

Appendix – Summary of Agency Submissions

Schedule of Submissions						Officer's Comment
Agency Submissions						
No.	Date Submission Received	Name	Property Affected	Summary of Submission	Officer's Comment	
1.	21-Jul-15	Water Corporation	n/a	<ul style="list-style-type: none"> <li>No specific comments to make.</li> <li>No water scheme in area. If reticulated water supply is requested, all costs associated with extending a water supply would be the responsibility of the proponent.</li> </ul>	Noted.	
2.	17-Jul - 15	Western Power	n/a	<ul style="list-style-type: none"> <li>No specific comments at the current time.</li> <li>Request to be kept informed of developments</li> <li>Identified underground cables adjacent to or traversing the property.</li> <li>Suggest the above point should be considered prior to any works commencing</li> </ul>	Noted.	
3.	15-July-15	Teisira Corporation Limited	n/a	<ul style="list-style-type: none"> <li>No objection</li> <li>The submission states that developers are responsible for telecommunications infrastructure on all developments.</li> </ul>	Noted.	
4.	20-Jul-15	Department of Aboriginal Affairs.	n/a	<ul style="list-style-type: none"> <li>Reviewed the relevant information regarding the proposal and can confirm that there are no known Aboriginal Sites registered with the DAA within the area of proposed development.</li> <li>General comment on developer being made aware of 'Cultural Heritage Due Diligence guidelines.</li> </ul>	Noted.	
5.	23-Jul-15	Geological Survey of WA on behalf of Department of Mines and Petroleum	n/a	<ul style="list-style-type: none"> <li>GSWA has no concerns</li> <li>Formal section 16 (3) clearance under the Mining Act 1978 will require further assessment once a request is received from Department of Lands.</li> </ul>	Noted.	
6.	28-Jul-15	Department of Health	n/a	<ul style="list-style-type: none"> <li>Development to have access to sufficient supply of potable water that is of the quality specified under the <i>Australian Drinking Water Quality Guidelines 2004</i>.</li> <li>DoH approval is required for onsite waste water treatment process or water reuse/recycling system.</li> <li>Trade waste will need to be disposed of off-site or otherwise appropriately treated and approved by DoH for disposal on site.</li> <li>Waste water from wash down area will need approval from DoH.</li> <li>Recommends storm water management is designed in accordance with the <i>Stormwater Management Manual for Western Australia (DoW 2004)</i>.</li> </ul>	Noted. Comments relating to wash down area to be included as condition on planning approval.	
7.	28 Jul-15	Department of Water	n/a	<ul style="list-style-type: none"> <li>Recommends storm water management is designed in accordance with the <i>Stormwater Management Manual for Western Australia (DoW 2004)</i>.</li> </ul>	Noted – stormwater management plan to be prepared particularly in relation to wash down areas.	
8.	15-Jul-15	Department of Planning – Wheatbelt	n/a	<ul style="list-style-type: none"> <li>No comment</li> </ul>	Noted.	
9.	5-Aug-15	Main Road WA	n/a	<ul style="list-style-type: none"> <li>MRWA has no objection subject to the following condition being included:</li> </ul>	Noted. A condition will be applied.	

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				'The intersection shall be designed to allow for the safe movement of the different types of vehicles required to use it and therefore application needs to prepare and submit swept path diagrams to accommodate the safe movement of proposed vehicles for MRWA review and approval.'		
10.	17-Aug-15	Department of Environment Regulation	n/a	<ul style="list-style-type: none"> <li>No comment on the application in reference to regulatory responsibilities under the <i>Environmental Protection Act 1986</i> and the <i>Contaminated Sites Act 2003</i>.</li> </ul>	Noted.	
11.	19-Aug-15	Department of Food and Agriculture WA (DAFWA)	n/a	<ul style="list-style-type: none"> <li>DAFWA does not object to the proposed development at the above location.</li> </ul>	Noted.	

Appendix C – Summary of Public Submissions

<b>Schedule of Public Submissions</b>	
<b>Main Points</b>	
<ul style="list-style-type: none"> <li>• A total of 6 public submissions were received.</li> <li>• 1 submission did not provide a position on the proposal and comments provided related to the existing facility rather than proposed.</li> <li>• 5 submissions were in objection.</li> </ul>	
<b>Summary of Key Issues – Support</b>	
<ul style="list-style-type: none"> <li>• Nil</li> </ul>	
<b>Summary of Key Issues – Objection</b>	
<ul style="list-style-type: none"> <li>• Inconsistent with the Shire of York Town Planning Scheme and the objectives of the General Agricultural zone.</li> <li>• Concerns relating to appropriateness of use within the general agricultural zone.</li> <li>• Concerns relating to impact on rural amenity of the area.</li> <li>• Concerns relating to impact on tourism particularly on Ashworth Road.</li> <li>• Concerns relating to impact on Great Southern Highway.</li> <li>• Concerns relating to environmental impacts particularly from run off.</li> <li>• Concerns regarding property values</li> </ul>	

<b>Public Submissions</b>					
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1.	17 Jun 15	Danelle and Brad Karafil	End of Cul de Sac Crawford Court	<ul style="list-style-type: none"> <li>• Comments relating to Crawford Court and road surface.</li> <li>• Confirmation that Avon waste can legally operate from the proposed area.</li> <li>• Seeking advice that the business should be located within the industrial area</li> <li>• Aesthetic concerns about the land use.</li> </ul>	<p>The concerns raised relate to the existing facility rather than the proposed location. The application is to be assessed against its merits, considering the planning framework of the subject land.</p> <p>The position of this land owner in relation to the proposed development has not been stated. The comments provided relate to the existing location rather than the proposed development.</p>

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2.	16 Jul 15	Edward and Patricia Modridge		<p>Objection</p> <ul style="list-style-type: none"> <li>Concerned adjoining owners not given fair chance to object to the proposal.</li> <li>Devaluation of their property as the proposal is situated directly across Ashworth Road.</li> <li>The zoning is general farming – transport depot is not General Farming.</li> <li>Concerned about the location of the entrance road to the proposal being opposite their property entrance, potentially causing damage to their property.</li> <li>Rubbish management on the site as the report indicates that no rubbish will be kept onsite.</li> <li>Amenity issues of loss of existing trees along Ashworth Road.</li> <li>Concerns that the Council has already made a decision about development, particularly as Avon Waste have settled the sale of Lot 5113 so the decision has been made.</li> </ul>	<ul style="list-style-type: none"> <li>Noted – The application has not been determined at the time of advertising. The consultation period is the opportunity for the community and relevant agencies to provide their comments in relation to the proposal. The Shire is following the standard procedures in place for considering, advertising and determining a development application.</li> <li>Property values are not a matter to be considered under the town planning scheme when considering development applications.</li> <li>Noted. The land use is 'SA' therefore can be considered. The objectives of the zone are used to determine whether it is appropriate.</li> <li>Noted. Diagrams will be required by Main Roads to examine the movement from Great Southern Highway. Similar diagrams can be requested to ensure there is sufficient space at the property entry to enable safe movement of the trucks and ensure there is no impact on the neighbouring property.</li> <li>A condition will be applied to ensure that no waste is to be taken on site.</li> <li>A condition will be applied to ensure that no vegetation is removed as a result of the application.</li> <li>Planning approval is not guaranteed when purchasing a property. At the time of advertising, no determination has been made on whether the land use has been granted approval or not.</li> </ul>
3.	23 July 15	Guy and Nicola Bessell- Browne (Potala Nominees Pty Ltd)	"Glenferrie 126 Ashworth Road York 6032	<ul style="list-style-type: none"> <li>Land surrounding Ashworth Road is used for general agriculture and the road is an attractive tourist route.</li> <li>The owners have collectively planted thousands of trees, objected to a previous gravel development and requested Council to no damage road verge vegetation.</li> <li>Ashworth Road is a tourist route and the transport depot and rubbish trucks are not compatible and will diminish the amenity of the area.</li> <li>The Shire should refuse to exercise its discretion to allow use of the transport depot. The Shire should only exercise its discretion to allow uses associated with general agriculture.</li> <li>A transport depot is a 'P' use in the industrial area. Avon Waste is reducing their costs by purchasing rural land rather than industrial.</li> <li>Amenity will be diminished if this application is approved.</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> <li>Noted.</li> <li>Noted</li> <li>Noted. The land use is 'SA' therefore can be considered. The objectives of the zone are used to determine whether it is appropriate.</li> <li>Noted – More detailed siting and landscaping information is to be provided as part of a subsequent planning application to provide</li> </ul>

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				<ul style="list-style-type: none"> <li>It is undesirable to have slow moving trucks entering Great Southern Highway in an area for overtaking lanes. Main Roads should be consulted with.</li> <li>Comments relating to an option to re-zone the land and prohibit rubbish dump or waste transfer station to ensure this use is not established in the future in association with the transport depot.</li> <li>If the Shire grant approval, the following conditions are suggested:               <ol style="list-style-type: none"> <li>Require substantial plantings around the sheds for screening.</li> <li>Require mechanisms to protect from contaminated run off from wash down areas and truck maintenance</li> <li>Designed to prevent contamination of groundwater from oils and waste material</li> <li>Secure netting fences around sheds to prevent kangaroos and echidnas and other fauna from nearby reserves from entering the transport depot and being killed or injured.</li> </ol> </li> <li>At Glenferrie they engage in agricultural activities including producing organic meat, fruits and vegetables in addition to cereal cropping.</li> <li>They have undertaken re-forestation to create wildlife corridors.</li> <li>They are directly downhill and this will threaten their water supply and their organic status. Concerns that extensive flooding (similar to that that occurred in January 2000) which caused water, fences, trees and earth to be carried on to their property from the Lot 5113 (3933) could occur again.</li> </ul>	<p>detailed management of potential visual impacts of the development.</p> <ul style="list-style-type: none"> <li>A traffic impact assessment has been prepared for the facility. No concerns were raised in regards to the trucks entering Great Southern Highway. Main Roads will require diagrams to show the swept path for the highway.</li> <li>Any new uses proposed on the site will be considered against the town planning scheme and associated policy framework in place at the time of submission.</li> <li>Noted; recommended conditions for detailed siting and management plans will address these items.</li> </ul>
4.	23-Jul-15	Bowling Investments Pty Ltd	Lot 71 and Avon Locs 968 and 1926	<ul style="list-style-type: none"> <li>Land surrounding Ashworth Road is used for general agriculture and the road is an attractive tourist route.</li> <li>The owners have collectively planted thousands of trees, objected to a previous gravel development and requested Council to no damage road verge vegetation.</li> <li>Ashworth Road is a tourist route and the transport depot and rubbish trucks are not compatible and will diminish the amenity of the area.</li> <li>Recommends the shire refuse to allow the use of the property as a transport depot.</li> <li>Shire should only exercise its "SA" discretion to allow uses for general agriculture or tourism.</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> <li>Noted.</li> <li>Noted</li> <li>Noted. The land use is 'SA' therefore can be considered. The objectives of the zone are used to determine whether it is appropriate.</li> </ul>

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				<ul style="list-style-type: none"> <li>Comments relating to transport depot being a 'P' use in industrial zones and that land being more appropriate. Avon Waste is reducing their costs by purchasing rural land rather than industrial.</li> <li>The amenity of the area will be diminished.</li> <li>Undesirable to have slow moving trucks entering Great Southern Highway in an overtaking lane. Main Roads should be consulted with.</li> <li>Comments relating to an option to re-zone the land and prohibit rubbish dump or waste transfer station to ensure this use is not established in the future in association with the transport depot.</li> <li>If the Shire grant approval, the following conditions are suggested:               <ol style="list-style-type: none"> <li>Require substantial plantings around the sheds for screening.</li> <li>Require mechanisms to protect from contaminated run off from wash down areas and truck maintenance areas</li> <li>Designed to prevent contamination of groundwater from oils and waste material</li> <li>Secure netting fences around sheds to prevent kangaroos and echidnas and other fauna from nearby reserves from entering the transport depot and being killed or injured.</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>Noted – More detailed siting and landscaping information is to be provided as part of a subsequent planning application to provide detailed management of potential visual impacts of the development.</li> <li>A traffic impact assessment has been prepared for the facility. No concerns were raised in regards to the trucks entering Great Southern Highway. Main Roads will require diagrams to show the swept path for the highway.</li> <li>Any new uses proposed on the site will be considered against the town planning scheme and associated policy framework in place at the time of submission.</li> <li>Noted; recommended conditions for detailed siting and management plans will address these items.</li> </ul>
5.	26-July-15	Greg Browne	Mattracks Pty Ltd Ashworth Road York WA 6302	<p>Objection.</p> <ul style="list-style-type: none"> <li>Concerns with the application. An alternative site should be found.</li> <li>Comments relating to the acquisition of the property.</li> <li>Relocating from a residential area to the general agriculture area will become a nuisance for residents in this area. An appropriate site should be found for this operation.</li> <li>Comments relating to concerns that the use is more than just a transport depot due to the other operations on site.</li> <li>Concerns that the real use (a waste company with uses such as office, mechanical workshop, cleaning, waste transfer, spray paint, metal fabrication and bin storage) of the site is not permitted in the general agriculture zone.</li> <li>The business should be located on industrial land. It is not adequate to relocate the use to an agricultural area because there is insufficient land. If the Shire want this business in York, it needs to provide industrial land or alternatively it should be located somewhere else where there is appropriately zoned land.</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> <li>Planning approval is not guaranteed when purchasing a property.</li> <li>The application is to be assessed against its merits, considering the planning framework of the subject land.</li> <li>The definition of transport depot includes maintenance, management and repair of the vehicles used. The other uses on site are ancillary to the transport depot.</li> <li>The land use is 'SA' therefore can be considered. The objectives of the zone are used to determine whether it is appropriate.</li> <li>Any expansion would be subject to further planning consent, and would be considered on its merits against the relevant planning framework at that time.</li> <li>A stormwater management plan will be required to ensure that stormwater and groundwater are protected.</li> </ul>

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6.	18-Aug-15	Rebecca Hameister	3935 Great Southern Highway, York	<ul style="list-style-type: none"> <li>Concern that no details of expansion plans have been included.</li> <li>The location is a 'gateway to York' – concerns relating to amenity and safety of users of Ashworth Road (particularly horses).</li> <li>Concerns relating to run off from wash areas and fuel tank and the impact on the environment. The application should be submitted to the Department of Environment for comment. Environmental documents should be submitted to show how environmental waste and toxic waste will be managed.</li> <li>There will be adverse impacts on tourism, recreation and travellers as a result of the rubbish trucks.</li> <li>Concerns that the Traffic Impact Statement by Opus states that there are no traffic counts.</li> <li>Concerns regarding lack of road safety audit.</li> <li>Concerns regarding 4am start time.</li> <li>Ashworth Road should not have been considered. Concerns regarding intersection with highway.</li> <li>Concerns regarding increased truck movement through town due to clients being located north, east and south of the town.</li> </ul>	<ul style="list-style-type: none"> <li>More detailed siting and landscaping information is to be provided as part of a subsequent planning application to provide detailed management of potential visual impacts of the development.</li> <li>A traffic impact assessment has been prepared for the facility. No concerns were raised in regards to the trucks entering Great Southern Highway. Main Roads will require diagrams to show the swept path for the highway.</li> <li>Noise can be managed by conditioning larger development setbacks, which will result in a separation distance to sensitive land uses (houses) in excess of the minimum recommended by the EPA. Operating times can be managed by conditions.</li> </ul>
				<ul style="list-style-type: none"> <li>Oppose the proposed development</li> <li>The application goes against the scheme objectives.</li> <li>Transport depot is not permitted in agriculturally zoned land.</li> <li>Impediment to adjoining recreational area, national parklands, tourism businesses and food production.</li> <li>Permanent disruption to 'scenic values'.</li> <li>Concerns relating to traffic and noise and the impact it will have on horse riding.</li> <li>Market value decrease of their property and surrounding properties. Will Avon Waste compensate property owners?</li> <li>Concern with risks on the highway and people crossing the highway to enter the golf course (west bound). The highway is also on a hill and curve, making it dangerous should truck traffic increase.</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> <li>The land use is 'SA' therefore can be considered. The objectives of the zone are used to determine whether it is appropriate.</li> <li>More detailed siting and landscaping information is to be provided as part of a subsequent planning application to provide detailed management of potential visual impacts of the development.</li> <li>Noise can be managed by conditioning larger development setbacks, which will result in a separation distance to sensitive land uses (houses) in excess of the minimum recommended by the EPA. Operating times can be managed by conditions.</li> <li>Property values are not a matter to be considered under the town planning scheme when considering development applications.</li> <li>A traffic impact statement has been prepared to discuss traffic impacts, recommending the most appropriate and safe access arrangements.</li> </ul>