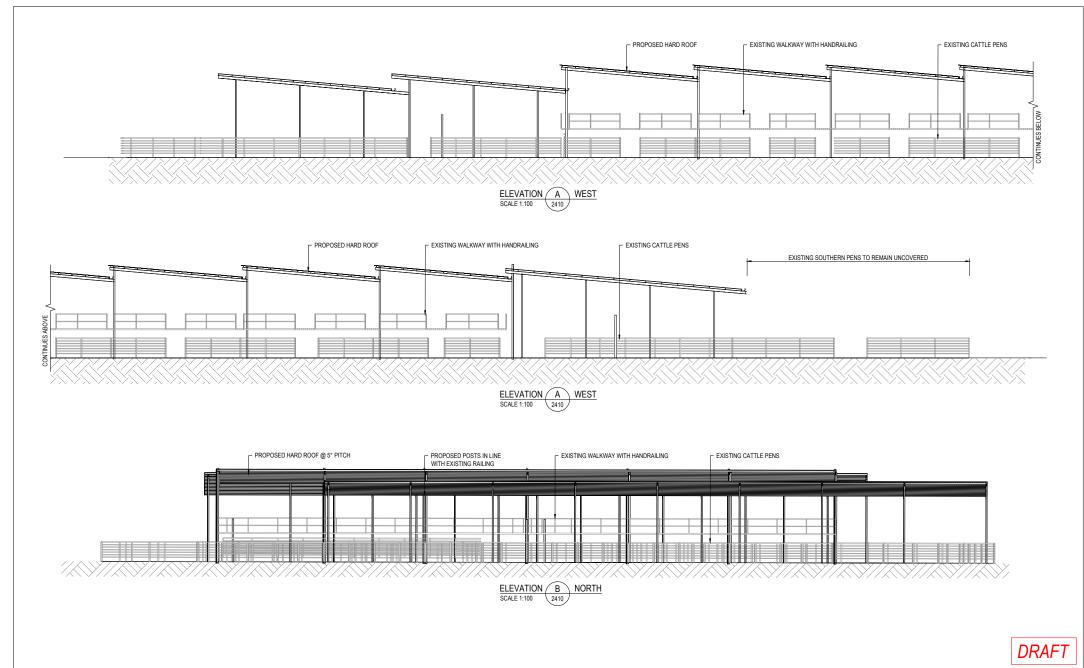
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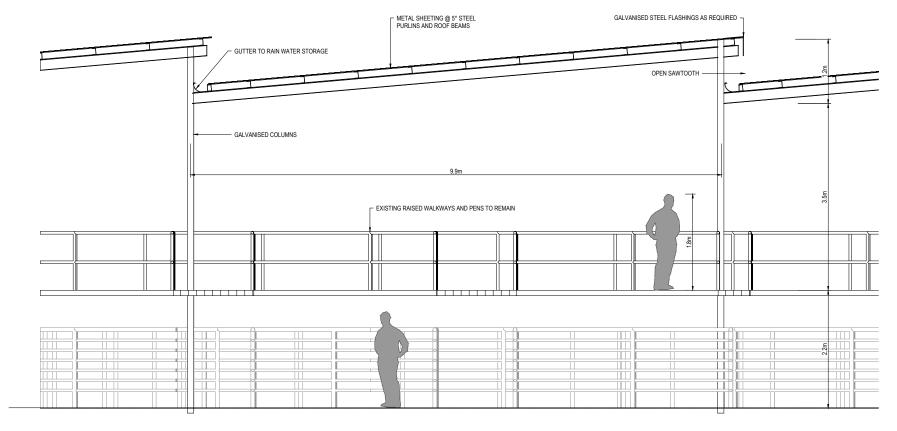
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HARD ROOF DETAILS
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