

## SUMMARY OF SUBMISSIONS

## Lot 101, 132 Boomerang Road, Oldbury - Retrospective Transport Depot / Site Office / Nursery and Proposed Shed - PA20/376

Submitter	No	Submitter Comments	Applicant Comments	Officer Comments
DWER		<p>Thank you for providing the Development Application for the Department of Water and Environmental Regulation (Department) to consider.</p> <p>The Department has identified that the retrospective development of the Transport Depot, 30m x 15m Shed and temporary site offices, and the proposed nursery at Lot 101 Boomerang Road in Oldbury has the potential for impact on the environment and water resources. While the Department does not object to the proposal key issues and recommendations are provided below, and these matters should be addressed.</p> <p><b>Issue</b> Native Vegetation Recommendation</p> <p>Under section 51C of the Environmental Protection Act 1986 (EP Act), clearing of native vegetation is an offence unless undertaken under the authority of a clearing permit, or the clearing is subject to an exemption. Exemptions for clearing that are a requirement of written law, or authorised under certain statutory processes, are contained in Schedule 6 of the EP Act. Exemptions for low impact routine land management practices outside of environmentally sensitive areas (ESAs) are contained in the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (the Clearing Regulations).</p> <p>Based on the information provided, no exemption applies to the proposed clearing and a clearing permit is required.</p> <p>The Department has not received a clearing permit application relating to this proposal. Application forms are available from <a href="https://www.der.wa.gov.au/our-work/clearing-permits/46-clearing-permit-application-forms">https://www.der.wa.gov.au/our-work/clearing-permits/46-clearing-permit-application-forms</a>.</p>	We have addressed all comments made by the various government agencies	<p>The applicant submitted an updated Nutrient and Irrigation Management Plan, Stormwater and Spill Management Plan and Site Plan which were subsequently referred to DWER.</p> <p>DWER considered the plans to have addressed concerns that were initially raised by DWER</p> <p>Officers have recommended a condition of approval requiring details of the nutrient retaining media to be used in the swale to be submitted to the Shire prior to commencement</p>

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		<p>Additional information on how to apply for a clearing permit is available here: <a href="https://www.der.wa.gov.au/images/documents/your-environment/native-vegetation/Fact%20sheets/Fact%20Sheet%20-%20how%20to%20apply.pdf">https://www.der.wa.gov.au/images/documents/your-environment/native-vegetation/Fact sheets/Fact Sheet - how to apply.pdf</a></p> <p><b>Issue</b> <b>Wastewater Management</b></p> <p><b>Recommendation</b> As identified in the Government Sewerage Policy (Western Australian Government, 2019), this site is located within a 'sewage sensitive area'. If the site is unable to connect to a reticulated sewerage scheme, on-site effluent disposal shall utilise secondary treatment systems with nutrient removal for any new buildings and amenities.</p> <p><b>Issue</b> <b>Peel Harvey Coastal Plain Catchment</b></p> <p><b>Recommendation</b> The proponent is be advised that the proposal is located within the Peel-Harvey catchment and the provisions of State Planning Policy 2.1 – The Peel-Harvey Coastal Plain Catchment and Environmental Protection (Peel Inlet – Harvey Estuary) Policy 1992 shall apply.</p> <p>Therefore the proposed nursery should incorporate best management practices outlined in the Water Quality Protection Note No. 3: Nurseries and garden centres (DWER, 2018) and Water Quality Protection Note No 90: Organic material – storage and recycling (DWER, 2011) and include the following:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Nursery operations shall be contained on impermeable surfaces to prevent the leaching of nutrients and contaminants into the groundwater. Gravel, rolled limestone or forestry by-products over plastic film may be used for walking paths and under plant benches.</li> </ul>		

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		<p><input type="checkbox"/> Any wastes should be contained in a purpose-built, weatherproof storage container, skip or on an impermeable sheltered surface until removed offsite to an authorised waste disposal facility.</p> <p><input type="checkbox"/> Water according to the plant development requirements, seasonal evaporation losses, variations in plant water needs and the water-holding capacity of the potting media.</p> <p><input type="checkbox"/> Any runoff may drain towards a settling pond for reuse or recycling, or into vegetated swales. Wastewater and clean stormwater should be kept separate. Uncontaminated stormwater should be managed as recommended in the Stormwater Management Manual for Western Australia (DoW, 2004-2007).</p> <p><input type="checkbox"/> Nursery operators should minimise nutrient losses by only applying fertiliser amounts required by the plant at various stages of its development cycle and adopting measures to reduce leaching. <input type="checkbox"/> Pesticides, fertilisers, manures and soil amendment materials should be stored on impermeable surfaces that are weatherproof and exclude stormwater runoff from other areas.</p> <p><input type="checkbox"/> As detailed in the Nutrient and Irrigation Management Plan, groundwater quality monitoring will be carried out on-site. However, no detail has been provided regarding the proposed trigger values, contingency actions if triggers are breached and the submission of monitoring results to the Shire.</p> <p><b>Issue</b> Transport Depot - Best Practice Management</p> <p><b>Recommendation</b> The following Water Quality Protection Notes (WQPN's) provide best practice management guidelines to protect the state water resources. These can be found on the DWER website <a href="http://www.water.wa.gov.au/urban-">http://www.water.wa.gov.au/urban-</a></p>		

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		<p><a href="#">water/drinking-water/protecting-water-quality</a> and searching under “publications”</p> <p>WQPN 10 – Contaminant spills - emergency response  WQPN 65 – Toxic and hazardous substances  WQPN 68 – Mechanical equipment wash down  WQPN 28 – Mechanical servicing and workshops  WQPN 56- Tanks for fuel and chemical storage near sensitive water resources</p> <p>Best management practices regarding the depot includes the following:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The transport depot and parking areas must be constructed on a non-permeable concrete hardstand that will contain leaks and spills of all fuels, lubricants and wastewater in the event that the integrity of the vehicles becomes compromised.</li> <li><input type="checkbox"/> Mechanical servicing should be carried out on a durable, low-permeability floor or pad (such as reinforced concrete) finished and graded to contain any spilt material or washdown water.</li> <li><input type="checkbox"/> Washdown water containing any oils or grease emulsions should pass into a physical separator (e.g. corrugated plate interceptor) or chemical separator (e.g. chemical coagulation tank, followed by water–oil separation) allowing sufficient time to break emulsions and permit effective removal of any floating oil by skimming.</li> <li><input type="checkbox"/> The storage of all toxic and hazardous substances (THS), including fuels and lubricants, shall be located within a weatherproof compound, upon a bunded hardstand area.</li> <li><input type="checkbox"/> Tools and materials are to be available for managing chemical spills including absorbent pillows, sawdust, rags, ‘kitty litter’, mops, brooms and dustpans and chemical-resistant plastic drums.</li> </ul>		

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		<p><input type="checkbox"/> Used batteries, used solvent containers, water treatment process sludge, lubricants and other chemicals, machinery parts, tyres and contaminated waste products should be stored inside the workshop or in a contained, weatherproof area (e.g. a lockable skip or sea container), until they can be moved off-site for recycling or to an approved disposal facility.</p> <p><b>Issue</b> Groundwater</p> <p><b>Recommendation</b> The subject lot and proposed development area is located within the Serpentine Groundwater Area (Jandakot Mound 2 sub area) which is proclaimed under the Rights in Water and Irrigation Act 1914. Any groundwater abstraction would be subject to licencing by the DWER.</p> <p>There is a current groundwater license for the property for the purposes of stock watering and household garden (GWL174986). An amendment to this current licence would be required for the use of groundwater for nursery and transport depot operations.</p> <p>However, it should be noted that groundwater in this area is currently in high demand with several applications pending, therefore an additional allocation cannot be guaranteed.</p> <p>Please contact the Department's groundwater licensing business support unit on 1800 508 885 for further advice on water availability.</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>		
Department of Biodiversity,	of	The Department of Biodiversity Conservation and Attractions - Swan Region Office has no comments on the application.	Noted	Noted

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Conservation and Attractions				
A11140		<p>I will always oppose any business operating on this road.</p> <p>This is a single lane, bitumen road. It is not designed for constant heavy vehicle use or an increase in vehicle movements.</p> <p>Please respect those who live here, who are impacted daily and vote a clear resounding NO.</p>	<p>The total number of weekly movements associated with the Transport Depot and Nursery will be 158 movements which equates to a maximum of 28 vehicle movements per day (26 for 4 of the 6 working days). The total number of movements has been calculated based on two movements per vehicle per day. It is unlikely that all commercial (likely to only be 6 movements per day) and employee vehicles will enter and exit the site each day which means that the calculated maximum number of vehicle movements per week represents a very conservative count (i.e. a worst case scenario). In addition, daily vehicle movements will only account for 0.93% of the</p>	<p>As discussed in the main report under the traffic section a condition to upgrade a portion of Boomerang Road has been recommended.</p> <p>Officers are satisfied that the projected traffic and the type of traffic to be generated by the proposal is within the capacity of the road once upgraded and there would be no adverse traffic impact movements.</p>

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			<p>roads capacity meaning that the proposal would have no material impact on the surrounding road capacity. This conclusion is supported by the Western Australian Planning Commission's Transport Assessment Guidelines for Development Volume 4 which states that where a traffic increase as a result of a proposed development is less than 10% of the current road capacity, it would not normally have a material impact.</p> <p>Given the total number of vehicle movements generated by the proposed Transport Depot and Nursery is low, the proposal will have no material impact on the current road capacity or the amenity of the area. This conclusion is based on a comprehensive Traffic Impact Statement</p>	

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			prepared in accordance with the WAPC's Transport Assessment Guidelines for Developments publication.	
A1154100		All good – No Arguments	Noted	Noted