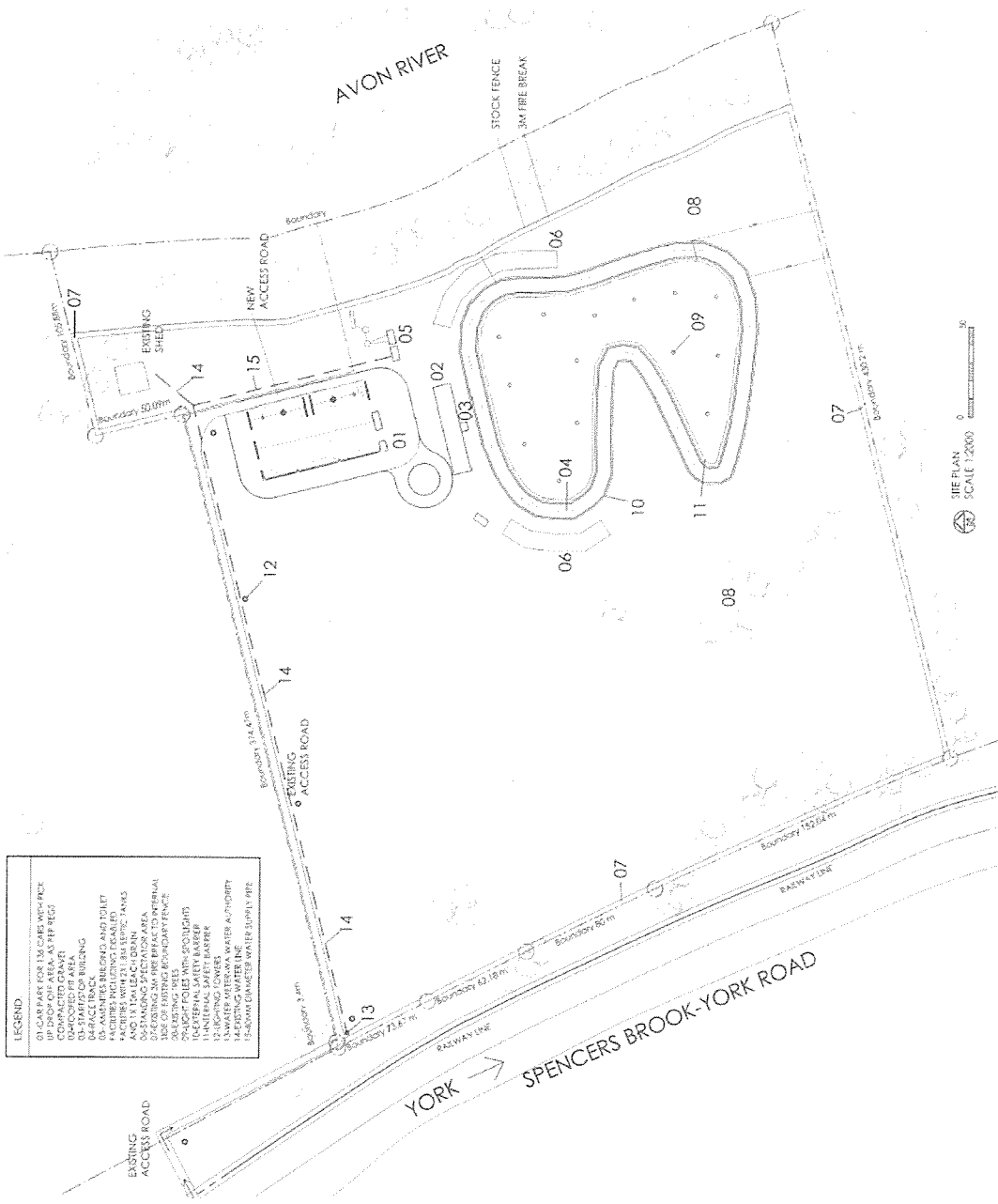


SITE PLAN

LEGEND	
01	CAR PARK FOR 150 CARS WITH RICE UP DROP OFF AREA - AS PER REGS
02	EXISTING BUILDING
03	STAFF/STORAGE BUILDING
04	GRACE BRICK
05	EXISTING BUILDING AND TOILET FACILITIES INCLUDING TREATED
06	FACILITIES WITH 21.185 LITRE TANKS
07	EXISTING 2M FIRE BREAK TO INTERNAL
08	EXISTING 2M FIRE BREAK TO AREA
09	EXISTING 2M FIRE BREAK TO AREA
10	EXISTING 2M FIRE BREAK TO AREA
11	EXISTING 2M FIRE BREAK TO AREA
12	EXISTING 2M FIRE BREAK TO AREA
13	EXISTING 2M FIRE BREAK TO AREA
14	EXISTING 2M FIRE BREAK TO AREA
15	EXISTING 2M FIRE BREAK TO AREA



GENERAL NOTES.
DO NOT SCALE OFF DRAWINGS.
CONTRACTOR TO CHECK ALL DIMENSIONS, LEVELS AND SITE CONDITIONS PRIOR TO CONSTRUCTION. ANY DISCREPANCIES TO BE BROUGHT TO THE CLIENT'S ATTENTION.
THESE DRAWINGS ARE TO BE READ WITH THE ENGINEERING DRAWINGS. THE BUILDER IS TO CONSTRUCT THE DEVELOPMENT IN COMPLIANCE WITH THE BCA. THE 'R' CODES, THE RELEVANT LOCAL AUTHORITY PLANNING SCHEME.

REVISION	DATE	NOTES
1	25/05/15	ISSUED FOR PLANNING
2	11/07/15	ISSUED FOR TENDER
3	11/08/15	ISSUED FOR CONSTRUCTION

STATUS KEY: **SD**-SKETCH DESIGN
P-PLANNING **T**-TENDER
C-CONSTRUCTION
ISSUED FOR: **PLANNING**

ENGELS BUILDING DESIGN AND DRAFTING.
T: 0431007703
E: rebecca@engelsdesign.com.au

CLIENT: **MATT COUZENS**

PROJECT: **LOT 103 SPENCERS BROOK-YORK YORK**

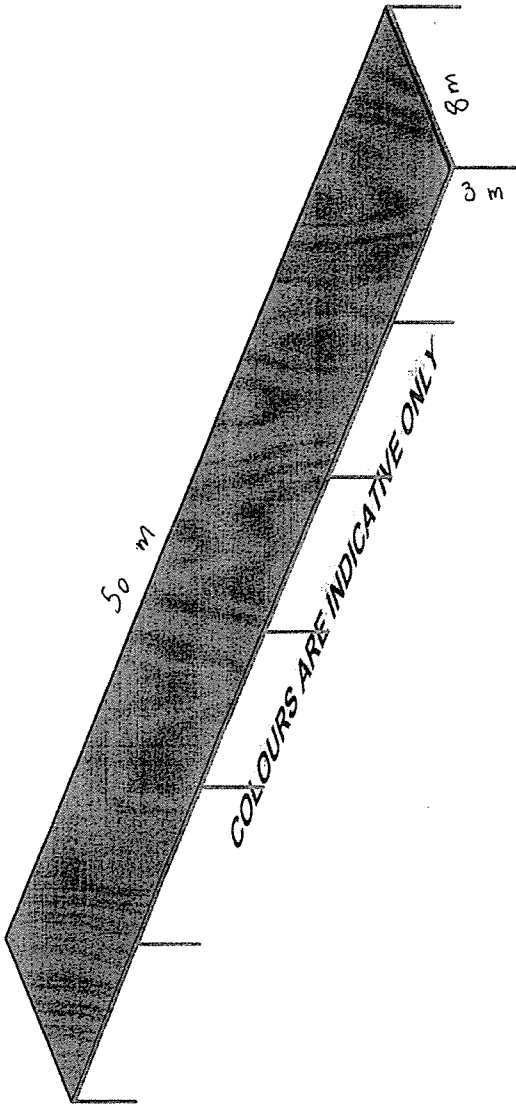
DATE: **25/05/15**

DRAWING TITLE: **SITE PLAN**

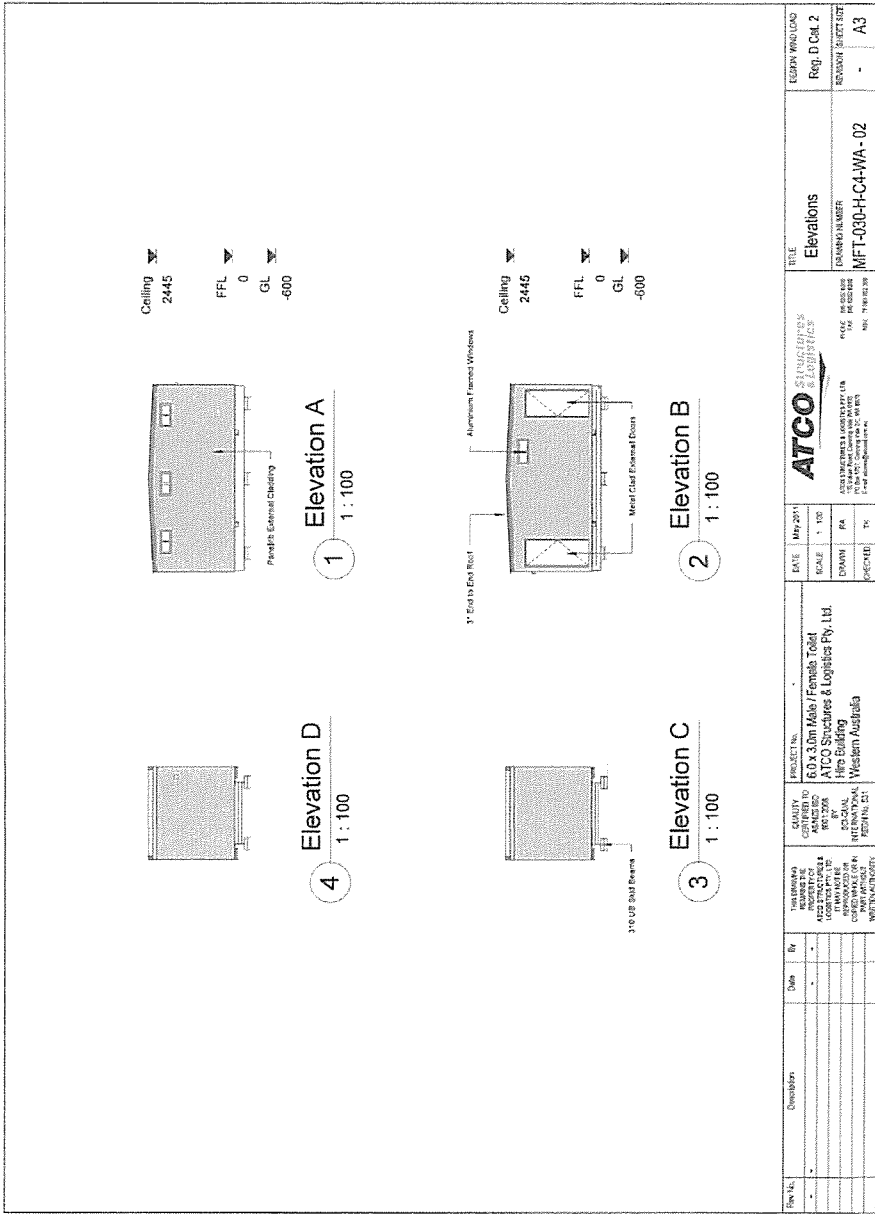
DRAWING NO: **01 r1**

ITEM 9.1.1 APPENDIX 1

ELEVATIONS



ITEM 9.1.1
APPENDIX 2



Rev No.	Comments	Date	By	Checked	Scale	Project No.	Client	Project Name	Project Location	Project Description	Project Status	Project Manager	Project Engineer	Project Designer	Project Checker	Project Approver	Project Date	Project Sheet	Project Title	Project Number	Project Revision	Project Sheet Size
1					1:100	6.0 x 3.0m Male / Female Toilet	ATCO Structures & Logistics Pty Ltd	Wine Building	Western Australia	ATCO Structures & Logistics Pty Ltd	Wine Building	Western Australia	ATCO Structures & Logistics Pty Ltd	Wine Building	Western Australia	ATCO Structures & Logistics Pty Ltd	Wine Building	Western Australia	ATCO Structures & Logistics Pty Ltd	Wine Building	Western Australia	ATCO Structures & Logistics Pty Ltd
2					1:100	6.0 x 3.0m Male / Female Toilet	ATCO Structures & Logistics Pty Ltd	Wine Building	Western Australia	ATCO Structures & Logistics Pty Ltd	Wine Building	Western Australia	ATCO Structures & Logistics Pty Ltd	Wine Building	Western Australia	ATCO Structures & Logistics Pty Ltd	Wine Building	Western Australia	ATCO Structures & Logistics Pty Ltd	Wine Building	Western Australia	ATCO Structures & Logistics Pty Ltd
3					1:100	6.0 x 3.0m Male / Female Toilet	ATCO Structures & Logistics Pty Ltd	Wine Building	Western Australia	ATCO Structures & Logistics Pty Ltd	Wine Building	Western Australia	ATCO Structures & Logistics Pty Ltd	Wine Building	Western Australia	ATCO Structures & Logistics Pty Ltd	Wine Building	Western Australia	ATCO Structures & Logistics Pty Ltd	Wine Building	Western Australia	ATCO Structures & Logistics Pty Ltd
4					1:100	6.0 x 3.0m Male / Female Toilet	ATCO Structures & Logistics Pty Ltd	Wine Building	Western Australia	ATCO Structures & Logistics Pty Ltd	Wine Building	Western Australia	ATCO Structures & Logistics Pty Ltd	Wine Building	Western Australia	ATCO Structures & Logistics Pty Ltd	Wine Building	Western Australia	ATCO Structures & Logistics Pty Ltd	Wine Building	Western Australia	ATCO Structures & Logistics Pty Ltd

SCHEME ASSESSMENT

DA ASSESSMENT REPORT

DA No. P963

Address: Lot 103 Spencers Brook –York Road, Burgess

Proposal: Dirt go-kart racing track

4.15 - GENERAL AGRICULTURE ZONE

4.15.1 Objectives:

- a) To ensure the continuation of broad-hectare agriculture as the principal land use in the district encouraging where appropriate the retention and expansion of agricultural activities.
- b) To consider non-rural uses where they can be shown to be of benefit to the district and not detrimental to the natural resources or the environment.
- c) To allow for facilities for tourists and travellers, and for recreation uses.
- d) To have regard to residential use of adjoining land at the interface of the General Agriculture zone with other zones to avoid adverse effects on local amenities.

The proposed development does not relate to broad-hectare agriculture; however it does provide a benefit for the district – in accordance with Objective b) - by providing a new facility which does not exist in the locality that could encourage tourists and visitors to the area.

Additional discussion regarding management of environmental impacts is described later in this report.

4.15.2 Development

Having regard to the scenic values of the district and the views from roads the local government may refuse an application for planning consent if, in the opinion of the local government, the development if approved will have a detrimental effect on the rural character and amenities.

The development is unlikely to be visible from the public roads due to the railway line and large setbacks proposed.

The scale of physical development proposed is not dissimilar to that presented by outbuildings and structures on agricultural lots, therefore from a visual amenity point of view, the proposal is considered consistent with the requirements of the scheme.

Potential impacts on rural amenity arise from noise and light pollution; these impacts are described later in this report.

4.15.3 Site Requirements

The following minimum building setbacks shall apply:

Front : 15.0m

Rear : 15.0m

Side : 15.0m

All proposed development is located well within the building setbacks.

4.15.4 Retention of Vegetation:

Except for:

- (a) establishment of a firebreak required to comply with a regulation or local law, or
- (b) provision of access to a building site, or
- (c) the area of building, or
- (d) cash crops;

not more than 2000m² on any lot shall be cleared of indigenous trees or substantial vegetation. If the Local government is satisfied upon receipt of a submission the clearing of an area greater than 2000m² will not adversely affect the amenity, character and landscape qualities of the locality it may approve such land to be cleared subject to conditions as may be required by the Local government:

The applicant has advised that no vegetation will be removed as a result of this proposal. A condition can be placed on the approval to ensure no vegetation is inadvertently impacted.

8.5 - MATTERS FOR CONSIDERATION

- a) The aims and provisions of the Scheme and any other relevant town planning schemes operating within the

Scheme area.
Relevant provisions of the scheme are discussed above.
b) The requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, which has been granted consent for public submissions to be sought.
<p>The Shire has adopted omnibus scheme amendment No. 50 which proposes to include 'private recreation' as an SA use within the General Agriculture Zone. This scheme amendment is awaiting Minister approval.</p> <p>The application has been progressed as a "use not listed", requiring advertising in accordance with an SA use.</p>
c) Any approved statement of planning policy of the Commission.
<p>The proposed go kart track is located in close proximity to the Avon River, therefore should be considered against State Planning Policy 2.9 – Water Resources.</p> <p>This requires that applications in close proximity to surface waterbodies consider appropriate buffers, and consider the potential impacts of the development on the water resource.</p> <p>The Department of Water advised that they are unable to support the application in its original form.</p> <p>In relation to an appropriate buffer, advice from the Department of Water (DoW) recommended a biophysical assessment be undertaken, or that a minimum 30 metre foreshore reserve be provided. The cost of a biophysical assessment is considered unreasonable for the scale of the development, therefore the applicant was advised to provide a 30 metre setback to the Avon River. The applicant has provided a site plan and advised that the development is set back 76 metres from the centrepont of the Avon River. This does not confirm that the minimum 30 metre buffer is achieved, however it is likely. A condition of approval specifying that no development is to occur within 30 metres of the Avon River bank will ensure that the minimum buffer distance is retained.</p> <p>Irrespective of the delineation of a separation distance/buffer to the Avon River, potential impacts are presented through stormwater runoff which may introduce pollutants including nutrients, litter, and other environmental threats including <i>Phytophthora</i> dieback which can be introduced to the site by earthworks, contaminated dirt/fill, and contaminated soil on the tyres of go karts and other vehicles. <i>Phytophthora</i> dieback is a key potential impact of developments of this kind; this soil-borne water mould causes dieback in native trees and plants. It can easily be spread through vehicles, soil disturbance, and stormwater runoff from dirt track motor sport facilities.</p> <p>The applicant has suggested that stormwater impacts would be negligible as the natural fall of the land is away from the Avon River, and has provided a "Task Based Risk Assessment" to suggest that hydrocarbon contamination is unlikely. However the risk assessment provided does not include any confirmation that it has been prepared by a suitably qualified professional, and the information submitted is insufficient to demonstrate how potential impacts will be managed. Management plans will be necessary to manage potential environmental impacts, and these can be prepared as a condition of approval.</p> <p>The amended application was referred to the Department of Water, however no further comment was received prior to Council meeting. It is recommended that the Department of Water be engaged in reviewing the required management plans, to ensure their concerns are alleviated through management practices.</p>
d) Any approved environmental protection policy under the <i>Environmental Protection Act 1986</i> .
N/A
e) Any relevant policy or strategy of the Commission and any relevant policy adopted by the Government of the State.
N/A
f) Any Planning Policy adopted by the local government under clause 8.8, any policy for a designated heritage precinct adopted under clause 5.1.3, and any other plan or guideline adopted by the local government under the Scheme.
There are no local planning policies relevant to this application.
g) In the case of land reserved under the Scheme, the ultimate purpose intended for the reserve.
N/A
h) The conservation of any place that has been entered in the Register within the meaning of the <i>Heritage of Western Australia Act 1990</i> , or which is included in the Heritage List under clause 5.1.2, and the effect of the proposal on the character or appearance of a heritage precinct.
N/A

i) The compatibility or a use or development with its setting.
There are some concerns in relation to the noise impacts on the surrounding neighbours. This is discussed further below.
j) Any social issues that have an effect on the amenity of the locality.
The applicant has advised that the venue will be smoke and alcohol free. This will assist to minimise any perceived social issues.
k) The cultural significance of any place or area affected by the development.
A desktop analysis of the Department of Aboriginal Affairs (DAA), Aboriginal Heritage Inquiry System revealed that the subject lot is affected by a Registered Aboriginal Site. Amended advice from DAA confirms that the revised track location no longer impinges on the River. Therefore based on this statement no statutory approvals under the Aboriginal Heritage Act 1972 (AHA) are required.
l) The likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment.
Environmental impacts and management are discussed in c) above.
m) Whether the land to which the application relates is unsuitable for the proposal by reason of it being, or being likely to be, subject to flooding, tidal inundation, subsidence, landslip, bushfire or any other risk.
The original plans fell within the flood risk area. Amended site plans show all structures located outside the 100 year flood level.
n) The preservation of the amenity of the locality.
Visual amenity is considered above (scheme provisions). Amenity impacts in relation to noise and light pollution is discussed later in this report.
o) The relationship of the proposal 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 proposal.
The proposal includes very few structures including a roofed pit area, amenities and toilet facilities and light poles. 1. Roofed pit area: length = 50m, width = 8m, height = 3m. 2. Amenities and toilet facilities: length = approx 5.8m, width = 3m, height = approx 3m. 3. Light poles: The height of the light poles is unknown. The scale of physical development proposed is not dissimilar to that presented by outbuildings and structures on agricultural lots, therefore from a visual amenity point of view, the proposal is considered consistent with the requirements of the scheme.
p) Whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles.
The applicant has provided a Traffic Management Plan additional details relating to these matters, however do not sufficiently address the requirements, as a result, a traffic management plan should be provided as a condition of planning approval. <u>Access and egress to the site:</u> Access and egress to the site is across the freight railway line (an occupational crossing) and via an easement on the adjacent lot. The landowner of 3151 York/Spencers Brook Road, Burges Siding has granted permission for the landowner of Lot 103 York/Spencers Brook Road to have access to his land through their property along the marked track. However the statement does not related to potential patrons of the proposed go kart facility. This permission will need to be provided as part of a traffic management plan to be prepared as condition of planning approval. Brookfield Rail and the Public Transport Authority raised safety and liability concerns with use of the occupational crossing for public access, and requested additional information regarding the number of vehicles. They advised if large numbers of vehicles would access the property, upgrading the crossing to a public access crossing may be required. Subsequent advice from the applicant suggests that an officer at Brookfield Rail has agreed that a suitably trained traffic warden will control vehicle entry and exit to the property. The officer is currently on field work and this agreement cannot

be confirmed. However, on the basis of such advice it is likely that management practices can be employed to ensure safety can be maintained. A suitable access and egress management plan can be required, to be prepared by a suitably qualified professional, as a condition of approval.

Management of the access and egress will require further detail and consultation with Brookfield Rail and PTA. It is recommended that these agencies be engaged in reviewing the required management plans, to ensure their concerns are alleviated through management practices.

Manoeuvring and parking of vehicles:

The applicant is proposing the inclusion of 136 vehicle parking bays which have been marked on the plans, although scale does not enable their assessment against manoeuvring standards. Sufficient land is available on the land to meet the car parking requirements, therefore detailed parking plans can be assessed and approved as a condition of subdivision.

- q) The amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety.

The applicant has indicated that standard meets will average 30 vehicles, however during any State titles which could be held on the property; approximately 120 vehicles would be expected.

It will be essential that during all events (meets and State titles) that the appropriate traffic warden is provided to control and monitor traffic over the railway line. Management of this will be considered in a traffic access and egress plan prepared as described above in p).

- r) Whether public transport services are necessary and, if so, whether they are available and adequate for the proposal.

N/A

- s) Whether public utility services are available and adequate for the proposal.

Power to the facility will be provided by generators.

Water is provided to the ablution blocks by a 40mm pipe. The Water Corporation has advised that should additional water demand be required from the trunk main, a new Special Service Agreement at the building application stage. This should be included as a Note on the planning approval.

- t) Whether adequate provision has been made for access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities).

N/A

- u) Whether adequate provision has been made for access by disabled persons.

Toilets with disabled access will be provided.

- v) Whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved.

No vegetation is proposed to be removed as a result of this proposal.

- w) Whether the proposal is likely to cause soil erosion and degradation.

Potential degradation may arise through *Phytophthora* infection, described in c) above.

- x) The potential loss of any community service or benefit resulting from the planning consent.

The proposed development on the site will provide a recreational facility that is currently not available in the area. This could be beneficial to the Shire by encouraging tourists and visitors to the Shire for events.

- y) Any relevant submissions received on the application.

One submissions were received regarding the development application.

1. The submission from a neighbouring property raised concerns relating to:

- Loss of amenity (quiet country lifestyle).
- Increased traffic along Spencers Brook – York Road and Burges Siding Road.

- Potential for undesirable people
- Concerns about decrease in property value

These concerns are discussed in relation to the relevant planning scheme matter in this report.

z) The potential impacts of noise, dust, light, risk, and other pollutants on surrounding land uses.

Noise:

Irrespective of any development approval, any development is required to comply with the Environmental Protection (Noise) Regulations 1997. However, potential noise impacts can have a significant impact on the amenity of the locality and are also a planning consideration.

The applicant has provided noise monitoring results; the details of the noise assessment are not clear and does not include information such as the location of adjacent houses, the weather conditions, how the noise was measured if the facility does not currently exist.

Greater information is needed to ensure noise impacts can be managed, and that noise does not impact on the rural amenity experienced by neighbouring properties. Conditions should require an acoustic report prepared by a suitably qualified professional demonstrating that the noise regulations will not be exceeded at any sensitive receptor (i.e. neighbouring houses) that also provides management techniques to manage noise. Additional conditions on the approval should be included to manage the duration and frequency of events that may impact on amenity, including cessation of evening events before 10pm, no commencement of any events prior to 9am, and no events to occur on weekdays.

An advice note should be included on the approval advising the applicant that, irrespective of the development approval or the endorsement of management plans, the applicant is required to comply at all times with the Environmental Protection (Noise) Regulations 1997.

Dust:

The application has provided additional information outlining a number of dust management strategies. These should form part of the approval through submission and approval of a dust management plan for the site.

Light:

The lighting on the property will be via generators. To reduce light spill to surrounding properties, lighting should be directional. This can be included as a condition of planning approval.

Other pollutants:

Other pollutants are discussed in c) above.

On site waste water treatment requires the approval of the Department of Health. This can be included as a note on the planning approval.

aa) The comments or submissions received from any authority consulted under clause 7.4.

1. Department of Fire and Emergency Services (DFES)

- The development is outside the gazetted fire district and is not the responsibility of DFES to determine or regulate whether the development complies with the regulations.
- Suggestion for a fire management plan and ensure the developer/business administrators are aware of the fire risks.

2. Department of Health (DoH)

- Ensure access to potable water (quality as per *Australian Drinking Water Quality Guidelines 2004*).
- DoH approval is required for on-site waste water treatment process.
- Any food preparation for sale shall comply with the *Food Act 2008*.
- Consideration should be given to the preparation of an emergency response plan.

3. Department of Water (DoW)

DoW cannot support the application due to:

- Potential water quality issues on the Avon River including stormwater runoff, hydrocarbon management and wastewater management on the site.
- Preference for a biophysical assessment to determine an appropriate foreshore area (DoW's *Operational Policy 4.3*).
- Detailed stormwater management plan outlining stormwater management on site and how hydrocarbons from the track, pit area and car park will be managed and prevented from entering the river.
- Part of the lot is impacted by flooding during major river flows. DoW have provided some strategies for the

<p>area.</p> <p>4. Water Corporation</p> <ul style="list-style-type: none"> - No objection - A new Special Service Agreement will be required for additional water demand at building application stage for water supply. <p>5. Western Power</p> <ul style="list-style-type: none"> - no specific comments - consideration given to regulations for working in proximity to Western Power Distribution Lines <p>6. Public Transport Authority (PTA)</p> <p>PTA has a number of concerns, particularly relating to access.</p> <ul style="list-style-type: none"> - The lot does not have dedicated road access (only an easement) - Occupational crossings are not for multiple users. The occupational crossing owner would likely be liable for any accidents or injury if they allow additional usage. - Concerns relating to vehicle stacking. Increased use would trigger a review of the crossing status with an ALCAM assessment. The crossing may need to be upgraded to a public crossing managed and maintained by the Shire or additional safety measures implemented at the cost of the owner. <p>Additional comments</p> <ul style="list-style-type: none"> - Rail corridor boundary would require fencing. - Dust control measures to ensure that visibility is not impacted and the tracks are not dirtied. - Water run off into the corridor where hardstands exist and water will disperse quickly.
<p>bb) Any other planning consideration the local government considers relevant.</p>
<p>Interest Declared -</p> <p>To be signed by CEO</p>
<p>Recommendation</p>
<p>Approval subject to conditions:</p> <ul style="list-style-type: none"> • Development must substantially commence within two (2) years from the date of this decision • The development shall take place in accordance with the stamped approved plans. • No vegetation is to be removed or damaged as part of the approved works. • No development is to occur within 30 metres of the bank of the Avon River. • Prior to the commencement of development, the applicant is to submit a stormwater and dieback management plan, to be approved by the Shire of York on the advice of the Department of Water, and thereafter implemented (Note 1) • Prior to the commencement of development, the applicant is to submit a traffic access and parking management plan, to be approved by the Shire of York on the advice of the Public Transport Authority, and thereafter implemented (Note 2) • Prior to the commencement of development, the applicant is to submit an acoustic report and management plan, to be approved by the Shire of York on the advice of the Department of Environmental Regulation, and thereafter implemented (Note 3) • Evening race events are to cease by 10pm, unless otherwise approved by the Shire of York in writing. • Race events are not to commence before 9am and are not to occur on weekdays, unless otherwise approved by the Shire of York in writing. • Prior to the commencement of development, the applicant is to submit a dust management plan, to be approved by the Shire of York, and thereafter implemented. • Lighting provided on site shall be directional to minimise light spill to surrounding properties. • The fire and emergency plan prepared by the applicant shall be kept on the premise and implemented as specified. <p>Note 1: The stormwater management plan is to be prepared by a suitably qualified professional, and include:</p>

- Management of stormwater quality and quantity from the track, access, parking areas, and structures;
- Implementation of requirements to prevent introduction or spread of *Phytophthora cinnamoni* to the site, including importation of clean fill and vehicle hygiene/wash down requirements.

Note 2: The traffic access and parking management plan is to be prepared by a suitably qualified professional, and include:

- The mechanisms employed to ensure safe railway crossing for all activities on the site attended by the general public;
- Written permission from the land owner of No.3151 York-Spencers Brook Road, Burges Siding to allow the participants, patrons and spectators of the dirt go-kart track to access the facility via an easement over their land; and
- Compliance with the Australian Standards 2890 for all car bays and manoeuvring throughout the car park.

Note 3: The acoustic report and management plan is to be prepared by a suitably qualified professional, and include:

- Noise monitoring or modelling , including go kart and generator noise, to demonstrate compliance with the Environmental Protection (Noise) Regulations 1997 at all surrounding receptors;
- Appropriate management techniques to be employed to ensure that noise levels will not exceed the Environmental Protection (Noise) Regulations 1997

Note 3: As per the advice of the Water Corporation, a new Special Service Agreement will be required for the additional water demand. This will be done at the building application stage for water supply.

Note 4: Approval is required from the Department of Health for the on-site waste water treatment process.

Note 5: Irrespective of the approval and implementation of the management plan referred to in Condition 7, the applicant is required to comply at all times with the Environmental Protection (Noise) Regulations 1997.

Note 6: The development is to have access to a sufficient supply of potable water that is of the quality specified under the Australian Drinking Water Quality Guidelines 2004.

Note 7: All food related aspects to comply with the provisions of the Food Act 2008 and related code, regulations and guidelines.

SCHEDULE OF SUBMISSIONS

Schedule of Submissions Original Application					
Public Submissions – Original					
No.	Date Submission Received	Name	Property Affected	Summary of Submission	Officer's Comment
1.	26-Mar-15	S. Preece	Neighbour	<p>"I would like to voice my objections I'm deeply concerned if the above proposal goes ahead that my quiet country lifestyle will come to an end.</p> <p>Both Spencersbrook – York Rd & Burges Siding Rd will become very busy thorough fares with all the extra traffic which will naturally be a heap more noisier too. More so as the club membership enlarges.</p> <p>There would be a great risk of enticing some undesirable people who could become a nuisance & potentially cause a lot of harm & trouble as they do, especially at night, which I would feel very vulnerable too.</p> <p>My property is very old & if some significance heritage wise & am sure this would devalue it some what"</p>	Noted. Conditions are recommended to be placed on the approval to provide detailed management plans in response to these issues.
Agency Submissions – Original					
No.	Date Submission Received	Name	Property Affected	Summary of Submission	Officer's Comment
2.	24-Mar-15	Department of Fire and Emergency Services	N/A	<p>"... As this development is outside of the gazetted fire district it is not the responsibility of DFES to determine or regulate if the proposed development meets with any requirements or not.</p> <p>I believe it would be in the best interest for the "Shire" to ensure the property developer and business administrators are aware of their responsibilities in times of heightened fire risk, such as "Total Fire Ban" and "Harvest and Heavy vehicle movement ban" days. I also believe a "fire management plan" for the site would benefit not only the developer/business owner, but also the "Shire" to ensure the safety of participants, spectators and surrounding property owners..."</p> <p>"Further to our telephone conversation earlier, please find Brookfield Rail's questions in regard to this proposed application for a Go Kart facility which abuts rail corridor on a busy Line 31 Avon Yard to Albany.</p>	<p>Further consultation with our Community Emergency Services Manager, Mr Justin Corrigan confirmed the requirement for a fire management plan to which the applicant provided in his amending documentation.</p> <p>A condition is recommended to ensure ongoing implementation of this plan.</p>
3.	26-Mar-15	Brookfield Rail	N/A		The applicant has liaised with Brookfield Rail, and advised agreement regarding management practices.

				<ul style="list-style-type: none"> There does not appear to be any legal access to this lot? The lot to the North has access from Spencer Brook- York Rd via an occupational crossing at the 28.094km mark. An occupational crossing is only for use by the person granted the right of an occupational crossing – it does not transfer to multiple users. Is the developer of Lot 103 proposing to use this occupational crossing? This Occupation Crossing also crosses over what looks like a water corporation pipeline. There is limited stacking on both sides of this crossing and BR would not recommend its use. If it is used it would need to be changed to a public road crossing as members of the public will be using the crossing to access this facility. If the Go Kart Operators are planning on having State and National events, this would attract a fair amount of vehicular traffic. Before BR can provide any formal comments on this application we need to know what is the legal access point for this lot? And how many and what type of vehicles are they expecting What fencing is proposed to the rail corridor boundary Dust control measures <p>Please note this email has been sent to the Public Transport Authority in their capacity as owners of the rail corridor land and through whom BR addresses planning applications abutting rail corridor.</p>	A condition is recommended to be placed on the approval to ensure that management practices are employed to meet the agency's requirements.
4.	27-Mar-15	Western Power	N/A	<ul style="list-style-type: none"> Western Power does not have any specific comments at this time to the above proposal, however we would appreciate being kept informed of developments. As there are overhead powerlines and/or underground cables, adjacent to or traversing the property the following should be considered, prior to any works commencing at the above site/development/property or if any alignments, easements or clearances are encroached or breached. Working in proximity to Western Power Distribution Lines – all work must comply with Worksafe Regulation 3.64 – Guidelines for Work in the Vicinity of Overhead Power Lines. If any work is to breach the minimum safe working distances a Request to Work in Vicinity of Powerlines form must be submitted. ... Western Power is obliged to point out that any change to the existing (power) system; if required, is the responsibility of the individual developer. <p>"... The Department of Water (DoW) has assessed the proposal and is unable to support the proposal for the following reasons: The proposed Go Kart facilities are in close proximity to the Avon River, which flows at the rear of the property. As such, the proposed land use poses a number of water quality issues, including stormwater runoff, hydrocarbon</p>	Noted.
5.	30-Mar-15	Department of Water	N/A	<p>Amended site plan received providing additional separation distance to the Avon River.</p> <p>A condition is recommended to be placed on the approval to ensure that management practices are</p>	

				<p>management and wastewater management on the site.</p> <p>Under the State Planning Policy 2.9: Water Resources, a foreshore reserve of 30m is recommended, however it is DoW's preference for a biophysical assessment to be conducted to determine the appropriate foreshore area, in line with Department of Water's Operational policy 4.3: Identifying and establishing waterways foreshore areas.</p> <p>A detailed stormwater management plan should also be developed, outlining how stormwater will be managed on site and how hydrocarbons from the track, pit areas and car park will be managed and prevented from entering the river...</p> <p>The Avon River Flood Study shows the eastern portion of the lot is affected by flooding during major river flows within the 100 year ARI flood level estimated to be 166.10m AHD... Our floodplain development strategy for the area is:</p> <ul style="list-style-type: none">Proposed development (i.e. filling, building, etc) that is located outside of the floodplain is considered acceptable with respect to major flooding. However, a minimum habitable floor level of 166.60m AHD is recommended to ensure adequate flood protection.Proposed development (i.e. filling, building, etc) that is located within the floodplain is assessed based on the its merits and the factors examined including depth of flooding, velocity of flow, its obstructive effects on flow, possible structural and potential flood damage, difficulty in evacuation during major flood and its regional benefits. <p>It should be noted that the go kart and some of the associated facilities are constructed below the 100 year ARI flood level and will be subject to potential flooding and flood damages during major river flows."</p> <p>"...</p>	employed to meet the agency's requirements.
6.	30-Mar-15	Department of Health	N/A	<p>1. Water Supply and On-site Wastewater disposal The development is to have access to a sufficient supply of potable water that is of the quality specified under the Australian Drinking Water Quality Guidelines 2004.</p> <p>The proponents be advised that DOH approval is required for any on-site waste water treatment process...</p> <p>2. Food Act Requirements All food related aspects to comply with the provisions of the Food Act 2008 and related code, regulations and guidelines.</p> <p>3. Emergency Response You should consider incorporating emergency response plan and provide first aid equipment appropriate to the type of activity and emergencies that may occur..."</p>	Noted. These requirements exist irrespective of the development approval. The applicant will be reminded of these requirements through advice notes.
Late Submissions – Original					
No.	Date	Name	Property	Summary of Submission	Officer's Comment

	Submission Received	Affected		
7.	31-Mar-15	Water Corporation	N/A	<p>"...The Corporation has no objection to the proposal, subject to the following. A new Special Services Agreement will be required for the additional water demand, at the building application stage for water supply. This requirement is due to supply of a trunk main..."</p> <p>"... there are a number of concerns with this proposal particularly in regards to access to the property. Other than an easement the lot does not appear to have dedicated road access. One of the concerns is that the occupational level crossing at the 28.094 kilometre mark will be used by multiple go kart enthusiasts. Occupational crossings are not for multiple users (the public), they are for the adjoining landowner only to access his property and generally exist where his property is bisected by a railway. Furthermore the occupational crossing owner would likely become liable for any injuries or accidents that occur on the crossing should he permit the additional usage. Secondly the increase in crossing users for go kart events would attract a fair amount of vehicles which would create stacking issues at the level crossing. This is a safety matter that also needs to be considered and strongly discouraged. An increase in use would also trigger a review of the crossing status via an ALCAM assessment. This could result in a recommendation it be upgraded to a public crossing managed and maintained by the Shire and/or additional safety measures put in place eg signals, once again at the crossing owners cost. Notwithstanding the above access concerns;</p> <ul style="list-style-type: none"> • The rail corridor boundary will need to be fenced, • Dust control measure put in place to ensure the rail tracks are not fouled and visibility is not affected, and • There is to be water run off into the corridor, particularly where hardstands exists and water will disburse quickly. <p>In summary, without further information on the vehicle access management, PTA is not in a position to encourage use (in fact strongly advise against it) of the occupational crossing or support the go kart facility as proposed.</p> <p>"...DAA has reviewed the information you have provided and advises the following.</p> <p>An assessment of the Area of Application using the Aboriginal Due Diligence Guidelines (DDG) indicates that the Area of Application is currently used as a paddock for agricultural purposes. The Area of Application can therefore be considered a significantly altered environment. The nature of the proposed works can be considered as a significant disturbance. In such a scenario using the Aboriginal Heritage Risk Assessment Matrix contained in the DDG's the works would appear as being of a 'medium' risk to Aboriginal heritage.</p>
8.	28-Apr-15	Public Transport Authority	N/A	<p>Noted. These requirements exist irrespective of the development approval. The applicant will be reminded of these requirements through advice notes.</p> <p>The applicant has liaised with Brookfield Rail, and advised agreement regarding management practices. A condition is recommended to be placed on the approval to ensure that management practices are employed to meet the agency's requirements.</p>
9.	21-May-15	Department of Aboriginal Affairs	N/A	<p>Amended advice was received by DAA.</p>

					<p>Further to the works being categorised as being of 'medium' risk, a portion of the Area of Application is within registered Aboriginal heritage site DAA 3536 (the Swan River). Although located within the administered boundary of a registered site, based on current information the Department is unable to advise whether the proposed development is located within an area of the boundary to which section 5 of the Aboriginal Heritage Act 1972 (AHA) applies. If the proposed development is within an area where section 5 of the AHA applies the developer will need to lodge a section 18 notice under the AHA to ensure it does not breach the legislation.</p> <p>DAA recommends that the developer advise the South West Aboriginal Land and Sea Council of the proposed works and provide the organisation an opportunity to comment on whether the proposal will impact on any Aboriginal heritage sites of significance. If the development is approved as per the current plans it is requested the developer meet with the DAA to discuss whether a heritage approval will be necessary..."</p>	
Schedule of Submissions Amended Application						
Agency Submissions – Amended						
No.	Date Submission Received	Name	Property Affected	Summary of Submission	Officer's Comment	
10.	26-Jun-15	Department of Aboriginal Affairs	N/A	<p>"... A review of the Register of Aboriginal Places and Objects as well as the DAA Aboriginal Heritage Database concludes that registered heritage place DAA 3536 – Swan River abuts the rear of Lot 103 Spencers Brook – York Road, Burges.</p> <p>DAA notes at point 6 of the mitigation response that the track location has been revised and no longer impinges on the River. Therefore based on this statement no statutory approvals under the Aboriginal Heritage Act 1972 (AHA) are required..."</p>	Noted.	
11.	1-Jul-15	Department of Health	N/A	<p>"... The DOH has no further comments on the amended plan and additional information..."</p>	Noted.	