

NEW SUMMARY OF SUBMISSIONS

Karnup Road, Serpentine 1335 (L598) 17200 / Karnup Road, Serpentine (L599) 402028 / Walker Road, Serpentine (L597) 402117 - Proposed Transport and Storage Depot - PA19/764

SUBMITTER	No.	SUBMITTER COMMENTS	APPLICANT RESPONSE TO SUBMISSION
DWER	1	Thank you for the abovementioned referral which was received on 16 August 2019. The Department of Water and Environmental Regulation (DWER) has reviewed the application and wishes to advise it has no comment to offer at this stage.	Noted.
Water Corporation	2	<p><u>Water and Wastewater</u></p> <p>Reticulated water and sewerage services are not currently available to the subject Lots. (See attached plan)</p> <p>This Development Application does not appear to impact on the Water Corporation's infrastructure or operations.</p> <p>Please provide the above comments to the land owner, developer and/or their representative.</p> 	Noted.
Department of Transport	3	<p>The Department of Transport (DoT) has no comment to provide.</p> <p>Thank you for the opportunity to comment on the proposal.</p>	Noted.
A19203	4	As the crow flies this depot will be 300 meters from our home and stables.	The Applicant has reviewed the surrounding land use and is unable to identify any dwellings within 500m of the proposed transport depot (comprising storage unit and associated

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		I think this rural area should remain just that. A depot is more suited to West Byford Industrial Area.	<p>hardstand area). The nearest dwelling is located at Lot 1293 (No.1259 Karnup Road) which is some 520m to the south-west of the transport depot.</p> <p>The proposed development has been prepared having regard to the property zoning, being 'Rural' in accordance with the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 (TPS2).</p> <p>The specific intended purpose of the proposed transport depot (transfer of explosive materials from one vehicle to another) means locating the use on Rural zoned land is the only practical option available to the Proponent. A large lot size/landholding in the order of at least 100ha) is required to accommodate the separation distances necessary set out in Australian Standard AS 2187.1 to accommodate the safety buffer within land completely in control of the Licensee (controlled area). Whilst lots of sufficient size occur in the Rural zone, locating this land use within an industrial estate would effectively 'sterilise' the industrial area, and be an underutilisation of the industrial zoned land.</p> <p>The purpose and intent of the Rural zone is set out in Clause 5.10.1 of TPS 2 as follows:</p> <p style="text-align: center;"><i>"To allocate land to accommodate the full range of rural pursuits and associated activities conducted in the Scheme Area."</i></p> <p>The activities that are being proposed ('Transport Depot') are an SA use in the Rural zone; implying that this use, at some scale, is considered appropriate within the zone. The proposal is entirely consistent with the purpose and intent of the 'Rural' zone given the minimal on-site activities (approximately four truck movements per month). All built development is minor in nature, is concealed from surrounding lots and public roads and readily satisfies the setback requirements from all of the site boundaries required under TPS 2.</p>

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			<p>Significantly, the existing 'Rural' activities occurring on site (equestrian related) will continue to occur on site, and the approval of this application in no way diminishes the ability to retain rural capacity of either the subject land or surrounding rural land. Rather, the proposed use is of a scale and type which can operate in a manner that is entirely complementary to the existing rural land use.</p> <p>This application for development approval represents the first step in a comprehensive process; with detailed subsequent stages including building permit and premises licensing.</p>
A17550	5	<p>We do not want an explosives depot next door.</p> <p>It is dangerous and will affect property value.</p>	<p>Noted.</p> <p>The operation of the development is governed by the Department of Mines, Industry Regulation and Safety (DMIRS) in accordance with <i>Dangerous Goods Safety (Explosives) Regulations 2007</i> and Australian Standard 2187.1, which determines the amount of product able to be safely stored on site <u>depending</u> on the distance to the nearest <u>uncontrolled</u> boundary (i.e. adjoining properties not owned by the Proponent). The separation distances are conservative distances calculated based on a worst-case emergency event, which is scientifically calculated to ensure that no land outside of the Proponent's land would be impacted.</p> <p>The closest uncontrolled boundary, as illustrated on the Development Plans and within the Development Application Report, is 222.6m to the north from the edge of the proposed storage unit. This distance permits the safe storage of a maximum of approximately 2000 kg of product; however the exact quantity held within the storage unit will be calculated and specified on the forthcoming storage license issued by DMIRS. In any event, the amount of product on site would not be permitted to exceed the maximum amount as determined by the separation distance.</p>

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		<p>Why has Baldivis closed?</p> <p>Where is it being stored now?</p> <p>What is the product called?</p>	<p>Each process within the transfer of goods requires a license (i.e. License to import, License to sell, License to Store (following DA) and License to Transport).</p> <p>Perceived impact on property value is not a valid planning consideration.</p> <p>Baldivis was closed for remediation works by Landcorp to provide for future residential development.</p> <p>Product is currently being stored in the Kalgoorlie Explosives Reserve. The Kalgoorlie Explosives reserve is a government operated reserve, located approximately 7 hours from the Fremantle Port.</p> <p>The types of product stored are Class 1.4s detonators and boosters. The detonators are non-sympathetic, individually packaged with less than a gram of explosive material each. The boosters are non-sensitive materials, which are reliant on detonators for ignition.</p> <p>These products are required to provide for highly controlled, sequenced explosions, typically by mining companies.</p>
A19202	6	<p>Zoning – This area is rural but joins properties that are zoned farmlet on the east and west sides.</p> <p>And also on the north side on Gull Road and Walker Roads.</p> <p>New subdivisions on Walker Road will also be in close proximity to this proposal.</p> <p>A new industrial area has been developed in Kargotich Road only five kilometres away.</p> <p>We already have sand trucks, fuel trucks and water trucks based in the area which creates increased noise levels.</p>	<p>As detailed in the response to Submission #4, industrial or other zoned landholdings are unable to accommodate the required separation distances required by DMIRS.</p> <p>The closest boundary of 'Farmlet' zoned land is 458m east of the proposed transport depot. There is no land zoned 'Farmlet' to the north, west or south of the site. As detailed in the response to Submission #5, the zoning of adjacent land does not increase the risk to safety. The industry is highly regulated. The risk of an emergency is very low, however the stringent regulatory requirements, particularly the requirement for a separation buffer, ensures that there is no risk to land outside of Proponent's landholdings.</p> <p>This application proposes minimal vehicle movements (approximately four truck movements per month) in order to</p>

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		<p>I am at a loss to know why we as ratepayers were not notified in 2017 when this truck depot was approved.</p> <p>The entry to this depot is only 500 meters to a blind corner on Karnup Road where there was a major accident and fatality (<i>sic</i>) two years ago.</p> <p>My other two concerns are:</p> <ol style="list-style-type: none"> 1. Security – no personnel living on site with explosives close to the town site. 2. Bushfire – major fires in the past due to strong easterly winds 3. Explosives – not good to have close to the town with the criminal aspect in the area. (Major break-ins recently in town.) 	<p>operate the facility. This is not considered to be well within what might commonly occur to service rural land.</p> <p>The 2017 Development Application for a Transport Depot (while void now) was assessed and advertised in accordance with the Shire's Town Planning Scheme No. 2 requirements and the <i>Planning and Development Act 2015</i>.</p> <p>As noted above (Submission #3) the proposal was referred to the Department of Transport who advised it had no comment to provide. No concerns were raised in relation to traffic safety.</p> <p>As noted in the response to Submission #5, there is no risk to adjacent landowners in the event of any emergency given the stringent licensing measures that will be in place.</p> <p>The landowner advises that the site will be visited every day in any case to:</p> <ol style="list-style-type: none"> a) Monitor the facility (staff or covert security); and b) Continue the operation of the rural activities already occurring on site (attend to the horses). <p>It is noted that the edge Serpentine Town Site is located 1.9km south-east of the proposed Transport Depot.</p> <p>This development has been supported by a Bushfire Risk Management Plan (BRMP), which demonstrates that any bushfire risk resulting from the proposed operations is entirely able to be managed, and further, that the risk of bushfire on the operations is able to be appropriately managed.</p> <p>This BRMP will be required to be approved, implemented and maintained in perpetuity as a condition of any approval.</p> <p>Security measures are also set out within the Australian Standard 2187.1 and governed by DMIRS throughout the Licensing, Building Permit and Auditing processes.</p>

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			<p>Storage of product requires the following methods to ensure complete security:</p> <ul style="list-style-type: none"> - Construction of the storage unit ('magazine') to the standard of AS 2187.1 – including solid steel construction and one operational opening only. - Construction of a security fence around the magazine including lock and key, barbed wire and chain mesh construction. - Live monitoring of the site by security cameras. <p>The Proponent has advised that it is their standard practice to employ security patrols to monitor the site throughout the day.</p>
A17900	7	<p>I strongly oppose the Development Application for Lots 598 & 599 Kamup Road, Serpentine and Lot 597 Walker Road Serpentine - Proposed Transport Depot.</p> <p>The proposed land is zoned Rural under the Metropolitan Regional Scheme, as is adjacent land holdings. To the east of the subject properties is a large area reserved from Parks and Recreation.</p> <p>Given the outline of the proposed development on the site, it is more in line with an industrial/commercial development which is not in line with current zonings.</p> <p>Furthermore, the proposed storage facility will house high-risk dangerous Class 1 explosives in a severe bush fire prone area subject to a Bushfire Management Plan.</p>	<p>Noted.</p> <p>The MRS is a 'broad brush' statutory planning instrument, whereas the primary instrument to consider the suitability of land uses is the Shire's Town Planning Scheme. The Shire's Town Planning Scheme No. 2 is required to be consistent with the Metropolitan Region Scheme. On the basis that a Transport Depot is capable of approval within the Rural zone under the Shire's Town Planning Scheme, this use must also be consistent with the intended purpose of the Rural zoning under the MRS. Refer also to response to Submission #4.</p> <p>Refer response to Submission #4.</p> <p>Refer response to Submission #6 (2).</p>

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		<p>The application states that the proposed development will be left relatively unattended and will only be the subject of traffic "approximately once a month" as explosives are transferred to the site. This effectively exposes neighbouring land owners to being located adjacent to a unmanned Class 1 explosive storage facility for most of the time, in a high risk bush fire area.</p> <p>As an adjacent land owner, I see no merit in allowing a development to take place at this location which:</p> <ul style="list-style-type: none"> • Will not comply with current land uses • Will be used to store Class 1 high risk explosives • Will be left unmanned for more than 25 days a month • Is in a high risk bush prone area and do not support the application. 	<p>Refer response to Submission 6 (3).</p> <p>'Transport Depot' is a permitted use within the Rural zone subject to public advertising and discretion by the Shire. The proposal will not impact on existing or future use of rural land in this locality.</p> <p>Refer to responses to Submission #6(1) and #6(3), outlining the various methods ensuring the safety and security of the facility.</p> <p>Further, it is important to reiterate that the incidental storage of this product does not generally exceed a period of 1-2 days and the site will be visited daily by staff and/or security.</p> <p>Refer response to Submission #6(2).</p>
A11700	8	<p>We do not support the development application for a transport depot and short term storage of demolition explosives on Lots 598 & L599 Karnup Road as it is not in keeping with the rural amenity for the area that Council is fostering and:</p> <ol style="list-style-type: none"> 1. The rural zoning of the land as per TPS2, Clause 5.10.1 sets out that the land is to "accommodate the full range of rural pursuits and associated activities". A transport depot and storage of explosives is not a rural pursuit nor an associated activity. 	<p>Refer response to Submission #4.</p> <p>Refer response to Submission #4.</p>

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		<p>2. WAPC's State Planning Policy 2.5 has the "intent of the protection and preserving the State's rural zoned land", policy measure</p> <p>a. Supports uses for "primary production, regional facilities, environmental protection and cultural pursuits"</p> <p>Again the proposed transport depot and explosives storage would not fit any of these uses.</p>	<p>For reference, policy measure a) states as follows (bold for emphasis):</p> <p><i>"Continue to promote rural zones in schemes as flexible zones that cater for a wide range of land uses that may support primary production, regional facilities, environmental protection and cultural pursuits."</i></p> <p>The Applicant considers the proposal to be consistent with the objectives and policy measures set out in SPP 2.5, as the approval of this application will not diminish the rural amenity or function of the land. Rather, it is a small scale use which is complementary to the existing use of the land for rural (equestrian) activities.</p>
A398097	9	<p>I am very against this development as I have a number of very valuable horses kept on my nearby property as well as my small children riding on small ponies so in the case of a detonation could cause a huge safety risk to the horses and children.</p>	<p>Refer response to Submission #6(3). It is also noted the primary use of the subject site is for equestrian activities (breeding of horses). The Proponent clearly has no intention of jeopardising the safety of horses on their own property and considers the use can comfortably co-exist alongside the existing rural use of the land.</p>
A11302	10	<p>We object to the storage of explosives at the proposed site.</p> <p>These should be stored in a mining or industrial zoning like the one at Mundijong and should not be this close to the Townsite.</p> <p>This will also negative impact on our property values.</p>	<p>Refer response to Submission #4.</p> <p>Perceived impacts on property value is not a valid planning consideration.</p>
A398098	11	<p>The area is rural not industrial so needs to be in an industrial area.</p>	<p>Refer response to Submission #4.</p>
A398098	12	<p>Are against the proposal.</p> <p>It should only be allowed in industrial area.</p>	<p>Refer response to Submission #4.</p>
A19201	13	<p>We object to the Development Application for Lots 598 and 599 Karnup Road Serpentine and Lot 597 Walker Road Serpentine</p>	<p>The purpose and intent of the Shire of Serpentine-Jarrahdale's Town Planning Scheme No. 2 are broad, overarching objectives relating to the function of the Scheme itself. It is more relevant</p>

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		<p>Proposed Transport Depot Including Short Term Storage of Demolition Explosives.</p> <p>The storage of explosives would not be in line with the purpose and intent of the Shire of Serpentine Jarrahdale Town Planning Scheme No 2.</p>	<p>to consider the objectives of the zone, as has been considered within the planning report, and within the response to Submission #4.</p>
A402116	14	<p>Application does not address its' emergency response if there is an explosion and / or / if a truck is involved in an accident on Karnup Road.</p> <p>Address the maximum blast zone radius and what it effects.</p> <p>Can the local services cope with this?</p> <p>We are not in favour of this proposal.</p>	<p>Refer response to Submission #6(2).</p> <p>An operational management plan including emergency response plan is a requirement of the DMIRS as part of the Application for a License to Store Explosives Product process.</p>
A52702	15	<p><i>Our objection to the Development Application of lots 598 & 599 Karnup Road and Lot 597 Walker Road Serpentine.</i></p> <p>Proposed Transport Depot Including Short Term Storage Of Demolition Explosives.</p> <ul style="list-style-type: none"> • Will SJSC rezone the said area of proposed Transport Depot to Industrial? • Owner has 150 acres of land, what makes you think the owners will store only one truck and not turn this application into 150 acres of explosive storage. • Serpentine Townsite and primary school is only 1.5 km from this proposed site. • When do you endeavour to inform the whole town site of a proposed explosives storage? 	<p>Transport Depot is an 'SA' use within the Rural zone & does not require the land to be rezoned.</p> <p>This industry is heavily regulated by DMIRS, and incurs stringent audits and reporting per shipment to ensure a closely detailed chain of custody and that no risk of 'overstocking' product can occur.</p> <p>Refer response to Submission #5.</p> <p>There is no risk to any adjoining neighbours, as noted in the BRMP and governed by DMIRS.</p> <p>Refer responses to Submissions #6(1) and #6(2).</p> <p>This application has been advertised in accordance with the Shire's Scheme requirements and the <i>Planning and Development Act 2015</i>.</p>

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		<ul style="list-style-type: none"> • Rural is NOT the place to be allowing storage of explosives, • Parks & Recreation next to an explosives depot? • Spillage, unloading and washing of vehicle's? • Our drinking water is bore water, so any spillage will make its way into our water course. • Kargotich Road, now industrial would be a far better option. • Explosives are not labelled High Risk for nothing. • Of what regional benefit is this? • Security, break ins are high on us opposing. • Future subdivision through Walker and Karnup Roads will be scrapped. Who wants to live opposite an explosives depot? • Given the accidents that have already occurred on Karnup Road near the proposed site, one would 	<p>Refer response to Submission #4.</p> <p>This vegetation has been assessed as part of the BRMP.</p> <p>These activities are not proposed to occur on site.</p> <p>The products proposed to be stored are completely sealed and not soluble in water.</p> <p>Refer Submission made by Department of Water and Environmental Regulation (Submission #1) which confirms it has reviewed the application and has no comments to make.</p> <p>Refer response to Submission #4.</p> <p>Refer response to Submissions #5 and #6(1).</p> <p>The application will provide economic diversification within the local government area, while maintaining the rural amenity of the locality.</p> <p>Refer response to Submission #6(3).</p> <p>Land to the east of Walker Road and south of Karnup Road has been identified as 'Urban' under the Sub-Regional Planning Frameworks. The Shire have reflected this zoning within their draft Local Planning Scheme No 3 (currently being publically advertised), by rezoning this land 'Rural Residential'. It is noted that further subdivision is likely to occur in this application; however, as detailed in the Response to Submission #5, there is no risk to land outside of the subject site, despite the land's zoning.</p> <p>Perceived impact on land saleability is not a valid planning consideration.</p> <p>The development proposes approximately four truck vehicle movement (in and out) per month, well within what could</p>

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		<p>assume council would be a little hesitant on this decision?</p> <ul style="list-style-type: none"> Will this property be listed as a must see tourist destination for Serpentine? <p>We strongly oppose this application and request Council do the same.</p>	<p>reasonably expected to occur as part of normal rural land use on the subject land.</p> <p>Facilities such as this are best kept discrete and no formal advertising or signage forms part of this application.</p>
A17550	16	<p>I have a medical condition – Parkinson’s disease. I have to avoid stress. I find the thought of a storage facility with explosives very stressful.</p> <p>Also it will affect the property value of my kids inheritance when I die.</p>	<p>Proposals of this type are highly regulated and audited per shipment by the DMIRS in accordance with the regulations. Refer response to Submission #5.</p> <p>This application is also supported by a Bushfire Risk Management Plan, ensuring the safe operations of the facility. Refer response to Submission #6(2).</p> <p>Perceived impacts on property value is not a valid planning consideration.</p>
A11301	17	<p>I am strongly opposed to the proposed storage of demolition explosives so close to my home.</p> <p>Having resided here in this residence for 21 years and now having two young children we feel this proposal is a threat to our rural lifestyle.</p>	<p>Refer to response to Submissions #4, #5 and #6(1).</p>
A53000	18	<p>We object to this proposal.</p> <p>We have concerns regarding this development application:</p> <ul style="list-style-type: none"> No financial benefit to Serpentine as this development application not in keeping with Rural Zoning 140 acre approval for what appears to qualify more appropriately as an Industrial Business operation which may set precedence for neighbours to also lodge applications for more industrial type developments in Serpentine 	<p>Refer response to Submission #4.</p> <p>As illustrated in the proposed Development Plans, and documented within the Planning Report, the development area is predominantly included for achieving suitable distance from neighbouring properties, in accordance with the <i>Dangerous Goods Safety (Explosives) Regulations 2007</i>. This area will continue to be used for rural purposes.</p>

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		<ul style="list-style-type: none"> • It may negatively impact on established Serpentine residents future land and rental values • Appears that preparations to go ahead with the development have already commenced without general Serpentine community feedback- Majority of residents within the township are unaware • No letters were received by closer neighbouring land owners • Loaded Semi-trailers (with detonators that do contain a small explosive) will be utilising a road that has a dangerous bend and history of numerous accidents including 5 five accidents in one year. • Semi-trailers would need their own turning lane- road interruptions • It appears that no one will be living on site so it will need power to monitor the site for security. Where would the power supply originate from and would lines cross over other land owners boundaries? • Have State Emergency Services, FIFA and Volunteer fire brigades been made aware of this application and 	<p>The actual development and use of the site is limited to the proposed purpose-built storage unit (140m²), a new hardstand and an extension to an existing driveway.</p> <p>The land use permissibility of this use in the Rural zone is SA, giving the Council discretion of all future planning applications.</p> <p>Perceived impact on property value is not a valid planning consideration.</p> <p>There has been no development on site related to this Application. Rural activities (operation of agricultural machinery) has always occurred to ensure the property upkeep, as is expected for rural landholdings.</p> <p>The application has been advertised in accordance with the Shire's Scheme requirements and the <i>Planning and Development Act 2015</i>.</p> <p>Both the packaged explosives product and the truck are purpose built to ensure minimal impact in the event of an emergency. Refer Australian Code for the Transport of Explosives by Road and Rail.</p> <p>Further, the transport of explosive materials is subject to separate licensing and auditing by DMIRS, for both for drivers and vehicles.</p> <p>This application proposes approximately four truck movements per month, which can be easily accommodated within the existing network. These are not always semi-trailers; the BlastTech vehicle is rigid body purpose built explosives truck.</p> <p>The site has existing connections to the electrical network, which will be utilised to power the required security monitoring cameras.</p> <p>The application was supported by a Bushfire Risk Management Plan which will be referred to the Shire's internal fire management department and DFES if required. The BRMP</p>

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		<p>been given a opportunity to conduct a risk assessment report in what is a high bush fire prone area?</p> <p>For the record we currently object to this proposal and request that the council please reply back to this letter and advise us of the date and time that the council will be meeting to discuss this Development Application so we can attend.</p> <p>We will arrange for a representative to speak on our behalf prior to that meeting and We will be requesting that the council defer a decision regarding this proposal until public consultation is offered to all residents of the serpentine town sit and interested residents have been given the opportunity to also provide formal feedback regarding this proposal</p>	<p>concludes that the risk generated by this development is entirely manageable.</p> <p>It is further noted that the advertising of this proposal has been entirely in accordance with the Shire of Serpentine-Jarrahdale standards, and the <i>Planning and Development Act 2015</i>.</p> <p>It is also noted that the advertising period was extended by an additional week to allow for additional public submissions to be received.</p>
A52552	19	<p>I strongly object to the development application for a " PROPOSED TRANSPORT DEPOT INCLUDING SHORT TERM STORAGE OF DEMOLITION EXPLOSIVES" at LOT 597 Walker Rd Serpentine, "the subject land", my adjoining property!</p> <p>1) I strongly object to this proposed development as noted in 4.1 overview "<i>Approval will result in the use of the site for a Transport Depot and the incidental short-term storage of demolition explosives ...</i>" INCIDENTAL short-term storage. The proposal completely plays down the storage of explosives which concerns me greatly in relation to the potential safety, security, environmental, etc etc impacts on my property and the local community.</p> <p>2) The Operations Details 4.3 "<i>Product is generally stored for short periods of time, of not more than four weeks.</i>" 4.4 "<i>Outgoing deliveries generally occur once a month</i>" This proposal is indicating that ultimately storage will be</p>	<p>Noted.</p> <p>The proposed land use was discussed and confirmed prior to submission of a Development Application, in consultation with the Shire of Serpentine-Jarrahdale planning department.</p> <p>The storage component is incidental to the transfer of products between vehicles during transportation and shall occur only in circumstances whereby the goods cannot be safely transported to their destination within a given time frame (i.e. transporting goods during daylight hours cannot be achieved, or issues with the availability of a licensed transportation vehicle etc.).</p> <p>It is not anticipated that the storage of this product would generally occur for periods greater 2-3 days, although some extended periods might occasionally occur.</p> <p>The storage component is a contingency safety control, required by DMIRS. Any storage of the product will depend on</p>

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		<p>12 months of the year with monthly shipments in and out of the depot. The incidental short-term storage depot will potentially have explosives stored there permanently barring a few days between shipments in and out.</p> <p>3) The operational details 4.3 <i>"The Subject Site is considered an appropriate and efficient location given its closer proximity to the final destination. Currently, the nearest explosives Reserve is located in Myalup., which requires a significant amount of backtracking en-route to Kalgoorlie."</i> This proposal is based on COST saving due to the de-commissioning of the Baldivis Explosives Reserve this year and its relocation to the new site - 75 km south at Myalup.</p> <p>There are ONLY 4 Explosives reserves in this state of Western Australia, 2 in the North West, 1 in Kalgoorlie and 1 locally, the Baldivis Explosives Reserve, which was de-commissioned this year and relocated to the new Mclarty site in Myalup. The state government and various authorities spent 8 years investigating 17 sites as a suitable alternative to the current Baldivis site. The new Mclarty site at Myalup was the ONLY site that met all the relevant criteria.</p>	<p>incoming shipments received at the Fremantle Port and their ability to deliver the product.</p> <p>This proposal seeks to improve the safety, efficiency and chain of custody requirements required by DMIRS. This application will reduce the transit time to secure storage facilities, and ensure that deliveries can be made within 12 hour periods (i.e. during daylight hours).</p> <p>This Application does not propose the creation of an Explosives Reserve, but merely, the safe and efficient private storage of relatively small quantities of explosive products on private land.</p> <p>An explosives reserve requires a much larger land area in order to accommodate a significantly larger quantity of explosive material for common users; hence the length of time required to investigate, purchase and rezone this land accordingly. The separation area of this site is calculated using the same formula as applied in this instance.</p> <p>Private explosive storage occurs in a range of locations throughout the state, all subject to the licencing, auditing and governing by the DMIRS. Similar applications include:</p> <ul style="list-style-type: none"> - Licensed shotfirers (including for demolition); and - Quarrying operations. <p>The Applicant has received confirmation from DMIRS that as of 7 November 2019, there are currently 2,790 active shot firing licenses and 290 current explosives storage licenses</p>

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SUBMITTER	No.	SUBMITTER COMMENTS	APPLICANT RESPONSE TO SUBMISSION
		<p>I am seriously concerned as to the motives behind the proposed development of a "transport depot with incidental short-term storage of demolition explosives" at Lot 597 Walker Rd Serpentine. There are only 4 explosives reserves in WA servicing the entire state, strongly built on a mining economy.</p> <p>I am concerned that the cost of "a significant amount of backtracking" outweighs the cost of development, security, safety, etc etc at the proposed site, and the potential impact, however great or small, on the local community!</p> <p>The state government spent 8yrs investigating 17 sites and ONLY 1 was suitable. I have been given 3 weeks, NOT 8yrs, to do my research before giving my submission. I will continue to do my research and investigations despite the close of submissions being Wednesday the 4th September 2019 and I trust that my Local Government will take the time to investigate this development proposal thoroughly!</p>	<p>throughout WA (in addition to the four government reserve sites).</p> <p>The use of the subject site for product transfer to a licensed delivery vehicle and incidental storage has been proposed to achieve best practice in the overall safety and efficiency of the delivery of the licensed products. This location reduces the time product is in the first vehicle, and provides safer, more responsible and higher quality transport options.</p> <p>This proposal seeks to improve the safety, efficiency and chain of custody requirements required by DMIRS. The location of the Myalup Explosives Reserve is unsuited to this purpose.</p>
A398271	20	<p>I strongly oppose this application; and particularly the proposal to store Class 1 Explosives on the site. Despite a previous application for a Transport Depot being approved, the proponent did not significantly move ahead with that approval which was given more than two years ago. Appendix C 'Development Approval 7 Feb. 2017' is a cover page only and as I cannot see this application recorded in OCM Minutes around that time, I assume that the approval was given under Officer Delegated Authority; which more than two years on may not be acceptable under the current Council policies.</p> <p>The proponent suggests the retention of the rural use of the land as a benefit of the proposed Transport and Storage facility; but given the Rural Zoning of the land, it is the only use possible and therefore this assurance holds no weight.</p>	<p>This application is separate to the previously approved, lapsed Transport Depot approval. It is open to the Proponent to move forward with a development once approved, or not, depending on various considerations at the time.</p> <p>Refer response to Submission #4 and #5.</p>

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SUBMITTER	No.	SUBMITTER COMMENTS	APPLICANT RESPONSE TO SUBMISSION
		<p>The proponent quotes Clause 5.5 of SPP 2.5:</p> <p>a) Continue to promote rural zones in schemes as flexible zones that cater for a wide range of land uses that may support primary production, regional facilities, environmental protection and cultural pursuits.</p> <p>It appears to me that any 'Regional' benefits would not be to this Shire, but to the region where the explosive will ultimately be used. I.e. Kalgoorlie. The proposal certainly doesn't meet any of the other benefits mentioned.</p> <p>There is a relatively new, purpose built storage facility for such goods at Myalup. Other companies handling similar goods presumably use this facility; which must surely be secure and serviced by appropriate roads. It seems to me that rather than use the Myalup facility, it is more convenient for the proponent to store Class 1 Explosives on a Rural property in Serpentine – without regard for the wider community and road users in the area and despite that fact that another alternative exists.</p> <p>Karnup Road, is a narrow road, with few opportunities for a large heavy vehicle to pull off the road – for any reason. Increasingly heavy traffic on this and other local roads adds to the risk of carrying explosive goods – despite assurances from the proponent that the risk is small. If this was the case, storage and transport of these goods would not be required to be 'heavily regulated by the Department of Mines, Industry Regulation and Safety' as stated in the proposal. A semi-trailer of any description of Karnup Road as it currently stands presents a risk to other traffic.</p> <p>The proponent states that goods may be stored for up to 4 weeks; and that shops carrying the goods on a regular basis; therefore it is possible that while any given shipment may reside at the site for 4 weeks only, the regular arrival of further goods could well mean that the site holds Class 1 explosives almost continuously.</p>	<p>Refer response to Submission #8.</p> <p>Refer responses to Submission #19.</p> <p>There are over 150 private licensed storage facilities throughout Western Australia.</p> <p>This application proposes four truck movements by a DMIRS Licensed driver in a DMIRS Licensed vehicle per month, which can be easily accommodated within the existing network. It is noted the semi-trailer vehicles which will not exceed 19m in length are 'as of right' vehicles on Karnup Road. Also refer to Submission #3.</p> <p>The rigid body explosives truck is purpose built for the transport of explosive material, built to the standard required by the Australian Code for the Transport of Explosives by Road and Rail.</p> <p>The shipments and deliveries are managed by Blast-Tech staff on internal schedules to ensure no breach to the approved capacity is reached. Where-ever possible, products will be transferred from inbound vehicles to outbound vehicles on the same day to maximise operational efficiency.</p>

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SUBMITTER	No.	SUBMITTER COMMENTS	APPLICANT RESPONSE TO SUBMISSION
		<p>The fact that the proposed site is within a Bushfire Prone Area, and that it will not be attended on a daily basis presents a further risk to surrounding properties. In the event of a fire; hoping that someone else will be responsible for seeing, reporting and early intervention is hardly acceptable; given the nature of the goods proposed to be stored.</p> <p>As far as I can tell, the proponent does not mention actual distances from neighbouring properties and buildings, and any constraints that the proposed development may place on those land owners – either real or because of justifiable concerns regarding the nature of goods to be stored.</p> <p>As a long term resident of the Shire; I am extremely concerned that descriptions of acceptable discretionary uses for Rural zoned land were written more than 30 years ago, at a time when the Shire was largely a rural one, and that the rural properties of the day were larger and had fewer dwellings. Very different from the Shire today. 'Transport Depot' covers a multitude of actual operations and that it is now common place for individuals and companies to take the cheaper option of purchasing Rural zoned land and tailoring their proposals to fall within the very broad umbrella of 'Transport Depot'. In recent years the Shire has been the recipient of numerous 'transport depots' many of which operate with little regulation or apparent concern for our community. As for employment opportunities offered by these 'transport depots' – they rarely seem to create local jobs; but do often create local problems.</p>	<p>Further, DMIRS conducts audits and inspections of the facility to ensure compliance with all required regulations (as set out in response to Submission #5).</p> <p>Refer response to Submission #6(2).</p> <p>As noted in <i>Section 4.5 of the DA report and illustrated on the Development Plans</i>, the closest <u>uncontrolled boundary</u> to the proposed storage facility is 222.6m to the north, which is the determining factor as to how much product can be stored on site; in accordance with <i>Australian Standard 2187.1-1998</i>.</p> <p>Refer response to Submission #5.</p> <p>Refer response to Submissions #4 and #5, providing justification as to the purpose of 'Rural' zone land being considered appropriate to accommodating this use.</p> <p>This application proposes the following operation of the facility:</p> <ul style="list-style-type: none"> - The transport of material from the Fremantle Port to the subject site, in a retrofitted sea container; - The transfer of goods from the retrofitted vehicle to a purpose built explosives truck (when able); - The transport of material to private customers throughout the state; - Occasional storage of material in a purpose built facility when unable to deliver in a single day. <p>The predominant purpose of this facility is to provide a safe and responsible location to undertake the transfer of explosive material from one vehicle to another (when able) to improve the chain of custody of this material. The incidental storage</p>

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SUBMITTER	No.	SUBMITTER COMMENTS	APPLICANT RESPONSE TO SUBMISSION
		<p>I fully support the development of local industries and employment opportunities, but believe that they should genuinely support rural pursuits if they are to operate on Rural land; and that they meet community expectations for safe and appropriate land use.</p>	<p>component is merely a contingency required by the DMIRS as part of licensing, to ensure that product is able to be safely stored in the event of any delay to delivery.</p> <p>The definition of a Transport Depot is set out in Appendix 1 of the Shire's TPS 2 as follows:</p> <p><i>"Transport Depot - means land or buildings designed or used for one or more of the following purposes:</i></p> <p style="padding-left: 40px;"><i>(a) The parking or garaging of more than one commercial vehicle used or intended for use for the carriage of goods (including livestock) or persons.</i></p> <p style="padding-left: 40px;"><i>(b) The transfer of goods (including livestock) or passengers from one vehicle to another vehicle.</i></p> <p style="padding-left: 40px;"><i>(c) The maintenance, repair or refuelling of vehicles referred to in (a) or (b) above."</i></p> <p>The proposed use will be used for the parking of the purpose built transport vehicle in between deliveries. The site will also be the location in which the transfer of goods occurs (from one vehicle to another). The proposed use is therefore most consistent with the definition of 'Transport Depot'.</p> <p>The actual development and use of the site is limited to the proposed purpose-built storage unit (140m²), a new hardstand and an extension to an existing driveway. The remaining land is included <u>only for the purpose of achieving a compliant separation distance to adjoining neighbours</u> and will retain its current rural infrastructure and equestrian land uses.</p> <p>Refer response to Submissions #4, #5 and #6(1).</p>
A52551	21	Point 1.1	Refer responses to Submission #4 .

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SUBMITTER	No.	SUBMITTER COMMENTS	APPLICANT RESPONSE TO SUBMISSION
		<p>Extract: https://www.dplh.wa.gov.au/information-and-services/district-and-regionalplanning/region-planning-schemes/metropolitan-region-scheme/zones,-reservations-andbush-forever-areas</p> <p>Metropolitan Region Scheme Zones definition:</p> <p>Industrial and special industrial: Land in which manufacture, processing, warehousing and related activities are undertaken.</p> <p>Rural: Land in which a range of agricultural, extractive and conservation uses are undertaken.</p> <p>The above extract from Department of Planning, Lands and Heritage demonstrates that the correct zoning for the current and planned activities on site should be "Industrial or Special Industrial" because of the following:</p> <p>Processing- Blast Tech has associations with Johnex Explosives Pty Ltd who currently undertake some processing activities on site within the existing facilities and this may continue, and possibly increase, in the future use.</p> <p>Warehousing- The storage of Class 1 products described is best defined as warehousing, not agricultural, extractive or conservation activities.</p> <p>Transport- The transport component of the application is intrinsically linked and associated with the Class 1 products which activities require processing and warehousing.</p> <p>Point 1.2</p> <p>In all the documentation supplied, I am unable to see any MSDS or related specifications of the Class 1 explosive products, so forming an opinion of the potential environmental impact is impeded by the lack of information for the explosive storage.</p> <p>The environmental impact of a 52 hectare transport depot needs to be addressed before any approval is given.</p>	<p>This submission speculates that Blast-Tech <u>might</u> undertake processing activities on site, which is incorrect and does not form part of this application.</p> <p>Refer to response to Submission #20 above in relation to land use classification.</p> <p>Refer response to Submission #1 and #5.</p> <p>MSDS information can be provided on request.</p> <p>The only improvements to site proposed this application are as follows:</p>

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SUBMITTER	No.	SUBMITTER COMMENTS	APPLICANT RESPONSE TO SUBMISSION
		<p>Environmental impact on the ground water from petroleum and hydrocarbon products is well known and preventative measures for floodwater fall and control measures such as separation pits is a must on such a large transport depot.</p> <p>Point 1.3</p> <p>Protection of the Shire of Serpentine Jarrahdale' s road infrastructure is a key concern, as there is no mention of installing 40mm asphalt to the Karnup Road entrance area's to Lots 598 & 599. The key concern is that the whole 52 hectares (130 acres) could be fully developed into a transport depot in time holding significant amounts of vehicles. The large amount of vehicle movement, thus impacting on the crossovers, which is local authority infrastructure and should be protected. This protection should be installed at the applicant's expense.</p> <p>Point 1.4</p> <p>Karnup Road safety - The supplied DA documentation describes the use of semi trailer trucks. To manoeuvre such vehicles requires a larger turning circle and for such reasons the issue of road safety needs to be raised. The carriageway servicing all proposed properties needs to be improved to service the maximum number of vehicles envisaged once the full 130 acres of transport depot has been developed in the future. If the local authority fails to impose such a condition,</p>	<ul style="list-style-type: none"> - A 140m² storage facility; - An extension to the existing hardstand to be constructed and formalised to the standard required by the Shire of Serpentine-Jarrahdale; - An extension to the existing driveway on Lot 599. <p>The remaining site are will retain its existing rural and equestrian infrastructure for those uses to continue. The proposed development cannot reasonably be categorised as a 'large transport depot'.</p> <p>All of the development proposed by this application are not uncommon within the rural area, and the existing landscapes are capable of containing all stormwater runoff generated by the new hardstand and storage facility.</p> <p>This submission speculates an extension of works beyond the proposed Development Plans and should be dismissed.</p> <p>Any approval of this application would be an approval of the <u>works/use shown on the Development Plans only</u> and the use or development outside of this approval would be subject to a separate application and approval by the Shire.</p> <p>This submission speculates on an extension of works beyond the proposed Development Plans and should be dismissed. Refer also to response to Submission #3.</p> <p>A condition of planning approval may require crossover upgrades if warranted and commensurate with the intensity of the use, however in the case, only four semi-trailer vehicle movements are anticipated per month, which can be easily accommodated within the existing road network.</p>

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SUBMITTER	No.	SUBMITTER COMMENTS	APPLICANT RESPONSE TO SUBMISSION
		<p>then the applicant may in the future impose on the SJ Shire for upgrades to the carriageway outside all three lots, because of the SJ Shire approving such a large depot and large traffic movements is a foreseeable event. A turning lane, road widening and appropriate signage meeting the relevant Australian Standard should be installed at the applicant's expense for each and every road access point.</p> <p>If the applicant argues his case on this matter, then the alternative is to relocate proposed storage and transport depot proposal to Lot 599 only.</p> <p>Point 1.5</p> <p>The alternative and more suitable location for a 52 hectare transport depot is the West Mundijong Industrial Area which have rail and Tonkin Highway access instead of a minor carriageway.</p> <p>Point 1.6</p> <p>According to SJ Shire Equine Strategy, the shire is the " largest equine centre in WA". It would be detrimental to lose 130 acres of equine industry property to be made into a Transport Depot which typically made up of significant areas of hardstand and the remaining is covered with warehousing, sheds, ancillary buildings and equipment required for maintenance and support of a large amount of vehicles in such a large transport depot. (see appendix 1&2)</p> <p>This type of business should be expected to be accommodated in either, the Card up Business Park or the West Mundijong Industrial Area which has better access to transport route options, rather than a narrow carriage way of Kamup Road that cannot safely allow the turning capabilities of semi-trailers as described in the supplied DA documentation.</p> <p>Point 1.7</p>	<p>Refer response to Submission #4.</p> <p>This submission speculates on an extension of works beyond the proposed Development Plans and should be dismissed.</p> <p>Any approval of this application would be an approval of the <u>works shown on the Development Plans only</u> and the use or development outside of this approval would be subject to a separate application and approval by the Shire.</p> <p>This application proposes approximately four truck movements per month, which is considered negligible in the context of the road.</p> <p>This submission speculates on an extension of works beyond the proposed Development Plans and should be dismissed.</p>

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SUBMITTER	No.	SUBMITTER COMMENTS	APPLICANT RESPONSE TO SUBMISSION
		<p>If the development application is approved it sets a precedent for Lots 149, 595 & 596 to also to become hardstand areas, thus creating a potential 110 hectare mini industrial area for Serpentine.</p> <p>Point 1.8</p> <p>The DA should be rejected due to the fact that the applicant has taken over the Walker Road Reserve adjacent to whole boundary of Lot 598 and appears to have no intention to return it to the people of Serpentine.</p> <p><i>A. The Shires Local Law relating to livestock in Public Places and Wandering at Large places restrictions on owners of animals regarding where the animal(s) cannot be tethered or kept. I have included Part 2 - Clause 3 for your reference:</i></p> <p>PART 2- GENERAL</p> <p>3. An owner shall not:</p> <p>(1) allow any animal which has a contagious or infectious disease, parasitic infection to be in any public place at any time</p>	<p>Any approval of this application would be an approval of the <u>works shown on the Development Plans only</u> and the use or development outside of this approval would be subject to a separate application and approval by the Shire.</p> <p>It is not the Applicant's intention to further develop this site for the storage of vehicles in the future.</p> <p>This application does not propose any additional improvements other than a hardstand and incidental storage facility. The rest of the rural zoned land will remain as is, including the existing pastures and equine infrastructure.</p> <p>Each proposal is assessed in terms of its own merits. In any case, a Transport Depot is a 'SA' use in the 'Rural' zone, whereby the local government have discretion to approve (or refuse) a development. In terms of this proposal, it has been demonstrated throughout the DA report that there is no visual/built form impact on the existing amenity, and truck movements (and therefore the associated acoustic impact) are minor; ensuring no impact on amenity in this regard.</p> <p>The purpose and intent of this submission is unclear and in any event is irrelevant to this development application. All proposed development is located within the boundaries of the subject land.</p>

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SUBMITTER	No.	SUBMITTER COMMENTS	APPLICANT RESPONSE TO SUBMISSION
		<p>or to come from any quarantined premises, property or district without veterinary clearance;</p> <p>(2) train or race any animal in a thoroughfare or public place that has not been designated, vested or leased for that purpose;</p> <p>(3) allow livestock to be tethered in any public place without written approval from the local government;</p> <p>(4) allow livestock to be tethered or kept in any thoroughfare or access way.</p> <p>(5) allow livestock to be unsupervised in any public place;</p> <p>(6) allow livestock to wander at large: Which shall mean, knowingly or willingly set animals free or by creating a means or opportunity for which livestock is able to wander at large;</p> <p>(7) cause livestock to wander at large: Which shall mean, failing to provide adequate fencing or gates, or by failing to repair or keep in good condition fencing or gates required to contain livestock within a property boundary.</p> <p>Offences relating to the above should incur applicable fines.</p> <p><i>B. Under the " Local Government {Uniform Local Provisions} Regulations 1996" the applicant has breached many regulation and is subject to one or many related fines (see appendix 3}</i></p> <p>6. Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a)</p> <p>7. Encroaching on public thoroughfare- Sch. 9.1 cl. 3(2)</p> <p>8. Separating land from public thoroughfare- Sch. 9.1 cl. 4</p> <p>9. Permission to have gate across public thoroughfare - Sch. 9.1 cl. 5(1)</p> <p>17. Private works on, over, or under public places- Sch. 9.1 cl. 8</p>	

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		<p>Offences relating to the above should incur applicable fines.</p> <p>C. Serious Impact</p> <p>The blocking off Walker Road is a serious safety risk to myself and my family as I have only one point of choice to flee in case of fire or danger. My family & I should by rights have two (2) points of choice in case of an emergency. It is foreseeable that a fire may endanger our lives and we need that second point of choice. A fire swept through this and surrounding properties approx 15 years ago with devastating consequences. The applicant has endangered our lives further by not installing gates at each end of the road reserve, which may reduce the risk if they can be opened in an emergency.</p> <p>The impact on horse riders from the Gull road side is significant as their road journey to the Pony Club is seriously lengthened by the blockade, thus causing a higher risk possibility.</p> 	

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		<p>Google Maps Example of a long term outcome</p>  <p>APPENDIX 3</p> <p style="text-align: center;">Reprinted under the <i>Reprints Act 1984</i> as at 24 May 2013</p> <p style="text-align: center;">Western Australia</p> <p style="text-align: center;">Local Government (Uniform Local Provisions) Regulations 1996</p> <p style="text-align: center;">Contents</p> <table border="0"> <tr><td>1.</td><td>Citation</td><td>1</td></tr> <tr><td>2.</td><td>Commencement</td><td>1</td></tr> <tr><td>3.</td><td>These regulations operate as local laws</td><td>1</td></tr> <tr><td>4.</td><td>Terms used</td><td>1</td></tr> <tr><td>5A.</td><td>Notes not part of regulations</td><td>2</td></tr> <tr><td>5.</td><td>Interfering with, or taking from, local government land</td><td>2</td></tr> <tr><td>6.</td><td>Obstruction of public thoroughfare by things placed and left — Sch. 9.1 cl. 3(1)(a)</td><td>3</td></tr> <tr><td>7A.</td><td>Obstruction of public thoroughfare by fallen things — Sch. 9.1 cl. 3(1)(b)</td><td>6</td></tr> <tr><td>7.</td><td>Encroaching on public thoroughfare — Sch. 9.1 cl. 3(2)</td><td>6</td></tr> <tr><td>8.</td><td>Separating land from public thoroughfare — Sch. 9.1 cl. 4</td><td>7</td></tr> <tr><td>9.</td><td>Permission to have gate across public thoroughfare — Sch. 9.1 cl. 5(1)</td><td>7</td></tr> <tr><td>10.</td><td>Gate across thoroughfare not to be left open — Sch. 9.1 cl. 5(2)</td><td>9</td></tr> <tr><td>11.</td><td>Dangerous excavation in or near public thoroughfare — Sch. 9.1 cl. 6</td><td>9</td></tr> <tr><td>12.</td><td>Crossing from public thoroughfare to private land or private thoroughfare — Sch. 9.1 cl. 7(2)</td><td>12</td></tr> </table> <p>As at 24 May 2013 Version 02-a0-04 Published on www.legislation.wa.gov.au page</p>	1.	Citation	1	2.	Commencement	1	3.	These regulations operate as local laws	1	4.	Terms used	1	5A.	Notes not part of regulations	2	5.	Interfering with, or taking from, local government land	2	6.	Obstruction of public thoroughfare by things placed and left — Sch. 9.1 cl. 3(1)(a)	3	7A.	Obstruction of public thoroughfare by fallen things — Sch. 9.1 cl. 3(1)(b)	6	7.	Encroaching on public thoroughfare — Sch. 9.1 cl. 3(2)	6	8.	Separating land from public thoroughfare — Sch. 9.1 cl. 4	7	9.	Permission to have gate across public thoroughfare — Sch. 9.1 cl. 5(1)	7	10.	Gate across thoroughfare not to be left open — Sch. 9.1 cl. 5(2)	9	11.	Dangerous excavation in or near public thoroughfare — Sch. 9.1 cl. 6	9	12.	Crossing from public thoroughfare to private land or private thoroughfare — Sch. 9.1 cl. 7(2)	12	
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12.	Crossing from public thoroughfare to private land or private thoroughfare — Sch. 9.1 cl. 7(2)	12																																											

NEW SUMMARY OF SUBMISSIONS

Karnup Road, Serpentine 1335 (L598) 17200 / Karnup Road, Serpentine (L599) 402028 / Walker Road, Serpentine (L597) 402117 - Proposed Transport and Storage Depot - PA19/764

SUBMITTER	No.	SUBMITTER COMMENTS	APPLICANT RESPONSE TO SUBMISSION
Crossdale Nominees Pty Ltd	22	<p>As owner of <i>Lot 782 Walker Road Serpentine</i> I object to the proposed transport depot including short term storage of demolition explosives on the following grounds:</p> <ul style="list-style-type: none"> • The proposed use is non-conforming with the zoning. The area is zoned rural, and I would not have purchased my land had I been aware that such a use of neighbouring land would be considered. If this is approved it will have a detrimental affect on my amenity. • There is significant bush fire risk associated with explosives storage, and possible noxious gases if ignited which would affect the whole community. This risk even if considered low is not acceptable when considering health and personal safety. • The road by which the proposed "transport depot" has not been constructed to a standard suitable for use by trucks and semi-trailers, and such use would cause significant damage to the road by which my land must also be accessed. Again safety and personal risk must be considered, when cars and trucks are travelling in opposite directions. 	<p>Refer response to Submission #4 and #21.</p> <p>Refer response to Submission #6(2).</p> <p>The risk generated by this proposal has been assessed by Emerge Associates (Level 3 Bushfire Planning and Design Accredited Consultant). This BRMP confirms that the risk to bushfire can be managed in accordance with various mechanisms set out in the report. It is anticipated that any condition of approval would require the implementation and maintenance of that BRMP.</p> <p>Refer response to Submission #20.</p>