



Special Council Meeting Agenda

6 November 2023

11.00am

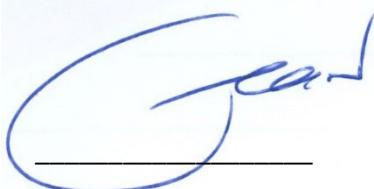
via Teams



NOTICE OF SPECIAL MEETING

NOTICE is hereby given that a Special Meeting of Council of the Shire of Dalwallinu will be held on Monday, 6 November 2023 commencing at 11.00am via Teams.

Signed:



Jean Knight
Chief Executive Officer

3 November 2023

Date

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Dalwallinu for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Shire of Dalwallinu disclaims any liability for any loss whatsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity that acts or fails to act in reliance upon any statement does so at that person's and or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for license, any statement or limitation or approval made by a member of officer of the Shire of Dalwallinu during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Dalwallinu. The Shire of Dalwallinu warns that anyone who has an application lodged with the Shire of Dalwallinu must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application and any conditions attaching to the decision made by the Shire of Dalwallinu in respect of the application.



1	OPENING & ANNOUNCEMENT OF VISITORS	3
2	ANNOUNCEMENTS OF PRESIDING MEMBER	3
3	ATTENDANCE RECORD.....	3
3.1	Present.....	3
3.2	Apologies	3
3.3	Leave of Absence Previously Granted	3
4	DECLARATIONS OF INTEREST.....	3
5	PUBLIC QUESTION TIME	3
6	MINUTES OF PREVIOUS MEETINGS	3
7	PETITIONS/PRESENTATIONS/DEPUTATIONS/DELEGATES/REPORTS/SUBMISSIONS.....	4
7.1	Petitions.....	4
7.2	Presentations.....	4
7.3	Deputations	4
7.4	Delegates Reports/Submissions	4
8	METHOD OF DEALING WITH AGENDA BUSINESS (Show of hands)	4
9	REPORTS	5
9.1	PLANNING & DEVELOPMENT SERVICES.....	5
9.1.1	General Industry – Expansion of existing infrastructure (DA 092223)*	5
10	APPLICATIONS FOR LEAVE OF ABSENCE	15
11	MOTIONS OF WHICH NOTICE HAS BEEN RECEIVED	15
12	QUESTIONS FROM MEMBERS WITHOUT NOTICE	15
13	NEW BUSINESS OF AN URGENT NATURE (INTRODUCED BY DECISION OF THE MEETING).....	15
14	MEETING CLOSED TO THE PUBLIC – CONFIDENTIAL BUSINESS AS PER LOCAL GOVERNMENT ACT, 1995, SECTION 5.23(2).....	15
15	SCHEDULING OF MEETING	15
16	CLOSURE	15



SHIRE OF DALWALLINU

AGENDA for the Special Meeting of Council to be held via Teams on Monday 6 November 2023 commencing at 11.00am.

1 OPENING & ANNOUNCEMENT OF VISITORS

The Chairperson (President) opened the meeting at _____ pm.

2 ANNOUNCEMENTS OF PRESIDING MEMBER

3 ATTENDANCE RECORD

3.1 Present

Shire President	Cr KL Carter	(via Teams)
Deputy President	Cr SC Carter	(via Teams)
	Cr DS Cream	(via Teams)
	Cr JL Counsel	(via Teams)
	Cr MM Harms	(via Teams)
	Cr JH Cruz	(via Teams)
	Cr NW Mills	(via Teams)
Chief Executive Officer	Mrs JM Knight	(via Teams)
Executive Assistant	Mrs DJ Whitehead	(via Teams)
Manager Planning & Development Services	Mr D Burke	(via Teams)

3.2 Apologies

Nil

3.3 Leave of Absence Previously Granted

Nil

4 DECLARATIONS OF INTEREST

Nil

5 PUBLIC QUESTION TIME

Nil

6 MINUTES OF PREVIOUS MEETINGS

(Confirmed in the Minutes of the Ordinary Council Meeting held immediately after Special Meeting.)



7 PETITIONS/PRESENTATIONS/DEPUTATIONS/DELEGATES/REPORTS/SUBMISSIONS

7.1 Petitions

Nil

7.2 Presentations

Nil

7.3 Deputations

Nil

7.4 Delegates Reports/Submissions

Nil

8 METHOD OF DEALING WITH AGENDA BUSINESS (SHOW OF HANDS)

As agreed



9 REPORTS

9.1 PLANNING & DEVELOPMENT SERVICES

9.1.1 General Industry – Expansion of existing infrastructure (DA 092223)*

Report Date	6 November 2023
Applicant	Petar Mrdja <i>obo</i> Dallcon P/L
File Ref	A6235
Previous Meeting Reference	Nil
Prepared by	Doug Burke, Manager Planning & Development Services
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting Requirements	Simple Majority
Attachments	Supporting Documentation

Purpose of Report

Council is requested to consider an application for approval to allow for the proposed development of an ‘extension to an existing industrial building and the construction of a separate industrial building’ on the subject land as submitted by the applicant on 31 May 2023.

The proposed development requires discretionary approval from the Council.

It is recommended that the proposed development be approved subject to given conditions.

Background

Subject Property:	Lot 804 Huggett Drive, Dalwallinu
Land Use Zoning:	General Industry
Property Owner:	H & N Sprigg
Applicant:	Petar Mrdja <i>obo</i> Dallcon P/L
Consent Authority:	Shire of Dalwallinu Council
Proposed Development:	Expansion of existing facilities
Value of Development:	\$499K
Outside Consultation:	Public Notice, Western Power, WaterCorp and Department of Water & Environmental Regulation

The proposal is for the extension to an existing industrial building (Stage 1) and the construction of a new industrial building (Stage 2), both of which will be located on Lot 804.

The subject property is zoned ‘General Industry’ under the *Shire of Dalwallinu Planning Scheme N° 2*. General Industry type development is discretionary type development that requires the approval of the Council as the planning authority.



The property was purchased from the State Government in April 2013 by the current owners. Conditional approval was given by the Council for the existing industrial building (1,177m² floorspace) in November 2015. An Occupancy Certificate was issued by the Shire's building surveyor in June 2019.

Industrial buildings are defined under the Planning and Development (Local Planning Schemes) Regulations 2015 as being:

'premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes facilities on the premises for any of the following purposes —

- a) the storage of goods;*
- b) the work of administration or accounting;*
- c) the selling of goods by wholesale or retail;*
- d) the provision of amenities for employees;*
- e) incidental purposes.*

The property is located within the Dalwallinu Industrial Precinct situated on the eastern side of the Great Northern Highway. The area is appropriately zoned under the local planning scheme as the 'General Industry Zone'. The subject property is surrounded by similar entities undertaking general industry on three sides with the south side of the property bordering a newly created subdivision which is also zoned 'General Industry Zone'.



Site of Proposed Development

Consultation

- Public Notice for a period of 14 days. One submission received.
- Referral to government agencies under clause 66 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. Two submissions received.

Legislative Implications

State

Road Traffic (Administration) Act 2008

Development of the road reserve (Huggett Drive) pertaining to landscaping and the provision of carparking bays.

Planning and Development Act 2005

The *Planning and Development Act 2005* directs that any development referred to within the Scheme is not to be commenced or carried out without approval being obtained. Any determination of an application for such development is to be considered under those matters referred to in the *Planning and Development (Local Planning Schemes) Regulation 2015*.

In considering an application for development approval, Council is to have due regard to the following matters to the extent that, in the opinion of Council, those matters that are relevant to the development the subject of the application. In assessing the development application, the matters listed in Section 67 of the *Planning and Development (Local Planning Schemes) Regulation 2015* have been taken into consideration for the preparation of this report and are addressed as follows:

'Matters for Consideration'	Comments
The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area	<p>The following Schemes are applicable:</p> <p><i>Shire of Dalwallinu Planning Scheme N° 2</i></p> <p>The applicable objectives for the General Industry land use zone are:</p> <p><i>'To provide for general industry, the storage and distribution of goods and associated uses, which by the nature of their operations may need to be separated from residential and other sensitive areas.'</i></p> <p><i>'To encourage the provision of landscaping to ensure the industrial development is appropriately screened from the main road.'</i></p> <p><i>'To provide a location where separate heavy vehicular access is provided.'</i></p>
The requirements of orderly and proper planning including any proposed local	There are no proposed amendments in progress that would affect a determination.



planning scheme or amendment to this Scheme that has been advertised under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> or any other proposed planning instrument that the local government is seriously considering adopting or approving.	There are no other planning instruments currently being considered.
Any approved State planning policy	Nil identified
Any environmental protection policy approved under the <i>Environmental Protection Act 1986</i> section 31(d)	Nil identified.
Any policy of the Commission	Nil applicable
Any policy of the State	Nil applicable
Any local planning policy for the Scheme area	Nil applicable
Any structure plan, activity centre plan or local development plan that relates to the development	Nil applicable
Any report of the review of the local planning scheme that has been published under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>	Nil applicable
In the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve	Not applicable
The built heritage conservation of any place that is of cultural significance;	No items of cultural significance noted
The effect of the proposal on the cultural heritage significance of the area in which the development is located;	Nil impact



<p>The compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the effect of the height, bulk, scale, orientation and appearance of the development</p>	<p>The proposed development is regarded as being ancillary to existing development on the site and suitable in the context of its siting.</p>
<p>The amenity of the locality including the following —</p> <ul style="list-style-type: none"> (i) environmental impacts of the development; (ii) the character of the locality; (iii) social impacts of the development 	<p>Nil issues identified</p>
<p>The likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource</p>	<p>Nil</p>
<p>Whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved</p>	<p>The surrounding land uses are predominantly industrial.</p> <p>Native vegetation was cleared from the site many years ago to enable agricultural activities. There is no evidence of significant trees or other vegetation of note that should be retained.</p> <p>The proponent intends to provide soft landscaping to the areas so nominated on the master plan.</p>
<p>The suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk</p>	<p>The land does not have a history of experiencing these types of events.</p>
<p>The suitability of the land for the development taking into account the possible risk to human health or safety</p>	<p>This site is suitable.</p>
<p>the adequacy of —</p>	<p>Frontage to three sealed roads – Huggett Drive, York Street and Reudavey Street.</p>



<ul style="list-style-type: none"> (i) the proposed means of access to and egress from the site; and (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles 	<p>The master plan for the proposed development incorporates identified vehicular access and egress Crossovers as well as dedicated internal vehicular driveways.</p>
<p>The amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety</p>	<p>Commercial vehicles required to deliver raw material and retrieve and transport any finished product.</p> <p>The crossover points have been evaluated and deemed suitable for the type of vehicles used for the transport of the finished goods (moulded/molded concrete forms)</p>
<p>The availability and adequacy for the development of the following —</p> <ul style="list-style-type: none"> (i) public transport services; (ii) public utility services; (iii) storage, management and collection of waste; (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities); (v) access by older people and people with disability 	<p>No public transport services available.</p> <p>Electricity and potable water are available.</p> <p>Solid waste can be adequately stored and removed from site.</p> <p>A wastewater treatment system has been development onsite to service the previously approved development.</p> <p>The ‘Stage 2’ development will be supported by the provision of a ‘stand-alone’ crib room containing ablutions as a requirement of the National Construction Code.</p> <p>The development is not a public access facility and as such the provision of equitable access for pedestrians, cyclists and older people or those with a disability is not envisioned nor set as a requirement.</p>
<p>The potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses</p>	<p>Nil impact anticipated.</p>



The history of the site where the development is to be located	The site was designated as being the area for general commercial and industry in the first survey plans for the settlement.
The impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals	None identified
Any submissions received on the application	A submission was received from Mr R Nixon. The pertinent issue raised directly regarding the proposed development was regarding the potential generation of dust and its mitigation.
The comments or submissions received from any authority consulted under clause 66	Department of Water and Environmental Regulation – Advising the Shire that a concrete batching plant is a prescribed premises under the <i>Environmental Protection Act 1986</i> . The Department also queried whether a Works Approval is required for the proposed development. WaterCorp – No issues raised as per the proposed development
Any other planning consideration the Council considers appropriate	Allowing for an offset to the Table 2 (Development Table) of the Local Planning Scheme as regards landscaping and carparking.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Site Inspection

A site inspection was undertaken.

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.



Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment

An assessment and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Act and associated regulations.

A site inspection was conducted and consideration has been given to the potential impacts upon all lands adjoining or located nearby.

Table 2 (Development Tables) of the Local Planning Scheme stipulates the requirements for proposed development as to setbacks, landscaping and carparking. The requirements for Industry -General are as follows:

Setbacks – Front 7.5m. Comment: Compliant
- Rear 7.5m. Comment: Compliant

Landscaping – 15 % of plot ($15,703\text{m}^2 \times 15\% = 2,355\text{m}^2$). Comment: Non-compliant. To achieve the required landscaping on the property would severely hamper the productivity and process flow of the site. The Shire and the proponents have come to an agreement whereby a portion of the Huggett Street road verge will be developed by the proponent with appropriate landscaping to satisfy the requirements of the planning scheme as a suitable offset.

Carparking – 1 per 2 employees (75 employees = 38 carparking bays). Comment: Non-Compliant. To achieve the required carparking spaces on the property would severely hamper the productivity and process flow of the site. The Shire and the proponents have come to an agreement whereby a portion of the Huggett Street road verge will be developed by the proponent with appropriate carparking (68 parking bays) to satisfy the requirements of the planning scheme as a suitable offset.

Council may determine an application for development approval by –

- a) granting development approval without conditions; or
- b) granting development approval with conditions; or
- c) refusing to grant development approval.

It is recommended that the proposed development be approved subject to given conditions.



Officer Recommendation

That Council approve the development application (DA 092223) for Lot 804 Huggett Drive, Dalwallinu pursuant to Section 68(2) of the *Planning and Development (Local Planning Schemes) Regulation 2015* subject to the following conditions:

1. The development (general industry) is to be carried out in accordance with the documents endorsed with the Shire's stamp, except where amended by other conditions of this consent. If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency;
2. The operating times for the use of any machinery that has the potential to generate noise above 60dB (LA 10) shall be limited to the hours of 6am to 6pm, unless otherwise approved in writing by the local government;
3. Standard high pitched reversing beepers are to be removed from all vehicles used on the site (excluding transport vehicles registered to other entities) and alternative warning measures such as flashing lights or broadband reversing alarms known as 'croakers' (subject to compliance with the relevant Australian Standard and any Worksafe codes) are to be fitted to these vehicles instead;
4. Prior to the commencement of operation of the facility, the applicant shall provide a cash bond of \$100,000 to the Shire of Dalwallinu as a performance guarantee against the satisfactory completion of the approved soft landscaping and on-road carparking, such funds to be held in a trust account. The performance guarantee will be refunded following satisfactory completion of the approved soft landscaping and on-road carparking as depicted on the master plan. A Memorandum of Understanding as regards the performance guarantee will be entered into by the property owners and the Shire.
5. Vehicle parking spaces, etc. are to be installed within six months following the submission of the Notice of Completion (Building Regulations 2012, regulation 4) for the Stage 1 extension.
6. The 68 parking bays, driveways and points of ingress and egress (crossovers) shall be sealed, kerbed, drained, line marked and made available for use in accordance with the approved plans.
7. Landscaping shall be installed and reticulated in accordance with the approved plan and maintained thereafter to the satisfaction of the Shire. The landscaping shall be implemented during the first available planting season post completion of Stage 1 of the development and any species which fail to establish within a period of 12 months from planting shall be replaced to the satisfaction of the Shire.
8. Without further approval from Shire of Dalwallinu Council, in writing, this approval will lapse and have no force or effect after two years of the date of this permit if not substantially commenced.



Resolution

MOTION

Moved	Cr
Seconded	Cr



12 October 2023

Doug Burke
Manager Planning and Development
Shire of Dalwallinu
58 Johnston Street
DALWALLINU WA 6609

Dear Mr Burke,

NO. 12 (LOT 804) HUGGETT DRIVE, DALWALLINU EXTENSION TO EXISTING INDUSTRIAL SHED AND NEW FABRICATION SHED

Dallcon is submitting a development application for a proposed shed extension and new fabrication shed at No.12 (Lot 804) Huggett Drive, Dalwallinu.

The proposed development and site details are summarised in the table below.

SITE DETAILS	
Lot No:	Lot 804
Property Address:	12 Huggett Drive, Dalwallinu
Encumbrances:	Transformer located adjacent to site on verge
Local Government:	Shire of Dalwallinu
Lot Area:	15,703sq.m
Local Planning Scheme:	Shire of Dalwallinu Local Planning Scheme No.2
Zoning:	General Industry
Land Use:	Industry – Precast Manufacturing Facility
Classification:	Permitted
Proposed Development:	Extension to existing shed and new fabrication shed
Lot Configuration:	Regular - street frontage of 9.6m and a depth of 32.5m

PROJECT OVERVIEW

The application seeks approval for the construction of a new industrial shed and extension an existing shed which will be connected by a roof structure over an open area. The new shed and extension development project by Dallcon will:

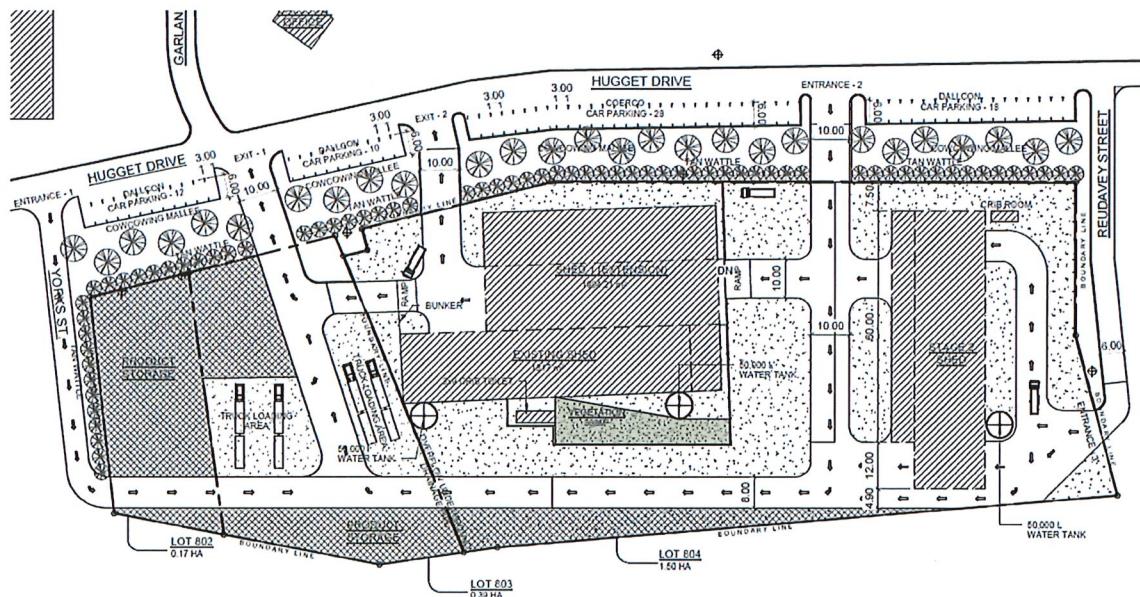
- Improve traffic Safety by relocating the truck loading zone from Huggett Drive and employee parking zone from the yard to the road verge.
- Enhance the health and safety of Dallcon employees through the provision of a shaded working area and simplified traffic movements on site.
- expand its precast concrete manufacturing operations. The development would enhance.

With respect to the planning framework, the application has been considered in accordance with the development control provisions contained in Part 5, Table II of the Shire's Local Planning Scheme No.2 and Deemed Provisions Clause 67 (2) of the Planning and Development (Local Planning Schemes) Regulations 2015.

An assessment of the proposal against the relevant objectives and requirements of the Scheme and Deemed Provisions demonstrates that the shed extension and new fabrication shed is consistent with development in a general industry zone.

SUPPORTING DOCUMENTATION

- Application for development approval form, certificate of title & updated drawings
- Hydrant Plan – Dallcon/Ahrens
- Traffic Management Plan – Dallcon
- Environmental Management Plan (covering dust, noise and waste management control) – Dallcon



PLANNING ASSESSMENT: LOCAL PLANNING SCHEME NO.2

LPS 2 GENERAL INDUSTRY OBJECTIVES	PLANNING RESPONSE
<p>4.2.3.1 –</p> <p><i>To provide for general industry, the storage and distribution of goods and associated uses, which by the nature of their operations may need to be separated from residential and other sensitive areas.</i></p>	<p>The manufacturing facility has already been approved by the Shire of Dalwallinu and by extension of that approval, the land use is considered to comply. The proposed development application seeks to add to the established approval by constructing additional shed area that will be attached to the existing shed and separate new shed. The operational nature of the manufacturing facility will not change.</p> <p>The business is separated by a distance of more than 500m to residential areas, with a train line and commercial buildings serving as a buffer to dwellings.</p>
<p>4.2.3.2 –</p> <p><i>To discourage non-industrial uses to minimise land use conflicts and address environmental impacts.</i></p>	<p>The application to extend the shed structure is consistent with the general industry land use objectives of the Scheme. There are no conflicts created in the local area by approval of the new shed and extension and environmental impacts are appropriately addressed in the detailed Environmental Management Plan (EMP) prepared by Dallcon.</p> <p>This EMP identifies the key environmental issues across operations and provides strategies and plans for managing them effectively. Furthermore, it defines the associated legal requirements for the proposed development.</p>
<p>4.2.3.3 –</p> <p><i>To provide a location for diverse industries that would otherwise have a detrimental impact on the other uses in close vicinity.</i></p>	<p>The shed extension and new fabrication shed are appropriately located within the general industry area. It is well serviced and easy to access due to the existing external road network, and the proposed internal road layout. The new industrial shed will connect with the existing shed as part of staged works to improve the appearance, functionality of Dallcon's manufacturing operations and health and safety of its employees.</p>

	<p>It should be noted that there are similar industrial uses in the area, with the Coerco Corporation and Dalwallinu Haulage located directly across the road. The Coerco Corporation manufactures moulded products, such as plastics, while Dalwallinu Haulage carts materials such as grain, lime, gypsum, fertiliser, liquid fertiliser, gravel and blue metal.</p> <p>The land uses are therefore compatible in nature and in a suitable location to each other, all providing services that involve heavy vehicle movement, and/or the manufacturing of materials and products.</p>
<p>4.2.3.4 –</p> <p><i>To encourage the provision of landscaping to ensure the industrial development is appropriately screened from the main road.</i></p>	<p>A 6099sq.m area of landscaping is provided in the front setback area, between the proposed extension and the lot boundary. The area is proposed to be planted with Tan Wattle shrubs & Cowcowing Mallee tree, which is a preferred species recommended for planting by the Shire.</p> <p>In terms of screening from the street, it should be noted that there is approximately 30m from the proposed new shed to the street, in addition to the front setback provided, due to the creation of a historical road reserve. The large road reserve itself creates a significant buffer from the development to the main road and should be accounted for when assessing the provision of landscaping and screening.</p>
<p>4.2.3.5 –</p> <p><i>To provide a location where separate heavy vehicular access is provided.</i></p>	<p>There are several access points into the development that assist with separating heavy vehicle use. Access for heavy vehicles is provided from York Street and Reudavey Street, and a separate entry for plant and equipment is located off Huggett Drive.</p> <p>A Traffic Management Plan has been prepared by Dallcon and is submitted with this report as further information to demonstrate how access and parking will operate on the site.</p>
<p>4.2.3.6 –</p> <p><i>To provide a location for regional and local depots,</i></p>	<p>Sufficient parking is provided at the front of the development to service workers and visitors to the site and adjoining</p>

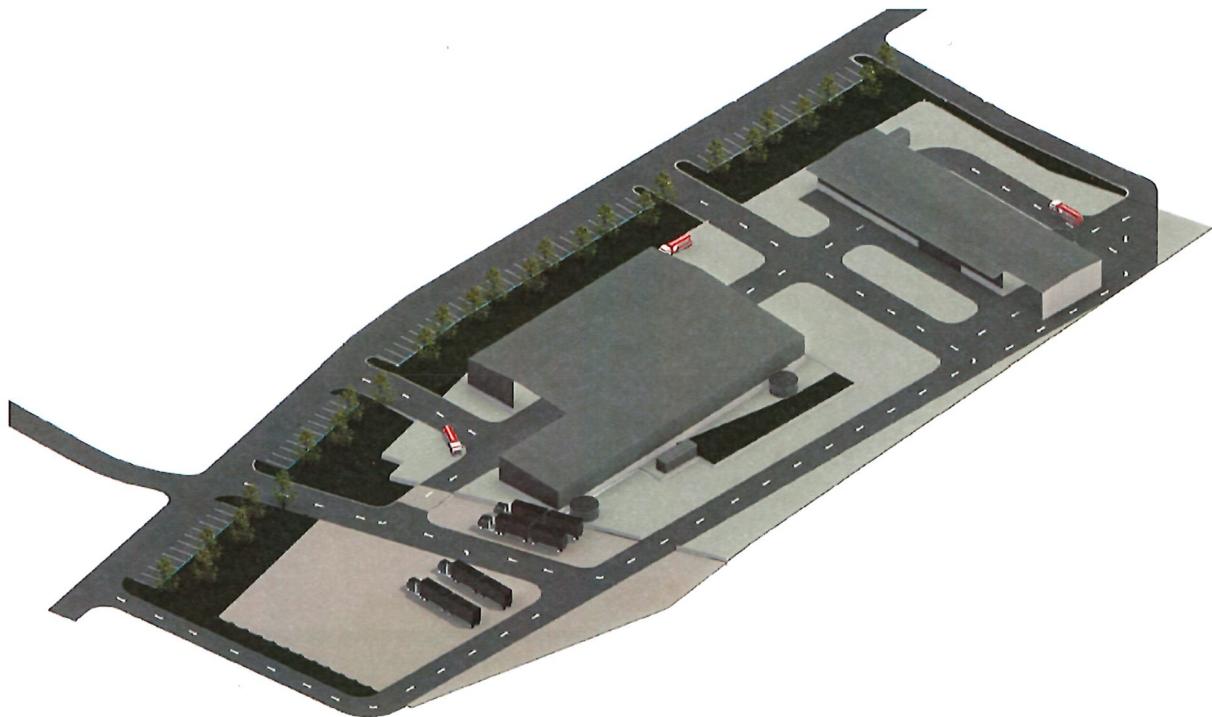
warehouses, and large vehicle parking and servicing areas.	commercial organisations. Heavy vehicle, plant and equipment movement is separated, as described above.
--	---

4.2.3.7 –

To provide for a range of employment opportunities. Approval of the proposed shed extension will facilitate more opportunities for employment to be created by Dallcon as the operational nature of the business increases.

DEVELOPMENT TABLE – GENERAL INDUSTRY REQUIREMENTS			
Minimum Boundary Setback	Front	Rear	Sides
Required	7.5m*	7.5m	<i>To be determined by Council</i>
Proposed	7.5m	36m - 41m	85m to York St 100m to Reudavey St
Plot Ratio	<i>To be determined by Council</i>		
Proposed	<i>Less than 50% of the site</i>		
Landscaping	<i>Minimum Landscaped Area 15%</i>		
Proposed	<i>Landscaping provided in front setback area 6099sq.m</i>		
Car Parking	<i>Minimum Number of On-Site Parking Bays 1 per 2 Employees</i>		
Proposed	<i>68 car bays are provided at the front of the site on road verge</i>		

The development complies with the front setback requirements of the Scheme.



VARIATIONS TO DEVELOPMENT STANDARDS

5.5.1 Except for development in respect of which the Residential Design Codes apply, if a development is the subject of an application for planning approval and does not comply with a standard or requirement prescribed under the Scheme, the local government may, despite the non-compliance, approve the application unconditionally or subject to such conditions as the local government thinks fit.

5.5.2 In considering an application for planning approval under this clause, where, in the opinion of the local government, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is the subject of consideration for the variation, the local government is to

— (a) consult the affected parties by following one or more of the provisions for advertising uses under Part 9; and

(b) have regard to any expressed views prior to making its determination to grant the variation.

5.5.3 The power conferred by this clause may only be exercised if the local government is satisfied that –

(a) approval of the proposed development would be appropriate having regard to the criteria set out in Part 10; and

(b) the non-compliance will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

RESPONSE

As demonstrated in this report the development meets the objectives of the General Industry Zone. With respect to the front setback area, there is a significant unusual verge distance of 30m which separates the building as it presents to the street.

The large road reserve itself creates a significant buffer from the development to the main road and should be accounted for when assessing the provision of landscaping and screening.

DEEMED PROVISIONS CLAUSE 67 (2) - MATTERS TO BE CONSIDERED

In considering an application for development approval the decision maker is to have due regard to the matters outlined in clause 67(2) of the deemed provisions to the extent that, in the opinion of the decision maker, those matters are relevant to the development the subject of the application. These matters are outlined below alongside comment on whether the matter is relevant, and if so how it has been addressed by the development.

(a) *the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*

The objectives and requirements of the Shire's Local Planning Scheme No.2 have been met, as outlined earlier in this report.

(b) *the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;*

There are no known proposed planning instruments that the local government is seriously considering adopting or approving that would impact consideration of this application for development approval.

(c) *any approved State planning policy;*

All relevant State planning policies have been addressed in this report.

(d) *any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d);*

An environmental report has been prepared and is attached with this submission.

(e) *any policy of the Commission;*

All relevant planning instruments are listed in this report and accordingly addressed.

any policy of the State;

All relevant planning instruments are listed in this report and accordingly addressed.

any local planning strategy for this Scheme endorsed by the Commission;

The objectives and requirements of the Shire's Local Planning Scheme No.2 have been met, as outlined earlier in this report.

any local planning policy for the Scheme area;

All relevant planning instruments are listed in this report and accordingly addressed.

any structure plan or local development plan that relates to the development;

All relevant planning instruments are listed in this report and accordingly addressed.

any report of the review of the local planning scheme that has been published under the Planning and Development (Local Planning Schemes) Regulations 2015;

There are no current reports of the review of Local Planning Scheme No.2.

in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;

The development site is not reserved under Local Planning Scheme No.2.

the built heritage conservation of any place that is of cultural significance;

The development site does not contain any registered places of Indigenous, State, or local heritage significance.

the effect of the proposal on the cultural heritage significance of the area in which the development is located;

The development site does not adjoin any registered places of Indigenous, State, or local heritage significance.

the compatibility of the development with its setting, including —

(i) the compatibility of the development with the desired future character of its setting; and

(ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;

There are similar industrial uses in the area, with the Coerco Corporation and Dalwallinu Haulage located directly across the road. The Coerco Corporation manufactures moulded products such as plastics, while Dalwallinu Haulage carts materials such as grain, lime, gypsum, fertiliser, liquid fertiliser, gravel and blue metal.

The development is therefore compatible and in context with existing development and uses in the area.

(n) *the amenity of the locality including the following —*
(i) *environmental impacts of the development;*
(ii) *the character of the locality;*
(iii) *social impacts of the development;*

There are similar industrial uses in the area, as described above, meaning the development is consistent with the established industrial character of the local area.

(o) *the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;*

No adverse impact has been identified in relation to the proposed development on the natural environment.

(p) *whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;*

Landscaping will be provided in the front setback area.

(q) *the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;*

The Shire has not identified any concerns in relation to the land.

(r) *the suitability of the land for the development taking into account the possible risk to human health or safety;*

The development site is not contaminated, nor have any health or safety risks been identified.

(s) *the adequacy of —*

(i) *the proposed means of access to and egress from the site; and*
(ii) *arrangements for the loading, unloading, manoeuvring and parking of vehicles;*

Sufficient space has been accommodated on site for parking of vehicles and motorbikes.

(t) *the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*

The development will provide compliant car parking and the capacity of the road system is not affected with respect to traffic flow. The relocation of the truck loading area from the verge Huggett Drive will enhance public safety and enhance traffic flow.

(u) *the availability and adequacy for the development of the following —*

(i) *public transport services;*
(ii) *public utility services;*
(iii) *storage, management and collection of waste;*

- (iv) *access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);*
- (v) *access by older people and people with disability;*

The proposed development will improve its services, through additional amenities and internal roads that would simplify traffic movements on site.

- (v) *the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;*

The proposal will not result in any loss of services in the locality.

- (w) *the history of the site where the development is to be located;*

Existing development on site is industrial and the application seeks to continue and expand on that use.

- (x) *the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;*

The proposed development will be positive for the community, with the growth of the business provide commercial benefit to the Shire.

- (y) *any submissions received on the application;*

All submissions received on the application will be addressed through the development application process.

- (za) *the comments or submissions received from any authority consulted under clause 66;*

All submissions received on the application will be addressed through the development application process.

- (zb) *any other planning consideration the local government considers appropriate.*

No other relevant planning considerations have been identified.

CONCLUSION

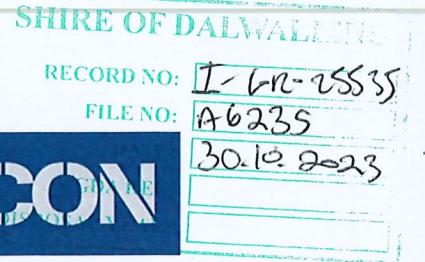
Overall, as demonstrated in this report, the development is consistent in scale and form with other development in the locality, and unlikely to have any adverse impact on the amenity of adjacent properties or the streetscape generally.

Dallcon's growth is a positive outcome for the local community in terms of employment opportunities and economic growth and we look forward to working with the Shire to obtain development approval.

Should you have any questions in relation to the details provided in this submission, please contact the undersigned on 0438 640 610 or via email at rikky@dallcon.com.

Yours sincerely,

Rikky Sprigg
Operations Director
Dalwallinu Concrete Pty Ltd t/a Dallcon



DALLCON
HOME
THE GROUP

DALLCON

Traffic Management Plan for Proposed Development



Document History

DOCUMENT TITLE	Traffic Management Plan for Proposed Development		
DOCUMENT NO.	DAL-SPLN 006	ISSUE	0
DOCUMENT CONTROLLER	Health Safety and Environment Manager		
APPROVED BY	Health and Safety Manager		
AUTHORISED BY	Operations Director		

Revision History

REVISION	DATE	DESCRIPTION OF CHANGE	AUTHOR
0	23/10/2023	First Issue	E Dube

1. Overview

1.1 Purpose of this plan

Dallcon's Traffic Management Plan is to provide a way that supports the:

- effective and safe movement of pedestrian and vehicle traffic.
- safety of pedestrians from vehicles within Dallcon factory
- pathway markings, safety barriers, signs and installed signage within the factory.

In committing to the legislative requirements Dallcon developed this Traffic Management Plan for the Proposed Development through a consultative process with the workers for easy delivery process aimed at preventing injuries caused by powered mobile plant / vehicle interactions with pedestrians.

2. General work hours

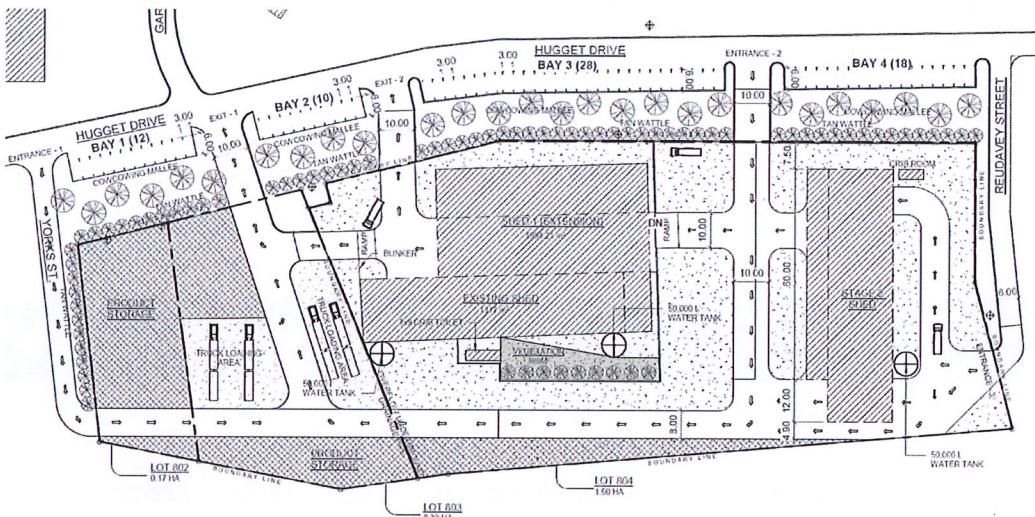
To reduce powered mobile plant / vehicle interactions with pedestrians the activities below would be restricted to the following timings:

Activity	Plant / equipment	Timings	Area
Delivery of reobars and mesh	Long distance trucks	0600 - 0800	Fabrication shed
Loading of trucks	Forklift and crane	0630 - 1400	Loading Zone
Delivery of moulds and reinforcement cages	Forklift and crane	0600 - 0800 1400 - 1600	Production area
Delivery of concrete	concrete trucks and crane	1100 - 1300 1500 - 1700	Production area
Lifting of concrete products	Forklift and crane	0930 - 1130	Production area
Transporting concrete products from production area to storage area	Forklift and crane	1000 - 1200	Production area to Storage area
Transporting concrete products from storage area to loading zone	Forklift and crane	1200 – 1300 1500 - 1700	Storage area to loading zone

3. Entrance and Exit Restrictions

Traffic should use the following entrances and exits to simplify traffic movements on the site 1 (see attached Vehicle Management Plan below):

Exit / Entrance	Plant /Equipment
Entrance 1	Long distance tucks
Entrance 2	Concrete trucks, forklifts and crane
Entrance 3	Long distance tucks
Exit 1	Long distance tucks
Exit 2	Concrete trucks, forklifts and crane



4. Staff Parking

Marked parking bays for staff parking available along Huggett Drive and the size of the bays are 6m x 3m in compliance with AS/NZS 2890. 1-2004 Off-street car parking. The location of the bays are shown above and see details of each bay on table below.

Parking Bay	Number of Bays and Allocated Team
Bay 1	12 – Logistics Staff
Bay 2	10 – Office Staff
Bay 3	15 – Production Staff, 13 – Coerco
Bay 4	15 – Fabrication Staff, 3 – Coerco



The following rules apply to the designated staff parking area on Huggett Drive verge:

- workshop staff to follow Huggett Drive to the car park along the road verge
- staff to reverse park within marked parking bays
- no parking on landscaped area

5. Speed Limit

For all driveways within Dallcon, the speed limit should be posted at 10km/hr and the speed in shared areas (where factory workers conduct activities in areas that frequent traffic) should be 5km/hr or as advised by the signage.

DALLCON

DALLCON

Statement of Environmental Effects for Proposed Development



Document History

DOCUMENT TITLE	Statement of Environmental Effects for Proposed Development		
DOCUMENT NO.	DAL-SPLN 007	ISSUE	0
DOCUMENT CONTROLLER	Health Safety and Environment Manager		
APPROVED BY	Health and Safety Manager		
AUTHORISED BY	Operations Director		

Revision History

1. Overview

1.1 Introduction

Dallcon is seeking planning approval for the extension of an existing industrial shed and construction of new fabrication shed at Lot 804 Huggett Drive. Refer to the development application that was submitted with this statement of environmental effects for proposed development.

The proposed project by Dallcon for the extension of an existing shed and construction of a new fabrication shed is meant to:

- Improve traffic Safety by relocating the truck loading zone from Huggett Drive and employee parking zone from the yard to the road verge.
- Enhance the health and safety of Dallcon employees through the provision of a shaded working area and simplified traffic movements on site.
- Provide beneficial visual amenity to the site.
- Mitigate noise pollution and reduce dust movement from the site.
- expand its precast concrete manufacturing operations.

1.2 Location and Context

The site is located within the Shire of Dalwallinu Industrial Park south of Huggett Drive between York Street and Reudavey Street. There is a large road reserve between the lot boundary and Huggett Drive that is currently been used as a loading area for long distance trucks.

Lot 804 has an industrial shed with a crib room and toilets for the 20 employees that work in the production area. The facility has an approved wastewater system (Biomax C10) that is connected to a 523.25m² substrata irrigation field.

2. Proposed Development

The proposed upgrade is as shown on attached Drawing VMP1 and will include:

Stage 1 – The extension of an existing production area shed which will be connected by a roof structure over an open area. The production area shed has cast beds with preset moulds. Concrete will be poured into the moulds from Agitator trucks and a vibrator used to mix and compact the wet concrete. The finished product/blocks are lifted from the moulds using forklifts or cranes and stored on site ready for dispatch.

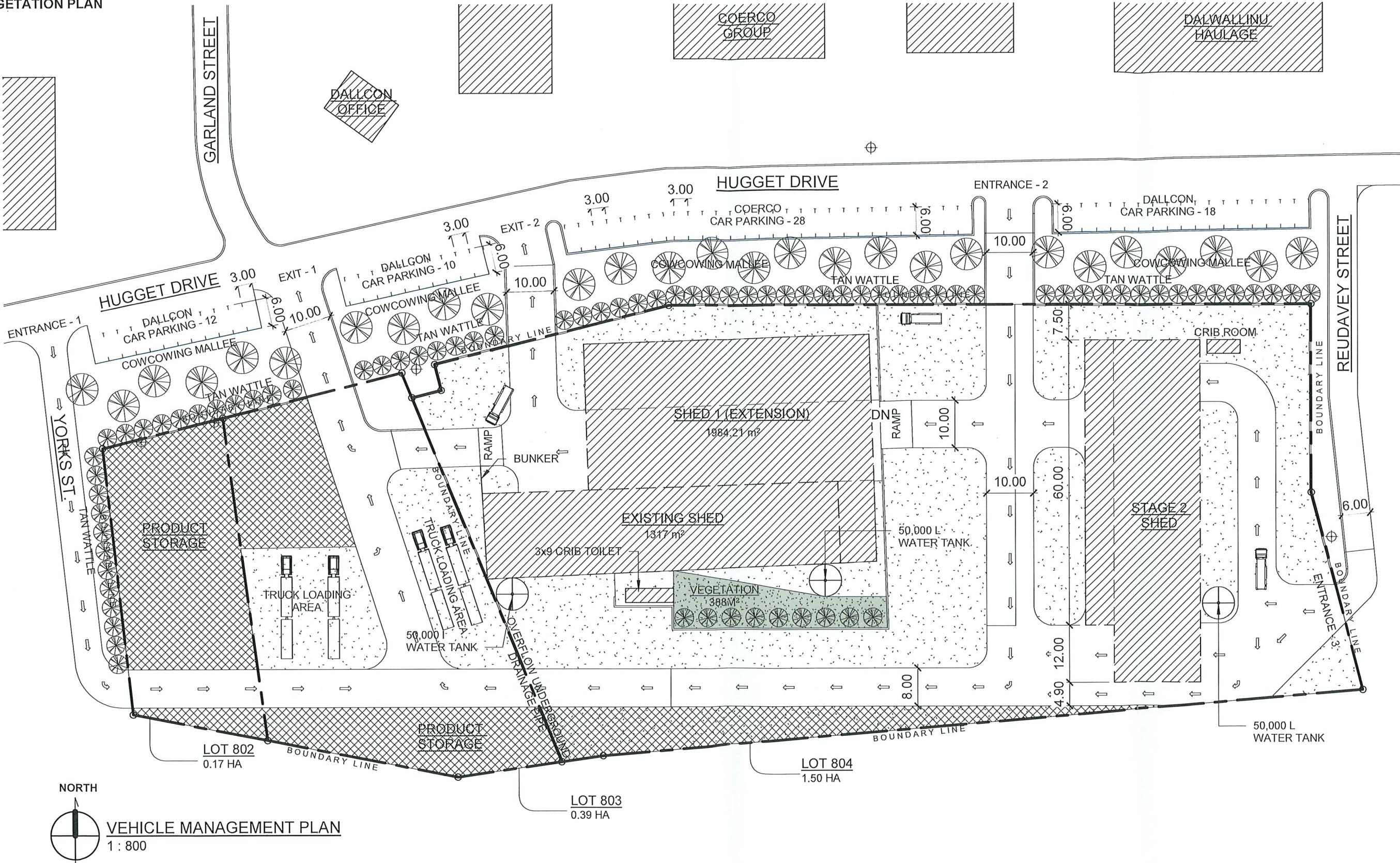
Stage 2 – The construction of a new fabrication shed where steel plates will be cut as per drawings and steel moulds, built by fabricators using welding machines. Reinforcement cages will also be manufactured from mesh and reo-bars in the fabrication shed. The construction of crib room including 2 toilets and installation of an Aerobic Treatment Unit (Biomax C10) for the anticipated number of workers (maximum 20) when in full capacity.

2. Key Aspects of the Proposed Development

Description	Existing	Key Improvements
Traffic	Logistics area on road verge along Huggett Drive. Forklifts and agitator trucks cross Huggett Drive. Staff parking in Dalicon yard	Relocation of loading area from Huggett Drive to Dalicon yard – no loading on Huggett drive and reduced traffic movement New fabrication in lot 804 – reduced traffic crossing Huggett Drive Cross overs and landscaping on road verge – defined crossing points and one way traffic Relocation of staff parking area from yard to road verge – separation of passenger vehicles from heavy vehicles, plant and equipment
Dust and erosion	Dust suppression using water from Shire standpipe and lot 804 currently 65% concreted only landscaped area 5%.	Vegetation – landscaping of road verge including shrubs Increase concreted area to 95% Increase physical barriers through construction of new fabrication shed and extension of existing shed. Use of recycled water for dust suppression – New fabrication shed Biomax and stormwater
Noise	Noisy activities closer to Huggett Drive – public road	Relocation of loading area from Huggett Drive reducing traffic on public roads. Reduced traffic movement due to relocating fabrication shed close to production area. Vegetation along boundary of lot 804 to reduce noise pollution.
Visual Amenity	Only a few trees on Huggett Drive road verge	Landscaping 6099 m ² in the front setback area with Tan Wattle shrubs and Cowcowing Mallee trees spaced according to guidelines for planting trees and shrubs.
Water Management	Using water from the Shire of Dalwallinu for Dust Suppression. Using stormwater from existing shed for crib room and toilets	Collecting stormwater from new fabrication shed and shed extension for use in crib rooms, toilets and dust suppression. Use of recycled water from the proposed new fabrication shed Aerobic Treatment Unit (Biomax C10) to irrigate vegetation on road verge

VEHICLE MANAGEMENT PLAN

VEGETATION PLAN



THIS DRAWING IS THE PROPERTY OF DALLCON
AND MUST NOT BE RETAINED OR COPIED WITHOUT PERMISSION.

DALLCON

PH (08) 9661 1264; FAX (08) 9661 1066; EMAIL sales@dallcon.com
Cnr Hugget Drive & Garland St. (PO BOX 112) Dalwallinu, WA 6609



ISSUED FOR APPROVAL	AA	RS	F	24.10.23
ISSUED FOR APPROVAL	AA	RS	E	15.09.23
ISSUED FOR APPROVAL	AA	RS	D	12.09.23
ISSUED FOR APPROVAL	AA	RS	C	05.09.23
ISSUED FOR REVIEW	AA	RS	B	01.09.23

REVISION BY CHK NO DATE

DALLCON
SITE DEVELOPMENT
VEHICLE MANAGEMENT PLAN
VEGETATION PLAN

DETAILER: ---
DRAWN: AA
CHECKED: RS
SCALE: 1 : 800 A3
DATE: 24.10.23

JOB DC-SDP
DWG VMP1
REV F

Doug Burke

From: Megan Pipe
Sent: Thursday, 19 October 2023 9:41 AM
To: Jean Knight
Cc: Doug Burke
Subject: FW: I-COR-25470 - DA 092223 No 12 Huggett Drive, Dalwallinu

SynergySoft: I-COR-25470

From: Karen McKeough <karen.mckeough@dwer.wa.gov.au>
Sent: Wednesday, October 18, 2023 12:08 PM
To: Megan Pipe <cso5@dalwallinu.wa.gov.au>
Subject: I-COR-25470 - DA 092223 No 12 Huggett Drive, Dalwallinu

Our ref: PA 058635

Attn: Doug Bourke

Dear Doug,

Thank you for referring the above proposal to the Department of Water and Environmental Regulation for comment (DWER).

DWER provides the following advice.

Industry regulation

DWER regulates emissions and discharges from the construction and operation of prescribed premises through a works approval and licensing process, under Part V, Division 3 of the *Environmental Protection Act 1986* (EP Act).

The categories of prescribed premises are outlined in Schedule 1 of the *Environmental Protection Regulations 1987*.

The EP Act requires a works approval to be obtained before constructing a prescribed premises and makes it an offence to cause an emission or discharge from an existing prescribed premises unless they are the holder of a works approval or licence (or registration) and the emission is in accordance with any conditions to which the licence or works approval is subject.

The provided development referral request was reviewed in relation to works approval and licence requirements under Part V Division 3 of the EP Act.

The proposed operation may be categorised as a Prescribed Premises under Schedule 1, Category 77 of the *Environmental Protection Regulations 1987* if concrete batching operations will take place on the lot.

The information provided is insufficient to determine whether they are simply using Lot 804 for storage or that they will be constructing concrete products on that site.

The Lot where the shed is to be constructed is not part of an existing prescribed premises. The company, Dallcon Pty Ltd operate a concrete batching plant from Lot 700 on Plan 50172 (R2493/2019/1) across the road from the subject lot.

It depends on the future use of the shed as to whether a works approval will be required.

If they are manufacturing cement products with concrete supplied by the batching plant on Lot 700 they would require a works approval and registration.

Category	Category description	Production or design capacity
----------	----------------------	-------------------------------

77	Concrete batching or cement products manufacturing: premises on which cement products or concrete are manufactured for use at places other than those premises.	1 00 tonnes or more per year
----	---	------------------------------

If prescribed under this category a works approval to establish/construct/expand the facility is required.

From aerial imagery it appears that the lot is largely used as a laydown area for concrete products produced on Lot 700. However, it is unclear from the description whether concrete products are manufactured or are going to be manufactured on Lot 804. If so, recent legal advice indicates that a registration is required and a new registration or an amendment to the boundary of the registration is required. If the shed extension is for the purpose of concrete products manufacture, it is possible that a works approval is required. If not, then the building of the shed extension is not relevant to a prescribed activity.

Category 77 allows the works approval holder to apply for a registration (and not a licence) to operate the facility.

Note that this advice is provided based on information provided. Should this information change, the works approval and/or licensing requirements may also change.

Dallcon are encouraged to contact DWER at info@dwer.wa.gov.au or 6364 7000 to clarify requirements, should there be changes to information.

In view of the uncertainty regarding regulation under Part V of the EP Act advice has been provided on environmental risks and mitigation strategies, based on the available information.

In the event that the applicant determines that a works approval or licence application is required under Part V of the EP Act, the advice provided in this communication does not prejudice and must not be considered to infer the outcome of the EP Act licence and works approval process.

For further advice please contact a DWER industry regulation officer through email at info@dwer.wa.gov.au or phone 6364 7000.

Regards,

Karen McKeough
A/Program Manager
Mid-West Gascoyne Region
Department of Water and Environmental Regulation
T: 9841 0128 (Mon-Thurs)
E: karen.mckeough@dwer.wa.gov.au | www.dwer.wa.gov.au



Disclaimer: This e-mail is confidential to the addressee and is the view of the writer, not necessarily that of the Department of Water and Environmental Regulation, which accepts no responsibility for the contents. If you are not the addressee, please notify the Department by return e-mail and delete the message from your system; you must not disclose or use the information contained in this email in any way. No warranty is made that this material is free from computer viruses.

Doug Burke

From: rnixon7@bigpond.com
Sent: Monday, 18 September 2023 2:02 PM
To: Megan Pipe
Cc: Jean Knight; Doug Burke
Subject: Response -Concrete Batching Plant

Attention: CEO and Doug Burke

The grounds for my response are:

1. That the location has an existing environmental problem; namely dust; and any increase in activities linked to the movement of sand, aggregate and cement will exacerbate this problem.
2. That senior management and councillors meet with Dalwallinu Concrete to discuss alternative location(s) for the location of a concrete batching plant.
3. That the Shire is not to be put under duress to comprise its environments standards by any suggestions that the applicant could chose to relocate their business elsewhere.
4. That the Shire be aware that negative environmental implications are likely to have adverse impacts on the operation and land values of surrounding industry.
5. That the Shire does not compromise competition, and therefore any suggestion of an alternative location doesn't exclude another party from also establishing a concrete batching and casting business.
6. That the Shire assist Dalwallinu Concrete in locating an alternative location for a concrete batching plant, on or near the Dalwallinu Townsite, that has access to Great Northern Highway, 3 phase power and scheme water, with space for cement, sand and aggregate storage, that will not incur the environmental consequences of dust.

Yours sincerely,

Robert

We've responded with the standard Due Diligence information which refers customers to the Pre-Application Enquiry. Doug has since put through a Pre-Application Enquiry however they've advised this is the wrong form.

He has since made another enquiry asking for the status of the Pre-Application Enquiry however we'd only be sending the same Due Diligence information. Thus creating a loop of back and forth.

I believe this may need to be explained in further detail and we don't really have any further comment to give RE: Due Diligence other than the information already provided.

Any chance you could assist with this one?

Original Enquiry -B7X5Z0650156

Resolution - Please check out the [Planning your project](#) section of our website – we don't actually process submissions; the information here (along with 'Dial Before You Dig') allows you to check that any work you need to do will not be impacted by proximity to our network.

This section provides advice for [Building near the electricity network](#) and paths to take if you find that your project will encroach on electrical assets, such as booking to [Speak to an engineering expert](#) or applying for a [Feasibility study](#).

Local Government Authorities can review our [Strategic planning](#) information to determine if any electrical infrastructure is located.

Pre-Application - WS-430162H1X9.

Second Enquiry - G9G6C0668515

Kind Regards

Paul Beattie

Community Engagement Consultant

Community & Stakeholders

A 363 Wellington St. Perth 6000 **T** 08 9326 7167

E p.beattie@westernpower.com.au



westernpower.com.au

10 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

11 MOTIONS OF WHICH NOTICE HAS BEEN RECEIVED

Nil

12 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

13 NEW BUSINESS OF AN URGENT NATURE (INTRODUCED BY DECISION OF THE MEETING)

Nil

14 MEETING CLOSED TO THE PUBLIC – CONFIDENTIAL BUSINESS AS PER LOCAL GOVERNMENT ACT, 1995, SECTION 5.23(2)

Nil

15 SCHEDULING OF MEETING

The next Ordinary Meeting of Council will be held on 28 November 2023 at the Shire of Dalwallinu Council Chambers, Dalwallinu commencing at 3.30pm.

16 CLOSURE

There being no further business, the Chairperson closed the meeting at _____ pm.

