



Minutes of the Peel Joint Development Assessment Panel

Meeting Date and Time: Thursday 22 December 2011, 10.46 am
Meeting Number: PJDAP/1
Meeting Venue: Shire of Murray Council Chambers, 1915
Pinjarra Road, Pinjarra

DAP Member Attendees

Mr Rob Paull (Presiding Member)
Mr Edward Turner (Deputy Presiding Member)
Mr Kent McDowall (Specialist Member)
Cr Chris Thompson (Local Government Member – Item 7.1)
Cr Walter Barrett (Local Government Member – Item 7.1)
Cr Noel Dew (Local Government Member – Item 7.2)
Cr Christine Germain (Local Government Member – Item 7.2)

Local Government Officers

Mr Patrick Ruettjes (Manager, Planning & Environmental Services, Shire of Murray – Item 7.1)
Ms Cherryll Oldham (Senior Planner, Shire of Murray – Item 7.1)
Mr Louis Fouche (Manager, Planning Services, Shire of Waroona – Item 7.2)
Mr Greg Delahunty (Town Planner, Shire of Waroona – Item 7.2)

Minute taker: Mary Russell, Admin Support Team Coordinator, Shire of Murray

Applicant(s), Submitters and Members of the Public

John Goullee - Water Corporation/TPG Town Planning and Urban Design
Michael Kevill - Water Corporation/TPG Town Planning and Urban Design
Sarah Taylor – Water Corporation/TPG Town Planning and Urban Design
Cameron Bulstrode – Department of Planning, Mandurah
Marion Gartrell – Department of Planning, Bunbury

1. Declaration of Opening

The Presiding Member, Rob Paull, declared the meeting open at 10.46 am on Thursday 22 December 2011, and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held. He thanked the Shire of Murray for making Council Chambers available to host the meeting.

2. Apologies

Mr Rod Peake (Director, Planning & Development Services, Shire of Murray)

3. Leave of absence

Nil.

4. Noting of Minutes

Nil.

5. Disclosure of interests

Nil.

6. Deputations and presentations

Presenter: John Goulee and Sarah Tayler

A Power Point presentation was given by John Goulee and Sarah Tayler from Water Corporation/TPG Town Planning and Urban Design in support of the proposed Stirling Trunk Main Duplication Pipeline. Mr Goulee advised that Water Corp accepted the recommendations from the respective Shire recommendations for both applications but sought clarification of Condition 4 of the Shire of Murray Report/Recommendation and Condition 3 of the Shire of Waroona Report/Recommendation.

Presenter: Mr Patrick Ruettjes

Mr Patrick Ruettjes spoke on behalf of the Shire of Murray. He addressed the Panel and spoke to the Shire Report/Recommendation. He advised that the Shire had spoken with the applicant before the meeting commenced and concluded that Condition 4 of the Recommendation should be modified to read:

“4. A maintenance bond and supervision fee not exceeding \$150K to be paid to the Shire of Murray prior to the commencement of any site works; the maintenance bond is to be reimbursed on the satisfactory completion of the works to the satisfaction of the Shire of Murray.”

Mr Ruettjes advised that this was acceptable to the applicant (and subsequently confirmed by Mr Goulee).

Presenter: Mr Louis Fouche

Mr Louis Fouche spoke on behalf of the Shire of Waroona. He addressed the Panel and spoke to the Shire Report/Recommendation. He advised that Condition 4 of the Recommendation should be modified to read:

“4. A maintenance bond and supervision fee not exceeding \$250K to be paid to the Shire of Waroona prior to the commencement of any site works; the maintenance bond is to be reimbursed on the satisfactory completion of the works to the satisfaction of the Shire of Waroona.”

The difference in the value of the bond to that of the Shire of Murray was due to the pipeline being more extensive in the Shire of Waroona (and subsequently confirmed by Mr Goulee).

The Presiding Member advised Councillors Cr Noel Dew and Cr Christine Germain would be provided the opportunity to ask questions to the Water Corp presenters and the Shire when Item 7.2 was being discussed.

7. Responsible Authority reports

7.1 DAP Ref D11/32087 – Various lots and road reserves in the Coolup locality of the Shire of Murray affected by the proposed Stirling Trunk Main Duplication Pipeline

Property location and subject:	Various Lots and Road Reserves within the Shire of Murray – Stirling Trunk Main Duplication Pipeline
Applicant's name:	The Planning Group WA Pty Ltd on behalf of the Water Corporation
Responsible authority:	Shire of Murray
Report date:	15 December 2011

REPORT RECOMMENDATION:

That the Peel Joint Development Assessment Panel resolves to:

1. **Approve** DAP Application reference DAP Ref D11/32087 submitted by TPG Town Planning and Urban Design on behalf of the Water Corporation to construct the Stirling Trunk Main Duplication Pipeline and accompanying plans FB19-15-2-48 to 55 dated October 2011 in accordance with Clause 3.3.3 (i) of the Shire of Murray's Town Planning Scheme No. 4, subject to the following conditions and advice notes:

a) Conditions of Approval

1. The development and rehabilitation shall be carried out in accordance with the specified alignment depicted in the attached approved plans in conjunction with the Construction Environmental Management Framework dated October 2011 as modified by conditions forming part of this approval.
2. The plans to be modified to incorporate a connection point from the Stirling Truck Main sufficient to facilitate a future reticulated water supply to the Coolup Townsite.
3. A Road Reserve Management Plan to be submitted to the Shire of Murray that details the maintenance and rehabilitation requirements for all Shire infrastructure affected by the proposal including the proposed haulage route(s) affected by the proposed construction works during the life of the construction works and incorporates a Traffic Management Plan to the satisfaction of the Shire of Murray. The approved plan to be implemented.
4. A maintenance bond and supervision fee to be paid to the Shire of Murray prior to the commencement of any site works.
5. Farm Management Plans to be submitted to the Shire to the satisfaction of the Shire of Murray and be implemented for each particular property affected by the proposed development.
6. Water from the dewatering process shall not be directed towards existing water bodies, drains, dams and/or road reserves.

7. An acid sulphate soils (ASS) self assessment form, and if required as a result of the self assessment, an acid sulphate soils report and an acid sulphate soils management plan shall be submitted to and approved by the Shire of Murray on advice from the Department of Environment and Conservation before any site works are commenced. Where an ASS management plan is required to be submitted all site works are to be carried out in accordance with the approved management plan.
8. Excess overburden shall not be removed from the site until such time as the Shire of Murray is satisfied that it is not contaminated with acid sulphate soils and the Shire has approved the location for the disposal of the soils.
9. A dieback survey shall be undertaken of the alignment within the Shire of Murray. A site specific Dieback Management Plan shall be prepared and implemented to the satisfaction of the Shire of Murray on advice from the Department of Environment and Conservation.
10. Hours of operation and movement of heavy vehicles and/or machinery in or out of the Shire of Murray shall occur between the hours of 7.00am – 6.00pm Monday to Saturday unless otherwise agreed in writing by the Shire of Murray.
11. A copy of the noise log detailed in Part 10 of the Noise Management Plan contained within the Construction Environmental Management Framework shall be submitted to the Shire of Murray for information on a monthly basis.
12. A copy of the vibration log detailed in Part 3 of the Vibration Management Plan contained within the Construction Environmental Management Framework shall be submitted to the Shire of murray for information on a monthly basis.
13. No major servicing of machinery shall be undertaken on site within the Shire of Murray unless otherwise agreed in writing by the Shire of Murray.
14. Any fuel spills shall be cleaned up immediately and the contaminated soil is to be removed from the site to the satisfaction of the Shire of Murray.
15. Should the water pressure of existing Stirling Trunk Main Pipeline be decreased or altered it is the responsibility of the Water Corporation to relocate the existing Fire Hydrant to the new high pressure Stirling Trunk Main Duplication.
16. A sign shall be located at the construction site at all times with a contact name and telephone number of a responsible contact person for enquiries relating to the construction.

17. All works to be undertaken in a manner that no clearing of native vegetation is required. If clearing of native vegetation is required to be undertaken, the necessary approvals are to be obtained from the Shire of Murray and the Department of Environment and Conservation. If clearing of native vegetation is required to be undertaken, an appropriate offset is to be provided to the satisfaction of the Shire of Murray on advice from Department of Environment and Conservation.
18. The Fire Management Plan contained within the Construction Environmental Management Framework dated October 2011 is to be modified and implemented to the satisfaction of the Shire of Murray on advice from the Fire and Emergency Services Authority.
19. If the development the subject of this approval is not substantially commenced within a period of two years from the date of this approval, the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.

b) Advice Notes:

- i. Written approval from the Director of Technical Services is required prior to undertaking any works to ensure infrastructure reinstatement and safety standards within the road network are being managed in accordance with condition 3. The Road Reserve Management Plan is to address the ongoing maintenance of the haulage route and also the deterioration of the road infrastructure with a view of managed contributions. It is highlighted that any damage caused by the haulage operations shall be rehabilitated in accordance with the *Traffic Act 2000* and Shire of Murray standards.
- ii. The applicant is advised to obtain a copy of the Department of Water, Water Quality Protection Note; Tanks for Elevated Chemical Storage for advice on storage tanks and associated spill containment compound located near sensitive areas, which is available from the Department of Water's website (www.water.wa.gov.au).
- iii. The applicant is advised that it is an offence under the *Aboriginal Heritage Act* to disturb a site of Aboriginal Heritage significance. It is recommended that the applicant liaise with the Department of Indigenous Affairs to discuss any requirements for this site prior to any works commencing.
- iv. With respect to condition 10, should the operations and movement of heavy vehicles and machinery be required out of hours works as detailed in Part 11 of the Construction Environmental Management Framework, this will be subject to separate Shire approval. A full noise management plan to be submitted for these proposed works.

- v. All works are to comply with Worksafe Regulation 3.64 – Guidelines for Work in the Vicinity of Overhead Powerlines. All excavations must be carried out in accordance with Western Power’s Excavation Guidelines. Mitigation against Low Frequency Induction, Earth Potential rise and Step and touch Potential is the responsibility for the proponent installing new infrastructure. It is suggested the proponent engage an electrical engineering firm to carry out a study to determine when mitigation if any is required.
- vi. The *Rights in Water Irrigation Act 1914* requires that works that interfere with bed and banks of a watercourse in a proclaimed surface water area, require the proponent to apply to the Department of Water for a Permit.
- vii. With respect to condition 17, the applicant is advised to contact the Department of Environment and Conservation with respect to the clearing of native vegetation to ensure compliance with the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* and whether the clearing of any native vegetation is in accordance with the conditions of Water Corporation’s State-wide Clearing Permit 185/3.
- viii. Waste from the ablution facilities shall be disposed of off-site to the satisfaction of the Shire of Murray. The Water Corporation and its contractors are advised to contact the Shire’s Environmental Health section for details on waste disposal for temporary ablution facilities.

2. Advises the applicant and the Shire of Murray of its decision accordingly.

AMENDING MOTION

Moved by: Cr C Thompson Seconded by: Cr W Barrett

Shire Recommendation with Condition (4) amended to read:-

“4. A maintenance bond and supervision fee not exceeding \$150K to be paid to the Shire of Murray prior to the commencement of any site works; the maintenance bond is to be reimbursed on the satisfactory completion of the works to the satisfaction of the Shire of Murray”.

(Reason: To reflect the modified recommendation from the Shire of Murray.)

FORESHADOWED AMENDMENT

Moved by: Mr Edward Turner

That a further Advice Note, number (ix) be added as follows:

“The discretion by the Shire under any of the conditions herein shall be exercised in a reasonable manner. Any dispute on conditions may be referred back to the PJDAP.”

The foreshadowed Amendment was accepted by the Mover and Seconder and became the substantive motion.

PANEL DECISION

That the Peel Joint Development Assessment Panel resolves to:

1. **Approve** DAP Application reference DAP Ref D11/32087 submitted by TPG Town Planning and Urban Design on behalf of the Water Corporation to construct the Stirling Trunk Main Duplication Pipeline and accompanying plans FB19-15-2-48 to 55 dated October 2011 in accordance with Clause 3.3.3 (i) of the Shire of Murray's Town Planning Scheme No. 4, subject to the following conditions and advice notes:

- a) Conditions of Approval

1. The development and rehabilitation shall be carried out in accordance with the specified alignment depicted in the attached approved plans in conjunction with the Construction Environmental Management Framework dated October 2011 as modified by conditions forming part of this approval.
2. The plans to be modified to incorporate a connection point from the Stirling Truck Main sufficient to facilitate a future reticulated water supply to the Coolup Townsite.
3. A Road Reserve Management Plan to be submitted to the Shire of Murray that details the maintenance and rehabilitation requirements for all Shire infrastructure affected by the proposal including the proposed haulage route(s) affected by the proposed construction works during the life of the construction works and incorporates a Traffic Management Plan to the satisfaction of the Shire of Murray. The approved plan to be implemented.
4. A maintenance bond and supervision fee not exceeding \$150K to be paid to the Shire of Murray prior to the commencement of any site works; the maintenance bond is to be reimbursed on the satisfactory completion of the works to the satisfaction of the Shire of Murray.
5. Farm Management Plans to be submitted to the Shire to the satisfaction of the Shire of Murray and be implemented for each particular property affected by the proposed development.
6. Water from the dewatering process shall not be directed towards existing water bodies, drains, dams and/or road reserves.
7. An acid sulphate soils (ASS) self assessment form, and if required as a result of the self assessment, an acid sulphate soils report and an acid sulphate soils management plan shall be submitted to and approved by the Shire of Murray on advice from the Department of Environment and Conservation before any site works are commenced. Where an ASS management plan is required to be submitted all site works are to be carried out in accordance with the approved management plan.

8. Excess overburden shall not be removed from the site until such time as the Shire of Murray is satisfied that it is not contaminated with acid sulphate soils and the Shire has approved the location for the disposal of the soils.
9. A dieback survey shall be undertaken of the alignment within the Shire of Murray. A site specific Dieback Management Plan shall be prepared and implemented to the satisfaction of the Shire of Murray on advice from the Department of Environment and Conservation.
10. Hours of operation and movement of heavy vehicles and/or machinery in or out of the Shire of Murray shall occur between the hours of 7.00am – 6.00pm Monday to Saturday unless otherwise agreed in writing by the Shire of Murray.
11. A copy of the noise log detailed in Part 10 of the Noise Management Plan contained within the Construction Environmental Management Framework shall be submitted to the Shire of Murray for information on a monthly basis.
12. A copy of the vibration log detailed in Part 3 of the Vibration Management Plan contained within the Construction Environmental Management Framework shall be submitted to the Shire of murray for information on a monthly basis.
13. No major servicing of machinery shall be undertaken on site within the Shire of Murray unless otherwise agreed in writing by the Shire of Murray.
14. Any fuel spills shall be cleaned up immediately and the contaminated soil is to be removed from the site to the satisfaction of the Shire of Murray.
15. Should the water pressure of existing Stirling Trunk Main Pipeline be decreased or altered it is the responsibility of the Water Corporation to relocate the existing Fire Hydrant to the new high pressure Stirling Trunk Main Duplication.
16. A sign shall be located at the construction site at all times with a contact name and telephone number of a responsible contact person for enquiries relating to the construction.
17. All works to be undertaken in a manner that no clearing of native vegetation is required. If clearing of native vegetation is required to be undertaken, the necessary approvals are to be obtained from the Shire of Murray and the Department of Environment and Conservation. If clearing of native vegetation is required to be undertaken, an appropriate offset is to be provided to the satisfaction of the Shire of Murray on advice from Department of Environment and Conservation.
18. The Fire Management Plan contained within the Construction Environmental Management Framework dated October 2011 is to be modified and implemented to the satisfaction of the Shire of Murray on advice from the Fire and Emergency Services Authority.

19. If the development the subject of this approval is not substantially commenced within a period of two years from the date of this approval, the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.

b) Advice Notes:

- i. Written approval from the Director of Technical Services is required prior to undertaking any works to ensure infrastructure reinstatement and safety standards within the road network are being managed in accordance with condition 3. The Road Reserve Management Plan is to address the ongoing maintenance of the haulage route and also the deterioration of the road infrastructure with a view of managed contributions. It is highlighted that any damage caused by the haulage operations shall be rehabilitated in accordance with the *Traffic Act 2000* and Shire of Murray standards.
- ii. The applicant is advised to obtain a copy of the Department of Water, Water Quality Protection Note; Tanks for Elevated Chemical Storage for advice on storage tanks and associated spill containment compound located near sensitive areas, which is available from the Department of Water's website (www.water.wa.gov.au).
- iii. The applicant is advised that it is an offence under the *Aboriginal Heritage Act* to disturb a site of Aboriginal Heritage significance. It is recommended that the applicant liaise with the Department of Indigenous Affairs to discuss any requirements for this site prior to any works commencing.
- iv. With respect to condition 10, should the operations and movement of heavy vehicles and machinery be required out of hours works as detailed in Part 11 of the Construction Environmental Management Framework, this will be subject to separate Shire approval. A full noise management plan to be submitted for these proposed works.
- v. All works are to comply with Worksafe Regulation 3.64 – Guidelines for Work in the Vicinity of Overhead Powerlines. All excavations must be carried out in accordance with Western Power's Excavation Guidelines. Mitigation against Low Frequency Induction, Earth Potential rise and Step and touch Potential is the responsibility for the proponent installing new infrastructure. It is suggested the proponent engage an electrical engineering firm to carry out a study to determine when mitigation if any is required.
- vi. The *Rights in Water Irrigation Act 1914* requires that works that interfere with bed and banks of a watercourse in a proclaimed surface water area, require the proponent to apply to the Department of Water for a Permit.

- vii. With respect to condition 17, the applicant is advised to contact the Department of Environment and Conservation with respect to the clearing of native vegetation to ensure compliance with the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* and whether the clearing of any native vegetation is in accordance with the conditions of Water Corporation's State-wide Clearing Permit 185/3.
- viii. Waste from the ablution facilities shall be disposed of off-site to the satisfaction of the Shire of Murray. The Water Corporation and its contractors are advised to contact the Shire's Environmental Health section for details on waste disposal for temporary ablution facilities.
- ix. The discretion by the Shire under any of the conditions herein shall be exercised in a reasonable manner. Any dispute on conditions may be referred back to the PJDAP.

2. Advises the applicant and the Shire of Murray of its decision accordingly.

Moved by: Cr Christine Thompson

Seconded by: Cr Walter Barrett

The motion was put and CARRIED UNANIMOUSLY.

The Presiding Member thanked the Cr Thompson and Cr Barrett for their participation and called for Councillors Cr Noel Dew and Cr Christine Germain to join the Panel, taking the places of Cr Noel Dew and Cr Christine Germain.

7.2 DAP Ref TP1444 – Various lots and road reserves in the Shire of Waroona affected by the proposed Stirling Trunk Main Duplication Pipeline

Property location and subject:	Various Lots and Road Reserves within the Shire of Waroona – Stirling Trunk Main Duplication Pipeline
Applicant's name:	The Planning Group WA Pty Ltd on behalf of the Water Corporation
Responsible authority:	Shire of Waroona
Report date:	15 December 2011

REPORT RECOMMENDATION:

That the Peel Joint Development Assessment Panel resolves to:

1. **Approve** DAP Application reference TP1444 submitted by TPG Town Planning and Design on behalf of the Water Corporation to construct the Stirling Trunk Main Duplication Pipeline and accompanying plans FB19-0-5-1 to FB19-0-5-8 and plan FB19-X-Y-4 dated October 2011, 2011 in accordance with Clause 8.3.2 of the Shire of Waroona Town Planning Scheme No. 7 subject to the following conditions and advice notes:
 - a) Conditions of Approval

1. The development and rehabilitation shall be carried out in accordance with the specified alignment depicted in the attached approved plans in conjunction with the Construction Environmental Management Framework dated December 2011 as approved by the Shire of Waroona or as required to be modified below.
2. A Road Reserve Management Plan be submitted and implemented that details the maintenance and rehabilitation requirements for all Shire infrastructure and the proposed haulage route(s) affected by the proposed construction works during the life of the construction works and incorporates a Traffic Management Plan to the satisfaction of the Shire of Waroona .
3. A maintenance bond and supervision fee being paid to the Shire of Waroona prior to the commencement of any site works.
4. Traffic Management Plans for all affected roadways, are to be submitted for approval to the Shire of Waroona prior to the commencement of any site works. In the event of road closures the Shire of Waroona must be notified not less than 2 weeks in advance of the proposed closure period.
5. All detour roads, associated with the proposed works are to be maintained to the satisfaction of the Shire of Waroona.
6. The Water Corporation shall indemnify the Shire of all public liability in relation to activities associated with the development.
7. Farm Management Plans shall be submitted to the satisfaction of the Shire of Waroona and be implemented prior to the commencement of works on each particular property affected by the proposed development.
8. An acid sulphate soils (ASS) self assessment form, and if required as a result of the self assessment, an acid sulphate soils report and an acid sulphate soils management plan shall be submitted to and approved by the Shire of Waroona on advice from the Department of Environment and Conservation before any site works are commenced. Where an ASS management plan is required to be submitted all site works are to be carried out in accordance with the approved management plan.
9. Water from the dewatering process shall not be directed towards existing water bodies, drains, dams and/or road reserves.
10. Excess overburden shall not be removed from the site until such time the Shire of Waroona is satisfied that the soil is not contaminated with acid sulphate soils and the Shire has approved the location for the disposal of the soils.
11. A dieback survey shall be undertaken of the alignment within the Shire of Waroona. A site specific Dieback Management Plan shall be prepared and implemented to the satisfaction of the Shire of Waroona on advice from the Department of Environment and Conservation.

12. Hours of operation and movement of heavy vehicles and/or machinery in or out of the Shire of Waroona shall occur between the hours of 7.00am – 6.00pm Monday to Saturday unless otherwise agreed in writing by the Shire.
13. A copy of the noise log detailed in Part 10 of the Noise Management Plan contained within the Construction Environmental Management Framework shall be submitted to the Shire of Waroona for information on a monthly basis.
14. A copy of the vibration log detailed in Part 3 of the Vibration Management Plan contained within the Construction Environmental Management Framework shall be submitted to the Shire of Waroona for information on a monthly basis.
15. No major servicing of machinery shall be undertaken on site.
16. Any fuel spills shall be cleaned up immediately and the contaminated soil is to be removed from the site to the satisfaction of the Shire of Waroona.
17. Should the water pressure of existing Stirling Trunk Main Pipeline be decreased or altered it is the responsibility of the Water Corporation to relocate the existing Fire Hydrant to the new high pressure Stirling Trunk Main Duplication.
18. A sign shall be located at the construction site at all times with a contact name and telephone number of a responsible contact person for enquiries relating to the construction.
19. All works to be undertaken in a manner that no clearing of native vegetation is required. If clearing of native vegetation is required to be undertaken, the necessary approvals are to be obtained from the Shire of Waroona and the Department of Environment and Conservation. If clearing of native vegetation is required to be undertaken, an appropriate offset is to be provided to the satisfaction of the Manager Planning Services on advice from Department of Environment and Conservation.
20. All works are to be carried out in accordance with the necessary approvals and/or licences required by, but not limited to:
 - Western Power;
 - Department of Water;
 - Department of Indigenous Affairs;
 - Department of Environment and Conservation; and
 - Telstra
21. The Fire Management Plan contained within the Construction Environmental Management Framework dated October 2011 is to be modified (where required) and implemented to the satisfaction of the Shire of Waroona on advice from the Fire and Emergency Services Authority.

22. If the development of the subject of this approval is not substantially commenced within a period of two years from the date of this approval, the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.

b) Advice Notes:

- A. Written approval from the Shire of Waroona (Director of Technical Services) is required prior to undertaking any works to ensure infrastructure reinstatement and safety standards within the road network are being managed in accordance with condition 2. The Road Reserve Management Plan is to include a current road condition report.
- B. In relation to condition 3, the terms (including calculation formulas and bond holding term) of the maintenance bond and supervision fee are to be agreed to in writing by the Shire of Waroona and the Water Corporation prior to the commencement of works affecting Shire roads / verges.
- C. The applicant is advised to obtain a copy of the Department of Water, Water Quality Protection Note; Tanks for Elevated Chemical Storage for advice on storage tanks and associated spill containment compound located near sensitive areas, which is available from the Department of Water's website (www.water.wa.gov.au).
- D. The applicant is advised that it is an offence under the *Aboriginal Heritage Act* to disturb a site of Aboriginal Heritage significance. It is recommended that the applicant liaise with the Department of Indigenous Affairs to discuss any requirements for this site prior to any works commencing.
- E. With respect to condition 12, should the operations and movement of heavy vehicles and machinery be required out of hours works as detailed in Part 12 of the Construction Environmental Management Framework, this will be subject to separate Shire approval. A full noise management plan to be submitted for these proposed works.
- F. All works are to comply with Worksafe Regulation 3.64 – Guidelines for Work in the Vicinity of Overhead Powerlines. All excavations must be carried out in accordance with Western Power's Excavation Guidelines. Mitigation against Low Frequency Induction, Earth Potential rise and Step and touch Potential is the responsibility for the proponent installing new infrastructure. It is suggested the proponent engage an electrical engineering firm to carry out a study to determine when mitigation if any is required.
- G. The *Rights in Water Irrigation Act 1914* requires that works that interfere with bed and banks of a watercourse in a proclaimed surface water area, require the proponent to apply to the Department of Water for a Permit.

- H. Waste from the ablution facilities shall be disposed of off-site to the satisfaction of the Shire of Waroona
- I. With respect to condition 19, the applicant is advised to contact the Department of Environment and Conservation with respect to the clearing of native vegetation to ensure compliance with the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* and whether the clearing of any native vegetation is in accordance with the conditions of Water Corporation's State-wide Clearing Permit 185/3.
- J. It is DEC's expectation that the Water Corporation will ensure that the construction including and discharge of pipe testing and disinfection water complies with the Environmental Protections (Unauthorised Discharge) Regulations (2004).
- K. It is DEC's expectation that should the construction corridor intersect any sites where previous landuses / activities are likely to have resulted in soil contamination, the Water Corporation will undertake appropriate assessment and management consistent with DEC specifications and requirements.
- L. To protect the ecology of watercourses the Rights in Water Irrigation Act 1914, requires that works that interfere with the bed and banks of a watercourse in a proclaimed surface water are, require the proponent to apply to DoW for a Permit.
- M. While Water Corporation is not required to obtain either a section 5C or Section 26D licence under the Rights in Water Irrigation Act 1914, to undertake dewatering operations, any effects upon local water resources and the environment should be minimised.
- N. An assessment of potential impacts of proposed dewatering should consider issues such as bore yield, groundwater level changes, leakage from other aquifers, salt water intrusion acidification, impacts on surrounding groundwater dependent ecosystems and water quality changes (e.g. nutrients and salinity)
- O. Recommended management actions detailed in the DoW's Water Quality Protection Notes Dewatering of Soil at Construction Sites and Infrastructure Corridors Near Sensitive Wetlands, which are available on the DoW's website.

2. Advises the applicant and the Shire of Waroona of its decision accordingly.

AMENDING MOTION

Moved by: Mr Edward Turner Seconded by: Cr Noel Drew

That Condition (3) be amended to read:-

"3. *A maintenance bond and supervision fee not exceeding \$250K to be paid to the Shire of Waroona prior to the commencement of any site works; the maintenance bond is to be reimbursed on the satisfactory completion of the works to the satisfaction of the Shire of Waroona.*"

That a further Advice Note, letter (P) be added as follows:

“The discretion by the Shire under any of the conditions herein shall be exercised in a reasonable manner. Any dispute on conditions may be referred back to the PJDAP.”

PANEL DECISION

That the Peel Joint Development Assessment Panel resolves to:

1. **Approve** DAP Application reference TP1444 submitted by TPG Town Planning and Design on behalf of the Water Corporation to construct the Stirling Trunk Main Duplication Pipeline and accompanying plans FB19-0-5-1 to FB19-0-5-8 and plan FB19-X-Y-4 dated October 2011, 2011 in accordance with Clause 8.3.2 of the Shire of Waroona Town Planning Scheme No. 7 subject to the following conditions and advice notes:

- a) Conditions of Approval

1. The development and rehabilitation shall be carried out in accordance with the specified alignment depicted in the attached approved plans in conjunction with the Construction Environmental Management Framework dated December 2011 as approved by the Shire of Waroona or as required to be modified below.
2. A Road Reserve Management Plan be submitted and implemented that details the maintenance and rehabilitation requirements for all Shire infrastructure and the proposed haulage route(s) affected by the proposed construction works during the life of the construction works and incorporates a Traffic Management Plan to the satisfaction of the Shire of Waroona .
3. A maintenance bond and supervision fee not exceeding \$250K to be paid to the Shire of Waroona prior to the commencement of any site works; the maintenance bond is to be reimbursed on the satisfactory completion of the works to the satisfaction of the Shire of Waroona.”
4. Traffic Management Plans for all affected roadways, are to be submitted for approval to the Shire of Waroona prior to the commencement of any site works. In the event of road closures the Shire of Waroona must be notified not less than 2 weeks in advance of the proposed closure period.
5. All detour roads, associated with the proposed works are to be maintained to the satisfaction of the Shire of Waroona.
6. The Water Corporation shall indemnify the Shire of all public liability in relation to activities associated with the development.
7. Farm Management Plans shall be submitted to the satisfaction of the Shire of Waroona and be implemented prior to the commencement of works on each particular property affected by the proposed development.

8. An acid sulphate soils (ASS) self assessment form, and if required as a result of the self assessment, an acid sulphate soils report and an acid sulphate soils management plan shall be submitted to and approved by the Shire of Waroona on advice from the Department of Environment and Conservation before any site works are commenced. Where an ASS management plan is required to be submitted all site works are to be carried out in accordance with the approved management plan.
9. Water from the dewatering process shall not be directed towards existing water bodies, drains, dams and/or road reserves.
10. Excess overburden shall not be removed from the site until such time the Shire of Waroona is satisfied that the soil is not contaminated with acid sulphate soils and the Shire has approved the location for the disposal of the soils.
11. A dieback survey shall be undertaken of the alignment within the Shire of Waroona. A site specific Dieback Management Plan shall be prepared and implemented to the satisfaction of the Shire of Waroona on advice from the Department of Environment and Conservation.
12. Hours of operation and movement of heavy vehicles and/or machinery in or out of the Shire of Waroona shall occur between the hours of 7.00am – 6.00pm Monday to Saturday unless otherwise agreed in writing by the Shire.
13. A copy of the noise log detailed in Part 10 of the Noise Management Plan contained within the Construction Environmental Management Framework shall be submitted to the Shire of Waroona for information on a monthly basis.
14. A copy of the vibration log detailed in Part 3 of the Vibration Management Plan contained within the Construction Environmental Management Framework shall be submitted to the Shire of Waroona for information on a monthly basis.
15. No major servicing of machinery shall be undertaken on site.
16. Any fuel spills shall be cleaned up immediately and the contaminated soil is to be removed from the site to the satisfaction of the Shire of Waroona.
17. Should the water pressure of existing Stirling Trunk Main Pipeline be decreased or altered it is the responsibility of the Water Corporation to relocate the existing Fire Hydrant to the new high pressure Stirling Trunk Main Duplication.
18. A sign shall be located at the construction site at all times with a contact name and telephone number of a responsible contact person for enquiries relating to the construction.

19. All works to be undertaken in a manner that no clearing of native vegetation is required. If clearing of native vegetation is required to be undertaken, the necessary approvals are to be obtained from the Shire of Waroona and the Department of Environment and Conservation. If clearing of native vegetation is required to be undertaken, an appropriate offset is to be provided to the satisfaction of the Manager Planning Services on advice from Department of Environment and Conservation.
20. All works are to be carried out in accordance with the necessary approvals and/or licences required by, but not limited to:
 - Western Power;
 - Department of Water;
 - Department of Indigenous Affairs;
 - Department of Environment and Conservation; and
 - Telstra
21. The Fire Management Plan contained within the Construction Environmental Management Framework dated October 2011 is to be modified (where required) and implemented to the satisfaction of the Shire of Waroona on advice from the Fire and Emergency Services Authority.
22. If the development of the subject of this approval is not substantially commenced within a period of two years from the date of this approval, the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.

b) Advice Notes:

- A. Written approval from the Shire of Waroona (Director of Technical Services) is required prior to undertaking any works to ensure infrastructure reinstatement and safety standards within the road network are being managed in accordance with condition 2. The Road Reserve Management Plan is to include a current road condition report.
- B. In relation to condition 3, the terms (including calculation formulas and bond holding term) of the maintenance bond and supervision fee are to be agreed to in writing by the Shire of Waroona and the Water Corporation prior to the commencement of works affecting Shire roads / verges.
- C. The applicant is advised to obtain a copy of the Department of Water, Water Quality Protection Note; Tanks for Elevated Chemical Storage for advice on storage tanks and associated spill containment compound located near sensitive areas, which is available from the Department of Water's website (www.water.wa.gov.au).

- D. The applicant is advised that it is an offence under the *Aboriginal Heritage Act* to disturb a site of Aboriginal Heritage significance. It is recommended that the applicant liaise with the Department of Indigenous Affairs to discuss any requirements for this site prior to any works commencing.
- E. With respect to condition 12, should the operations and movement of heavy vehicles and machinery be required out of hours works as detailed in Part 12 of the Construction Environmental Management Framework, this will be subject to separate Shire approval. A full noise management plan to be submitted for these proposed works.
- F. All works are to comply with Worksafe Regulation 3.64 – Guidelines for Work in the Vicinity of Overhead Powerlines. All excavations must be carried out in accordance with Western Power’s Excavation Guidelines. Mitigation against Low Frequency Induction, Earth Potential rise and Step and touch Potential is the responsibility for the proponent installing new infrastructure. It is suggested the proponent engage an electrical engineering firm to carry out a study to determine when mitigation if any is required.
- G. The *Rights in Water Irrigation Act 1914* requires that works that interfere with bed and banks of a watercourse in a proclaimed surface water area, require the proponent to apply to the Department of Water for a Permit.
- H. Waste from the ablution facilities shall be disposed of off-site to the satisfaction of the Shire of Waroona
- I. With respect to condition 19, the applicant is advised to contact the Department of Environment and Conservation with respect to the clearing of native vegetation to ensure compliance with the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* and whether the clearing of any native vegetation is in accordance with the conditions of Water Corporation’s State-wide Clearing Permit 185/3.
- J. It is DEC’s expectation that the Water Corporation will ensure that the construction including and discharge of pipe testing and disinfection water complies with the Environmental Protections (Unauthorised Discharge) Regulations (2004).
- K. It is DEC’s expectation that should the construction corridor intersect any sites where previous landuses / activities are likely to have resulted in soil contamination, the Water Corporation will undertake appropriate assessment and management consistent with DEC specifications and requirements.
- L. To protect the ecology of watercourses the Rights in Water Irrigation Act 1914, requires that works that interfere with the bed and banks of a watercourse in a proclaimed surface water are, require the proponent to apply to Dow for a Permit.

- M. While Water Corporation is not required to obtain either a section 5C or Section 26D licence under the Rights in Water Irrigation Act 1914, to undertake dewatering operations, any effects upon local water resources and the environment should be minimised.
- N. An assessment of potential impacts of proposed dewatering should consider issues such as bore yield, groundwater level changes, leakage from other aquifers, salt water intrusion acidification, impacts on surrounding groundwater dependent ecosystems and water quality changes (e.g. nutrients and salinity)
- O. Recommended management actions detailed in the DoW's Water Quality Protection Notes Dewatering of Soil at Construction Sites and Infrastructure Corridors Near Sensitive Wetlands, which are available on the DoW's website.
- P. The discretion by the Shire under any of the conditions herein shall be exercised in a reasonable manner. Any dispute on conditions may be referred back to the Peel JDAP.

2. Advises the applicant and the Shire of Waroona of its decision accordingly.

The motion was put and CARRIED UNANIMOUSLY.

8. Amending or cancelling DAP development approval

Nil.

9. Appeals

Nil.

10. Meeting Close

There being no further business, the Presiding Member wished all present a very Merry Christmas and a Happy New Year and declared the meeting closed at 11.20 am.