

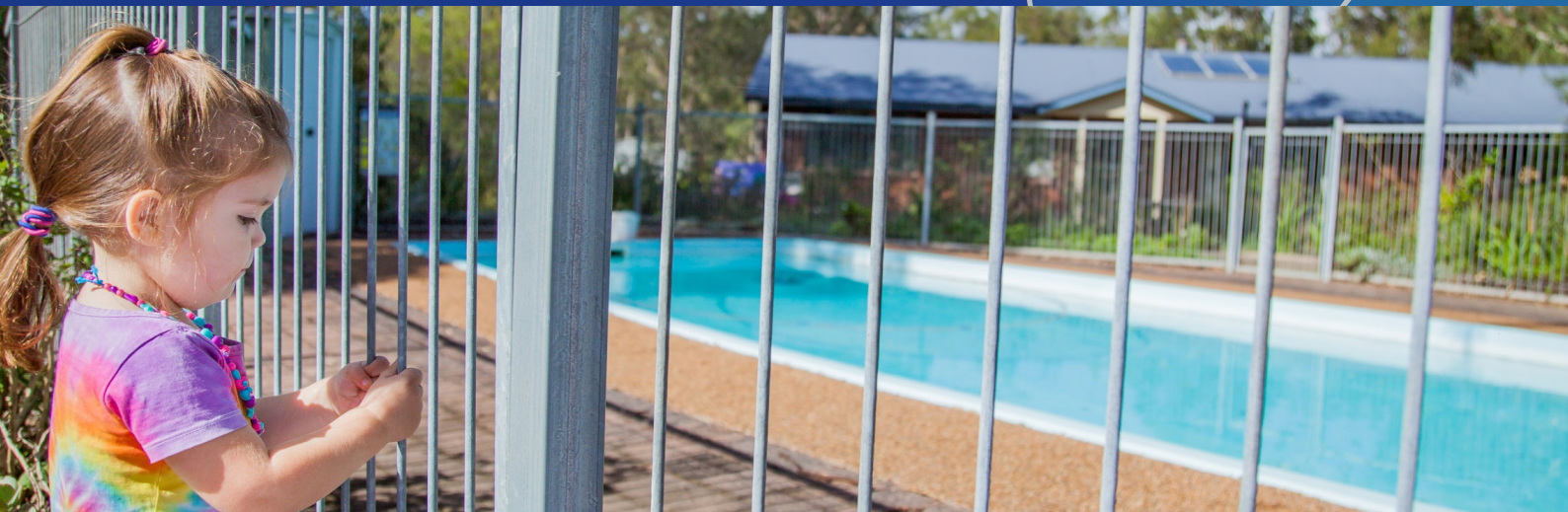


**DEVELOPMENT SERVICES ATTACHMENTS
ORDINARY MEETING OF COUNCIL
WEDNESDAY 15 APRIL 2026**

REPORT NUMBER	REPORT TITLE AND ATTACHMENT DESCRIPTION	PAGE NUMBER(S)
DS01 – 04/26	<p>Proposed Swimming Pool Barrier Inspection Change – Community Consultation</p> <p>Attachments</p> <ol style="list-style-type: none"> 1. Extending pool safety barrier requirements Local Council 2. Extending pool safety barrier requirements info for Residents 	00 – 09
DS02 – 04/26	<p>Dog Exercise Area – Wildflower Ridge Public Open Space</p> <p>Attachments</p> <ol style="list-style-type: none"> 1. Designated Dog Exercise Area Plan 	10
DS03 – 04/26	<p>Application for Development Approval – 124 (Lot 607) Propagation View – Proposed Extension of Non-Conforming Use (Waste Transfer Facility)</p> <p>Attachments</p> <ol style="list-style-type: none"> 1. Planning Report 2. Schedule of Submissions 3. Amended Plans 	11 – 110



Guidance – excluded areas – local government



Extending pool safety barrier requirements

This document provides guidance to local governments that have areas within their district that are excluded from the safety barrier requirements for existing private swimming and spa pools (swimming pools) in the [Building Regulations 2012](#) (the Regulations), and encourages them to consider having these exclusions removed.

1. Why is this being targeted now?

Drowning is a leading cause of accidental death for young children (under five years of age). The majority of these drowning incidents occur in swimming pools.

The Ombudsman WA (Ombudsman) tabled its report, [Investigation into ways to prevent or reduce deaths of children by drowning](#) (Report), in Parliament in November 2017. This instigated a review by the Department of Local Government, Industry Regulation and Safety (then the Department of Energy, Mines, Industry Regulation and Safety) Building and Energy division (Building and Energy) of the safety barrier requirements for swimming pools within WA.

The Report highlighted the increased risk of drowning of young children in swimming pools that are not required to comply with the safety barrier requirements in Part 8 Division 2 of the Regulations due to being located in an

excluded area. It also identified that some local governments have been providing incorrect information and advice by informing residents that a safety barrier is not required for new swimming pools constructed in those excluded areas.

Recommendation 25 of the Report states:

‘The Building Commissioner considers an amendment to the Building Regulations 2012 to remove excluded areas so that regulation 50(1) of the Building Regulations 2012 applies to all owners and occupiers of premises throughout Western Australia. Alternatively, if such an amendment is not considered appropriate, the Building Commissioner works with relevant local governments in excluded areas to provide accurate advice regarding the need to provide swimming pool barriers as part of the relevant building permit’.

2. Government decision

As part of a review, Building and Energy recognised that with regard to excluded areas it is more appropriate for local governments to lead regulatory decisions for their local community. As such, Building and Energy decided to not amend the Regulations to extend the safety barrier requirements across currently excluded areas without local government direction.

Building and Energy is encouraging, and will continue to actively promote, that affected local governments consider removing their excluded areas in Schedule 5, thereby requiring those areas to comply with Part 8 Division 2 of the Regulations.

Specifically, the outcome of the regulatory review detailed in the Government's '[Swimming Pool and Safety Barrier Control Decision Paper, April 2021](#)', in relation to this matter was to:

- **Amend the Regulations** on formal request by affected local governments to require safety barriers for all private swimming pools in all areas of their geographic district.
- **Actively engage** with affected local governments to remove excluded areas from their district.
- **Provide guidance** to these affected local governments on:
 - the processes required to remove the regulatory exclusion and satisfy the Government's commitment to best practice regulation; and
 - the existing requirement for all new swimming pools in all areas of the State, regardless of excluded areas, to have compliant safety barriers at the time of completion of building work, regardless of whether or not a building permit is required.
- **Provide guidance** to owners on the merit of voluntary pool barriers for those pools located in excluded areas of WA.

3. Clarification of the requirements

The [Building Act 2011](#) (the Act) and the Regulations have differing requirements for new and existing swimming pools, located in Part 4 and Part 8 Division 2 of the Regulations respectively. Generally, a swimming pool is considered new at the time of completion of the swimming pool and considered existing thereafter.

3.1 New swimming pools

All **new** swimming pools, regardless of Schedule 5 and the property's location within WA, are required to have compliant safety barriers at the time of completion of the building work for the swimming pool where its depth of water exceeds 30 cm. This applies irrespective of whether a building permit is required.

The Act requires all **new** swimming pools to comply with the applicable building standards, which includes the requirement for safety barriers. There are **no exclusions or exemptions** from this requirement; this should not be confused with the building permit exemptions under Schedule 4 or the exclusions for **existing** swimming pools under Schedule 5.

3.2 Existing swimming pools

The requirements for **existing** swimming pools to have safety barriers, and for those safety barriers to be inspected by local governments, only apply to areas of the State that are listed in Schedule 5. Areas not listed in the Schedule are excluded from these requirements. Areas subject to these exclusions are typically in regional and remote areas. Of the 139 local governments in WA, 71 have areas that are excluded.

While the inspections do not apply to swimming pools located in excluded areas, general enforcement powers remain available and may be used by local governments where a swimming pool is reasonably believed to be in a dangerous state, which may include (depending on circumstances), where a safety barrier is defective, not provided or has been removed.

In such cases the local government may make a Building Order under Part 8 Division 5 of the Act that could require the installation or repair of a safety barrier.

4. Considering the options

Local governments with excluded areas in their district have two options:

4.1 Option 1: Remove excluded areas

Extend the safety barrier and inspection requirements to currently excluded areas, including:

- Provision of compliant safety barriers to all existing swimming pools containing a depth of water of more than 30 cm (regulation 50 (2));
- Local government initial inspection of safety barriers to all new and previously uninspected swimming pools within 30 days (regulation 53 (2)(a));
- Local government periodic inspections of safety barriers to existing swimming pools at intervals not exceeding four years (regulation 53 (2)(b)(ii)); and
- Associated fees for service (regulation 53A).
- Local governments that also have building permit exclusions under Clause 1 of Schedule 4 of the Regulations should consider the impact they may have and may wish to consider including the removal of those exclusions through this same process.

An information sheet (Extending pool safety barrier requirements – Information for residents) is available that may be useful for local governments when consulting with residents who reside in excluded areas.

4.2 Option 2: No regulatory change – encourage voluntary installation of barriers

Retain currently excluded areas and instead actively encourage those residents to voluntarily install and/or maintain safety barriers to existing swimming pools.

An information sheet (Safety barriers for private swimming and spa pools in excluded areas) is available for local government reference/distribution to residents residing in excluded areas that encourages the voluntary installation and maintenance of safety barriers to existing swimming pools.

Consideration of the options should include any specific local challenges such as geographical size, extended travel times, budget and resources. Some local governments with remote areas may find it difficult to undertake safety barrier inspections due to travel distances. However, those local governments in a position to share resources with other local governments, and those with only very few swimming pools in excluded areas, may find inspections feasible.

Building and Energy supports the extension of safety barrier requirements across the State and encourages local governments to consider Option 1 and seek removal or reduction of excluded areas.

5. Regulatory impacts

Extending the provision of safety barriers to swimming pools in excluded areas will not be without difficulty. Depending on circumstances, retrospective application of safety barrier requirements can change how the swimming pool area is used and can be of significant expense to the swimming pool owner.

Importantly, affected residents and stakeholders in excluded areas need to be identified and consulted on the proposed changes prior to any implementation being determined. This includes residents without a swimming pool as they may have young children exposed to the dangers of a neighbouring unfenced swimming pool or may wish to have a swimming pool installed at some point in the future.

The regulatory impacts of any decision to extend safety barrier requirements within individual local government areas need to be considered in terms of the technical and administrative requirements of Part 8 Division 2 of the Regulations.

Guidance on the technical requirements can be found in the [Rules for Pools and Spas](#) publication and on the webpage www.lgirs.wa.gov.au/poolsandspas.

6. State Government requirements for amending the Regulations to remove excluded areas

For those local governments that decide to remove or reduce their excluded areas, Building and Energy will follow the process previously agreed with the [Department of Treasury and Finance's Better Regulation Unit](#), which entails:

1. Local government **consultation** with affected residents and stakeholders and **analysis** of extending safety barrier requirements;
2. Formal **council resolution** supporting removal of excluded areas.
3. **Formal request** to Building and Energy to remove those excluded areas.
4. Building and Energy liaising with Parliamentary Counsel to **amend the Building Regulations 2012 Schedule 5**, extending safety barrier requirements in line with the local government's request.

7. Local government process for requesting removal of excluded areas

Local governments considering removing excluded areas from their locality must:

1. **Consult** with affected residents and stakeholders.
2. **Analyse** the net cost-benefit of imposing any proposed change.
3. **Consider** a transition period (where required).
4. **Obtain** formal resolution of Council to support a decision to remove excluded areas.
5. **Make** a formal request to Building and Energy to amend Schedule 5 of the Regulations.

7.1 Consult with affected residents and stakeholders

Consultation will assist the local government in considering whether to extend safety barrier requirements across their currently excluded areas. The main impacts of removing excluded areas are:

- owners to provide and maintain safety barriers to swimming pools;
- local governments to conduct an initial inspection of all new swimming pools for safety barrier compliance; and
- local governments to conduct periodic inspections of safety barriers for existing swimming pools at intervals not exceeding four years.

Consultation with affected residents is required to identify the number of properties with swimming pools, the likely cost impacts, and the responses of those potentially affected, to inform your decision.

Evidence of consultation is necessary to support a decision to remove excluded areas and assists in determining the likely cost impacts and the necessity for any transitional arrangements.

Where any regulatory change is being considered, it is important that those potentially affected are adequately consulted and informed. Targeted consultation is likely to include owners of swimming pools, local pool fence suppliers and installers, and the general community.

A broad consultation is always recommended particularly for those local governments that are unaware of the location of many of these swimming pools due to building permit exemptions. For broad consultation local governments may wish to consider the use of community newspapers, community radio, website content, emails and letters sent out with Rates Notices.

The decision on the extent of consultation undertaken rests with each local government, who are best placed to understand the most effective way to communicate with their residents and stakeholders. However, local governments should ensure that consultation is sufficient and meets the community's expectations.

Important considerations	
Response time	The period of time you are going to consult. This will be governed by the type of consultation offered. Broad consultation is likely to require a longer consultation period than targeted consultation.
Diversification	A variety of consultation media types will improve the effectiveness of the consultation.
Accessibility	Consultation media should be designed to be accessible. Successfully consulting with people in remote areas can be challenging and may need further consideration.
Size/effectiveness	Consider the size of the target audience. How much and what type of data will be collected? Does the local government have the capacity to support the number of responses expected from the particular consultation method?
Resource availability and budget	What resources are necessary? Ensure a sufficient budget for the consultation proposed.
Transparency	The consultation process, results and decision should be open and transparent.
Privacy	Adhere to the Australian Privacy Principles . Do not disclose personal information, ensure it is secure and protected. This includes, but is not limited to, names, date of birth, sensitive information, IP address, location, address, phone numbers, etc.

Consultation results

Once all the data has been collected the local government will need to evaluate and interpret the information, and review and summarise the outcomes. Additional consultation may be required if previously unidentified areas of concern are raised (and the like).

7.2 Analyse the net cost-benefit

After consultation has been completed, the local government should estimate the total cost to the community and the average individual cost to affected property owners for making any regulatory change. To support a proposal for removing excluded areas, the benefit to the community should outweigh the costs.

It should be noted that the benefits of requiring safety barriers, in terms of potentially reducing child drownings, are highly likely to outweigh the costs.

7.3 Consider a transition period

Amendments to the Regulations will not come into effect until after any agreed transition period has been completed. This gives the local government time to ensure that its affected

residents and stakeholders are aware of the pending requirements and time frames.

A four-year transition period has been suggested to be appropriate in most circumstances, however this will need to be determined by each local government individually in collaboration with Building and Energy’s Policy Branch.

7.4 Obtain formal resolution of Council on the decision made

The local government should provide to the Council, at a Council meeting, the proposal to remove excluded areas, including the consultation results and the proposed transition arrangements.

The final decision needs to be that of the whole of Council in a [formal resolution](#).

7.5 Make formal request to Building and Energy

Once consultation has been completed and a formal resolution of council reached, the local government’s Chief Executive Officer should write to Building and Energy requesting the amendment of the Regulations. The request is to include:

- details of the consultation outcomes, cost benefit analysis and any proposed transition arrangements; and

- a copy of the Council resolution.

A request template and example are enclosed that may be useful for local governments requesting removal of excluded areas.

Building and Energy will consider the submissions on a case-by-case basis and will contact the local government prior to commencing drafting instructions for Parliamentary Counsel to amend the Regulations.

[Local government name]		Proposal to remove excluded areas for: <input type="checkbox"/> building permits for certain work; and/or <input type="checkbox"/> safety barrier requirements for existing private swimming pools			
Title of Regulation	Area covered <i>[name, location, size of community]</i>	Rationale for removal of the exemption	Consultation summary <i>[who has been consulted, concerns, how these will be addressed]</i>	Impact Assessment – summary of benefits and costs <i>[impact of removing the exemption on the community, businesses, local government and any other stakeholders]</i>	Implementation timeframe and transitional arrangements
<p>Schedule 4, clause 1. Areas where building permit not required for certain work.</p> <p>Schedule 5 – Areas of State where Part 8 Division 2 applies</p>	<p>Shire of XXX</p> <p>Mid West Region of WA</p> <p>Area: 182,156 km²</p> <p>Population: 1,279 (est)</p>	<p>The purpose for the Council resolution requesting removal of the excluded areas in Schedules 4 and 5 of the Regulations was primarily to improve the safety of young children that reside in properties with private swimming pools.</p> <p>Removal of the excluded areas from both Schedules means building permits will be required for new class 10 buildings and incidental structures including swimming pools, and swimming pool safety barriers will need to be provided and maintained thereafter. The local government will be able to extend the periodic safety barrier inspection program to capture previously excluded pools.</p> <p>Council seeks to apply the same regulatory burden on owners and builders in remote regional areas as applies to those in townsites.</p> <p>Council was also concerned about potential liability through inaction.</p>	<p>Council consulted with residents through its website, advertising in the community newspaper and local notice boards.</p> <p>Letters were posted to all properties within the excluded areas.</p> <p>Most concerns related to costs and aesthetics.</p> <p>Council considers the lives of young children and general safety of the community to supersede these concerns and proposes to implement a four-year transition period to allow sufficient time for residents and businesses to prepare.</p>	<p>Maintaining the status quo could result in:</p> <ul style="list-style-type: none"> - injury or death to owners and general public, and/or potential financial losses to owners, associated with non-compliant class 10 buildings and structures constructed without a building permit; and - drowning incidents, injuries or deaths of young children associated with swimming and spa pools that do not have a compliant safety barrier. <p>The net-cost benefit revealed that the potential injury or death of persons, including young children, outweighs the potential extra cost that owners will have to bear to obtain a building permit to construct compliant buildings and structures, and/or install a compliant safety barrier.</p> <p>Further, it is considered that the cost of a safety barrier is part of the cost of owning a swimming pool. Costs to pool owners include the purchase and installation of safety barriers and ongoing maintenance, and the ongoing cost of inspections by local government. Costs to owners of proposed class 10 building work includes building permit fees.</p> <p>Local businesses which install safety barriers will benefit from new business. The community will benefit from compliant buildings and structures and safer swimming pools.</p> <p>Copy of Council Resolution attached.</p>	<p>Council would like to implement a four-year transitional arrangement.</p> <p>This period will be used to promote the changes and provide information on the regulatory and technical requirements for building permits and for swimming pool safety barriers (with reference to Rules for Pools and Spas).</p>

[Local government name]		Proposal to remove excluded areas for: <input type="checkbox"/> building permits for certain work; and/or <input type="checkbox"/> safety barrier requirements for existing private swimming pools			
Title of Regulation	Area covered <i>[name, location, size of community]</i>	Rationale for removal of the exemption	Consultation summary <i>[who has been consulted, concerns, how these will be addressed]</i>	Impact Assessment – summary of benefits and costs <i>[impact of removing the exemption on the community, businesses, local government and any other stakeholders]</i>	Implementation timeframe and transitional arrangements
Schedule 4, clause 1. Areas where building permit not required for certain work. Schedule 5 – Areas of State where Part 8 Division 2 applies					

Template

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This publication is available in other formats on request.

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Information for residents

Extending pool safety barrier requirements

This document provides information to affected residents on the consideration of the extension of safety barrier and inspection requirements for existing private swimming and spa pools (swimming pools) in areas of the State that are currently excluded. Affected residents are not just those who may have a swimming pool on their property. It also includes anyone in the community who may be concerned with child safety, is considering a new swimming pool, or has a view on this subject.

All new swimming pools that contain a depth of water of more than 30 cm on completion and regardless of location, are required to have safety barriers that comply with the applicable building standard, restricting access of young children to the swimming pool area.

Existing swimming pools are, in addition to the requirements for new swimming pools, required to maintain these safety barriers and ensure they remain compliant with the specified building standard. Local governments monitor the compliance of these safety barriers at maximum four-year intervals. However, existing swimming pools located in certain prescribed areas of the State (typically regional or remote areas outside of townsites) are not subject to these same requirements.

Drowning is a leading cause of accidental death for children under the age of five (young children), with most deaths occurring in swimming pools.

Safety barriers are essential in the prevention and reduction of the drowning deaths of young children in swimming pools. Other factors include adult supervision, CPR and first aid skills, and swimming and water safety education.

Removing exclusions

The Ombudsman WA report, [Investigation into ways to prevent or reduce deaths of children by drowning](#) (Nov 2017), found excluded areas of the State to be a potential high drowning risk and recommended the consideration of extending the safety barrier requirements across all areas of the State.

In response, Building and Energy conducted a review of the swimming pool and safety barrier requirements in the [Building Regulations 2012](#) (the Regulations).

Building and Energy is now actively encouraging:

- affected local governments to consider removing exclusions so that safety barrier requirements for existing swimming pools apply throughout their entire district; and
- owners of existing swimming pools located in excluded areas to voluntarily install safety barriers where the local government decides to not apply the requirements across their entire district.

Your local government is now considering the potential extension of safety barrier requirements across their currently excluded areas.

What are the options that your local government is considering?

Local governments with excluded areas have two options to consider:

Option 1: Extend the safety barrier requirements to currently excluded areas

Swimming pools will be required to have a safety barrier that complies with building standards. Swimming pools that do not currently have a safety barrier will need to have one installed.

Guidance on the building standards can be found in Building and Energy's [Rules for Pools and Spas](#) publication.

Your local government will inspect the safety barrier for compliance with the technical requirements at least once every four years and can charge for these inspections.

All new swimming pools will require an inspection of the safety barrier once the building work for the swimming pool is complete.

Option 2: No change

No changes will be implemented and existing swimming pools located in those excluded areas will continue to be excluded from the regulatory requirements.

Local governments choosing this option are expected to actively encourage the voluntary provision of safety barriers within excluded areas.

Important:

Regardless of whether your swimming pool is located in an excluded area or not, if it doesn't have an effective safety barrier your local government may consider your swimming pool to be in a dangerous state and issue a building order to install a safety barrier. Failure to comply with a building order can result in significant penalties.

Consideration of the options

Prior to making any changes, local governments will consult with affected residents, local builders, and fencing suppliers and installers. Consideration will include, but not be limited to, costs, timeframes, the capacity of local services, the capacity of the local government and related matters.

What happens next?

If you are affected by this potential change or have a view on this matter, you are encouraged to write to your local government expressing your views and the reasons for those views.

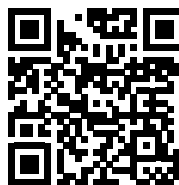
Once the local government has completed consultation and considered the feedback it will make a decision. Where a decision is made to amend the Regulations to extend safety barrier requirements into currently excluded areas, the local government will work with Building and Energy to plan the implementation of these changes, which will likely include a significant transition period.

Local government will inform affected residents and industry of the decision once made.

More information?

More information is available from your [local government](#) and from www.lgirs.wa.gov.au/poolsandspas.

A list of areas that require safety barriers for swimming pools can be found in schedule 5 of the [Building Regulations 2012](#). Areas not listed are excluded.



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Specified Dog Exercise Area Plan Lot 1235 Meeukany Drive, Chittering



Development Application Report

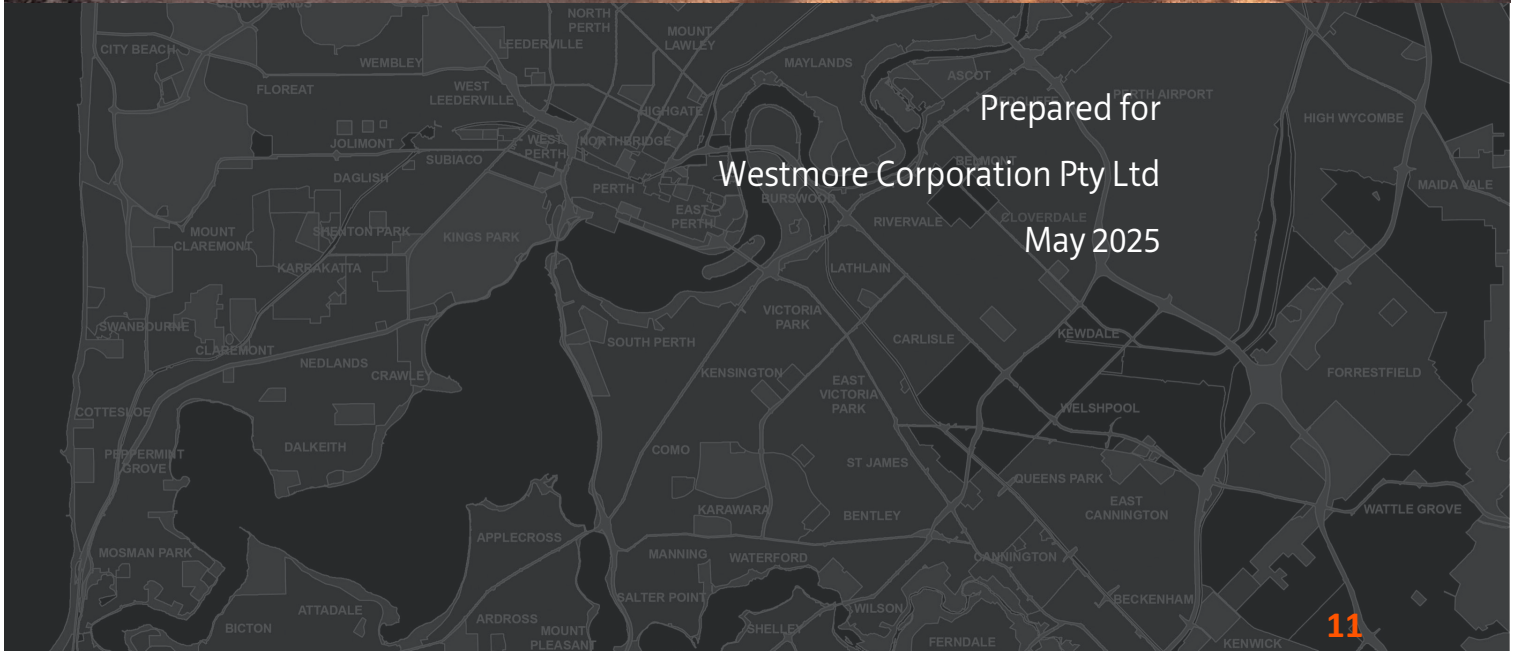
Waste transfer facility

Lot 607 (124) Propagation View
Muchoa WA

URBAN & REGIONAL PLANNING

PLANNING SOLUTIONS

PS



Prepared for
Westmore Corporation Pty Ltd
May 2025

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Contents

1	PRELIMINARY	1
1.1	Introduction.....	1
1.2	Background.....	1
1.3	Pre-lodgement Consultation.....	4
2	SITE DETAILS.....	4
2.1	Land description.....	4
2.2	Location.....	4
2.3	Land use and topography.....	4
3	PROPOSED DEVELOPMENT	5
3.1	Development Summary.....	5
3.2	Management plans.....	6
3.3	Other regulatory approvals.....	6
4	STRATEGIC PLANNING FRAMEWORK.....	7
4.1	State Planning Strategy 2050.....	7
4.2	Shire of Chittering Local Planning Strategy.....	7
5	STATUTORY PLANNING FRAMEWORK.....	7
5.1	Local planning scheme.....	7
5.2	State Planning Policies.....	12
5.3	Other government policy.....	15
6	CONCLUSION.....	16

Appendices

- Appendix 1: Certificate of Title
- Appendix 2: Development plan
- Appendix 3: Environmental Management System
- Appendix 4: Fire Management Procedure
- Appendix 5: Asbestos Management Plan
- Appendix 6: Dust Management Procedure
- Appendix 7: Refuelling Management Procedure

1 PRELIMINARY

1.1 Introduction

Planning Solutions acts on behalf of Westmore Corporation Pty Ltd (**Westmore**), the registered proprietor of Lot 607 (124) Propagation View, Muchea (**subject site**) and the operator of the existing landfill on the subject site.

Planning Solutions has prepared the following report in support of an application for development approval. This report will discuss various matters pertinent to the proposal, including:

- Site details.
- Proposed development.
- Statutory planning framework.

1.2 Background

1.2.1 2008 approval – Class I landfill

The subject site has historically been cleared for extractive industry operations and has resulted in a mining void on the eastern end of the subject site with a total volume of 600,150m³.

In December 2008, development approval was granted by the State Administrative Tribunal (**SAT**) for the establishment of a construction and demolition recycling and inert landfill facility at the subject site (**2008 approval**) with all activities associated with the proposed development being confined to the mining void and the area directly to the west of the mining void. The 2008 approval comprised recycling of construction and demolition material and specifically involved the separation of concrete, bricks, tiles and gravel which to be crushed and screened to reduce the material to a uniform aggregate size. These aggregates were approved to be sold as recycled building products which have a number of applications including road sub-bases, drainage aggregates and fill material. The approval provided for the mining void to be progressively filled to reinstate and rehabilitate the subject land, returning the subject land to its pre-mining operations profile.

The following management plans were prepared pursuant to the conditions of the 2008 approval:

- Landfill Staging and Rehabilitation Plan
- Environmental Management System
- Fire Management Procedure
- Dust Management Procedure
- Refuelling Management Procedure

While the 2008 approval permitted crushing, crushing did not commence at the time.

1.2.2 2014 approval - waste processing and recycling

In July 2014, the Shire of Chittering (**Shire**) Council considered a request for a licence amendment to allow Westmore to operate a crusher and associated activities at the landfill, relating to the recycling of glass and other fine material from waste processing facilities. The waste sorting crushing operation involved separating sand, brick and concrete from the general inert material being delivered to site, and bringing a mobile crusher to site. On completion of the crushing, the processed material would be marketed to the construction industry and residue from the sorting process will either be landfilled on site (Class I material), removed off site for disposal to an appropriate class of landfill (Class II material) or recycling facility (metals/timber). Council supported the proposal, and development approval for a waste sorting crushing operation was granted on 22 December 2014 (**2014 approval**).

An Asbestos Management Plan was supplied with the application. Although the conditions of approval did not permit asbestos to be received, due to the type of waste material received on site there is the possibility that asbestos could be inadvertently received on site, and the Asbestos Management Plan addressed detecting and managing asbestos.

The 2014 application materials included a conceptual site layout for the waste sorting crushing operation (refer Figure 1).

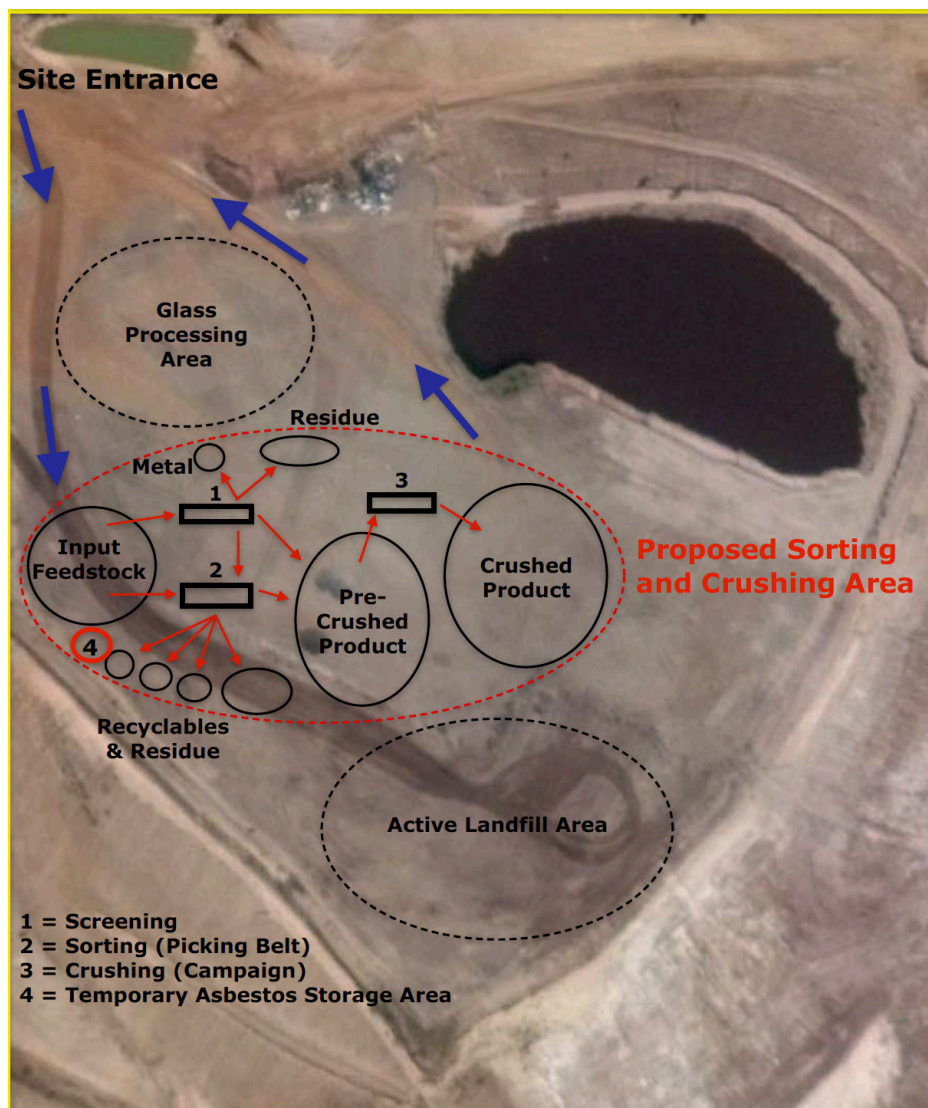


Figure 1: Extract from 2014 application - conceptual site layout - waste sorting crushing operations

1.2.3 2018 approval - extension of time

The 2008 approval (as modified by SAT in 2009) gave approval for the landfill to operate for 11 years, until 31 December 2018. As at November 2017, however, the mining void had only been filled to approximately 50% - 60% of the available capacity, reflecting the dramatic increase in the landfill levy and the downturn in the state economy in preceding recent years. Accordingly, in 2018 an application was made to extend the approval timeframe. This was approved by Council, extending the approval timeframe to 31 December 2025 and modify various conditions associated with the operations.

At the time of granting this approval, the glass recycling aspect of the landfill operations was ceasing and the glass stockpile in the process of being cleared from the site.

1.2.4 Sweetman sand/gravel excavations

Commencing in c.2017, portions of the subject site to the west of the landfill operations were excavated by Sweetman Excavations Pty Ltd (**Sweetman**) for sand and gravel. The excavation was proposed over two stages, with the extent of the staged excavation shown on the following image:

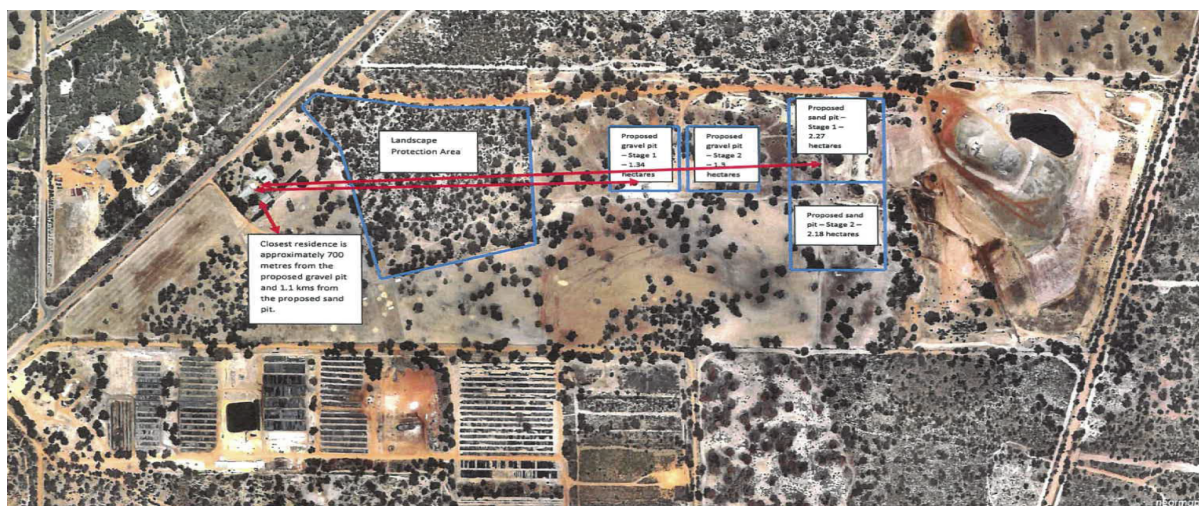


Figure 2: Plan showing proposed extend of sand/gravel excavations, commencing c.2017

Stage 1 sand and gravel excavations were undertaken between c2017 and c.2023. However, the arrangement between Westmore and Sweetman has concluded, and no sand/gravel excavations are presently occurring.

1.2.5 2019 – Construction of Propagation View

In 2019 Great Northern Highway was duplicated and Propagation View constructed, providing a new and safer entry for vehicles attending the landfill. As part of the Highway duplication the house immediately to the west of the subject site (visible in **Figure 2** above) was demolished.

1.2.6 2022 approval – further extension of time

As of November 2022, the mining void had only been filled to approximately 80% of the available capacity. Westmore anticipated a return to the peak waste volumes previously experienced is considered unlikely. Accordingly, in 2022 an application was made for a further extension of time. This was granted by the Shire on 15 March 2023 extending the approval period to 31 December 2032.

1.3 Pre-lodgement Consultation

On 14 May 2025 representative from Westmore and Planning Solutions met with planning officers of the Shire to discuss the proposed use of the portion of the subject site previously used for sand/gravel excavations as a waste sorting and transfer facility. It was noted the landfill currently undertakes Class I waste sorting with items such as wood, metal, and carpet separated and sent to Jandakot for processing. It was also noted increased regulation of waste make it difficult to viably operate the site as a Class I landfill. The Shire officers provided the following feedback:

- The intent of the zone is to return lands to agriculture.
- It was accepted waste transfer has some relationship to the existing landfill operations.
- It will need to be demonstrated non-conforming uses can be increased in scale and intensity.

Response to Shire officer feedback is incorporated in this report.

2 SITE DETAILS

2.1 Land description

The subject site is legally described as "Lot 607 on Deposited Plan 409232", being the whole of the land contained within Certificate of Title Volume 2917 and Folio 284.

The subject site has a total area of 69.339ha.

Refer **Appendix 1** for a copy of the certificate of title.

2.2 Location

The subject site is located approximately 48km north of Perth, and 6km northeast of the Muchea townsite, in an area developed generally with rural and industrial land uses on large lots.

The subject site is situated within the locality of Muchea. It neighbours a vacant rural site (with approval to develop a warehouse and transport depot) to the north, Propagation View to the west, a rural land to the south and Wandena Road to the east. There is a rural-residential area to the northwest of the subject site.

Refer below **Figure 3**, aerial photograph of the subject site and immediate surrounds.

2.3 Land use and topography

The eastern portion of the subject site is developed with a landfill (as described in section 1.2 above); the central portion was formerly used for sand and gravel extraction and is presently vacant, and the western portion comprises bushland and cleared vacant rural land.

The landform rises gently by approximately 50m from a low point at Propagation View to a high point at Wandena Road, subject to landform changes from historical excavation and landfill activities.

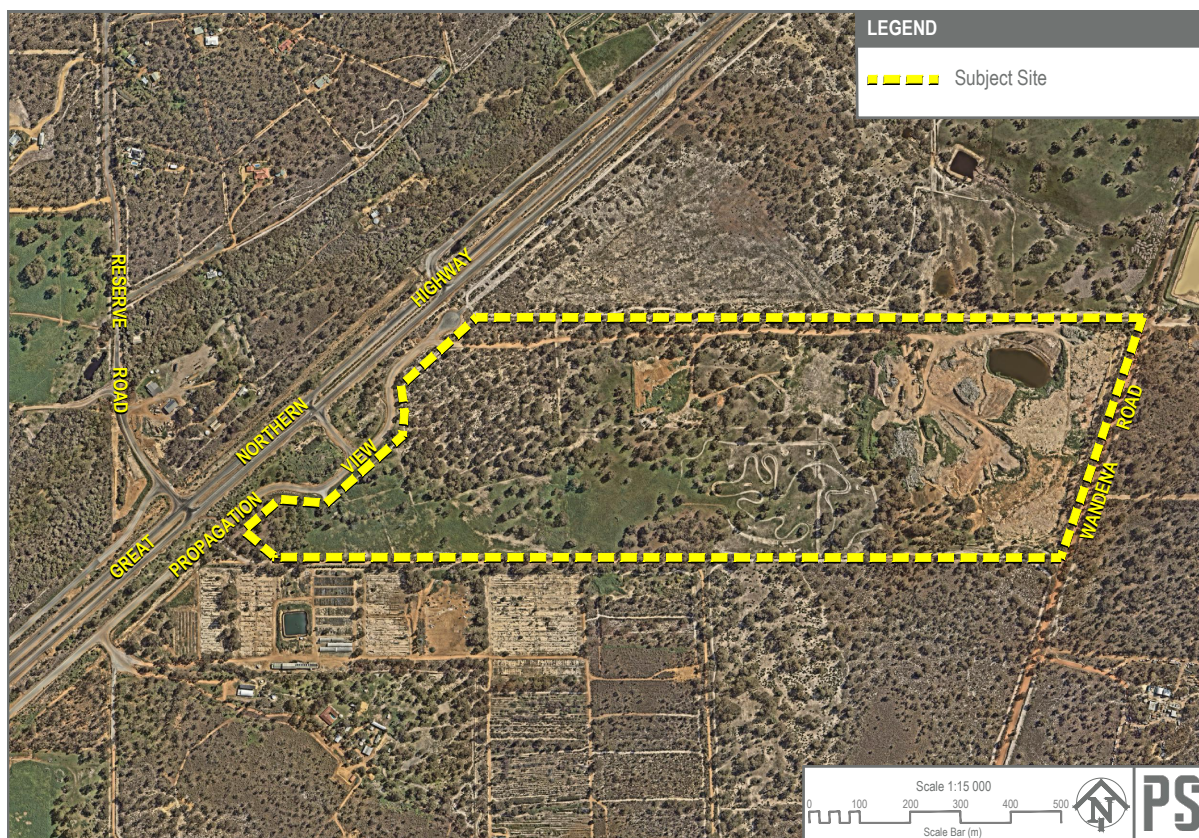


Figure 3: Aerial photograph of the subject site

3 PROPOSED DEVELOPMENT

3.1 Development Summary

It is proposed to extend the current landfill and waste processing and recycling activities to include a waste receive, sorting, and transfer facility for Class II waste materials.

Specifically, it is proposed to develop a staging area for the receive of Class II construction and demolition (C&D) waste and commercial and industrial (C&I) waste, and comprises materials such as bricks, sand, timber, metal, plastics, textiles, paper and cardboard, the separation of waste into waste streams, the processing of waste to develop road base for sale, and the transfer of sorted waste materials to recycling centres or landfill.

The waste stream will be C&D and C&I waste, originating from local and regional areas including the Perth metropolitan area. Sand, bricks and rubble will be extracted from the C&D waste stream and wood, metal and plastics extracted from the C&I waste stream. The remaining waste will be the residual waste (everything else within the waste stream). Sand will be screened out and the bricks and rubble will be crushed to produce a recycled product (road base) for sale. Recyclable materials will be sent to downstream recyclers. Waste residue will be sent to landfill. All waste delivered to site will, after sorting and processing be removed from site. There will be no accumulation of waste or recyclable materials on site.

The facility will process approximately 20,000 tonnes of material per year. Waste is delivered to the site via road trains, each carrying 40 tonnes per load, with two loads arriving daily, totalling 80 tonnes per day. Similarly, waste and recyclables are removed from the site using road trains and skip bins, also averaging 80 tonnes per day.



The facility will operate from 7:00am to 5:00pm, and will be staffed by two personnel. On-site machinery includes one loader and one excavator, which are permanently stationed at the facility. Additionally, a screen and crusher are occasionally brought in to process C&D waste; the screen and crusher will be located at the eastern end of the waste transfer facility area.

The facility will extend across the areas previously used for sand and gravel extraction, with hollowed former extraction areas raised with road base as a base for the transfer facility per regulator standards.

All vehicle access will be via the existing landfill access road linking to Propagation View with appropriate signage provided on-site to direct vehicles to the transfer facility or the landfill, as the case may be.

It is intended the transfer facility will be operated separate to the landfill, allowing the facility to be separately licenced and regulated. This will allow the waste transfer facility to continue operating beyond the lifespan of the landfill.

Refer **Appendix 2** for a site layout plan depicting the area proposed to be used for the waste transfer facility.

3.2 Management plans

The previous approvals for the landfill and the waste processing and recycling were accompanied by various management plans. Many of these management plans remain relevant to the proposed operations and consequently are not modified by this application. Refer the following table identifying the previous reporting and commentary its applicability to the proposal.

Table 1: Review of management plans and reports provided with previous applications

Management plan provided with previous application	Applicability to current proposal
Landfill Staging and Rehabilitation Plan (November 2017)	This application does not propose any changes to the staging or rehabilitation of the landfill, and is not relevant to the proposed waste transfer facility.
Environmental Management System (November 2017)	This report is fit for purpose and can be applied to the waste transfer facility.
Fire Management Procedure (November 2017)	This report is fit for purpose and can be applied to the waste transfer facility.
Asbestos Management Plan (November 2017)	This report is fit for purpose and can be applied to the waste transfer facility.
Dust Management Procedure (November 2017)	This report is fit for purpose and can be applied to the waste transfer facility.
Refuelling Management Procedure (November 2017)	This report is fit for purpose and can be applied to the waste transfer facility.

Refer copies of these management plans appended to this application.

3.3 Other regulatory approvals

The operation requires environmental approval from the Department of Water and Environmental Regulation (DWER).

4 STRATEGIC PLANNING FRAMEWORK

4.1 State Planning Strategy 2050

The purpose and function of the *State Planning Strategy 2050* is to provide a credible State strategic context and basis for the integration and coordination of land-use planning and development across state, regional and local jurisdictions. An objective of the Strategy is “to ensure Western Australia’s waste streams are managed as a resource.” In regard to this objective, it provides the following overview:

To achieve this objective, waste management facilities must be sited, designed and operated to meet environmental criteria and prevent pollution. Land identified for waste management should be developed and used in such a way that the activities of users do not impose an unacceptable risk to other persons, property or the environment.

The development of waste and recycling infrastructure will better connect and integrate resource recovery sites with existing and new waste processing infrastructure.

There is now a presumption against siting putrescible landfills on the coastal plain or other environmentally sensitive areas. This will require any future landfills to be located outside the Perth metropolitan area, which will increase the need for waste processing facilities within the city.

In regard to strategic site, the Strategy holds the following aspiration:

Waste facilities have the capacity to service long term waste processing and recycling needs of a growing population and economy

This proposal achieves the objectives of the *State Planning Strategy 2050* by developing waste management facilities for the receipt, sorting, and transfer of waste materials on a site co-located with an existing Class I landfill and within close proximity to other waste disposal sites including the Shire’s Muchea landfill (7 mins by road) and its adjacent private landfill.

4.2 Shire of Chittering Local Planning Strategy

The Shire of Chittering Local Planning Strategy establishes a direction for future population growth and sets out broad strategies and actions for housing, industrial and business uses. It also outlines settlement patterns, as well as environmental protection and bushfire risk management. It has been prepared to guide future land use planning and decision making, and to provide the rationale for land use and development controls to be included in the Shire’s local planning scheme.

One of the objectives of the Local Planning Strategy is to “promote the sustainable use of rural land for a range of compatible uses”. As demonstrated further in this report, the proposed waste transfer facility is compatible with its surrounds.

5 STATUTORY PLANNING FRAMEWORK

5.1 Local planning scheme

The Shire of Chittering Local Planning Scheme No. 6 (**LPS6**) applies to development on the subject site. The provisions of LPS6 are supplemented by the **deemed provisions** contained at Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

5.1.1 Aims

There are 15 aims set out at clause 1.6 of LPS6. Of these, the proposed development achieves the following:

- (a) *To provide environmental protection and enhancement of biodiversity and the natural resources including land, air and water quality;*
- (g) *To protect and improve areas of remnant vegetation and, waterways from further degradation;*

This application provides strategic facilities for the sorting and processing of waste products, and includes recycling waste to produce road base which can be used in local industries. It is located in an area previously disturbed for sand and gravel extraction and does not impact densely vegetated areas of the site. Importantly, the proposal will meet all standards set by the environmental regulator to protect the local environment from harm.

- (b) *To protect good quality agricultural soils suitable for sustainable farming and horticulture from inappropriate subdivision and development for non-agricultural purposes;*

The subject site is not used for agriculture and is unsuitable for use due to disturbances to soil and landform from historical and present activities. Accordingly, the site can be put to non-agricultural purposes.

- (k) *To promote employment opportunities by setting aside land for light and service industry development;*

The development provides employment roles for the proposed waste transfer facility. The site is suitably located for this, being attached to the existing landfill and adjacent to transport depot and warehouse sites.

The proposal supports the LPS6 aims and warrants approval.

5.1.2 Zoning

The subject site is zoned Agricultural Resource under LPS6. The objectives of the zone are to:

- a) *preserve productive land suitable for grazing, cropping and intensive horticulture and other compatible productive rural uses in a sustainable manner;*
- b) *protect the landform and landscape values of the district against despoliation and land degradation;*
- c) *encourage intensive agriculture and associated tourist facilities, where appropriate;*
- d) *allow for the extraction of basic raw materials where it is environmentally and socially acceptable.*

Nothing in the zone objectives limits the proposed development, which is an extension to existing waste processing activities. The proposed activities remedy past extraction activities and put the land to a productive use.

The subject site is also located within two Special Control Areas (SCAs) – 'Basic Raw Materials' and 'Landscape Protection'. Refer **Figure 4**.



Figure 4: LPS6 zoning map

The Landscape Protection SCA does not apply to the area of the proposed development.

The Basic Raw Materials SCA applies to the whole of the proposed waste transfer facility. Importantly, the SCA prohibits new dwellings from being established. This has the effect of protecting the proposed facility from encroachment by new dwellings, thereby creating a suitable buffer for waste management operations.

Adjoining land to the north and east has Additional Uses A21 and A26 which permit the development of transport depot and warehouse land uses. Lot 800 (539) Powderbark Road to the northeast of the subject site is developed with a transport depot. Land immediately north of the subject site (Lot 609 (132) Propagation View) was previously cleared for a transport depot and warehouse development approved by Council in 2018.

5.1.3 Land use permissibility

A 'waste storage facility' is a land use category under LPS6 for "premises used to collect, consolidate, temporarily store or sort waste before transfer to a waste disposal facility or a resource recovery facility on a commercial scale." A waste storage facility is a use prohibited in the Agricultural Resource zone under LPS6, meaning it cannot be approved on its own right.

However, the waste transfer facility is capable of approval as an extension of a 'non-conforming use'.

The landfill was originally approved as a 'land refuse centre', being a use that was capable of being approved under LPS6 in the Agricultural Resource zone. LPS6 was amended in 2010 to prohibit the 'land refuse centre' land use in all zones, and while the land use categories were altered in 2019 the landfill use remains a prohibited use to this day. Accordingly, the landfill on the subject site has been a non-conforming use since 2010.

Clause 3.8 of LPS6 permits, regarding a non-conforming use, the continued use of any land or building for the purpose for which it was being lawfully used.

Clause 3.9 of LPS6 provides:

- 3.9.1 A person must not -
 - a) alter or extend a non-conforming use;
 - b) erect, alter or extend a building used for or in conjunction with or in furtherance of a non-conforming use; or

- c) *change the use of land from a non-conforming use to another non-conforming use; without first having applied for and obtained Development approval under this Scheme.*
- 3.9.2 *An application for Development approval under this clause shall be advertised in accordance with clause 64 of the deemed provisions.*
- 3.9.3 *Where an application is for a change of use from an existing non-conforming use to another non-conforming use, the local government is not to grant its development approval unless the proposed use is less detrimental to the amenity of the locality than the existing non-conforming use and is, in the opinion of the local government, closer to the intended use of the zone.*

Therefore a non-conforming use can be altered, it can be extended, and it can be changed to another non-conforming use (the latter subject to achieving clause 67(1)(a)(ii) of the deemed provisions).

A non-conforming use right does not have to remain static and can increase in scale and intensity (refer Willy; *Planning and Environmental Law in Western Australia* (2021) at [15,190]).

Nor is a non-conforming use necessarily limited to the area actively being used for that purpose and can be 'extended' per clause 3.9.1(a) of LPS6. The Supreme Court, in *La Rosa v City of Wanneroo* [2006] WASC 304 at [66-91] undertook a review of various Australian court decisions relating to a non-conforming use expanding to include land not in active use at the time the non-conforming use came into effect, but into which non-conforming activities had expanded into over time. In several of those cases the courts sided with proponents on the basis the land had been acquired and kept aside for the purpose of the non-conforming use, and therefore the non-conforming use applied to or could be extended to that land.

Similar circumstances apply here. The land the subject of the proposed waste transfer facility was in 2010 and remains today on a single title under single ownership. An important fact is that the landfill licence extends across the whole of the subject site, not just that portion of the site being used as a landfill. For a period the land was used for sand and gravel extraction; however, this does not preclude that the land was kept by Westmore for future use, and in fact *State Planning Policy 2.4 Basic Raw Materials* promotes identifying extraction opportunities through sequential land use not compromising the final intended land use.

Further, being in a Basic Raw Material SCA and directly adjacent to machinery used as part of the sorting and processing of waste, there is no other use to which the land could reasonably be put.

The extension of the landfill and waste processing activities is a natural progression to existing activities and is a desirable outcome considering state planning objectives for waste and recycling infrastructure. The extension of the non-conforming use therefore warrants approval.

5.1.4 Development standards and requirements

There are no LPS6 development requirements pertaining to the Agricultural Resource zone or the proposed land use.

5.1.5 Matters to be Considered

Clause 67(2) of the deemed provisions sets out the matters for which due regard is to be given when considering a development application. Refer **Table 2** below for an assessment of the relevant matters.

Table 2 - Matters to be considered

Matter to be considered	Provided
(a) <i>the aims and provisions of this Scheme (including any planning codes that are read, with or without modifications, into this Scheme) and any other local planning scheme operating within the Scheme area;</i>	Refer section 5.1 above.
(c) <i>any approved State planning policy;</i>	Refer section 5.2 below.
(f) <i>any policy of the State;</i>	Refer section 5.3 below.
(fa) <i>any local planning strategy for this Scheme endorsed by the Commission;</i>	Refer section 4.2 above.
(m) <i>the compatibility of the development with its setting, including –</i> <i>(i) the compatibility of the development with the desired future character of its setting; and</i> <i>(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;</i>	<p>The proposed waste transfer facility use aligns with the <i>Shire of Chittering Local Planning Strategy</i>, which support sustainable and compatible rural land uses, and LPS6 which permits transport depot and warehouse land uses on adjoining sites and protects the current landfill as a non-conforming use.</p> <p>The facility is designed to operate independently of the existing landfill, ensuring long-term viability and adaptability to future waste management needs. Its co-location with the existing landfill and proximity to other industrial uses (e.g., transport depots and warehouses) reinforces its compatibility with the evolving character of the area.</p> <p>The development is well integrated with its surroundings. It is located adjacent to land approved for industrial uses and adequately separated from sensitive land uses. Crushing is located at the eastern end of the facility furthest away from dwellings. The facility's low-profile, the existing vegetation in and around the site, and use of existing access roads ensure minimal visual impact. The height, bulk, and scale of the development are negligible given no buildings are proposed.</p>
(n) <i>the amenity of the locality including the following –</i> <i>(i) environmental impacts of the development;</i> <i>(ii) the character of the locality;</i> <i>(iii) social impacts of the development;</i>	<p>The proposal is designed to minimise environmental impacts through the reuse of previously disturbed land, the implementation of comprehensive management plans (including dust, fire, asbestos, and refuelling procedures), and compliance with environmental regulations. The facility will operate under a separate environmental licence, ensuring ongoing regulatory oversight.</p> <p>The development supports waste management infrastructure, contributing to broader environmental and economic goals. It provides local employment opportunities and supports the construction and recycling industries through the production of recycled road base.</p>
(o) <i>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;</i>	<p>This application provides strategic facilities for the sorting and processing of waste products, and includes recycling waste to produce road base which can be used in local industries. It is located in an area previously disturbed for sand and gravel extraction and does not impact densely vegetated areas of the site. Importantly, the proposal will meet all standards set by the environmental regulator to protect the local environment from harm.</p>

Matter to be considered	Provided
(p) <i>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;</i>	The application has no impact on the stand of trees near the western entry to the site, which in previous applications was denoted as a 'landscape protection area'. The waste transfer facility area has been highly disturbed by past sand and gravel extraction and remaining vegetation is of limited value. Nonetheless, existing trees will be retained if possible and if where retention does not impede site operations. A clearing permit will need to be obtained from DWER.
(s) <i>the adequacy of –</i> (i) <i>the proposed means of access to and egress from the site; and</i> (ii) <i>arrangements for the loading, unloading, manoeuvring and parking of vehicles;</i>	Vehicle access is via the existing internal access road. The nature of the facility will require adequate provision be made for circulation by waste collection and transfer vehicles and for the loader and excavator used on site, and will be managed on a per-day basis based on the location of stockpiles and activities being undertaken.
(t) <i>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;</i>	The application generates minimal traffic, with an estimated two loads of waste arriving daily by road train. Waste and recyclables are removed from the site using road trains and skip bins generating a similar number of movements for transferring waste out of the facility. It is expected the two employees will arrive and depart with light vehicles. However, this proposal utilises capacity freed up by the slow-down in landfill rates. The landfill, between 2010 and 2017 received an average 50,000m ³ equivalent to approx. 60,000 tonnes of waste. However, the landfill now receives around half this volume of waste. The additional traffic generated by the waste transfer facility is balanced by the slow-down in vehicle traffic accessing the landfill. Accordingly, there is no appreciable change to traffic volumes or vehicle types that would necessitate any further analysis into traffic. All vehicles will use the existing internal access road and Propagation View to travel to and from the facility. Propagation View was recently constructed as part of the Great Northern Highway duplication and provides a safe and easy means for accessing the regional road network.
(w) <i>the history of the site where the development is to be located;</i>	Refer section 1.2 above.
(zb) <i>any other planning consideration the local government considers appropriate.</i>	Refer section 4.1 above for consideration of the <i>State Planning Strategy 2050</i> .

5.2 State Planning Policies

The following State Planning Policies are relevant to this development application and have been given due regard.

5.2.1 State Planning Policy 2.0: Environmental and Natural Resources

State Planning Policy 2 – Environmental and Natural Resources Policy (**SPP2**) sets out the principles and considerations that represent responsible planning in terms of environmental and natural resource issues within the State Planning Strategy.

The objectives of SPP2 are to:

- *Integrate environment and natural resource management with broader land use planning and decision-making.*
- *Protect, conserve and enhance the natural environment.*
- *Promote and assist in the wise and sustainable use and management of natural resources.*
- *Relevant provisions of the policy to the proposed rezoning application are that planning strategies, schemes and decision-making should:*
 - i. *Avoid development that may result in unacceptable environmental damage.*
 - ii. *Actively seek opportunities for improved environmental outcomes.*
 - iii. *Take account of the availability and condition of natural resources.*
 - iv. *Protect significant natural, indigenous and cultural features.*
 - v. *Recognise that certain natural resources are restricted to particular areas and that these geographical areas may need to be identified and protected for the use of those resources.*
 - vi. *Support conservation, protection and management of native remnant vegetation where possible.*

This application provides strategic facilities for the sorting and processing of waste products, and includes recycling waste to produce road base which can be used in local industries. It is located in an area previously disturbed for sand and gravel extraction and does not impact densely vegetated areas of the site. Importantly, the proposal will meet all standards set by the environmental regulator to protect the local environment from harm.

5.2.2 State Planning Policy 2.5: Rural Planning

State Planning Policy 2.5: Rural Planning (SPP2.5) applies to rural land (or land zoned for agricultural purposes) and rural land uses in Western Australia.

Regional facilities

Clause 5.11 sets out recommended development requirements for regional facilities, with a waste facility specifically identified as being a 'regional facility'. It applies the following development requirements for regional facilities:

- (a) *facilities should be located on a main road or on a road that is of a suitable standard and treatment, to accommodate significant increase in traffic volumes and freight tasks which may be generated by the proposal.*
- (b) *facilities should contain or satisfactorily manage potential environmental (including water resources), noise, amenity and air quality impacts on the landholding without affecting nearby rural land uses;*
- (c) *facilities should not be visually dominant within key viewsheds, and should be visually compatible with surrounding land uses and development; and*
- (d) *facilities should be provided with essential services commensurate with the intended land use.*

The proposal is located adjacent to Great Northern Highway which was upgraded in recent years to provide a dedicated frontage road and improved intersection including deceleration lanes. Environmental impacts are limited through the use of land formerly used for sand and gravel extraction and conditions for the activity that will be imposed by the environmental regulator. Existing vegetation and landform screens the facility from view of roads and adjoining properties. The proposal therefore warrants approval.

Preventing and managing impacts in land use planning

Clause 5.12.1 of SPP2.5 provides:

where a development is proposed for a land use that may generate off-site impacts, there should be application of the separation distances used in environmental policy and health guidance, prescribed standards, accepted industry standards and/or Codes of Practice, followed by considering –

- (i) *whether the site is capable of accommodating the land use; and/or*
- (ii) *whether surrounding rural land is suitable, and can be used to meet the separation distances between the nearest sensitive land use and/or zone, and would not limit future rural land uses; and*
- (iii) *whether if clauses (i) and/or (ii) are met, a statutory buffer is not required;*

The relevant guidance/standard is the Environmental Protection Authority’s Guidance for the Assessment of Environmental Factors No.3 - Separation Distances between Industrial and Sensitive Land Uses (**GS3**). It provides generic separation distances for various types of industrial uses in Appendix 1. Where the separation between the industrial and sensitive land uses is greater than the generic distance, there will not usually be a need to carry out site-specific technical analyses to determine the likely area of amenity impacts due to emissions from the industry.

In this case, the waste transfer facility use, and the crushing operations to produce recycled road base, match the following two industrial use descriptions in Appendix 1 of GS3:

Industry	Description of industry	DoE Licence or Registration category (*)	Key Government agencies for advice or approvals	Code of Practice (CoP) / environmental requirements	Impacts					Buffer distance in metres and qualifying notes
					Gaseous	Noise	Dust	Odour	Risk	
waste depot	premises on which waste is stored or sorted, pending final disposal or re-use	√ (62)	DoH, WRC, local gov’t	Guidelines for Acceptance of Solid Waste to Landfill - Jan 2001		√	√	√		200
Crushing of building material	crushing or cleaning of waste building or demolition material	√ (13)	local gov’t			√	√			1000

Figure 5: Extracts from Appendix 1 of GS3

The closest edge of the waste transfer facility site is approximately 760m from the nearest dwelling to the west of Great Northern Highway. Accordingly, the generic separation distance for a ‘waste depot’ is easily achieved.

Screening and crushing machinery and activities will be limited to the eastern part of the waste transfer facility area, located more than 1,000m from the nearest dwelling to the west of Great Northern Highway. When considering the original landfill proposal in 2008, the SAT considered the 1,000m buffer, together with information provided by noise experts and dust mitigation measures in its Dust Management Plan, were sufficient to adequately control noise and dust emissions. The approved operations were described in *Westmore Corporation Pty Ltd and Shire of Chittering [2008] WASAT 29* at [11] as:

The proposal comprises recycling of construction and demolition material and specifically involves the separation of concrete, bricks, tiles and gravel which will be crushed and screened to reduce the material to a uniform aggregate size. These aggregates will be sold as recycled building products which have a number of applications including road sub-bases, drainage aggregates and fill material.

This application proposes exactly the same type of crushing operation as was originally approved by the SAT in 2008 and therefore warrants approval on the same terms, subject to the crushing activities being contained to the eastern part of the waste transfer facility area.

5.2.3 State Planning Policy 3.7 Bushfire

In accordance with the revised State Planning Policy 3.7 – Planning in Bushfire Prone Areas (**SPP 3.7**), which came into effect on 18 November 2024, bushfire planning requirements no longer apply to industrial or commercial developments that do not involve 'habitable buildings'. The proposed waste transfer facility does not include any habitable structures and is therefore exempt from requiring a bushfire assessment under SPP 3.7. This exemption aligns with the policy's updated risk-based approach, which seeks to streamline planning processes for developments that pose minimal risk to human life in bushfire-prone areas.

Notwithstanding the exemption, the application proposes to continue to apply the Fire Management Procedure (November 2017) that was developed for the landfill and apply it to the waste transfer facility. This document provides procedures and measures for preventing and managing fires. Refer **Appendix 4** for a copy of the Fire Management Procedure.

5.3 Other government policy

5.3.1 State Waste Infrastructure Plan: Western Australia

The *State Waste Infrastructure Plan: Western Australia* was prepared to meet one of the strategies of the State Government's *Waste Avoidance and Resource Recovery Strategy 2030*. It provides a comprehensive approach to meet the waste and recycling challenges of today and transition toward a more circular economy, and provides a region-based plan for waste infrastructure.

In regard to waste transfer stations ('consolidation facilities') it states:

As volumes of materials grow, some consolidation centres may evolve to include processing of one or more materials. In regions where there is insufficient volume to meet the defined threshold for new facility development, consolidation centres are noted for development within the infrastructure plan and an additional need is identified in the regional summary. Consolidation facilities may be co-located on or as part of other facility types such as landfills.

The co-location of the waste transfer facility with the existing landfill, and the processing of waste materials to create road base, aligns with the above.

The *State Waste Infrastructure Plan: Western Australia* also identifies the need for additional capacity for materials recovery in the Wheatbelt region. Materials recovery involves the collection, aggregation, sorting, and baling of mixed industrial recycling before distribution to a final reprocessor. This proposal helps to provide additional capacity for consolidation and material recovery in the region.

6 CONCLUSION

This development application seeks approval for the establishment of a waste sorting and transfer facility at Lot 607 (124) Propagation View, Muchea, as an extension of the existing non-conforming landfill use. The proposal aligns with the strategic intent of both state and local planning frameworks, including the *State Planning Strategy 2050*, the *Shire of Chittering Local Planning Strategy*, and relevant State planning policies. It supports the transition toward a circular economy by facilitating the recovery, processing, and redirection of construction and industrial waste streams.

The proposed facility is appropriately sited on previously disturbed land, minimising environmental impact and leveraging existing infrastructure. It meets the required separation distances from sensitive land uses, incorporates robust environmental and operational management plans, and is designed to operate independently of the existing landfill, ensuring long-term viability.

The application demonstrates compliance with the relevant planning provisions and represents a logical and sustainable evolution of the site's use, delivering environmental, economic, and operational benefits to the region. On this basis, the proposal warrants approval.

**Appendix 1:
Certificate of Title**

WESTERN



AUSTRALIA

REGISTER NUMBER 607/DP409232	
DUPLICATE EDITION N/A	DATE DUPLICATE ISSUED N/A

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME 2917 FOLIO 284

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES

**LAND DESCRIPTION:**

LOT 607 ON DEPOSITED PLAN 409232

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

WESTMORE CORPORATION PTY LTD OF 29 KIMMER PLACE, CANNINGTON
(AF N496581) REGISTERED 30/11/2016

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

1. *EXCEPT AND RESERVING METALS, MINERALS, GEMS AND MINERAL OIL SPECIFIED IN TRANSFER 3422/1946.
2. *K161034 MORTGAGE TO AUSTRALIA & NEW ZEALAND BANKING GROUP LTD REGISTERED 19/4/2007.
3. *N772561 LEASE TO SWEETMAN EXCAVATIONS PTY LTD OF 37 PETERS ROAD MUCHEA WA 6501 EXPIRES: SEE LEASE. AS TO PORTION ONLY REGISTERED 24/11/2017.
4. *O234268 MEMORIAL. CONTAMINATED SITES ACT 2003 REGISTERED 11/9/2019.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

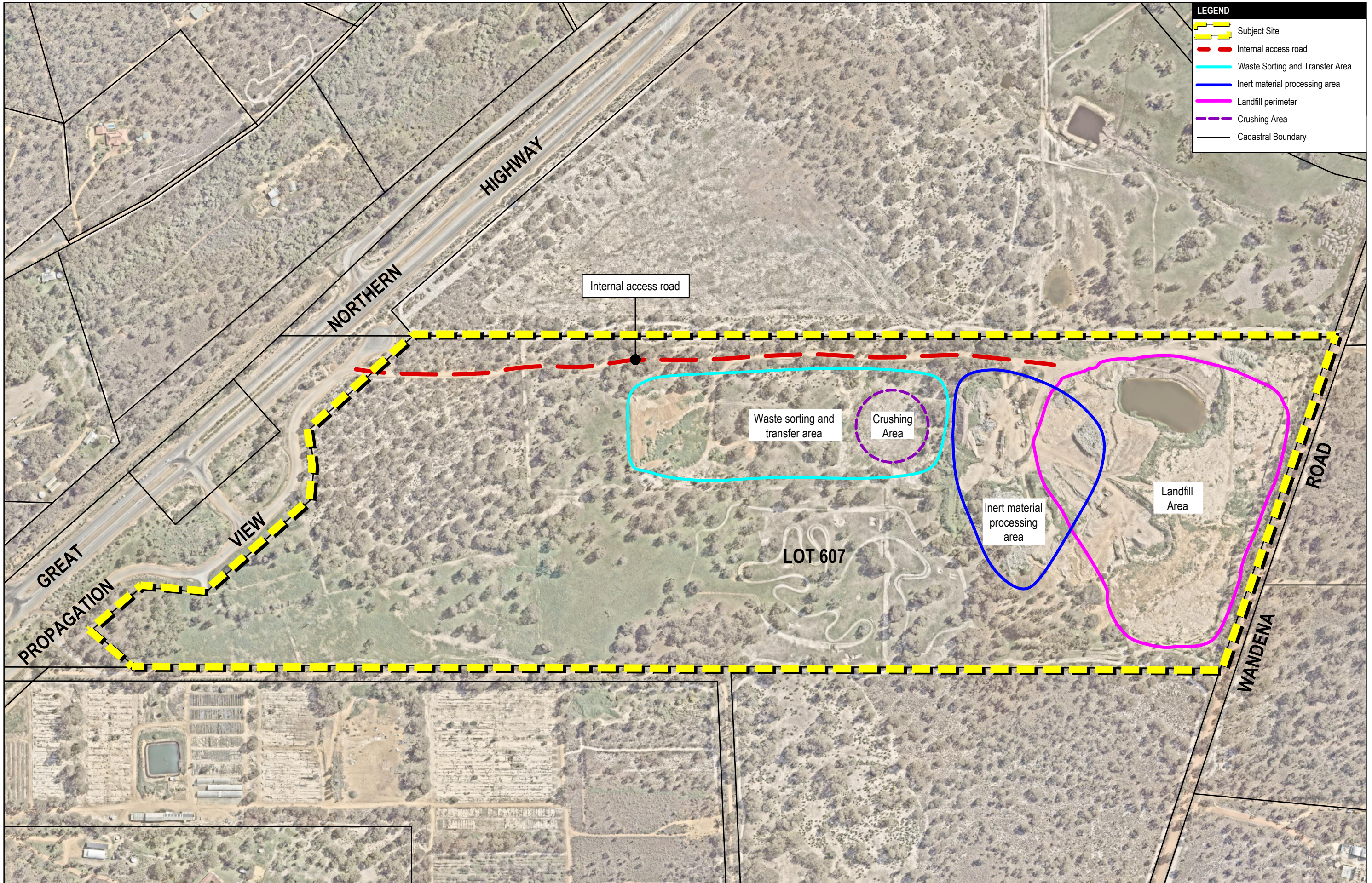
STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: DP409232
PREVIOUS TITLE: 1242-289
PROPERTY STREET ADDRESS: 124 PROPAGATION VIEW, MUCHEA.
LOCAL GOVERNMENT AUTHORITY: SHIRE OF CHITTERING

NOTE 1: K104462 SECTION 138D TLA APPLIES TO CAVEAT D370387
NOTE 2: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEALING K161034

Appendix 2: Development plan



LEGEND	
	Subject Site
	Internal access road
	Waste Sorting and Transfer Area
	Inert material processing area
	Landfill perimeter
	Crushing Area
	Cadastral Boundary

Appendix 3: Environmental Management System

Westmore Corporation

Muchea Waste Management Site

Environmental Management System

Originally Issued: 13 January 2015

Reviewed: 30 November 2017

Table of Contents

1. Introduction.....	2
2. Aim.....	2
3. Environmental Policy	2
4. Objectives and Targets	2
5. Policies and Procedures.....	3
6. Annual Audits.....	3
7. Management Review	4

1. Introduction

The Westmore Corporation Muchea Waste Management Facility carries out a range of waste management activities on site, including C&D and glass recycling and in accordance with Department of Water and Environment Regulation (DWER) approval. This facility is operated in accordance with this Environmental Management System (EMS).

2. Aim

The aim of this EMS is to documents how the site activities will be managed to minimize the impact, or the potential to impact, on the environment.

3. Environmental Policy

Westmore Corporation has the following endorsed Environmental Policy:

“Westmore Corporation is committed to caring out all of its waste management activities in an environmentally responsible manner and in doing so, seeks to surpass compliance with relevant environmental legislation and continuous improvement in environmental protection.”

This Environmental policy has been signed off by all Directors of Westmore Corporation.

4. Objectives and Targets

Westmore Corporation has set the following Objectives and Targets to be achieved during the execution of all of the companies waste management activities:

- Objectives:
 - To operate all waste management activities in an environmentally responsible and sustainable manner;
 - To minimise any potential negative impact of its operations on the environment;
 - To strive for continuous improvement in environmental performance; and,
 - To provide a cost effective, efficient and sustainable service to its customers.
- Targets:
 - Full compliance with facility operating licence conditions;
 - Zero environmental breaches; and,
 - Zero community complaints.

5. Policies and Procedures

Westmore Corporation, in striving to comply with its endorsed Environmental Policy and to ensure the achievement of its stated Objectives and Targets has developed and implemented the following plans and procedures:

- Asbestos Management Plan;
- Dust Management Procedure;
- Fire Management Plan; and,
- Refueling Management Procedure.

6. Annual Audits

Westmore Corporation undertakes regular audits of this EMS to ensure it is effectively meeting the company's Environmental Policy and stated goals. These audits include audits of compliance with relevant operating plans and procedures in accordance with company's activities.

This EMS audit programme includes the following:

- Annual process compliance audits undertaken by a suitably qualified competent person(s) not involved with the day-to-day operation of the site. The selection of the competent person(s) will be dependent on the aspect of the EMS being audited. This could mean for example that some reviews are conducted by a consultant or a representative of an appropriate industry body. The qualifications of the competent person are detailed in the audit report.
- Consideration of all aspects of the site's C&D recycling operations and whether these activities are being undertaken in accordance with the appropriate plan or procedure; and,
- With regards to the Asbestos Management Plan, consideration of the following key areas:
 - The effectiveness and implementation of pre-acceptance, receipt, classification, unloading, inspection and sampling procedures;
 - The effectiveness and results of monitoring including product testing and interpretation of results;
 - The effectiveness of personnel training including the staff's ability to recognise asbestos;
 - Records and document retention; and,
 - The effectiveness of the Asbestos Management Plan and the degree to which it reflects of site operations.

The outcomes of the annual audits will be used to develop improvement strategies and will be available for inspection by Regulatory Authorities.

7. Management Review

Westmore Corporation undertakes regular management reviews of this EMS to ensure that the EMS remains suitable for the business and to set direction for future continuous improvements.

Management reviews are to occur at least every three years, or more regularly if required.

Appendix 4: Fire Management Procedure

Westmore Corporation Muchea Landfill

Lot M1920 Great Northern Highway

Procedure Number 002

Fire Management Procedure

Issued: July 2010

Reviewed: November 2017

1. INTRODUCTION

Westmore Corporation operates a Class I landfill site and recycling facility at Lot M1920 Great Northern Highway. Related activities on site have an extremely low risk of causing fire; however, fire is an ever-present concern. This Fire Management Procedure has been developed to manage fires originating from on-site activities as well as fires from neighbouring properties.

The objective of this Fire Management Procedure is to increased awareness of the potential dangers of fires as well as minimise the impact of fires.

2. PURPOSE

The purpose of this procedure is to:

- Identified potential on-site sources of fires.
- Provide guidance to the Site Operators on how best to prevent fires.
- Provide guidance to the Site Operators on how best to manage fires.
- Ensure appropriate fire management procedures are carried out.
- Protect life and property.
- Maintain the rural character of the Shire.

3. REFERENCE

- *Shire of Chittering –Town Planning Scheme No. 6 - Local Planning Policy No. 21 - Fire Management Plans.*
- *Bush Fires Act 1954 (as amended)*

4. APPROVAL

The development of this Fire Management Procedure is a requirement of the Shire of Chittering Development Approval (including the State Administrative Tribunal Order DR 186 2008). This procedure has been developed to the satisfaction of the Shire Executive Manager Development Services.

5. DISTRIBUTION

This procedure is distributed to:

- All employees involved in the management and operation of the site.
- Department of Water and Environmental Regulation.
- The Shire of Chittering.
- Any other relevant parties/stakeholders.

6. DEFINITIONS

Minor Fire - means a fire that originates on-site and is able to be immediately extinguished by Site Operators.

Person in Control - means a person who has control of the site. The person with control is the Site Manager or, when he is not on site, his nominated representative.

Significant Fire – means a fire that originates on-site and is NOT able to be immediately extinguished by Site Operators. This is a fire that requires off-site assistance in order to bring it under control.

Site – Lot M1920 Great Northern Highway, Westmore Corporation Class 1 landfill and recycling site.

Site Operator - means a person undertaking the operational activities of the site.

Vehicle Driver - means a person driving a vehicle, which either delivers or removed material (waste or recyclable materials) from the site.

7. SITE BACKGROUND

Lot M1920 is in the location of Muchea, within the Shire of Chittering, approximately 47 km north-east of Perth. The site is approximately 78 ha in size and has been predominantly cleared for historical extractive industry operations (clay and gravel extraction) and possibly agricultural (livestock) use.

8. IMPLEMENTATION RATIONALE

The rationale for the implementation of fire management strategies is to:

- Reduce the risk of fires occurring on site.
- Reduce the damage caused by fires.
- Reduce the potential for off-site fires to cross the site boundary.

Should a fire be present on-site or within the immediate area, this Fire Management Procedure will assist in the management of fires as well as the protection of life and property.

9. FIRE MITIGATION STRATEGIES

There are a number of fire mitigation strategies that can be employed in order to reduce the risk of fires occurring on-site as well as minimise the impact of fires. The mitigation strategy is a function of the type and size of fire.

A. PREVENTION STRATEGIES

Training - Fire awareness training is an essential activity to reduce the occurrence and improve the management of fires.

All Site Operators are to undergo appropriate fire awareness training. This fire awareness training is to cover all aspects relating to the potential occurrence of fires on site as well as the appropriate management of the various types of fires (ordinary combustibles, electric fires, hydrocarbon fires).

Vehicle Drivers, contractors and visitors are to be provided with sufficient information to enable awareness of potential fire sources as well as appropriate evacuation procedures.

Signage – appropriate signage is to be installed on site in order to ensure sufficient fire awareness information is available to users of the site. Typical signage would include:

- Evacuation assembly points.
- No smoking signs.
- On-site fires prohibited.
- Fire extinguisher/equipment positions.
- Emergency contact details (during working hours and after hours).
- Additional signs as required.

Firebreaks - the construction and maintenance of adequate fire breaks is an essential activity as well as a requirement under the *Shire of Chittering –Town Planning Scheme No. 6 - Local Planning Policy No. 21 - Fire Management Plans*.

Firebreaks, of a minimum 3 m wide, 4 m vertical clearance and four wheel drive accessible, are to be constructed and maintained along the complete property boundary and within 20 m around any buildings, or fuel storage areas.

Fire hazard reduction – in addition to the construction and maintenance of appropriate fire breaks, it is essential to reduce the potential fire hazard by removing excess dead vegetation matter (fire fuel) from site as well as ensure the appropriate containment (landfilling) of flammable waste materials.

Communication - the appropriate communication channels with the Shire, Fire and Emergency Services and local community is essential in the proactive management of fires within the immediate area.

Chief Fire Control Officer

David Carroll - 9576 4600 or 0409 529 138

Deputy Chief (South)

David Wilson – 0412 716 577

Deputy Chief (North)

Greg Cocking - 9655 7015 or 0408 900 462

Bush Fire Control Officers

Muchea

Arthur Blewitt – 0481 395 570

Peter Hall - 0437 908 079

Shire Fire Control Officers

Rangers – 9576 4600

B. ON SITE FIRES

Landfill fires - there is a minor risk associated with spontaneous combustion of materials replaced within the landfill. Due to the nature of the waste (large percentage of inert, incombustible material) it is not seen that this is a high-risk area or that the occurrence of a fire will cause significant damage.

Fuel storage area - although there is a low risk of fire associated with the fuel storage area, the consequences of a fire in this area could be significant. Appropriate signage, firebreaks, operating methodologies and firefighting equipment is to be maintained within the immediate area to manage the fire risk as deemed appropriate.

Equipment fires - there is a risk associated with fires originating from mobile and static equipment on site. Typically this will result from equipment failure such as electrical systems or hydraulic hoses.

Minor fires – there is a risk of minor fires occurring on site. These would typically be from the uncontrolled disposal of cigarette butts and other careless activities on-site.

C. OFF-SITE FIRES

The Site Operators have little influence over the source of off-site fires; however, they do have an ability to influence the on-site damage caused as a result of this type of fire.

Perimeter firebreaks are the primary mechanism to reduce the potential for off-site fires from entering the site. The effectiveness of firebreaks will be a function of the size of the neighbouring fire and prevailing weather conditions.

Reducing the quantity of combustible material (dead vegetation) on site will significantly reduce the impact of an off-site fire should it breach the perimeter firebreaks.

D. FIRE FIGHTING EQUIPMENT

Equipment - the availability, maintenance and knowledge of the use of appropriate firefighting equipment is essential in being able to manage fires on-site.

Due to potential after-hours theft of firefighting equipment, all portable equipment will be locked up and secured at night. At the commencement of each day's operations, the Site Operators are to ensure that this mobile firefighting equipment is readily available to immediately react to an on-site fire.

Water truck - the site water truck (used for dust suppression) will be the primary firefighting piece of equipment (excluding electrical and fuel fires). When this vehicle is not being used for its usual activities associated with dust suppression it is to be left full of water so that it can be rapidly deployed to extinguish fires.

Fire extinguishers – portable fire extinguishers are to be readily available to extinguish equipment fires and fuel storage area fires.

10. WATER SUPPLY

The majority of fire mitigation strategies involve the utilisation of large quantities of water. The water is to be sourced from on-site surface water collection points such as the existing landfill void storage basin and groundwater extraction bore. In time, should available water supplies be reducing, additional surface water harvesting can be implemented to supplement available supplies.

A minimum, reserve capacity of 10,000 L of water is to be maintained on site for the purposes of firefighting activities. It is not necessarily that this be a separate, dedicated storage tank, but could form part of available water supplies for other activities on-site (dust suppression). However, this minimum reserve capacity is always to be maintained.

11. EVACUATION PROCEDURE

In the event of a Significant Fire on-site or within the immediate area threatening the site, all non-essential site personnel are to evacuate to the site emergency assembly point and await further instructions from the Person in Control.

12. REPORTING

As soon as is reasonable following the identification of a Significant Fire, the Person in Control is to report the fire to the appropriate authority. The reporting mechanism will depend on the nature of the fire.

The facility landfill operating licence will determine under which events a fire is required to be reported to the Department of Water and Environmental Regulation. Typically, these will relate to fires directly on the landfill.

A Significant Fire is to be immediately reported to the Shire and the local bush fire brigade officer.

A Minor Fire is not deemed as being reportable to any authority (unless the facility operating licence requires otherwise).

13. RESPONSIBILITY

The Person in Control of the site has a duty of care to:

- Implement, maintain and update this Fire Management Procedure.
- Ensure that the fire prevention strategies are appropriately maintained.
- Ensure adequate appropriate training of Site Operators.
- Assess the effectiveness of the various fire management strategies implemented on site.
- If necessary, develop measures to improve the fire management strategies utilised on site (may include obtaining specialist technical assistance).
- Ensure the appropriate maintenance of firefighting equipment and PPE.
- Maintain adequate supplies of appropriate firefighting spares on-site.
- Ensure the safety of all visitors to site in the event of a Significant Fire.
- Ensure that this fire management plan is regularly reviewed.

Site Operator(s) has a duty of care to:

- Be aware of the site fire management strategies.
- Ensure that fire management strategies are utilized as appropriate in the event of a fire.
- Report faulty or inefficient firefighting equipment to the Person in Control.

Vehicle Driver(s) has the duty of care to:

- Comply with site signage.
- Comply with site instructions.

14. AWARENESS TRAINING

Information and training is to be provided on an as needed basis to Site Operators, Vehicle Drivers, contractors and others who may be involved in on-site activities that have the potential to cause a fire.

If adequate in-house expertise is not available to undertake the training, suitable external training will be made available.

Site Operators

The fire management awareness training is to include:

- The purpose of the training.
- The potential fire sources.
- Available fire mitigation strategies.
- The trainees' roles and responsibilities under the Fire Management Procedure.
- Site evacuation procedures.
- Site operating licence conditions surrounding the management and reporting of fires on site.
- Provision of a copy of the Fire Management Procedure.

As a minimum, Site Operators are to undergo fire awareness training:

- On commencement of operations on site.
- When a new potential fire hazard has been identified.
- Every three years.

Vehicle Drivers, Contractors and Visitors

The fire management awareness training is to include:

- Appropriate signage in areas of potential fire risk.
- Site evacuation procedures.
- Specific training as deemed appropriate by the Person in Control.

15. PROCEDURE REVIEW

This procedure is to be reviewed by the Person in Control at least every three year or more regularly if circumstances warrant.

Appendix 5: Asbestos Management Plan

Westmore Corporation

Muchea Waste Management Site

Asbestos Management Plan

Originally Issued: 13 January 2015

Reviewed: 30 November 2017

Table of Contents

- 1. Introduction 3
- 2. Purpose 3
- 3. Reference..... 3
- 4. Distribution 4
- 5. Definitions 4
- 6. Responsibility 5
- 7. Awareness Training..... 6
- 8. Application 7
- 9. Material Sources and Handling..... 7
- 10. Material Pre-Acceptance Procedures 8
- 11. Material Acceptance Procedures..... 8
- 12. Material Processing Procedures..... 9
- 13. Stockpile Management 10
- 14. Dust Management..... 11
- 15. Monitoring and Testing..... 11
 - 15.1 Qualitative Monitoring 11
 - 15.2 Quantitive Environmental Monitoring 12
- 16. Sampling and Analysis Program 12
 - 16.1 Product Specification 12
 - 16.2 Inspection and Sampling Requirements..... 12
 - 16.3 Stockpile Inspection and Sampling 13
 - 16.4 Sample Treatment 13
 - 16.5 Reduced Sampling Criteria..... 13
 - 16.6 Sample and Analysis Method 14
 - 16.7 Interpreting Inspection and Sampling Results..... 15

16.8 Product Supply..... 16

17. Asbestos Identified on Site..... 16

18. Asbestos Wrapping..... 17

19. Temporary Asbestos Storage Area 17

20. Asbestos Record Keeping..... 18

21. Site Monitoring..... 19

22. Site Audit..... 19

23. Plan Review..... 19

Appendices 19

Appendix No. 1 – Examples of Asbestos Containing Materials.....20

Appendix No. 2 – Selection and Use of Personal Protective Equipment.....24

Appendix No. 3 - Asbestos Incident Report.....25

1. Introduction

The Westmore Corporation Muchea Waste Management Facility is NOT licensed by the Department of Water and Environment Regulation (DWER) to accept asbestos or asbestos containing material. However, due to the mixed nature of the waste that the facility handles, there is the possibility that asbestos material could be inadvertently received on site. In this event, this Asbestos Management Plan sets out the appropriate management of this material.

The control and handling of materials containing asbestos products is a critical management aspect on site. Consequently, Westmore Corporation (WC) takes the responsibility associated with the appropriate control and handling of asbestos products extremely seriously.

2. Purpose

The purpose of this Plan is to:

- Provide guidance to the Facility Operator(s) on how best to manage asbestos material if discovered on site.
- Ensure appropriate procedures are carried out for the inspection, sampling and testing for asbestos material.
- Ensure appropriate procedures are carried out when handling asbestos material.
- Ensure the appropriate removal of asbestos material from site by the customer or by WC, to an appropriately licensed facility.
- Ensure the appropriate record keeping of asbestos related incidents.

3. Reference

- DER Disposal of Material Containing Asbestos – 12 June 2007
- Code of Practice for the Management and Control of Asbestos in the Workplace [NOHSC: 2018 (2005)]
- WorkSafe Victoria – Asbestos-contaminated Soil Guidance Note - October 2010
- Department of Health - Guidelines for Asbestos-Contaminated Sites - May 2009
- DER Guidelines for Managing Asbestos at Construction and Demolition Waste Recycling Facilities – 18 December 2012.

4. Distribution

This Plan is distributed to:

- All employees involved in the management and operation of the site;
- Department of Environment Regulation;
- Shire of Chittering;
- Customers as applicable; and,
- Any other relevant parties.

5. Definitions

Asbestos - means the asbestiform variety of mineral silicates belonging to the serpentine or amphibole groups of rock-forming minerals and includes actinolite, amosite, anthophyllite, chrysolite, crocidolite, tremolite and any mixture containing two or more of those.

Asbestos Containing Material (ACM) - means any products or materials (including fragments) that contain asbestos in an inert bound matrix such as cement or resin in a sound condition and in a form that cannot pass through a 7 mm x 7 mm sieve, including asbestos waste and asbestos contaminated soil.

Asbestos Fines or Fibres (AF) - means small asbestos fibre bundles, free asbestos fibres and also ACM fragments that can pass through a 7 mm x 7 mm sieve.

Asbestos Incident Report – the incident report detailing any asbestos identified on site.

Asbestos Waste - means all removed asbestos and disposable items used during asbestos work, such as plastic sheeting used to cover surfaces in the asbestos work area, disposable coveralls, disposable respirators, rags used for cleaning.

Competent Person – means a person possessing tertiary qualifications such as environmental science, science or engineering and a minimum of 3 years experience working with asbestos.

Customer - means an individual or company, responsible for, or delivering waste material to the Facility.

Temporary Asbestos Storage Area – the area within the site that is specifically dedicated to the temporary storage of asbestos.

Disposal - the appropriate delivery and disposal of asbestos to an appropriately licensed facility.

Facility – means the Westmore Corporation Muchea Waste Management Facility.

Fibrous Asbestos (FA) - means friable asbestos material, such as severely weathered ACM and asbestos in the form of loose fibrous material such as insulation products. Friable asbestos is material that is in a degraded condition such that it can be broken or crumbled to a powder form by hand pressure.

Person in Control - means a person who has control of the Facility. The person with control is the Facility Manager.

Facility Operator - means a person undertaking the operational activities of the Facility.

Personal Protective Equipment (PPE) - means equipment and clothing that is used or worn by an individual person to protect themselves against, or minimise their exposure to, workplace risks. It includes items such as facemasks and respirators, coveralls, goggles, helmets, gloves and footwear.

Westmore Corporation (WC) Related Facilities – means other waste management facilities owned and operated by WC or one of its three Shareholders. These facilities include the WC Jandakot Transfer Station, Perth Bin Hire Sorting and Recycling Facility in Bayswater and Advance Waste Disposal Sorting and Recycling Facility in Malaga.

6. Responsibility

The Person in Control of the Facility has a duty of care to:

- Implement, maintain and update this Asbestos Management Plan.
- Ensure adequate, appropriate training of Facility Operators.
- Ensure adequate, appropriate information is provided to Customers.
- Undertake the necessary inspections, sampling and analysis of processed material as required by this Plan;
- In conjunction with the Facility Operator, assess the condition of any asbestos that is found on site, the associated asbestos risks and appropriate handling procedures.
- Develop measures to control and dispose of the asbestos to minimise the risks and prevent exposure to asbestos.
- Maintain a register of asbestos incidents.
- Maintain adequate supplies of appropriate PPE on site.

Facility Operator has a duty of care to:

- Adhere to the Asbestos Management Plan.
- Inspect incoming waste for the presence of asbestos.
- Undertake the necessary sampling and testing of the processed materials.
- In conjunction with the Person in Control, assess the condition of any asbestos that is found on site and the associated asbestos risks.
- Utilise appropriate PPE.
- Undertake the appropriate control and disposal measures following the identification of asbestos.
- Completely the appropriate asbestos Incident Report as necessary for all asbestos identified.

Customer:

- To be aware of site requirements that no asbestos is acceptable on site and the procedure to be followed should asbestos be identified in an incoming load of waste.
- Comply with site asbestos removal procedures.

7. Awareness Training

Information and training is to be provided to Facility Operators and others who may come into contact with asbestos at the facility, either directly or indirectly.

Awareness training is to be carried out for all new employees, with refresher training on a two-yearly basis.

Training will be carried out by suitable, external training providers.

The asbestos awareness training is to include:

- The purpose of the training.
- The health risks associated with asbestos.
- The types, uses and likely occurrence of asbestos in buildings, plant and/or equipment in the workplace (Refer Appendix No. 1).
- How to identify asbestos.
- The trainees' roles and responsibilities under the Asbestos Management Plan.
- Facility operating licence conditions surrounding the non-acceptance of asbestos.
- The process and procedures to be followed in inspection, sampling and testing of processed materials.
- The process and procedures to be followed following the identification of asbestos on site.
- The mechanism for the disposal of asbestos.
- The processes and procedures to be followed to prevent exposure to asbestos.
- How Asbestos Incident Report forms can be accessed.
- The processes and procedures to be followed when completing the Asbestos Incident Report.

A record of all attendees at the awareness training is to be maintained.

8. Application

The facility operates primarily as an inert waste sorting and crushing facility, with a backend landfill (Class I). There is also a glass crushing operation; however, due to the specific nature of the feedstock into this particular process, asbestos is not seen as a potential threat to this activity and hence, it is not incorporated into the requirements of this Asbestos Management Plan.

A large portion of the waste material that is delivered to site originates from skip bin collections. In accordance with the DWER guidelines for asbestos management (*Guidelines for Managing Asbestos at Construction and Demolition Waste Recycling Facilities – 18 December 2012*) the Risk Classification Matrix (Section 3.3) identifies skip bins as being High Risk Loads of waste and hence are required to be handled in accordance with the High Risk Load Procedure (Section 3.4).

Although the facility does not accept loads of asbestos, due to the nature of the waste material being received, there is the possibility that asbestos material could be inadvertently received on site; consequently, it is important that the appropriate site waste handling and inspection procedures be carried out to ensure adequate inspection of the incoming waste material.

Where material is suspected as being asbestos, it should be assumed to be and treated as asbestos unless suitable analysis of a representative sample by a Competent Person demonstrates otherwise.

9. Material Sources and Handling

The vast majority of the material received on site is received directly from Westmore Corporation's Related Facilities, which operate under a similar DWER approved asbestos management plan; hence, the incoming material received from these facilities has already been through a system of asbestos management processes; hence, can be considered as being relatively "asbestos free" and having been adequately inspected. Consequently, on arrival at the site there is no need for this material to be further inspected for asbestos material. However, due to the subsequent crushing activity, there is the possibility that asbestos material may be liberated from lumps of concrete or mortar. Therefore, all crushed material is required to be inspected and tested in accordance with the DWER asbestos guidelines.

All material emanating from non-WC Related Facilities is to be fully inspected on arrival to site.

10. Material Pre-Acceptance Procedures

The following material pre-acceptance procedures apply:

- To material from WC Related facilities:
 - Pre-acceptance procedures as per the individual site Asbestos Management Plans.
- To material from non-WC Related Facilities:
 - At the point of sale, customers are advised that asbestos is not accepted on site.
 - Site entrance sign identifies that asbestos is not accepted on site.
 - On entry to site, the waste receipt docket issued to each driver identifies that asbestos is not accepted on site.
 - All material loads arriving on site are registered on waste receipt dockets identifying the type of material being received, with the vehicle driver signing to confirm the identification of the load and confirming that asbestos is not present in the incoming load.

11. Material Acceptance Procedures

The following material acceptance procedures are to be applied to all material entering the Facility:

- Material emanating from WC Related Facilities has previously been inspected for asbestos material; hence, this incoming material can simply be added directly to the input feedstock stockpile in preparation for processing.
- Material emanating from non-WC Related Facilities is to be handled in accordance with the DWER High Risk Load Procedure for the acceptance of skip bin waste:
 - On arrival to site the vehicle drivers identify the source of the material in the load.
 - The tarps are removed from the load and the load inspected prior to off-loading.
 - Should any asbestos be identified during the site entrance inspection, the complete load is then rejected and removed from site, with the appropriate record being maintained of the details of the nonconforming load. The record includes details of the waste producer, waste carrier, registration number of the vehicle and the date of rejection.
 - Acceptable loads are then directed to either the screening area or directly to the landfill (non-recyclable loads).
 - Loads going to the screening area will then be wet down and unloaded.
 - During unloading, the material is again inspected by a Facility Operator.

- Once unloaded, the material is further wet down and spread out in a layer approximately 300 mm thick. The spread load is then inspected by a Facility Operator for the presence of any nonconforming material, including asbestos.
- On completion of the inspection, the load is turned over and re-inspected.
- If no asbestos or other nonconforming material is identified, the load is then added to the input feedstock stockpile.
- If asbestos is identified and the customer is still on site, the load is immediately reloaded and the customer removes the material from site.
- If asbestos is identified and the customer has already departed the site, the load is isolated and additional inspections undertaken to assess the degree of asbestos contamination.
- If the asbestos contaminated load only contains a few random large pieces of Asbestos Contaminated Material (ACM), the asbestos is removed and the remainder of the load is then added to the input feedstock stockpile. If the ACM is not easily removed, the complete load is then treated as asbestos contaminated.
- If the asbestos contaminated load contains Asbestos Fines or Fibres (AF) or Fibrous Asbestos (FA), the complete load is then isolated and treated as being asbestos contaminated.

12. Material Processing Procedures

The following material processing procedures are to be applied to all material being processed at the Facility:

- Screening:
 - Inspection of the course material during the screening process.
 - Sampling and analysis of the fine post-screening material.
 - If a few random, large pieces of Asbestos Contaminated Material (ACM) are identified, the asbestos is removed and the remainder of the material is then processed as usual.
 - If Asbestos Fines or Fibres (AF) or Fibrous Asbestos (FA) are identified, the relevant portion of the material is then isolated and treated as being potentially asbestos contaminated.
- Hand-sorting:
 - Inspection of all material on the hand-sorting conveyor;
 - If any asbestos material is identified on the hand-sorting conveyor, the sorting line is immediately shut down and the input feedstock and the output separated products inspected for any additional asbestos material.
 - If a few random, large pieces of Asbestos Contaminated Material (ACM) are identified, the asbestos is removed and the remainder of the material is then processed as usual.

- If Asbestos Fines or Fibres (AF) or Fibrous Asbestos (FA) are identified, the relevant portion of the material is then isolated and treated as being potentially asbestos contaminated.
- Crushing:
 - After the crushing activity, asbestos inspection, sampling and laboratory analysis is undertaken on the crushed product stockpile.
- Landfill:
 - For incoming material that had been directed to the landfill, there will be a further inspection for asbestos and other nonconforming materials while the load is being discharged onto the landfill tipping areas:
 - If asbestos is identified and the customer is still on site, the load is immediately reloaded and the customer removes the material from site.
 - If asbestos is identified and the customer has already departed the site, the load is isolated and additional inspections undertaken to assess the degree of asbestos contamination.
 - If the asbestos contaminated load only contains a few random large pieces of Asbestos Contaminated Material (ACM), the asbestos is removed and the remainder of the load is then landfilled.
 - If the asbestos contaminated load contains Asbestos Fines or Fibres (AF) or Fibrous Asbestos (FA), the complete load is then isolated and treated as being asbestos contaminated.
- All confirmed asbestos contaminated material is placed in the Temporary Asbestos Storage Area and subsequently removed from site within 48 hours of identification and sent to an appropriately licensed disposal facility (by the customer or WC).

13. Stockpile Management

In complying with the DWER asbestos management guidelines, there is a need to undertake regular sampling and analysis of the material that has been screened or crushed on site, consequently, material stockpiles are to be well managed to ensure that each stockpile is clearly identified, sampled and tested in accordance with the sampling and analysis program set out in this Plan.

Stockpile sampling and analysis is to occur on all screened sand product and all post-crushed product.

The DWER asbestos guidelines require sampling from stockpiles at a rate of 40 samples per 4,000 tonnes (1 sample per 100 tonnes) or 14 samples per 1,000 m³ (1 sample per 70 m³). If sampling from a conveyor, then the sampling rate is 1 sample per 70 m³.

There is an allowance in the asbestos guidelines to reduce the frequency of sampling and analysis; however, this is to be in agreement with the DWER and subject to a number of conditions, one of which is that there be a minimum of 6 months with consistent product production.

Due to the large potential financial exposure involved in disposing of an asbestos contaminated stockpile, care is to be taken to operate the material stockpiles in such a manner that a single day's production or part thereof can be identified in the event of a test sample failure. The daily production areas are to be clearly demarcated on site to ensure that there is no cross-contamination of daily production areas.

To facilitate the separation of daily production areas, the material stockpiles will be developed with a square base. Each day's production is placed in a separate side of the stockpile, which provides a maximum of a four-day turnaround to receive the sample analysis results back from the testing laboratory.

Only once the test results have confirmed that the samples are asbestos free or any asbestos contamination is below the allowable threshold, can the day's production be covered over by a subsequent day's production.

14. Dust Management

To reduce the potential risk of asbestos fibres entering the atmosphere as a result of site activities, all reasonable and practical measures are taken to ensure that all waste material is adequately wet down prior to handling, sorting and crushing. To assist in this operation, the site has been fitted with sprinklers and hoses. The Facility Operators are to ensure that adequate water is applied to the waste material throughout the site operations to keep dust generation to an absolute minimum.

For additional information on dust management refer to **Procedure 001 – Dust Management**.

15. Monitoring and Testing

Monitoring is undertaken to confirm that the management measures are effective in controlling the delivery of asbestos to site, the identification of inadvertent ACM and the adequacy of testing for ACM on site.

15.1 Qualitative Monitoring

Facility Operators undertake visual inspections during operations to ensure that fugitive emissions of dust are being adequately controlled and are not being carried beyond the site boundaries. Where fugitive dust emissions are identified, their source is investigated and all reasonable and practical measures implemented to prevent or minimise the release.

Where risk management measures are ineffective in preventing visible dust crossing the site boundaries, waste processing activities are to be ceased until additional measures have been put in place to prevent the discharge or until the adverse weather conditions have passed.

15.2 Quantitative Environmental Monitoring

Due to the remote location of the site and the fact that there is at least 1,000 m to the nearest sensitive receptor, there is no ongoing air quality monitoring for ambient dust or asbestos fibres.

16. Sampling and Analysis Program

With there being both a screening and crushing activity on site, there is a requirement under the DWER asbestos guidelines to undertake regular sampling and analysis of the processed material.

In accordance with the guidelines, as a result of the screening and crushing of inert building material, the following recycled products are required to be sampled and analysed:

- Recycled drainage rock 20 to 27 mm;
- Recycled sand, screened to <10 mm; and,
- Recycled road-base, < 19 mm.

With there being a two-stage process of screening and then crushing, there will be two locations producing a product that requires sampling and analysis, these being the fine-screened product and the crushed product.

16.1 Product Specification

The asbestos content of the processed material is not to exceed 0.001% asbestos weight for weight (w/w). That is, there is to be less than 1g of asbestos per 100 kg of processed material for the material to be deemed uncontaminated. In calculating the weight of asbestos, ACM is deemed to contain 15% asbestos.

16.2 Inspection and Sampling Requirements

All types of recycled products are inspected and or sampled and tested for ACM, FA and AF, as outlined below. Inspections and sampling are undertaken by site operations staff that have received the required asbestos training.

ACM and FA are subject to visual inspection and sampling procedures as these are larger in size (> 7 mm) and AF (<7 mm) is to be assessed by submitting samples for laboratory analysis.

The material is sampled either from conveyor or from stockpiles. The Facility Operator is to adequately identify the location within the stockpile from where the samples have been taken or for conveyor sampling, the location of the day's production within the stockpiles to allow further testing or stockpile separation to occur if asbestos contamination is detected.

16.3 Stockpile Inspection and Sampling

Sampling of the processed material is spread evenly over the whole stockpile surface. Suspect asbestos material or areas are targeted for sampling.

The sampling of processed products occurs at a minimum rate of 40 locations through 4,000 tonnes or 14 samples per 1,000 m³ of product or parts thereof depending on the stockpile size or conveyor throughput.

16.4 Sample Treatment

Each sample collected is at least 10L in volume and divided into two size fractions (>7 mm and <7 mm) in the field by sieving through a 7 mm sieve or spread out for inspection on a contrasting colour fabric. The >7 mm fraction is examined for any suspect asbestos material and is retained to calculate the level of contamination.

The <7 mm fraction sample taken is a minimum of 500 mL, whetted, and submitted for laboratory analysis.

16.5 Reduced Sampling Criteria

There is an opportunity that if the facility can demonstrate that its procedures are able to consistently produce a recycled product that meets the product specification and undertakes the activities to a high standard, the DWER may authorise a reduced product testing rate including down to 5 locations per 4,000 tonnes (one sample per 600 m³) of product.

The criteria that the DWER will use to consider and determine a reduction in product sampling frequency are:

- Activities at the premises have been validated through a DWER inspection or audit to comply with the guidelines;
- DWER has confirmed through an inspection or audit that the conditions of the Part V licence are being met;
- DWER has not undertaken any enforcement action in relation to the activities at the premises in the last six months;
- Product testing has demonstrated that the product specification has been consistently achieved at the premises for a continuous six-month period;
- The presence of mitigating factors such as best practice management measures, high control of source material or use of the product for low-risk purposes;
- The quantity of waste processed in the last six months and the different sources/types of materials processed at the premises; and,
- Department of Health has agreed to the reduction in product sampling rate at the premises.

16.6 Sample and Analysis Method

The following are the Sampling and Analysis Methods set out in the DWER asbestos guidelines:

>7 mm Sample Fractions

Asbestos concentrations (ACM and FA) should be calculated in accordance with the methods detailed in section 4.1.7 of Department of Health (DoH), 2009, *Guidelines for the Assessment, Remediation and Management of Asbestos - Contaminated Sites in Western Australia*. As detailed in the DoH guidelines, averaging asbestos levels across the stockpile is not appropriate and asbestos levels within each sample should be reported.

<7 mm Sample Fractions

Each <7 mm sample fraction must be analysed for FA and AF.

Asbestos analysis must be undertaken by an independent NATA certified laboratory and comply with Australian *Standard Method for the Qualitative Identification of asbestos in bulk samples* (AS4964-2004) or be demonstrated to be able to achieve the equivalent level of result to this Australian Standard.

AS4964-2004 is currently the only method in Australia that has NATA certification; however, the practical level of detection for this standard polarised light microscopy method (PLM) and dispersion staining (DS) is 0.01% w/w. It is possible however, to measure asbestos contamination at or lower than 0.001% w/w where an increased sample size is used, however DWER recognises that any reporting of concentrations below 0.01% w/w will be outside the conditions set by NATA.

Therefore, to determine whether recycled products meet the product specification for asbestos content, samples must be a minimum of 500 mL in size. One of the following analytical approaches must be adopted:

- Detected/not detected - where any quantity of asbestos is detected by the PLM method it must be assumed, without further analysis, to be in concentrations above the product specification limit of 0.001% w/w. A weight of evidence approach may be adopted that is, the frequency and occurrence of any positive result in the stockpile can be taken into account, to determine whether the stockpile being assessed is considered to meet the product specification or not; or,
- Where any quantity of asbestos is detected by the PLM method, the sample is subject to further testing in the form of a semi-quantitative method with a lower level of detection for asbestos. A number of laboratories have developed such semi-quantitative methods for the analysis of low levels of asbestos. Techniques include:
 - The extraction and weighing of fibre bundles or fibre cement material from the total sample; and,
 - Measuring the width and length (ie. volume) of individual fibre by Phase Contrast Microscopic (PCM) and calculating the weight of fibre in the extracted sub-sample.

Whichever analysis methods adopted, the DWER expects a number of assessment-based statements to be included in all laboratory analytical reports. These include:

- Details of the sample size;
- A statement of the Limit of Detection of the analysis;
- Results in relation to asbestos detected or not - note that AS4964-2004 allows for a nil detection if the asbestos is less than a certain concentration and is non-respirable; however, the DWER would consider a positive result to exceed the 0.001% w/w limit;
- Description of any asbestos detected; and,
- Estimate of the concentration of asbestos detected if practical to do so.

16.7 Interpreting Inspection and Sampling Results

If the visual inspection, sieve sample or analytical results identify asbestos above or possibly above the 0.001% w/w criteria then that stockpile or product process should be deemed potentially contaminated and considered for off-site disposal as asbestos waste, or subject to further actions to remediate it or to demonstrate its acceptability by further assessment. A record should be made of the decision making and action taken eg off-site disposal, further assessment undertaken etc, in relation to that stockpile.

In addition to the above, where asbestos is identified above or possibly above the 0.001% w/w criteria, an investigation into the likely cause for the presence of asbestos in the product should be undertaken and measures implemented to prevent a reoccurrence. A record of the investigation and its findings together with the details of any preventative measures implemented at the site should be made.

As a guide, in the case of recycled drainage rock identification of a piece of ACM or FA per 10 m² of surface would be deemed to exceed the specification for that area, and for the whole stockpile if repeated in 2 or more other separate areas. A single fragment exceedance can be considered an isolated occurrence in the absence of other contamination evidence and the stockpile allowed for beneficial use. If there is multiple contamination only of a localised area then that area can be excavated to the extent of any visible asbestos and then the remainder of the stockpile considered to be suitable for use.

For laboratory analysis it is important that each result be considered on its own merits in regard to the asbestos control specification and that there is no averaging across samples. In the case of a single exceedance at a level less than 0.01% w/w, the stockpile (nominally 4,000 tonnes) may not be deemed contaminated if repeat samples of immediately adjacent areas do not demonstrate specification exceedances.

The same approach can be applied to the results of the >7mm sieve sampling in regard to the recycled sand material. In this case a 1 cm³ fragment of ACM or FA would be deemed to exceed the specification for a 10L sample.

It should be noted that specification exceedances in regard to different assessment methods for the same type of stockpile should not be viewed in isolation from each other.

16.8 Product Supply

Recycled products should only be supplied to customers from stockpiles that have been sampled and tested in accordance with the DWER asbestos guidelines and shown to conform to the product specification.

17. Asbestos Identified on Site

In addition to the above stockpile sampling and testing process, on identification of any other asbestos on site, the following activities are to be undertaken:

From Known Source or Customer:

- Notification of the Person in Control.
- Notification of the Customer.
- If Customer is still on site, reload asbestos material and Customer removes it from site.
- If the Customer has departed site, instruct the Customer to immediately return to site to remove the asbestos material.
 - If the Customer returns immediately, reload material and the Customer removes it from site.
 - If the Customer is unable to return to site immediately, handle asbestos as described below as if From Unknown Customer; however, when the Customer eventually returns to site, the Customer removes the asbestos from site.
 - If the Customer is unable to return to site within 48 hours of the asbestos material being identified, WC is to remove the asbestos from site within 48 hours.
- The Facility Operator is to complete an asbestos Incident Report (refer Appendix No. 3).

From Unknown Source or Customer:

- Notification of the Person in Control.
- Assess the type and condition of asbestos.
- Utilise the appropriate PPE (Refer Appendix No. 2).
- Separate the asbestos from general loads.
- Wrap the asbestos in accordance with the “Asbestos Wrapping” procedure below.
- Load the wrapped or bagged asbestos into an empty waste bin, truck or loader bucket:
 - Loading operation to ensure that the plastic sheet wrapping or bag is not ripped.
 - The load is not to be dropped, but placed in the bottom of the bin, truck or loader bucket.
- Immediately remove the asbestos to the Dedicated Asbestos Storage Area.
- The Facility Operator is to complete an Asbestos Incident Report (refer Appendix No. 3).
- The Person in Control is to review the incident to assess the appropriateness of the existing Asbestos Management Plan.

- Should any continuous improvement activities be identified, the Person in Control is to carry out the necessary amendment to the Asbestos Management Plan.
- The Person in Control is to enter the Asbestos Incident Report into the Asbestos Register.
- Asbestos to be removed from site within 48 hours of being identified on site.

18. Asbestos Wrapping

Asbestos is to be wrapped in accordance with the following requirements:

- Utilise the appropriate PPE (Refer Appendix No. 2) while wrapping asbestos.
- Separate the asbestos from general loads.
- Double wrap and tape asbestos in black plastic sheeting (minimum 200 µm thickness) to prevent asbestos fibres entering the atmosphere. In the case of asbestos contaminated soil or asbestos fines, the material is to be damp (not saturated) and packaged in suitable sealed containers (bulka bags, sealed bags).
- Label warning of asbestos – “CAUTION ASBESTOS” in letters not less than 50 mm high is to be adhered to the wrapped bundle or bag of asbestos.
- Bundles and bags of asbestos are to be sized to allow for the appropriate loading and unloading so as to prevent damage to the plastic wrapping or sealed bag.

19. Temporary Asbestos Storage Area

Asbestos is only to be stored in the Temporary Asbestos Storage Area.

At all times on site there is to be a Temporary Asbestos Storage Area available for the temporary storage of identified asbestos. The Temporary Asbestos Storage Area is to enable the secure, temporary (less than 48 hours) storage of identified asbestos.

Due to the relatively mobile nature of the crushing operation, where it moves around the landfill surface so as not to negatively impact on the landfilling operation or the glass processing operation, it is not possible to have a fixed Temporary Asbestos Storage Area. This Temporary Asbestos Storage Area will also move around the landfill surface along with the sorting and crushing operation.

20. Asbestos Record Keeping

Records are an important aspect of site operations and there is to be a clear and logical system for keeping records on site. All records relating to environmental protection need to be retained and where appropriate include information relating to:

- Material accepted and material dispatched, rejected materials, including as a minimum;
 - The details of loads arriving/received at the site which have been found to contain asbestos;
 - All rejected loads, with details of:
 - The waste producer;
 - The waste carrier;
 - Vehicle registration number; and,
 - The date of rejection.
- The decision-making process and action taken eg off-site disposal, further assessment undertaken etc, in relation to identification of asbestos within a stockpile.
- The investigation into the likely cause of the presence of asbestos and its findings together with the details of any preventative measures implemented at the site.
- Asbestos Register containing all Asbestos Incident Reports;
- Emissions or process monitoring results and interpretation;
- Any on or off site environmental effects including pollution incidents and any associated management response;
- Complaints received and management response;
- Maintenance;
- Non-conformances such as emission limit breaches and associated management response;
- Documentation associated with stockpile inspections and sampling results and details of actions taken in regard to stockpiles or material not meeting the asbestos control specification;
- Training records; and,
- Audit findings and any improvement strategies.

Records must be kept to ensure that the process from receipt of C&D material to the completion of the unloading procedure is auditable and that any loads found to contain suspect asbestos can be traced back to the customer and originating site.

All records must be available on site, but may be stored electronically. Records must be made available for inspection by officers from WorkSafe, DoH and DWER on request.

21. Site Monitoring

Site monitoring will be undertaken by the Person in Control. Monitoring will be undertaken to confirm the efficiency of the risk management measures are consistent with the objectives of this Plan.

Monitoring will include visual inspections whilst the Facility is operational to ensure that fugitive emissions of dust are being adequately controlled and are not being carried outside of the premises. Where fugitive dust releases are identified their sources are to be investigated and all reasonable and practicable measures implemented to prevent or minimise the release.

Where risk management measures are ineffective or likely to be ineffective at preventing visible dust crossing the site boundary, waste processing activities are to cease until additional measures have been put in place to prevent the discharge or until the adverse weather conditions have passed.

Monitoring is also to include the inspection of asbestos material handling activities to confirm that the handling procedures are in accordance with the requirements of this Plan.

22. Site Audit

The Person in Control is to undertake an annual compliance audit to confirm the effectiveness and implementation of materials acceptance, receipt, classification, unloading and inspection procedures. The audit is also to include confirmation of the effectiveness of personnel training including the staff's ability to recognise asbestos, records and document retention, the effectiveness of the Asbestos Management Plan and degree to which it reflects of site operations.

An annual audit will be carried out by an independent third party (Competent Person) to confirm the appropriateness of the implementation of this Asbestos Management Plan.

23. Plan Review

This Plan is to be reviewed by the Person in Control at least annually or more regularly if circumstances warrant. This review is in addition to the annual audit and is to consider industry and regulatory changes since the previous review. Where necessary, this AMP is to be updated to reflect industry best practice with regards to asbestos management.

Appendices

The following appendices are applicable to this Plan:

Appendix No. 1 – Examples of Asbestos Containing Materials

Appendix No. 2 – Selection and Use of Personal Protective Equipment

Appendix No. 3 - Asbestos Incident Report

Appendix No. 1 – Examples of Asbestos Containing Materials

(This is not an exhaustive list)

A

Air-conditioning ducts: exterior or interior acoustic and thermal insulation
Arc shields in lift motor rooms or large electrical cabinets
Asbestos-based plastics products - as electrical insulates and acid-resistant compositions or aircraft seat
Asbestos ceiling tiles
Asbestos cement conduit
Asbestos cement electrical fuse boards
Asbestos cement external roofs and walls
Asbestos Cement in the use of form work when pouring concrete
Asbestos cement internal flues and downpipes
Asbestos cement moulded products such as gutters, ridge cappings, gas meter covers, cable troughs and covers
Asbestos cement pieces for packing spaces between floor joists and piers
Asbestos cement (underground) pits, as used for traffic control wiring, telecommunications cabling, etc
Asbestos cement render, plaster, mortar and coursework
Asbestos cement sheet
Asbestos cement sheet behind ceramic tiles
Asbestos cement sheet internal over exhaust canopies such as ovens, fume cupboards, etc.
Asbestos cement sheet internal walls and ceilings
Asbestos cement sheet underlays for vinyl
Asbestos cement storm drain pipes
Asbestos cement water pipes (usually underground)
Asbestos-containing laminates (e.g. formica) used where heat resistance is required, e.g. ships
Asbestos-containing pegboard
Asbestos felts
Asbestos marine board, e.g. marinate
Asbestos mattresses used for covering hot equipment in power stations
Asbestos paper used variously for insulation, filtering and production of fire resistant laminates
Asbestos roof tiles
Asbestos textiles
Asbestos textile gussets in air-conditioning ducting systems
Asbestos yarn
Autoclave / steriliser insulation

B

Bitumen-based water proofing such as malthoid, typically on roofs and floors but also in brickwork

Bituminous adhesives and sealants

Boiler gaskets

Boiler insulation, slabs and wet mix

Brake disc pads

Brake linings

C

Cable penetration insulation bags (typically Telecom)

Calorifier insulation

Car body filters (not common)

Caulking compounds, sealant and adhesives

Cement render

Chrysotile wicks in kerosene heaters

Clutch faces

Compressed Asbestos cement panels for flooring, typically verandas, bathrooms and steps for demountable buildings

Compressed Asbestos fibres (CAF) used in brakes and gaskets for plant and automobiles

D

Door seals on ovens

E

Electric heat banks - block insulation

Electric hot water services - normally not Asbestos but some millboard could be present

Electric light fittings, high wattage, insulation around fitting (and bituminised)

Electrical switchboards – see Pitch-based

Exhausts on vehicles

F

Filler in acetylene gas cylinders

Filters - beverage; wine filtration

Fire blankets

Fire curtains

Fire door insulation

Fire-rated wall rendering containing Asbestos with mortar

Fire-resistant plaster board, typically on ships

Fire-retardant material on steel work supporting reactors on columns in refineries in the chemical industry

Flexible hoses

Floor vinyl sheets

Floor vinyl tiles

Fuse blankets and ceramic fuses in switchboards

G

Galbestos™ roofing materials (decorative coating on metal roof for sound proofing)
Gaskets - chemicals, refineries
Gaskets - general
Gauze mats in laboratories / chemical refineries
Gloves - Asbestos

H

Hairdryers - insulation around heating elements
Header (manifold) insulation

I

Insulation blocks
Insulation in electric reheat units for air-conditioner systems

L

Laboratory bench tops
Laboratory fume cupboard panels
Laboratory ovens - wall insulation
Lagged exhaust pipes on emergency power generators
Lagging in penetrations in fireproof walls
Lifts shafts - Asbestos cement panels lining the shaft at the opening of each floor, and Asbestos packing around penetrations
Limpet Asbestos spray insulation
Locomotives - steam; lagging on boilers, steam lines, steam dome and gaskets

M

Mastics
Millboard between heating unit and wall
Millboard lining of switchboxes
Mortar

P

Packing materials for gauges, valves, etc., can be square packing, rope or loose fibre
Packing material on window anchorage points in high rise buildings
Paint, typically industrial epoxy paints
Penetrations through concrete slabs in high rise buildings
Pipe insulation including moulded sections, water-mix type, rope braid and sheet
Pitch-based (e.g. zelemite, ausbestos, lebah) electrical switchboard
Plaster and plaster cornice adhesives

R

Refractory linings
Refractory tiles
Rubber articles - extent of usage unknown

S

Sealant between floor slab and wall, usually in boiler rooms, risers or lift shafts
Sealant or mastik on windows
Sealants and mastics in airconditioning ducting joints
Spackle or plasterboard wall jointing compounds
Sprayed insulation - acoustic wall and ceiling
Sprayed insulation - beams and ceiling slabs
Sprayed insulation - fire retardant sprayed on nut internally, for bolts holding external building wall panels
Stoves - old domestic type; wall insulation

T

Tape and rope - lagging and jointing
Tapered ends of pipe lagging, where lagging is not necessarily Asbestos
Tilux sheeting in place of ceramic tiles in bathrooms
Trailing cable under lift cabins
Trains - country - guards vans - millboard between heater and wall
Trains - Harris cars - sprayed Asbestos between steel shell and laminex

V

Valve, pump, etc. insulation

W

Welding rods
Woven Asbestos cable sheath

Appendix No. 2 – Selection and Use of Personal Protective Equipment

Personal protective equipment may need to be used, in combination with other effective control measures, when working with asbestos-containing materials. The selection and use of PPE should be based on risk assessments and determined by a competent person.

The ease of decontamination should be one of the factors considered when choosing PPE. Where possible, disposable equipment should be used. All disposable PPE should be disposed of as asbestos waste.

Footwear and gloves

Laced boots should be avoided, as they can be difficult to clean and asbestos dust can gather in the laces and eyelets. Laceless boots, such as gumboots, are preferred where practicable, and boot covers should be worn where necessary.

Safety footwear must be decontaminated before leaving the asbestos work area for any reason, or sealed in double bags for use only on the next asbestos maintenance task. Alternatively, work boots that cannot be effectively decontaminated must be disposed of as asbestos waste at the end of the job.

The use of protective gloves should be determined by a risk assessment. If significant amounts of asbestos fibres may be present, disposable gloves should be worn. Protective gloves can be unsuitable if dexterity is required. Workers must clean their hands and fingernails thoroughly after work, and any gloves used they must be disposed of as asbestos waste.

Respirators

In general, the selection of suitable respiratory protection equipment depends on the nature of the asbestos work, the probable maximum concentrations of asbestos fibres that would be encountered in this work and any personal characteristics of the wearer that may affect the facial fit of the respirator (e.g. facial hair and glasses).

A competent person should determine the most efficient respirator for the task.

Respirators should comply with AS/NZS 1716-2003 Respiratory Protective Devices and be selected, used and maintained in accordance with AS/NZS 1715-1994 Selection, Use and Maintenance of Respiratory Protective Devices. They should always be worn under fitted hoods. Facepieces should be cleaned and disinfected according to the manufacturer's instructions.

Respiratory protective equipment should be used until all contaminated disposable coveralls and clothing has been vacuum cleaned and/or removed and bagged for disposal, and personal washing has been completed. Respirators should be properly stored when not in use.

Appendix No. 3 - Asbestos Incident Report

<p>Westmore Corporation Lot M1920 Great Northern Highway, Muchea MUCHEA WASTE MANAGEMENT FACILITY Licence Number L8629/2012/1 Asbestos Incident Report – Plan No.</p>	
<p>Date Incident Occurred:</p>	
<p>Type of Asbestos Identified:</p>	<p>Sheeting <input type="checkbox"/> Piping <input type="checkbox"/> Dust <input type="checkbox"/> Other <input type="checkbox"/> Specify</p>
<p>Quantity of Asbestos Identified:</p>	
<p>Description of Incident:</p>	
<p>Person Responsible for Coordinating Activities Name: Designation:</p>	
<p>Activities Undertaken:</p>	
<p>Future Preventative Measures Adopted:</p>	
<p>Facility Manager Name: Signature: Date Report Filed:</p>	

Appendix 6: Dust Management Procedure

Westmore Corporation Muchea Landfill

Lot M1920 Great Northern Highway

Procedure Number 001

Dust Management Procedure

Issued: June 2010

Reviewed: November 2017

1. INTRODUCTION

Westmore Corporation (WC) operates a Class I landfill site, glass crushing process as well as the sorting and crushing of inert construction and demolition material at its Muchea Waste Management facility at Lot M1920 Great Northern Highway, Muchea. Related activities on site have the potential to generate dust. This Dust Management Procedure has been developed to identify the potential sources of dust generation as well as propose appropriate dust management strategies and solutions.

The objective of this Dust Management Procedure is to minimise significant impacts on amenity and environmental impacts as a result of dust emissions, with the primary focus of eliminating dust emissions beyond the site property boundaries.

2. PURPOSE

The purpose of this procedure is to:

- Identified potential dust sources.
- Provide guidance to the Site Operators on how best to manage dust emissions from site.
- Ensure appropriate dust management procedures are carried out.

3. REFERENCE

- *Environmental Protection Act 1986*
- *Draft - A Guideline for the Development and Implementation of a Dust Management Program – DEC May 2008.*

4. APPROVAL

The development of this Dust Management Procedure is a requirement of the Shire of Chittering Development Approval (including the State Administrative Tribunal Order DR 186 2008). This procedure has been developed to the satisfaction of the Shire Executive Manager Development Services.

5. DISTRIBUTION

This procedure is distributed to:

- All employees involved in the management and operation of the site.
- Department of Water and Environmental Regulation (DWER).
- The Shire of Chittering
- Any other relevant parties/stakeholders.

6. DEFINITIONS

Dust - the generic term used to describe solid airborne particles generated and dispersed into the air by processes such as handling, crushing and grinding of organic or inorganic materials such as rock, ore, metal, coal, wood or grain and stockpiling of materials.

Person in Control - means a person who has control of the site. The person with control is the Site Manager or, when he is not on site, his nominated representative.

Sensitive Receptor - Individuals/communities/components of the environment which could be adversely affected by dust emissions, such as dwellings, schools, hospitals, offices, protected wetlands or public recreation areas that exist now and in the future.

Site – Westmore Corporation Muchea Waste Management Facility, Lot M1920 Great Northern Highway Muchea.

Site Operator - means a person undertaking the operational activities of the site.

Trigger Levels - The “Corrective Action” trigger level is the ambient air dust level/condition which if exceeded will result in corrective action being taken to reduce dust emissions until the dust levels fall below the Corrective Action trigger level.

The Corrective Action trigger level is when dust is seen to be blowing close to a site boundary.

The “Work Stoppage” trigger level is the ambient air dust level/condition, which will result in Work Stoppage until the dust levels fall below the Work Stoppage trigger level.

The Work Stoppage trigger level is when all reasonable dust suppression strategies have been utilised and dust is seen to be blowing across a site boundary (dust suppression activities are no longer effective in controlling dust generated from site activities).

Vehicle Driver - means a person driving a vehicle, which either delivers or removed material (waste or recyclable materials) from the site.

7. CHEMICAL COMPOSITION OF DUST

The chemical composition of dust particles will depend on the nature of the source material. For example, wind-borne dust from cleared areas will reflect the composition of the underlying soil types. In cases where soil has been contaminated, dust may also be associated with inorganic and organic pollutants such as heavy metals and polycyclic aromatic hydrocarbons.

In this particular application, the majority of dust being generated is as a result of the physical disturbance of natural soils on site as a result of vehicle movements. The chemical composition of this source of dust will typically reflect the underlying soil type on site.

To a lesser extent dust will be generated by the mechanical handling of waste and recyclable materials delivered to site. The chemical composition of this source of dust will reflect the type of waste and recyclable material being handled. As a Class I landfill site there are strict controls (*Landfill Waste Classification and Waste Definitions 1996 - as amended December 2009*) on the type of materials managed on-site. Typically, the dust generating, acceptable materials will consist of clean fill, building rubble, asphalt, casting and blasting sand.

8. PHYSICAL COMPOSITION OF DUST

Even though the site is not licensed to receive asbestos, due to the nature of the materials being handled on site, there is the possibility that asbestos material could be inadvertently received on site, consequently, there is the associated possibility that dust generated on site may contain asbestos fibres.

WC has developed an Asbestos Management Plan to comply with the DER asbestos management guidelines; hence, the likelihood of asbestos contaminated dust is an extremely unlikely eventuality.

9. SITE BACKGROUND

Lot M1920 is in the location of Muchea, within the Shire of Chittering, approximately 47 km north-east of Perth. The site is approximately 78 ha in size and has been predominantly cleared for historical extractive industry operations (clay and gravel extraction) and possibly agricultural (livestock) use.

10. RECEPTORS

Surrounding land uses include:

- Remnant native vegetation to the north, east, south east and west.
- Livestock grazing approximately 500 m to the north east.
- Market gardens approximately 500 m to the southwest of the landfill area and approximately 400 m south of the site access road.
- Disused small quarry immediately to the north of the landfill area.
- Nearest residential properties approximately 1 km to 2 km in all directions.
- There are no sensitive environmental areas immediately adjacent to Lot M1920.

The primary (nearest) receptor is the market garden approximately 400 m to the south. 400 m is deemed as a relatively significant distance from the source of dust generation (main internal access road); hence, it is most unlikely that this particular receptor will be negatively impacted by dust emissions.

Additional mitigating circumstances include:

- Many large trees, bushes and grasslands between the access road and the market garden.
- The market garden is on the other side of a small hill.
- Northerly or northeasterly wind is not the predominant wind for the area.

The nearest sensitive receptor, a residential property, is approximately 1,000 m from site. This receptor will not be negatively impacted by any dust emissions.

Environmental regulations require that dust not be emitted beyond the property boundary. Although there is no receptor immediately to the north (nearest site boundary to the main internal access road), it is essential that dust emissions be managed to eliminate dust blowing beyond the site boundaries.

11. SITE WEATHER DATA

The nearest weather station to the site is Pearce RAAF, approximately 14 km to the south of the site.

Pearce RAAF has an average annual rainfall of 688 mm with the vast majority (80%) of the rain falling between May and September each year. The period October to April is the main period when dust management strategies will need to be actively implemented; however, there will still be occasional dust management activities during the winter months.

During October to April the typical average monthly wind pattern is for easterly winds to blow in the morning and southwesterly winds in the afternoon. The maximum wind speed is in the order of 35 km per hour. Afternoons tend to have the longer windy periods. Detailed weather data is available on the Bureau of Meteorology website (http://www.bom.gov.au/climate/averages/tables/cw_009053.shtml).

Attachment No. 1 - Pearce RAAF Annual Wind Rose provides the annual wind rose from the Pearce RAAF weather station.

12. IMPLEMENTATION RATIONALE

The rationale for the implementation of dust suppression strategies is to eliminate visible dust emissions beyond the site boundaries.

The Corrective Action trigger level is when dust is seen to be blowing close to a site boundary.

Following the identification of the Corrective Action trigger level and the subsequent implementation of dust suppression strategies, should these activities not adequately prevent dust emissions beyond site the boundary, further dust suppression strategies should be implemented or existing strategies revised to improve system efficiencies.

Following the implementation of all reasonable dust suppression strategies, should Work Stoppage trigger levels be reached, where there is still visible dust emissions beyond the site boundary, the particular activity causing the excessive dust emissions will be stopped until ambient weather conditions (wind) improve so as to eliminate dust emissions beyond the site boundary.

13. SOURCES OF DUST GENERATION

Dust has the potential to be generated from a number of activities associated with the landfilling and recycling of materials on site. Potential sources of dust generation include:

- Vehicle movements along access roads.
- Material processing, screening and crushing operations.
- Material stockpiles.
- Unloading and loading of materials.
- Landfilling operations.

14. DUST MITIGATION STRATEGIES

There are a number of dust mitigation strategies that can be employed in order to reduce dust emissions on-site. The mitigation strategy is a function of the source of dust generation.

A. VEHICLE MOVEMENTS ALONG INTERNAL ACCESS ROADS

Road Construction - the type of construction materials used on the road will significantly influence the generation of dust. All internal roads consist of a gravel surface layer (wearing course). This road construction material will result in dust being generated by vehicle movements along internal access roads; consequently, dust management strategies are required to be implemented.

Speed - this is the primary cause of dust generation from vehicles moving along access roads. The reduction of vehicle speed is the primary method for reducing the generation of dust. A maximum site speed limit of 30 km per hour is to be enforced. Appropriate signage is to be utilised to indicate the maximum speed limit. Should dust generation continue to be a problem at 30 km per hour, the speed limit can either be reduced or alternative dust control strategies employed to prevent dust emissions.

It is noted that a speed limit of 30 km per hour is deemed an appropriate speed limit to minimise dust generation; however, other factors need to be considered when determining the appropriate site speed limit. Some of the other factors include, safety and noise emissions.

Covered Material – dust could be generated from the contents of the vehicle bins/trailers. It is a legal requirement that all vehicles cover potentially dust generating (or litter generating) loads when utilising public roads. Consequently, it can be presumed that the vast majority of loaded vehicles entering or departing site will utilize tarpaulins to cover loads. Should this not occur, the site Operator is to instruct Vehicle Driver to comply with the road regulations.

Visual Screens – vegetation screening is an effective way of managing dust migration on site. Existing site vegetation along the main internal access road will assist in reducing dust emissions across the site. Additional vegetation screening has been planted around site to improve visual aspects. This additional planting will also assist in dust management. Where appropriate, further selective planting may improve dust management on site.

Dust Suppression - the primary means of dust suppression along all internal roads is to consist of watering via water tanker. The site water tanker is to be used on an as needed basis to spread appropriate quantities of water to prevent excessive dust generation as a result of vehicle movements along internal access roads. The "appropriate quantities of water" will be dependent on the ambient weather conditions (heat and wind speed), number of traffic movements and the performance of the road construction material (gravel surface); hence, it is not appropriate to determine a prescribed application rate. The application rate is to be varied dependent on site conditions. The determining factor influencing the water application rate will be the quantity of dust being generated.

Adequate dust suppression can also be achieved by the use of dust suppression agents (Dustex or similar). These dust suppression agents are to be spread using the water tanker and in accordance with the manufacturer's recommendations (application rates). Again, dust suppression agents can be used in conjunction with the water tanker to provide additional dust suppression capabilities. Dust suppression agents are ideal for the main internal access roads to reduce water tanker activity and water consumption.

B. MATERIALS PROCESSING, SCREENING AND CRUSHING OPERATIONS

The inert material screening and glass crushing equipment comes with manufacturer supplied dust suppression systems. The systems include dual spray jets on the intake, discharge and at the head of the forward conveyor at typical discharge rates of 30 L/min at 200 kpa.

The inert material crushing will be carried out by campaign contract crushing operations; hence it is possible that there will be different equipment utilized for each campaign crush. These crushing contractors are well set up for the management of dust and have their own mobile dust suppression equipment. As part of the contractor selection process, WC is to ensure that the crushing contractor has the ability to adequately manage dust in accordance with this Dust Management Procedure.

The equipment mounted dust suppression systems are designed for average working conditions. When ambient weather conditions (heat and wind) are extreme, it is not anticipated that these dust suppression systems would adequately controlled dust.

Consequently, depending on the materials being crushed, it is likely that excessive dust could be produced during these periods. As additional dust mitigation strategies, the following options are available to be employed:

- Low dust generating materials to be crushed;
- Stockpiles to be watered (water cannon) sufficiently to wet the stockpile prior to processing; or,
- Processing operations to be ceased and only recommenced once the extreme weather conditions moderate.

C. MATERIAL STOCKPILES

Material stockpile areas are to be adequately covered by permanent, large radius sprinklers. The extent of coverage and application rates will be a function of the quantity and type of material being stockpiled. It is not the intention of the sprinkler system to saturate the material stockpiles but simply stabilise the stockpile surface to prevent dust being generated.

D. UNLOADING AND LOADING OF MATERIALS

Due to the nature of this activity it is difficult to adequately control dust emissions during adverse weather conditions; however, this activity is not seen as a potential major contributor towards dust loading on site. The primary method for controlling dust emissions is, where possible, to delay these activities until weather conditions improve. Where this is not possible, due care is to be taken to place the material in vehicle bins and not drop it from a height. There is little option for change of methodology with regards to unloading of vehicles during adverse weather conditions. There may, however, be opportunities to load and unload vehicles further away from the site boundary to reduce the risk of dust emissions blowing beyond the boundary.

E. LANDFILLING OPERATIONS

The water tanker is to be used within the landfill area to suppress dust along the access roads. The unloading, placement and compaction of waste material is unlikely to generate excessive dust (minor dust contributor). If a particular dusty load of waste material is received during periods of adverse weather conditions, the material is to be unloaded as close to the landfill tipping face as possible, wet down by the water tanker and left until weather conditions improve. Once weather conditions have improved, only then should the dusty load be pushed and compacted into the landfill.

15. WATER SUPPLY

The majority of dust mitigation strategies involve the utilisation of large quantities of water. The water is to be sourced from on-site surface water collection points such as the existing landfill void and storage basin. In time, should available dust suppression water supplies be reducing, additional surface water harvesting can be implemented to supplement available supplies. There is also the on-site groundwater extraction bore than can be used to top up water supplies.

16. RESPONSIBILITY

The Person in Control of the site has a duty of care to:

- Implement, maintain and update this Dust Management Procedure.
- Ensure adequate appropriate training of Site Operators.
- Assess the effectiveness of the various dust suppression strategies implemented on site.
- If necessary, develop measures to improve the dust suppression strategies utilised on site (may include obtaining specialist technical assistance).
- Ensure the appropriate maintenance of dust suppression systems.
- Maintain adequate supplies of appropriate dust suppression systems spares on-site.
- Monitor dust emissions beyond the site boundary.
- Ensure that this dust management plan is regularly reviewed.

Site Operator(s) has a duty of care to:

- Be aware of the site dust suppressions strategies.
- Ensure that dust suppression systems are utilised when weather conditions dictate.
- Report faulty or inefficient dust suppression systems to the Person in Control.

Vehicle Driver(s) has the duty of care to:

- Comply with site speed restrictions.
- Obey site-specific instructions directed towards reducing dust emissions.

17. AWARENESS TRAINING

Information and training is to be provided on an as needed basis to Site Operators, Vehicle Drivers, contractors and others who may be involved in on-site activities that could generate dust emissions.

If adequate in-house expertise is not available to undertake the training, suitable external training will be made available.

The dust management awareness training is to include:

- The purpose of the training.
- The potential sources of dust emissions.
- Available dust suppression methodologies.
- The trainees' roles and responsibilities under the Dust Management Procedure.
- Site operating licence conditions surrounding the management of dust on site.
- Provision of a copy of the Dust Management Procedure.

18. PROCEDURE REVIEW

This procedure is to be reviewed by the Person in Control at least every three year or more regularly if circumstances warrant.

Attachment No. 1 – Pearce RAAF Annual Wind Rose

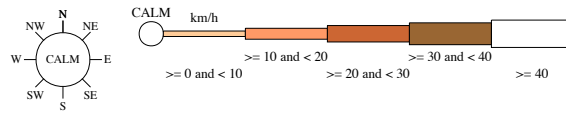
Rose of Wind direction versus Wind speed in km/h (02 Nov 1940 to 28 Feb 2010)

Custom times selected, refer to attached note for details

PEARCE RAAF

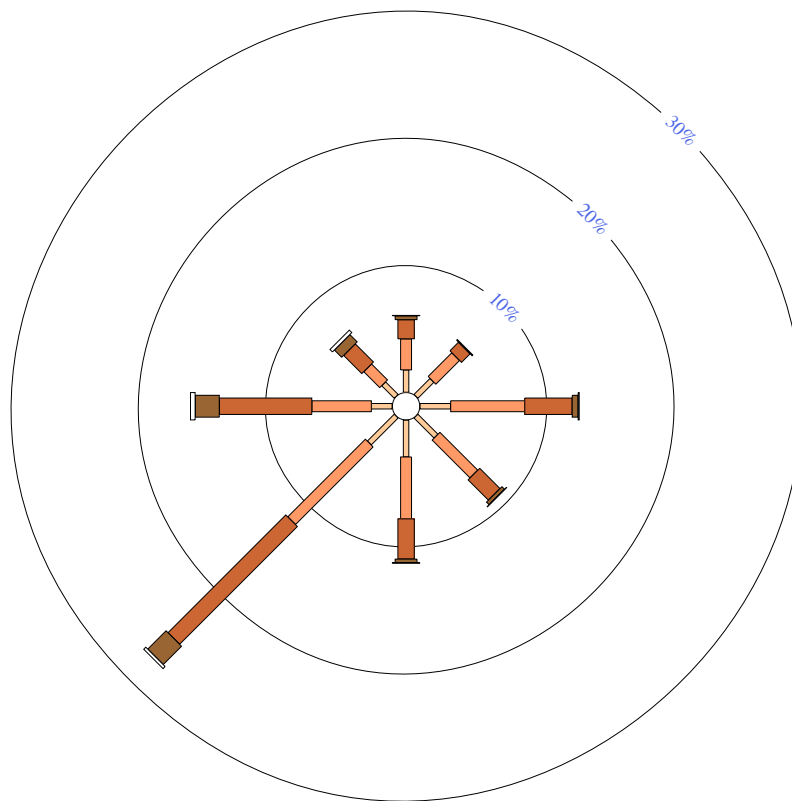
Site No: 009053 • Opened Jan 1937 • Still Open • Latitude: -31.6669° • Longitude: 116.0189° • Elevation 40m

An asterisk (*) indicates that calm is less than 0.5%.
Other important info about this analysis is available in the accompanying notes.



3 pm
14371 Total Observations

Calm 5%



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Prepared by National Climate Centre of the Bureau of Meteorology.
Contact us by phone on (03) 9669 4082, by fax on (03) 9669 4515, or by email on webclim@bom.gov.au
We have taken all due care but cannot provide any warranty nor accept any liability for this information.

TCZANNUAL Page 1

Appendix 7: Refuelling Management Procedure

Westmore Corporation Muchea Landfill

Lot M1920 Great Northern Highway

Procedure Number 003

Refueling Management Procedure

Issued: October 2010

Reviewed: November 2017

1. INTRODUCTION

Westmore Corporation operates a Class I landfill site and recycling facility at Lot M1920 Great Northern Highway. Associated with the landfilling and crushing operations is a need to refuel mobile equipment.

The objective of this Refueling Management Procedure is to provide clear guidance to Site Operators on the appropriate storage and dispensing of fuel on site. In the event of a fuel spillage, this procedure provides guidance on the management and remediation of the spill.

2. PURPOSE

The purpose of this procedure is to:

- Set out bulk fuel storage requirements.
- Provide guidance to the Site Operators on how best to dispense fuel.
- Provide guidance to the Site Operators on how best to clean up hydrocarbon spills.
- Provide guidance on how to secure the fuel supply and reduce vandalism.
- Provide guidance on the decommissioning of bulk fuel storage facilities.

3. REFERENCE

- *AS 1940-2004 Storage and Handling of Flammable and Combustible Liquids.*
- *AS 1692-2006 Steel Tanks for Flammable and Combustible Liquids.*
- *DEC Contaminated Sites Management Series – Bioremediation of Hydrocarbon-Contaminated Soils in WA (October 2004).*
- *DEC Landfill Waste Classification and Waste Definitions 1996 (as amended December 2009).*

4. APPROVAL

The development of this Refueling Management Procedure is a requirement of the Shire of Chittering Development Approval (including the State Administrative Tribunal Order DR 186 2008). This procedure has been developed to the satisfaction of the Shire Executive Manager Development Services.

5. DISTRIBUTION

This procedure is distributed to:

- All employees involved in the management and operation of the site.
- Department of water and Environmental Regulation.
- The Shire of Chittering.
- Any other relevant parties/stakeholders.

6. DEFINITIONS

Bioremediation – is a technique that is performed in excavated, contaminated soil where the material is spread out on the ground and periodically tilled to aerate and encourage bacterial growth. Moisture is often added to speed up degradation of the contaminants. Contaminants are degraded, transformed and immobilized by microbiological processes and by oxidation. Contaminated material is usually treated in layers of up to a maximum of 500 mm thick.

Large Spillage – Spillage of between 5 litres and 100 litres of fuel.

Major Spillage – Spillage of greater than 100 litres of fuel.

Minor Spillage – Spillage of less than 5 litres of fuel.

Person in Control - means a person who has control of the site. The person with control is the Site Manager or, when he is not on site, his nominated representative.

Site – Lot M1920 Great Northern Highway, Westmore Corporation Class 1 landfill and recycling site.

Site Operator - means a person undertaking the operational activities of the site.

7. SITE BACKGROUND

Lot M1920 is in the location of Muchea, within the Shire of Chittering, approximately 47 km north-east of Perth. The site is approximately 78 ha in size and has been predominantly cleared for historical extractive industry operations (clay and gravel extraction) and possibly agricultural (livestock) use.

The naturally occurring soils on site range from fine clay (eastern portion), gravel (central portion) through to sand (central and western portion).

8. IMPLEMENTATION RATIONALE

The rationale for the implementation of the refueling management procedure is to:

- Provide Site Operators with appropriate information and training on the correct procedures to be followed when refueling on site.
- Reduce the occurrence of fuel spillage and hence fuel wastage.
- Reduce the potential environmental impact of fuel spillage.
- Reduce the potential for fuel theft and vandalism.

The intention being to manage the handling, use, storage, security and disposal of fuel in a responsible manner, which will minimize wastage and prevent environmental damage.

9. ENVIRONMENTAL IMPACT

Hydrocarbons have the potential to cause the following negative environmental impacts:

- Surface Water Pollution – In the event of a major spill, there is the potential that the fuel could enter the surrounding stormwater drainage system and, depending on the weather conditions, could be washed offsite and into the surrounding water courses. This has the potential to negatively impact on the watercourse biodiversity by resulting in a decline in richness of algal, invertebrates, and fish communities.
- Groundwater Pollution – Fuel spillages have the potential to seep into the soil and either directly enters the groundwater or, over time, is washed into the groundwater. In this scenario, there is the possibility to reduce the beneficial uses of the impacted groundwater and/or negatively impact the groundwater algal richness.

It is noted that diesel fuel is organic and hence can relatively easily be broken down in the natural environment via microbiological activity. The extent to which the natural processes are able to remediate the spillage is a function of the extent of the spillage.

Due to the minimal quantity of fuel stored on site and the low likelihood of a major spillage, it is highly unlikely that there will be any negative environmental impact on the surrounding surface or groundwater.

10. SITE INFRASTRUCTURE

The fuel management system consists of number of separate site infrastructure components. It is likely that during the life of the landfill there may be a change in the type of fuel management infrastructure that is used on site. Consequently, information has been provided on a range of possible equipment that could be utilised. This information is provided to assist in the selection of equipment and also provide an understanding as to why the equipment has been selected and hence guide operation and maintenance thereof.

A. FUEL STORAGE TANK

The fuel storage tank is to be designed, constructed and installed in accordance with the applicable Australian Standards:

- *AS 1940-2004 Storage and Handling of Flammable and Combustible Liquids.*
- *AS 1692-2006 Steel Tanks for Flammable and Combustible Liquids.*

There are typically four types of bulk fuel storage tanks that are available:

- Underground Tanks – Must be self-bunded (double lined), easy to secure, require pumps to dispense fuel, leak detection is problematic, potential ground contamination if tank leaks, difficult to relocate on site.
- Above Ground Tanks – Can be self-bunded (double lined) or separately bunded, exposed to vandalism and fuel theft, require pumps to dispense fuel, leak detection is simple, limited potential ground contamination if tank leaks, simple to relocate on site.
- Elevated Tanks – Can be self-bunded (double lined) or separately bunded, bund area is typically larger than “Above Ground Tanks” due to potential jetting, requires an elevated frame and working at heights platform, exposed to vandalism and fuel theft, less exposed than “Above Ground Tanks”, do not necessarily require pumps to dispense fuel, leak detection is the most simple of the available static tanks, highly unlikely that ground contamination will occur if tank leaks (early detection and repair), more difficult to relocate on site than “Above Ground Tanks” but easier than “Underground Tanks”.
- Trailer Mounted Tanks - Must be self-bunded (double lined), required a trailer, exposed to vandalism, fuel theft or complete trailer theft, require pump and generator to dispense fuel, generally smaller tank capacity than static tanks, leak detection is the most simple of the available tanks, highly unlikely that ground contamination will occur if tank leaks (early detection and repair), extremely mobile, can be taken to the plant and equipment being filled, can be taken to filling station to fill bulk storage tank.

There are benefits and dis-benefits with each type of fuel tank. Due to the remote location and lack of available mains power, an elevated, self-bunded tank that is able to dispense fuel under gravity or a trailer-mounted tank is seen as the preferred solution. However; any of the tank types will be suitable.

B. FUEL DISPENSER

The type of tank being utilized will determine the type of dispenser required. The preferred methodology is a gravity feed system that does not require pumps and simply consists of a hose and nozzle. The nozzle is not to be self-locking and is to have an automatic shut-off mechanism to prevent over filling.

C. ACCESS

For static tanks, the tank is to be located such that a large articulated refueling tanker can gain access to the fill point. This allows for the most cost effective delivery when the tank is being filled on a multi-delivery run and not a dedicated fill delivery.

All season access is to be maintained to the tank fill point.

D. SPILL COLLECTION

Spillages are likely to occur when the storage tank is being filled or fuel is being dispensed to mobile equipment. Ideally these two activities occur at the same location so that there is only a single point where spill management is required.

At the point of filling and dispensing there are a number of spill collection options that could be adopted, these include:

- Self-Bunded Spill Grates – These are prefabricated spill grates with a sump and drain outlet that are prefabricated, delivered to site and simply installed at the point of fuel dispensing. They may be relocated if necessary
- In-situ Spill Containment Apron – These are purpose built spill containment aprons that are typically constructed of reinforced concrete with a sump to collect spillage and stormwater runoff. It is not possible to relocate this infrastructure. New construction is required if there is a need to relocate the filling point.

The objective of the spill collection grate or apron is to collect all spilt fuel, but minimize the amount of stormwater that is collected. This is achieved by optimizing the effective surface area while ensuring that there is no opportunity for stormwater from external areas to run onto the grate or apron.

For trailer mounted refueling, it is not practical to have a spill collection system. Spill prevention is the mechanism to protect the environment.

11. REFUELING

Refueling consists of two components, filling the bulk storage tank and dispensing fuel to mobile plant and equipment:

A. BULK STORAGE TANK

Due to the small scale of on-site operations and the relatively low number of pieces of mobile equipment, 5,000 L of storage capacity is sufficient to service the site. This reduces the exposure to environmental harm as a result of a major spill, minimises the size of storage tank infrastructure required and also reduces the exposure to losses as a result of theft.

For a static bulk storage tank, a refueling tanker will deliver the bulk fuel to site. The fill point is located in a fixed position over the spill grate or apron. This infrastructure collects any fuel spillage that may occur as a result of this operation.

For a trailer mounted storage tank, there will be no spill grate or apron. If bulk fuel is delivered via bulk fuel tanker, due care is to be taken to ensure that there is no or minimal spillage at the fill point. Ideally this activity is to occur on the landfill. This will be highly dependent on the size of the bulk fuel delivery vehicle and the suitability of the access onto the landfill. Should there be a spillage as a result of this operation, the Spill Cleanup procedure is to be actioned.

Where the trailer mounted storage tank is driven to a filling station, the filling operation is undertaken off-site; hence not considered as part of this procedure.

B. MOBILE EQUIPMENT

For static fuel storage, all fuel dispensing is to occur over the spill grate or apron. The mobile equipment is to be driven onto the grate or apron, with filling only to occur once the equipment fuel tank is appropriately located over the grate or apron and close to the dispenser point.

For a trailer mounted storage tank, the trailer will either be taken to the mobile equipment or the mobile equipment will be taken to the trailer. In either scenario, there will be no spill grate or apron; hence filling is to occur with care and due consideration to prevent fuel spillage. Should there be a spillage as a result of this operation, the Spill Cleanup procedure is to be actioned.

12. SPILL CLEANUP

Spill cleanup reaction is a function of the extent of the spill.

A. MINOR SPILL

A minor spill is one where the total volume of the spill is less than five litres. In this scenario, the spilt fuel will only spread out a couple of metres from the point of spillage and immediately be absorbed into the soil.

Two possible remediation solutions are available for dealing with the environmental impact of this minor spill:

- The simplest solution is that the complete area of spill is to be hand dug and loosened to allow air to come into contact with the maximum amount of fuel contaminated soil. This will maximize the rate of fuel evaporation, microbiological activity and rapidly remediate the area. It may be necessary to occasionally (every few days) rework the area to expose the fuel-contaminated soil to the air until the fuel has fully evaporated. This type of solution is not possible in highly trafficked areas, as the loosened soil will simply be re-compacted by vehicle traffic.
- The other spill remediation option is to excavate all of the fuel-contaminated soil from the area of the spill and take it to an area where it can be aerated (away from trafficked area). A similar process is to be undertaken whereby the contaminated soil is occasionally loosened and turned to allow the fuel to evaporate.
- Once the soil has lost its fuel odour, it is considered as sufficiently bioremediated.

B. LARGE SPILL

A large spill is one where the total volume of the spill is less than 100 litres. In this event, the fuel is likely to flow a short distance from the point of spillage before being totally absorbed into the soil. Depending on the soil type and the ground contours in the immediate area of the spillage, some of the spilt fuel may pond in depressions and is able to be collected.

In the event of a large spill, the following activities are to be carried out:

- Stop the cause of the spillage.
- Rapidly determine if there is any localized ponding of fuel that could be collected before being absorbed into the soil.
- If there is ponding, immediately use the spill absorbent kit to collect up the free liquid.
- Appropriately dispose of the contaminated spill absorbent material.
- Determine the area of fuel-contaminated soil.
- Utilise on-site equipment (traxcavator/loader) to remove the fuel-contaminated soil from the area of the spill (within 24 hours).

- Relocate the fuel-contaminated soil to a dedicated area, ideally on the landfill, where the soil can be landfarmed and treated via Bioremediation.
- The landfarm area is to be completely surrounded by a low (typically 300 mm) earth bund pushed up to prevent stormwater from entering or leaving the area of the landfarming activity. Typically a large spill (<100 L) will only generate a few m³ of contaminated soil. At 300 mm to 500 mm thick, this will only require a landfarm area of approximately 10 m². The thinner the contaminated layer is placed, the more aeration that can occur and hence the quicker the bioremediation process will be complete.
- Occasionally the contaminated soil should be lightly watered (using the water cart) and tilled to improve the aeration and microbiological activity.
- Once the landfarmed soil has lost its fuel odour, it is considered as sufficiently bioremediated and can be used on site as a general fill material or landfill cover material if required.

C. MAJOR SPILL

A major spill is in excess of 100 litres of spillage. In this event, the spillage is likely to flow a significant distance from the point of spillage and enter the on-site stormwater system. This extent of spillage is likely to provide an opportunity to collect significant quantities of fuel using the spill absorbent kit or loose sand as well as result in significant quantities of contaminated soil being generated.

In the event of a major spill, the same actions will be carried out as for a large spill; however, the quantities of material being dealt with and the area of the landfarm may be significantly greater.

Due to the quantity of contaminated soil generated, an additional activity to be carried out prior to declaring the bioremediation complete is to take representative samples of the material and get them analysed for hydrocarbons to confirm that the material has been bioremediated to a level acceptable for the material to be either placed in the Class I landfill or completely remediated to be able to be used as general fill on site (external to the landfill).

Sampling, analysis and disposal of the bioremediated soil is to be in accordance with the following documentation:

- *DEC Contaminated Sites Management Series – Bioremediation of Hydrocarbon-Contaminated Soils in WA (October 2004)*
- *DEC Landfill Waste Classification and Waste Definitions 1996 (as amended December 2009).*

Due to the relatively low quantity of fuel stored on site, the storage tanks being banded and the fact that the greatest opportunity for fuel spillage is while it is being dispensed, it is highly unlikely that there will be a large or major fuel spillage. The most likely spillage event will be a minor spill while filling the storage tank or mobile equipment.

13. ENVIRONMENTAL AND OCCUPATIONAL SAFETY

Occupational and environmental safety precautions and considerations on site associated with the handling of diesel fuel include:

- Bunded Fuel Storage Tank (environmental safety) – The bulk fuel storage tank is either self-bunded (double lined) or is placed in a bunded area designed to contain a tank spillage.
- Vehicle Protection (environmental safety) – Bollards or barriers are to be placed around the static bulk fuel storage tank if there is a possibility that the tank could be struck by vehicles in the immediate vicinity.
- Grate or Apron Dispensing Area (environmental safety) – For static tanks, the fuel dispensing area is to be covered by a bunded grate or concrete apron to collect any spilt fuel.
- Safety Nozzle (environmental safety) – The fuel dispensing nozzle is to have a shut off mechanism to prevent over filling tanks and is not to have a self locking mechanism.
- Open Air Fuel Dispenser (occupational safety) – All fuel is dispensed in the open air, no enclosed filling area; hence eliminating the risk of excessive diesel fumes.
- Fire Extinguisher (occupational safety) – There is always to be a minimum of a 9 kg fire extinguisher within easy reach of the fuel dispensing point whilst fuel is being dispensed.
- No Smoking (occupational safety) – There is to be no smoking within a 5 m radius of the fuel filling and dispensing point(s).
- Combustible Material (occupational safety) – There is to be no combustible material stored within a 5 m radius of the bulk fuel storage tank. Engine oil is not considered as combustible and hence is allowed to be stored within the 5 m radius.

Continuous improvement is an ongoing management requirement. Accordingly, during site operations, there should always be consideration given to continuously improving the environmental and occupational safety on site.

14. SECURITY

Due to the relatively remote location of the site and the fact that the site is unattended after hours, it is essential that all fuel storage and dispensing equipment is designed and constructed to provide the maximum reasonable security to prevent theft and vandalism.

Typical security activities will include:

- Ensuring that the site perimeter fencing is regularly inspected and well maintained to restrict site access.
- Ensure that the site entrance gate is securely locked at all times when the site is unattended.
- All fuel tank caps, vents and dispensing nozzles are securely locked at all times when the site is unattended.
- Only minimal fuel quantities are stored on site.

- Mobile bulk fuel storage trailer is securely locked when the site is unattended. Ideally locked in a separately fenced compound, shed or container.
- Fuel installations are not clearly visible from surrounding access roads.

15. MAINTENANCE

Maintenance of the fuel equipment on site is an essential activity to ensure that the equipment is fully functional. All equipment is to be maintained in accordance with the manufacturers' instructions.

Daily startup equipment inspections are to be undertaken to confirm that there is nothing obviously wrong with the equipment before the day's activities commence. This is especially important to guard against vandalism, which could be an issue on the relatively remote landfill site.

16. DECOMMISSIONING

On completion of the landfilling activities on site, all fuel equipment is to be appropriately decommissioned. Any contaminated soil that is identified is to be cleaned up and either bioremediated on site or removed from site to a disposal facility approved by the DWER.

If during decommissioning, contaminated soil is encountered and bioremediated on site, the sampling, analysis and disposal of the bioremediated soil is to be in accordance with the following documentation:

- *DEC Contaminated Sites Management Series – Bioremediation of Hydrocarbon-Contaminated Soils in WA (October 2004)*
- *DEC Landfill Waste Classification and Waste Definitions 1996 (as amended December 2009).*

17. REPORTING

A hard copy register of large and major spills is to be maintained on site. This register is to contain the following minimum detail:

- Date of event.
- Cause of the spillage.
- Estimated quantity of fuel spilt.
- Environmental impact.
- Remediation activities undertaken.
- Future preventative action taken.

A summary of all registered spillages is to be included in the annual facility report to the DWER. Minor spillages (<5 L) are not required to be entered into the site register and hence not included in the annual reporting to the DWER.

18. RESPONSIBILITY

The Person in Control of the site has a duty of care to:

- Implement, maintain and update this refueling management procedure.
- Ensure that the refueling infrastructure and equipment is appropriately maintained.
- Ensure adequate appropriate training of Site Operators.
- Assess the effectiveness of the refueling management techniques implemented on site.
- If necessary, develop measures to improve the refueling management techniques utilised on site.
- Ensure that the site spillage register is maintained up to date and that the spillage incidents are included in the annual report.
- Ensure that this refueling management procedure is regularly reviewed.

Site Operator(s) has a duty of care to:

- Be aware of the site refueling management infrastructure and techniques.
- Be aware of potential environmental impact of fuel spillages.
- Ensure that documented refueling management techniques are utilised as appropriate.
- Ensure that the refueling infrastructure and equipment is appropriately maintained.
- Report faulty refueling equipment to the Person in Control.
- Carry out site cleanup and remediation actions immediately a spillage occurs.

19. AWARENESS TRAINING

Information and training is to be provided on an as needed basis to Site Operators, contractors and others who may be involved in on-site activities associated with refueling.

If adequate in-house expertise is not available to undertake the training, suitable external training will be made available.

Site Operators

The refueling management awareness training is to include:

- The purpose of the training.
- The potential environmental impact of fuel spillages.
- Spillage mitigation techniques.
- Security precautions.
- The potential spillage sources.
- Spill remediation activities.
- The trainees' roles and responsibilities under the refueling management procedure.
- Site operating licence conditions surrounding the management of refueling activities on site.
- Provision of a copy of the Refueling Management Procedure.

As a minimum, Site Operators are to undergo refueling procedure awareness training:

- On commencement of operations on site.
- When an amendment to the refueling procedure has been initiated.
- Every three years.

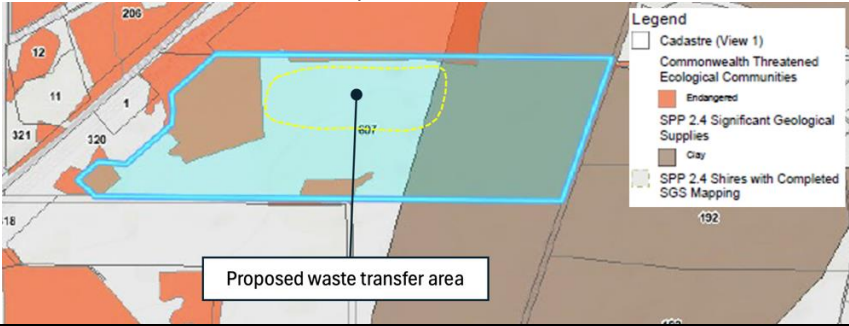
20. PROCEDURE REVIEW

This procedure is to be reviewed by the Person in Control at least every three year or more regularly if circumstances warrant.

SCHEDULE OF SUBMISSIONS – EXTENSION OF NON-CONFORMING USE: WASTE TRANSFER FACILITY; 124 PROPAGATION VIEW, MUCHEA

AGENCY SUBMISSIONS			
Submitter	Comment	Proponent Response	Shire Officer Response
Department of Health	<p>DoH position <input checked="" type="checkbox"/> No objection – with comments and/or recommended conditions and advice notes provided below.</p> <p>DoH comments The site has a current approval to operate as a ‘landfill, recycling and crushing operation’ for Class II waste, with existing approval to operate until 31 December 2032.</p> <p>The landfill site is licensed to accept up to 7000 tonnes of Class II (putrescible) waste under DWER License L6845/1997/12. There is no license requirement to monitor or manage emissions (leachate, landfill gas, dust, odour, noise, vermin) from the site.</p> <p>The submission is an application to extend the non-conforming land use to include a commercial waste transfer station to process approximately 20,000 tonnes of material per year. The separate transfer facility will operate within the curtilage of the existing landfill site boundary.</p> <p>The site is a former quarry located in a large area of remnant bushland. There is a plant nursery immediately to the south, and a children’s ‘Swim School’ and single farmhouse/dwelling, which are considered to be sensitive land uses for planning purposes, located 240m to the south of the landfill site perimeter.</p> <p>The EPA (2005) guideline ‘Separation Distances between Industrial and Sensitive Land Uses’ recommends that a default separation/buffer distance of 150m (single dwelling) and 500m (sensitive land uses) be implemented around the permitted boundary of the landfill site, where there may be significant noise, dust and odour impacts and public health risks arising.</p> <p>The proposed development is for a <i>significant increase</i> in the existing operating capacity of the site, which may result in a commensurate increase in likelihood and severity of emissions from the site that may impact public health. The DoH recommends that a planning condition be imposed requiring the preparation and submission of a comprehensive Public Health Risk Assessment and Management Plan, to understand and manage emissions and associated public health risks.</p> <p>Recommended condition Prior to commencement of works, a Public Health Risk Assessment and Management Plan is to be prepared to determine if emissions and associated public health risks can be managed. This plan is to be submitted to the Department of Health for assessment and endorsement.</p>	<p>Noted.</p> <p>A 200m buffer applies to the proposed waste transfer area. Per SPP2.5, buffers are measured from “activity to activity” and not from cadastral boundaries. The 200m buffer is contained entirely within the subject site and portion of the adjoining property to the north.</p> <p>The proposal is for a waste transfer facility, not a landfill.</p> <p>Disagree the proposal is for a ‘significant increase’. It takes up spare capacity brought about by a slow-down in landfill activity, and noting the landfill will soon reach capacity. A public health risk assessment is not warranted for this proposal nor required by the applicable planning framework.</p>	<p>Noted.</p> <p>The applicant has now amended the plans to remove the ‘crushing facility’ from the proposal. As such, the application is now compliant with all buffer requirements.</p> <p>Shire officers and the applicant have agreed to a condition of approval (if Council choose to approve the proposed development) which requires the applicant to prepare and submit a management plan which references (but not limited to) dieback, public health risk assessments and biosecurity management. This condition would require this plan be prepared, submitted and approved by the Shire prior to any operational activities occurring on site.</p>

SCHEDULE OF SUBMISSIONS – EXTENSION OF NON-CONFORMING USE: WASTE TRANSFER FACILITY; 124 PROPAGATION VIEW, MUCHEA

<p>Main Roads WA</p>	<p>As per the Development Report Application “there is no appreciable change to traffic volumes or vehicle types that would necessitate any further analysis into traffic”. Therefore, Main Roads Wheatbelt Region has no comment on the proposal.</p>	<p>Noted.</p>	<p>Noted.</p>
<p>Department of Primary Industries and Regional Development</p>	<p>DPIRD does not object to the proposal and offers the following comments:</p> <p>Compliance with the Biosecurity and Agriculture Management Act 2007 (BAM Act)</p> <ul style="list-style-type: none"> • The operation of waste facilities can present biosecurity risks, such as the spread of pests, weeds and diseases. • DPIRD recommends that, if the development application is approved, a condition is attached requiring the preparation of a Biosecurity Management Plan (BMP), to promote compliance with the BAM Act. • The approved BMP should form part of the applicant’s updated ‘Policies and Procedures’ under the existing Environmental Management System. The BMP should outline measures that will be taken to prevent the spread of declared pests, including (but not limited to) the European House Borer (<i>Hylotrupes baiulus</i>). • To contain the spread of European House Borer, the BMP should state how untreated pinewood will be handled on site. For example, separation and containment, followed by burial or chipping. <p>Compliance with the Soil and Land Conservation Act 1945</p> <ul style="list-style-type: none"> • DPIRD soil landscape mapping shows that the risk of wind erosion over the site is high to extreme. If clearing is proposed, the applicant’s clearing permit should detail how the risk of increased wind erosion will be managed. 	<p>This could be a condition of approval.</p> <p>Noted. Clearing, if required, will be undertaken in accordance with all relevant conditions of that permit.</p>	<p>This will be captured via condition of approval (if Council choose to approve the proposed development) which requires the applicant to prepare and submit a management plan which references (but not limited to) dieback, public health risk assessments and biosecurity management. This condition would require this plan be prepared, submitted and approved by the Shire prior to any operational activities occurring on site.</p>
<p>Department of Planning, Lands and Heritage</p>	<p>It is recommended that the Shire informs the applicant that the eastern portion of the subject land is designated as ‘Clay – Significant Geological Supplies’ area under State Planning Policy 2.4 Planning for basic raw materials. As SPP 2.4 requires Significant Geological Supplies areas to be protected for future extraction, a desirable management outcome would be for support for sequential land use planning, wherein the clay deposits are extracted prior to proceeding with the portion of the proposed waste transfer facility which lies over the clay deposit.</p> <p>*See Appendix 1 for attachment</p>	<p>The waste transfer facility is <u>not</u> located on land designated for clay supplies in the Department’s attachment (refer image below). The area that is designated for clay supplies has historically been excavated and the resultant void is now an operational landfill.</p> 	<p>Noted.</p> <p>This area has already been extracted and is now currently being filled by the approved landfill activities.</p>
<p>Department of Water and Environmental Regulation</p>	<p>As per the requirements under section 58(6)(b) of the <i>Contaminated Sites Act 2003</i> (CS Act), advice is required as to the suitability of the land for the proposed development. The department understands that this proposal is to extend the current landfill, waste processing and recycling activities to include a waste receipt, sorting and transfer facility for Class II waste materials on Lot 607 on Plan 409232, 124 Propagation View, Muchea (the site).</p> <p>The site was classified under the CS Act as <i>possibly contaminated - investigation required</i> (PC-IR) on 17 May 2018 and a memorial (reference number O234268 ML) was placed on the certificate of title.</p>		

SCHEDULE OF SUBMISSIONS – EXTENSION OF NON-CONFORMING USE: WASTE TRANSFER FACILITY; 124 PROPAGATION VIEW, MUCHEA

	<p>The classification was based on limited sampling undertaken on leachate, which was observed to be pooling at the base of crushed glass stockpiles and impacting underlying soils. The sampling indicated that metals and nutrients were present in the leachate at concentrations exceeding guidelines for non-potable groundwater use.</p> <p>No further investigations have been undertaken that the department is aware of, and the current nature and extent of any contamination is unknown.</p> <p>A review of historical aerial photographs indicate that the area of the site where the proposed development is to occur does not appear to have been used for landfilling activities. However, some machinery and stockpile of soil-like material appear visible in the area of the proposed development in 2022.</p> <p>The department notes that the site currently holds Licence L9198/2019/1 to operate the landfill at the site and the licence will require amendment to include the proposed development.</p> <p>Based on available information, the site is not proposed for a more sensitive land use and the site is considered suitable for the proposed development. Therefore, the department has no objection to the proposed development of the site and recommends that the approval should not include a contamination condition.</p> <p>However, given the risks associated with the potential disturbance of landfill material if ground disturbing works are undertaken, the department recommends that the following advice note be applied to any approval granted by the Shire of Chittering:</p> <p>Advice An appropriate management plan should be prepared to address the risks associated with potential exposure of landfill material from any intrusive works.</p> <p>The site is not located within an area that is mapped as having a risk of encountering acid sulfate soils. The department therefore advises that no specific comment is required in relation to acid sulfate soil management during development.</p> <p>Please note that this advice relates to potential contamination and acid sulfate soil issues only. You may receive additional advice from other areas within the department.</p>	<p>This relates to sand/gravel extraction activities as referenced in the development application.</p> <p>A licence amendment will be submitted to the DWER once development approval has been received.</p> <p>Noted.</p> <p>The development does not propose extraction activities, nor does it extend to the area used for landfill activities. Accordingly, there is no risk of exposing landfilled materials.</p>	<p>The applicant is already in discussions with DWER for the approvals that are required to be obtained from DWER for the operation of a waste transfer facility.</p> <p>As this is subject to different legislation, Shire officers note the comments provided by DWER and have made the applicant aware of their approval requirements with DWER.</p> <p>This will be captured via condition of approval (if Council choose to approve the proposed development) which requires the applicant to prepare and submit a management plan which references (but not limited to) dieback, public health risk assessments and biosecurity management. This condition would require this plan be prepared, submitted and approved by the Shire prior to any operational activities occurring on site.</p>
<p>Department of Biodiversity, Conservation and Attractions</p>	<p>The Department of Biodiversity, Conservation and Attractions have assessed the above development application and have no comments to make at this time.</p>	<p>Noted.</p>	<p>Noted.</p>
<p>Chittering Landcare</p>	<p>The following are comments we wish to make in relation to this proposed extension to the waste transfer facility.</p> <ol style="list-style-type: none"> 1. The proposal is to extend the recycling waste facility to a Class II, Construction and Demolition (C&D) and Commercial and Industrial (C&I) 	<p>C&I waste is deemed to be a Class II waste stream; hence, the need for this component to be included in the application.</p>	<p>This aspect of the application is governed by the Department of Water and Environmental Regulation</p>

SCHEDULE OF SUBMISSIONS – EXTENSION OF NON-CONFORMING USE: WASTE TRANSFER FACILITY; 124 PROPAGATION VIEW, MUCHEA

	<p>comprising of materials such as bricks, sand, timber, metal, plastics, textiles, paper and cardboard, however, a Class II, C&I will allow putrescible wastes and Special wastes Type 2 to be brought to the site despite any assurances to the contrary. If the company already has Class I to 2032 which includes Inert waste Type 2 (cardboard, plastic etc) and Inert Type 3, it is not necessary to grant a Class II classification as outlined in their proposal. References 1. Landfill Waste Classification and Waste Definition 1996 (as amended 2019), 2019, DWER. 2. Waste Stream Composition and Generation Rates. WALGA).</p> <p>2. The Management Plans need to be updated, for example, the Bushfire Management plan has outdated contact details. Some are using old references.</p> <p>3. An additional Management plan for Dieback Management should be included as there is known dieback infestation present on site. (Pers. Comm. Evan Brown, Glevan Consulting. This was information was sought when undertaking restoration work on the Instant development site adjacent to the landfill facility and noticeably spread from the waste facility.)</p> <p>4. Despite the proposal suggesting that the vegetation on the site is “of little value”, it is important to retain as much vegetation as possible on site as it is on the ridge as removal of deep rooted trees and plants has major consequences downslope.</p> <p>5. Looking at the sorting and transfer area on the plan, it appears that some vegetation will need to be removed (nothing in the proposal outlines how they propose to prepare the site for this extension to their works). If this is so, they may need a clearing permit. If not, then the Council should insist that off-set planting of trees within and around the vegetated area to the west of the lay down area should occur to replace the loss of trees due to developing the site.</p> <p>6. There is no detailed plan in the proposal for the waste sorting or the permanent crushing site or the inert material area outlined on their plan. One assumes that there would need to be development of suitable roadways on the property to service the movement of road trains entering and leaving the site, these are not outlined on the plan either.</p>	<p>Putrescible waste is a low value waste stream and there is minimal putrescible waste in the typical C&I waste that will be received on site. Putrescible waste is not a component of the waste stream that will be actively sort after. There may however be some residual putrescible waste within the mixed C&I material that will be received. This will be sorted and sent off-site, to the appropriate class of landfill.</p> <p>The Management Plans will be updated after development approval has been obtained.</p> <p>This can be implemented as a condition of approval.</p> <p>The development application states “existing trees will be retained if possible and if where retention does not impede site operations.” A clearing permit will need to be obtained for any clearing of vegetation. The development will be in areas that have previously been cleared as part of the extractive industries activities. Where possible, no additional vegetation clearing will be undertake; however, if there is a need to remove a few trees, the appropriate Clearing Permit will be applied for.</p> <p>As described above, all effort will be applied to prevent or minimise the clearing of the native vegetation. If clearing is required, a clearing permit will be obtained. The clearing permit will deal with any offset planting requirements.</p> <p>Detailed design will be carried out of once development approval is obtained, which will include all access and egress requirements. The existing access road will be used for vehicles entering and exiting the site. The level of detail provided with this development application is in line with that submitted for other development approvals on the site.</p>	<p>(DWER). The specifics of what waste is brought to site is regulated by DWER and any non-compliance with any licence issued will investigated by DWER.</p> <p>This will be captured via condition of approval (if Council choose to approve the proposed development) which requires the applicant to update all relevant management plans and submit them to the Shire for approval prior to operations beginning.</p> <p>This will be captured via condition of approval (if Council choose to approve the proposed development) which requires the applicant to prepare and submit a management plan which references (but not limited to) dieback, public health risk assessments and biosecurity management. This condition would require this plan be prepared, submitted and approved by the Shire prior to any operational activities occurring on site.</p> <p>The applicant has specified below in this document that no vegetation is to be removed. The applicant has also provided an amended plan which highlights that only existing cleared areas are proposed to be utilised for the proposed facility.</p> <p>As above.</p> <p>An amended plan has been provided which highlights that only existing cleared areas are proposed to be utilised for the proposed facility.</p>
<p>Chittering Landcare (Second Submission)</p>	<p>The following are comments we wish to make in relation to this proposed extension to the waste transfer facility.</p> <p>1. The Management Plans must to be update PRIOR to development approval OR made a condition of approval. Otherwise they would probably be forgotten.</p>	<p>Management plans can be provided as a condition of approval, in the usual fashion.</p>	<p>This will be captured via condition of approval (if Council choose to approve the proposed development) which requires the applicant to update all relevant</p>

SCHEDULE OF SUBMISSIONS – EXTENSION OF NON-CONFORMING USE: WASTE TRANSFER FACILITY; 124 PROPAGATION VIEW, MUCHEA

	<p>2. A management plan for Dieback Management must be completed BEFORE development approval given OR is a condition of development approval. Either way it must be done before any site preparation is undertaken.</p> <p>Without having seen the Storm Water Management Plan, it is very important to ensure that there is no water runoff from the site onto neighbouring properties or through the bushland to the west of the proposed expansion to the site. Banksias a very susceptible to Phytophthora Dieback infection.</p> <p>3. The vegetation needs to be assessed prior to or as a condition before onsite works commence to ensure it is not Threatened Ecological Community as was the property adjacent on inspection.</p> <p>The statement “existing trees will be retained if possible and if where retention does not impede site operations” is absolutely no guarantee for protection of the vegetation present.</p> <p>This statement cannot be verified without a site plan of the development. This gives the proponent carte blanche to do as they please if development approval given before assessment takes place.</p> <p>4. If vegetation will need to be removed, a clearing permit will be required. This parcel of vegetation, including the area to be developed, is identified as Moondah Complex, which is Banksia, marri woodland and may be protected. Thus, the Council should insist:</p> <p>a. that assessment is a condition of approval and, b. that off-set planting of locally native plants within and around the vegetated area to the west and south west of the lay down area should occur to replace the loss of vegetation due to development of the site.</p> <p>5. A detailed plan is required BEFORE development approval for</p> <p>a. roadways on the property to service the movement of road trains entering and leaving the site or temporary parking, and b. for the waste sorting, the permanent crushing site and the inert material lay down area.</p> <p>Council cannot make an informed decision without seeing the proposed plans in full before giving approval.</p>	<p>As above,</p> <p>Refer detailed site plan showing areas to be developed with hardstand not impacting existing trees.</p> <p>No clearing is proposed.</p> <p>Refer detailed site plan.</p>	<p>management plans and submit them to the Shire for approval prior to operations beginning.</p> <p>An amended plan has been provided which highlights that only existing cleared areas are proposed to be utilised for the proposed facility.</p> <p>As above.</p> <p>The proposed facility will use the existing accessway that the landfill uses. The applicant has provided an amended plan which highlights the specific areas for the proposed facility.</p>
<p>Department of Fire and Emergency Services</p>	<p>Given State Planning Policy 3.7 <i>Bushfire</i> is not applicable, your request was forwarded to our Special Operations team for comment. To date I have received no feedback.</p> <p>DFES Land Use Planning have no comment to make, should I receive any operational feedback in due course I will forward to you.</p>	<p>Noted.</p>	<p>Noted.</p>

SCHEDULE OF SUBMISSIONS – EXTENSION OF NON-CONFORMING USE: WASTE TRANSFER FACILITY; 124 PROPAGATION VIEW, MUCHEA

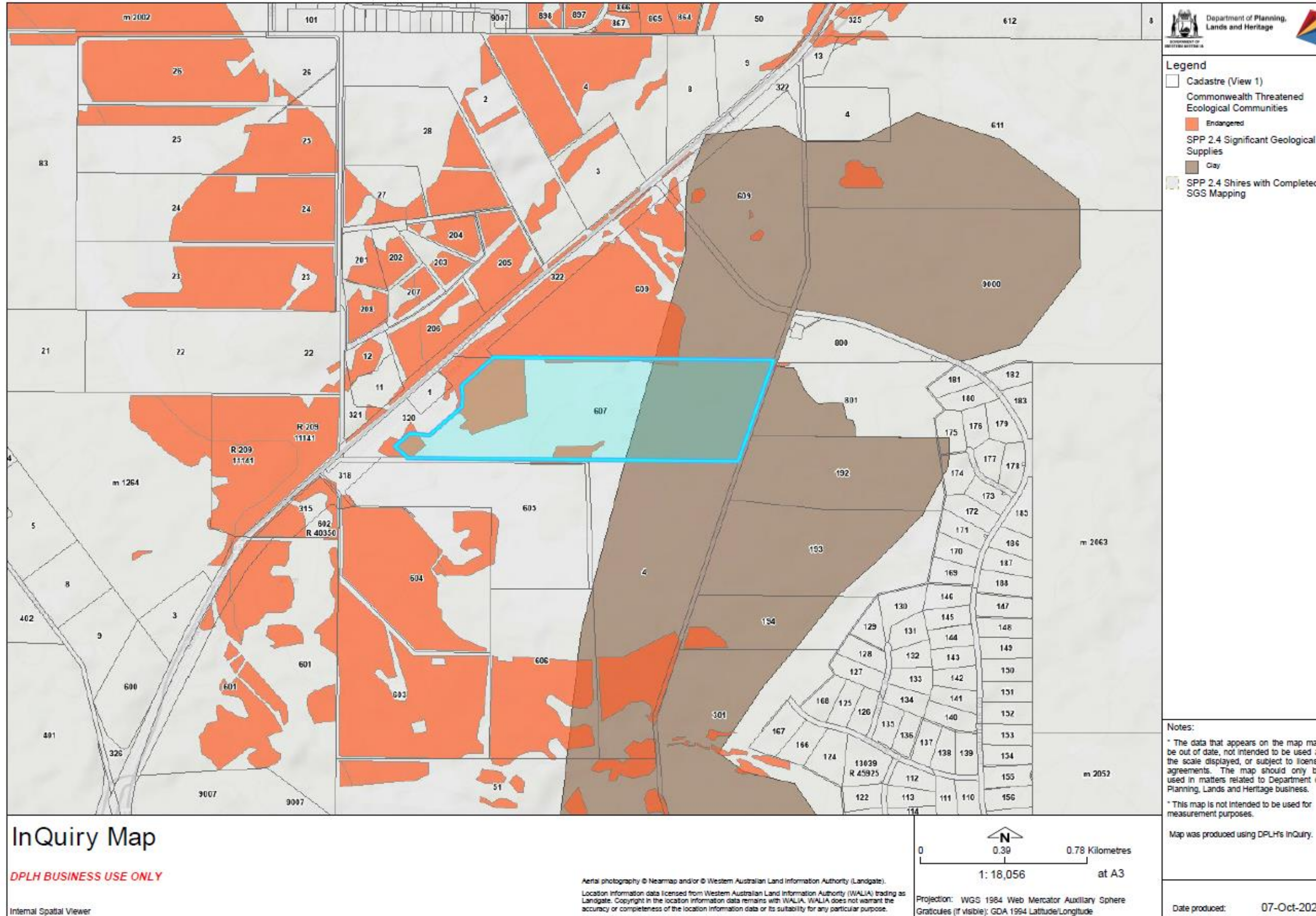
PUBLIC SUBMISSIONS			
Submitter	Comment	Proponent Response	Shire Officer Response
<p>Lisa Armstrong Muchea</p>	<p>I am an adjacent landowner to the proposed landfill site and wish to formally express my strong concerns regarding the application for an additional licence for a non-conforming landfill.</p> <p>I was not aware that the original approval related to a non-conforming facility, and I am extremely concerned about the increased risk of pollution to our local environment and waterways. The prospect of potentially contaminated materials being deposited so close to residential properties is deeply troubling. Any leaching or runoff poses an unacceptable risk to the health and wellbeing of nearby residents, as well as to the surrounding reserves and sensitive natural areas.</p> <p>In addition, I am concerned that this licence expansion will require increased operation of the on-site crushing plant. Even at its current level of use, the noise from the crushing equipment can sometimes be heard from my property at a significant distance. There are other neighbours that are situated closer to the plant that must also be affected by this. Any increase in operating hours or load would further impact the amenity, quiet enjoyment, and environmental values of the surrounding area.</p> <p>Furthermore, as landowners we are subject to strict limitations on vegetation clearing to protect local flora and fauna. It is therefore difficult to understand how a facility handling potentially contaminated waste could be permitted to operate in such close proximity to these protected environments and residential properties.</p> <p>It is also my understanding that the Shire is committed to promoting tourism within the region. Nesci Winery, a well-known local attraction, is situated not far from this facility. The landfill operations are visible from Wandena Road, and the associated noise, dust, and industrial activity are not conducive to attracting tourists or encouraging families to visit or invest in the area.</p> <p>For these reasons, I strongly oppose the granting of any additional licence for this non-conforming landfill and urge the Shire to consider the significant long-term environmental and community impacts.</p> <p>I have copied the neighbour in to this email, as we have had some discussions regarding the proposal, in case they have any other points to add. Ben or Suzette Thomas may offer additional information due to their location closer to the main road but did not receive the initial opportunity to comment email. I am wondering if George Lullfitz also did not get the information? He is located closer than my house.</p>	<p>The environmental aspects of the proposed development will be managed through the licence amendment process with the DWER. This process ensures that the appropriate environmental protection is achieved based on the proposed activities. Conditions associated with the landfill include regular monitoring of groundwater and similar conditions are expected for the waste transfer facility.</p> <p>The proposal accepts low-risk waste materials which are commonplace in built-up areas, and can be easily managed within standard operating procedures for waste transfer stations.</p> <p>The crusher operates in accordance with the existing approvals in place which include noise management measures. These conditions will continue to apply. Additionally, the <i>Environmental Protection (Noise) Regulations 1997</i> (Noise Regulations) set the limits for any noise emissions. The proposed development will comply with the requirements of the Noise Regulations.</p> <p>The Licence Amendment application and subsequent assessment by the DWER will identify the environmental protection measures that are required to ensure that there will be no negative impact on the native vegetation surrounding the proposed facility. The application process will also deal with the potential impacts on residential properties.</p> <p>The site is in a Special Control Area which promotes industries extracting basic raw materials and discourages sensitive land uses. The proposed waste transfer facility is setback approximately 500m from Wandena Road which is sufficiently far so as not to impact Wandena Road’s tourism route potential.</p>	<p>Whilst Shire officers understand the environmental concerns expressed by the complainant, the existing landfill was approved in 2008 and cannot be a valid reason for refusal of this application.</p> <p>Any environmental concerns that arise related to the proposed waste transfer facility (if Council choose to approve the application) or the existing landfill business are the responsibility of DWER to investigate and carry out any compliance action if necessary.</p> <p>The proposed crushing facility has been removed from this application. Whilst it has not been explicitly stated by the applicant, it is expected that the existing crusher on site (as part of the landfill operations) will be used when necessary for the waste transfer facility. This existing crusher is required to adhere to the conditions of the current landfill approvals and as such is subject to a ‘Noise Management Plan’ (NMP). The applicant will be required to ensure that the increased use of the existing crusher remains compliant with the NMP and will not cause a nuisance to neighbouring properties.</p> <p>An amended plan has been provided which highlights that only existing cleared areas are proposed to be utilised for the proposed facility.</p> <p>This will be captured via condition of approval (if Council choose to approve the proposed development) which requires the applicant to update all relevant management plans and submit them to the Shire for approval prior to operations beginning to ensure that concerns such as dust and noise are appropriately managed by the applicant.</p>

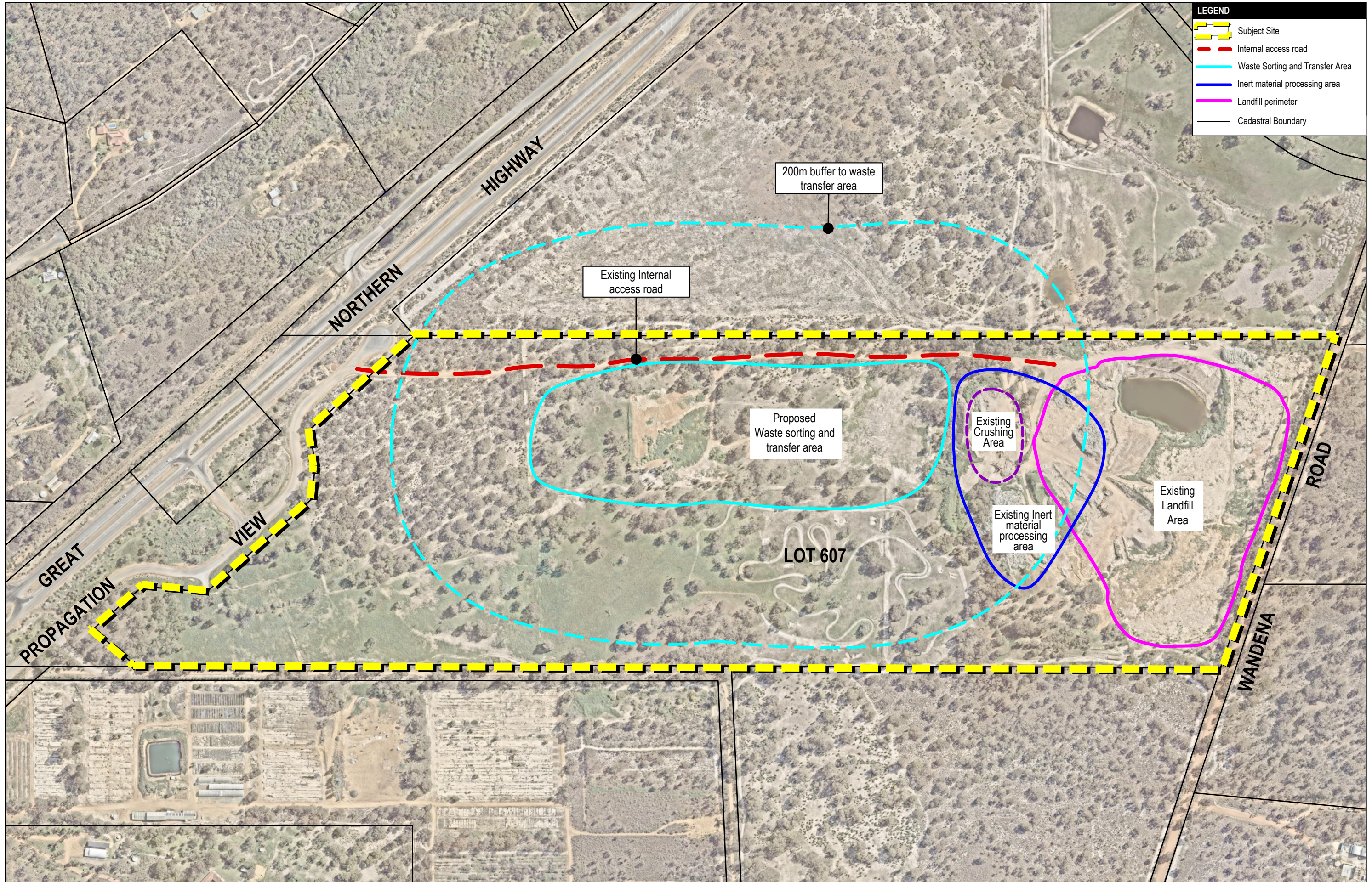
*Note: Comments are as per original submission received by the Shire.

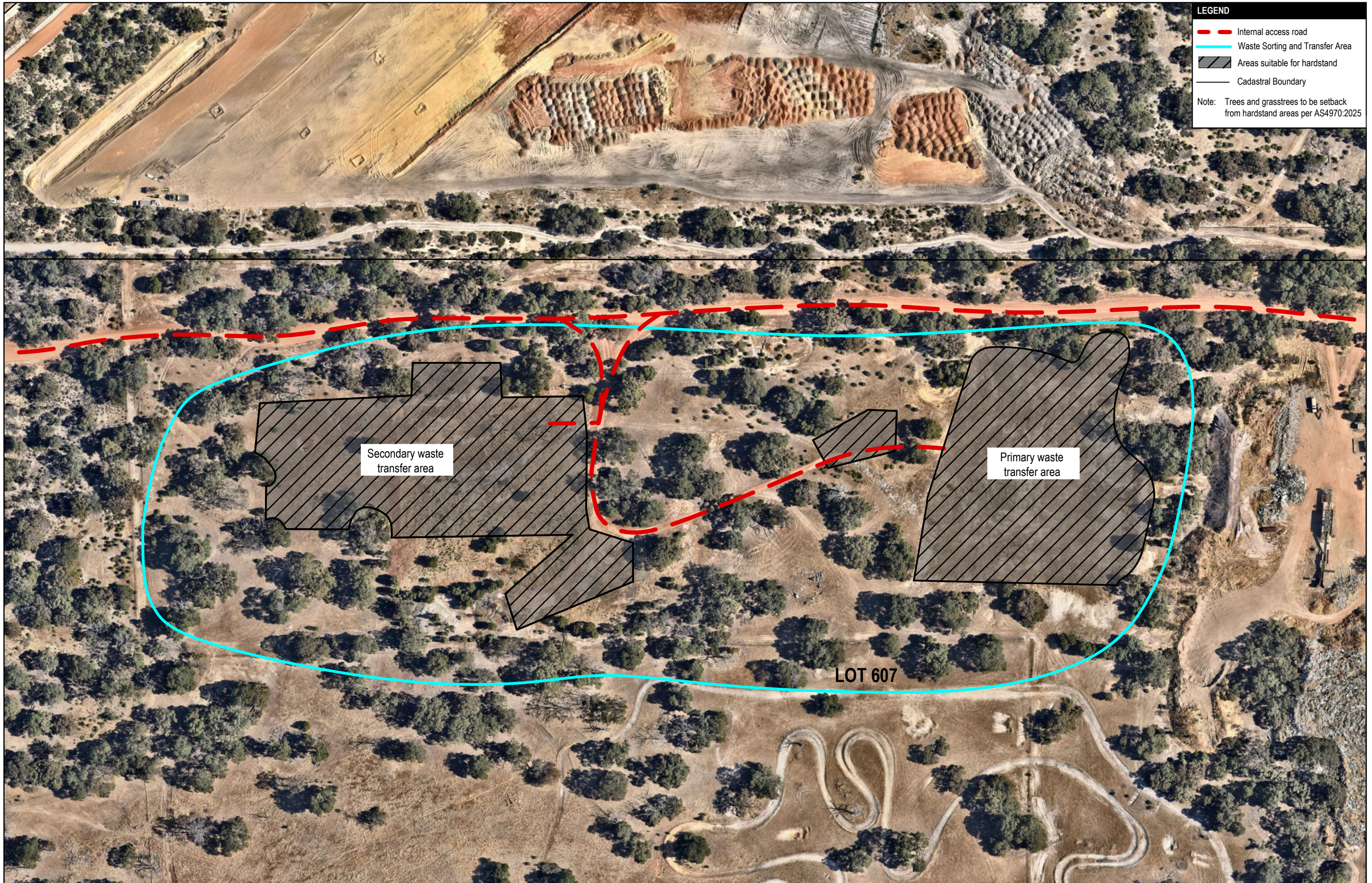
SCHEDULE OF SUBMISSIONS – EXTENSION OF NON-CONFORMING USE: WASTE TRANSFER FACILITY; 124 PROPAGATION VIEW, MUCHEA

Appendix 1 – Map for DPLH Submission

SCHEDULE OF SUBMISSIONS – EXTENSION OF NON-CONFORMING USE: WASTE TRANSFER FACILITY; 124 PROPAGATION VIEW, MUCHEA







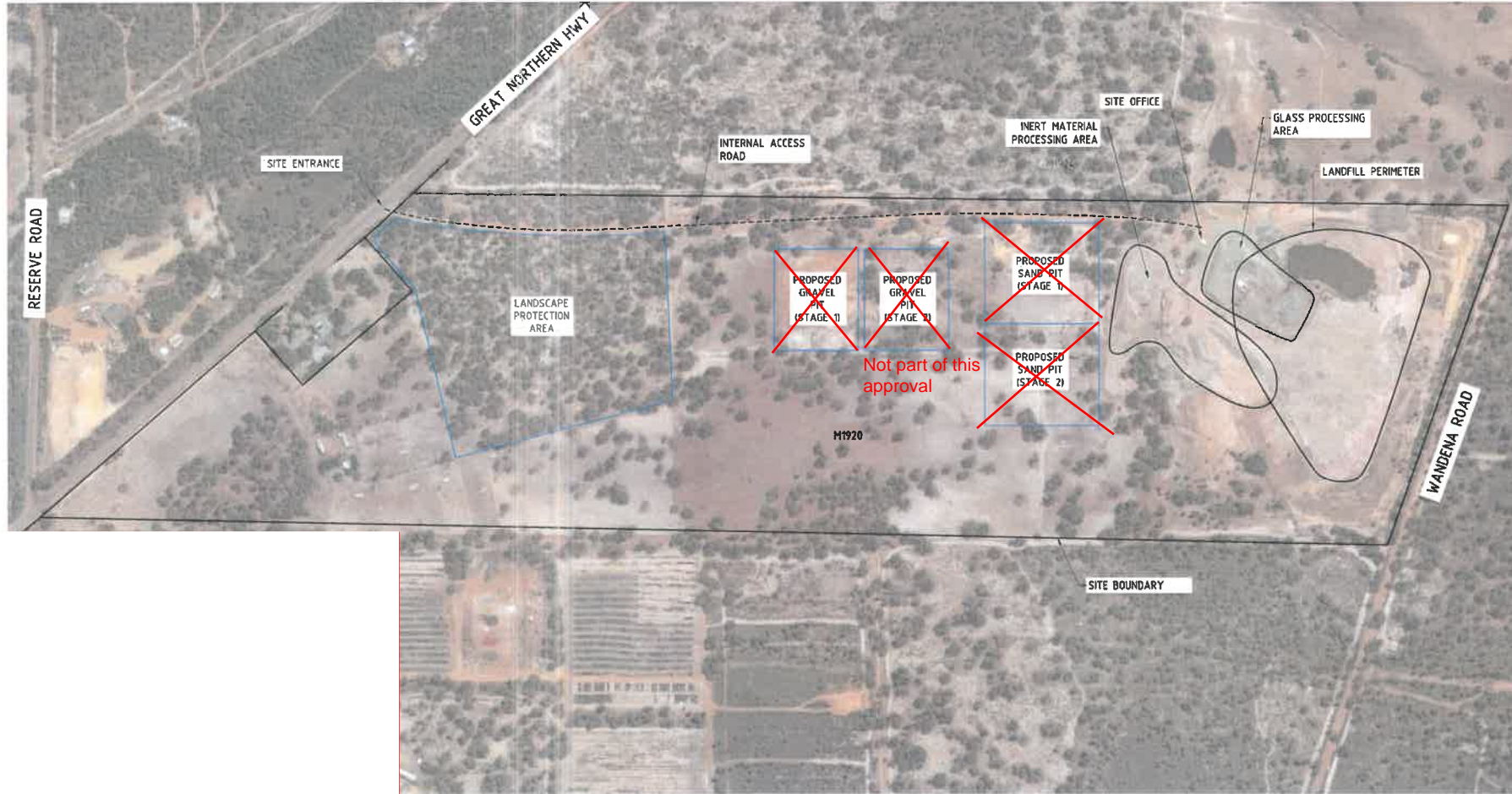
LEGEND

- Internal access road
- Waste Sorting and Transfer Area
- Areas suitable for hardstand
- Cadastral Boundary

Note: Trees and grasstrees to be setback from hardstand areas per AS4970:2025



Previously approved plans
from 2023 DA Approval



NICALLY APPROVED:



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WESTMORE CORPORATION PTY LTD

LOT M1920 GREAT NORTHERN HWY, MUCHEA
EXISTING LANDFILL
SITE LAYOUT PLAN

SCALE AS SHOWN

SHEET 01 of

REVISION A
DRG No. MUCH-SK1

REVISED	REVISION				DRAWN	S.B.Y.	11/17
	No.	By	DATE	DESCRIPTION			
4	S.B.Y.	11/12/17	FOR APPROVAL	DES. CHK.	I.W.		
	No.	By	DATE	DESCRIPTION	DWG. CHK.	I.W.	