



Regional Joint Development Assessment Panel Minutes

Meeting Date and Time: Tuesday, 1 February 2022; 9:30am
Meeting Number: RJDAP/43
Meeting Venue: Electronic Means

This DAP meeting was conducted by electronic means (Zoom) open to the public rather than requiring attendance in person

1 Table of Contents

1.	Opening of Meeting, Welcome and Acknowledgement.....	3
2.	Apologies.....	3
3.	Members on Leave of Absence	3
4.	Noting of Minutes.....	3
5.	Declaration of Due Consideration.....	3
6.	Disclosure of Interests.....	4
7.	Deputations and Presentations.....	5
8.	Form 1 – Responsible Authority Reports – DAP Applications.....	7
	8.1 Lot 5780 Down Road South, Drome	7
9.	Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval	18
	Nil.....	18
10.	State Administrative Tribunal Applications and Supreme Court Appeals ...	18
11.	General Business.....	18
12.	Meeting Closure	18

Mr Paul Kotsoglo
Presiding Member, RJDAP



Attendance

DAP Members

Mr Paul Kotsoglo (Presiding Member)
Mr Gene Koltasz (A/Deputy Presiding Member)
Ms Shelly Shepherd (A/Third Specialist Member)
Mayor Dennis Wellington (Local Government Member, City of Albany)
Cr Paul Terry (Local Government Member, City of Albany)

Officers in attendance

Mr Adrian Nicoll (City of Albany)
Ms Joanne Wardell-Johnson (City of Albany)
Mr Alan Millar (City of Albany)

Minute Secretary

Ms Adele McMahon (DAP Secretariat)
Ms Samantha Hansen (DAP Secretariat)
Ms Zoe Hendry (DAP Secretariat)

Applicants and Submitters

Mr Jeff Foley (GHD)
Mr James Forrest (GHD)
Mr Simon Cleary (GHD)
Mr Theo Newhouse (Great Southern Motorplex Group Inc)
Ms Lucy Wellstead (Albany Cycling Club)
Mr Jack Fuller (Albany Motorcycle Club)
Mr Don Martin (Recreational Trailbike Riders Association of Western Australia)
Ms Sue Dawes
Mr Lindsay Black
Mr Peter Eades
Ms Donna Thomas
Dr Narelle Hadlow
Mr Ray Gerovich
Mr Phil Harding
Mr Nelson Gilmour
Mr Ivan Gerovich
Mr Phillip Hull
Ms Annabel Paulley
Ms Diane Evers

Members of the Public / Media

There was 140 members of the public in attendance.

Mr Kyle Pauletto from ABC and Ms Sarah Makse from the Albany Advertiser were in attendance.

Mr Paul Kotsoglo
Presiding Member, RJDAP



1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:36am on 1 February 2022 and acknowledged the traditional owners and paid respect to Elders past and present of the land on which the meeting was being held.

The Presiding Member announced the meeting would be run in accordance with the DAP Standing Orders 2020 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

1.1 Announcements by Presiding Member

The Presiding Member advised that in accordance with Section 5.16 of the DAP Standing Orders 2020 which states '*A person must not use any electronic, visual or audio recording device or instrument to record the proceedings of the DAP meeting unless the Presiding Member has given permission to do so.*', the meeting would not be recorded.

The Presiding Member announced any DAP member or presenter attending a DAP meeting must not, either orally, in writing or by any other means –

- a) *Make a statement that a local government or public sector employee is incompetent or dishonest; or*
- b) *Use offensive or objectionable expressions in reference to a local government, public sector employee or other presenters.*

This meeting was convened via electronic means (Zoom). Members were reminded to announce their name and title prior to speaking.

2. Apologies

Ms Kanella Hope (Deputy Presiding Member)
Mr Justin Page (Third Specialist Member)

3. Members on Leave of Absence

Nil

4. Noting of Minutes

DAP members noted that signed minutes of previous meetings are available on the [DAP website](#).

5. Declaration of Due Consideration

The Presiding Member noted that an addendum to the agenda was published in relation to Item 8.1, received on 28 January 2022.

The Presiding Member noted an addendum to the agenda was published to include details of a DAP request for further information and responsible authority response in relation to Item 8.1, received on 31 January 2022.

Mr Paul Kotsoglo
Presiding Member, RJDA



PROCEDURAL MOTION

Moved by: Ms Shelley Shepherd **Seconded by:** Mayor Dennis Wellington

That the meeting be adjourned for a period of 5 minutes

The Procedural Motion was put and CARRIED UNANIMOUSLY.

REASON: To allow members to allow members to consider the late written submission from Mr Phillip Harding that was received by panel members at 9:33am.

*The meeting was adjourned at 9:50am.
The meeting was reconvened at 9:57am.*

*Mr Paul Kotsoglo left the panel at 9:53am.
Mr Paul Kotsoglo joined the panel at 9:57am.*

All members declared that they had duly considered the documents.

6. Disclosure of Interests

DAP Member, Mr Paul Kotsoglo, declared an Impartiality Interest in item 8.1.

- Planning Solutions was sent a request for quotation for the Motorplex, the Planning Solutions tender was non-compliant and the invitation to provide further information was declined by Planning Solutions. Planning Solutions wasn't engaged on the project and had no involvement in the project.
- One of the submitters, Mr Dibble is known to Mr Kotsoglo. Mr Kotsoglo has purchased 2 motorcycles from him and he continues to provide mechanical advice, accessories, etc. The sale/repair normal commercial transactions. The application has not been discussed.
- Mr Kotsoglo is member of the BMW Motorcycle Club of WA.

In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2020, the Presiding Member, Ms Francesca Lefante determined that the member listed above, who had disclosed an Impartiality Interest, was permitted to participate in the discussion and voting on the item.

DAP Member, Mr Justin Page, declared an Indirect Pecuniary Interest in Item 8.1. Mr Page is employed by Element Advisory who is appointed by DevelopmentWA on various projects outside of the City of Albany. Mr Page declares this will not influence decision making in relation to the item in the context of DevelopmentWAs submission on the proposal.

In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2020, the Presiding Member, Mr Paul Kotsoglo determined that the member listed above, who had disclosed an Indirect Pecuniary Interest, was not permitted to participate in the discussion and voting on the item.

Mr Paul Kotsoglo
Presiding Member, RJDAP



DAP Member, Cr Terry, declared that he is a member of the Albany Cycle Club, who have made a submission in relation to the application being considered.

In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2020, the Presiding Member, Mr Paul Kotsoglo determined that the member listed above, who had disclosed an Impartiality Interest, was permitted to participate in the discussion and voting on the item.

7. Deputations and Presentations

- 7.1** Mr Peter Eades addressed the DAP against the recommendation for the application at Item 8.1.
- 7.2** Ms Donna Thomas addressed the DAP against the recommendation for the application at Item 8.1.
- 7.3** Mr Nelson Gilmour addressed the DAP against the recommendation for the application at Item 8.1.
- 7.4** Mr Ray Gerovich addressed the DAP against the recommendation for the application at Item 8.1.
- 7.5** Mr Ivan Gerovich addressed the DAP against the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.6** Dr Narelle Hadlow addressed the DAP against the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.7** Mr Phillip Hull addressed the DAP against the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.8** Ms Annabel Paulley addressed the DAP against the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.9** Ms Diane Evers addressed the DAP against the recommendation for the application at Item 8.1.
- 7.10** Mr Don Martin (Recreational Trailbike Riders Association of Western Australia) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.11** Mr Lindsay Black addressed the DAP in support of the recommendation for the application at Item 8.1.
- 7.12** Ms Sue Dawes addressed the DAP in support of the recommendation for the application at Item 8.1.
- 7.13** Mr Jack Fuller (Albany Motorcycle Club) addressed the DAP in support of the recommendation for the application at Item 8.1.

Mr Paul Kotsoglo
Presiding Member, RJDA



- 7.14** Ms Lucy Wellstead (Albany Cycling Club) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.15** Mr Theo Newhouse (Great Southern Motorplex Group Inc) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.16** Mr Jeff Foley (GHD) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.17** Mr James Forrest (GHD) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.18** Mr Simon Cleary (GHD) addressed the DAP in support of the recommendation for the application at Item 8.1 and responded to questions from the panel.
- 7.19** Ms Joanne Wardell-Johnson and Mr Adrian Nicholl (City of Albany) addressed the DAP in relation to the application at Item 8.1 and responded to questions from the panel.
- 7.20** The panel members noted written submissions from Mr Neil Pettit, Mr Ivan Gerovich, Ms Donna Thomas, Mr Anthony & Ms Donna Thomas, Mr Phillip Hull, Ms Annabel Paulley, Mr Phil Harding and Ms Colleen Srodzinski against the recommendation at Item 8.1.

PROCEDURAL MOTION

Moved by: Mr Gene Koltasz

Seconded by: Ms Shelley Shepherd

That the meeting be adjourned for a period of 15 minutes.

The meeting was adjourned at 12:50pm.

The meeting was reconvened at 1:05pm.

The Procedural Motion was put and CARRIED UNANIMOUSLY.

REASON: To provide the members with a comfort break.

Mr Paul Kotsoglo
Presiding Member, RJDA



8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 Lot 5780 Down Road South, Drome

Development Description: 'Recreation – private' (stage 1 – proposed motor-sport park: stage 1a – emergency access way, motocross track, 4wd training area and all-terrain vehicle area and associated infrastructure & stage 1b – multi-use racetrack and associated infrastructure.

Applicant: GHD on behalf of Great Southern Motorplex Group

Owner: City of Albany

Responsible Authority: City of Albany

DAP File No: DAP/21/02062

REPORT RECOMMENDATION

Moved by: Mayor Dennis Wellington

Seconded by: Cr Paul Terry

That the Regional JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/21/02062 is appropriate for consideration as a "Recreation - Private" land use and compatible with the objectives and requirements of the Special Use Zone set out under cl. 4.7 and requirements under SU26 of Schedule 4 – Special Use Zones of the City of Albany Local Planning Scheme No. 1.
2. **Approve** DAP Application reference DAP/21/02062 and accompanying development plans, management plans and assessment reports listed as:
 - a) Environmental Management Plan (27 July 2021)
 - b) Water Management Plan (16 August 2021)
 - c) Hydrocarbon Management Plan (27 July 2021)
 - d) Waste Management Plan (27 July 2021)
 - e) Dust Management Plan (27 July 2021)
 - f) Site and Soil Evaluation Report for Onsite Wastewater Management (19 August 2021)
 - g) Protection Exclusion Area Management Plan (27 July 2021),
 - h) Decommissioning Plan (27 July 2021)
 - i) Construction Management Plan (27 July 2021)
 - j) Visual Impact Assessment (24 August 2021)
 - k) Bushfire Management Plan and Addendum Report (26 July 2021)
 - l) Traffic & Parking Management Plan (16 April 2021)
 - m) Development Plansin accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Albany Local Planning Scheme No. 1, subject to the following conditions:

Mr Paul Kotsoglo
Presiding Member, RJDAP



Conditions

1. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. All development shall be undertaken in accordance with the requirements of Schedule 4 SU26 and Precinct Plan of the City of Albany *Local Planning Scheme No. 1*, the development and management plans listed below, with all works, measures and actions identified under the approved development and plans implemented and maintained, unless varied by a condition of approval or a minor amendment, to the satisfaction of the City of Albany:
 - a) Environmental Management Plan (27 July 2021)
 - b) Noise Management Plan (27 July 2021)
 - c) Water Management Plan (16 August 2021)
 - d) Hydrocarbon Management Plan (27 July 2021)
 - e) Waste Management Plan (27 July 2021)
 - f) Dust Management Plan (27 July 2021)
 - g) Site and Soil Evaluation Report for Onsite Wastewater Management (19 August 2021)
 - h) Protection Exclusion Area Management Plan (27 July 2021),
 - i) Decommissioning Plan (27 July 2021)
 - j) Construction Management Plan (27 July 2021)
 - k) Visual Impact Assessment (24 August 2021)
 - l) Bushfire Management Plan and Addendum Report (26 July 2021)
 - m) Traffic & Parking Management Plan (16 August 2021)
 - n) Development Plans
3. Noise monitoring is to be undertaken on at least two occasions per 12-month period, to measure levels of noise associated with the loudest motorsport events at the motorsports park. The noise monitoring is to also account for the impact of the PA system. The noise monitoring is to be taken at the nearest sensitive premises and is to be reported to the City of Albany on an annual basis.
4. In regards to the approved Bushfire Management Plan dated 26 July 2021, prior to occupation of use of Stage 1A:
 - a) A 20m wide road reserve shall be excised from Lot 1 Albany Highway and a 10m wide easement shall be implemented through Lot 10 Albany Highway, for the purposes of an Emergency Access Way, to the satisfaction of the City of Albany.
 - b) Gates shall be implemented and maintained at the western and eastern entries to the road reserve excised from for Lot 1 Albany Highway for the Emergency Access Way, to restrict access for emergency purposes only, in accordance with the approved Bushfire Management Plan; and
 - c) Directional signage associated with the Emergency Access Way shall be implemented and maintained, with one installed at the entry to the western end of the road reserve for Lot 1 Albany Highway and one at the eastern entry of the road reserve for Lot 10 Albany Highway, stating 'Emergency Access Way', in accordance with the approved Bushfire Management Plan.

Mr Paul Kotsoglo
Presiding Member, RJDA



5. In regards to the approved Site and Soil Evaluation Report for Onsite Wastewater Management dated 19 August 2021:
 - a) Prior to the occupation of use of Stage 1A, an approved 'Secondary' treatment system, certified to AS1546.3:2008, shall be installed for the Motocross Precinct and maintained in perpetuity.
 - b) Prior to the occupation of use of Stage 1B, an approved 'Secondary' treatment system, certified to AS1546.3:2008, shall be installed for the Race Track Precinct and maintained in perpetuity.

6. In regards to the approved Water Management Plan dated 16 August 2021:
 - a) Surface and ground water monitoring should be undertaken on a monthly basis to the satisfaction of the City of Albany.
 - b) Prior to the occupation of use, a Revegetation Plan shall be developed and implemented for the Protection Exclusion Area (wetland gully area). The Revegetation Plan is to identify sources of wetland and upland vegetation type plantings, density of plantings, weed control, completion criteria and monitoring timeframes to the satisfaction of the City of Albany.
 - c) The proposed motocross track, race car track and 4WD areas are to achieve a minimum vertical separation distance of two metres to the maximum (wet season) groundwater table, to allow for soil contaminant filtration and aerobic microbial action. Proposed stormwater basins designed for infiltration management, are to also achieve a 2m clearance to groundwater. If the base of a proposed basin is within the 2m limit, the basin is to be lined to prevent infiltration and a subsoil drainage system is to be developed.

7. In regards to the approved Protection Exclusion Area Management Plan dated 27 July 2021:
 - a) Prior to the occupation of the motocross track, a Revegetation Plan shall be prepared in relation to the Protection Exclusion Area (wetland gully area) and submitted to the City for approval. The Revegetation Plan is to be implemented within the first five available planting seasons (i.e. by the end of the year 2026).

8. No goods or materials shall be stored in parking or landscape areas, or in access driveways, and the 50m Protection Exclusion Area unless otherwise approved by the City of Albany.

Mr Paul Kotsoglo
Presiding Member, RJDAP



ADVICE

Noise Management

1. In respect to noise management during construction of Stages 1A and 1B and the operation of the approved motorsports complex, as outlined in accordance with the Noise Management Plan (NMP) (as amended):
 - a) In accordance with the *Environmental Protection Act 1986*, a Noise Management Plan for the proposed motor sport venue requires formal approval, as delegated to the Chief Executive Officer, City of Albany.
 - b) In regards to the modifications required to the NMP prior to obtaining formal approval outlined above, it is noted that there is a requirement limiting the period of approval to three years. As the venue will undergo staged construction that will most likely take longer than three years, the City recommends that the approval timeframe sought for the NMP be amended from three years to ten years.
 - c) Two weeks before any construction activity commences for Stages 1A and/or 1B, all noise sensitive residents within 2 km of the Lot 5780, are to be provided with contact details to direct any noise complaints related to construction works.
 - d) The maximum potential usage of the multi-use race track precinct is as follows:
 - i) Monday to Saturday 8:00 to 18:00,
 - ii) Sundays and Public Holidays 9:00 to 18:00
 - iii) The multi-use racetrack cannot operate an event at the same time as a motocross event.
 - e) The maximum potential usage of the motocross precinct is as follows:
 - i) Tuesday & Thursdays 15:00 to 18:00 (practice/training).
 - ii) One weekend event per month Saturday 8:00 to 18:00. Sundays and Public Holidays 9:00 to 18:00.
 - iii) Motocross cannot operate an event when the multi-use racetrack is in use.
 - iv) Additional weekend usage is only possible if it is not in conflict with the racetrack.
 - f) The maximum potential usage of the 4WD precinct is as follows:
 - i) Monday to Sunday 9:00 to 18:00
 - ii) 4WD not to operate when Motocross in use.
 - g) The NMP refers to a 'Special Event' as being, an event that cannot be conducted within the limits for scheduled race meetings and practice sessions. Such an event requires special approval from the CEO of the Department of Water and Environmental Regulation, or the relevant delegated authority, in accordance with r. 18 of the *Environmental Protection (Noise) Regulations 1997*.

Mr Paul Kotsoglo
Presiding Member, RJDAP



2. Prior to formal submission of the Noise Management Plan to the City of Albany for endorsement by the Chief Executive Officer, the Noise Management Plan and associated noise modelling, are to be modified as follows:
 - a) At section 7, point 5, include the following text after the word 'buffer':
'or as required by conditions of the approval'
 - b) At section 8.2, change '9.3' to '9.2' and '10.3' to '10.2'.
 - c) At section 10, change '10.3' to '10.2'.
 - d) Delete point 4 in section 10.3 of the Noise Management Plan as it is covered by point 1.
 - e) At section 3 of the Noise Management Plan, amend from 'three' years to 'ten' years.
 - f) Regarding the Noise Assessment report (Sept 2020), change the 'distance from the AMP boundary', for the 'SR02' dwelling, from 1120m to 980m and update noise decibel readings for the SR02 site to reflect the new corrected distance.

Water Management

3. In respect to the approved Water Management Plan (WMP) dated 16 August 2021:
 - a) The WMP is to be implemented for construction and operation of the site to the satisfaction of the City. The WMP must achieve site and design criteria for the following:
 - Water and wastewater supply and servicing
 - Stormwater and water quality management
 - Construction management
 - Monitoring
 - b) DWER's Water Quality Protection Note 100: Contaminant Spills - emergency response plan (2020) should be considered.
 - c) Based on the acid sulfate soil (ASS) assessments to date, inorganic sulfidic sources capable of rapid acid release upon disturbance were not observed. Other, more slow releasing acidity sources were observed in the ASS assessment and will require management if disturbed in volumes greater than 100m³. Refer to DWER's Acid Sulfate Soil Guidelines for information to assist with the management of ground and/or groundwater disturbing works, available from dwer.wa.gov.au.
 - d) Under the *Rights and Water Irrigation Act 1914* a licence may be required to construct a bore or take water within a proclaimed Albany Groundwater Area.
 - e) The surface and groundwater monitoring shall be undertaken in accordance with a water-monitoring programme, to the satisfaction of the City of Albany. The water-monitoring programme is to include a Water Quality Response and Contingency Plan. The Water Quality Response and Contingency Plan should inform any additional monitoring and frequency required (i.e. water monitoring extended from monthly to quarterly). Monitoring of water entering and leaving any compensation basins should be undertaken following rainfall events. The City of Albany may consider reviewing the frequency of water monitoring, subject to the development of a monitoring programme and consultation with DWER.
 - f) The development is to have access to a sufficient supply of potable water that is of the quality specified under the Australian Drinking Water Quality Guidelines 2011.



- g) Stormwater management for the approved development is to be designed and developed in accordance with the 'City of Albany's Subdivision and Development Guidelines', as follows:
- Manage, retain and/or detain, and treat (if required) stormwater runoff from constructed impervious surfaces generated by the first 15mm of rainfall at source as much as practical.
 - Sizing of the pit and pipe system to accommodate the 20% Annual Exceedance Probability event.
 - Attenuate the 20% Annual Exceedance Probability event (5 year Average Recurrence Interval) to pre-development flows.
 - Maintain the 1% Annual Exceedance Probability event to pre-development flood regime. Where this is not possible the downstream flood impact to be assessed and minimised to the satisfaction of the City of Albany. The overland flood route must be provided and shall be clearly identified on the stormwater design drawings.
- h) The stormwater management system is to be designed and certified by a practicing Civil Engineer to the satisfaction of the City of Albany.
- i) Prior to connection to the site's stormwater system, an approved Class 1 separation system (in accordance with EN858-1) is to be installed where petrol, benzene or other inflammable or explosive substances or grease, oil or greasy/oily matter is likely to be discharged.
- j) Stormwater and surface run-on should be diverted around, or away from, land application areas.

Effluent Management

4. In respect to effluent management:

- a) An application to the Department of Health for an effluent treatment system will need to:
- Highlight accurate times of use, volumes and dispersion rates.
 - Accommodate times during the year when the facility is used much less including the management for the once per week meetings with low patronage numbers.
 - Ensure the tanks and secondary treatment systems are able to cope with the periods of time when:
 - There is little use such as low volumes each week and at the same time accommodate peak loadings at other times.
 - There is no usage perhaps when the track could be closed for several months;
 - If there will be an influence of less solids entering the secondary treatment system and if this will influence the operation of the system.
 - Be Engineer Certified to ensure the operation of the 'system' handles peak and non-peak loadings.
- b) An application to the Department of Health for the certified 'Secondary' treatment systems, are to be accompanied by a revised Site and Soil Evaluation Report, specific to the racetrack precinct (i.e. water balance calculations and design evaluation).



- c) The discharge point of the on-site sewerage system is to be at least two metres above the highest groundwater level, taking into account the range of seasonal groundwater conditions in the context of long term variability and possible groundwater rise following development.
- d) Land Application Areas for managing effluent should be located in accordance with recommended locations defined by the Site and Soil Evaluation assessment and Water Management Plan. Land application areas are required to achieve a two metre vertical separation to the highest groundwater level post-development.
- e) On-site wastewater infrastructure (15,000 L holding tanks) should meet the requirements of *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*.
- f) The secondary treatment systems should be serviced as dictated by the supplier or engineer
- g) Proposed mitigation measures for the Motocross and Racetrack Precincts should be addressed. These include:
 - Diversion of stormwater from upslope around sub-soil irrigation areas
 - Amended soils in LAAs are used where hardpan or bedrock of < 0.6 m.
 - Design loading rates and Design irrigation rates are used to accommodate soil permeability.
- h) Any subsurface irrigation areas should be vegetated (i.e. with grass that can be mown regularly) to encourage growth and maximise nutrient uptake.
- i) Chemicals, large quantities of cleaning products, fats, oils and grease, and food scraps should not be discharged to the wastewater treatment and disposal system, as they risk overloading or interfering with the functioning of the system.

Hydrocarbon Management

5. In respect to the approved Hydrocarbon Management Plan dated 27 July 2021:
 - a) All personnel are to be given an induction on procedures associated with hydrocarbon management responsibilities. This includes:
 - Refuelling and minor servicing in self-bunded designated areas only.
 - No major servicing onsite.
 - No above or below ground bulk fuel storage tanks onsite.
 - Appropriate containment and remediation of any spills.
 - Appropriate storage and offsite disposal of waste hydrocarbons.
 - b) All spill/pollution or incidents that are serious or have lasting environmental impacts shall be reported to the DWER as soon as practicable. Minor spills/pollution and incidents shall be recorded, via an Incident Register and reported to the City of Albany.
 - c) Regular inspection and maintenance of developed areas is to occur (e.g. vehicle maintenance areas and wastewater infrastructure) to ensure they are operating as required (e.g. Sediment should be removed from sediment traps as required and disposed of at a registered waste facility. Any hydrocarbons removed from the oil water separator will be collected and stored within appropriate sealed containers for disposal at a registered waste facility).



Waste Management

6. In respect to the approved Waste Management Plan dated 27 July 2021:
- a) Any hazardous waste is to be transported off-site for disposal to appropriately licensed facilities.
 - b) All personnel are to be given an induction on procedures associated with waste management responsibilities. This includes:
 - Wherever practical and economically viable, all waste materials will be recycled.
 - Collection areas and bins being appropriately maintained.
 - Provision of the appropriate number and types of bins on site for each of the different types of waste. Bins being clearly marked and monitored for cross-contamination of wastes.
 - Batteries, tyres, scrap metal, recycled materials and putrescible waste, hazardous waste and liquid waste from transportable toilets being transported off-site for disposal to appropriately licensed facilities.

Dust Management

7. In respect to the approved Dust Management Plan dated 27 July 2021:
- a) Disturbed surfaces are to be kept to the minimum.
 - b) Time any works to minimise dust emissions.
 - c) Avoid the removal of tree/vegetation shelter belts alongside boundaries.
 - d) Locate any stockpiles in sheltered areas and cover when they are to be left for longer than 24 hours.
 - e) Apply water/dust suppressant to:
 - Exposed areas when strong winds are expected.
 - Areas scheduled for disturbance.
 - f) Ensure a water cart is available to apply water to open areas (4WD training area, car parks, etc.) when strong winds are expected or during periods of high dust generation (operational)
 - g) Develop sprinklers adjacent to the motocross track to apply water when strong winds are expected or during periods of high dust generation (operational)

Site and Soil Management

8. In respect to site and soil management:
- a) Soil excavations should only occur during the periods of the year where groundwater is at its lowest point (i.e. outside of winter and post-winter periods) to eliminate the need for temporarily lowering the groundwater table (dewatering).
 - b) Based on the acid sulfate soil (ASS) assessments to date, inorganic sulfidic sources capable of rapid acid release upon disturbance were not observed. Other, more slow releasing acidity sources were observed in the ASS assessment and will require management if disturbed in volumes greater than 100m³. Refer to DWER's Acid Sulfate Soil Guidelines for information to assist with the management of ground and/or groundwater disturbing works, available from dwer.wa.gov.au.
 - c) Slow releasing acidity sources were observed in the ASS assessment and will require management if disturbed in volumes greater than 100m³. Neutralisation treatment and validation of soils will be required for any silty sand soil units disturbed in the proximity of the watercourse.



Protection Exclusion Area Management

9. In respect to the approved Protection Exclusion Area Management Plan dated 27 July 2021:
- a) Ensure a 50 m wide, low fuel Development Exclusion Buffer is maintained around the Protected Exclusion Area.
 - b) There should be no direct (untreated) discharge of water into the waterway/protection exclusion area.
 - c) Develop and maintain fencing around Development Exclusion Buffer.
 - d) Ensure implementation of hydrocarbon, water and waste management plans.
 - e) Surface water drains and discharge locations to be positioned so that they have minimal impact on native vegetation.
 - f) Install erosion and sediment control structures downstream of activity areas.
 - g) Maintain erosion control structures on a regular basis to prevent erosion and sedimentation in the Protected Exclusion Area.

Decommissioning

10. In respect to the approved Decommissioning Plan dated 27 July 2021:
- a) Should the motor-sporting activity(s) discontinue, decommissioning of infrastructure is to occur to ensure the site could return to pre-existing environmental conditions, as near as practical, while minimising potential erosion and dust emissions prior to any future redevelopment.
 - b) Site rehabilitation would also need to occur to restore all disturbed areas caused through the construction and operation of the facility, leaving a safe, stable and self-sustaining environment that reflects the surrounding landscape.
 - c) Finance should be set-aside in the instance that decommissioning and rehabilitation may-be necessary.

Construction Management

11. In respect to the approved Construction Management Plan dated 27 July 2021:
- a) Provision of a bunded area suitable for washing down of infrastructure where required.
 - b) Provision of temporary bunded areas provided to prevent silt runoff into the drainage system.
 - c) Provision of litter and waste storage bins provided to prevent litter being blown by wind or washed by rainfall.
 - d) Provision of a stabilised entry and exit point to prevent vehicle tracking of soil from the building site onto roads.
 - e) Consideration given to positioning of stockpiles of sand/soil to prevent material being tracked, washed, or blown into roads, and then into existing surface drainage or constructed stormwater systems.
 - f) Dewatering to be undertaken where necessary.



Visual Impact

12. In respect to the approved Visual Impact Assessment dated 24 August 2021:
- a) There is no flood lighting proposed for motocross, racetracks and surrounding areas in Stage 1 of the AMP development, therefore it is expected that mitigation measures will not be required to manage light spill. Low level outdoor lighting for pedestrian access may be acceptable. If in the future flood lighting is required, this would require further assessment and approval.
 - b) On the southern boundary of the racetrack area, boundary planting of 6 – 10 m wide fire-retardant screening trees, with low fuel maintained understorey, is to occur as part of Stage 1A.
 - c) Retain large mature trees on site where possible to help visually mitigate, break up and screen development.
 - d) Any large visually prominent buildings (e.g. Club house) should be designed to minimise visual impact, with height and form kept to a minimum and sympathetic with surrounding landform.
 - e) Tree planting should occur around any large or high built form and car parking areas to mitigate visual impacts from surrounding areas, particularly from the south.
 - f) Building should be developed using non-reflective materials and colours which are sympathetic to the surrounding landscape (e.g. Woodland Grey colour or similar).
 - g) Implementation of the Landscape Masterplan (SK-L001) should commence within the first three available planting seasons and completed and maintained thereafter to the satisfaction of the City of Albany. Any species which fail to establish within the first three planting seasons following implementation shall be replaced, to the satisfaction of the City of Albany.

Bushfire Management

13. In respect to the approved Bushfire Management Plan dated 26 July 2021:
- a) Ensure low fuel areas (as required), are implemented prior to commencement of any site works or events. Slashing/mowing all internal grassland and woodland areas is to occur to maintain the precinct in a low fuel status.
 - b) Install two 110,000L water tanks, dedicated for firefighting (one at the racetrack precinct and one at the motocross precinct). The outlet on the water tank should be a 75mm Camlock. A turnaround hardstand area should be installed at water tanks.
 - c) It is recommended that a fast attack light unit is located on-site in readiness should a fire occur.
 - d) Events should not occur on catastrophic fire days, total fire ban days and vehicle movement restrictions as regulated by CoA or DFES.
 - e) Ensure the Bushfire Emergency Evacuation Plan (BEEP) is updated for the site with wardens and responsible persons identified.
 - f) Event days should have a fire safety crew in readiness in the instance of a bushfire.
 - g) Any re-fuelling of vehicles should occur in designated areas.
 - h) Suitable traffic control is to occur for any evacuation necessary in the instance of a bushfire.
 - i) Open space refuge areas, for (club days) 200-500 people, should be made available, to achieve a radiant heat flux of <2 kW/m².
 - j) Fencing throughout the site should be non-combustible. Timber post and wire fencing may-be used around the protection exclusion area.

Mr Paul Kotsoglo
Presiding Member, RJDA



Traffic and Parking Management

14. In respect to the approved Traffic & Parking Management Plan dated 16 August 2021:
- a) Design and development of the slip lane and main crossover to the site (entry/exit off Down Road West) is to be undertaken to the satisfaction of the City and concurrently with the development of Stage 1A (motocross facility). Alternative access options (i.e. Down Road South - emergency exit at NE corner and emergency exit at NW corner) may-be used whilst the main access is being constructed and during construction of facility to avoid damage to new entrance/crossover from heavy vehicle turning movements.
 - b) A 'Permit for Vehicle Crossover Construction' from the City of Albany is required prior to any work being carried out within the road reserve, which shall be in accordance with drawing nos. STD-05-01 – STD-05-03 (refer to the City of Albany's Subdivision and Development Guidelines).
 - c) Develop directional signage on Down Road to assist in causing visitors to the site to slow down. Event activities are not to commence until all signs, devices and barricades are in place and operational in accordance with the requirements of the approved Traffic Management Plan.
 - d) Traffic management planning for large events should be developed with the City of Albany and Main Roads WA. For large events, traffic wardens should be stationed at the entry to the car park and exit location to direct event traffic.
 - e) Regular consultation should be undertaken with CBH, the woodchip facility and other businesses in Down Road to advise when large events are planned.
 - f) Car parking and access is to be designed in accordance with the Australian Standard 2890.

The Report Recommendation was put and CARRIED (3/2).

For: Mr Gene Koltasz
Mayor Dennis Wellington
Cr Paul Terry

Against: Mr Paul Kotsoglo
Ms Shelley Shepherd

REASON: The majority of the panel agreed with the officer recommendation for approval and identified the genuine need for the facility for the community, especially Motocross, and strong commitment of the various motorsports bodies to construct and operate the facility as per the conditions of DA Approval. The development provides a positive community benefit as a whole of the proposed facility, especially reducing impact of illegal Trail Bike riding in the Sandpatch reserve, which is part of the P1 PDWSA South Coast Water Reserve and from which drinking water is drawn from now. The proposed land use is in accordance with the applicable zone under the Local Planning Scheme and that the extensive documentation submitted by the proponent to address relevant environmental and planning matters as required by the Scheme sufficiently addresses matters relevant to those Scheme provisions. The ability to develop the land and facilities in a staged and closely monitored manner such that the concerns and issues which were required to be addressed may be satisfied in an acceptable manner and consistent with standard industry practice.

Mr Paul Kotsoglo
Presiding Member, RJDA



The concerns raised by the various submitters were taken into account, and were not considered to be of sufficient weight to require the reassessment or rejection of the proposed development application, when the proposed conditions of approval and necessary management plans were taken in to account. The additional concerns raised by RJDAP Members at the December meeting were sufficiently addressed by the proponents.

9. Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval

Nil

10. State Administrative Tribunal Applications and Supreme Court Appeals

The Presiding Member noted the following SAT Applications -

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DP/14/00039 DR 65/2020	Shire of York	Lots 4869 (2256), 5931, 9926 (2948) and 26934 Great Southern Highway, St Ronans	Construction and Use of Allawuna Farm for the purposes of a Class II Landfill	28 July 2020
DAP/21/02063 DR241/2021	Shire of Dardanup	Lot 2 Banksia Road, Crooked Brook	Cleanaway Dardanup Landfill Facility	5 November 2021
DAP/21/02102 DR11/2022	City of Busselton	Lot 108 (No.57) Dunn Bay Road & Lot 109 (No. 6) Cyrilleen Way, Dunsborough	Mixed Use Development (Office, Shops, Restaurant/Cafe, Liquor Store – Small & 42 Multiple Dwellings)	13 January 2022

11. General Business

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2020 only the Presiding Member may publicly comment on the operations or determinations of a DAP and other DAP members should not be approached to make comment.

12. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 2:30pm.

Mr Paul Kotsoglo
Presiding Member, RJDAP