



Development Application for Noxious Industry (Carbon Recycling Facility)

Lot 9500 (No. 320) Gull Road, Keralup

December 2023

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1.0 Executive Summary

The following application seeks planning approval for the introduction of a Carbon Recycling Facility for a leased portion at Lot 9500 (No. 320) Gull Road, Keralup. The current landowner (DevelopmentWA) has leased this section of land, to which the lease area is currently vacant.

The land use is classified as 'Noxious Industry' which is a 'SA' use within the 'Rural' zone pursuant to the Shire of Murray's Local Planning Scheme No. 4.

This Report has determined that the most relevant planning matters to this proposal are as follows:

- Bushfire
- Environmental impacts
- Traffic
- Strategic Minerals and Basic Raw Materials impacts

The proposal has been assessed as complying with the applicable State and local planning frameworks and is considered compatible with both the existing rural activities being conducted on-site, as well as those rural and industrial developments within the broader locality.

It is therefore considered that the proposal warrants approval.

2.0 Background

2.1 Purpose

This submission has been prepared by Altus Planning on behalf of C-Wise Holdings Pty Ltd (**Applicant**) to provide justification for a Development Application (**DA**) for a 'Noxious Industry' (**proposed development** or **proposal**) at Lot 9500 (No. 320) Gull Road, Keralup (**subject land** or **site**) under the relevant planning framework.

In accordance with the Shire of Murray's (**Shire**) and the Development Assessment Panel's (**DAP**) requirements, the following are included with this application:

- (1) DAP Application Form 1;
- (2) Shire of Murray Development Application Form;
- (3) Peel Region Scheme Form 1 Application for Planning Approval;
- (4) ASIC Company Extract;
- (5) Certificate of Title (refer **Attachment 1** of this Report);
- (6) Development Plans (refer **Attachment 2** of this Report); and
- (7) Technical Documents (refer **Attachments 3-8** of this Report).

2.2 Property Description

The subject land measures approximately 1,608.9031 hectares (**ha**), with the lease area being approximately 269ha. The subject land is located on the eastern side of the Kwinana Freeway and Serpentine River, with the lease area approximately 3km to the north of the Gull Road and Lakes Road intersection.

The subject land is currently owned by DevelopmentWA, with DevelopmentWA leasing a section of the subject land to the Applicant. The lease area is vacant with scattered areas of cleared land and remnant vegetation. Specifically, this vegetation consists of Conservation Category Wetlands, Resource Enhancement Wetlands and also Multiple Use Wetlands.

Vehicular access to the site is currently obtained via the sealed extension of Gull Road. The proposal will obtain access to this section of road via an unsealed internal access road. It is the intention of the Applicant to seal this access road at some stage, however this will be investigated with regard to budget requirements.

The immediate surrounding locality comprises of various sized rural allotments as zoned under the Shire's Local Planning Scheme No. 4. However, the southern boundary is adjacent to the Nambeelup Industrial Area District Structure Plan (**Structure Plan**). This Structure Plan proposes that the adjacent properties to the subject land of Lot 92 (No. 231), Lot 109, and Lot 89 (No. 230) Gull Road are to be Industrial (with a small section of Open Space on Lot 89). Additionally, Lot 109, and Lot 89 (No. 230) Gull Road are zoned 'Industrial' under the Peel Region Scheme (**PRS**).

An aerial image of the subject site and immediate surrounds is provided in Figure 1.



Figure 1: Aerial of subject site and surrounds (Source: Shire of Murray Intramaps 2023)

3.0 Proposal

3.1 Description of Activities

3.1.1 General Context

The proposed development is for the acceptance and processing of a range of solid and liquid organic wastes to produce compost and similar products. These products are listed below:

- a) Liquid wastes, consisting mainly of fertiliser wash waters;
- b) Mixed source separated kerbside food organic garden organic (**FOGO**) wastes;
- c) Commercial food waste; and
- d) Natural fibrous organics.

The Applicant currently operates at 230 Gull Road, Nambeelup (**current site**). This application seeks to relocate those operations to the subject land due to its proximity to the existing site, as well as the vast amount of cleared land to allow for expansion of the operation.

The proposal, when fully operational under this current proposal, will have the capacity to process 200,000 tonnes of solid organic materials and 60,000 tonnes of liquid wastes for recycling per annum.

3.1.2 Staged Development

The proposed development will be constructed in two stages, referred to as Stage 1 and as Stage 2. Approval is sought for both stages within this application.

Stage 1:

Development of Stage 1 is designed to support the State's transition to a 3-bin FOGO system, which is required in the Perth and Peel regions by 2025. The Applicant has gained funding from the State and Federal Governments to support this transition and must construct the FOGO facility by 2025 to meet the funding requirements. As the Applicant's current facility is co-located with a piggery, there are strict biosecurity conditions in place for the current site, which do not permit acceptance of FOGO wastes at that facility.

Therefore, the Applicants have been long aware of the requirement for a new, better practice facility to support FOGO processing, which represents Stage 1 development of the Site.

Stage 2:

The lease at the current site is due to end in the coming years and will not be renewed, which necessitates the development of Stage 2 of the facility to transfer the existing operations from the current site over to the new facility.

It is expected that the construction of the Stage 2 development will commence approximately 24-36 months after operations of the Stage 1 development begin. A more accurate timeframe for the delivery of the Stage 2 development will be known following completion of the Stage 1 construction works.

Given Stage 2 is nearly a mirror image of Stage 1, it is not considered necessary for each stage to be separately applied for. All of the relevant documentation for both stages have been referred to together within this report.

3.1.3 Composting Process

The composting process will involve several steps. Each of these process stages will be completely enclosed to minimise potential odour emissions and to assist in the management of leachate. The composting process will be in general accordance with the Organics Recycling Guidelines, with the composting process briefly discussed below:

- (1) Receiving.
 - (a) The receiving building will include a receiving area for vehicles to place waste materials and internal processing equipment for pre-sorting and the removal of contamination.
 - (b) High risk feedstocks such as FOGO will be delivered by waste vehicles to the receiving building.
 - (c) Low risk feedstocks such as green waste, forestry residues and natural fibrous organics (such as cereal waste) will be stored in the carbon storage area.
 - (d) Liquid wastes will be accepted at the liquid waste receiving area for blending into compost products, and then stored within the storage tanks. The liquid waste receiving area will be bunded, which minimises

the risk of liquid wastes entering the environment in the event of a spill or leak.

- (2) Cocoon system and Pasteurisation.
 - (a) The cocoons will be fully enclosed. The cocoons will be managed and operated individually.
 - (b) Each cocoon will have a capacity of 500m³. The cocoons will be constructed a concrete bund to minimise the risk of leachate entering soils.
 - (c) The concrete floor of each cocoon will be graded towards a collection pit to allow for the extraction of high-risk leachate.
 - (d) Air exchanges will occur throughout the process to maintain aerobic conditions and minimise odour generation. The air removed from the process is pumped through the initial Mobile Air Floor (**MAF**) compost stack to act as a biofilter and further mitigate odour generation.
 - (e) This stage is expected to take between 10-14 days to complete. To ensure pasteurisation, the compost piles will be subject to temperatures in excess of 55°C.

- (3) Maturation and Pasteurisation.
 - (a) Following the above process, the maturation phase of the composting process will take place in the MAF area.
 - (b) The MAF system comprises a perforated pipe which is laid on top of the processing floor prior to the placement of organic material. This will force air through the pile and achieve aeration without the need for turning.
 - (c) The number of MAF stages will vary depending on operational requirements. It is anticipated that a minimum of three stages will occur. Each stage is anticipated to take between 10-14 days to complete.
 - (d) The pasteurisation process is used to kill plant and animal pathogens, parasites and weeds/seeds within the compost.
 - (e) Pasteurisation via the MAF system will be completed across a minimum of three stages. Each stage is anticipated to take between 7-10 days to complete.

- (4) Settling.
 - (a) This stage will see the final maturation of the compost product. The product will come from the MAF Area and be placed into stockpiles underneath the processing shed roof.

- (b) The stockpiles will passively sit and settle on the concrete hardstand, where it is anticipated that each stage of this process will occur for a minimum 2-4 days.
 - (c) Upon completion, the compost will be moved to the screening and dispatch area.
- (5) Screening and Dispatch.
- (a) The screening and dispatch area is where the finished compost product will be stored prior to removal from Site.
 - (b) Any leachate generated in this area will be classified as low-risk in accordance with the Organics Recycling Guideline and will be directed towards the adjacent leachate management pond.
 - (c) Once the composting process has been completed, the compost product will be screened to grade the product according to size, as well as allow for the removal of any remaining physical contaminants.
 - (d) The final product will be tested and classified in accordance with the Organics Recycling Guideline to ensure that it is fit-for-purpose and of a sufficient quality.
- (6) Distribution.
- (a) It is anticipated that the products generated at the Facility will be supplied to a number of agricultural, commercial and household markets via a range of distribution channels.
 - (b) No distribution to members of the general public will occur from site.

Further information of this process can be found within section 5.6 of the Environmental Assessment and Management Plan (**EAMP**).

3.2 Operating Hours

The Applicant seeks to operate the overall facility 24 hours per day, 7 days a week (24/7).

The Applicant however only seeks to receive products five (5) days per week, being Monday to Friday from 7:00am to 5:00pm and does not seek to receive products on weekends.

3.3 Staff and Visitors

The Applicant anticipates that there will likely be 65 employees on-site at any one time.

In terms of visitors, given the subject site will operate as a processing and distribution facility, visitors are to be infrequent and limited to direct industrial/agricultural customers and supporting services or business-related functions only (e.g. suppliers, servicing and maintenance). It should be noted that as the selling of the product is in large bulk, collections by commercial and/or agricultural clients will only be using heavy vehicles to collect the product and depart from site. Therefore, there is no need for any dedicated visitor parking bays.

3.4 Traffic Movements and Access

A Transport Impact Statement (**TIS**) has been prepared in accordance with the Western Australian Planning Commission (**WAPC**) Transport Impact Assessment Guidelines for Developments: Volume 4 – Individual Development (2016). The TIS has been prepared due to the proposal consisting of 10-100 vehicle trips in the peak hour. The TIS can be found as at **Attachment 8**.

In summary, the TIS has identified that the approximate trip generation will be 83 vehicles per hour (**vph**) within the AM peak hour, this is equivalent to 78vph in (52 light vehicles and 26 heavy vehicles) and 5vph out (3 light vehicles and 2 heavy vehicles). Subsequently, the PM peak hour has a similar number with 83vph, which is equivalent to 5vph in (3 light vehicles and 2 heavy vehicles) and 78vph out (52 light vehicles and 26 heavy vehicles).

Considering the Nambelup Industrial Area District Structure Plan, and despite increasing the total road volumes, the impact on the surrounding road network from the increase in traffic is considered to be minimal and therefore acceptable.

3.5 Parking and Loading/Unloading

Parking is proposed around the office and workshop for the convenience of staff members. There are also ample parking opportunities around the site if additional parking is required.

A future carpark and future administration are intended to be located at the northern end of the development, to ensure a close proximity to the access of Gull Road, however this is not subject to this application and will be conducted at a later date.

As for loading/unloading, this is proposed to occur within the receival hall, and the screening and dispatch areas only.

3.6 Waste Management

Given the nature of the proposal, waste management is a key priority for sustainable development. The proposal will have varying waste products including litter and wastewater. Consequently, the EAMP has prepared in detail the effective measures required for the management of physical and liquid waste. Should the determining authority require a separate Waste Management Plan (**WMP**), the Applicant agrees in principle to a condition of approval for the preparation of a WMP.

3.7 Water Licence

The Applicant currently holds a Licence to Take Water (**Water Licence**) granted by the Department of Water and Environmental Regulation (**DWER**) for an annual water entitlement of 350,000kL.

The Applicant is currently liaising with DWER for an amendment to the Water Licence to ensure that the existing site (230 Gull Road) and the subject land fall under the one licence.

4.0 Planning Framework

4.1 Shire of Murray Local Planning Scheme No. 4

The subject land is zoned 'Rural' under the Shire's Local Planning Scheme No. 4 (**LPS4** or **Scheme**). The subject site is not located within a structure plan or any other defined planning policy area.

LPS4 does not contain any zone objectives, rather it includes 'general' and 'specific' objectives for the Scheme. The specific objectives as set out in clauses 2.2 of LPS4 are as follows:

Clause 2.2 – Specific Objectives:

- a) *to protect and foster the agricultural industry within the Scheme Area;*
- b) *to preserve and consolidate the individual identity of the urban settlements (villages) within the Scheme Area;*
- c) *to consolidate the central business district of the Pinjarra townsite and to improve accessibility to and car parking within it;*
- d) *to foster the recreational potential of the Scheme Area;*
- e) *to encourage industrial uses to establish within the area set aside for that purpose; and*
- f) *to preserve the special environment associated with the lakes and waterways within the Scheme Area.*

The proposal is considered to meet the relevant objectives as listed above.

The proposed development is considered to protect and foster the agricultural industry in both the Scheme area and its surrounds due to the sustainable practices of processing and providing compost that can be used for agricultural purposes.

The proposal is a mixture of an industrial and rural development. Therefore, having the proposed development on rural land that directly abuts the Nambelup Industrial Area, it is considered that the proposal is located in the ideal location.

Lastly, the proposal is supported several specialised management plans that have been prepared by a qualified environmental consultant. These management plans, in conjunction with the proposed development plans, will ensure that the development will not create any adverse environmental impacts with particular reference to water courses on the site.

4.1.1 Land Use

Having regard to the land use definitions contained within Appendix 1 of LPS4, the proposed development is best suited to the 'Noxious Industry' land use:

Noxious Industry – means an industry in which the process involved constitutes an offensive trade within the meaning of the Health Act, 1911 (as amended) but does not include fish shops or dry cleaning establishments.

As per Table 1 – Zoning Table of LPS4, 'Noxious Industry' is a 'SA' use within the 'Rural' zone which means that the use can be permitted at the Shire's discretion, subject to the advertisement of the proposal.

4.1.2 Development Standards and Requirements

The following sections and series of tables provides assessment against the relevant development standards and requirements prescribed by LPS4.

Site Requirements

Table 1: Assessment of proposed development under LPS4 – Non-Residential Development Standards.

| LPS4: Table 2 – Non-Residential Development Standards | |
|--|---|
| Requirement | Proposed Development |
| Minimum Setbacks <ul style="list-style-type: none"> • Front: 10m • Side: 5m • Rear: As determined by Council | The development will be setback more than 100m to any lease or lot boundary. Setbacks therefore comply. |
| Maximum Site Coverage <ul style="list-style-type: none"> • 75% | Due to the size of the land and lease area, the proposal is well under the maximum 75% requirement and therefore complies. |
| Landscaping <ul style="list-style-type: none"> • 10% | No additional landscaping is proposed and nor is it considered necessary having regard to the existing vegetation on-site and the rural and largely remote context of the site. |
| Car Parking <ul style="list-style-type: none"> • No Noxious Industry requirements* | 25 bays provided. |

**Note: Table 2 of LPS4 generally provides the minimum number of car parking spaces required per land use classification, however, does not include a minimum requirement for 'Noxious Industry'. Pursuant to the notes under Table 2, in such circumstances, the standard requirement to the zone can be applied at the discretion of the local government. In this instance, there is no standard 'Rural' car parking requirement and therefore, the closest land use requirement (Light, General and Service Industry) has a requirement of 1 space per 50m² + serving facilities, which would be irrelevant for a proposal which has a development area of 100,831.4m² (approx.) but no more than approximately 45 staff.*

In considering an appropriate parking standard for the site, the following is considered relevant:

- Having regard to the nature and scale of the proposal, a majority of the area calculated is purely for storage purposes which does not generate a parking demand.
- The application included a TIS to demonstrate that the proposal will not cause a detrimental impact on traffic and access in and around the site (refer to section 3.4 of this Report and Attachment 8). The TIS indicates that the required number of bays is 60 bays, with 25 proposed.
However, it should be noted that this TIS has included the future carpark and additional staff numbers which are not currently proposed in this application. The justification behind this is to allow the decision makers to have overarching assessment of the intended proposal, with the future administration building and the carpark being considered as minor development in the scheme of the overall application.
- Noting the above reference to the TIS, the total number of employees for the stage 1 and stage 2 developments will be 45 employees, in lieu of the intended future total of 65 employees. There are approximately 20 administrative staff for the Applicant, which will only move over from the current site when the future administration building is developed.
- Therefore, it is deemed that 25 bays are appropriate based on the calculation that there is 1 person per vehicle. Furthermore, regard should be given to ride sharing, and in addition, there is plenty of vacant area available around the development site for any overflow or additional parking in excess of 25 bays, should the need ever arise.
- The number of car parking bays is therefore deemed acceptable.

Accordingly, it is considered that the proposed development is compliant with the site requirements.

Zone Specific Development Standards

Table 2: Assessment of proposed development under clauses 7.3 and 7.4 of LPS4 – General Provisions.

| LPS4: Part 7 General Provisions – Clauses 7.3 & 7.4 | |
|--|--|
| Requirement | Proposed Development |
| <p>7.3.1 Car Parking</p> <ul style="list-style-type: none"> Car parking shall be laid out and constructed generally in accordance with the layouts of parking bays and manoeuvring aisles shown in Figure I - Parking Layouts. Car parking bays shall be capable of use independently of each other. | <p>The proposed carparking is generally designed in accordance with Figure 1 and can be independently used.</p> |
| <p>7.3.2 Servicing</p> <ul style="list-style-type: none"> Clear loading/unloading area. Heavy vehicles to enter the street in forward gear. | <p>Clear loading and unloading areas have been provided. Reference should be made to the Traffic Flow Plan and section 3.5 of this Report.</p> |
| <p>7.3.3 Landscaping</p> <ul style="list-style-type: none"> Landscaping to be designed and planted to enhance the design of the development and to assist with screening (where applicable). Landscaping plan to be submitted to and approved by the local government. Landscaping to be maintained in perpetuity. | <p>No additional landscaping is proposed and nor is it considered necessary having regard to the existing vegetation on-site and the rural and largely remote context of the site.</p> |
| <p>7.3.4 Treatment of Driveways & Parking Areas</p> <ul style="list-style-type: none"> All driveways and parking areas designed to the local government's specifications. All driveways, turning areas and parking areas to be constructed and maintained. | <p>The proposed access road and parking areas will be limestone hardstand which is considered an acceptable design standard given the nature of the development.</p> |
| <p>7.4.1</p> <ul style="list-style-type: none"> No open storage in front setback area. | <p>No storage is proposed within the front setback area.</p> |
| <p>7.4.2</p> <ul style="list-style-type: none"> Open storage areas to be screened from nearby roads and public places. | <p>The development itself or any storage will be significantly screened via large setbacks and existing vegetation.</p> |

As detailed above, the proposal demonstrates compliance with the applicable development requirements contained in Part 7 of LPS4.

4.2 Shire of Murray Nambelup – North Dandalup Local Rural Strategy

Currently, the Shire has no adopted Local Planning Strategy. However, a Local Rural Strategy for the Nambelup and North Dandalup areas (**NNDLRS**) was prepared in March 2012, to which the subject site is applicable to in accordance with Figures 1-4 of the NNDLRS.

Under section 4.5 – Land Capability of the NNDLRS, it states that the subject area of the NNDLRS consists of a range of agricultural, rural, and specialised intensive operations (composting operations). The NNDLRS has acknowledged these uses (including composting) and therefore it is considered that the proposal is compatible with the NNDLRS, and with the relevant management plans in place, the proposal is considered to be consistent with the NNDLRS.

4.3 Planning and Development (Local Planning Schemes) Regulations 2015

In accordance with Schedule 2 (**Deemed Provisions**) of the *Planning and Development (Local Planning Schemes) Regulations 2015 (LPS Regulations)*, the local government is to have due regard to the relevant matters for consideration outlined under Clause 67(2).

The following matters are considered relevant to the proposed development and are addressed in the following table.

Table 3: Assessment of proposed development under Deemed Provisions Clause 67(2).

| LPS Regulations Schedule 2: Clause 67(2) | |
|---|--|
| Requirement | Proposed Development |
| (a) The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area; | The relevant provisions under the Shire's LPS4 have been addressed under section 4.1 of this Report. The proposed development is for a 'Noxious Industry' land use which is a 'SA' use. |
| (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 | This Report has justified the proposal under the relevant provisions of LPS4 and the broader planning framework. We are aware that the Shire is seeking to soon initiate a new draft scheme and |

| LPS Regulations Schedule 2: Clause 67(2) | |
|---|--|
| Requirement | Proposed Development |
| proposed planning instrument that the local government is seriously considering adopting or approving; | <p>strategy, but at this stage, neither would be yet matters for due regard.</p> <p>The proposal is therefore considered to be in accordance with the requirements of orderly and proper planning.</p> |
| (c) any approved State planning policy; | Refer to the relevant assessments of state planning policies between sections 4.5-4.12 of this Report. |
| (fa) any local planning strategy for this Scheme endorsed by the Commission; | <p>Currently, there is no endorsed Local Planning Strategy for the Shire.</p> <p>A Local Rural Strategy was endorsed by the Commission in 2012 which affects the site. Reference should be made to section 4.2 of this Report for assessment.</p> |
| (g) any local planning policy for the Scheme area; | Refer to the relevant assessments of local planning policies between sections 4.13-4.15 of this Report. |
| <p>(m) the compatibility of the development with its setting, including —</p> <p>(i) the compatibility of the development with the desired future character of its setting; and</p> <p>(ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;</p> | <p>The development is considered compatible with the future character as the site is zoned rural and abuts an industrial area. The proposed development is the perfect mix of a rural and industrial land use and is therefore compatible.</p> <p>Similarly, there is a compatible relationship with the adjoining land due to the development being considered as a mixture of rural and industrial – which compliments the surrounding properties.</p> <p>With regard to the physical nature of the development, the development has provided large setbacks to all site boundaries. Coinciding with the existing vegetation to act as screening, the development will also have minimal</p> |

| LPS Regulations Schedule 2: Clause 67(2) | |
|---|---|
| Requirement | Proposed Development |
| | impact via its appearance to the public realm and adjoining land. |
| <p>(n) the amenity of the locality including the following —</p> <ul style="list-style-type: none"> (i) environmental impacts of the development; (ii) the character of the locality; (iii) social impacts of the development; | <p>The proposed development has the potential, by the nature of the land use itself, to create significant environmental impacts. Consequently, the attached technical documents have been prepared to ensure that the proposal manages and mitigates all the potential environmental risks. With the proposed design and the management plans in place, the development is considered not to create any adverse environmental impacts and is therefore considered to be acceptable.</p> <p>In terms of the character of the locality and the social impacts, the development is a mixture of rural and industrial. The proposed location of the development is considered to be consistent with the amenity and future amenity of the area. Specifically, impacts such as noise, odour and dust have all be considered and managed through the EAMP.</p> <p>Therefore, it is considered that there are no adverse environmental or social impacts.</p> |
| <p>(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> | <p>Given the nature of the development, the potential impact to water sources is high. The EAMP and the Surface Water and Leachate Management Plan have researched, prepared a design and management system to ensure that there will be no adverse impact to the natural environment or water resources.</p> |
| <p>(p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or</p> | <p>No additional landscaping is proposed and nor is it considered necessary having regard to the existing vegetation on-site</p> |

| LPS Regulations Schedule 2: Clause 67(2) | |
|--|---|
| Requirement | Proposed Development |
| <p>other vegetation on the land should be preserved;</p> | <p>and the rural and largely remote context of the site.</p> <p>Adequate protection measures have been made to ensure protection of the high valued environmental areas. A majority of the proposed clearing is only for degraded land.</p> |
| <p>(s) the adequacy of —</p> <p>(i) the proposed means of access to and egress from the site; and</p> <p>(ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;</p> | <p>The site currently exists with vehicular access and egress to Gull Road via an unsealed access road. No upgrades are considered necessary given the minimal traffic volumes associated with the proposal.</p> <p>Clear loading and unloading areas have been provided. Reference should be made to the Traffic Flow Plan and section 3.5 of this Report.</p> <p>As for staff/visitor parking, a dedicated parking area is proposed around the office and workshop, also allowing for full circulation.</p> |
| <p>(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;</p> | <p>The proposed traffic to be generated is considered to be minimal to the existing road network and is therefore considered acceptable.</p> <p>A TIS was prepared and is formed within this application. Reference should be made to section 3.4 of this Report for the assessment against the TIS.</p> |
| <p>(u) the availability and adequacy for the development of the following —</p> <p>(i) public transport services;</p> <p>(ii) public utility services;</p> <p>(iii) storage, management and collection of waste;</p> | <p>The site is located within a rural area and as such, public transport, walking and cycling are not considered desirable options for travelling to the site.</p> <p>Furthermore, other than staff, visitations to the site are limited to</p> |

| LPS Regulations Schedule 2: Clause 67(2) | |
|---|---|
| Requirement | Proposed Development |
| (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities); (v) access by older people and people with disability; | service/maintenance vehicles and deliveries/pickups. As for waste, all such waste materials are to have been carefully catered for. Reference should be made to the EAMP for the detailed assessment on waste. |
| (w) the history of the site where the development is to be located; | The site is owned by DevelopmentWA who has leased a section of the property to the Applicant for a period of 50 years. |

4.4 Peel Region Scheme – Strategic Minerals and Basic Raw Materials Resource Policy

As identified on the Overall Block Plan contained in Attachment 1, the site is partially located within the Strategic Minerals and Basic Raw Materials Resource Policy Area (**SM&BRMRP**) under the PRS.

Due to the SM&BRMRP area, the proposal is to demonstrate that the development will not prejudice current or future mining of mineral resources, or extraction of basic raw materials (**BRMs**), within the policy area.

The acceptability of any proposed development within or in proximity to the SM&BRMRP area is determined by having regard to buffer areas for a potential extractive industry and the advice sought from the Department of Mineral and Petroleum Resources, now known as the Department of Energy, Mines Industry Regulation and Safety (**DEMIRS**).

The proposal is not considered to be a sensitive land use and therefore any required buffer between the proposal and any future extractive industry would be minimal in nature. Therefore, the proposal, in terms of separation distances needed, is considered not to create any adverse impact with the objectives and requirement of the SM&BRMRP. Reference should be made to the definition of a sensitive land use in accordance with State Planning Policy 2.4 - Planning for Basic Raw Materials (**SPP2.4**), as stated below.

Sensitive land uses comprise land uses that are residential or institutional in nature, where people live or regularly spend extended periods of time. These include dwellings, short-stay accommodation, schools, hospitals and childcare centres and generally exclude commercial or industrial premises.

The proposal is considered to be a land use that won't prejudice the current or future mining of mineral resources or extraction of BRMs as the development can be moved. Due to the nature of the proposal, it is somewhat simpler to move and decommission the site than it would be for other developments (such as residential developments or large complex and technical industrial developments). Due to this ease, it is considered that the proposed land use does not prejudice the future mining of mineral resources or extraction of BRMs within the immediate surrounds.

The proposal adequately ameliorates off site impacts with the relevant management plans. The management plans specifically detail how the management of the site will limit any adverse impacts to the environment, which in essence, limits the potential of land contamination which would then otherwise impact the extraction of minerals and BRMs. With adherence to these management plans, the proposal is considered to not create off site impacts that would impact the security of access to minerals and BRMs.

With relation to the points addressed above, the proposal is considered appropriate in accordance with the objectives and requirements of the SM&BRMRP and warrants approval in this aspect.

4.5 State Planning Policy 2.1 – Peel-Harvey Coastal Plain Catchment

The subject site is located within the Peel-Harvey Coastal Plain Catchment in accordance with Figure 1 of State Planning Policy 2.1 – Peel-Harvey Coastal Plain Catchment (**SPP2.1**). SPP2.1 aims to minimise any potential environmental impacts to the Peel-Harvey Estuarine System through planning control measures. SPP2.1 applies to development located within the designated boundary area as at Figure 1 of SPP2.1.

Table 4: Assessment of proposed development under SPP2.1.

| SPP2.1: Peel-Harvey Coastal Plain Catchment - Requirements | |
|---|---|
| Requirement | Proposed Development |
| <p>5.</p> <ul style="list-style-type: none"> Development, including both material changes in land use and the construction of buildings, the policy area should relate to land capability and suitability and specific management practices (such as effluent treatment). | <p>Reference should be made to the attached technical documents that details the specific management practices to ensure the land is capable of development and approval.</p> |
| <p>5.4</p> <ul style="list-style-type: none"> The retention and rehabilitation of existing remnant vegetation is to be encouraged... | <p>The Applicant is currently in the process of obtaining a clearing permit from DWER.</p> <p>Reference should be made to the areas and percentages below for the proposed clearing.</p> <ul style="list-style-type: none"> 1.27ha of Completely Degraded vegetation is to be cleared. This is equivalent to 19.33% of the proposed clearing and holds no environmental value. 3.65ha of Degraded vegetation is to be cleared. This is equivalent to 55.74% of the proposed clearing and holds minimal to no environmental value. 0.02ha of Degraded to Good vegetation is to be cleared. This is equivalent to 0.25% of the proposed clearing. Not only is this minimal in area, but also holds little environmental value. 1.62ha of Good vegetation is to be cleared. This is equivalent to 24.68% of the proposed clearing and holds some environmental value. <p>Due the limited areas and limited quality of the vegetation that is proposed to be cleared; it is considered that rehabilitation is not necessary. This is particularly</p> |

| SPP2.1: Peel-Harvey Coastal Plain Catchment - Requirements | |
|---|--|
| Requirement | Proposed Development |
| | evident when the higher value areas are heavily protected with fencing and setbacks. Rehabilitation of the land will only increase the bushfire risk to the site. |
| 5.9 <ul style="list-style-type: none"> Approvals will be required from the Water Authority for water supply from bores, wells, rivers in proclaimed water management areas and WAWA drains and for connection of private and local authority drains to WAWA drains. | <p>The Applicant is currently in the process of liaising with DWER for an amendment to the Water Licence to ensure that the existing site (230 Gull Road) and the subject land fall under the one licence.</p> <p>Refer to section 3.7 of this Report.</p> |
| 6.5.1 <ul style="list-style-type: none"> Proposals to develop land for industry, where the industrial process would create liquid effluent, must include provision for connection to a reticulated sewerage system. | <p>Reticulated sewer is not provided, nor is it economically feasible to extend any sewer line.</p> <p>Rather, the development proposes a comprehensive Surface Water and Leachate Management System. Reference should be made to the EAMP and Surface Water and Leachate Management Plan.</p> |
| 6.5.2 <ul style="list-style-type: none"> Works approvals and licences will be required from the EPA where the proposal has a wastewater discharge or falls within the list of scheduled premises under Part V of the Environmental Protection Act. | <p>C-Wise will seek a Licence from the DWER for the operation of both stages of the Project.</p> |

It is considered that the above table demonstrates that the proposal is compliant with the objectives and requirements of SPP2.1.

4.6 State Planning Policy 2.4 – Planning for Basic Raw Materials

As detailed under section 4.4 of this Report, the subject site is partially located with the SM&BRMRP area, and therefore whilst the proposal is not for an extractive industry, SPP2.4 is still applicable.

The proposal is not located within any Significant Geological Supply (**SGS**) area or any known proposed, approved or operating extraction site (**ES**), as determined by GeoVIEW.WA mapping.

As the development is not considered to be a sensitive land use and will create no adverse environmental impacts (as discussed within section 4.4 of this Report), as well as the site not being located within any SGS or ES areas, the proposal is considered acceptable in accordance with SPP2.4.

4.7 State Planning Policy 2.5 – Rural Planning

As the property is zoned 'Rural' under both LPS4 and the PRS, State Planning Policy 2.5 – Rural Planning (**SPP2.5**) is applicable. SPP2.5 is a policy that is more relevant to the creation of strategic frameworks, with the only relevant sections within SPP2.5 being sections 5.12.1 and 6.6, as detailed in the below paragraphs.

Section 5.12.1 of SPP2.5 looks into minimising potential land use conflict between a development on rural land and surround land uses. SPP2.5 mentions that it is possible to have land uses on rural land that by way of nature is not 100 per cent dedicated as a rural land use. It is considered in this case that a composting facility is a mixture of rural and industrial and therefore there is a potential land use conflict between this development, and it surrounds. This development therefore needs to consider a balance of both SPP2.5, as well as State Planning Policy 4.1 – Industrial Interface (**SPP4.1**).

With regards to the potential conflict of the land use and the surrounding rural land on adjacent properties, it is considered that the development will not create any adverse impacts to these properties due to its large setbacks and highly detailed and technical management plans that have been prepared to minimise any potential on-site and off-site impacts.

Section 6.6 of SPP2.5 is the only dedicated section for development applications, with reference to the provisions Clause 67(2) of the Deemed Provisions. An assessment against the relevant provisions of are contained within section 4.3 of this Report.

4.8 State Planning Policy 2.9 – Water Resources

Due to the nature of the proposal and the site containing wetlands, State Planning Policy 2.9 – Water Resources (**SPP2.9**) is required to be considered, even though SPP2.9 is more appropriate for strategic planning proposals.

SPP2.9 does not contain a set of standard requirements for development applications, rather it has 'generic considerations', whereby SPP2.9 states that the requirements should stem from local planning frameworks (strategies, schemes and policies).

This Report and its technical documents assess in detail the potential impact of the development on the surrounds and the potential impact to the relevant water resources. These assessments are also considered against the relevant criteria found within SPP2.1 (section 4.5 of this Report), Government Sewerage Policy (section 4.12 of this Report), and the Shire's Local Planning Policies, which can be found within sections 4.13-4.15 of this Report.

4.9 Draft State Planning Policy 2.9 – Planning for Water

The WAPC is currently in the process of creating a new state planning policy (**SPP**), Draft State Planning Policy 2.9 – Planning for Water (**Draft SPP2.9**) and Draft State Planning Policy 2.9 – Planning for Water Guidelines (**Draft Water Guidelines**), for water-related policy frameworks. Once gazetted, the Draft SPP2.9 will supersede several SPPs, with particular attention given to SPP2.1, SPP2.9 and the Government Sewerage Policy, which have all been assessed within this Report.

Under Section 5 of the Draft Water Guidelines, the following is mentioned regarding a Water Management Plan (**WMR**).

For proposals with minimal water management matters, a separate WMR may not be required, instead the relevant information can be contained as a section of a larger planning report. Where there is no planning report that is accompanying the application, the relevant information may be submitted in an alternative format to the satisfaction of the decision-making authority.

Furthermore, section 5.5(1)(c) of the Draft Water Guidelines states the following regarding the need for a WMR.

Sufficient information has been provided, to the satisfaction of the decision-maker, which demonstrates that the proposal is unlikely to impact upon or be impacted by further water systems or water resource planning.

Given the complexity and details provide in the EAMP and the Surface Water and Leachate Management Plan (**SWLMP**), the assessment of this Report against the current SPP2.1 and SPP2.9, as well as Draft SPP2.9 yet to be gazetted, it is considered that the need for a dedicated WMR is not required.

4.10 State Planning Policy 3.7 – Planning in Bushfire Prone Areas

As mentioned, the subject land is designated as bushfire prone (refer to **Figure 2** below) and the provisions of State Planning Policy 3.7 – Planning in Bushfire Prone Areas (**SPP3.7**) therefore apply.

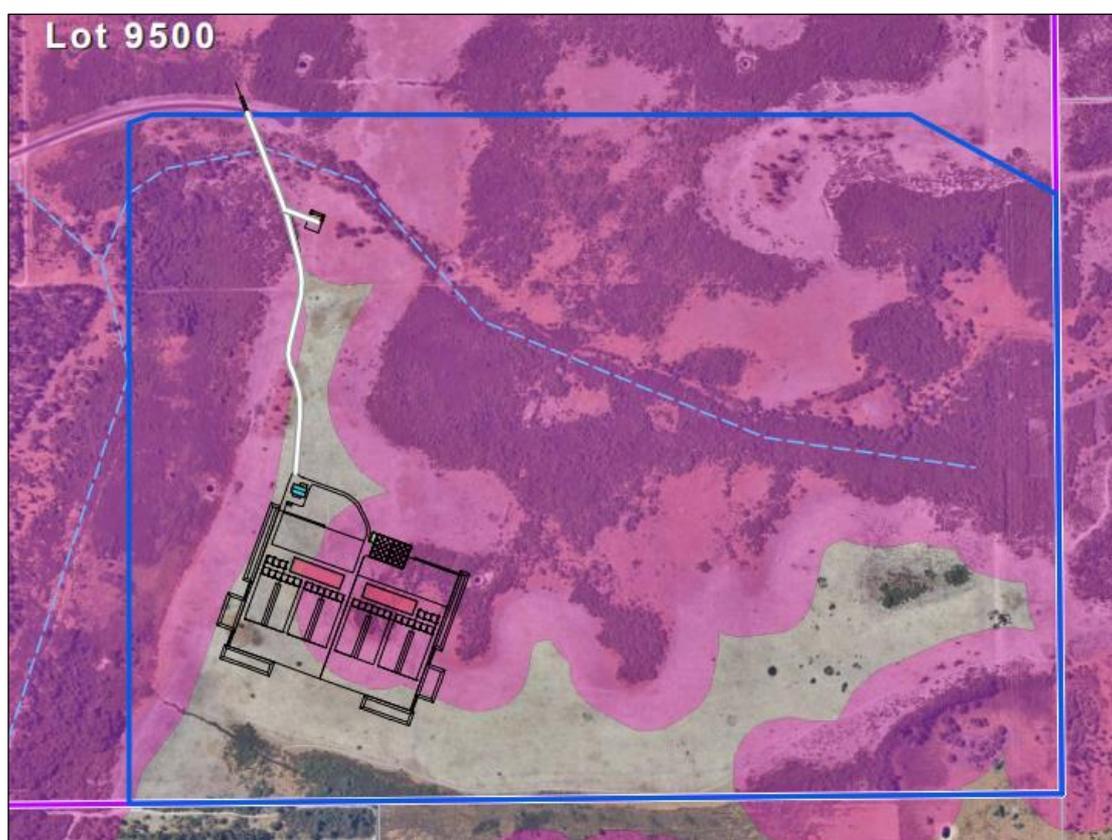


Figure 2: Map of Bushfire Prone Areas (Source: Figure 1.4 of BMP prepared by *Bushfire Prone Planning* dated 25 October 2023)

Accordingly, a Bushfire Management Plan (**BMP**) and a Bushfire Emergency Plan (**BEP**) have been prepared and is detailed below.

The BMP has identified that the vegetation classification for the lease area is predominantly a mixture of forest (Class A), scrub (Class D) and grassland (Class G). In calculating the vegetation classifications and the effective slopes, the BMP has identified the following for the worst-case scenario post development:

- (1) The majority of the Site will be have a Bushfire Attack Level (**BAL**) rating of BAL-FZ.
- (2) The proposed development is classified as both a high risk and vulnerable land use.
- (3) The need for a Bushfire Emergency Plan, to which has been prepared.
- (4) The need for a BAL-29 standard Asset Protection Zone (**APZ**).

In addition to the above points, the BMP has conducted an assessment off the bushfire protection criteria contained in Appendix 4 of the Guidelines for Planning in Bushfire Prone Areas (**Bushfire Guidelines**).

Generally, the proposal has achieved compliance with most of the relevant Elements via the required acceptable solutions, with the exception of the below.

- Acceptable Solution 3.2a – Multiple Access Routes was assessed and determined that the proposal does not comply with this acceptable solution. Therefore, an assessment against the relevant Performance Principle of P3i is required to demonstrate that an alternative solution is possible. Reference should be made to Table 5 for the assessment.
- Acceptable Solution 3.3 – Through-Roads was determined to not comply. However, as Acceptable Solution 3.3 is only relevant to strategic planning proposals, structure plans and subdivisions, Acceptable Solution 3.3 is not applicable to this proposal. The only relevancy this Acceptable Solution has is to demonstrate the non-compliance of Acceptable Solution 3.2a (due to no alternative access) as detailed in the BMP.
- Acceptable Solution 5.14 Vehicular Access was assessed as being non-compliant. However, as the Element 5 of the Bushfire Guidelines is only applicable to vulnerable tourism land uses. Therefore, as the proposal is not considered a tourism land use, nor have any tourist component, this non-compliance is not applicable.

Table 5: Assessment of proposed development under Bushfire Guidelines

| Guidelines for Planning in Bushfire Prone Areas: Appendix 4 – Bushfire Protection Criteria | |
|---|---|
| Requirement | Proposed Development |
| <p>Performance Principle P3i:</p> <ul style="list-style-type: none"> The design and capacity of vehicular access and egress is to provide for the community to evacuate to a suitable destination before a bushfire arrives at the site, allowing emergency services personnel to attend the site and/or hazard vegetation. | <p>With the proposed alternative solution being the construction of a private onsite shelter building (bushfire bunker or Shelter in Place), it allows the development to have 2 different access ways to suitable locations – one being to Gull Road that leads out from the site and the other being to the dedicated bunker that will be constructed to the required standard. The Shelter in Place will be the Office building at the process plant adjacent to the workshop.</p> <p>Section 5.9.1 of the Bushfire Guidelines requires bunkers to be well placed and designed to the building code. The bunker is located within the lowest BAL rating on site (BAL-12.5) and will be designed and constructed to a BAL-29 standard, in accordance with the recommendations made within the BMP. Furthermore, the shelter in place is sufficiently separated from the proposed workshop.</p> <p>In addition to the above, the BEP has been prepared. This BEP will assist in the safe evacuation of any persons on site to further ensure and demonstrate the proposal meets the intent of Element 3: Vehicular Access.</p> |

4.11 State Planning Policy 4.1 – Industrial Interface

As mentioned previously, there is a relationship between SPP4.1 and SPP2.5. Consequently, an assessment against the relevant requirements of SPP4.1 has been provided in the below table.

Table 6: Assessment of proposed development under SPP4.1

| SPP4.1: Industrial Interface – Requirements | |
|---|---|
| Requirement | Proposed Development |
| <p>Section 6.1.6 (a):</p> <ul style="list-style-type: none"> Development associated with off-site impacts and/or safety risks is located within the appropriate zone or reserve and there is provision of a compatible land use transition between industry and sensitive zones and reserves. | <p>Excluding the management plans and the designs in place, the land use proposal would create off-site impacts (such as dust, noise, contamination etc.).</p> <p>This proposal is considered to be compatible within this area as the subject lot can be seen as a transition lot between the industrial and rural interfaces. Having a land use such as this proposal, which is considered to be a mixture of an industrial and rural land use, creates the perfect compatibility for this area. Specifically, with the inclusion of the design and the relevant management plans in place.</p> |
| <p>Section 6.1.6 (b):</p> <ul style="list-style-type: none"> Development on land within impact areas is to be consistent with the purpose of providing a compatible land use transition between industries and sensitive land uses, and should not include industrial proposals that would affect the integrity of the interface. | <p>Similarly, the proposal is a mixture of an industrial and rural land use, with the subject site being an area as seen as a transition between the industrial and rural zones.</p> <p>The proposal is therefore deemed acceptable in this aspect.</p> |
| <p>Section 6.1.6 (c):</p> <ul style="list-style-type: none"> Information on the nature and extent of any off-site impacts, which may include technical assessments and reports and/or proposed management plans to support development applications. | <p>All of the relevant plans and technical documents have been attached to this application to assist with the assessment of the proposal.</p> |
| <p>Section 6.1.6 (d):</p> | <p>All of the relevant approvals required for this application have been noted within this Report and the EAMP. These approvals are not related to the Planning</p> |

| SPP4.1: Industrial Interface – Requirements | |
|---|---|
| Requirement | Proposed Development |
| <ul style="list-style-type: none"> Identification of any approvals, permits or licences required under other legislation, as they relate to the planning application. | <p>Framework and will therefore be dealt with post determination of the application.</p> |
| <p>Section 6.3 (a):</p> <ul style="list-style-type: none"> Health, amenity and environmental impacts arising from proposals. | <p>All of the potential impacts to health, amenity and the environment have been detailed within this Report and the relevant technical documents.</p> <p>These documents and the Report have determined that there is unlikely to be any adverse impacts resulting from the proposal.</p> |
| <p>Section 6.3 (b):</p> <ul style="list-style-type: none"> Existing and proposed future land uses within the impact area and wider context, particularly the location of sensitive land uses. | <p>To the south, the subject land is zoned 'Industrial' under the Structure Plan as previously stated within this Report. The proposal is deemed to be acceptable in this regard.</p> <p>To the remaining surrounds, the area is zoned Rural and will have rural typed land uses. With reference to the LRS which states that the proposal (composting operations) is seen as a specialized rural land use, the proposal is considered acceptable.</p> <p>There are no sensitive land uses within the general vicinity.</p> |
| <p>Section 6.3 (c):</p> <ul style="list-style-type: none"> Current monitoring and future modelling of any cumulative impacts from other industries in the industrial area including both point source and fugitive emissions. | <p>This requirement is mainly aimed at strategic planning proposals and therefore not applicable.</p> |
| <p>Section 6.3 (d):</p> <ul style="list-style-type: none"> Potential for intensification of industrial land uses in the industrial area that may result in increased cumulative off-site impacts and/or safety risks over time. | <p>Due to the size of the land and the management plans in place, the proposal is considered to have very limited off-site impacts and therefore deemed acceptable.</p> |

| SPP4.1: Industrial Interface – Requirements | |
|--|---|
| Requirement | Proposed Development |
| <p>Section 6.3 (e):</p> <ul style="list-style-type: none"> • Cost and benefit of any associated mitigation and management measures, and whether it is sustainable in perpetuity. | <p>The management measures that will be needed will be solely at the cost of the operator and therefore the risk is minimal as the measures are considered to be relevant and sustainable.</p> <p>If the measures are not in place, the operator will be in breach of their development approval.</p> |

As determined within the table above, the proposal is considered to meet the relevant requirements of SPP4.1 and is therefore acceptable.

4.12 Government Sewerage Policy

As the proposed development does not have direct access to reticulated sewerage, the Government Sewerage Policy (**GSP**) applies.

Grey and Black water will be processed via an Aerobic Treatment Unit (**ATU**) and then transferred to the tank farm. Additionally, all sewerage related functions are located greater than 100m from any wetland or water source, therefore complying with the GSP. Further information and assessment is contained within the EAMP.

4.13 Local Planning Policy – Biodiversity Protection

As outlined within the Shire of Murray's Local Biodiversity Strategy, the site contains vegetated Local Natural Area and therefore an assessment against the Shire of Murray's Local Planning Policy – Biodiversity Protection (**Biodiversity Protection LPP**).

Most of the detailed required has been provided within the EAMP and should be referenced as at Attachment 3. In addition to this, an assessment against each of the requirements of the Biodiversity Protection LPP has been provided in the below Table.

Table 7: Assessment of proposed development under Biodiversity Protection LPP

| Local Planning Policy : Biodiversity Protection – Requirements | |
|--|--|
| Requirement | Proposed Development |
| 1. A strong presumption against further clearing of natural areas. | Only minimal amounts of clearing are proposed. As identified within the EAMP, most of this clearing is degraded vegetation. |
| 2. Natural areas are identified in the Shire of Murray Local Biodiversity Strategy 2013. | Noted. |
| 3. Proposals are to reflect the objectives and requirements of this policy. | It is considered that this proposal positively reflects the objectives and requirements of the Policy as detailed within this Table, the Report and all of the relevant environmental reports provided as part of this proposal. |
| 4. Proposals to clearly demonstrate how they are to protect and retain natural areas and meet the Specific Biodiversity Feature Targets and Precinct Protection Targets established in the Local Biodiversity Strategy. | As stipulated within the EAMP, most infrastructure will be located at least 100m from the mapped Conservation Category Wetlands (CCW)s with the exception of access roads and stormwater and leachate management infrastructure, which will be located at least 50m from wetlands. A fence will be installed at the 50m buffer for all wetlands surrounding the Development Footprint. This buffer is consistent with the Shire's Local Biodiversity Strategy. |
| 5. Site specific information is to be gathered to confirm and assess the ecological values present on site. Detailed ecological site investigations are to be consistent with Environmental Protection Authority Guidance Statements 10, 51 and 56. Ecological assessments are to conform to the requirements as contained in Section 13.1 of the Local Biodiversity Strategy. | The EAMP contains a detailed assessment by a suitably qualified environmental consultant that addresses the ecological values – including an assessment against Threatened Ecological Communities (TECs). |
| 6. Where the planning proposal does not involve clearing of natural areas then the need for and extent of information will be | Noted. Only minimal amounts of clearing are proposed. As identified within the |

| Local Planning Policy : Biodiversity Protection – Requirements | |
|---|---|
| Requirement | Proposed Development |
| based on individual circumstances having regard for the likely impacts the proposal may have on the natural area. | EAMP, most of this clearing is degraded vegetation. |
| 7. Where a planning proposal relates to land containing a natural area or land within 100 metres of a natural area the following information will be required to be submitted to assess the impact of the proposal on the natural area... | Reference is to be made to the EAMP which has completed all the relevant assessment and provided said detail. |
| 8. Proponents should demonstrate that they meet the Ecological Connectivity criteria. | The EAMP demonstrates this compliance and should be referred to. |

4.14 Local Planning Policy – General Development Provisions – Building Setbacks, Car Parking Standards

The Shire's Local Planning Policy – General Development Provisions – Building Setbacks, Car Parking Standards (**General Development LPP**) applies. The General Development LPP is to be read in conjunction with LPS4 and where applicable, the standards of LPS4 are superseded by the requirements of the General Development LPP.

It is noted however the proposal of 'Noxious Industry' is not stipulated within the General Development LPP's Tables 2 or 3, and therefore the General Development LPP is not applicable in this case.

4.15 Local Planning Policy – Water Sensitive Urban Design

As the land is zoned 'Rural', the Shire's Local Planning Policy No. – Water Sensitive Urban Design (**WSUD LPP**) would not normally apply. However, as the land use is a mixture of both industrial and rural land uses, rather than a dedicated rural land use, WSUD LPP is considered to apply.

An assessment of the proposal against the policy statements of WSUD LPP is provided overleaf and demonstrates the proposal's acceptability.

Table 8: Assessment of proposed development under WSUD LPP

| WSUD LPP - Requirements | |
|---|--|
| Requirement | Proposed Development |
| <p>5.1 Proposals shall aim to achieve and maintain the relevant Environmental Quality Criteria as set out in Appendix 1.</p> | <p>The proposal is generally compliant with the specific criteria requirements. The proposal has a number of Environmental Reports attached to this proposal, which should be referred to.</p> |
| <p>5.2 Stormwater Management Systems should comply with the principles, objectives and guidelines in the Stormwater Management Manual for Western Australia.</p> | <p>A Surface Water and Leachate Management Plan has been prepared by a suitably qualified environmental consult. Reference should be made to this management plan as seen at Attachment 4.</p> |
| <p>5.3 WSUD outcomes shall be achieved through compliance with the principles addressed in Section 6 of this Policy, preferentially applied using an integrated approach, consistent with the Peel Harvey Coastal Catchment WSUD Technical Guidelines.</p> | <p>Noted. Refer to the below assessment against section 6 of the WSUD LPP.</p> |
| <p>5.4 Application of this policy shall be practical and appropriate to the level of risk of the proposal.</p> | <p>Noted.</p> |
| <p>5.5 Planning and development proposals shall implement the WSUD strategies outlined in Section 7 of this policy.</p> | <p>Noted. Refer to the below assessment against section 7 of the WSUD LPP.</p> |
| <p>5.6 WSUD practices prescribed in strategic planning instruments shall be linked to a planning mechanism that ensures implementation and requires performance monitoring.</p> | <p>Not applicable as the proposal is for a statutory development application only.</p> |
| <p>5.7 Appropriate investigations shall be performed and documented to support the assessment and approval of development proposals, consistent with the Peel-Harvey Coastal Catchment WSUD Technical Guidelines.</p> | <p>The proposal has a number of Environmental Reports attached to this proposal, which should be referred to. Particular reference should be made to the Environmental Assessment and Management Plan.</p> |

| WSUD LPP - Requirements | |
|--|--|
| Requirement | Proposed Development |
| <p>6.1 Provide protection to life and property from flooding that would occur in a 100 year Average Recurrence Interval (ARI) flood event.</p> | <p>The subject property is not located with a flood prone area or floodplain development control area.</p> |
| <p>6.2 Manage rainfall events to minimise runoff as high in the catchment as possible. The one-year-one-hour (1 in1) ARI event should be retained on-site or as close to source as possible. Infiltration should be encouraged in permeable areas through mechanisms such as soakwells, landscaping and flush kerbing. Drainage systems should minimize run off and maximize on-site infiltration where possible.</p> | <p>A Surface Water and Leachate Management Plan has been prepared by a suitably qualified environmental consult. Reference should be made to this management plan as seen at Attachment 4.</p> |
| <p>6.3 Retain and restore existing elements of the natural drainage system, including waterway, wetland and groundwater features, regimes and processes, and integrate these elements into the urban landscape, possibly through a multiple use corridor. These features should effectively manage mosquito populations and require approval by councils Environmental Health section.</p> | <p>This requirement is generally for strategic proposals and therefore not relevant. Nonetheless, the proposal has provided a number of environmental management plans that address water and flora considerations. Reference should be made to these plans.</p> |
| <p>6.4 Maximise water use efficiency, reduce potable water demand, and maximise the re-use of water harvested.</p> | <p>The Applicant currently holds a Licence to take Water under Section 5C of the RIWI Act for the existing site. Water Licence allows for the extraction of up to 350,000kL of water each year for the purposes of irrigation, compost production and soil blending.</p> <p>The Applicant is currently liaising with DWER to obtain an amended Licence, which will be dependent on the proposal being approved. This clause will therefore be addressed by the Water Licence by the relevant state department.</p> |

| WSUD LPP - Requirements | |
|--|--|
| Requirement | Proposed Development |
| <p>6.5 Minimise pollutant inputs through implementation of appropriate non-structural source controls (such as town planning controls) and structural controls (that manage the quantity and quality of stormwater runoff and prevent or treat stormwater pollution).</p> | Reference should be made to Attachment 3 for the EAMP. The EAMP details the relevant measures to minimise any impacts on physical and liquid waste. |
| <p>6.6 Drainage sump construction is discouraged and any development adjacent to existing sumps should be encouraged to retrofit the area into a multiple-use site if deemed appropriate by council.</p> | Due to the scale and nature of development, drainage ponds have been developed. Reference to the Surface Water and Leachate Management Plan as at Attachment 4 details the reasoning behind this requirement and why it is acceptable. |
| <p>7.1 Compliance with environmental quality criteria Proposals shall demonstrate compliance with relevant environmental quality criteria as outlined in Appendix 1.</p> | As previously stated, the proposal is generally compliant with the specific criteria requirements. The proposal has several Environmental Reports attached to this proposal, which should be referred to. |
| <p>7.2 Compliance with stormwater management policies Stormwater management systems shall comply with the principles, objectives and guidelines in the Stormwater Management Manual for Western Australia, the Murray Drainage and Water management Plan where applicable and be designed in accordance with the Decision Process for Stormwater Management in WA.</p> | A Surface Water and Leachate Management Plan has been prepared by a suitably qualified environmental consult, as stated previously. Reference should be made to this management plan as seen at Attachment 4. |
| <p>7.3 Application of WSUD treatment trains All plans and proposals incorporate appropriate structural and non-structural practices to improve water management outcomes. Best management practices should be applied using a treatment train approach, consistent with recommendations in the Murray Drainage and Water Management Plan and the Peel-Harvey Coastal Catchment WSUD Technical Guidelines.</p> | Wastewater is treated before its released. Refer to Attachment 4 for the Surface Water and Leachate Management Plan. |

| WSUD LPP - Requirements | |
|--|---|
| Requirement | Proposed Development |
| <p>7.4 Preparation of water management strategies</p> <p>The preparation of an Urban Water Management Proposal will be needed for all Development Proposals. The level of detail required in the proposal will be dependent upon the stage of development, site specifics including potential water quality impacts, proximity to water bodies, clearance to groundwater, scale of development and any other site-specific factors.</p> | <p>Noted. The EAMP and Surface Water and Leachate Management Plan has been prepared.</p> |
| <p>7.5 Soil Amendment</p> <p>Any proposal to develop land on sandy or duplex soils where the annual maximum groundwater level is less than 1.2 metres below natural ground level should incorporate soil amendment to maximise the phosphorus retention capability of the soil.</p> | <p>The proposal seeks to have a minimum separation of 1.5m between the ponds and groundwater, therefore making this requirement redundant.</p> |
| <p>7.6 Total Phosphorus and Total Nitrogen Import and Export Criteria</p> <p>Any development likely to result in a nutrient input rate above the current average estimated rates are considered environmentally unacceptable and shall be referred to the EPA unless appropriate and acceptable information is provided to demonstrate that the development will achieve the relevant Environmental Quality Objective.</p> | <p>Noted. This requirement has been addressed under section 4.10.4 of the EAMP as at Attachment 3.</p> |
| <p>7.7 Local Deep Rooted Perennial Vegetation</p> <p>All proposals should aim to retain where possible deep rooted perennial vegetation of local native provenance in areas of public open space. If it is determined that there is insufficient remnant vegetation on site for the development proposed, then re-vegetation work will be required to be undertaken by the landowner.</p> | <p>The site contains a large amount of native vegetation that is not proposed to be impacted in any way. Due to the importance of some of this vegetation, setbacks to these areas have also been provided to ensure there is no adverse impacts.</p> |
| <p>7.8 Building and Landscaping Guidelines</p> <p>LSPs for new subdivision estates should include Building and Landscaping Guidelines.</p> | <p>Not applicable as the proposal is for a development application only.</p> |

| WSUD LPP - Requirements | |
|--|--|
| Requirement | Proposed Development |
| <p>7.9 Construction and Building Site Management</p> <p>Construction and Operational activities on landholdings within the policy area to be consistent with an approved Management Plan. The plan should be submitted and approved prior to the start of site works.</p> | <p>Noted. In accordance with the wording, this can be made as a condition of approval.</p> |
| <p>8.1 Application Requirements</p> <p>Any application for Council's planning consent shall meet all requirements set out in LPS4 and satisfy the requirements of the Shire of Murray Engineering Standards as well as other relevant policies and guidelines.</p> | <p>The proposal is considered to meet all the relevant requirements as discussed throughout this Report.</p> |

5.0 Conclusion

The Applicant is seeking development approval for a carbon recycling facility at the subject land. It is considered that the proposal is classified as 'Noxious Industry' which is a 'SA' use within the 'Rural' zone of LPS4.

For the reasons outlined in this Report, the proposal is suitable for the site and is consistent with both the applicable local and state planning framework, and compatible with the existing rural activities within the locality. The proposal will not have an adverse impact on the character or the amenity of the locality and accordingly, it is submitted that the proposal warrants approval.

We trust that this information is to your satisfaction and welcome the opportunity to review a draft suite of conditions of approval. We otherwise look forward to your prompt and favourable determination.

Altus Planning