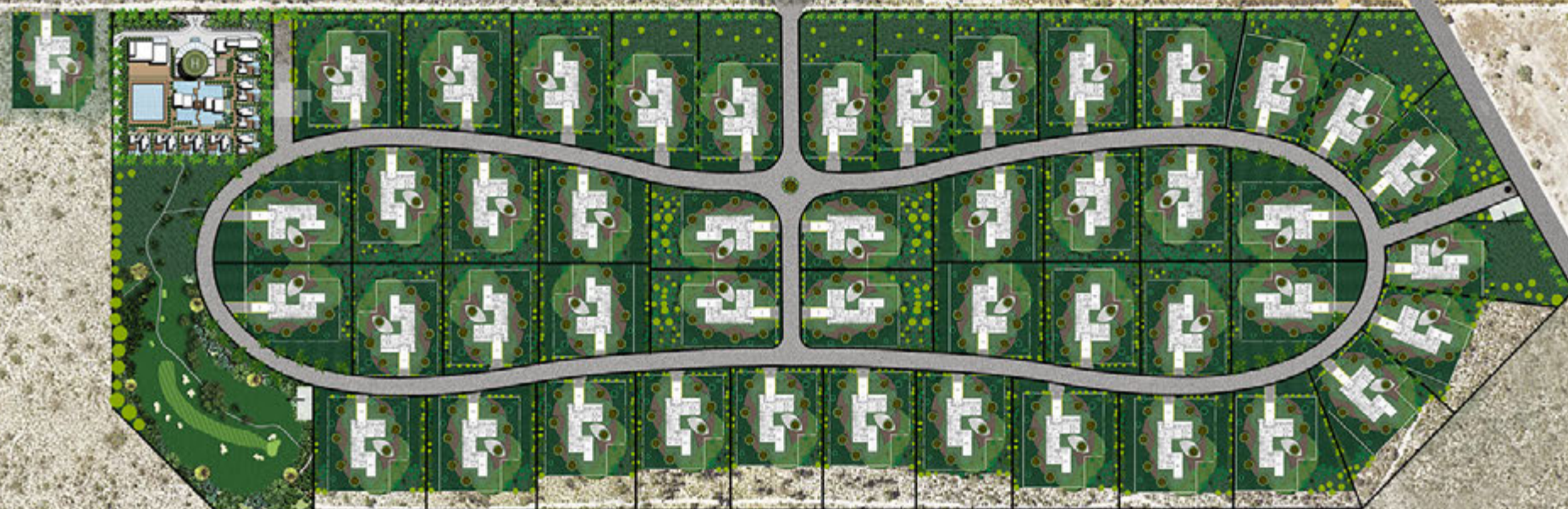




Development Services Attachments
ORDINARY COUNCIL MEETING
Wednesday, 13 December 2017

REPORT NUMBER	REPORT TITLE AND ATTACHMENT DESCRIPTION	PAGE NUMBER(S)
9.1.1	Final Adoption of Scheme Amendment No 61 to Local Planning Scheme No 6: Revised Schedule 8 Provisions to Incorporate a Resort, Residential and Short Stay Accommodation - Lot 101 Teatree Road, Bindoon 1. Original Amendment Plans 2. Original Resort Plan 3. Submission from DFES 4. Schedule of Submissions 5. Further Submission from DFES 6. Concept Plans incorporating modification 7. Further Submission from DBCA	1 – 20
9.1.2	Final Adoption of Scheme Amendment No 65 to Town Planning Scheme No 6: Omnibus Modifications to Schedule 1 Land Use Definitions and Schedule 2 Zoning Table 1. Amendment 65 Document 2. Schedule of Submissions	21 – 32
9.1.3	Waste and Recycling Tonnages 1. Chittering Waste and Recycling Census 2016/2017	33 – 40
9.1.4	Additional Dog Application: RN288 Powderbark Road, Lower Chittering 1. Locality plan	41
9.1.5	Initiation of Scheme Amendment No 66 to Local Planning Scheme No 6: Rezone Lot 22 (3728) Great Northern Highway, Muchea from “Agricultural Resource” to “Industry General” and inserting Additional Land Use No A18 - Concrete Batching Plant 1. SA66 Report	42 – 115



MASTER PLAN

Client	XXXX-XXXX-XXXX	Project	XXXX-XXXX-XXXX	Scale	1:1000
Design	XXXX-XXXX-XXXX	Phase	XXXX-XXXX-XXXX	Author	XXXX-XXXX-XXXX
Approved	XXXX-XXXX-XXXX	Date	XXXX-XXXX-XXXX	Version	1.0

The design is intended to provide a general guide for the development of the site. It is not intended to be a final design and should be used in conjunction with the relevant planning and regulatory requirements.

A103



- ASSET PROTECTION ZONE (APZ)
- FIRE SERVICE ACCESS ROUTE (FSAR)

*Note: Overall proposed landscaping within Estate boundaries will incorporate local flora for re-vegetation.
 *Note: Water Tank and Fire Hydrant positioning to be determined.

MASTER PLAN

Client:	NXT TEC Ltd	Project:	001	Drawn by:	001	Scale:	1:1000
Project:	Cherrywood Road & Estate	Drawn by:	001	Drawn by:	001	Scale:	1:1000
Address:	Lot 101, Theil Road, Brisbane	Drawn by:	001	Drawn by:	001	Scale:	1:1000
This drawing is the property of NXT TEC Ltd and must not be used, reproduced, copied, distributed, or otherwise disclosed without the prior written permission of NXT TEC Ltd.							

A103



A101

This design or drawing is the property of NXT TEC. Ltd and must not be used, reproduced, copied or disclosed wholly or in part without the written permission of NXT TEC. Ltd





Government of Western Australia
Department of Fire & Emergency Services



Our Ref: D02604
Your Ref: 01785066,18/02/32

Brooke Mills
Shire of Chittering
chatter@chittering.wa.gov.au

Dear Ms Mills

PROPOSED SCHEME AMENDMENT 61 – LOT 101 TEATREE ROAD, BINDOON

I refer to a letter received by the Department of Fire and Emergency Services (DFES) dated 11 July 2017 regarding the above Scheme Amendment and the submission of a Bushfire Management Plan (BMP) (revision 1.2) prepared by RUIC Fire dated 14 March 2017.

DFES provide the following comments with regard to *State Planning Policy 3.7 Planning in Bushfire Prone Areas* (SPP 3.7) and the *Guidelines for Planning in Bushfire Prone Areas* (Guidelines).

General Comments

It is understood that the subject site is zoned 'Rural Conservation' and that the Scheme Amendment seeks to introduce tourism within the 'development area' of the subject site; in addition to several development control provisions relating to structure planning, subdivision and development approvals.

DFES acknowledges that the Rural Conservation zone seeks to protect environmental values by ensuring development does not affect the retention of vegetation. However, it is important to recognise that this land was zoned prior to the introduction of the State Government's bushfire planning framework, which includes SPP 3.7.

Consequently, the site's location adjacent to significant areas of vegetation, which represents an extreme bushfire hazard requires an appropriate design response to reduce the vulnerability of dwellings and residents from the impact of bushfire. The concept plans for the future development, submitted in support of the Scheme Amendment, have not been designed to respond to SPP 3.7 or the findings of the bushfire risk assessment. It is on this basis that our comments are made, and reflect the policy shift to ensure responsible development in bushfire prone areas.

Assessment

At the Scheme Amendment level, consideration should be given to the introduction of tourism land uses and how they relate to identified bushfire hazards at this location. DFES is generally satisfied that the BMP has adequately identified issues arising from the bushfire risk assessment in support of the Scheme Amendment.

However, this does not indicate DFES support of the bushfire protection measures proposed within the BMP, as they are based on indicative conceptual designs which may be subject to change.

The following assessment is intended to guide subsequent planning stages (structure planning, subdivision and development).

1. Policy Measure 6.3 c) Non-compliance with the Bushfire Protection Criteria

Element	Assessment	Compliance
Location	<p>Land is most suitable for new subdivisions and related development where hazard levels are low. The concept design shows the creation of 46 lots in BAL-FZ.</p> <p>The future development has the ability to better respond to the bushfire risk through appropriate siting and design.</p>	Consideration prior to subsequent planning stages.
Siting and Design	<p>Hazard separation should be considered and integrated during the strategic planning stages.</p> <p>The structure plan design should optimise hazard separation through the provision of public roads/laneways or managed public open spaces between the bushfire hazard(s) and proposed development.</p> <p>The siting and design should incorporate defensible space and significantly reduce the heat intensities at the building surface minimising the bushfire risk to people, property and infrastructure.</p>	Consideration required prior to subsequent planning stages.
Vehicle Access	<p>Cul-de-sacs, dead end roads and emergency access ways are to be avoided in bushfire prone areas. It is unclear at this strategic level of planning why no alternative exists. Appropriate design will greatly assist with bushfire prevention and suppression activities.</p> <p>Vehicle access should be improved or the proponent will need to demonstrate why no alternative exists in subsequent planning stages.</p>	Consideration required prior to subsequent planning stages.

2. Policy Measure 6.6 applies to this proposal

Assessment	
Vulnerable land use	<p>Tourism activities located in designated bushfire prone areas are considered vulnerable land uses and require special consideration at the subdivision and development approval stage, especially given the proposal is in an isolated location and visitors may be unfamiliar with their surroundings.</p> <p>Achieving the least possible risk from bushfire is critical for all sites, but it is even more important for vulnerable land uses where people are less able to respond in a bushfire emergency and may present evacuation challenges.</p>

Recommendation

In line with the above assessment, it is critical that the siting and design of development submitted at subsequent levels of planning ensure site analysis and design respond to the intent and objectives of SPP 3.7.

DFES recommends wording in "Schedule 8 - Rural Conservation" Area 1 (Lot 101 Tea Tree Road, Bindoon) be amended as follows (suggestions in blue text):

Number	Condition Wording
10	Subdivision and development within the development area is to minimise the level of bushfire impact and to avoid impacts to significant vegetation, flora and fauna.
15	<p>The Structure Plan shall provide sufficient information to address the requirements of the Scheme and the following:</p> <p>(a) the location of significant vegetation, flora and fauna and areas to retained within the development area;</p> <p>(b) the location of any proposed tourist development/resort including associated facilities;</p> <p>(c) the provision of communal and private open spaces and landscaping on the site;</p> <p>(d) the identification of building envelopes for all lots having regard for the environmental values of the site;</p> <p>(e) the location of asset protection zones for the purpose of bushfire management including the location and extent of any required clearing outside of the building envelope;</p> <p>(f) the location of fire breaks;</p> <p>(g) the provision of strategic water storage facilities for the sole purpose of bushfire management.</p> <p>(h) the provision of adequate hazard separation/ defendable space to ensure siting and design of development minimises the level of bushfire impact.</p> <p>(i) the provision of vehicular access and egress that is available and safe at all times.</p>

If you require further information, please contact Land Use Planning Officer Sandeep Shankar on telephone number [REDACTED].

Yours sincerely

[REDACTED]

Michelle Neil
DIRECTOR ADVISORY SERVICES

10 October 2017

Agency Submissions				
Submitter	Comment	Proponent Response	Shire Officer Response	Department of Planning Response
Department of Mines, Industry Regulation and Safety	The Department of Mines, Industry Regulation and Safety (DMIRS) has determined that this proposal raises no significant issues with respect to mineral and petroleum resources, geothermal energy and basic raw materials.	N/A, the Developers accept and thank the Department of Mines, Industry Regulation and Safety for their confirmation.	Noted. It is not recommended that any modifications are made in relation to this submission.	
Tourism Western Australia	Tourism WA is broadly supportive of the development of short-stay accommodation in the Shire, as the area is on the peri-urban fringe of Perth and contains many varied visitor attractions. Tourism WA looks forward to providing further input at the detailed design stage of the proposed resort development, as this project may provide a significant community return.	N/A, the Developers accept the comments made by Tourism Western Australia and look forward to Tourism WA's input at the detailed design stage.	Noted. It is not recommended that any modifications are made in relation to this submission.	
Department of Planning, Lands and Heritage (Aboriginal Heritage)	<p>A review of the Register of Places and Objects as well as the AHD's Aboriginal Heritage Database concludes that the proposed works are within the public boundary of Aboriginal site ID 20008 (Gingin Brook Waggyi Site) but not within the boundary as administered by the AHD. Therefore, based on the information held by the AHD and the spatial data submitted by the Shire of Chittering no approvals under the Aboriginal Heritage Act 1972 (AHA) would be required.</p> <p>The AHD also recommends that proponents refer to the State's Aboriginal Heritage Database Diligence Guidelines (Guidelines). The Guidelines can be found on the DPLH website at the following link:</p> <p>http://www.daa.wa.gov.au/heritage/land-use/</p> <p>The Guidelines allow proponents to undertake their own risk assessment regarding any proposal's potential impact on Aboriginal heritage.</p>	N/A, the Developers accept and thank the Department of Planning, Lands and Heritage (Aboriginal Heritage) for their confirmation.	Noted. It is not recommended that any modifications are made in relation to this submission.	
Department of Planning, Lands and Heritage (Heritage)	<p>The following advice is provided in response to the referral of a scheme amendment as set out under Section 79 of the <i>Planning and Development Act, 2005</i>.</p> <p>The proposed Scheme Amendment has been considered for its potential impact on heritage places within the Scheme area. There is no objection to the proposal.</p>	N/A, the Developers accept and thank the Department of Planning, Lands and Heritage (Heritage) for their confirmation.	Noted. It is not recommended that any modifications are made in relation to this submission.	
Water Corporation	<p><u>Water</u></p> <p>The subject Lot falls outside the planned water scheme area and therefore a reticulated water supply is not immediately available.</p> <p>Future works are currently un-planned and un-programmed and if required there will be a requirement that all the costs associated with the delivery of the services to the land will be met by the proponent.</p> <p><u>Wastewater</u></p> <p>Reticulated sewerage is not immediately available to serve the subject Lot as the Lot falls outside a current planned sewerage area.</p> <p>Please provide the above comments to the land owner, developer and/or their representative.</p> <p>Should you have any queries or require further clarification on any of the above issues,</p>	The comments provided by Water Corporation are acknowledged and will be addressed at the structure plan stage. Confirmation that all costs associated with water supply will be met by the Developer.	<p>The provision of water has been investigated at a preliminary level. There is demonstration that adequate water supply can be achieved and will be required to be demonstrated in certainty at structure planning and subdivision stages.</p> <p>Wastewater will be required to be addressed at structure planning stage also in order to demonstrate adequate disposal systems.</p> <p>It is not recommended that any modifications are made in relation to this submission.</p>	

	please do not hesitate to contact the Enquiries Officer.			
Department of Water and Environmental Regulation	<p>There are a number of water constraints on the site that have not been adequately addressed as part of the application. These include water supply for potable water, water supply for non-potable water, and wastewater management.</p> <p>Prior to the approval of the proposal, a Local Water Management Strategy should be prepared and submitted to DWER for assessment. Local Water Management Strategy</p> <p>A Local Water Management Strategy (LWMS) should be compiled for the subject site. The LWMS should contain a level of information that reflects the site constraints and risk to water resources and a commitment to prepare an Urban Water Management Plan at subdivision. The principles identified in the LWMS should be consistent with the Better Urban Water Management (WAPC, 2008) document, Liveable Neighbourhoods (WAPC, 2008) document, the Stormwater Management Manual for Western Australia (DoW 2004-2007) and the Interim: Developing a Local Water Management Strategy (DoW 2008)</p>	The Developers accept the comments made by Department of Water and Environmental Regulation and will address at the structure plan stage, at which time a Local Water Management Strategy will be undertaken which will include a commitment to prepare an Urban Water Management Plan at subdivision.	<p>The provision of water has been investigated at a preliminary level. There is demonstration that adequate water supply can be achieved and will be required to be demonstrated in certainty at structure planning and subdivision stages.</p> <p>Wastewater will be required to be addressed at structure planning stage also in order to demonstrate adequate disposal systems.</p> <p>Local Water Management Strategies will be required at structure planning stage.</p> <p>It is not recommended that any modifications are made in relation to this submission.</p>	
Department of Primary Industries and Regional Development	<p>The site of Lot 101 Teatree Road is currently zoned as Rural Conservation and is not used for agriculture, however, it does adjoin farmland at the north east and eastern boundaries which may create potential for land use conflict.</p> <p>The Department of Primary Industries and Regional Development (DPIRD) has no objection to the proposed amendment provided the development includes buffers to the adjacent rural land surrounding the site to avoid potential conflicts. This planning should be guided by the 2012 Department of Health Guidelines, Guidelines for Separation of Agricultural and Residential Land Uses – Establishment of Buffer Areas, which place the onus on new residential areas to accommodate buffers and not impose them on established agricultural areas.</p> <p>This is also supported by Section 5.1g of the current State Planning Policy 2.5 (Rural Planning) which states that rural land should be protected as a resource by good planning of the introduction of sensitive land uses that may compromise existing, future and potential primary production on rural land.</p> <p>The site of the proposed tourist resort is identified by the Department's soil-landscape mapping as the Mogumber system. Our soil analysis indicates that the area identified for the resort is dominated by poor deep pale sandy soils and some areas of shallow ironstone gravel. These soils have a high risk of phosphorus export hazard and low capability for microbial purification. DPIRD recommends that the proponent demonstrates to the shire that the property's suitability for onsite effluent disposal for the 46 residential dwellings and other proposed buildings is managed for this risk.</p>	<p>The comments from Department of Primary Industries and Regional Development are acknowledged and the Developers will address these at the structure plan stage as follows:</p> <ul style="list-style-type: none"> The development to include buffers to the adjacent rural land surrounding the site to separate agricultural and residential land uses; and That the suitability for onsite effluent disposal of soils for the 46 residential dwellings and other proposed buildings is managed in order to mitigate the risk of phosphorus export hazard and low capability for microbial purification. 	<p>It is considered that the only agricultural land that would affect proposed development area would be to the north and, to a lesser extent, the east.</p> <p>Appropriate buffer distances are in existence and will be maintained.</p> <p>It is not considered that the proposed development will sterilise or affect in any way the adjoining and opposite agricultural land.</p> <p>It is not recommended that any modifications are made in relation to this submission.</p>	

Department of Health	<p>The scheme amendment should reference the following:</p> <p>1. Water Supply and Wastewater Disposal The proposed development is required to be in accordance with the draft Country Sewerage Policy</p> <p>The proponents should be advised that separate approval is required for any on-site waste water treatment process with such proposals being in accordance with DOH publications which may be referenced and downloaded from: http://ww2.health.wa.gov.au/Articles/N_R/Recycled-water http://ww2.health.wa.gov.au/Articles/U_Z/Water-legislations-and-guidelines</p> <p>The development is to have access to a sufficient supply of potable water that is of the quality specified under the Australian Drinking Water Quality Guidelines 2004.</p> <p>The proponents should develop a Drinking Water Quality Plan including a drinking water quality monitoring program for chemical and microbiological analysis.</p> <p>2. Food Act Requirements All food preparation areas are to comply with the provisions of the Food Act 2008 and related code, regulations and guidelines. Details available for download from: http://ww2.health.wa.gov.au/Articles/F_I/Food-regulation-in-WA</p> <p>3. Health (Miscellaneous Provisions) Act Requirements All public gathering areas of the development are to comply with the provisions of the Health (Miscellaneous Provisions) Act 1911, related regulations and guidelines and in particular Part VI – Public Buildings.</p>	<p>The comments from Department of Health are acknowledged and the Developers will address these at the structure plan stage as follows:</p> <ul style="list-style-type: none"> • Separate approval for any on-site waste water treatment process • Development to have access to a sufficient supply of potable water that is of the quality specified under the Australian Drinking Water Quality Guidelines 2004 • A Drinking Water Quality Plan including a drinking water quality monitoring program for chemical and microbiological analysis. • All food preparation areas are to comply with the provisions of the Food Act 2008 and related code, regulations and guidelines. • All public gathering areas of the development are to comply with the provisions of the Health (Miscellaneous Provisions) Act 1911, related regulations and guidelines and in particular Part VI – Public Buildings. 	<p>All requirements of this submission will be dealt with appropriately at development stage.</p> <p>It is not recommended that any modifications are made in relation to this submission.</p>	
Department of Biodiversity, Conservation and Attractions	<p>The department has had an interest in the subject property for a number of years. It forms part of a significant network of Banksia woodland remnants within the Bindoon area, which the department has been actively involved in acquiring for addition into the conservation estate. To this end, the department have recently acquired Lots 103 and 901 immediately to the south of Lot 101, and have had discussions with the owners of the properties immediately to the west (in the Shire of Gingin). The department has also had on-going discussions with the owner of Lot 101 over the past five years, but have been unable to come to a satisfactory agreement to acquire the property.</p> <p>The department notes that Lot 101 was the subject of a subdivision application (WAPC 144186) which was previously approved by the Western Australian Planning Commission in 2012. The subdivision allowed the creation of 47 1ha lots in the north-east corner of the subject lot, with the balance of the lot remaining as a vegetated conservation lot (417ha).</p> <p>A condition of this approval required the creation of a conservation covenant with the Department of Biodiversity, Conservation and Attractions (then referred to as the Department of Environment and Conservation) over the proposed conservation lot (Lot 47). With regards to this condition, it was also suggested by WAPC that as an alternative to a conservation covenant over proposed Lot 47, that the WAPC would be willing to consider the ceding of the land to the state for the purposes of creating a reserve for conservation. It should be noted that this subdivision approval has now lapsed as the applicant has not taken necessary actions to implement the subdivision proposal nor</p>	<p>The Developers are aware of the interest the EPA has had in the past to purchase Lot 101 and the unsuccessful outcome.</p> <p>The Developers are also aware of the previous subdivision approval which expired on the 16/5/2016. The footprint of that previous subdivision is reflected in the new Proposed Resort Development.</p> <p>The Developers accept the recommendation of a conservation covenant on Lot 101 with same effect as the recommended covenant for the previous subdivision approval.</p>	<p>It is considered that the tourist development component of the proposal is acceptable as there is considerable environmental aspects and management proposed for the development.</p> <p>Officer opinion is also that the remainder of the property be ceded free of charge to the Department of Biodiversity, Conservation and Attractions as conservation estate. Given that the adjoining properties to the south is and, in future, the property to the west may be included in the conservation values of the State, it is appropriate to recommend that a modification be made to the Schedule 12 provisions to allow for the ceding free of charge to the Department of the remainder of the property.</p> <p>Therefore, it is recommended that a</p>	

	<p>entered into a covenant agreement with the department for the proposed Lot 47 or ceded the land to the state. 2</p> <p>Current Amendment</p> <p>The current scheme amendment modifies the previous scheme provisions for the property by incorporating a tourist resort land use within the proposed development area. The department considers this land use is likely to increase the frequency of access into the adjacent conservation lot which may lead to a detrimental impact on the conservation values of this land by way of increased weed invasion, increased risk of fires escaping from the development area into adjoining bushland and increased likelihood of Phytophthora introduction.</p> <p>The department also questions the compatibility of the tourist resort development within an area zoned Rural Conservation, given that the primary objective of the Rural Conservation Zone is to maximise the long-term protection and management of significant environment values. The department considers that a tourist development of this nature may be better suited to a more compatible zone such as a Rural Retreat Zone. The department notes that the current scheme amendment proposes to remove an existing scheme provision for this lot which required a conservation covenant in perpetuity to be registered on the Certificate of Title of the conservation lot as a condition of any future subdivision approval.</p> <p>The department considers the removal of the conservation covenant requirement and subsequent reliance on other scheme provisions to ensure the protection of the conservation values of the balance of the lot to be an unsatisfactory outcome as it provides limited legally enforceable mechanisms to ensure the ongoing protection of the conservation lot.</p> <p>Consideration for the removal of this provision should only be given if, as suggested by WAPC as part of the approval of subdivision application 144186, the scheme amendment approval is conditional on the landowner ceding the conservation lot to the state for the purposes of conservation.</p> <p>If this outcome cannot be achieved as part of the scheme amendment process, then the department recommends that the conservation covenant scheme provision remain as a requirement of the current scheme amendment.</p>		<p>modification to the Schedule 12 provisions be included for the ceding of the balance of Lot 101 to the Department of Biodiversity, Conservation and Attractions.</p>	
Department of Fire and Emergency Services	<p>I refer to a letter received by the Department of Fire and Emergency Services (DFES) dated 11 July 2017 regarding the above Scheme Amendment and the submission of a Bushfire Management Plan (BMP) (revision 1.2) prepared by RUIC Fire dated 14 March 2017.</p> <p>DFES provide the following comments with regard to <i>State Planning Policy 3.7 Planning in Bushfire Prone Areas</i> (SPP 3.7) and the <i>Guidelines for Planning in Bushfire Prone Areas</i> (Guidelines).</p> <p>General Comments</p> <p>It is understood that the subject site is zoned 'Rural Conservation' and that the Scheme Amendment seeks to introduce tourism within the 'development area' of the subject site; in addition to several development control provisions relating to structure planning, subdivision and development approvals.</p> <p>DFES acknowledges that the Rural Conservation zone seeks to protect</p>	<p>The Developers acknowledge the comments provided by Department of Fire and Emergency Services and these will be addressed at the structure plan stage.</p> <p>The Developers agree with the amendments to the wording of conditions recommended by Department of Fire and Emergency Services in "Schedule 8 - Rural Conservation" Area 1 (Lot 101 Tea Tree Road, Bindoon).</p>	<p>Officer opinion is that the recommendations made by DFES be incorporated into the Schedule provisions.</p> <p>Therefore, it is recommended to modify the Schedule 12 provisions in accordance with the submission received.</p>	

	<p>environmental values by ensuring development does not affect the retention of vegetation. However, it is important to recognise that this land was zoned prior to the introduction of the State Government’s bushfire planning framework, which includes SPP 3.7.</p> <p>Consequently, the site’s location adjacent to significant areas of vegetation, which represents an extreme bushfire hazard requires an appropriate design response to reduce the vulnerability of dwellings and residents from the impact of bushfire. The concept plans for the future development, submitted in support of the Scheme Amendment, have not been designed to respond to SPP 3.7 or the findings of the bushfire risk assessment. It is on this basis that our comments are made, and reflect the policy shift to ensure responsible development in bushfire prone areas.</p> <p>Assessment</p> <p>At the Scheme Amendment level, consideration should be given to the introduction of tourism land uses and how they relate to identified bushfire hazards at this location. DFES is generally satisfied that the BMP has adequately identified issues arising from the bushfire risk assessment in support of the Scheme Amendment.</p> <p>However, this does not indicate DFES support of the bushfire protection measures proposed within the BMP, as they are based on indicative conceptual designs which may be subject to change.</p> <p>The following assessment is intended to guide subsequent planning stages (structure planning, subdivision and development).</p> <p>1. Policy Measure 6.3 c) Non-compliance with the Bushfire Protection Criteria</p> <table><tr><th>Element</th><th>Assessment</th><th>Compliance</th></tr><tr><td>Location</td><td><p>Land is most suitable for new subdivisions and related development where hazard levels are low. The concept design shows the creation of 46 lots in BAL-FZ.</p><p>The future development has the ability to better respond to the bushfire risk through appropriate siting and design.</p></td><td>Consideration prior to subsequent planning stages.</td></tr></table>	Element	Assessment	Compliance	Location	<p>Land is most suitable for new subdivisions and related development where hazard levels are low. The concept design shows the creation of 46 lots in BAL-FZ.</p> <p>The future development has the ability to better respond to the bushfire risk through appropriate siting and design.</p>	Consideration prior to subsequent planning stages.			
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Recommendation

In line with the above assessment, it is critical that the siting and design of development submitted at subsequent levels of planning ensure site analysis and design respond to the intent and objectives of SPP 3.7.

DFES recommends wording in “Schedule 8 - Rural Conservation” Area 1 (Lot 101 Tea Tree Road, Bindoon) be amended as follows (suggestions in blue text):

Number	Condition Wording
10	Subdivision and development within the development area is to minimise the level of bushfire impact and to avoid impacts to significant vegetation, flora and fauna.
15	<p>The Structure Plan shall provide sufficient information to address the requirements of the Scheme and the following:</p> <ul style="list-style-type: none"> (a) the location of significant vegetation, flora and fauna and areas to retained within the development area; (b) the location of any proposed tourist development/resort including associated facilities; (c) the provision of communal and private open spaces and landscaping on the site; (d) the identification of building envelopes for all lots having regard for the environmental values of the site; (e) the location of asset protection zones for the purpose of bushfire management including the location and extent of any required clearing outside of the building envelope; (f) the location of fire breaks; (g) the provision of strategic water storage facilities for the sole purpose of bushfire management. (h) the provision of adequate hazard separation/ defensible space to ensure siting and design of development minimises the level of bushfire impact. (i) the provision of vehicular access and egress that is available and safe at all times.

Public Submissions**PUBLIC 1**

My concern/question relates to car parking and bus parking – I would assume based on the resort seeking to attract customers to stay, use facilities or restaurant that those customers either drive themselves or are bussed to the location. I could not see evidence on the plans for this. While this might now be considered until later in the planning process under the Traffic Management plan, I did think it was unusual not be to considered in the initial planning as parking can take up considerable amount of land, and it would be a concern if the only hard surface near the resort area, being the Emergency Access Way shown on the plan, was re-purposed at a later stage as parking.

The Developers thank you for your comments which are noted. Car and bus parking will be addressed at the structure planning stage in a Traffic Management Plan.

The design of the facilities including car parking, traffic management and building construction will be dealt with as part of structure planning process and development application.

It is not recommended that any modifications are made in relation to this submission.

PUBLIC 2	<p>I have no objection to the provision of resort and tourism accommodation within the land use on Lot 101 Teatree Road, Bindoon provided that:</p> <ul style="list-style-type: none">It is NOT pet friendly tourism accommodation <p>We have suffered too many sheep losses and the maiming of sheep over the years due to people not restraining their dogs and allowing them to roam</p> <p>It is NON SMOKING accommodation The proposed villa area and conservation lot must be protected from the risk of cigarette butt fire</p>	<p>The Developers thank you for your support for the development and for your suggestions. These suggestions are noted and will be addressed at the structure planning stage.</p>	<p>Condition 4 of the proposed Schedule 12 provisions excludes the keeping of livestock. It is accepted that a condition should be imposed in relation to the prevention of the keeping of domestic animals also.</p> <p>Therefore, it is recommended that a modification be made to the Schedule 12 provisions to include a condition excluding the keeping of all domestic animals within the entire development area.</p>	
PUBLIC 3	<p>In response to adjoining landowner proposed amendment NO61 lot 101 Teatree road Bindoon. My husband and myself look forward to such a development but are wondering if they or you the shire will be continuing the road down our adjoining property in bitumen or at least the putting in of fire breaks along our boundary? Which as I had been led to believe is an actual road -continuation of Teatree but is heavily overgrown with trees and shrubs.</p>	<p>Thank you for the comments and support for the development. The Developers will upgrade and bituminise the road up to the west-end of the proposed resort. The balance of the adjoining boundary will be provided with a fire break as required and according to the Council By-Laws.</p>	<p>The upgrading of Teatree Road will be required to be covered at structure planning and subdivision stage and will be a component that is required.</p> <p>It is not recommended that any modifications are made in relation to this submission.</p>	
ADDITIONAL SUBMISSION RECEIVED FROM DFES				
DFES	<p>As discussed DFES are supportive of the changes proposed in the concepts attached to your email below, specifically the inclusion of hazard separation in the form of managed parks/golf course around the periphery of the development.</p> <p>These concepts definitely respond to our comments in relation to Element 2 Siting and Design of the Bushfire Protection Criteria.</p> <p>We encourage the Shire to strengthen wording in the Schedule for the scheme amendment to ensure subsequent planning stages achieves such improvements.</p> <p>I trust this is to your assistance. Please do not hesitate to contact me should you have any further queries.</p>	<p>Noted.</p>	<p>Noted.</p>	

*Note: Comments are as per original submission received by the Shire. Submission comments have not been edited unless for the purposes of confidentiality where necessary.

Brooke Mills

From: DFES Advisory Services <advice@dfes.wa.gov.au>
Sent: Friday, 24 November 2017 12:59 PM
To: Brooke Mills
Subject: I1790396 - RE: Proposed Scheme Amendment No 61 - Lot 101 Teatree Road, Bindoon (resubmission) - 18/02/32 - Attention: Sandeep Shankar (Ref: D02604) - DFES Response

SynergySoft: I1790396

Our Ref: D02604

Hi Brooke,

Thanks for the chat earlier.

As discussed DFES are supportive of the changes proposed in the concepts attached to your email below, specifically the inclusion of hazard separation in the form of managed parks/golf course around the periphery of the development.

These concepts definitely respond to our comments in relation to Element 2 Siting and Design of the Bushfire Protection Criteria.

We encourage the Shire to strengthen wording in the Schedule for the scheme amendment to ensure subsequent planning stages achieves such improvements.

I trust this is to your assistance. Please do not hesitate to contact me should you have any further queries.

Regards,

Sandeep Shankar

Land Use Planning Officer

Advisory Services | Hazard Planning and Response | Capability Command

Department of Fire and Emergency Services | 20 Southport Street, West Leederville 6007

E: advice@dfes.wa.gov.au P: [REDACTED] | W: www.dfes.wa.gov.au



Government of Western Australia
Department of Fire & Emergency Services



From: Brooke Mills [REDACTED]
Sent: Tuesday, 21 November 2017 10:46 AM
To: DFES Advisory Services <advice@dfes.wa.gov.au>

Subject: Proposed Scheme Amendment No 61 - Lot 101 Teatree Road, Bindoon (resubmission) - 18/02/32 -
Attention: Sandeep Shankar (Ref: D02604)

Dear Sandeep

Thank you for your submission received in relation to the above matter dated 10 October 2017.

The Shire has taken your comments into consideration and has asked the applicant to reconsider the design of the proposed development.

Please find attached a revised development concept plan for your consideration. I would appreciate it if I could receive your additional submission as a matter of urgency.

If you have any queries, kindly contact me.

Brooke Mills
A/Senior Planning Officer



6177 Great Northern Highway PO Box 70 Bindoon WA 6502
T: 08 9576 4600 F: 08 9576 1250 E: chatter@chittering.wa.gov.au
www.chittering.wa.gov.au

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SITE PLAN

A100

Client	NXT TEC. Ltd	Project number	001	NXT TEC. Ltd
Project	Chittering Resort & Estates	Drawn by	ST	82 King Street
		Checked by	PG	Perth WA 6000
Address	Lot 101, Teatree Road, Bindoon	Scale	1 : 4000	Telephone +61 8 9481 6919
		Date	3/02/2017 9:53:04 AM	Facsimile +61 8 9429 8829

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CHITTERING MASTER PLAN



GOLF CLUBHOUSE

90-HOLE LUXURY GOLF COURSE
1250SQM CLUBHOUSE
138 PARKING BAYS



6M FIRE BREAK

BUGGY TRACKS

BICYCLE & BUGGY TRACKS CONNECTED AROUND ENTIRE PERIMETER OF GOLFCOURSE



ECOTOURISM | GREEN SPACE

LOW IMPACT FACILITIES & ATTRACTIONS
FOR LOCALS & TOURISTS

- CONSIDERED SITE PRESERVATION
- CONTOURED PLAYGROUND
- ACTIVITY COURSE
 - MINI GOLF
 - WATCH TOWER
 - BUSH WALK
- BICYCLE & BUGGY TRACKS
- MINI TREE TOP WALKS
- NATIVE FLORA GARDENS



Brooke Mills

From: Alex Errington [REDACTED]
Sent: Wednesday, 29 November 2017 1:02 PM
To: Brooke Mills
Cc: Michael Roberts
Subject: I1790624 - RE: I1790096 - Chittering Resort & Estates Master Plan

SynergySoft: I1790624

Hi Brooke

I refer to the amended Draft Master Plan you sent to me for any Departmental comment.

I note that the previously-discussed Strategic Fire Break is now proposed to be utilised as a Golf Course around the perimeter of the development and become part of the development. This makes sense, but, along with the squaring-off of the development envelope fronting Brennan Road, this will increase the size of the clearing footprint to be retained by the Developer.

In the Department's view, this only reinforces our view that the uncleared area in the north-west corner of the property, that is, the proposed "Conservation Lot for Sale" should form part of the "Lot Potentially Ceded to the State".

We can see no justification for this proposed separate Lot now being retained in the Draft Master Plan.

Thank you for keeping me informed regarding this proposal.

Regards

Alex Errington

Department of Biodiversity, Conservation and Attractions

[REDACTED]

From: Brooke Mills [REDACTED]
Sent: Friday, 17 November 2017 10:46 AM
To: Alex Errington
Subject: RE: I1790096 - Chittering Resort & Estates Master Plan

Yes, progress is being made. I will keep you updated on the situation.

Brooke Mills
A/Senior Planning Officer



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SHIRE OF CHITTERING

LOCAL PLANNING SCHEME NO. 6

AMENDMENT NO. 65 - OMNIBUS

1 – Update Schedule 1 – Dictionary of Defined Words and Expressions as shown below:

A. Remove the land use of:

Builders Storage Yard	means premises used for the storage of building material, pipes or similar items related to any trade, and may include the manufacture, assembly and dismantling processes incidental to the predominant use.
-----------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Justification:

This land use can only be incidental to another, and also overlaps with warehouse/storage and industry.

B. Insert the following land use:

Commercial Vehicle Parking	means premises used for the parking of one or two commercial vehicles but does not include –
	(a) any part of a public road used for parking or for a taxi rank; or
	(b) parking of commercial vehicles incidental to the predominant use of the land

Justification:

The land use is proposed to be included in order to provide the ability for commercial vehicles to be accommodated on appropriate properties.

C. Modify the following land use by replacing the meaning as follows:

Garden Centre	Means premises used for the propagation, rearing and sale of plants, and the storage and sale of products associated with horticulture and gardens.
---------------	-----------------------------------------------------------------------------------------------------------------------------------------------------

Justification:

The modification of the land use definition will provide consistency with the Planning and Development (Local Planning Scheme) Regulations 2015 (“the Regulations”).

D. Insert a new land use as follows:

Home Office	means a dwelling used by an occupier of the dwelling to carry out a home occupation if the carrying out of the occupation —
	(a) is solely within the dwelling; and
	(b) does not entail clients or customers travelling to and from the dwelling; and
	(c) does not involve the display of a sign on the premise; and
	(d) does not require any change to the external appearance of the dwelling

Justification:

This land use was not previously defined within the Scheme. Inserting the definition will provide certainty when allocating specific land uses.

E. Modify the land use of Industry by adding (e) as follows:

Industry	means premises used for manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes premises on the same land used for-
	(a) the storage of goods;
	(b) the work of administering or accounting;
	(c) the selling of goods by wholesale or retail;
	(d) the provision of amenities for employees; or
	(e) incidental purposes.

F. Delete the following land uses:

Landfill/Refuse Centre	means premises used in the disposal, storage and recycling of waste material.
Plant Nursery	means any land or buildings used for the propagation, rearing and sale of plants.
Place of Assembly	means premises where people assemble for a public, religious or cultural activity and may include a hall, mosque, church, temple or synagogue.

Justification:

The above land uses are proposed to be removed as new or modified existing land uses are to be inserted into the Scheme which replaces or incorporates the land uses. The land uses have now become redundant. Landfill/Refuse Centre is being replaced by Resource Recovery Centre and Waste Disposal Facility, Plant Nursery is being replaced by the modification of Garden Centre and Place of Assembly is being replaced by Place of Worship.

G. Insert a new land use as follows:

Place of Worship	means premises used for religious activities such as a chapel, church, mosque, synagogue or temple;
------------------	-----------------------------------------------------------------------------------------------------

Justification:

This land use is intended to be consistent with the Regulations and will replace Place of Assembly.

H. Insert a new land use as follows:

Resource Recovery Centre	means premises other than a waste disposal facility used for the recovery of resources from waste.
--------------------------	----------------------------------------------------------------------------------------------------

Justification:

This land use is intended to be consistent with the Regulations and will replace Landfill/Refuse Centre.

I. Delete the following land use:

Stable	means any land or buildings used for the stabling, agistment and training of horses, ponies, asses and mules and
--------	------------------------------------------------------------------------------------------------------------------

associated incidental uses.

Justification:

This land use is covered by the exiting land use of Rural Pursuit.

J. Delete the definition for the land use of Shop and replace as follows

Shop	means premises other than a bulky goods showroom, a liquor store - large or a liquor store - small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services;
------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Justification:

The modification is required to provide consistency with the Regulations.

K. Modify the land use of Transport Depot as follows:

Transport Depot	means premises used primarily for the parking or garaging of three (3) or more commercial vehicles including -
	(a) any ancillary maintenance or refuelling of those vehicles; and
	(b) any ancillary storage of goods brought to the premises by those vehicles; and
	(c) the transfer of goods or persons from one vehicle to another.

Justification:

The change to Transport Depot is to be consistent with the definition within the Regulations.

L. Insert the following land uses:

Warehouse/Storage	means premises including indoor or outdoor facilities used for -
	(a) the storage of goods, equipment, plant or materials; or
	(b) the display or sale by wholesale of goods;

Waste disposal facility	means premises used -
	(a) for the disposal of waste by landfill; or
	(b) the incineration of hazardous, clinical or biomedical waste.

Waste storage facility	means 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.
------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Winery/Brewery	means premises used for the production and/or sale to the public of fermented viticultural or horticultural produce and associated products.
----------------	----------------------------------------------------------------------------------------------------------------------------------------------

Justification:

These land uses are to be inserted in order to provide consistency with the Regulations.

2 – Update Schedule 2 – Zoning Table shown below and renumber as required:

A. Modify the zoning table as follows:

		Townsite	Light Industrial	Agricultural Resource	Rural Residential	Rural Smallholdings	Rural Retreat	Rural Conservation AMD 8 GG 30/1/09	Residential R2 AMD 40 GG 27/4/10	Industrial Development Zone AMD 52 GG 26/06/15	General Industry Zone AMD 52 GG 26/06/15
	USE CLASS										
14	Builders Storage Yard	X	D	X	X	X	X	X			P
18	Caretaker's Dwelling	D	D A	X	X	X	X	X			X
23	Commercial vehicle parking	X	P	D	A	A	A	A	X		P
35	Funeral Parlour	A	X A	X	X	X	X	X			X
36	Garden Centre	D	D	X D	X	X	X	X			P X
42	Industry - Extractive	X	X A	A	X	X	X	X			D
43	Industry	X	A X	X	X	X	X	X			D
47	Industry Rural	X	P	D	X	A X	A X	X			A
49	Land Refuse Centre- AMD 39 GG 20/07/10	X	X	X	X	X	X	X			X
53	Market	X P	X A	X A	X	X	X	X			X
59	Office	P	X I	X	X	X	X	X	D		X I
63	Place of Assembly Worship	D	X A	D X	X	X	X	X			X
64	Plant Nursery	D	D	D	D	X	X	X			P
67	Reception Centre	D	A I	A	X	A	A	X I			X
74	Rural Pursuit	X	X	X D	D	D	D	X			X
78	Showroom	P	P	X	X	X	X	X			P I
80	Stable	D	X	P	D	D	D	X			X
81	Stock Yards	X	X A	A	X	X	X	X			P A
84	Telecommunications Infrastructure	A	A P	A	A	A	A	X A			P
85	Transport Depot	X	P	A X	X	X	X	X			P
88	Warehouse/Storage	A X	P	D X	X	X	X	X			P
	Resource recovery facility	X	P	X	X	X	X	X	X		P
	Waste disposal facility	X	X	X	X	X	X	X	X		X
	Waste storage facility	X	X	X	X	X	X	X	X		X
89	Wayside Stall	D	X	D	D	D	D	X D			X

In accordance with clause 3.4.3

B. At the bottom of the Zoning Table, add text for an 'Incidental' land use as follows:

- I means a use of premises which is consequent on, or naturally attaching, appertaining or relating to, the predominant use;

Justification:

Updated zoning table to include permissibility for:

- (a) newly defined land uses related to waste, the approach is broadly consistent with State policy (SPP 2.5) for regional facilities. Such facilities are often subject to spot rezonings which can allow for buffers to be placed surrounding the property as well as other environmental factors;
- (b) provide for stock yards in industrial zones to accord with zone objectives and MENSPP;
- (c) provide for a “showroom” in the general industry zone, provided it is incidental to an industrial land use;
- (d) removed permissibility for Warehouse/Storage and Transport Depot from Agricultural Resource and Townsite zones as a measure to prevent proliferation of industrial uses outside of the MENSPP and as an added incentive to rezone the land within the MENSPP; and
- (e) updated a number of land uses and definitions to be consistent with the Model Scheme Text.

AGENCY SUBMISSIONS			
Submitter	Comment	Shire Officer Response	Department of Planning
Water Corporation	Thank you for referring the amendment to the Water Corporation for comment. The proposed text amendment are minor in nature and are not likely to affect the Corporation's planning or operations in the Shire area.	Noted. No modifications recommended.	
Western Power	Thank you for submitting your due diligence request to Western Power in relation to your proposed work. Your proposal is being reviewed and we will contact you directly for more information if required.	Noted. No further submission was received from Western Power. No modifications recommended.	
Department of Mines, Industry Regulation and Safety	<p>The Department of Mines, Industry Regulation and Safety (DMIRS) has assessed this proposal with respect to mineral and petroleum resources, geothermal energy and basic raw materials and makes the following comments.</p> <p>DMIRS has concerns with Part 3.3 'Zoning Table' in which 'Industry-Mining' remains categorised as 'X' and thus effectively mining is 'not permitted' within the Shire. DMIRS also notes that 'Industry-Extractive' has retained an 'A' for the Agricultural Resource zone.</p> <p>DMIRS strongly recommends that the Shire adopts the approach described in the Western Australian Planning Commission's December 2016 publication 'Rural Planning Guidelines Version 3 – State Planning Policy 2.5'. This guideline recommends the use of 'D' for 'Mining Operations' for all zones and state that an 'X' use should not be used for this purpose.</p> <p>An exception to this is where the Mining Act 1978 does not apply, for instance in the case of 'Mineral to Owner' land. Please refer to the page 16 of the 'Rural Planning Guidelines Version 3 – State Planning Policy 2' for an example of how to deal with 'Mineral to Owner' land in your zoning table if such land does occur within the Shire of Chittering.</p> <p>DMIRS suggests that such an approach would enable a distinction to be made from 'Industry-Extractive'. In particular, this distinction could enable the Shire to reconsider DMIRS's preferred use of 'D' for all 'Industry-Extractive' within 'Rural' land use zones.</p> <p>The demand for basic raw materials is increasing with population growth in Western Australia. With this population growth, plus additional legislation to conserve areas of natural vegetation, significant pressure has been put on these resources. Basic raw materials are needed in the construction and building industry as well as for the Shire's own needs (e.g. roads, footpaths, community facilities). If resources close to town and rural residential developments are not available, then the cost of providing alternative, more remote resources can substantially increase building and accommodation costs as well as increase the environmental impact caused by transporting over greater distances.</p> <p>Finally, in the interests of sequential land use, DMIRS supports the recognition of the possibility for 'Industry-Extractive' within Light Industrial areas and has no concerns regarding the proposed modifications to Schedule 1 'Definitions'.</p>	<p>Noted. As part of this Omnibus Amendment, changes to mining operations is not considered to be required as this would potentially be a contentious issue which may require re-advertising.</p> <p>Consideration should be given to the modification of the Scheme to accommodate mining operations as a land use as part of the Scheme review which will follow the finalisation of the Local Planning Strategy.</p> <p>No modifications are recommended.</p>	
Department of Planning, Lands and Heritage	After reviewing the proposed amendment, the Department offers the following comments with regard to the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> :		

	<p>a) It is noted that the proposed definition for a garden centre differs slightly from the definition set out in the Regulations. The Council’s proposed definition contains the words “rearing and/or sale of plants”, whereas the model definition set out in the Regulations states “rearing and sale of plants”.</p> <p>b) The amendment report should be modified to more-accurately link the existing local planning scheme definition of industry with the Council’s intended definition of industry.</p> <p>Further, based on our conversation earlier today, I understand the intended definition also differs from the definition set out in the Regulations.</p> <p>c) The proposed definition for a winery/brewery is clearly inconsistent with the Regulations. In this regard, the Regulations define a winery and a brewery separately and as follows:</p> <p>brewery means premises the subject of a producer’s licence authorising the production of beer, cider or spirits granted under the <i>Liquor Control Act 1988</i>;</p> <p>winery means premises used for the production of viticultural produce and associated sale of the produce;</p> <p>However, the amendment report does not indicate or explain why the Council is not using the standard definitions set out in the Regulations. It is recommended the Council consider defining a brewery and a winery separately and listing them as distinct land uses in the zoning table, as this would be more consistent with the Regulations.</p> <p>d) It is noted that the amendment proposes to add a footnote to the scheme’s zoning table which states:</p> <p>I means a use of premises which is consequent on, or naturally attaching, appertaining or relating to, the predominant use;</p> <p>Although this is consistent with the definition of an incidental use (to which the I notation would relate) the Shire may wish to consider modifying the proposed notation to include reference to relevant development standards and requirements of the Scheme – this would be more consistent with the notation set out in the Regulations which states:</p> <p>I means that the use is permitted if it is consequent on, or naturally attaching, appertaining or relating to the predominant use of the land and it complies with any relevant development standards and requirements of this Scheme;</p> <p>Please note that any departure from the model local planning scheme provisions set out in the Regulations should be adequately justified and, in the absence of this, is likely to attract significant scrutiny.</p>	<p>Noted. It is considered that the suggested modifications are required in order to align with the Regulations.</p> <p>It is recommended to modify Schedules 1 and 2 in accordance with the submission received from the Department of Planning.</p>	
Department of Health	The DOH has no objection to the proposed omnibus amendment.	Noted. No modifications recommended.	
Department of Fire and	DFES advise that this Amendment does not meet the triggers as stated in State	Noted. No modifications recommended.	

Emergency Services (DFES)	Planning Policy 3.7 and the Guidelines; or the coversheet you provided. Only strategic planning proposals that are within a bushfire prone area and propose an intensification of land use or an increase in bushfire threat, require referral.		
PUBLIC SUBMISSIONS			
Submitter	Comment	Proponent Response	Shire Officer Response
Public 1	Just after some more info on what these changes will be and if I'll be affected by them. Also is there any info on where exactly the great northern highway bypass will be placed on Teatree road and if Teatree road will be connected to the bypass or not.	<div>Noted. This submission does not relate to the modifications in general and is not considered to be a valid submission. Land use permissibilities are unlikely to change for this landowner.</div> <div>No modifications are recommended.</div>	

*Note: Comments are as per original submission received by the Shire. Submission comments have not been edited unless for the purposes of confidentiality where necessary.



Government of **Western Australia**
Department of **Mines, Industry Regulation and Safety**

Your ref 01786309, 18/02/23

Our ref A1354/201401

Enquiries Colin STRICKLAND

Chief Executive Officer
Shire of Chittering
PO Box 70
BINDOON WA 6502

SHIRE OF CHITTERING
RECEIVED

18 SEP 2017

Officer *S. Planner B DSO*
File *18/02/23*
Ref *1178-7433*

Dear Sir/Madam

**PROPOSED STANDARD SCHEME AMENDMENT NO. 65 – OMNIBUS
AMENDMENT TO AMEND PROVISIONS OF SCHEDULE 1 LAND USE
DEFINITIONS AND SCHEDULE 2 ZONING TABLE**

Thank you for your letter dated 23 August 2017 inviting comment on the above proposed amendment No. 65 to Local Planning Scheme No. 6 regarding modifications to the provisions of Schedule 1 and Schedule 2.

The Department of Mines, Industry Regulation and Safety (DMIRS) has assessed this proposal with respect to mineral and petroleum resources, geothermal energy and basic raw materials and makes the following comments.

DMIRS has concerns with Part 3.3 'Zoning Table' in which 'Industry-Mining' remains categorised as 'X' and thus effectively mining is '*not permitted*' within the Shire. DMIRS also notes that 'Industry-Extractive' has retained an 'A' for the Agricultural Resource zone.

DMIRS strongly recommends that the Shire adopts the approach described in the Western Australian Planning Commission's December 2016 publication 'Rural Planning Guidelines Version 3 – State Planning Policy 2.5'. This guideline recommends the use of 'D' for 'Mining Operations' for all zones and states that an 'X' use should not be used for this purpose.

An exception to this is where the *Mining Act 1978* does not apply, for instance in the case of 'Mineral to Owner' land. Please refer to the page 16 of the 'Rural Planning Guidelines Version 3 – State Planning Policy 2.5' for an example of how to deal with 'Mineral to Owner' land in your zoning table if such land does occur within the Shire of Chittering.

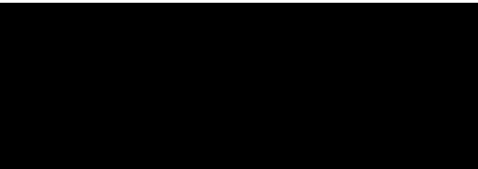
DMIRS suggests that such an approach would enable a distinction to be made from 'Industry-Mining' for minerals such as bauxite on Minerals to Owner land from approvals for basic raw materials under 'Industry-Extractive'. In particular, this distinction could enable the Shire to reconsider DMIRS's preferred use of 'D' for all 'Industry-Extractive' within 'Rural' land use zones.

The demand for basic raw materials is increasing with population growth in Western Australia. With this population growth, plus additional legislation to conserve areas of natural vegetation, significant pressure has been put on these resources. Basic raw materials are needed in the construction and building industry as well as for the Shire's own needs (e.g. roads, footpaths, community facilities). If resources close to town and rural residential developments are not available, then the cost of providing alternative, more remote resources can substantially increase building and accommodation costs as well as increase the environmental impact caused by transporting over greater distances.

Finally, in the interests of sequential land use, DMIRS supports the recognition of the possibility for 'Industry-Extractive' within Light Industrial areas and has no concerns regarding the proposed modifications to Schedule 1 'Definitions'.

If you have any queries, please contact Colin Strickland on [REDACTED] or [REDACTED]

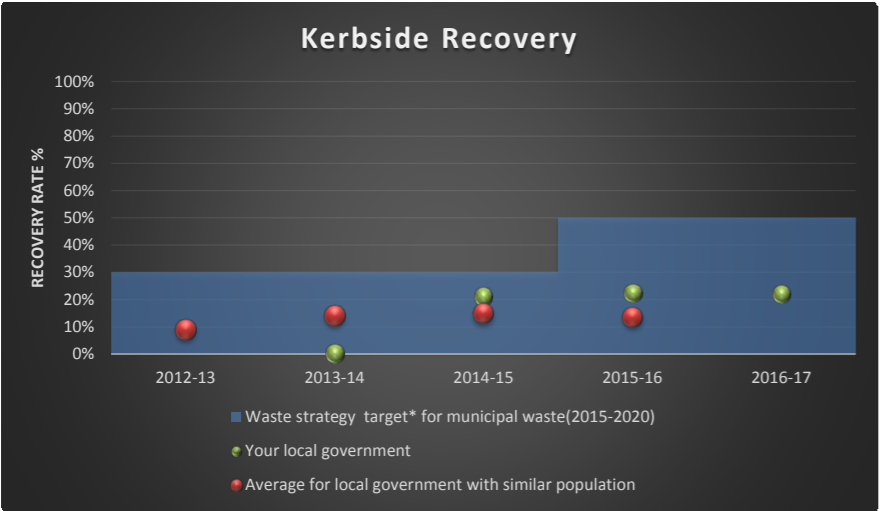
Yours sincerely



 **Rick ROGERSON** | Executive Director
Geological Survey

8 September 2017

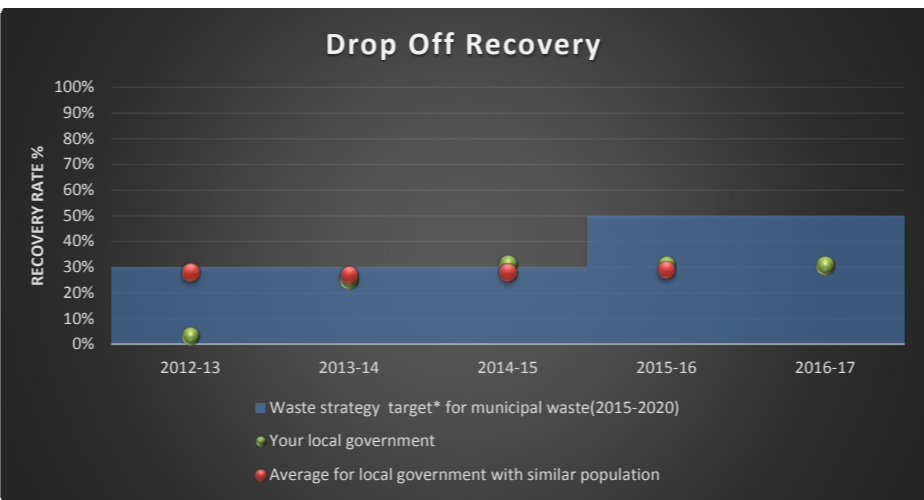
Charting your local government's waste recovery performance



Kerbside recovery rates, for your local government, average of similar local governments and waste strategy targets

Kerbside recovery rate

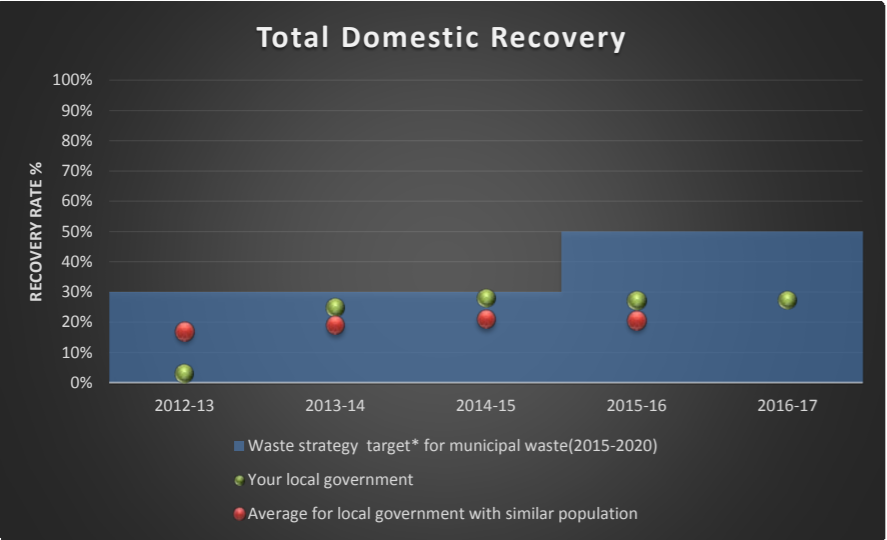
Kerbside recovery rates:	2012-13	2013-14	2014-15	2015-16	2016-17
Your local government		0%	21%	22%	22%
Average for local government with similar population	9%	14%	15%	14%	
Waste strategy target* for municipal waste(2015-2020)	30%	30%	30%	50%	50%



Recovery rates for all services, for your local government, average of similar local governments and waste strategy targets

Drop-off recovery rate

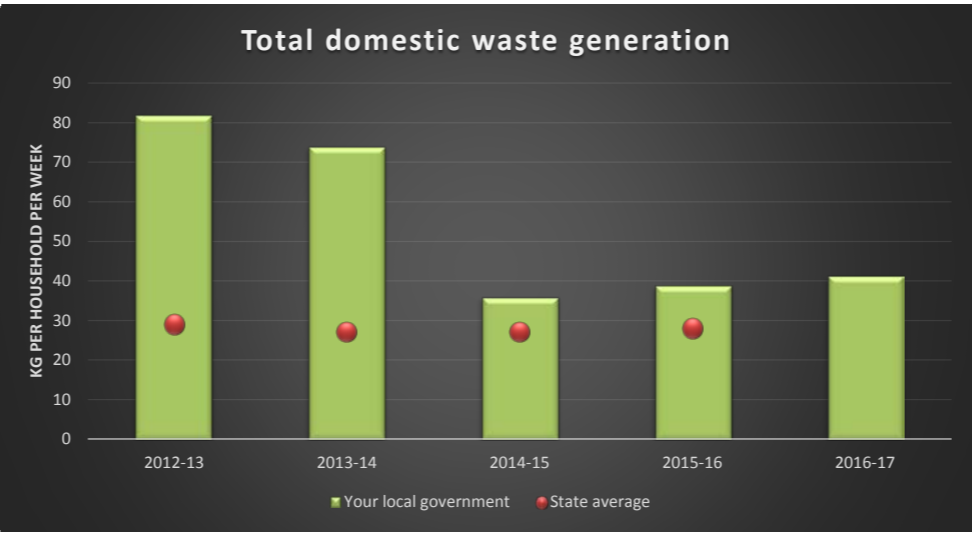
Total recovery rates:	2012-13	2013-14	2014-15	2015-16	2016-17
Your local government	3%	25%	31%	31%	31%
Average for local government with similar population	28%	27%	28%	29%	
Waste strategy target* for municipal waste(2015-2020)	30%	30%	30%	50%	50%



Recovery rates for all services, for your local government, average of similar local governments and waste strategy targets

Recovery rate for all services

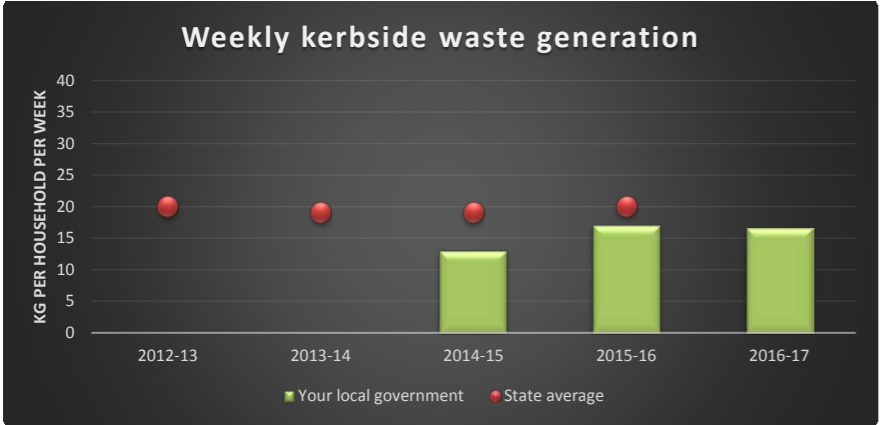
Total recovery rates:	2012-13	2013-14	2014-15	2015-16	2016-17
Your local government	3%	25%	28%	27%	27%
Average for local government with similar population	17%	19%	21%	21%	
Waste strategy target* for municipal waste(2015-2020)	30%	30%	30%	50%	50%



Total waste generation per household compared against the state average

Total waste generation per household

Waste per household per week (kg):	2012-13	2013-14	2014-15	2015-16	2016-17
Your local government	82	74	36	39	41
State average	29	27	27	28	



Kerbside waste generation per household

Waste per household per week (kg):	2012-13	2013-14	2014-15	2015-16	2016-17
Your local government	0	0	13	17	17
State average	20	19	19	20	



Drop off waste generation per household per week

Waste per household per week (kg):	2012-13	2013-14	2014-15	2015-16	2016-17
Your local government	82	74	23	23	26
Non-metropolitan average	7	7	15	14	

Recovery Rate Notes:

*Waste Strategy targets

Only applicable to metropolitan local governments and major regional centres

Kerbside Recovery Rates

Sum of all waste recovered divided by all waste collected as reported in **Section B1** of the Census

Vergeside recovery rate

Sum of all waste recovered divided by all waste collected as reported in **Section B3** of the Census

Recovery rate all services

Sum of all waste recovered divided by all waste collected as reported in **Sections B1, B3, B4 and B5** of the Census

Averages

LG groups allocated as:

Group	Population
A	Metropolitan
MRC	Major regional centres
B	Non-metropolitan cities (>20,000)
C	Non-metropolitan 2,500 - 20,000
D	Non-metropolitan <2,500

Averages calculated using data from local governments that provide related service

Population Notes:

The number of households in your local government area have been obtained from the Western Australia Tomorrow, Population Report No. 8, 2006 to 2026, Band C population projections.

The report is available at: www.planning.wa.gov.au/publications/6194.asp

The number of households from the above report have been used to calculate waste generation per year for 2013, 2014 & 2015.

Current year waste generation rates are calculated from the number of households recorded in the SUMMARY worksheet, cell D9.

Waste Generation Notes:

Kerbside waste generation per household (weekly)

Sum of all waste collected (kg) divided by the maximum households receiving kerbside services (maximum %HH x households) divided by 52, as reported to **Section B1** of the census

Vergeside waste generation per household (annual)

Sum of all waste collected (kg) divided by the maximum households receiving vergeside services (maximum %HH x households), as reported to **Section B3** of the census

Total waste generation per household (weekly)

Sum of all waste collected (kg) divided by the number of households divided by 52, as reported to **Sections B1,B3,B4 & B5** of the census

Drop off waste per household (weekly)

Sum of all waste collected (kg) divided by number of households, divided by 52 as reported to **Section B4** of the census

State averages

State averages calculated as total waste reported to the census divided by the number of households with a particular service

Metropolitan & non-metropolitan averages

Used for drop-off waste generation, only 2015 onwards. Prior years refer to State averages.

Section B1 - Domestic kerbside collection services

Domestic kerbside services are containerised, regular services where waste or recycling are collected from the kerb in front of the residence.

[CLICK HERE TO VIEW PHOTOS OF THIS SERVICE.](#)

	Kerbside waste (garbage) collection		Kerbside collection of recyclable materials				Comments / additional information
	Mixed waste collected and transported directly to landfill or transported to landfill via a transfer station	Mixed waste collected and processed in an AWT (or Resource Recovery Facility)	Co-mingled dry recycling	Green waste collection	Recycling - containers only	Recycling - paper & cardboard only	
Does your local government provide this service to your residents?	Yes	No	Yes	No	No	No	
If so, is the service run in-house or outsourced to a contractor?	Avon Waste		Avon Waste				
Percentage of households in the LGA that receive this service (%)	95%		95%				
Resident participation rate (%)	85%		85%				
Type of container	MGB		MGB				
Size of container	240L		240L				
Colour of container	dark green or black with red lid		dark green or black with yellow lid				
Frequency of collection			Fortnightly				
Tonnes collected at kerbside for this service in 2016-17	1,446		526				
Tonnes disposed to landfill from this service in 2016-17	1,446		93				
Tonnes recycled in 2016-17	-	-	433	-	-	-	

Section B2 - Other kerbside services

	Other service 1	Other service 2	Other service 3	Comments/ additional information
Does your local government provide OTHER regular kerbside (<i>note: containerised</i>) collection services such as for car batteries, waste oil, fluorescent tubes, etc?				

Section B4 - Domestic Drop-off Services

[CLICK HERE TO VIEW
PHOTOS OF THIS SERVICE](#)

Waste that is self hauled by householders to facilities such as transfer stations, landfills, recycling depots that are **operated by your local government** . Include householder waste transported by cars, utes and trailers **BUT not** trucks.

	Domestic waste drop-off services	Domestic recycling drop-off services			Comments / additional information
	Mixed waste drop-off facilities	Dry recyclables Drop-off (includes paper/ cardboard, packaging containers)	Green waste drop-off	Hard waste or bulk rubbish drop-off (includes "junk shop" materials)	
Number of drop-off facilities operated by the local government	2	2	2	2	
Tonnes collected for this service in 2016-17	2,254	264	422	250	
Tonnes disposed to landfill from this service for 2016-17	2,154	1	10	50	
Tonnes recycled in 2016-17	100	263	412	200	

Section B5 - Public Place and Special Events

[CLICK HERE TO VIEW
PHOTOS OF THIS SERVICE](#)

Public Place services are permanent bins in public places, such as street litter bins and bins in public parks. Special event services are temporary bins that are put in place for events, such as bins for a festival or extra bins brought in for a sporting event.

	Public Place		Special Events		Comments / additional information
	Waste (Garbage)	Recycling	Waste (Garbage)	Recycling	
Does the local government provide this service? (either in-house or through a contractor)	Yes	No	Yes	Yes	
Tonnes collected for this service in 2016-17	2		1		
Tonnes disposed to landfill from this service in 2016-17	2		1		
Tonnes recycled in 2016-17	-	-	-	-	

Section C - Materials recycled from ALL domestic services in 2016-17

Enter amount (in tonnes) recycled in each service column

Volume to weight conversion factors for various materials are available here [Conversion Factors](#)

Tonnages here should exclude contaminants/residuals. Generally, the sub-total for each type of service should not be more than recycling tonnes reported in Section B (shown at bottom of table).

	Tonnes recycled					
Material type	Kerbside	Vergeside	Drop-off	Public Place & Special Events	TOTAL	Comments / additional information
Paper and cardboard	219		81		300	
Glass	159		143		302	
Plastics	31		8		39	
Aluminium packaging (cans)	15		11		26	
Aluminium non-packaging					-	
Steel packaging (cans)	9		21		30	
Steel non-packaging			240		240	
Other metals (copper, etc)			1		1	
Organics from mixed municipal waste					-	
Green waste			412		412	
Wood / timber					-	
Mattresses			2		2	
Textiles					-	
Tyres / rubber					-	Currently stockpiled awaiting collection by tyre recyclers.
E-waste			6		6	
Waste oil			9		9	
Batteries			3		3	
Household Hazardous Waste					-	
Other - please specify			1		1	Mattresses
Sub-total	433	-	938	-	1,371	
<i>Total recycled from Section B</i>	433	-	975	-		

288 POWDERBARK ROAD, LOWER CHITTERING



- EQUIMESH FENCE
- STANDARD RURAL FENCE
- GATE



SHIRE OF CHITTERING

LOCAL PLANNING SCHEME NO. 6

AMENDMENT No. 66

PLANNING AND DEVELOPMENT ACT 2005**RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME****SHIRE OF CHITTERING****LOCAL PLANNING SCHEME NO. 6****AMENDMENT NO. 66**

RESOLVED that the Council, in pursuance of Section 75 of the *Planning and Development Act 2005*, amend the above local planning scheme by:

- (a) Rezoning Lot 22 Great Northern Highway, Muchea from "Agricultural Resource" to "General Industry".
- (b) Amending Schedule 3 – Additional Uses of the Shire of Chittering Local Planning Scheme No. 6 as follows:

No.	Description of Land	Additional Use	Conditions
A18	Lot 22 (RN 3728) Great Northern Highway, Muchea	Concrete Batching Plant	Subject to development approval.

- (c) Modifying the Scheme Maps accordingly to reflect the "General Industry" zone and the Additional Use No. A18 over Lot 22 Great Northern Highway, Muchea as provided for on the attached Scheme Amendment Map.
- (d) Modifying the Scheme Maps Legend to include the "General Industry" zone in the Local Scheme Zones as provided for on the attached Scheme Amendment Map.

Dated this day of 20

CHIEF EXECUTIVE OFFICER

DATE

REPORT ON SCHEME AMENDMENT NO. 66

LOCAL PLANNING SCHEME NO. 6

SHIRE OF CHITTERING

1. INTRODUCTION

1.1 Overview of Proposal

Great Northern Concrete Pty Ltd are the land owners of Lot 22 (No. 3728) Great Northern Highway, Muchea (**subject site**) and are seeking consent of the Shire of Chittering (**the Shire or Council**) for an amendment to Local Planning Scheme No. 6 (**LPS6**). The proposed scheme amendment involves the rezoning of the subject site from "Agricultural Resource" zone to "General Industry" zone, as well as the inclusion of an additional use over the land to facilitate the development of a mobile batching plant on the subject site.

A Location Plan is included at **Figure 1** and a Site Plan is included at **Figure 2**.



Figure 1 – Location Plan

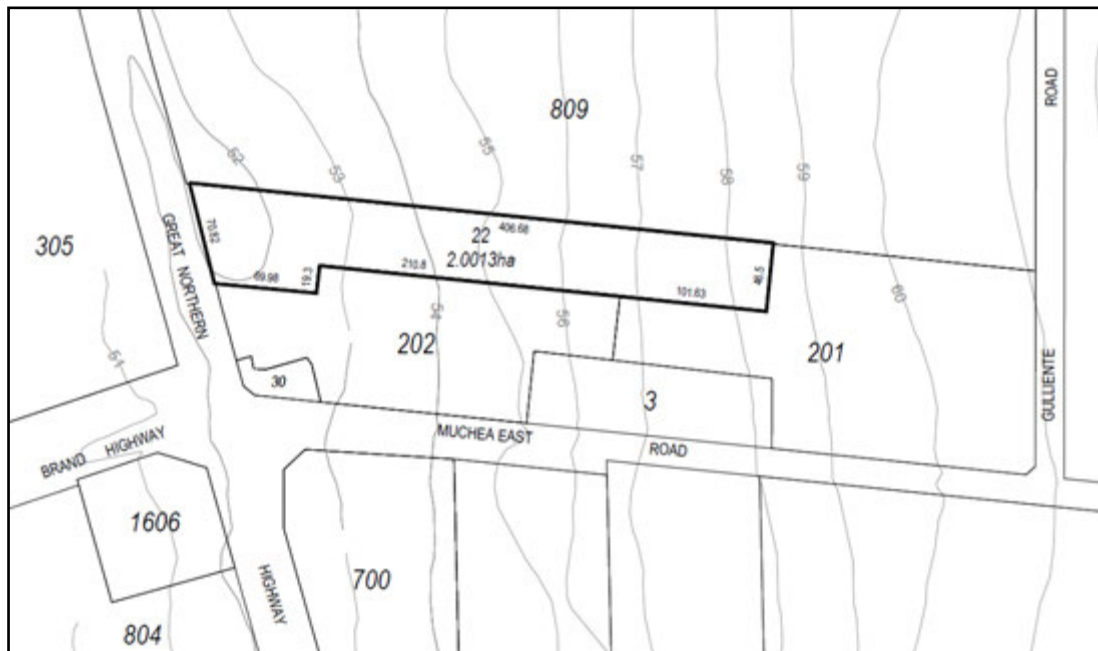


Figure 2 – Site Plan

The proposed amendment seeks to reflect overall intent of the Shire's Muchea Employment Node (**MEN**) by introducing a base "General Industry" zone and additional use (concrete batching plant) that is compatible with the future range of intended uses to be accommodated in the MEN area. **Figure 3** contains an excerpt of Section 6.4 of the MEN Structure Plan (**MENSP**) which outlines the uses anticipated within the MEN area. The inclusion of a concrete batching plant use within the "General Industry" zone is considered to be an appropriate form of land use within the MEN area and will function to service the growth within this precinct into the future .

Table A: Permitted land uses

<ul style="list-style-type: none"> • Industry – general, light, rural and service • Animal establishment • Aquaculture • Builders storage yard • Car park • Caretakers dwelling • Civic use • <u>Community purpose</u> • <u>Exhibition centre</u> • <u>Factory unit building</u> • <u>Farm supply centre</u> • <u>Fuel depot</u> • <u>Garden centre/plant nursery</u> • <u>Landscape supplies</u> • <u>Extractive industry</u> 	<ul style="list-style-type: none"> • Lunch bar • Motor vehicle repair, wrecking, vehicle, boat and caravan – sales • Open air display • <u>Public utility</u> • <u>Roadhouse</u> • Salvage yard • <u>Service station</u> • <u>Shop</u> • <u>Showroom</u> • Storage • Telecommunications infrastructure • Transport depot • <u>Veterinary centre</u> • Warehouse • Recycling centre
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Table B: Discretionary 'A' Land uses

<ul style="list-style-type: none"> • Animal husbandry - intensive • Stock Yards • Industry – Noxious

Table C: Land uses not permitted ('X')

<ul style="list-style-type: none"> • Industry – hazardous, mining and the following noxious industry: • Chicken litter fired power plant

Figure 3 – Tables A, B and C of Section 6.4 of the MENSP

1.2 Site Context

The subject site is located within a planned industrial precinct within the Shire of Chittering known as the Muchea Employment Node (**MEN**). The MEN has been identified for the

provision of service-based uses such as transport, livestock, fabrication, warehousing, wholesaling and general commercial use and will provide a concentration of employment opportunities both locally and in surrounding areas. The MEN has a total area of 1,113ha comprising four precincts including Precinct 1 north A, Precinct north B, Precinct 2 south, Precinct 3 west and Precinct 4 east. The subject site is located within Precinct 1 north A.

The MEN is currently serviced by Great Northern Highway which separates Precincts 1 and 2 (east) from Precinct 3 (west). The entire MEN area will ultimately be serviced by the Perth to Darwin Highway which is aligned to the west of the structure plan area.

An excerpt of the MENSP is included at **Figure 4** and identifies the subject site.

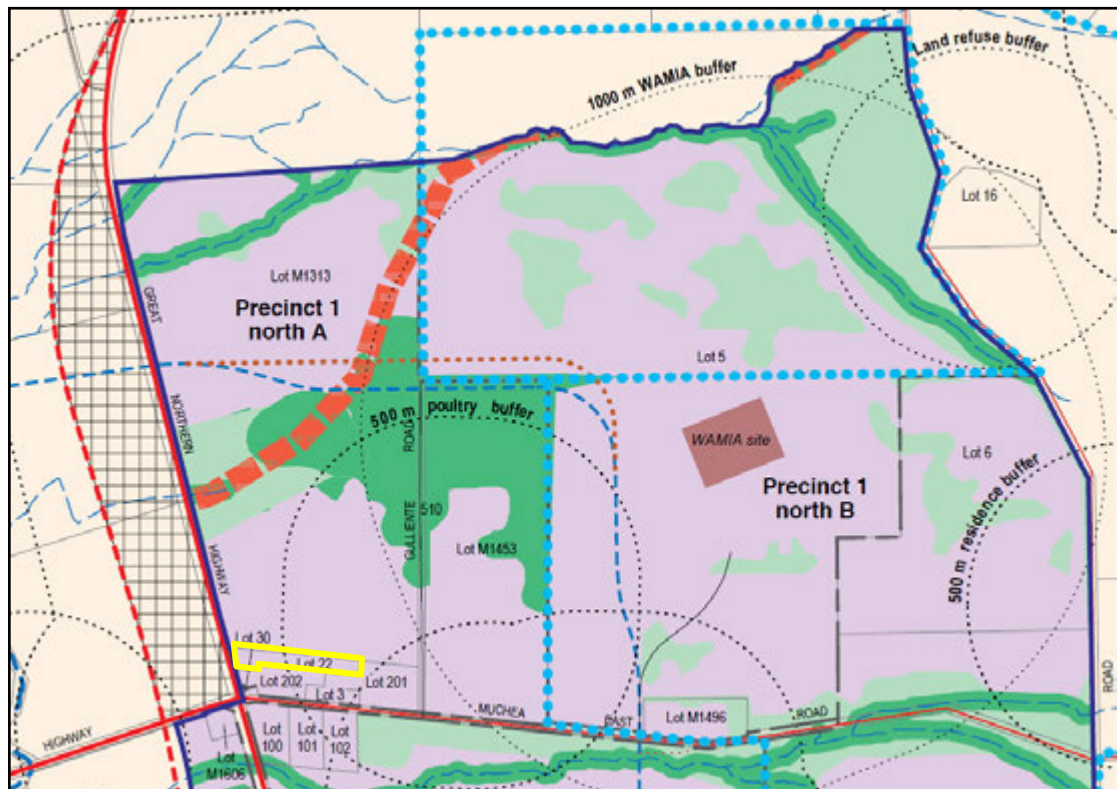


Figure 4 – Excerpt of MENSF Figure 8 (subject site shown in yellow border)

2. BACKGROUND

Amendment No. 60 to LPS6 has recently been gazetted on 3 November 2017. Amendment No. 60 has introduced new provisions into Clause 5.7 (Muchea Employment Node) of LPS6 which:

- clarify planning requirements in the assessment of scheme amendments;
- identify land within the MEN area for which structure planning is required; and
- expand the boundary of the MEN Special Control Area (**SCA**) to reflect the entire MENSP area.

The subject site is located immediately south of Lot 809 Great Northern Highway which, prior to gazettal of Amendment No. 60, was the only site within the MENSF area that was contained within the MEN SCA. Under Amendment No. 60, the subject site and surrounding

are located within the boundary of the new MEN SCA and are therefore now subject to the amended provisions of Clause 5.7 of LPS6.

Consistent with the former provisions of Clause 5.7.2 (Planning Requirements) of LPS6, Amendment No. 60 recognises the "General Industry" zone as one of the potential future zonings anticipated within the MEN SCA area. Amendment No. 60 has also introduced Clause 5.7.2.4 which recognises the subject site (Lot 22) as a lot not requiring structure planning prior to development taking place.

2.1 Modifications

Rezone Subject Site from "Agricultural Resource" to "General Industry"

Based on the background to Amendment No. 60 provided above, this proposed scheme amendment to rezone the subject site from "Agricultural Resource" zone to "General Industry" zone is considered to be reflective of the newly gazetted planning controls for this precinct.

Introducing an Additional Use over the Subject Site for Concrete Batching Plant

A concrete batching plant use as an Additional Use is considered to be an appropriate form of industrial development which will benefit the ongoing development within the MEN.

Modifying Scheme Maps

The modification of the scheme maps is required to reflect the ultimate zoning of the land, including identifying the "General Industry" zone and also the "Additional Use" zone (A18).

The proposed amendment will also require modification to the Scheme Maps Legend to include the "General Industry" zone in the Local Scheme Zones.

A copy of the proposed scheme map amendment is included at **Attachment 1**.

3. DISCUSSION

3.1 Proposed Development to be facilitated by Scheme Amendment

The proposed scheme amendment is being prepared to facilitate the development of a mobile concrete batching plant. The plant will be a significant catalyst contributor to the development of the MEN area and infrastructure works in and around the Muchea and Chittering area. These developments require significant quantities of concrete which, at present, is only supplied by other batching plants to the north of the CBD and located within the north western areas of the PMR, in locations which prevent the timely supply of pre-mixed concrete to service neighbouring industrial, commercial and residential demand.

3.2 Environmental Considerations

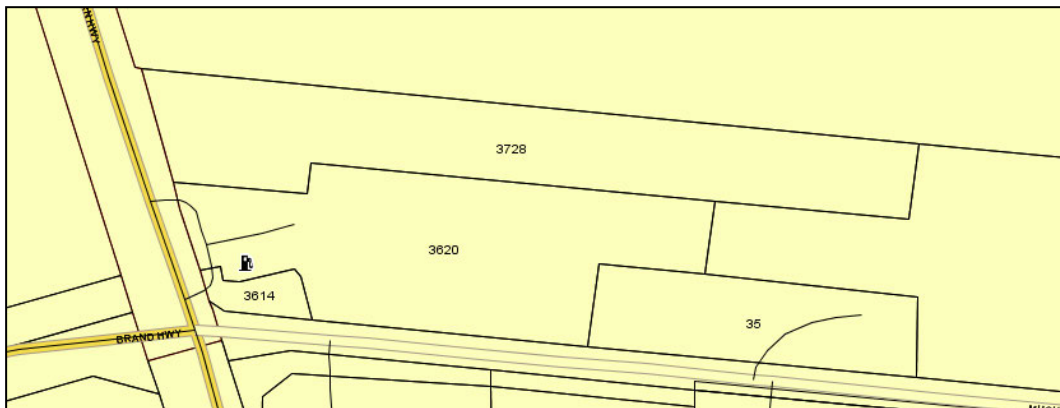
As part of the scheme amendment documentation, the land owner has appointed an environmental consultant to undertake a Level 1 Environmental Assessment in support of the proposal. That assessment is contained at **Attachment 2** of this report and details the relevant environmental considerations for the Scheme Amendment.

In addition, as outlined in Section 8.0 of the draft Development Application report (refer **Attachment 3** of this report), a review of the environmental features has been undertaken. Those are summarised as follows:

Acid Sulfate Soils

Acid sulfate soils (ASS) are naturally occurring soils and sediments containing sulfide minerals, predominantly pyrite (an iron sulfide). In an undisturbed state below the watertable, these soils are benign and not acidic. However, if the soils are drained, excavated or exposed by lowering of the water table, the sulfides will react with oxygen to form sulfuric acid.

The site contains no Acid Sulfate Soils. No ASS investigation will therefore be required. Further, no cut or excavation is required as part of the draft proposal which further mitigates any risk against disturbance.



*Acid Sulfate Soils map demonstrating no presence of ASS.
Source: WA Atlas 2017.*

Topography

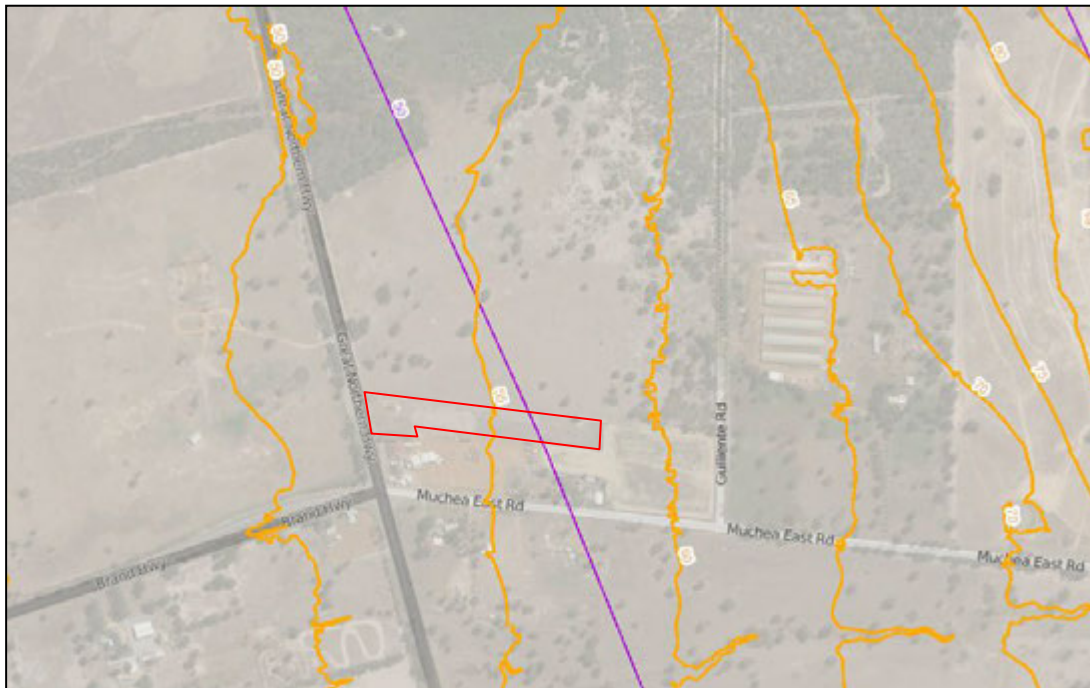
The topography of the land is generally level and provides no difficulties for development. The site falls from 58m AHD in the east to 52m AHD in the west. The development area is generally at a level of 52m AHD across the site. There are no environmental constraints on the site with respect to the topography or surface drainage.



*Topographical Map demonstrating existing site contours.
Source: Water Corporation 2017.*

Groundwater

A review of the available groundwater mapping from the Department of Water Perth Groundwater Map has found that mapped groundwater levels on and around the site are 50m AHD. Compared with the topographical levels across the site falling from 58m AHD in the east to 52m AHD in the west, the mapped groundwater levels are separated from the surface level by approximately 3m at the lowest point. Given that no excavation of the site will be required to facilitate a concrete batching plant, the groundwater separation provides no constraint to future development.



Groundwater levels (blue line) compared with site contours (yellow line).
Source: Perth Groundwater Map 2017.

Site Contamination

The Department of Environment Regulation (DER) Contaminated Sites Register did not identify any recorded contamination at the site.

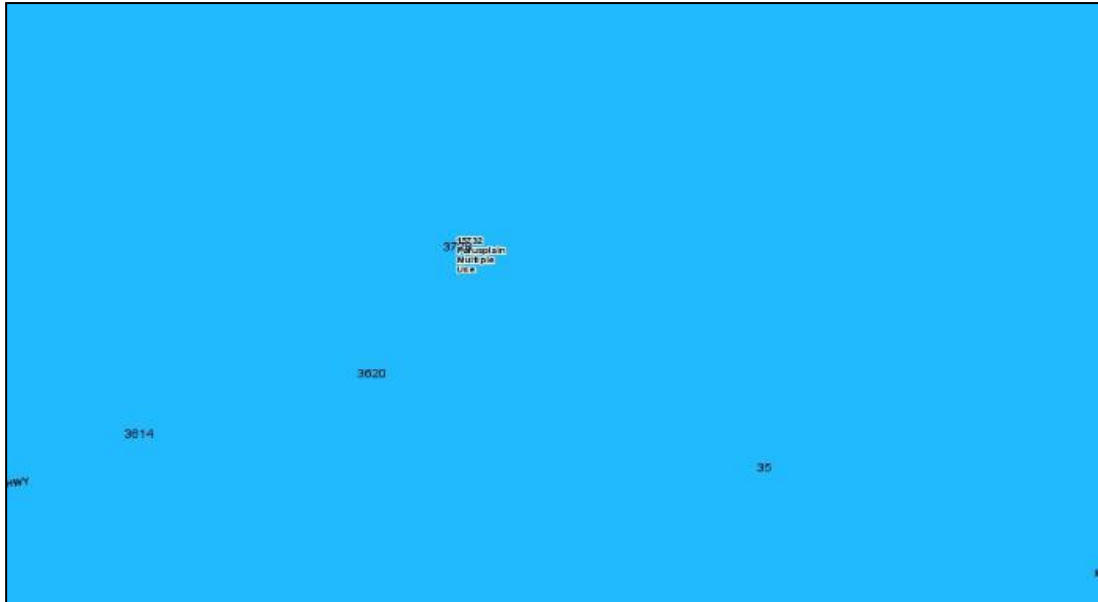
Wetlands and Waterways

A review of the WA Atlas Wetland Management Category Mapping was undertaken which identified the Site within a 'Multiple Use' wetland. Multiple Use wetlands are generally described as 'wetlands with few remaining important attributes and functions', their respective management objectives involving:

Use, development and management should be considered in the context of ecologically sustainable development and best management practice catchment planning through landcare.

The existing wetland classification which exists over the site is not a barrier to its use in the context of the overall environmental management practices adopted.

A stormwater management plan will be developed for the site as part of an Environmental Management Plan (EMP) to ensure that water is captured and retained on-site following a storm event. Where necessary, the water will be treated to ensure that it does not negatively impact the groundwater resource. Operation of the future use under the terms of the EMP will assist to further mitigate against any impacts to groundwater as a result of site operations.



Wetland Management Category Mapping demonstrating presence of 'Multiple Use' wetland on and around the site.

Source: WA Atlas 2017.

Significant Vegetation

The Site contains mostly grass and weeds. There are ten fig trees along the property boundary which are likely to be retained.

Indigenous Heritage

A search was undertaken on the Department of Indigenous Affairs Aboriginal Heritage Enquiry System which returned no results of Registered Aboriginal Sites on or around the Site.

3.3 Access to Services

The site is serviced with reticulated power. The existing shed includes a 5 litre water tank which captures rain water for use.

A bore licence has been purchased by the landowner to supply the site. The bore is yet to be installed and its location is yet to be confirmed, however it is anticipated to be located at the western end of the site adjacent to Great Northern Highway. It is intended that the water sourced from the bore will be pumped to the water storage tanks located south of mobile concrete batching plant.

3.4 Details of Proposed Development

A draft planning report that, once finalised, will be submitted in support of the proposed mobile concrete batching plant has been included as **Attachment 3** of this report. Any

proposal for a concrete batching plant will be required to be submitted to the Shire for approval in accordance with the conditions of proposed Additional Use A18.

The draft planning report provides the detail of the proposal and provides the relevant context of the use within the MEN area. In summary and based on the information and plans contained within the draft Development Application report, the key components of the intended future concrete batching plant include the following:

The function of the proposed facility is to batch concrete and load onto trucks for distribution from the site. Once raw materials are delivered to the plant, the pre-mix loading facilities weigh and batch cement, sand, aggregates and water and load these into the agitator trucks in a controlled sequence for distribution from the site.

The proposed batching plant will comprise the following components:

Aggregate Material Storage Areas

Aggregate materials, including coarse and fine aggregates are delivered to the plant by trucks in B-double configuration or semi trailers trucks and stored in designated storage silos. These delivery vehicles enter the site via one access point on the western boundary. The aggregates are then moved to the conditioning areas (Storage Bins) next to the front end loader. Dust suppression is provided by sprinklers utilising secondary plant water in the stockpile areas and storage bins as well as the operating loader areas.

Front loader trucks load aggregate materials from material storage bins and transfer them to surge hoppers, which discharge the required amounts to be batched.

Cement Silos

Bulk cement is stored onsite in steel silos which are fitted with an independent overfill alarm system. Cement is transferred from storage to batching through sealed steel augers. The dry raw materials are then transferred into the bowl of an agitator truck via an enclosed conveyor belt.

Slump Stand Area

Water is added to the dry raw material mix in agitator trucks within the slump stand area via an overhead pipe. Wheel wash occurs within this sealed area prior to agitator trucks exiting the site.

Water and Waste Management Systems

The Water Management System for the concrete batching plant will include bore water stored in water tanks and associated plumbing equipment erected to provide buffer water storage for operations including batching of concrete, wash-down of plant and trucks and watering of stockpile. These water tanks will be plumbed into a water chiller unit to supply water to the loading bay at a precise temperature.

Waste water from the concrete truck agitator will be handled in an environmentally responsible manner through the construction and use of a wash-out pit and an associated below ground wedge pit. The wash-out pits are built from pre-fabricated concrete panels placed in a rectangle with associated apron slabs. This system confines all concrete waste wash-out from the trucks. This allows for the settlement of solid waste, which is left to dry out. It is then reclaimed and disposed of and/or recycled at an offsite facility.

Grey water generated at the loading bay will collect in the below ground wedge settlement pit and transferred underground to the washout area recycling facility. The washout area will be located next to the slump stand and adjacent to (to the west) the main concrete plant. It will contain a dedicated single-truck mixed use washing bay where trucks will be washed using a high pressure water cleaner as well as a water recycling facility. Any solid waste from the washout recycling facility can be removed by a loader and transferred to the settlement pits. The grey water collected in the washout area recycling facility will be collected in a wedge pit for re-use in washing down trucks.

The loading bay and wash-out pit will be located within a greywater containment perimeter with a concrete floor and a semi-mountable curb profile. Similarly the slump stand, washout area and recycling facility will also be situated within a greywater containment perimeter.

This will completely preclude the drainage of waste materials into the groundwater.

Staff/Amenities Room

The existing shed on site will be converted into a staff amenities room. Toilets will be installed within the shed with and on-site effluent disposal unit to the satisfaction of the Shire of Chittering's specifications.

All administrative paperwork will be undertaken within the Batch Room adjacent to the mobile batching plant.

Internal Vehicle Movements

All vehicles associated with the proposed Plant will enter and exit from the one point in the north-western corner of the site.

Once inside the site, raw material trucks will travel along the northern boundary and deliver materials to the materials bins adjacent to the plant. Any excess materials will be stockpiled in the materials stockpile areas to the east of the bins. Raw material trucks will turn in the paddock to the east of the materials storage area and exit in the same manner.

Cement trucks also travel along the northern boundary past the shed, then move south between the slumping area and the batching plant to the location of the two cement silos. Once the cement is delivered to the cement silos, the cement trucks travel west along the southern side of the slumping area and exit the site through the main gates.

Agitator trucks will travel along the northern boundary to the plant at which point they will reverse into the loading bay to receive the next load of batched concrete. Once loaded, the trucks will move to the slumping area for addition of final slumping water if needed. Agitator trucks then exit through the main gates.

Hardstand, Surface Levels and Fill

The site will be developed with permeable hardstand (road base or similar) which is trafficable for vehicle movements associated with the operation. Sealed areas within the site will be limited to the slumping area and washout recycling facility and the batch plant loading bay. As noted in the discussion of the water and waste management systems above, these sealed areas capture all runoff associated with the washout and batching process and enables the recycling of grey water for reuse within the plant.

Surface levels within the site will be determined based on groundwater level investigations to ensure that the sealed water management systems are positioned above maximum ground water level to prevent access of captured and recycled water from the batching process entering the groundwater. The batching plant area will also be raised above natural ground level to prevent stormwater inundation and promote drainage around the plant.

Further detail relating to staff, hours of operation, car parking, access and traffic management are detail in Section 5.0 of the draft Development Application report at **Attachment 3**.

4. SUMMARY AND CONCLUSIONS

The proposed scheme amendment will introduce a General Industry zoning for the subject site, plus an additional concrete batching plant use over the land. Based on the site context as described above, the amendment reflects a zoning and land use that are considered to be highly appropriate in this location. The location of the subject site is very well positioned with regard to its position within the MEN area and close to the intersection of Great Northern Highway and Brand Highway to benefit from the accessibility offered by the regional road network servicing the site and surrounding areas. The future proposed mobile batching plant will provide an important and significant source of concrete to the development within the MEN area and surrounding Muchea and Chittering localities.

PLANNING AND DEVELOPMENT ACT 2005**SHIRE OF CHITTERING****LOCAL PLANNING SCHEME NO. 6****AMENDMENT NO. 66**

The Chittering Shire Council under and by virtue of the powers conferred upon it in that behalf by the *Planning and Development Act 2005* hereby amends the above local planning scheme by:

- (a) Rezoning Lot 22 Great Northern Highway, Muchea from "Agricultural Resource" to "General Industry".
- (b) Amending Schedule 3 – Additional Uses of the Shire of Chittering Local Planning Scheme No. 6 as follows:

No.	Description of Land	Additional Use	Conditions
A18	Lot 22 (RN 3728) Great Northern Highway, Muchea	Concrete Batching Plant	Subject to development approval.

- (c) Modifying the Scheme Maps accordingly to reflect the "General Industry" zone and the Additional Use No. A18 over Lot 22 Great Northern Highway, Muchea as provided for on the attached Scheme Amendment Map.
- (d) Modifying the Scheme Maps Legend to include the "General Industry" zone in the Local Scheme Zones as provided for on the attached Scheme Amendment Map.

ADOPTION

Adopted by resolution of the Council of the Shire of Chittering at the Meeting of the Council
held on theday of 20.....

PRESIDENT

DATE

CHIEF EXECUTIVE OFFICER

DATE

FINAL APPROVAL

Adopted for final approval by resolution of the Shire of Chittering at the Meeting of the Council held on theday of20 and the Common Seal of the Shire of Chittering was affixed by the authority of the Council in the presence of:

.....
CHIEF EXECUTIVE OFFICER

.....
PRESIDENT

Recommended/Submitted for Final Approval

.....
**DELEGATED UNDER S.16 OF
PLANNING & DEVELOPMENT ACT 2005**

Date

Final Approval Granted

.....
MINISTER FOR PLANNING

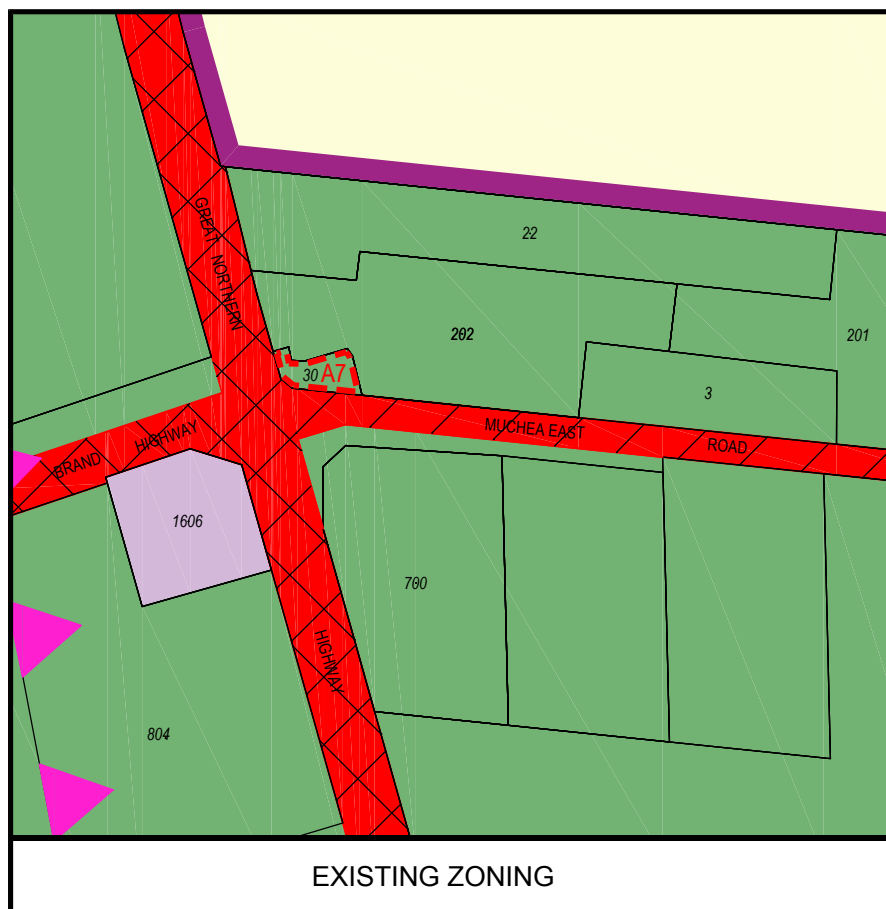
Date

Attachment 1

Proposed Scheme Amendment Map

SHIRE OF CHITTERING TOWN PLANNING SCHEME No. 6

Planning and Development Act 2005







LEGEND



LOCAL SCHEME RESERVES
(see scheme text for additional information)

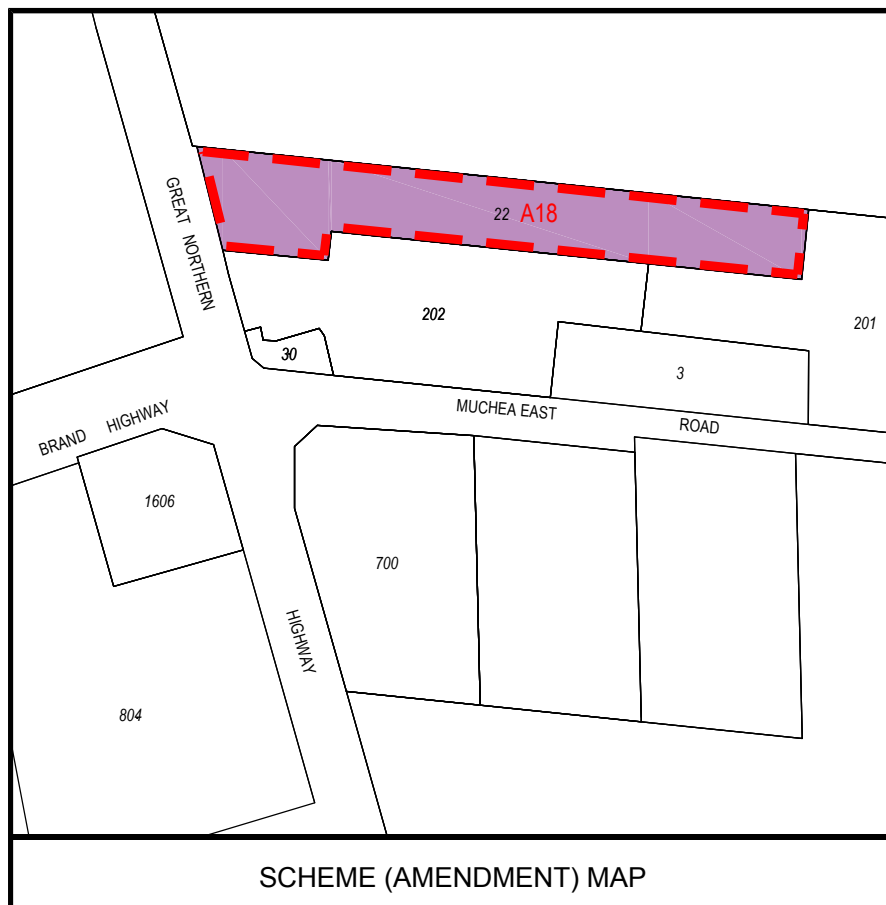
-  HIGHWAY
-  MAJOR ROAD

LOCAL SCHEME ZONES
(see scheme text for additional information)

-  AGRICULTURAL RESOURCE
-  INDUSTRIAL DEVELOPMENT
-  GENERAL INDUSTRY
-  LIGHT INDUSTRY

OTHER CATEGORIES
(see scheme text for additional information)

-  ADDITIONAL USES
-  MUCHEA EMPLOYMENT NODE



SCALE: 1:5000
DATE: 21.11.2017

Amendment No.

Attachment 2

Level 1 Environmental Assessment



GaiaRevolution

**Environmental Assessment of proposed Mobile
Concrete Batching Plant on Lot 22 (No. 3728)
Great Northern Highway , Muchea**

Date : 21st November 2017

Reference : M21112017-003_A



DOCUMENT CONTROL RECORD

Prepared and Authorised By:	Murali Mahendran
Position:	General Manager
Signed:	
Date:	

REVISION STATUS

Revision No.	Description of Revision	Date	Approved
A	Draft Report	14 November 2017	

Recipients are responsible for eliminating all superseded documents in their possession.

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1 Introduction

1.1 Overview

Great Northern Concrete Pty Ltd (Great Northern Concrete) is seeking to establish a new mobile concrete batching plant (MCBP) at Lot 22 (No. 3728 Great Northern Highway, Muchea (the study area) which will distribute premixed concrete for the construction industry. In order to establish the plant Great Northern Concrete are seeking consent of the Shire of Chittering for an amendment to Local Planning Scheme No. 6. The amendment will involve a change to the zoning of the study area from 'Agriculture Resource' to 'General Industry'.

The study area is located within the Shire of Chittering, north of Perth approximately 70km northeast of the Perth Central Business District (CBD) 50km north of the Midland City Centre and 40 km north of Ellenbrook (Figure 1). The 2.0013ha study area is currently zoned 'Agriculture Resource' under the Local Planning Scheme No. 6.

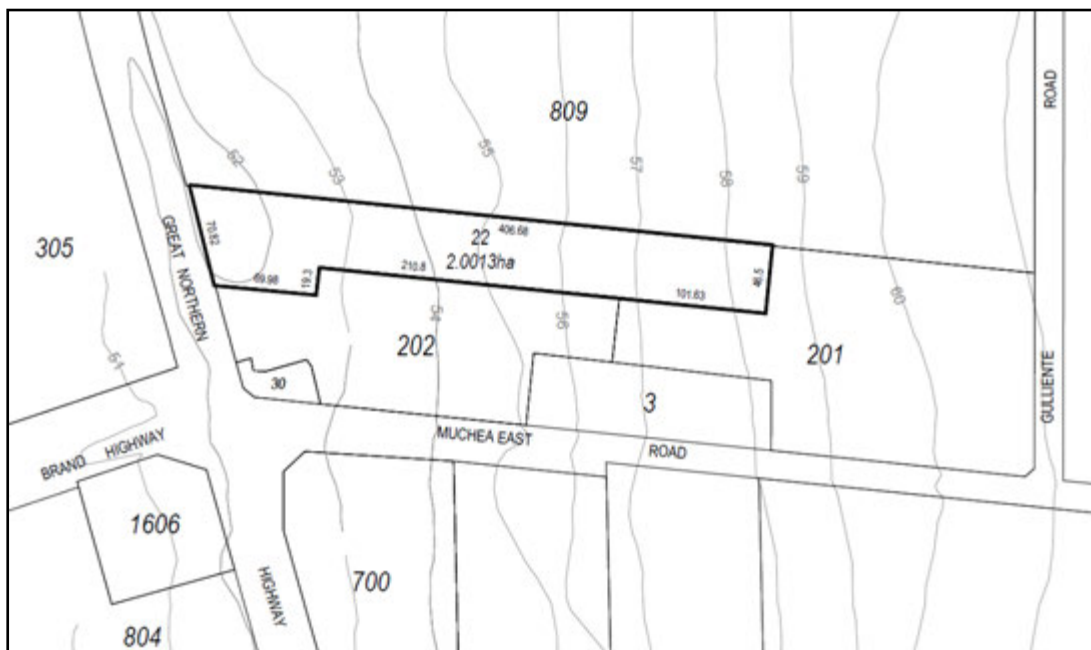


Figure 1 Location of the Proposed Concrete Batching Plant

1.2 Purpose

The purpose of this document is to carry out an environmental assessment of the study area to assess the suitability of the study area to be rezoned from 'Agriculture Resource' to 'General Industry' and the suitability of the development of a mobile batching plant on the study area.

A Part V Environmental Protection Act 1986 Licence will be sort prior to the Construction and Operation of the Mobile Concrete Batching Plant.



2 Background

Great Northern Concrete have twenty five years experience in the concrete industry and currently supply and lay certified pre mixed concrete for commercial and residential use including house slabs, footings, kerbings, shed pads, driveways and paths.

Great Northern Concrete currently supplies the Muchea, Bindoon, Chittering, Bullsbrook, Swan Valley and surrounding areas.

As the Perth Metropolitan Region expands, there is a greater demand for premixed concrete in the outer north eastern sector and surrounding regional areas. Additionally, the adjoining Industrial Development area within the Muchea Employment Node Special Control Area will provide additional demand for pre-mixed concrete, as will the road works associated with North Link and the Perth to Dampier National Highway.

The supply of concrete from batching plants within a reasonable delivery envelope is often critical to the integrity of this specialised construction material. For this reason the new Great Northern Concrete batching plant will be optimally located to supply the local market without loss of quality to this essential raw material.

Great Northern Concrete is committed to develop the study area with practical and efficient operations that respect governmental standards, other neighbouring businesses expectations and the environment.

3 The study area

The study area is located within a planned industrial precinct within the Shire of Chittering known as the Muchea Employment Node (MEN). The MEN has been identified for the provision of service-based uses such as transport, livestock, fabrication, warehousing, wholesaling and general commercial use and will provide a concentration of employment opportunities both locally and in surrounding areas. The MEN has a total area of 1,113ha comprising four precincts including Precinct 1 north A, Precinct north B, Precinct 2 south, Precinct 3 west and Precinct 4 east. The 2.0013ha study area is located within Precinct 1 north A.

The MEN is currently serviced by Great Northern Highway which separates Precincts 1 and 2 (east) from Precinct 3 (west). The entire MEN area will ultimately be serviced by the Perth to Darwin Highway which is aligned to the west of the structure plan area.

An excerpt of the Muchea Employment Node Structure Plan (MENSP) is included at Figure 2 and identifies the study area.

The study area has been a farm pasture paddock previously. The study area has no native vegetation the pasture has been well maintained (figure 3).

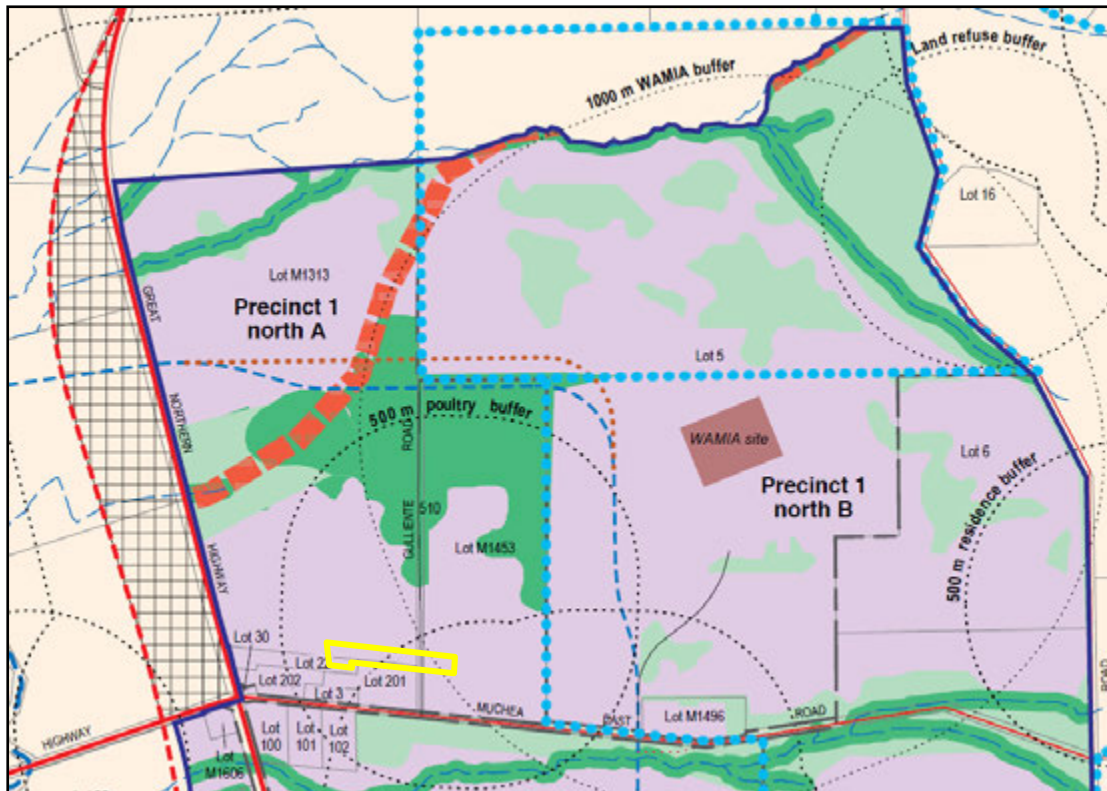


Figure 2 – Excerpt of MENSPP (study area shown in yellow border)



Figure 3 Study Area Condition



4 Proposed Development and Operations

The proposed concrete batching plant comprises a truck wash down area, slump stands and concrete loading facilities, including two horizontally positioned cement silos, a slump stand area, water pits, waste storage, water recycling system, weighing hopper and a transfer conveyor belt.

Specifically, the following is proposed:

- a) Construction of a swale within the site along the road frontage to capture excess stormwater run-off.
- b) The portion of land to be used for concrete batching plant operations (30% of the entire study area) to be hardstand, and the construction of a concrete pad in the slumping stand area and loading bay.
- c) Development and implementation of an Environmental Management Plan (EMP) for the proposed plant operations.

5 Detrimental Environmental Effects of the Proposed Project

5.1 Flora and Vegetation

The study area does not have any native vegetation (figure 3). The proposed project will not result in any clearing of native vegetation.

5.2 Fauna

There is no native vegetation or habitats that can support fauna (figure 3). The proposed project will not result in any impacts to fauna or fauna habitats.

5.3 Surface Water

Surface water will be managed within the study area to insure the water leaving the study area after the proposed development will meet pre-development conditions for both water quality and quantity. A storm water management plan will be developed for the site.

Ellen Brook runs 700m west of the study area. The western side of the study area abuts the Great Northern Highway. There will be a swale constructed between the west of the study area and the Great Northern Highway to promote infiltration, reduce stormwater peak flow rates, and remove sediments.

Storm water will be diverted to the swale. Any water with sediment will be stored, settled, and the water will be released through the swale. Potentially contaminated or contaminated water will be diverted through a concrete lined collection pits which then flow to concrete lined settlement pits where water is reclaimed, stored in storage tanks and reused for operation.

A review of the WA Atlas Wetland Management Category Mapping was undertaken which identified the study site is within a 'Multiple Use' wetland. Multiple Use wetlands are generally described as 'wetlands with few remaining important attributes and functions', their respective management objectives involving:



Use, development and management should be considered in the context of ecologically sustainable development and best management practice catchment planning through landcare.

Management of surface water will also be included in the EMP. The proposed development will not have additional adverse impacts to the existing wetland or Ellen Brook.

5.4 Ground Water and Soil

The potential for localised contamination of soil and groundwater with alkaline cement dust or liquid from the MCBP was assessed.

The potential for localised contamination of soil and groundwater will be managed by hard-standing the site working area including water collection pits with all contaminated stormwater separated and directed to concrete lined collection pits which then flow to settlement pits and reused in the process.

There will be a wash bay for collection of hydrocarbon-contaminated water. This water will be directed to a lined sump with an oil water separator for treatment prior to discharge.

Waste water from the concrete truck agitator are directed through a wash-out pit in an associated below ground wedge pit. The wash-out pits are built from pre-fabricated concrete panels placed in a rectangle with a gate mechanism. Excess water in the trucks will go into the wash out pit, which will subsequently drain into the wedge pit. This water can then be used for washing of the trucks.

Great Northern Concrete will operate under the terms of the EMP which includes wastewater management. This will further minimise impacts to groundwater as a result of site operations.

The proposed operation and construction methodology mentioned above will mitigate any potential localised impacts to groundwater or soil from the proposed development.

5.5 Air Emission

Dust will be generated during the operation of the MCBP. However Great Northern Concrete will manage the operation of the MCBP in a manner that will minimise dust emission from the study area.

Great Northern Concrete has committed to the following air quality management practices:

- Develop and implement a Dust Management Plan for the operation of the mobile concrete batch plant;
- Dust suppression techniques (e.g. water) will be implemented during construction activities;
- Water for dust suppression will be provided from a bore; and
- Vehicle speeds on site shall be reduced where necessary to minimise dust emissions.

Pre-installed reticulated water sprays in the bin structures will minimise dust generated in stockpiling and batching operations. Cement silos and weigh hoppers will be fitted with dust filters. The concrete loading bay will be directed to collection pits. Dust generated at the loading point is suppressed through a preinstalled high pressure water spray bar system that is controlled by the



batching computer. Additional mobile water sprays will provide dust suppression to external stockpiles and yard areas as required. Weekly inspection of filtration systems will be carried out.

Due to the size of the operation, the design and construction of the MCBP, the proposed management control measures the impact of dust generated on the study area should be negligible.

5.6 Noise Emission

Noise emissions will be generated during the construction and operation of the mobile concrete batching plant. Due to the distance to the nearest sensitive receptor (181m) noise emissions are unlikely to impact sensitive receptors.

In addition the following noise management practices will be implemented during construction and operation of the mobile concrete batch plant:

- Compliance with the Environmental Protection (Noise) Regulations 1997 and Australian Standard 2436-1981: Guide to noise control on construction, maintenance and demolition sites and relevant occupational health and safety standards;
- Equipment will be generally operated during daylight hours; and
- Regularly inspect, maintain and replace mobile equipment so that noise levels are minimised during the equipment life.

The noise emission as a result of the operation of the MCBP should be in line with surrounding businesses and operations.

5.7 Separation Distance from Sensitive Receptors

The EPA's Guidance for the Assessment of Environmental Factors – Separation Distances between Industrial and Sensitive Land Uses No. 3 (Guidance Statement No. 3) provides for separation distances between industry (such as extractive industries) and sensitive land uses, which are listed as follows:

Residential developments, hospitals, motels, hostels, caravan parks, school, nursing homes, child care facilities, shopping centres, playgrounds, and some public buildings. Some commercial, institutional and industrial land uses which required high levels of amenity or are sensitive to particular emissions may also be considered 'sensitive land uses'. Examples include some retail outlets, offices and training centres, and some types of storage and manufacturing facilities.

Under Appendix 1 of the Guidance Statement No. 3, the recommended separation distance for batching plants to sensitive land uses is 300m to 500m depending on size. The proposed batching plant operations are anticipated to have a lower capacity. This is also reflected within the anticipated vehicle movements outlined under the proposal section below.

The study site is situated within the Muchea Employment Node (MEN) Structure Plan Area. The MEN Structure Plan 2011 is a Western Australian Planning Commission document which identifies the Structure Plan area for future industrial uses and contains a 1000m separation buffer from the town site and a 500 separation buffer from rural residences. The Site is therefore well located within the planned buffer areas for the future industrial area (figure 4).

The following sensitive premises are in the vicinity of the proposed development:

- Poultry farm (J.B. Lane Poultry Pty Ltd) 650 meters from the study area
- Feed lot (Bergalla) 1.5 km North of the study area

- Livestock saleyard or holding pen (Muchea Livestock Centre) 900 meters from the study area
- Residences 332 meters from the study area
- Residence 181 meters from the study area
- Residence 313 meters from the study area

Rural residential properties exist within the recommended separation distances from the proposed batching plant, however all sensitive premises in proximity to the study area and its indicative buffer areas are also located within the MEN Structure Plan Area. These properties are also located within the newly gazetted MEN Special Control Area which now forms part of the Shire of Chittering Local Planning Scheme No. 6. Therefore, the location of the study area, inclusive of the surrounding sensitive land uses, within the planned future MEN industrial area are considered to be well located for industrial use and should be protected from future encroachment by sensitive land uses by the planned buffer areas within the MEN Structure Plan area.

Additionally Guidance Statement No. 3 notes that:

A sound site-specific technical analysis will provide the most appropriate guide to the separation distance that should be maintained between a particular industry and sensitive land uses, or between industrial precincts and sensitive land uses, to avoid or minimise land use conflicts.



Figure 4: (Extract) MEN Structure Plan area

In addition an EMP will be developed that ensures that the plant design and operating procedures will comply with:

- The Environmental Protection Act 1986 – Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998.
- Australian Standards for the construction of all structures and components.



This site specific EMP will assurance that any potential impacts from the establishment of the proposed Plant will therefore be minimised. Due to the distance 181 meters from the nearest sensitive receptor and nature of the operation there impact to surrounding sensitive receptors should be minimal.

5.8 Indigenous Heritage

A search was undertaken on the Department of Indigenous Affairs Aboriginal Heritage Enquiry System which returned no results of Registered Aboriginal Sites on or around the subject site.

6 Conclusion

Through the design and construction of the plant and the management control measures proposed, Great Northern Concrete will minimise any environmental impacts which might arise through the operation of the Mobile Concrete Batching Plant. In addition, Great Northern is committed to minimising water and electricity consumption and dust emissions to beyond compliance to regulatory standards.

The proposed development of the Mobile Concrete Batch Plant is unlikely to cause any significant adverse impact on the environment and will be a suitable operation in the planned industrial Muchea Employment Node precinct within the Shire of Chittering.

Attachment 3

Draft Application for Planning Approval



APPLICATION FOR PLANNING APPROVAL

Proposed Concrete Batching Plant

Lot 22 (3728) Great Northern Highway

Muchea

Prepared for: Great Northern Concrete Pty Ltd
Prepared by: Allering and Associates

NOVEMBER 2017

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Annexure 1 - Environmental Management Plan (to be provided as part of final version)

Annexure 2 – Certificate of Title

Annexure 3 – Development Plans

Annexure 4 – Traffic Assessment (to be provided as part of final version)

Annexure 5 – Bushfire Management Plan

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1.0 EXECUTIVE SUMMARY

Great Northern Concrete Pty Ltd (Great Northern Concrete) is seeking to establish a new mobile concrete batching plant (**the Plant**) at Lot 22 (No. 3728) Great Northern Highway, Muchea (**the Site**) which will distribute premixed concrete for the construction industry.

The Site is located within the Shire of Chittering, north of Perth; approximately 70km northeast of the Perth Central Business District (**CBD**) 50km north of the Midland City Centre and 40 km north of Ellenbrook (refer **Figure 1** containing a Location Plan and **Figure 2** showing an aerial photograph of the Site). This application seeks approval for:

- A portable batch plant containing a horizontal cement storage silo, aggregate weigh hopper, batch hopper, cement weigh hopper and water tank mounted on a purpose built chassis;
- Two portable horizontal cement silos mounted on a purpose built chassis;
- A transportable auxiliary weigh hopper and conveyor;
- Chiller and water management system including production dust management;
- Washout and waste concrete pits adjacent to main concrete batching plant;
- Slumping area and water catchment pit; and
- Conversion of existing shed into staff and amenities building.

An Environmental Management Plan (**EMP**) that encompasses responsible personnel and cooperative risk management principles has been established for the control of general operational and traffic movements in and around the Site. A copy of the EMP is included at **Annexure 1**. The proposed mobile batching plant will also be subject to a Works Approval and Licence under Part 5 of the *Environmental Protection Act 1986*. The proposed Plant has considered sensitive neighbouring land uses and is designed to meet the standards of the *Concrete Batching and Cement Product Manufacturing Regulations 1998* and the *Environmental Protection (Noise) Regulations 1997*.

The importance of the proposed Plant in this location can be seen in the context of the North east corridor extension strategy, the Muchea Employment Node (**MEN**) Structure Plan (2011) and the existence of Industrial Development zoned land immediately adjacent to the Site. Additionally, the WAPC's *'Directions 2031 and Beyond: Metropolitan Planning Beyond the Horizon'* (**Directions 2031**) planning strategy and the more recently released *'Draft Perth and Peel @3.5 Million'* have outlined population growth and consequent housing demand projections. The role of the concrete batching plant in supplying the neighbouring outer metropolitan and regional areas and associated infrastructure projects has become significantly more important.

The batching plant will be an important supplier of concrete for projects with particular emphasis on new development within the Muchea Employment Node, the North East corridor and the Northlink WA project. The importance of access to well-located concrete supplies has become increasingly important given the demand for concrete in these areas.

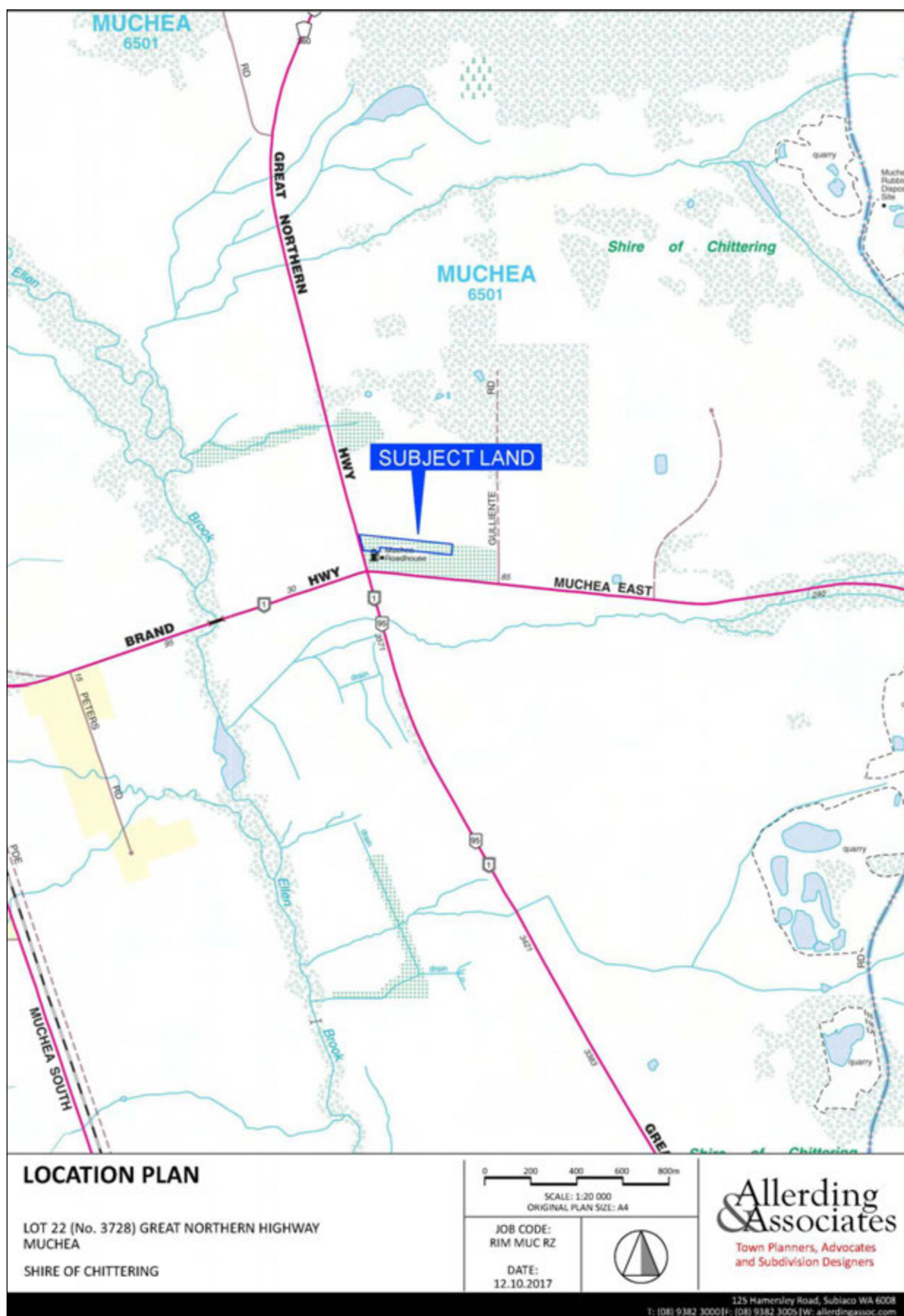


Figure 1: Location Plan



Figure 2: Aerial Photograph

2.0 INTRODUCTION

Planning consent is sought for the Great Northern Concrete mobile batching plant at Lot 22 Great Northern Highway, Muchea.

This report provides the supporting documentation for the application to establish and operate the Plant in this location. The Plant is intended to operate as a supplier of premixed concrete to the surrounding outer metropolitan and regional areas.

The Plant will operate in accordance with an endorsed EMP which will form part of the approved documentation.

2.1 Background

Great Northern Concrete have twenty five years experience in the concrete industry and currently supply and lay certified pre mixed concrete for commercial and residential use including house slabs, footings, kerbings, shed pads, driveways and paths.

Great Northern Concrete currently supplies the Muchea, Bindoon, Chittering, Bullsbrook, Swan Valley and surrounding areas.

As the Perth Metropolitan Region (**PMR**) expands, there is a greater demand for premixed concrete in the outer north eastern sector and surrounding regional areas. Additionally, the adjoining Industrial Development area within the Muchea Employment Node Special Control Area will provide additional demand for pre-mixed concrete, as will the roadworks associated with North Link and the Perth to Dampier National Highway.

The supply of concrete from batching plants within a reasonable delivery envelope is often critical to the integrity of this specialised construction material. For this reason the new Great Northern Concrete batching plant will be optimally located to supply the local market without loss of quality to this essential raw material.

Great Northern Concrete is committed to develop the sites with practical and efficient operations that respect governmental standards, other neighbouring businesses expectations and the environment.

2.2 Location

The Site is situated approximately 70km north of the Perth CBD on Great Northern Highway and is 40km distant from Ellenbrook to its south. The Site is located within the Muchea Employment Node Special Control Area. Refer to the Location Plan and Aerial Photo included in **Figure 1** and **Figure 2**.

Further afield to the south on Great Northern Highway, is the Midland City Centre while the City of Wanneroo is located 50 km to the west.

Access to the Site is gained via Great Northern Highway to the west. The land immediately surrounding Lot 22 includes;

1. Lot 202 to the south which accommodates a service station;
2. Lot 201 to the east which is currently cleared and vacant;

3. Lot 809 to the north comprising predominantly grazing land;

2.3 Description of Land

The Site is described as Lot 22 on Diagram 58206, Volume 1725, and Folio 907. A copy of the Certificate of Title is included in **Annexure 2**.

The Site is narrow and mostly rectangular in shape and has a total area of 2.013 ha, with varying widths and a total depth of 406.88m. At present, the Site is vacant, with empty Colorbond steel shed on a concrete slab and adjacent connected water tank. Existing vegetation comprises mostly grass and weeds with ten fig trees along the property boundary which are likely to be retained as part of the landscaping on site. A Site Plan is included as **Figure 3**.

2.4 Servicing

The Site is serviced with reticulated power. The existing shed includes a 5 litre water tank which captures rain water for use.

A bore licence has been purchased by the landowner to supply the Site. The bore is yet to be installed and its location is yet to be confirmed, however it is anticipated to be located at the western end of the Site adjacent to Great Northern Highway. It is intended that the water sourced from the bore will be pumped to the water storage tanks located south of mobile concrete batching plant.

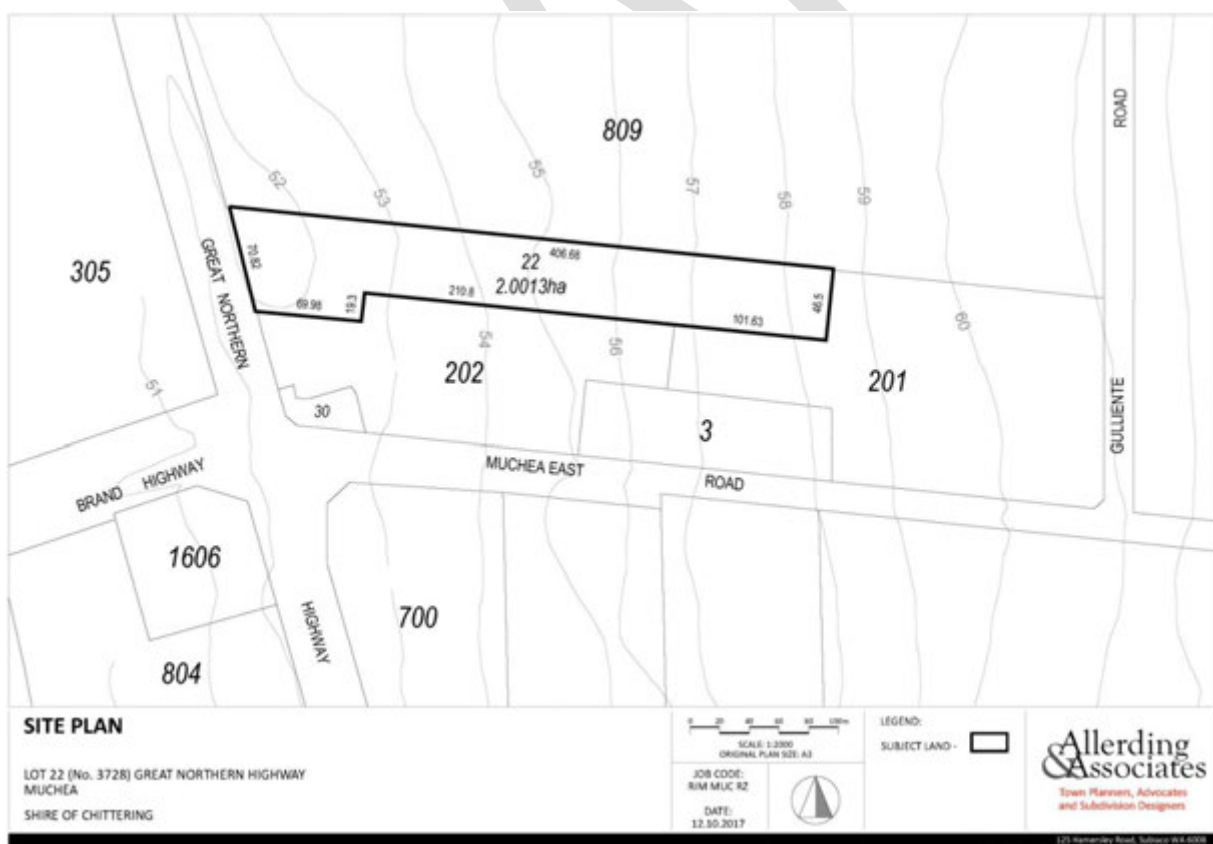


Figure 3: Site Plan

3.0 CONTEXT & RATIONALE

The following section addresses the planning context of the Site and the proposal including a rationale for this application.

3.1 Importance of the Plant in this Location

The proposed concrete batching plant will enable Great Northern Concrete to respond to increases in the demand for concrete resulting from the development of the Muchea Employment Node, population growth in the Perth Metropolitan Region and the establishment and rationalisation of the proposed construction of the Perth to Dampier National Highway and associated infrastructure.

The Great Northern Concrete mobile batching plant will provide an important local supply of good quality, fresh concrete for industrial, commercial and residential uses, thus enabling the growth of employment within the Muchea Employment Node and surrounding areas.

The proposal will provide flow on economic benefits for the wider community and facilitate future development within the region.

3.2 Other locations within the Perth Metropolitan Region

As highlighted in **Figure 4** there are a number of other localities within the north east corridor in which batching plants are located including Bayswater, Hazelmere and Midland. However the majority of the batching plants to the north of the CBD are located within the north western areas of the PMR, in locations which prevent the timely supply of pre mixed concrete to service neighbouring industrial, commercial and residential demand.

The proposed batching plant will contribute to the continued supply of concrete to these areas whilst also reducing vehicle fuel consumption and carbon emissions.

3.3 Surrounding Land Use

The land immediately surrounding Lot 22 includes;

- Lot 202 to the south which accommodates a service station;
- Lot 201 to the east which is currently cleared and vacant;
- Lot 809 to the north comprising predominantly grazing land but which has now been rezoned as "Industrial Development" as a result of Scheme Amendment No. 52 to the Shire of Chittering. Great Northern Concrete will provide an important source of concrete as a raw material for construction which will be beneficial to the future development of this Lot.

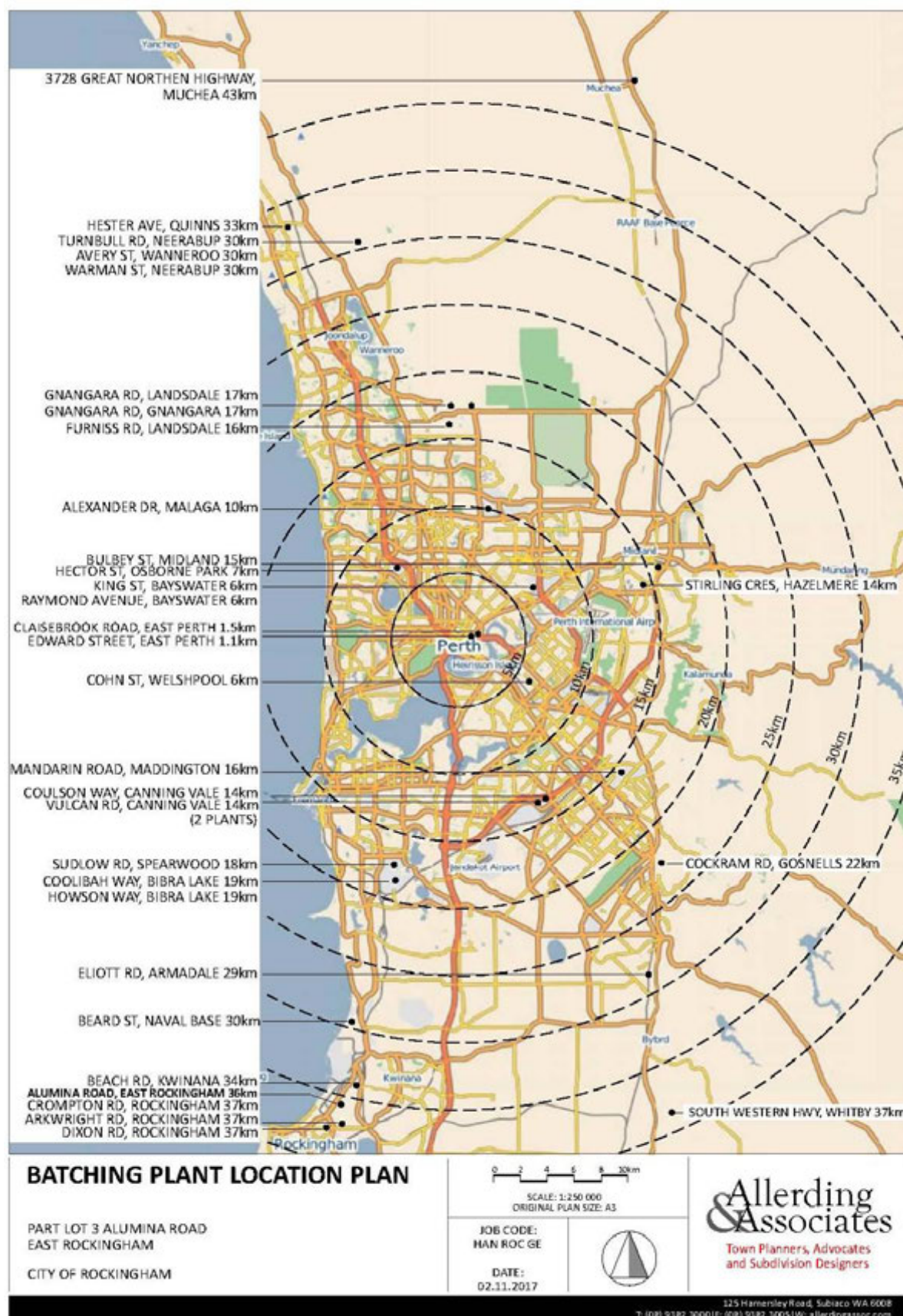


Figure 4 – Other Plant Localities

4.0 OVERVIEW OF PROPOSAL

There is a growing demand for efficient and accessible concrete supplies for a range of government funded and private sector construction works for commercial and residential uses, such as road works and new industrial projects within the locality. This proposal therefore seeks to facilitate the establishment of a new Great Northern Concrete mobile batching plant, located strategically to supply the MEN and commercial and residential development in the outer north eastern suburbs of the PMR.

Although other concrete batching plants operate within the northern suburbs of the PMR, their capacity to supply concrete to the MEN industrial area and northern sections of the proposed Perth to Darwin National Highway is limited and/or less desirable for various reasons including:

- Extending transport times (whether by distance or traffic delays) for concrete greatly increases the risk of spoilage. This is because concrete has an effective “incubation” time of 1 hour, after which the risk of spoilage is significant.
- The supply of concrete from other industrial sites further south of the Site increases truck traffic on the road between the batching plants and the location of the job, with implications for safety and traffic congestion.
- Increased truck traffic on road between the batching plant and the location of the job, with implications for increased total vehicle fuel consumption and CO₂ emissions (and associated costs to clients and end users) and increased carbon footprint.

4.1 Proposed Development and Operations

The proposed concrete batching plant comprises a truck wash down area, aggregate materials storage areas, concrete loading facilities, including two horizontally positioned cement silos, a slump stand area, water pits, waste storage, water recycling system, weighing hopper and a transfer conveyor belt.

Specifically, the following is proposed:

- a) Preliminary clearing and the construction of a swale within the site along the road frontage to capture excess stormwater run-off.
- b) The portion of land to be used for concrete batching plant operations (30% of the entire Site) to be covered with road base to provide for a trafficable surface for vehicle movements, and the construction of a concrete pad in the slumping stand area.
- c) Construction of the facilities associated with the concrete batching plant as described within this development application report and as shown on the development plans provided at **Annexure 3**.
- d) Implementation of an Environmental Management Plan for the proposed plant operations. Copy provided at **Annexure 1**.

Details of the development are outlined below.

5.0 PROPOSAL

The proposal seeks to establish a new concrete batching plant operation at Lot 22 Great Northern Highway, Muchea. The key elements of the proposed development are detailed below.

5.1 Business Operations

The function of the facility is to batch concrete and load onto trucks for distribution from the Site. Once raw materials are delivered to the plant, the pre-mix loading facilities weigh and batch cement, sand, aggregates and water and load these into the agitator trucks in a controlled sequence for distribution from the Site.

The proposed batching plant will comprise the following components (refer to development plans in **Annexure 3**):

Aggregate Material Storage Areas

Aggregate materials, including coarse and fine aggregates are delivered to the plant by trucks in B-double configuration or semi trailers trucks and stored in designated storage silos. These delivery vehicles enter the site via one access point on the western boundary. The aggregates are then moved to the conditioning areas (Storage Bins) next to the front end loader. Dust suppression is provided by sprinklers utilising secondary plant water in the stockpile areas and storage bins as well as the operating loader areas.

Front loader trucks load aggregate materials from material storage bins and transfer them to surge hoppers, which discharge the required amounts to be batched.

Cement Silos

Bulk cement is stored onsite in steel silos which are fitted with an independent overfill alarm system. Cement is transferred from storage to batching through sealed steel augers. The dry raw materials are then transferred into the bowl of an agitator truck via an enclosed conveyor belt.

Slump Stand Area

Water is added to the dry raw material mix in agitator trucks within the slump stand area via an overhead pipe. Wheel wash occurs within this sealed area prior to agitator trucks exiting the site.

Water and Waste Management systems

The Water Management System for the concrete batching plant will include bore water stored in water tanks and associated plumbing equipment erected to provide buffer water storage for operations including batching of concrete, wash-down of plant and trucks and watering of stockpile. These water tanks will be plumbed into a water chiller unit to supply water to the loading bay at a precise temperature.

Waste water from the concrete truck agitator will be handled in an environmentally responsible manner through the construction and use of a wash-out pit and an associated below ground wedge pit. The wash-out pits are built from pre-fabricated concrete panels placed in a rectangle with associated apron slabs. This system confines all concrete waste wash-out from the trucks. This allows for the settlement of solid waste, which is left to dry out. It is then reclaimed and disposed of and/or recycled at an offsite facility.

Grey water generated at the loading bay will collect in the below ground wedge settlement pit and transferred underground to the washout area recycling facility. The washout area will be located next to the slump stand and adjacent to (to the west) the main concrete plant (refer to Site Layout Plan in **Annexure 3**). It will contain a dedicated single-truck mixed use washing bay where trucks will be washed using a high pressure water cleaner as well as a water recycling facility. Any solid waste from the washout recycling facility can be removed by a loader and transferred to the settlement pits. The grey water collected in the washout area recycling facility will be collected in a wedge pit for re-use in washing down trucks.

The loading bay and wash-out pit will be located within a greywater containment perimeter with a concrete floor and a semi-mountable curb profile. Similarly the slump stand, washout area and recycling facility will also be situated within a greywater containment perimeter (refer to Site Layout Plan in **Annexure 3**). This will completely preclude the drainage of waste materials into the groundwater.

Refer to **Figure 5** for a diagram depicting the flow of water through the production process.

Staff/Amenities Room

The existing shed on site will be converted into a staff amenities room. Toilets will be installed within the shed with an on-site effluent disposal unit to the satisfaction of the Shire of Chittering's specifications.

All administrative paperwork will be undertaken within the Batch Room adjacent to the mobile batching plant.

Water movement through concrete batching and delivery process in Mobile Batch Plants

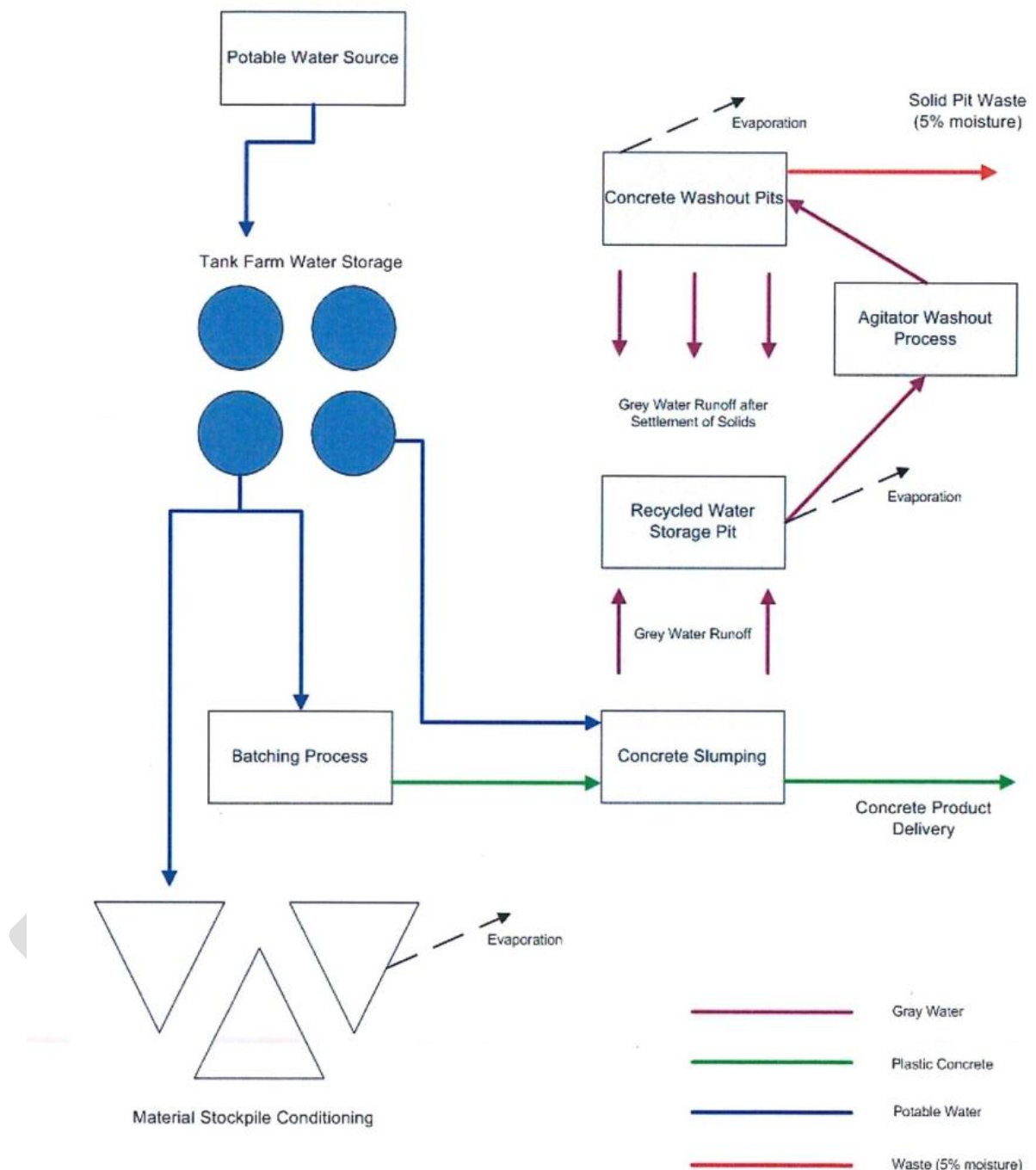


Figure 5: Flow Diagram of Water through Production Process

Internal Vehicle Movements

All vehicles associated with the proposed Plant will enter and exit from the one point in the north-western corner of the site (refer to the Site Layout Plan in **Annexure 3**).

Once inside the site, raw material trucks will travel along the northern boundary and deliver materials to the materials bins adjacent to the plant. Any excess materials will be stockpiled in the materials stockpile areas to the east of the bins. Raw

material trucks will turn in the paddock to the east of the materials storage area and exit in the same manner.

Cement trucks also travel along the northern boundary past the shed, then move south between the slumping area and the batching plant to the location of the two cement silos. Once the cement is delivered to the cement silos, the cement trucks travel west along the southern side of the slumping area and exit the site through the main gates.

Agitator trucks will travel along the northern boundary to the plant at which point they will reverse into the loading bay to receive the next load of batched concrete. Once loaded, the trucks will move to the slumping area for addition of final slumping water if needed. Agitator trucks then exit through the main gates.

Hardstand, Surface Levels and Fill

The site will be developed with permeable hardstand (road base or similar) which is trafficable for vehicle movements associated with the operation. Sealed areas within the site will be limited to the slumping area and washout recycling facility and the batch plant loading bay. As noted in the discussion of the water and waste management systems above, these sealed areas capture all runoff associated with the washout and batching process and enables the recycling of grey water for reuse within the plant.

Surface levels within the site will be determined based on groundwater level investigations to ensure that the sealed water management systems are positioned above maximum ground water level to prevent access of captured and recycled water from the batching process entering the groundwater. The batching plant area will also be raised above natural ground level to prevent stormwater inundation and promote drainage around the plant.

5.2 Staff

The facility will employ up to 7 staff:

- One to two employees operating the batching plant process; and
- Four to five truck drivers.

5.3 Hours of Operation

The facility will generally operate from 5am to 6pm Monday to Saturday, however due to the broad range of uses for batched concrete, there may be instances when operation outside of these hours is required. A noise complaint process will be implemented in the event that operations are required outside of these hours.

5.4 Car Parking

The Shire of Chittering's Local Planning Policy No. 13 Car Parking Requirements (LPP13) specifies the car parking requirements for a General Industry use as:

Industry - General: 1 bay per employee plus two visitor bays

In compliance with LPP13, nine parking bays in total are provided as part of the proposed development including 7 staff bays and 2 visitor bays. In addition, 1 disabled bay and 1 motorcycle bay are provided. All parking bays are provided on the western end of the site.

5.5 Access and Security

The Site will be secured with 2.4 metre high cyclone fencing around the perimeter.

The Site is accessed from one single entry point via Great Northern Highway, part of the regional road system connecting to the broader regional road network.

Controlled access via a lockable entry gate at the Great Northern Highway frontage will provide for additional security during and outside of operating hours. In the event that gates are locked when aggregate or cement trucks arrive to deliver materials to the Site, the entry gate has been set back from Great Northern Highway to allow space for larger articulated vehicles to pull off the carriageway and wait to gain access into the Site.

5.6 Traffic Management

The proposed batching plant will receive raw materials from external manufacturing and quarrying sources and will load these products on to purpose built mixing trucks for delivery to the construction and civil industries.

These incoming and outgoing deliveries are expected to occur in semi trailers or trucks in B-double configurations.

Market demand will determine the actual vehicular movements from the Site and may vary depending on construction industry activity. However, the maximum estimated traffic movements (in and out) have been provided as follows:

Vehicle Type	Movements / Day	Movements / Month	Movement / Year
Concrete	17	400	4,800
Cement	0.5	12	144
Raw Material (Aggregates / Sand)	2.5	60	720

Total	20	472	5,664
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The impact of the proposal on adjoining properties as a result of added traffic movements is also considered to be negligible given that travel is generally confined to the regional road network.

A Traffic Assessment has been prepared in support of the proposal and is contained in **Annexure 4**.

5.7 Site Management

The proposed plant will operate under a range of management controls both through physical infrastructure and procedures to ensure compliance with the relevant regulations.

An Environmental Management Plan (**EMP**) has been prepared which documents the management initiatives that will be used to minimise the impacts of its day to day activities on the community and the environment, including the management of dust, noise and traffic movements in relation to operating procedures, ongoing monitoring and incident reporting procedures. A copy of the EMP prepared by Great Northern Concrete is included in **Annexure 1**.

5.8 Landscaping

Landscaping of the channel drain along the front (west) boundary to improve site drainage is proposed. Such landscaping will be confined to the narrow drain adjacent to the boundary. Landscaping area to the east of the subject site will consist of remnant fig trees.

The landscaping is outlined on the site plan included within the set of development plans at **Annexure 3**.

5.9 Environmental Management

Dust and other environmental considerations are regulated under the *Environmental Protection (Concrete Batching and Cement Production Manufacturing) Regulations 1988 (the Regulations)* adopted under the *Environmental Protection Act 1986*. The Regulations address issues pertaining to dust and noise, such as minimisation of dust, control of dust from trafficable areas, and storage. Great Northern Concrete has management systems in place to address these matters which are outlined in the EMP included at **Annexure 1** of this report.

6.0 STATE PLANNING FRAMEWORK

6.1 State Planning Strategy 2050 (2014)

The State Planning Strategy 2050 is the highest order planning instrument in the Western Australian planning system. The Strategy is a guide through which public

authorities and local governments can express or frame their legislative mandates and/or influence in land use planning, land development and related matters.

The State Planning Strategy 2050 identifies that the South West sector, inclusive of the Wheatbelt area, will continue to be the population centre of the State. This means that a high level and range of employment opportunities will continue to be available in the South West.

The State Planning Strategy 2050 also identifies the Wheatbelt Land Use Planning Strategy as a strategic document to outline land use planning priorities and directives for the region.

6.2 Draft Wheatbelt Land Use Planning Strategy (2011)

The Wheatbelt Land Use Planning Strategy is a guidance document for the Wheatbelt region that aims to guide land use planning decision-making. The strategy is part of the State Planning Framework and will identify key economic, social and environmental drivers and their likely implications. As a key element to the progression of economic and regional development, the WAPC will seek to finalise a structure plan for the proposed Muchea Employment Node, which will establish a site for strategic industry, linked to consolidated and improved transport routes. The proposed concrete batching plant will aid the viability of the node and will likely provide a valuable raw material for the future development of the locality.

6.3 Muchea Employment Node Structure Plan (2011)

The Muchea employment node (the employment node) is located at the intersection of the Brand Highway and Great Northern Highway, and is an area set aside for service-based uses such as transport, livestock, fabrication, and warehousing, wholesaling and general commercial use. The employment node was originally identified as a future industrial area in the North-East Corridor Extension Strategy (2003). The node was recognised as having potential as an industrial area that could take advantage of long-term transport opportunities offered by the proposed Perth-Darwin National Highway (refer **Figure 6**).

The Site is included within Precinct 1A of the Muchea Employment Node, and is immediately adjacent to the Muchea Employment Node Special Control Area which was rezoned "Industrial Development" in July 2015.

Great Northern Concrete will provide an important source of concrete as a raw material for construction which will be beneficial to the future development of this node. Refer to **Figure 6** for the location of the Site within the Muchea Employment Node Structure Plan area.

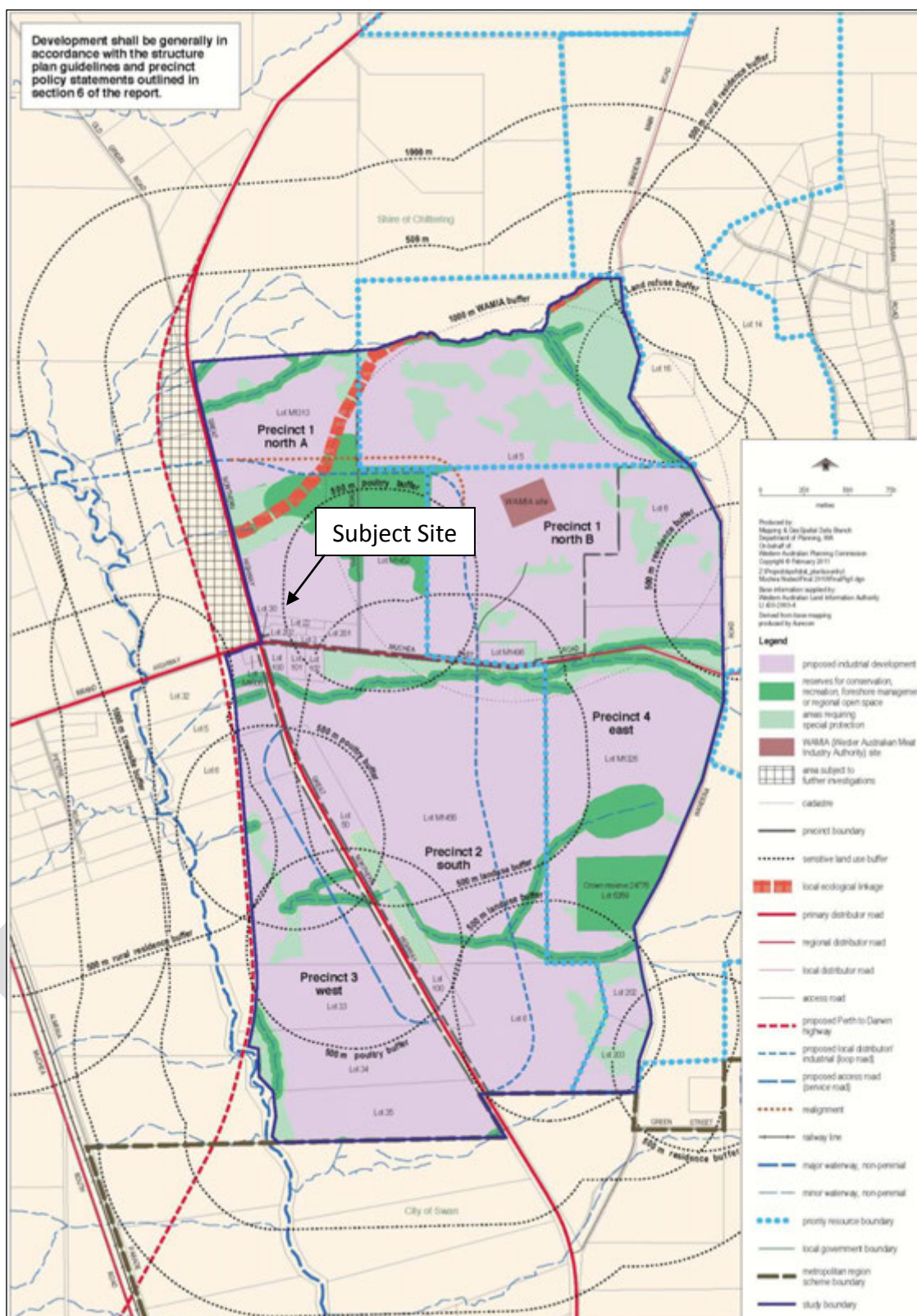


Figure 6: MEN Structure Plan Area

6.4 State Planning Policy No. 1: State Planning Framework

The State Government's broad planning framework, State Planning Policy No. 1 (SPP1) is in part a consequence of the State Planning Strategy (WAPC 2014) in bringing together in a statutory planning framework, existing State and regional policies and articulating general principles for land use planning and development. It sets the key principles relating to the environment, community, economy, infrastructure and regional development which should guide the way in which future planning decisions are made having regard to each of those five elements. Under Part A (General Principles for Land Use Planning and Development) of that Policy, it states:

The primary aim of planning is to provide for the sustainable use and development of land.

The State Planning Strategy identifies the principles which further define this primary aim and describe the considerations which influence good decision-making in land use planning and development. Planning should take account of, and give effect to, these principles and related policies to ensure integrated decision making throughout government. These elements include the following:

A1 Environment

The protection of environmental assets and the wise use and management of resources are essential to encourage more ecologically sustainable land use and development.

The Great Northern Concrete plant is proposed to operate under an Environmental Management Plan which has been prepared to address dust and noise emissions, as well as to establish water management and traffic management processes. The Plant's location, adjacent to the Muchea Employment Node, provides significant reductions to travel time with consequential reductions in carbon emissions, material wear and tear and reduced product wastage which would otherwise arise if it was necessary to travel from more remote plants a.

A3 Economy

Planning should contribute to the economic wellbeing of the State through the provision of land, facilitating decisions and resolving land use conflicts. Planning should provide for economic development by:

- Providing land for industry.
- Promoting local employment opportunities.
- Avoiding land use conflicts.

The proposed Great Northern Concrete mobile batching plant is strategically located in close proximity to future residential and industrial development and will play an important role in major infrastructure and urban development projects in the north-east corridor of the PMR.

The plant will provide a source of employment for the area and in particular will contribute to an appropriate land use mix that will enhance the vitality and diversity of land uses in the surrounding area.

A4 Infrastructure

Planning should ensure that physical and community infrastructure by both public and private agencies is coordinated in a way that is efficient, equitable, accessible and timely. This means:

- Planning for land use and development in a manner that allows for the logical and efficient provision and maintenance of infrastructure.
- Protecting key infrastructure, including ports, airports, roads, railways and service corridors from inappropriate land use and development.

The proposed Great Northern Concrete mobile plant has direct access to Great Northern Highway, a major road which is essential for the distribution of concrete from the plant and for the supply of raw materials.

Further, the Plant will be connected to the Perth Metropolitan Region via the Perth Darwin National Highway (PDNH), 37km link between the intersection of the Reid and Tonkin Highways and the Great Northern Highway and Brand Highway.

As well as accessing the PDNH for a more efficient network for the distribution of concrete to the outer PMR, the Plant will be able to provide concrete as a raw material for the construction of this new link.

Based on the above, it is considered the proposal and associated flow on effects contribute to a more sustainable future and is therefore consistent with the sustainable development principles contained in SPP1.

6.5 State Planning Policy No. 2: Environment and Natural Resources Policy

The overarching objective of State Planning Policy No. 2 (**SPP2**) is to promote and assist in the wise and sustainable use and management of natural resources.

The policy is divided into a series of general and specific policy measures. One of those measures is the consideration of greenhouse gas emissions and energy efficiency.

The general measures under that policy are to actively seek opportunities for improved environmental outcomes including support for development which provides for environmental restoration and enhancement; and to take into account the potential for economic, environmental and social (including cultural) effects on natural resources.

More specifically, the policy recognises the need to make the reduction of greenhouse gas emissions a primary objective by increasing energy efficiency.

In terms of implementing the policy, section 6 notes that:

"...the purpose of this policy is to inform local governments and the Town Planning Appeals Tribunal of those aspects of State level planning policy concerning the environment and natural resources which should be taken into account in planning decision making while recognising the inherent difficulties of balancing conflicting needs."

A key consideration to this matter is the need to ensure that key infrastructure assets such as concrete batching plants are located in close proximity to their product delivery points, which will assist in meeting the objectives outlined in this planning policy.

6.6 State Planning Policy No. 3: Urban Growth and Settlement

The policy sets out the principles and considerations which apply to planning for urban growth and settlement in Western Australia.

The introduction to the policy recognises that the spread of urban development intensifies pressures on valuable land and water resources, and imposes costs on the provision of infrastructure and services.

The policy recognises a desirable objective being sustainable and liveable neighbourhoods that coordinate new development with the efficient economic and timely provision of infrastructure and services.

Part of the policy measures, outlined in Sections 5.4 and 5.5, are to plan cost effective and resource efficient development to promote affordable housing. It also recognises that appropriate coordination of services and infrastructure is required for new growth and settlements.

Whilst this applies to conventional urban services such as water and sewerage, it also applies to infrastructure provision including the construction materials and associated infrastructure necessary to enable cost effective and affordable housing and development.

The provision of affordable development in the locality is related to the proximity of supplies of material such as concrete provided by the proposed batching plant. The location of the proposed batching plant proximate to construction sites for future industrial, commercial and residential development is therefore also linked to the provision of affordable housing in the PMR.

6.7 State Planning Policy 3.7: Planning in Bushfire Prone Areas

A package of reforms was introduced in 2015 to help protect lives and property against the threat of bushfires throughout Western Australia. State Planning Policy 3.7: Planning for Bushfire Prone Areas (**SPP 3.7**) and the Guidelines for Planning in Bushfire Prone Areas (the Guidelines) were released and took effect on 7 December 2015.

SPP 3.7 provides the foundation for land use planning decisions in designated bushfire prone areas. Areas within Western Australia have been designated as bushfire prone by the FES Commissioner, and the Map of Bushfire Prone Areas which identifies the parts of the State that are designated as bushfire prone came into effect on 8 December 2015. An extract of this Map depicting the Site is included as **Figure 7**.

SPP 3.7, the Guidelines and the Map of Bushfire Prone Areas are to be read in conjunction with the Planning and Development (Local Planning Scheme) Regulations 2015 (**Regulations**). Within the Regulations Schedule 2 comprises deemed provisions for Local Planning Schemes which are automatically incorporated in all planning schemes (Deemed Provisions). Specifically, Part 10A of the Deemed Provisions comprises provisions to be incorporated into all local Planning Schemes in relation to bushfire risk management. Part 10A became operational on 8 April 2016.

Clause 6.2(a) of SPP 3.7 provides as follows:

a) Strategic planning proposals, subdivision and development applications within designated bushfire prone areas relating to land that has or will have a Bushfire Hazard Level (BHL) above low and/or where a Bushfire Attack Level (BAL) rating above BAL-LOW apply, are to comply with these policy measures.

Further, Clause 6.5 specifies that:

Any development application to which policy measure 6.2 applies is to be accompanied by the following information in accordance with the Guidelines: (i) a BAL assessment. BAL assessments should be prepared by an accredited Level 1 BAL Assessor or a Bushfire Planning Practitioner unless otherwise exempted in the Guidelines; or

(ii) a BAL Contour Map that has been prepared for an approved subdivision clearly showing the indicative acceptable BAL rating across the subject site, in accordance with the Guidelines. BAL Contour Maps should be prepared by an accredited Bushfire Planning Practitioner

a) the identification of any bushfire hazard issues arising from the BAL Contour Map or the BAL assessment; and

b) an assessment against the bushfire protection criteria requirements contained within the Guidelines demonstrating compliance within the boundary of the development site.

This information can be provided in the form of a Bushfire Management Plan or an amended Bushfire Management Plan where one has been previously endorsed.

A BAL assessment and a Bushfire Management Plan have been undertaken as part of this report and are included as **Annexure 5**.

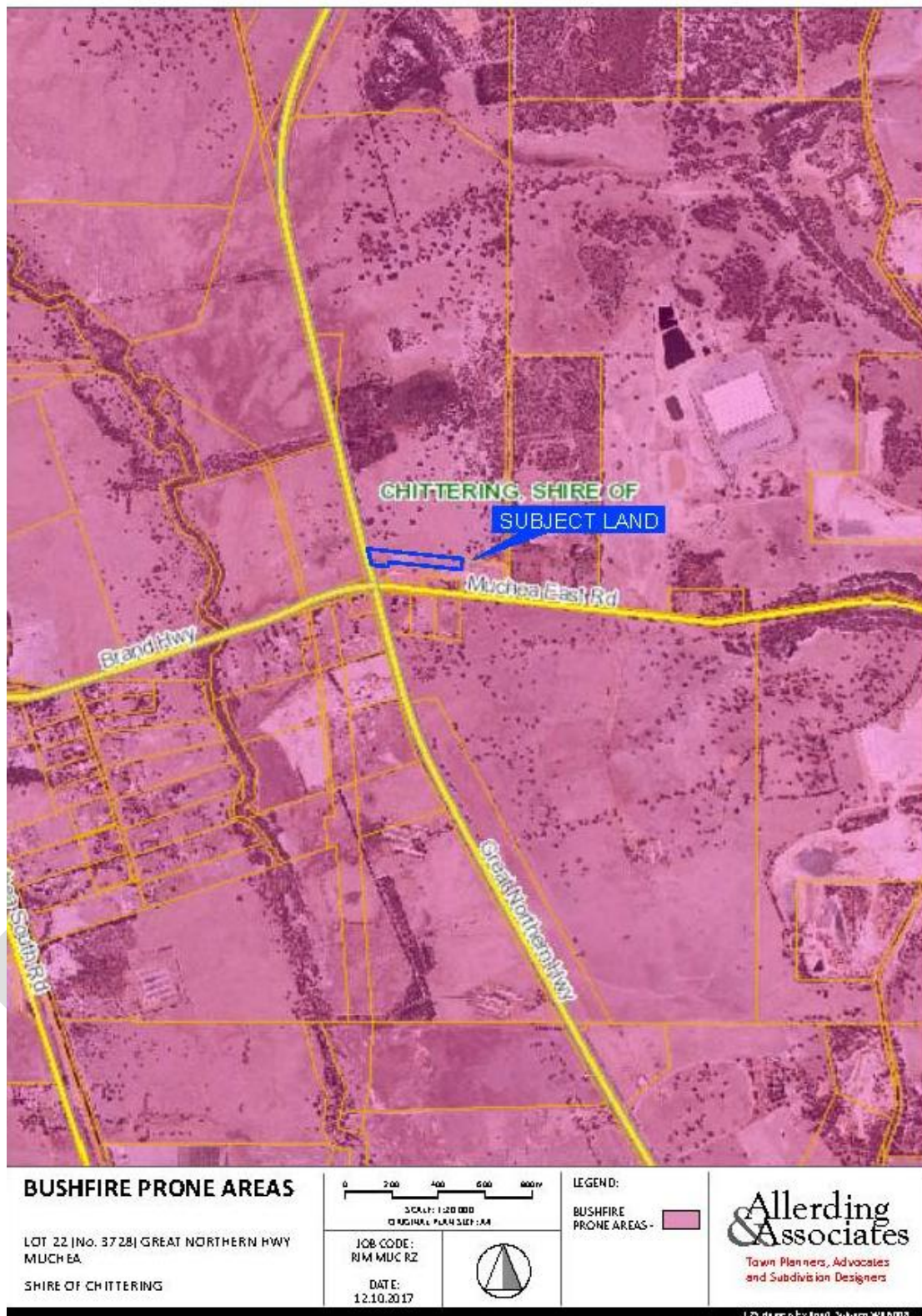


Figure 7: Extract from Map of Bushfire Prone Areas

6.8 Economic and Employment Lands Strategy: non-heavy industrial (2011)

The Economic and Employment Lands Strategy (**EELS**) has been prepared by the State Government in response to a recognised shortfall in industrial land supply. Its aim is to ensure that adequate forward planning is undertaken to provide land that can generate employment generating activities, including land zoned for industrial and commercial purposes.

Although the site lies just outside the area of study (which is the Perth Metropolitan and Peel Regions) the MEN area is identified within the EELS as a "planned industrial land release" area. Land identified for industrial land release has been earmarked to meet future demand for industrial land and promote the opportunities of employment creation in the locality.

The proposed batching plant will, therefore support the creation of additional jobs in this location and will operate to service local demand via the existing and future freight network.

6.9 Environmental Protection Authority – Guidance Statement No. 3

The EPA's Guidance for the Assessment of Environmental Factors – Separation Distances between Industrial and Sensitive Land Uses No. 3 (**Guidance Statement No. 3**) provides for separation distances between industry (such as extractive industries) and sensitive land uses, which are listed as follows:

Residential developments, hospitals, motels, hostels, caravan parks, school, nursing homes, child care facilities, shopping centres, playgrounds, and some public buildings. Some commercial, institutional and industrial land uses which required high levels of amenity or are sensitive to particular emissions may also be considered 'sensitive land uses'. Examples include some retail outlets, offices and training centres, and some types of storage and manufacturing facilities.

Under Appendix 1 of the Guidance Statement No. 3, the recommended separation distance for batching plants to sensitive land uses is 300m to 500m depending on size.

The Site is situated within the Muchea Employment Node (MEN) Structure Plan Area. The MEN Structure Plan 2011 (see Section 6.3 above) is a WAPC document which identifies the Structure Plan area for future industrial uses and contains a 1000m separation buffer from the town site and a 500 separation buffer from rural residences (refer to **Figure 8**).

Rural residential properties exist within the recommended separation distances from the proposed batching plant, however all sensitive premises in proximity to the Site and its indicative buffer areas are also located within the MEN Structure Plan Area. These properties are also located within the newly gazetted MEN Special Control Area which now forms part of the Shire of Chittering Local Planning Scheme No. 6 (refer Section 7.5 of this report). Therefore, the location of the Site, inclusive of the surrounding sensitive land uses, within the planned future MEN industrial area are considered to be well located for industrial use and should be protected from future encroachment by sensitive land uses by the planned buffer areas within the MEN Structure Plan area.

Additionally Guidance Statement No. 3 notes that:

A sound site-specific technical analysis will provide the most appropriate guide to the separation distance that should be maintained between a particular industry and sensitive land uses, or between industrial precincts and sensitive land uses, to avoid or minimise land use conflicts.

Notably, the proposal includes an Environmental Management Plan (EMP) that ensures that the plant design and operating procedures will comply with:

- the Environmental Protection Act 1986 – Environmental Protection (Concrete Batching and Cement Product Manufacturing) Regulations 1998.
- Australian Standards for the construction of all structures and components.

This site specific document provides assurance that any land conflicts arising from the establishment of the proposed Plant will therefore be minimised.

Importantly, through the design of the plant and the management control measures adopted, Great Northern aims to minimise any environmental impacts which might arise through the operation of the plant. In addition, Great Northern Concrete is committed to minimising water and electricity consumption and dust emissions to a level well beyond mere compliance to regulatory standards.



Figure 8: (Extract) MEN Structure Plan area

7.0 LOCAL PLANNING FRAMEWORK

7.1 Planning and Development (Local Planning Schemes) Regulations 2015

The Planning and Development (Local Planning Schemes) Regulations 2015 (**the Planning and Development Regulations**) have introduced a set of deemed provisions that now form part of TPS6. In particular, Clause 67 deals with matters to be considered by local government and include the following key provisions relevant to this application:

- (a) *the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (b) *the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;*
- (c) *any approved State planning policy;*
- (d) *any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d);*
- (e) *any policy of the Commission;*
- (f) *any policy of the State;*
- (g) *any local planning policy for the Scheme area;*
- (h) *any structure plan, activity centre plan or local development plan that relates to the development;*
- (m) *the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (n) *the amenity of the locality including the following —*
 - (i) *environmental impacts of the development;*
 - (ii) *the character of the locality;*
 - (iii) *social impacts of the development;*
- (o) *the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;*
- (p) *whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;*

-
- (r) *the suitability of the land for the development taking into account the possible risk to human health or safety;*
 - (s) *the adequacy of —*
 - (i) *the proposed means of access to and egress from the site; and*
 - (ii) *arrangements for the loading, unloading, manoeuvring and parking of vehicles;*
 - (t) *the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*
 - (w) *the history of the site where the development is to be located;*
 - (x) *the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;*
 - (y) *any submissions received on the application;*
 - (za) *the comments or submissions received from any authority consulted under clause 66;*
 - (zb) *any other planning consideration the local government considers appropriate.*

Having regard to the key matters to be considered by local government, the application for planning approval together with the Request for a Scheme Amendment is consistent with the intent of the applicable planning framework and will support the growth of Muchea and its nearby employment node by providing services necessary for construction and infrastructure upgrades in the area. The Great Northern operations will also continue to provide for employment opportunities for the local community.

The proposed operations are considered to be entirely compatible within its setting being located on a major transport route and being separated from dwellings to ensure that any visual and noise impacts associated with the operations are limited. In this regard, amenity impacts are addressed and environmental impacts can be adequately managed through the suite of environmental management plans implemented, inclusive of stormwater management and traffic management. Any impacts on groundwater as a result of the continued operations are therefore considered to be negligible.

The Great Northern proposes landscaping (including the retention of existing fig trees) along its western boundary resulting in visual screening from Great Northern Highway to the west. The proposal involves the construction of a limited number of unobtrusive structures which will enjoy significant setbacks (in excess of 50m) from Great Northern Highway and will be in keeping in appearance with the adjacent service station to the south, and the proposed landscaping will help mitigate against the visual impact of the proposed structures on site.

Access to the site and traffic generation as outlined in the Traffic Management Plan are considered acceptable having regard to the capacity of Great Northern Highway and the existing driveway and access throughout the site.

The Shire's approval of this application for planning approval will result in an overall community benefit through the establishment of a local supplier of an important but perishable raw material in Muchea, which will positively contribute to the growth and development of the Muchea community, including the viability of the Muchea Employment Node.

In considering any submissions by neighbouring landowners or authorities consulted as part of the planning application process, it is expected that the Shire will provide an opportunity to review and respond to any comments following the consultation period and prior to the Shire's final determination of the matter.

7.2 Shire of Chittering Town Planning Scheme No. 6 (TPS2)

The Site is situated in the 'Agricultural Resource Zone' under the Shire of Chittering Local Planning Scheme No. 6 (LPS6). A LPS6 Plan is provided at **Figure 9**

A concrete batching plant is currently not listed as a use within LPS6. To enable the use within the Site, a Scheme Amendment proposal is being submitted to the Shire of Chittering concurrently with this application (refer to Section 7.6 below).

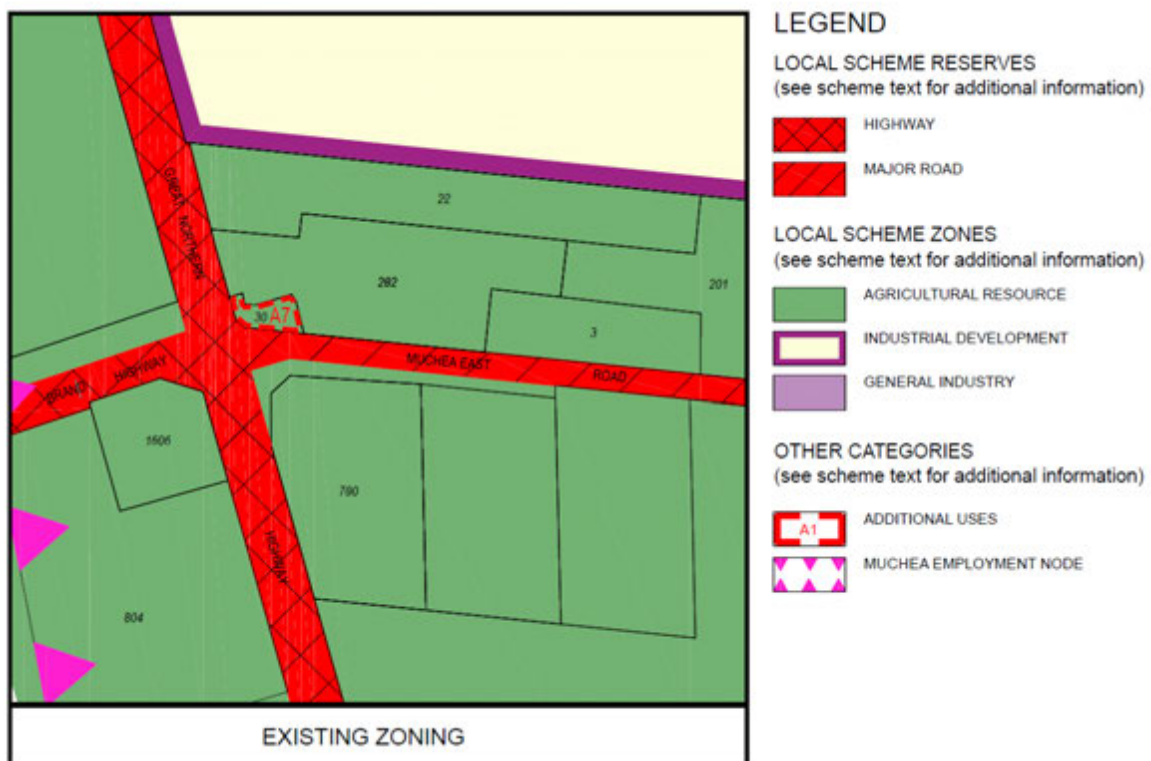


Figure 9: Zoning Plan

7.3 Local Planning Policy No. 13 – Car Parking Requirements

In accordance with the requirements set out in Clause 5 of Local Planning Policy No. 13 – Car Parking Requirements (**LPP13**), car parking bays are to be provided as follows:

5.1 Provision of car parking bays

- a) *A person shall not develop or use land or erect, use or adapt any buildings for any purpose unless car parking bays of the number specified in Table 1 are constructed and maintained in accordance with the provisions of the Scheme;*
- b) *Where an application is made for planning consent and the purpose for which the land or building is to be used is not specified in Table 1, the Local Government shall determine the number of car parking bays to be provided, based on the number of employees and likely visitors to the site.*

5.2 Standards

- a) *Subject to requirements of the Building Code of Australia for disabled access, the dimensions of each space shall not be less than 2.75 metres wide and 7.5 metres long.*

The Local Government may vary the dimensions specified:

- i) *by up to 10% where obstructions, site dimensions or topography result in the loss of one car parking space in any run or group of car parking spaces;*
 - ii) *where the provision of car parking space dimensions are enlarged to accommodate larger vehicle. In such cases, the area set aside shall be not less than if the standards specified were applied.*
- b) *Cars (and if relevant trucks and buses) are to enter and exit each site in the forward direction;*

A 'Concrete Batching Plant' land use is not included in Table 1 of LPP13 but the car parking requirements for a General Industry use is specified as follows:

Industry - General: 1 bay per employee plus two visitor bays.

As outlined in Part 5 of this report, the staff and labour personnel on site would generally be up to seven per day. In compliance with LPP13, nine parking bays in total are provided as part of the proposed development including 7 staff bays and 2 visitor bays. In addition, 1 disabled bay and 1 motorcycle bay are provided.

7.4 Local Planning Policy No. 18 – Setbacks

The objectives of the Shire's Local Planning Policy No. 18 – Setbacks (**LPP18**) are listed as follows:

To maintain the rural character of the Shire;

To allow maximum flexibility for building while maintaining rural character, ensuring light, safety and visual privacy, preserving natural vegetation, protecting water courses and wetlands from encroachment and keeping firebreaks clear.

The key policy provisions under Clause 5 of LPP18 relevant to this planning application are outlined below:

5.4 *In the special control area that is Water Prone and areas liable to flooding the minimum building setback is 30m from an existing water body or highest known flood level, as decided by Council.*

5.7 *Otherwise, the following minimum setbacks generally apply to buildings (including retaining walls), dams and water tanks:*

(a) Agricultural Resource Zone

Highway – 100m

Major Road – 50m

Other Road – 30m

Rear – 30m

Side – 30m

5.11 *Council may permit variations to the minimum setbacks specified in 5.5 and 5.7 above, as permitted by TPS No. 6, in the following circumstances:*

(c) commercial or industrial use

(f) other cases where it is reasonable to do so, as determined by Council.

Having regard to Clause 5.4, the development site is separated from the creek line to the north by around 500m. To the east, the development area is separated from Ellen Brook by approximately 670m.

LLP18 does not provide minimum setback distances for the General Industry zone as requested in the accompanying Scheme Amendment Request and approval of the proposed setbacks will therefore be up to Council's discretion.

The proposed structures that form part of this development are set back in excess of 50m from Great Northern Highway. Given the unobtrusive nature of the proposed structures, it is considered that the boundary setbacks are acceptable and capable of approval by Council.

7.5 Amendment 60 to LPS6

Additionally, the Site is included within the MEN Structure Plan area. Amendment No. 60 to LPS6 was gazetted on 3 November 2017 and now forms part of LPS6. Amendment No. 60 introduced new provisions into Clause 5.7 (Mucchea Employment Node) of LPS6 which:

- clarify planning requirements in the assessment of scheme amendments;
- identify land within the MEN area for which structure planning is required; and
- expand the boundary of the MEN Special Control Area (**SCA**) to reflect the entire MENSF area.

Under Amendment No. 60, the Site and surrounding land has been included within the boundary of the new MEN SCA and is therefore subject to the amended provisions of Clause 5.7 of LPS6.

Consistent with the former provisions of Clause 5.7.2 (Planning Requirements) of LPS6, Amendment No. 60 recognises the "General Industry" zone as one of the potential future zonings anticipated within the MEN SCA area. Amendment No. 60 has also introduced Clause 5.7.2.4 which recognises the Site (Lot 22) as a lot not requiring structure planning prior to development taking place.

7.6 Proposed Amendment to the Shire of Chittering's LPS6

The Site is subject to a proposed Scheme Amendment which will be submitted to the Shire of Chittering concurrently with this application for development approval.

The proposed amendment seeks to reflect the overall intent of the Shire's MEN by introducing a base "General Industry" zone and additional use (concrete batching plant) that is compatible with the future range of intended uses to be accommodated in the MEN area. **Figure 10** contains an excerpt of Section 6.4 of the MEN Structure Plan (**MENSF**) which outlines the uses anticipated within the MEN area. The inclusion of a concrete batching plant use within the "General Industry" zone is considered to be an appropriate form of land use within the MEN area and will function to service the growth of this precinct into the future.

Table A: Permitted land uses

<ul style="list-style-type: none"> • Industry – general, light, rural and service • Animal establishment • Aquaculture • Builders storage yard • Car park • Caretakers dwelling • Civic use • Community purpose • Exhibition centre • Factory unit building • Farm supply centre • Fuel depot • Garden centre/plant nursery • Landscape supplies • Extractive industry 	<ul style="list-style-type: none"> • Lunch bar • Motor vehicle repair, wrecking, vehicle, boat and caravan – sales • Open air display • <u>Public utility</u> • <u>Roadhouse</u> • Salvage yard • <u>Service station</u> • <u>Shop</u> • <u>Showroom</u> • Storage • Telecommunications infrastructure • Transport depot • <u>Veterinary centre</u> • Warehouse • Recycling centre
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Table B: Discretionary 'A' Land uses

- Animal husbandry - intensive
- Stock Yards
- Industry – Noxious

Table C: Land uses not permitted ('X')

- Industry – hazardous, mining and the following noxious industry:
- Chicken litter fired power plant

Figure 10 – Tables A, B and C of Section 6.4 of the MENSF

7.7 Special Control Area – Water Prone Area (Ellen Brook Palusplain)

Pursuant to Part 6 – Special Control Areas of TPS6, the Site is located within a Water Prone Area associated with the Ellen Brook Palusplain as it is mapped as being subject to inundation or flooding. Clause 6.1 of TPS6 states that:

In respect of a Special Control Area shown on a Scheme Map, the provisions applying to the Special Control area apply in addition to the provisions of the underlying zone or reserve and any general provisions of the Scheme.

The purpose of the Water Prone Area – Ellen Brook Palusplain is described in Clause 6.3.2 as follows:

- a. *To manage development in areas where there is high risk of inundation so as to protect people and property from undue damage and where there is a potential risk to human health.*
- b. *To preclude development and the use of land which may increase the amount of nutrients from entering the surface and/or sub-surface water systems.*
- c. *To ensure that wetland environmental values and ecological integrity are preserved and mentioned.*

The Planning Requirements are listed at Clause 6.3.3 as follows:

The Local Government will impose conditions on any Planning Approval relating to-

- (a) *the construction and occupation of any dwelling or outbuilding;*
- (b) *the type of effluent disposal system used in this area shall be high performance with bacterial and nutrient stripping capabilities to the specifications of Council and the Health Department and shall be located in a position determined by Council.;*
- (c) *minimum floor levels for any building above the highest known water levels;*
- (d) *any land use that may contribute to the degradation of the surface or sub-surface water quality.*
- (e) *no development other than for conservation purposes will be permitted within 30 metres of any natural water body;*
- (f) *damming, draining or other developments which may alter the natural flow of surface water will not be permitted unless such works are part of an approved Catchment Management Plan.*

In considering applications for Planning Approval, the Local Government shall have regard to those matters listed in Clause 6.3.4 of TPS6:

- (a) *the likely impact on the health and welfare of future occupants;*
- (b) *the proposed activities for the land and their potential increase in the risk of causing an increase in nutrients entering the water regimes;*
- (c) *any provision or recommendation from any Catchment Management Plan.*
- (d) *the likely impact on any wetland;*
- (e) *buffer distances from any wetland.*

Clause 6.3.5 of TPS6 also notes that the Local Government may refer any Application for Planning Approval or any amendment to vary a Special Control Area boundary to any relevant authority or community organisation. The Site is located approximately 670m from Ellen Brook to the west and approximately 500m from the creek line to the north. No environmentally sensitive wetlands have been identified on or surrounding the subject land.

The adopted environmental management principles will ensure that there is no risk to the groundwater or environmental qualities of the locality as a result of the operations.

8.0 ENVIRONMENT

8.1 Acid Sulfate Soils

Acid sulfate soils (ASS) are naturally occurring soils and sediments containing sulfide minerals, predominantly pyrite (an iron sulfide). In an undisturbed state below the watertable, these soils are benign and not acidic. However, if the soils are drained, excavated or exposed by lowering of the water table, the sulfides will react with oxygen to form sulfuric acid.

As can be seen in **Figure 11**, the Site contains no Acid Sulfate Soils. No ASS investigation will therefore be required.

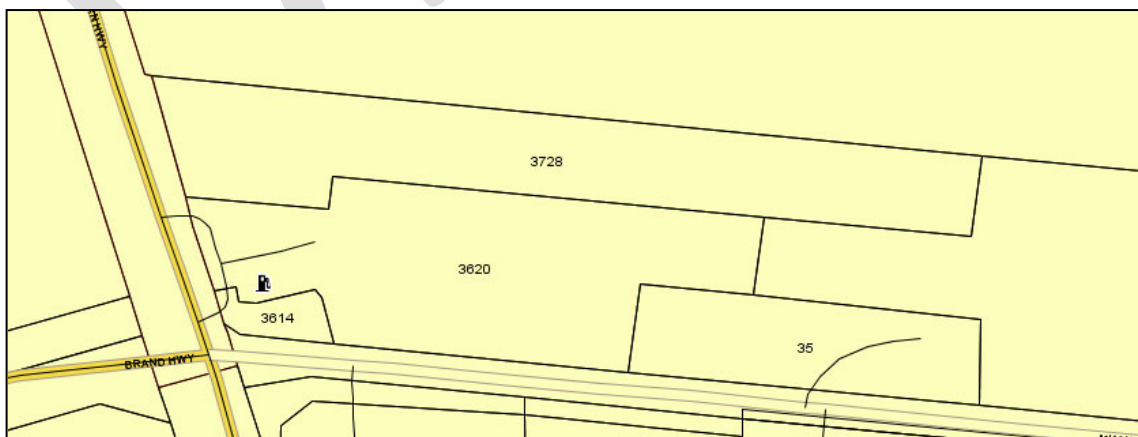


Figure 11: Acid Sulphate Soils

8.2 Topography

As seen in the Site Plan at **Figure 12**, the topography of the land is generally level and provides no difficulties for development. The Site falls from 58m AHD in the east to 52m AHD in the west. The development area is generally at a level of 52m AHD across the site. There are no environmental constraints on the Site with respect to the topography or surface drainage.



Figure 12–Topography

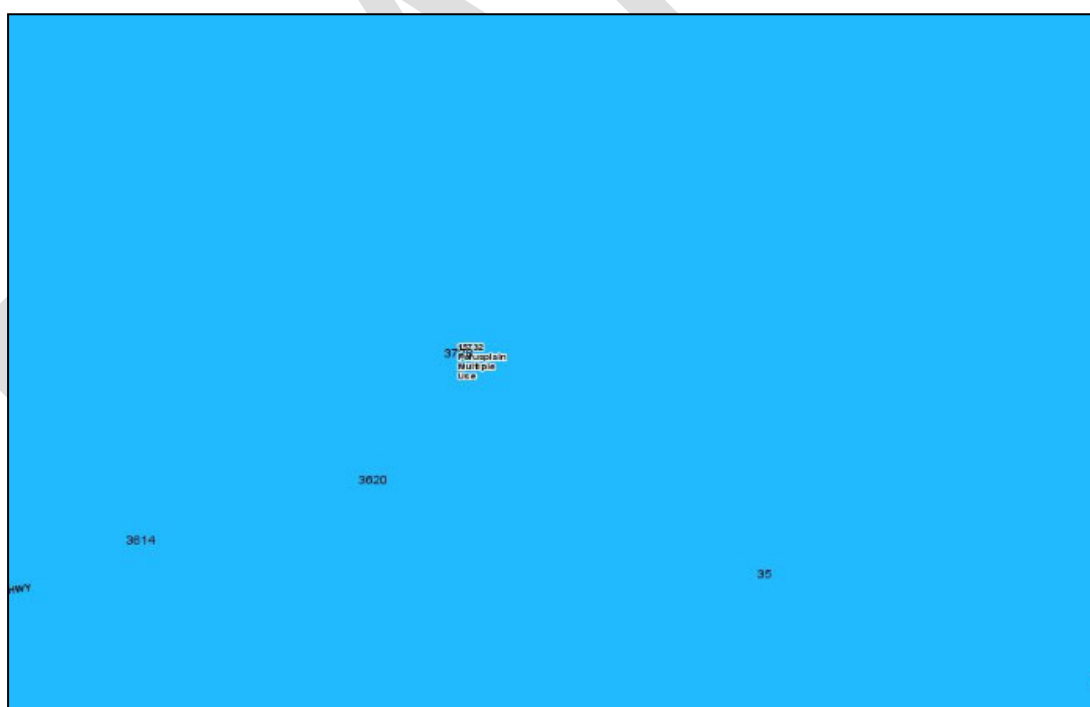


Figure 13 – Geomorphic Wetlands

8.3 Groundwater

A review of the available groundwater mapping from the Department of Water Perth Groundwater Map (refer **Figure 14**) has found that mapped groundwater levels on and around the site are 50m AHD. Compared with the topographical levels across the site falling from 58m AHD in the east to 52m AHD in the west, the mapped groundwater levels are separated from the surface level by approximately 3m at the lowest point.

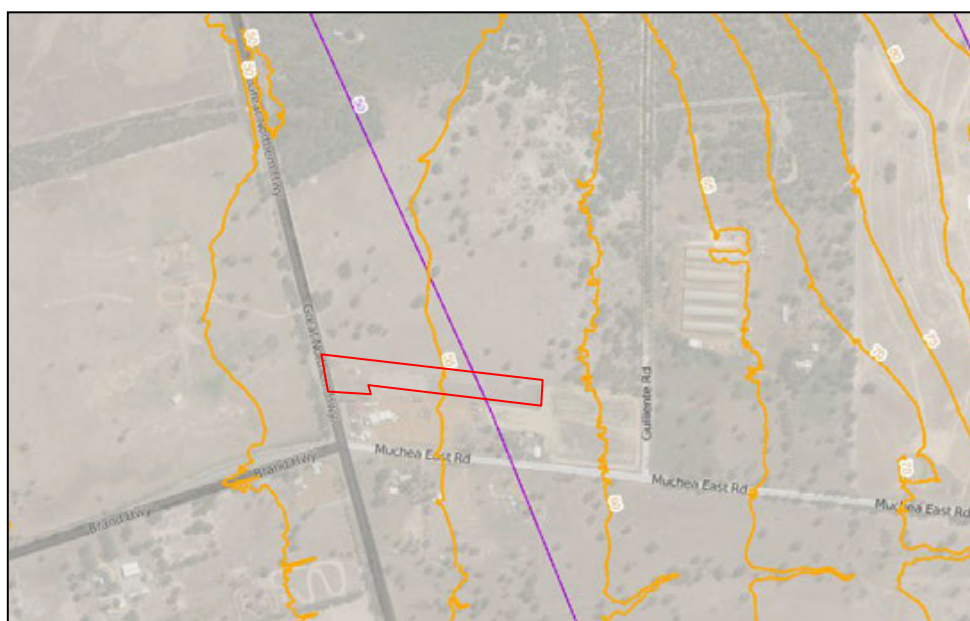


Figure 14 – Groundwater levels (blue line) compared with site contours (yellow line).

8.4 Site Contamination

The Department of Environment Regulation (DER) Contaminated Sites Register did not identify any recorded contamination at the Site.

8.5 Wetlands and Waterways

A review of the WA Atlas Wetland Management Category Mapping was undertaken which identified the Site within a 'Multiple Use' wetland (refer **Figure 13**). Multiple Use wetlands are generally described as 'wetlands with few remaining important attributes and functions', their respective management objectives involving:

Use, development and management should be considered in the context of ecologically sustainable development and best management practice catchment planning through landcare.

The existing wetland classification which exists over the Site is not a barrier to its use in the context of the overall environmental management practices adopted.

A stormwater management plan has also been developed for the Site as part of the EMP (refer **Annexure 1**) to ensure that water is captured and retained on-site following a storm event. Where necessary, the water will be treated to ensure that it does not negatively impact the groundwater resource. Operation under the terms of the EMP will assist to further mitigate against any impacts to groundwater as a result of site operations.

8.6 Significant Vegetation

The Site contains mostly grass and weeds. There are ten fig trees along the property boundary which are likely to be retained.

8.7 Indigenous Heritage

A search was undertaken on the Department of Indigenous Affairs Aboriginal Heritage Enquiry System which returned no results of Registered Aboriginal Sites on or around the Site.

9.0 CONCLUSION

On behalf of Great Northern Concrete we seek Council's support for the proposed mobile concrete batching plant at Lot 22 Great Northern Highway, Muchea.

In conclusion it can be seen that:

- The proposal follows the intent of the State and local planning framework and is designed to operate in accordance with State environmental legislation;
- The proposal ensures the establishment of a batching plant operation which supports the development of the north-east corridor and the Shire of Chittering in particular;
- The Site is well suited to supplying premixed concrete to the outer PMR and surrounding regional areas given its proximity to an established and proposed transport network;
- The management, efficiency and operations of the proposed plant represent the latest practices in sustainability and environmental management;
- Any off-site impacts to sensitive land uses arising from the establishment of the proposed batching plant are considered acceptable given the buffer distances maintained between these land uses and the management plans to be employed;
- Great Northern Concrete is an established concrete supplier with 25 years experience in providing concrete for commercial and residential uses. The proposed batching plant will facilitate long term employment opportunities in the local area and be of significant benefit to the construction industry.

We therefore seek Council's favourable consideration and support of this proposal to enable approval for the operation of the Great Northern Concrete mobile batching plant.

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Annexure 1

Environmental Management Plan

(to be provided as part of final version)

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Annexure 2

Certificate of Title

WESTERN



AUSTRALIA

RECORD OF CERTIFICATE OF TITLE

UNDER THE TRANSFER OF LAND ACT 1893

REGISTER NUMBER 22/D58206	
DUPLICATE EDITION 2	DATE DUPLICATE ISSUED 27/6/2017

VOLUME
1725FOLIO
907

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.



REGISTRAR OF TITLES

LAND DESCRIPTION:

LOT 22 ON DIAGRAM 58206

REGISTERED PROPRIETOR:
 (FIRST SCHEDULE)

BRENT EDWARD RIMMER
 MICHELLE ROBIN RIMMER
 BOTH OF 27 DONEGAL ROAD FLOREAT WA 6014
 AS JOINT TENANTS

(T N656970) REGISTERED 26/6/2017

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

- EXCEPT AND RESERVING METALS, MINERALS, GEMS AND MINERAL OIL SPECIFIED IN TRANSFER 2255/1926.

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:

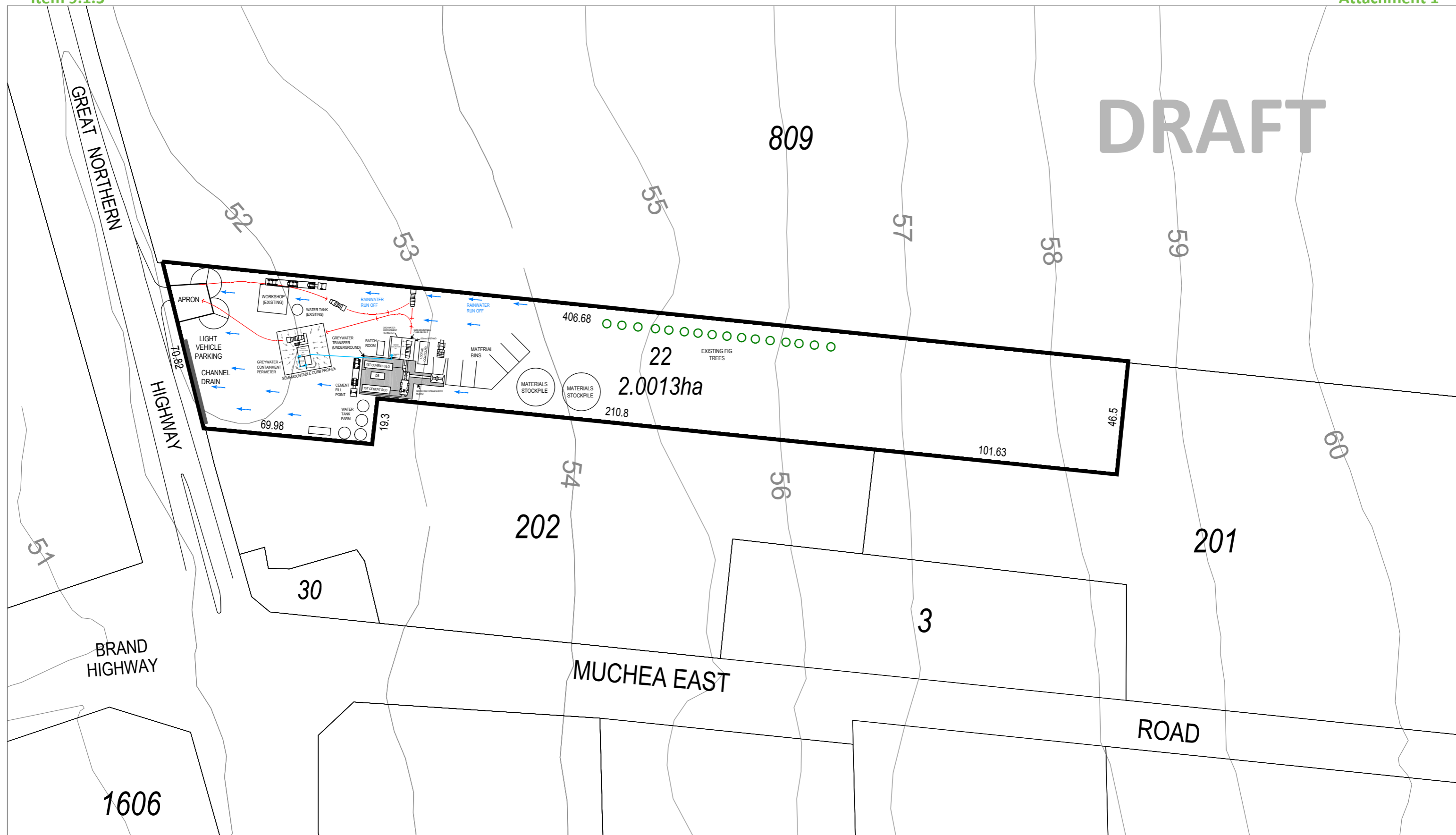
The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1725-907 (22/D58206)
 PREVIOUS TITLE: 1539-333
 PROPERTY STREET ADDRESS: 3728 GREAT NORTHERN HWY, MUCHEA.
 LOCAL GOVERNMENT AUTHORITY: SHIRE OF CHITTERING

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Annexure 3

Development Plans



PROPOSED LAYOUT

LOT 22 (No. 3728) GREAT NORTHERN HIGHWAY
MUCHEA

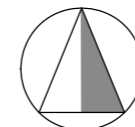
SHIRE OF CHITTERING



SCALE: 1:1500
ORIGINAL PLAN SIZE: A3

JOB CODE:
RIM MUC RZ

DATE:
21.11.2017



LEGEND:

SUBJECT LAND -



**Allerding
& Associates**

Town Planners, Advocates
and Subdivision Designers



PROPOSED LAYOUT

LOT 22 (No. 3728) GREAT NORTHERN HIGHWAY
MUCHEA
SHIRE OF CHITTERING

020406080m

SCALE: 1:1500
ORIGINAL PLAN SIZE: A3

JOB CODE:
RIM MUC RZ

DATE:
17.11.2017

LEGEND:

SUBJECT LAND -

Town Planners, Advocates
and Subdivision Designers

125 Hamersley Road, Subiaco WA 6008
T: (08) 9382 3000 | F: (08) 9382 3005 | W: allerdingassoc.com
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Annexure 4
Traffic Assessment
(to be provided as part of final version)

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Annexure 5

Bushfire Management Plan