

Ordinary Council Meeting

11 October 2017

Minutes



Members of the public who attend Council meetings should not act immediately on anything they hear at the meetings, without first seeking clarification of Council's position. Persons are advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

Agendas and Minutes are available on the City's website www.kwinana.wa.gov.au

Vision Statement

Kwinana 2030

***Rich in spirit, alive with opportunities,
surrounded by nature – it's all here!***

Mission

**Strengthen community spirit, lead
exciting growth, respect the environment
- create great places to live.**



We will do this by –

- providing strong leadership in the community;
- promoting an innovative and integrated approach;
- being accountable and transparent in our actions;
- being efficient and effective with our resources;
- using industry leading methods and technology wherever possible;
- making informed decisions, after considering all available information; and
- providing the best possible customer service.

Values

We will demonstrate and be defined by our core values, which are:

- Lead from where you stand – Leadership is within us all.
- Act with compassion – Show that you care.
- Make it fun – Seize the opportunity to have fun.
- Stand Strong, stand true – Have the courage to do what is right.
- Trust and be trusted – Value the message, value the messenger.
- Why not yes? – Ideas can grow with a yes.

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Present:

HER WORSHIP MAYOR C ADAMS
DEPUTY MAYOR P FEASEY
CR R ALEXANDER
CR W COOPER
CR S LEE
CR S MILLS
CR B THOMPSON
CR D WOOD

MS C MIHOVILOVICH	-	Acting Chief Executive Officer
MS M BELL	-	Acting Director City Regulation
MRS B POWELL	-	Director City Engagement
MR P NEILSON	-	Manager Planning and Development
MS A MCKENZIE	-	Council Administration Officer

Members of the Press	0
Members of the Public	5

1 Declaration of Opening:

Presiding Member declared the meeting open at 7:00pm and welcomed Councillors, City Officers and gallery in attendance and read the Welcome.

“IT GIVES ME GREAT PLEASURE TO WELCOME YOU ALL HERE AND BEFORE COMMENCING THE PROCEEDINGS, I WOULD LIKE TO ACKNOWLEDGE THAT WE COME TOGETHER TONIGHT ON THE TRADITIONAL LAND OF THE NOONGAR PEOPLE”

2 Prayer:

Councillor Ruth Alexander read the Prayer

“OH LORD WE PRAY FOR GUIDANCE IN OUR MEETING. PLEASE GRANT US WISDOM AND TOLERANCE IN DEBATE THAT WE MAY WORK TO THE BEST INTERESTS OF OUR PEOPLE AND TO THY WILL. AMEN”

3 Apologies/Leave(s) of Absence (previously approved)

Apologies

Nil

Leave(s) of Absence (previously approved):

Nil

4 Public Question Time:

4.1 Mr Chris Oughton, Wellard

Question 1

My questions are about Item 16.1, Lease between the City of Kwinana and Waste Stream Management Pty Ltd.

Councillors will be aware that I made a submission about this item, as my letter and the officers' responses are included in the attachments.

The primary focus of my submission was about ensuring that the lessee complied with the original obligation to revegetate the completed slopes of the landfill.

Would Councillors agree that the slopes do not exhibit any compliance with the original 'Landscape and Visual Management Plan'? Clearly the lessee has not complied because there is no evidence of successful revegetation activity to be seen.

Equally as clearly, there appears to have been no enforcement of the plan by the Council, otherwise the slope would be being revegetated.

Is it agreed that the lessee is expected, under the terms of their lease, to routinely (maybe annually) carry out winter revegetation using prescribed species on the completed slopes? The purpose of this requirement is so that once the landfill is completed, it looks like a tree covered hill. Do we agree on that?

Upon reading the lease in the agenda, does anyone see a requirement for revegetation, or compliance with the Landscape and Visual Management Plan? Because I don't. If I am right in assuming that we would all like to see the sides of the landfill properly revegetated, and given that it has not been revegetated thus far, how then can you as Councillors achieve this most desirous outcome?

It seems to me that there is only way Council could require the lessee to carry out dinkum revegetation work.

Could Councillors insist that a clause be inserted into the lease to make it mandatory for the lessee to comply with the original Landscape and Visual Management Plan? Yes of course.

So my final question is this. Would Councillors support the inclusion of the following clause into the lease agreement;

The lessee is required to comply with the Council's Landscape and Visual Management Plan, and failure to do so is considered a breach of an essential item. (or words to achieve the same effect)

Thank you for the opportunity to speak tonight, and I do hope that you will see your way to have my suggested additional clause inserted into the lease.

Response

The Mayor referred the questions to the Acting Chief Executive Officer.

4 PUBLIC QUESTION TIME CONTINUED

The Acting Chief Executive Officer advised that in relation to the comment on the compliance of the Landscape and Visual Management Plan, City Officers are carrying out an investigation to determine whether the works carried out comply with the Landscape and Visual Management Plan which is a condition in the Development Application (DA) approval. The lease makes reference to the lessee rehabilitating the premises where they are required to do so by any statutory body and by the terms of any approvals.

Mr Oughton said that if that is the case, and given that it clearly has not been vegetated so far, what will change under this new lease arrangement? Will they be equally as obligated to do the revegetation tomorrow as they were yesterday? What changes? Because it has not been revegetated.

The Acting Chief Executive Officer stated that the changes are that the City Officers are carrying out an investigation. They are going to investigate whether the lessee is meeting their requirements under the DA. The City in the first instance will discuss any findings with the lessee.

The Mayor mentioned that Council is aware of the angst that this issue has caused the public, we get asked about it regularly and is something well worth the City investigating and making sure there is compliance.

4.2 Mr Trent Shaw, Parmelia

Question 1

Can the lights at the Edge Skate Park be extended to turn off later than 10pm?

Question 2

Can the button that turns the lights on in the carpark be checked as it is not working?

Response

The Mayor took the questions on notice.

5 Applications for Leave of Absence:

COUNCIL DECISION

604

MOVED CR B THOMPSON

SECONDED CR D WOOD

That Councillor Sheila Mills be granted a leave of absence on 13 December 2017.

That Mayor Carol Adams be granted a leave of absence on 22 November 2017.

CARRIED
8/0

6 Declarations of Interest by Members and City Officers:

Mayor Carol Adams declared an impartiality interest in item 16.1, Disposal of Property by Way of Lease – Reserve 26572 (Lot 434 Thomas Road, Kwinana) between the City of Kwinana and Waste Stream Management Pty Ltd due to a close family relation making a submission against the proposal.

Deputy Mayor Peter Feasey declared an impartiality interest in item 15.1, Adoption of Local Development Plan – Stage 8 – Lot 1372 Wellard Village, due the property potentially being constructed as a public housing tenancy and he is indirectly employed by the Minister for Housing.

7 Community Submissions:

Nil

8 Minutes to be Confirmed:

8.1 Ordinary Meeting of Council held on 27 September 2017:

COUNCIL DECISION

605

MOVED CR S MILLS

SECONDED CR S LEE

That the Minutes of the Ordinary Meeting of Council held on 27 September 2017 be confirmed as a true and correct record of the meeting.

CARRIED
8/0

9 Referred Standing / Occasional / Management /Committee Meeting:

Nil

10 Petitions:

Nil

11 Notices of Motion:

Nil

12 Reports – Community

Nil

13 Reports – Economic

Nil

14 Reports – Natural Environment

Nil

15 Reports – Built Infrastructure

15.1 Adoption of Local Development Plan – Stage 8 – Lot 1372 Wellard Village

SUMMARY:

A Draft Local Development Plan (LDP) for Lot 1372 in Stage 8 of Wellard Village, Wellard has been received for consideration under the City of Kwinana Town Planning Scheme No. 2 (Scheme) (refer Attachment A for Location Plan).

The draft LDP (refer Attachment B - G) sets out design requirements for the development of the lot. These requirements apply in addition to normal Scheme and State Planning Policy No. 3.1 (*Residential Design Codes of Western Australia*) (R-Codes) requirements and will permit certain variations in order to achieve a desired outcome for the site.

Engineering drawings for Stage 8, including the subject site, were approved in approximately 2007. Construction of the stage including road infrastructure, footpaths and street tree plantings were completed in 2008. The subject lot has remained in balance title since the development of Stage 8. The applicants are now preparing to obtain subdivision clearance for the proposed lot and the approval of the draft Local Development Plan represents the final stage in this process.

The draft LDP (refer Attachment B - G) has been assessed and is supported by City Officers. It is recommended that Council approves the draft LDP in accordance with Clause 52(1) (a) of Schedule 2 – Deemed Provisions for Local Planning Schemes of the Planning and Development (Local Planning Schemes) Regulations 2015.

OFFICER RECOMMENDATION:

That Council approves the Local Development Plan for Stage 8 – Lot 1372 Wellard Village, Wellard (as per Attachments B - G), pursuant to Clause 52(1)(a) of Schedule 2 – Deemed Provisions for Local Planning Schemes of the Planning and Development (Local Planning Schemes) Regulations 2015, subject to the following modifications and inclusion of additional provisions:

1. Modification of LDP provision 6 to read as follows:
6 VEHICLE ACCESS AND GARAGES/CARPORTS
 - a) Vehicle access points are indicatively shown on the LDP. Exact and final access points are to be determined via a development application process.
 - b) All garages are to have doors to enclose them.

The following provisions only apply to Single and Grouped Dwellings where proposed garages face the primary street:

- c) Garages are not to be forward of the dwelling alignment. Garages may be aligned with the dwelling provided they do not exceed the dwelling setback line.
- d) Where lots have a frontage of 12 metres or less, garages may exceed 50% of the primary lot frontage to a maximum of 60% of the primary lot frontage.

15.1 ADOPTION OF LOCAL DEVELOPMENT PLAN – STAGE 8 – LOT 1372 WELLARD VILLAGE

- e) Where garages exceed 50% of the primary lot frontage, they shall comply with the following:
 - A clear indication of the dwelling entrance.
 - The dwelling entrance shall be the dominant feature of the facade, and shall include a projecting portico or veranda with a minimum depth of 1.5 metres.
 - Garages are to be set back at least 0.5 metres behind the dwelling alignment.
 - f) For any single storey dwelling on a lot with a frontage less than 10 metres in width and where vehicle access is gained solely from the primary street, only a single width garage/carport (including tandem) is permitted.
 - g) Double garages are permitted on lots less than 10m wide where dwellings are two storeys and where major openings to habitable rooms are provided on the primary street frontage.
2. Modification of LDP provision 7 to read as follows:
- 7 UNIFORM ESTATE BOUNDARY FENCING
- a) Fencing design and materials should complement and be consistent with the building design.
 - b) Front fences within the primary street setback being visually permeable above 0.9m to a maximum height of 1.2m above natural ground level.
 - c) For secondary street boundaries, fencing shall be visually permeable above 1200mm behind the primary street setback, for a minimum length of 3m behind the truncation with a habitable room addressing the street.
 - d) Colourbond fencing is not permitted to the street boundary.
- * Primary/secondary streets to be determined at development/subdivision stage.
3. Inclusion of an additional provision to read as follows:
- 11 DWELLING FAÇADE TREATMENT

All dwellings to provide an appropriate, high quality design interface with the surrounding streetscape, through the use of at least three of the following architectural design features:

- 1. Articulation in dwelling facade (i.e. varied wall setbacks);
- 2. A minimum of two building materials, colours and/or finishes (E.g. render, brick, cladding);
- 3. Major habitable room openings incorporating large windows to provide surveillance;
- 4. Roof forms that incorporate gables;
- 5. A balcony, portico, or verandah; or
- 6. A built in planter box.

DISCUSSION:Land Status

Metropolitan Region Scheme:
Town Planning Scheme No. 2:

'Urban' Zone
Residential R40

15.1 ADOPTION OF LOCAL DEVELOPMENT PLAN – STAGE 8 – LOT 1372 WELLARD VILLAGE

A LDP is a planning tool which allows certain design requirements, either in addition to or in variance to those stipulated under the Scheme and R-Codes to be imposed on subsequent development of land. These requirements will often cover aspects including dwelling placement and design, solar orientation, private open space, setbacks, garage placement and design, fencing, store areas and service provision. Requirements vary depending on the type of land and design outcome trying to be achieved. Most important is the LDP's ability to vary R-Code provisions, where such variations are needed to achieve the most optimal design outcome.

The Draft LDP (Attachments B - G) has been specifically required as a condition of the Western Australian Planning Commission (WAPC) subdivision approval for the subject land. Consistent with the Scheme, the Draft LDP establishes design requirements relating to:

1. Building setbacks;
2. Building Height and Plot Ratio;
3. Open space and Outdoor Living Areas;
4. Built form orientation; and
5. Vehicular access and garages/carports.

Site Context

The subject lot is located in Stage 8 of the Wellard Village estate. The subject lot adjoins the Mandurah Railway to the north/west, Lambeth Circle to the south and Beauchamp Loop to the east. The site is 2017m² in area and is generally flat. The subject site contains scattered shrub vegetation and an area on the corner of Lambeth Circle and Beauchamp Loop of small trees and landscaping serving as an entry statement. The site was cleared of all vegetation in 2008 as part of the subdivision works for this stage. All the vegetation on site has regrown since this time. City Officers have assessed the vegetation on site and do not consider the existing vegetation worthy of retention. It should be noted however, that there are a number of existing street trees surrounding the site. It is envisaged that the majority of these street trees could be retained as part of the development of the site.

Directly across Lambeth Circle from the site is an existing child care centre and further beyond this is the Wellard Train Station (located 200m away from the subject site). The site is located on the periphery of the Wellard Village centre and within walking distance to these shops and facilities. The subject site presents an opportunity to provide higher density development within close proximity of the Wellard Train Station.

Built Form

The draft LDP presents a number of options for the development of the subject site. The site's close proximity to the Wellard Village neighbourhood centre and train station, present an opportunity for higher density residential development, to take advantage of this location. Whilst the subject site is not included within the Wellard Village Neighbourhood Centre Design Guidelines, City Officers consider the subject site should be considered in the context of its proximity to the neighbourhood centre. The draft LDP proposes a plot ratio of 0.75 and a three storey height limit for any multiple dwelling proposals. The R-Codes specifies a plot ratio of 0.6 for multiple dwellings within an R40 zone, in this regard given the subject sites location and relationship to the adjoining Wellard Village centre the proposed increase in plot ratio is supported.

15.1 ADOPTION OF LOCAL DEVELOPMENT PLAN – STAGE 8 – LOT 1372 WELLARD VILLAGE

The proposed increase in plot ratio is considered minor in the scope of the potential development on the site and could see a potential increase of 3-4 multiple dwelling units across the site (from approximately 19 units at the R-Codes plot ratio of 0.6, to potentially 23 units at the proposed plot ratio of 0.75).

Any development proposed on the site in a Grouped Dwelling configuration would be subject to the density and height requirements as per the R Codes, which limit a grouped dwelling development to a height of two storeys.

The draft LDP requires development to address both Lambeth Circle and Beauchamp Loop, however vehicle access to Lambeth Circle is not permitted. It is intended that any development proposed on the western portion of the subject site will primarily address Lambeth Circle, with vehicle access provided to the rear off Beauchamp Loop. Proposed open space requirements and setbacks are similar to those identified in LDPs for the surrounding Wellard Village Centre South Stages 1 – 5.

Streetscape

City Officers have considered the draft LDP against the provisions of Local Planning Policy No. 2 – Streetscapes (LPP2). This policy aims to enhance the character of local streets and encourage the development of attractive streetscapes. The policy applies to local structure plans, subdivisions and local development plans.

It should be noted that engineering drawings for Stage 8, including the subject site, were approved in approximately 2007. Construction of the stage including road infrastructure, footpaths and street tree plantings were completed in 2008. The subject lot has remained in balance title since the development of Stage 8. The land owners are now preparing to obtain subdivision clearance for the proposed lot and the approval of the draft Local Development Plan represents the final stage in this process.

As a consideration of the length of time that has passed since the approval and development of Stage 8, many of the requirements of LPP2 do not apply to this site, particularly requirements relating to road reserve infrastructure, as engineering drawings were approved prior to the introduction of LPP2. In addition, the site is intended to be developed as either a multiple or grouped dwelling development and as such the future development can be arranged in a variety of different forms, which would be subject to a future development application.

Nevertheless, City Officers have considered the draft LDP against the provisions of the LPP2 which relate to streetscape elements within the subject lot and have recommended amendments to the draft LDP to reflect the provisions of the LPP. These include provisions relating to proposed fencing heights and permeability, to provide a greater visual connection between the dwellings and the street and to enable passive surveillance of the surrounding streets. Provisions are also included relating to dwelling façade elements and garage placement and width, to encourage built form variety and an attractive streetscape.

Quiet House Design

The draft LDP specifies quiet house design provisions to mitigate noise from the adjacent railway line. The proposed provisions are consistent with the requirements of the acoustic assessment prepared by Lloyd George for the section of the Mandurah Railway within the Wellard Village estate.

15.1 ADOPTION OF LOCAL DEVELOPMENT PLAN – STAGE 8 – LOT 1372 WELLARD VILLAGE**Conclusion**

It is considered that the LDP will be a single point of reference that will provide clarity and certainty to builders, property owners and City Officers. The City's Officers have assessed the provisions and requirements of the draft LDP and are supportive of the proposal.

LEGAL/POLICY IMPLICATIONS:

For the purpose of Councillors considering financial or impartiality interests, the land owner is Peet Limited and Department of Housing Joint Venture, and the applicant is Creative Design and Planning.

The following strategic and policy based documents were considered in assessing the application;

- City of Kwinana Town Planning Scheme No. 2
- State Planning Policy No. 3.1 (*Residential Design Codes of Western Australia*)
- Liveable Neighbourhoods Operational Policy
- Local planning and other related policies.

COMMUNITY ENGAGEMENT:

City Officers do not consider that the draft LDP requires advertising as it reflects similar development provisions afforded to the adjoining single residential and grouped / multiple housing lots.

FINANCIAL/BUDGET IMPLICATIONS:

There are no financial or budget implications as a result of this application.

ENVIRONMENTAL IMPLICATIONS:

The subject site contains mainly scattered shrub vegetation. There is also an entry statement on the corner of Lambeth Circle and Beauchamp Loop comprising a number of small trees, turf and small plantings. A portion of this entry statement is located inside the subject lot and would likely be removed as part of the development of the site.

The site was cleared of all vegetation in 2008 as part of the subdivision works for this stage. All the vegetation on site has regrown since this time. City Officers have assessed the vegetation on site and do not consider the existing vegetation worthy of retention. It should be noted however, that there are a number of existing street trees surrounding the site. It is envisaged that the majority of these street trees could be retained as part of the development of the site.

The LDP encourages the use of passive solar urban design. Quiet house design provisions are included in the LDP.

15.1 ADOPTION OF LOCAL DEVELOPMENT PLAN – STAGE 8 – LOT 1372 WELLARD VILLAGE**STRATEGIC/SOCIAL IMPLICATIONS:**

LDPs allow for variations to the Scheme and R-Codes which take into account specific site characteristics and configuration of lots, particularly smaller lots. The use of such mechanisms is common practice, and is encouraged to allow for the most optimal form of urban development to occur.

RISK IMPLICATIONS:

Council approves development under its Town Planning Scheme to meet its statutory obligations and facilitate proper and orderly development of the municipality. The draft LDP seeks to ensure the provisions on LDPs are appropriate and LDPs facilitate development.

Risk Event	Appeal of Council's decision on the draft LDP Amendment.
Risk Theme	Failure to fulfil statutory regulations or compliance requirements Providing inaccurate advice/ information.
Risk Effect/Impact	Reputation Compliance
Risk Assessment Context	Strategic
Consequence	Minor
Likelihood	Possible
Rating (before treatment)	Low
Risk Treatment in place	Reduce - mitigate risk
Response to risk treatment required/in place	Work instructions in place and checklists used when assessing the application. Consideration of the application within the Statutory timeframes. Compliance of the proposal with relevant legislation and policies.
Rating (after treatment)	Low

COUNCIL DECISION

606

MOVED CR W COOPER**SECONDED CR R ALEXANDER**

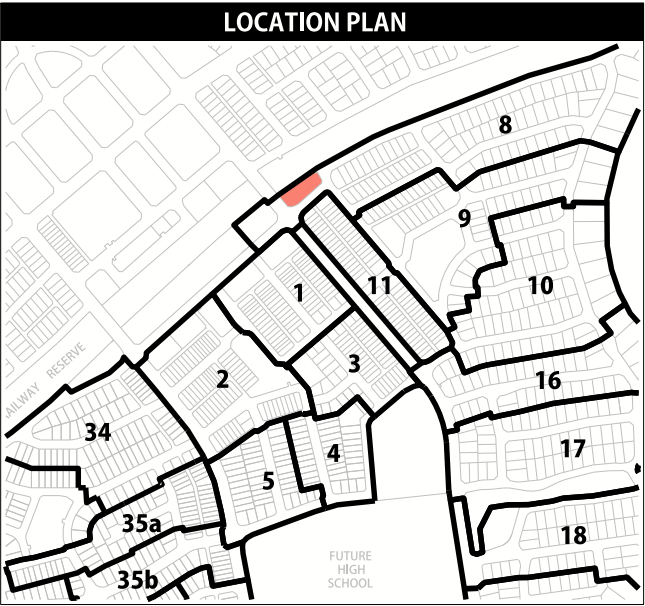
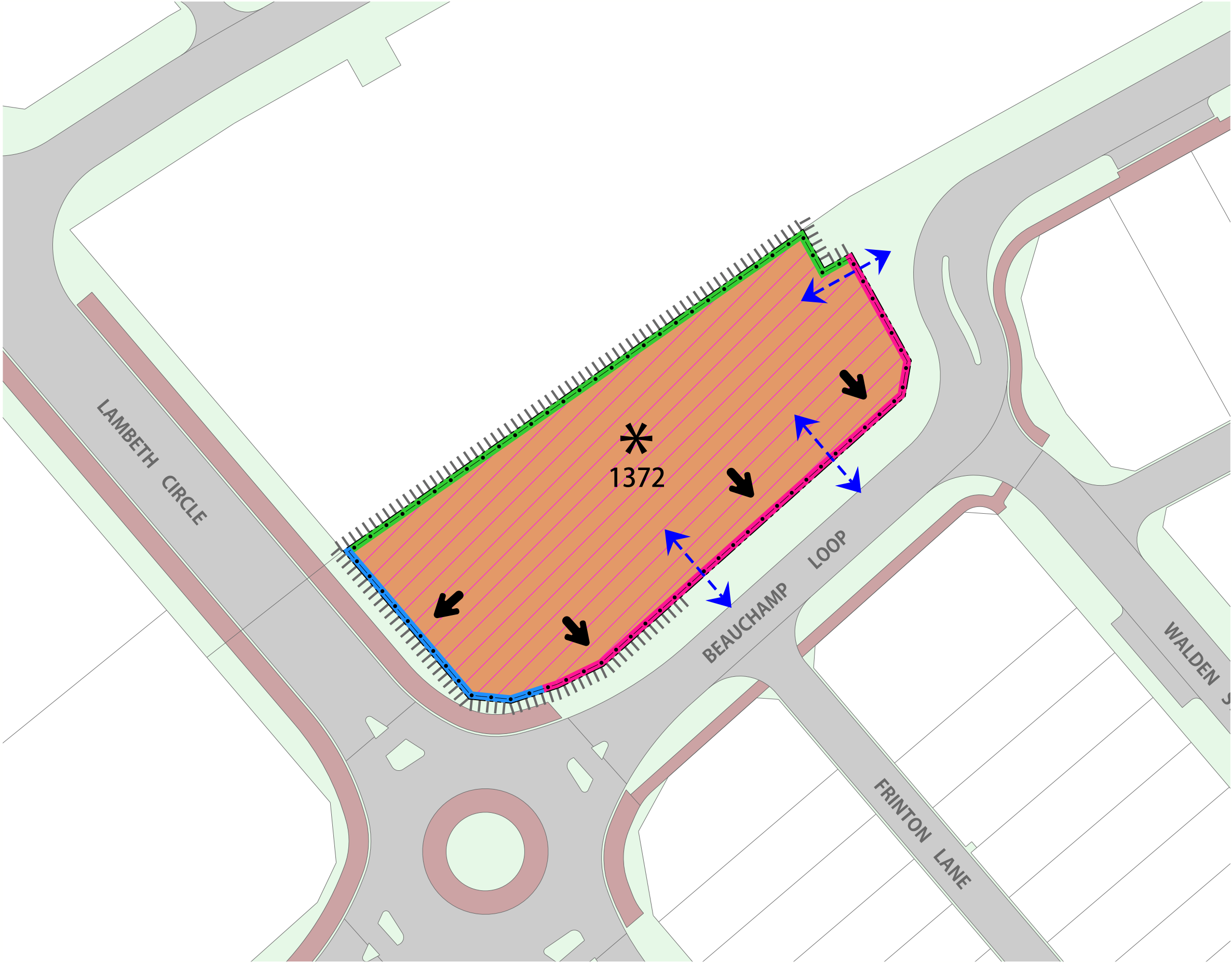
That the item be deferred.

CARRIED
7/1

NOTE – That the Officer Recommendation has been amended to defer the item to allow further discussion regarding the entry statement, design layout and traffic concerns.

ATTACHMENT A - LOCATION PLAN





LEGEND	
-----	Local Development Plan Boundary
	R40 Coding
	Indicative Vehicle Access (Subject to Development Approval process)
	Maximum 3 storey Height Limit
	No Vehicle Access
	Uniform Estate Fencing
	Nil Setback
	1.0m Setback
	2.0m Setback
	Primary Dwelling Orientation
	Quiet House Design Requirement
	Footpaths

ENDORSEMENT OF REGISTERED TOWN PLANNER
This Local Development Plan has been adopted by Council and signed by the Principal Planner.

SIGNATURE: _____ DATE: _____



The requirement to consult with adjoining or other land owners to vary the Residential Design Codes in accordance with the Local Development Plan is not required except where variations to the provisions of the Local Development Plan are sought.

Planning Approval is not required, but a Building Permit is required, for the construction of a dwelling on any lot within the area covered by the Local Development Plan (including lots with a land area less than 260m²) except where variations to the provisions of the Local Development Plan are sought.

ATTACHMENT B

LOCAL DEVELOPMENT PLAN

Stage 8 - Lot 1372, The Village at Wellard *Page 1 of 6*
A Peet Limited and Housing Authority Joint Venture Project



Scale: 1:500@A3
Date: 22/06/2017
Plan: PACWE-4-028A

A 28 Brown St, East Perth WA 6004
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E info@creativedp.com.au
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LDP PROVISIONS – THE VILLAGE AT WELLARD STAGE 8 – LOT 1372

The provisions addressed below and on the adjacent plan relate to the R40 development site at Lot 1372 in Stage 8 of The Village at Wellard Estate, Wellard.

The requirements of the Residential Design Codes apply unless otherwise provided for below.

The following standard represents variations to the Residential Design Codes and constitutes ‘Deemed-to-comply’ requirements pursuant to the Codes.

1. OPEN SPACE AND OUTDOOR LIVING AREA	
a) Minimum Open Space (grouped and multiple dwellings):	30%
b) Minimum Outdoor Living Area (grouped dwellings):	20m²
c) Minimum Outdoor Living Area (multiple dwellings):	As per R Codes

2. SETBACK PROVISIONS	
	Minimum
a) Multiple dwellings - all boundaries	Nil
b) Grouped dwellings	
- Beauchamp Loop (grouped dwellings)	1m
- Lambeth Circle (grouped dwellings)	2m
- Railway reserve and power infrastructure truncation	Nil

3. PLOT RATIO	
Multiple dwellings	0.75 maximum
Grouped dwellings	As per R Codes

4. BUILDING HEIGHT	
	Maximum
Multiple dwellings	3 storeys
- Top of wall (roof over)	10.8m
- Top of wall (parapet)	12.3m
- Top of pitched roof	16.8m
Grouped dwellings	As per R Codes

5. BUILDING FORM AND ORIENTATION

- a) Dwellings must be designed to address the Primary Street, as illustrated by the ‘Primary Dwelling Orientation’ shown on the LDP. The front elevation shall consist of at least one major opening to a habitable room overlooking the Primary Dwelling Orientation.
- b) Where possible dwellings are to be designed to take advantage of northern solar orientation.

6. VEHICLE ACCESS AND GARAGES/CARPORTS

- a) Vehicle access points are indicatively shown on the LDP. Exact and final vehicle access points are to be determined via a development approval process.

7. UNIFORM ESTATE BOUNDARY FENCING

- a) Fencing design and materials should complement and be consistent with the building design.
- b) Solid fencing to street boundaries shall be no higher than 750mm. Fencing above 750mm shall be visually permeable and have a maximum total height of 1.5m.
- c) Colourbond fencing is not permitted to the street boundary.

8. INCIDENTAL DEVELOPMENT

- a) Clotheslines, rainwater tanks, satellite dishes are to be screened from view from the Primary Street.

9. NOTIFICATION TO PROSPECTIVE PURCHASES

- a) The Developer is required to give prospective purchases a complete copy of all the requirements of this Local Development Plan prior to Offer and Acceptance being made.

10. QUIET HOUSE DESIGN

- a) As defined by the Noise Assessment undertaken by Lloyd George Acoustics (2017) for Lot 1372 Wellard Village Quiet House Design provisions apply to lots as identified on the reverse plan. Building permit applications to the Town of Kwinana must demonstrate compliance with the relevant “Deemed to Comply Construction Standards”, including the provision of air conditioning as part of the Building Permit Application. Alternative construction methodology can be used subject to the Town of Kwinana approval upon advice from a suitably qualified acoustic consultant.
- b) Noise mitigation requirements are as follows for all building floors:

FACADE DIRECTION	MINIMUM “DEEMED TO COMPLY” PACKAGE REQUIREMENT
NW	Package B
NE	Package A
SW	Package A

- c) ‘Package A – Deemed to Comply Construction Standards’ are required as identified by the noise mitigation requirements for buildings affected by rail noise from the Perth to Mandurah Railway.
- d) ‘Package B – Deemed to Comply Construction Standards’ are required as identified by the noise mitigation requirements for buildings affected by rail noise from the Perth to Mandurah Railway.

Appendix A

DEEMED TO SATISFY CONSTRUCTION STANDARDS

ATTACHMENT D

LOCAL DEVELOPMENT PLAN

Stage 8 - Lot 1372, The Village at Wellard *Page 3 of 6*

A Peet Limited and Housing Authority Joint Venture Project

A 28 Brown St,
East Perth WA 6004
P (08) 9325 0200
E info@creativdp.com.au
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Package A

Area	Orientation to Road or Rail Corridor	Package A (up to 60 dB $L_{Aeq(Day)}$ and 55 dB $L_{Aeq(Night)}$)
Bedrooms	Facing	<ul style="list-style-type: none"> Windows systems: Glazing up to 40% of floor area (minimum $R_w + C_{tr}$ 28) – 6mm thick glass (monolithic, toughened or laminated) in fixed sash, awning or casement opening with seals to openings.
	Side	<ul style="list-style-type: none"> Windows systems: As above.
	Opposite	No requirements
Other Habitable Rooms Including Kitchens	Facing	<ul style="list-style-type: none"> Windows and external door systems: Glazing up to 60% of floor area (minimum $R_w + C_{tr}$ 28) – 6mm thick glass (monolithic, toughened or laminated) in fixed sash, awning or casement opening with seals to openings. Doors to be either 35mm thick solid timber core door with full perimeter acoustic seals. Glazed inserts to match the above. Sliding glass doors to be same performance including brush seals.
	Side	<ul style="list-style-type: none"> Windows and external door systems: As above.
	Opposite	No requirements
General	Any	<ul style="list-style-type: none"> Walls (minimum $R_w + C_{tr}$ 45) – Two leaves of 90mm thick brick with minimum 50mm cavity Roof and ceiling (minimum $R_w + C_{tr}$ 35) – Standard roof construction with 10mm plasterboard ceiling and minimum R2.5 insulation between ceiling joists. Eaves to be closed using 4mm compressed fibre cement sheet. Mechanical ventilation – Refer following pages.
Outdoor Living Area		<ul style="list-style-type: none"> Locate on the side of the building that is opposite to the corridor if practicable; or Locate within alcove area so that the house shields it from corridor if practicable.

Note: Any penetrations in a part of the building envelope must be acoustically treated so as to not downgrade the performance of the building elements affected. Most penetrations in external walls such as pipes, cables or ducts can be sealed through caulking gaps with non-hardening mastic or suitable mortar.

ATTACHMENT E

LOCAL DEVELOPMENT PLAN

Stage 8 - Lot 1372, The Village at Wellard Page 4 of 6

A Peet Limited and Housing Authority Joint Venture Project

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Package B

Area	Orientation to Road or Rail Corridor	Package B (up to 63 dB $L_{Aeq(Day)}$ and 58 dB $L_{Aeq(Night)}$)
Bedrooms	Facing	<ul style="list-style-type: none"> Windows systems: Glazing up to 40% of floor area (minimum $R_w + C_{tr}$ 31) – 10mm thick glass (monolithic, toughened or laminated) in fixed sash, awning or casement opening with seals to openings.
	Side	<ul style="list-style-type: none"> Windows systems: As above.
	Opposite	<ul style="list-style-type: none"> Windows systems: Glazing up to 40% of floor area (minimum $R_w + C_{tr}$ 25) – 4mm thick glass (monolithic, toughened or laminated) in fixed sash, awning or casement opening with seals to openings. Alternatively, 6mm thick glass (monolithic, toughened or laminated) in sliding frame.
Other Habitable Rooms Including Kitchens	Facing	<ul style="list-style-type: none"> Windows and external door systems: Glazing up to 60% of floor area (minimum $R_w + C_{tr}$ 31) – 10mm thick glass (monolithic, toughened or laminated) in fixed sash, awning or casement opening with seals to openings. Doors to be either 35mm thick solid timber core door with full perimeter acoustic seals. Glazed inserts to match the above. Sliding glass doors to have laboratory certificate confirming $R_w + C_{tr}$ 31 performance. Alternative, change to hinged door with perimeter acoustic seals and 10mm thick glass.
	Side	<ul style="list-style-type: none"> Windows and external door systems: Glazing up to 60% of floor area (minimum $R_w + C_{tr}$ 28) – 6mm thick glass (monolithic, toughened or laminated) in fixed sash, awning or casement opening with seals to openings. Doors to be either 35mm thick solid timber core door with full perimeter acoustic seals. Glazed inserts to match the above. Glass doors to be same performance ($R_w + C_{tr}$ 28) including brush seals.
	Opposite	No requirements
General	Any	<ul style="list-style-type: none"> Walls (minimum $R_w + C_{tr}$ 50) – Two leaves of 90mm thick brick with minimum 50mm cavity. Cavity to include 25mm thick, 24kg/m³ insulation and where wall ties are required, these are to be anti-vibration/resilient type. Roof and ceiling (minimum $R_w + C_{tr}$ 35) – Standard roof construction with 10mm plasterboard ceiling and minimum R2.5 insulation between ceiling joists. Eaves to be closed using 4mm thick compressed fibre cement sheet. Mechanical ventilation – Refer following pages.
Outdoor Living Area		<ul style="list-style-type: none"> Locate on the side of the building that is opposite to the corridor; or Locate within alcove area so that the house shields it from corridor.

Note: Any penetrations in a part of the building envelope must be acoustically treated so as to not downgrade the performance of the building elements affected. Most penetrations in external walls such as pipes, cables or ducts can be sealed through caulking gaps with non-hardening mastic or suitable mortar.

ATTACHMENT F

LOCAL DEVELOPMENT PLAN

Stage 8 - Lot 1372, The Village at Wellard Page 5 of 6

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Mechanical ventilation/airconditioning

Where outdoor noise levels are above the “target”, both Packages A and B require mechanical ventilation or airconditioning to ensure that windows can remain closed in order to achieve the indoor noise standards.

In implementing Packages A and B, the following need to be observed:

- Evaporative airconditioning systems will not meet the requirements for Packages A and B because windows need to remain open;
- Refrigerative airconditioning systems need to be designed to achieve fresh air ventilation requirements;
- air inlets need to be positioned facing away from the transport corridor where practicable;
- ductwork needs to be provided with adequate silencing to prevent noise intrusion.

ATTACHMENT G

LOCAL DEVELOPMENT PLAN

Stage 8 - Lot 1372, The Village at Wellard *Page 6 of 6*

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15.2 Adoption for Advertising of Local Planning Policy: Percent for Art

SUMMARY:

This report presents a draft Local Planning Policy (LPP) under Town Planning Scheme No 2 (TPS2) that will provide for the provision of Public Art as a part of certain developments.

Public Art is recognised as an important part of creating character, improving amenity and identity of the public domain. The City has used public art to great effect as part of its development at the Darius Wells Library and Resource Centre and other strategic sites.

The development of this policy will see the provision of public art at certain private developments. The policy, if approved, would see a contribution of at least 1% of the value of the development toward public art, where an application has a value in excess of \$2,000,000, capped at a maximum contribution of \$500,000.

The draft policy is in keeping with the aims of the City's Strategic Community Plan 2017 – 2027 with its focus on developing and celebrating arts (Objective 1.8) and creating great public places (Objective 4.1).

It is recommended that Council adopt the draft LPP for the purpose of public advertising.

OFFICER RECOMMENDATION:

That Council:

1. Adopt Local Planning Policy: Percent for Art, as detailed in Attachment A, for the purpose of public advertising.
2. Pursuant to Deemed Provision 4.1 of the Planning and Development (Local Planning Schemes) Regulations 2015, advertise Local Planning Policy: Percent for Art for a period of 21 days.
3. Instruct City Officers to prepare a report back to Council that details the submissions received during the advertising period and makes a recommendation that Local Planning Policy: Percent for Art be either adopted with or without modification, or not to proceed.

DISCUSSION:

Draft Local Planning Policy

The key objective of the draft LPP is to ensure that the City has a transparent and predictable approach to seeking contributions from developers to public art. The application will then improve the amenity of the region. The policy will also give certainty to artists, that their work will be appropriately displayed and respected.

The proposed policy is adapted from Artsource's model planning policy. Artsource is a body that represents artists involved in, amongst other things, public art. The policy gives clarity over the copyright and ownership of such pieces as well as the moral rights of the artist.

15.2 ADOPTION FOR ADVERTISING OF LOCAL PLANNING POLICY: PERCENT FOR ART

Given the policy relates to 1% of the cost of a development, it is not considered to be a barrier to development, and a cap of contribution to \$500,000 will ensure that significant industrial developments (those over \$50 million) will not be additionally burdened. Further, the policy will not apply to developments under \$2,000,000. This is a higher threshold than the City's own policy which applies to City initiated building projects over \$1,000,000.

Similar policies are applied in other local governments in Western Australia without detrimental impact on the development uptake in areas. The policy allows for developers to expend the art component in several different ways, namely:-

- a) building features and enhancements such as bicycle racks, gates and lighting;
- b) components of public spaces such as benches, fountains, playground structures, shade shelters, lighting, screening, artistic paving and special planting which is an integral part of the space and contributes towards its artistic value and quality;
- c) landscape art enhancements such as walkways, bridges, greenwalls or art features within landscaping;
- d) murals, tiles or mosaics covering walls, floors and walkways;
- e) sculpture in durable materials;
- f) fibre works, neon or glass works, photographs and prints; or
- g) community arts projects resulting in tangible artwork.

It is considered that many of these will directly impact on the value of the finished development, offsetting the artist and construction costs. Features such as fountains, lighting, greenwalls and sculptures will also have a positive impact on the amenity of the development.

The policy will relate to development applications only and subdivisions will not be affected. Further, there is a clause included to limit the impact on refurbishments and upgrades of uses in the General Industry zone, where small upgrades or changes to existing processing plants may cost many millions of dollars, with little impact on the external of the site. The policy would however apply to all new developments in the zone.

The City has had various guidelines and strategy based documents dealing with public art but had had no planning policy based document with statutory weight or authority under the City's Town Planning Scheme with a focus on new development not otherwise undertaken by the City. For example, the City in 2011 (as then the Town of Kwinana) prepared the 'Guidelines for Developing a Public Art Project in the Town of Kwinana' and 'Engaging Public Spaces, Enhancing Public Places'.

The latter in particular set out a strategic framework for the delivery of public art in the City, reviewed by the Art Advisory Group, the process for the acquisition of art, and, a percent for art requirement as part of certain City works (a minimum of one percent of the capital cost where there is a capital project over \$1 million). The document also encouraged developers to similarly allocate about one percent of the capital costs towards art but it did not mandate this requirement.

LEGAL/POLICY IMPLICATIONS:

City of Kwinana Town Planning Scheme No. 2

Deemed Provision Clause 3 allows Council to 'prepare a Planning Policy in respect of any matter related to the planning and development of the Scheme Area ...'

15.2 ADOPTION FOR ADVERTISING OF LOCAL PLANNING POLICY: PERCENT FOR ART

A Planning Policy is required to be advertised for public comment for no less than 21 days prior to the final adoption by Council, as per clause 4.1 of the deemed provisions.

FINANCIAL/BUDGET IMPLICATIONS:

The preparation and advertising of the draft LPP will be undertaken within the City's existing budget. There are no other direct financial implications associated with the draft LPP.

ENVIRONMENTAL IMPLICATIONS:

No direct environmental implications are associated with the draft LPP.

STRATEGIC/SOCIAL IMPLICATIONS:

The adopting of a local planning policy will provide certainty to developers regarding the City's position of provision of public art. Implementation of the policy will also address a number of strategic planning objectives relating to public art, amenity and built form.

RISK IMPLICATIONS:

RISK ANALYSIS	DESCRIPTION
Risk Event	Lack of policy may event in low quality public amenity outcomes.
Risk Theme	Failure to get the highest quality built form outcomes.
Risk Effect/Impact	Reputations
Risk Assessment Context	Strategic
Consequence	Moderate
Likelihood	Possible
Rating (before treatment)	Moderate
Risk Treatment in place	Reduce - mitigate risk
Response to risk treatment required/in place	Adoption of the draft Policy which provides clarity and guidance to developers and the City on the public art outcomes, thereby mitigating the risk.
Rating (after treatment)	Low

15.2 ADOPTION FOR ADVERTISING OF LOCAL PLANNING POLICY: PERCENT FOR ART

COUNCIL DECISION

607

MOVED CR B THOMPSON

SECONDED CR S LEE

That Council:

- 1. Adopt Local Planning Policy: Percent for Art, as detailed in Attachment A, for the purpose of public advertising, with an amendment to section 6.3 of Attachment A replacing the word Authority with Council.**
- 2. Pursuant to Deemed Provision 4.1 of the Planning and Development (Local Planning Schemes) Regulations 2015, advertise Local Planning Policy: Percent for Art for a period of 21 days.**
- 3. Instruct City Officers to prepare a report back to Council that details the submissions received during the advertising period and makes a recommendation that Local Planning Policy: Percent for Art be either adopted with or without modification, or not to proceed.**

**CARRIED
8/0**

NOTE – That the Officer Recommendation has been amended at point 1 to allow for an amendment which replaces the word Authority with Council to Attachment A.

<h1 style="text-align: center;">Local Planning Policy</h1> <h2 style="text-align: center;">Percent for Art</h2>	
Adopted:	
Last Reviewed:	
Legal Authority:	Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 – Part 2 – Division 2

1. Introduction

The provision of public art contributes towards a sense of place, amenity and identity of the public domain. The City seeks to promote the provision of public art as part of private development through the application of this policy.

1.1 Purpose

The purpose of this Policy is to assist in achieving the following objectives:

- a) To enhance the legibility of open spaces, buildings and streets by introducing public art that makes these places more identifiable;
- b) To allow for the interpretation of cultural, environmental or built heritage through public art;
- c) To enhance the amenity of the public domain through the use of public art; and
- d) To enhance the sense of place by encouraging public art forms.

2. Definitions

For the purpose of this policy the following definitions apply.

Public Art means an artistic work that:

- a) is permanent in nature, and constructed of materials which can be maintained and repaired if necessary, including metal, wood, plastic, paint or any other durable material;
- b) is either freestanding or integrated into the exterior of a building or other structure;
- c) is created and located for public accessibility, either within the public realm or within view of the public realm, such as the street, park, urban plaza or public building; and
- d) has been designed by an artist or has been designed through a process overseen by an artist;

but does not include art projects or elements that are:

- a) a business logo;
- b) directional elements such as signage or colour coding;
- c) art works which are mass produced such as fountains, statuary or playground equipment;

- d) art reproductions;
- e) landscaping or generic hardscaping elements which would normally be associated with the project; or
- f) services or utilities necessary to operate or maintain artwork.

Construction value means the estimated cost of the equipment, financing, services and utilities that are required to carry out a development but does not include the cost of land acquisition. The City will generally accept this to be the same as the estimated cost of development stated by the applicant on the building permit application.

Artist means a person who meets any of the following criteria:

- a) a person who has obtained a Bachelor Degree or Diploma in visual arts or any similar field or who is undertaking studies towards these qualifications;
- b) a person who has a track record of exhibiting and/or selling their own original artwork;
- c) a person who has had their own original artwork purchased by major public collections;
- d) a person who earns more than 50% of their income from arts related activities such as teaching art and selling their own artwork;
- e) a person who has secured work or consultancies in the arts field on the basis of professional expertise; or
- f) a person who has expertise in creating the form of public art proposed by an applicant or the Council under this policy.

Eligible Costs means costs associated with the production of an art project which may include:

- a) professional artist's budget, including artist fees, Request for Proposal, material, assistants' labour costs, insurance, permits, taxes, business and legal expenses, operating costs, and art consultant's fees if these are necessary and reasonable;
- b) fabrication and installation of artwork;
- c) site preparation;
- d) structures enabling the artist to display the artwork;
- e) documentation of the artwork; and
- f) an acknowledgment plaque identifying the artist, artwork and development.

3. Amount of public art contribution

- 3.1 The eligible cost of any public art provided for under this policy shall be no less than one percent of the construction value of the development of all developments where the construction value is in excess of \$2,000,000.

3.2 Notwithstanding Clause 3.1, a single development shall not be required to provide or contribute any more than \$500,000 in eligible costs to Public Art.

3.3 Notwithstanding Clause 3.1, a contribution will not be sought on developments in the General Industry zone, where the development application relates to a refurbishment or upgrade of existing infrastructure. For the purposes of clarity, contributions will be required on new developments or major extensions in this zone.

4. Form of public art contribution

4.1 On submission of a development application the proponent must nominate the way in which the public art contribution will be met for consideration by Council.

4.2 At the discretion of Council the proponent will meet their public art contribution in one or more of the following ways:

- a) by establishing public art "on-site" as a component of their development;
- b) by providing public art in the vicinity of the site in the public realm; or
- c) by providing cash-in-lieu to the amount specified within the development condition.

5. General standards for public artworks

5.1 Where the proponent provides public art, it shall be provided on site or within the public realm immediately adjacent to the site. Where located on site, the public art is to be clearly seen from the public realm.

5.2 Where public art is placed in the public realm, its placing will be consistent with the City of Kwinana Public Art Masterplan.

5.3 The public art shall contribute to an attractive, stimulating and functional environment and not detract from the amenity or safety of the public realm.

5.4 The public art shall be specifically designed for, and be suitable for, the building or site where it is to be located and contribute towards the sense of place for that locality.

5.5 The public art shall be of high aesthetic quality, low maintenance, durable and resistant to vandalism and must be maintained during the continuation of the development.

5.6 The public art shall be original and be designed and created or overseen by an artist/s.

5.7 The public art must be designed and sited to avoid encouraging criminal activity on the site such that it should not be used for assistance in unauthorised entry or conceal any person.

5.8 The public art must not be considered by the City to be obscene or offensive in any manner.

6. Forms of public art

6.1 Public artworks may take the following forms:

- a) building features and enhancements such as bicycle racks, gates and lighting;
- b) components of public spaces such as benches, fountains, playground structures, shade shelters, lighting, screening, artistic paving and special planting which is an integral part of the space and contributes towards its artistic value and quality;
- c) landscape art enhancements such as walkways, bridges, greenwalls or art features within landscaping setting using landscape materials;
- d) murals, tiles or mosaics covering walls, floors and walkways;

- e) sculpture in durable materials;
- f) fibre works, neon or glass works, photographs light projections and prints; or
- g) community arts projects resulting in tangible artwork.

6.2 The art project may be an interpretation of cultural heritage and the City may also consider alternative art projects including community arts programs, which involve the public and the incorporation of a cultural space that comprises a visual or performing arts space.

6.3 Public art should be made accessible to all members of the community, irrespective of their age and abilities. While art in public spaces might be considered primarily a visual experience, it can provide a range of sensory experiences for people with disabilities – artwork can be tactile, aural and give off pleasant smells as well as being visual. Artwork need not be monumental, but can be at heights suitable for people in wheelchairs to touch, move through and explore. Artwork can be interactive play objects for family groups and children. Interpretive signage in an easy to read format, including Braille, will ensure that artworks are inclusive of all members of the community. Where feasible and appropriate to the site and community, the City will commission artworks that can be enjoyed as an interactive experience, irrespective of age, mobility or ability.

7. Approval process for public art contributions

7.1 The Council will approve public art proposals and the expenditure of cash-in-lieu funding;

7.2 Council may delegate the approval of public art proposals to the Chief Executive Officer;

7.3 Public Art proposals will be accompanied by the a Public Art Report, as set out in Appendix 1 of this Policy and will be required to be approved prior to the lodgement of a building permit application for the associated development.

7.4 The proponent will be notified of the approval or refusal of the Public Art Proposal no latter than 30 days from the date of submission (unless otherwise agreed to by the proponent).

7.5 Public Art as fulfilment of a condition of planning approval shall not require a further development application. Where the public art entails structural elements a building permit application will be required.

7.6 The proponent will be required to forward copies of the artist's contract, maintenance schedule and artist contact to the City at the commencement of the art project.

7.7 Where provided by the proponent, the public art must be installed prior to the issue of an Occupancy Permit.

7.8 A notification pursuant to Section 70A of the Transfer of Land Act is to be lodged against the certificate of title to the land on which public art is located to make the proprietors and prospective purchasers aware of requirements to maintain the public art.

8. Collection and expenditure of cash-in-lieu for public art

8.1 Cash-in-lieu shall be paid into Council's Public Arts Fund.

- 8.2 Where applicable, the City is to have received the cash-in-lieu contribution prior to the issue of an Occupancy Permit.
- 8.3 Funds are to only be expended on public art located on public land within the vicinity of the development (for instance adjacent to or within the centre in which the development is located) unless otherwise agreed between the proponent and the City.
- 8.4 Cash-in-lieu funds may be accrued for more comprehensive public art projects as determined by the City.
- 8.5 Cash-in-lieu funds may be used towards maintenance of public artworks.
- 8.6 Funds will be refunded to the owner/applicant in the event the development proposal associated with the Public Art does not proceed.

9. Copyright and ownership of public art

- 9.1 Once an artwork has been completed and accepted by the City, copyright will be held jointly by the City and the artist. In practical terms this means that the City has the right to reproduce extracts from the design documentation and photographic images of the artwork for non-commercial purposes, such as annual reports, information brochures about the City and information brochures about the artwork. The artist will have the right to reproduce extracts from the design documentation or photographic images of the artwork in books or other publications associated with the artist or artwork.
- 9.2 Where situated on private property, the public art is owned and maintained by the owner. Where situated on public property, the public art is owned and maintained by the City.

10. Moral rights and acknowledgement of artwork

- 10.1 Since 2000 Moral rights legislation has protected artists. In brief, an artist's moral rights are infringed if their work is not attributed or credited; their work is falsely attributed to someone else; or their work is treated in a derogatory way by distorting, modifying or removing it without their knowledge or consent.

In practical terms this means that the City cannot change an artwork in any way without seeking the artist's permission; likewise the City, cannot remove or relocate the artwork without seeking the artist's permission. A reasonable attempt to find the artist must be provided. The City will take special care to ensure that acts of restoration or preservation (of artworks) will be conducted in a sensitive manner with prior consultation with the artist/s. Wherever possible, preservation or restorative works should be carried out by professional conservators.

Special care will also be taken with the moral rights associated with works created by more than one artist, in that it is acknowledged that collaborators on artistic creations can take different views on issues such as relocation and restoration.

- 10.2 In line with moral rights legislation, the proponent will install a plaque or plate near each artwork, acknowledging the name of the artist, and the name of the person, agency or company who funded the artwork.

10.3 Should the public arts work become a safety hazard, the City may undertake necessary emergency action to alter or remove the artwork without consultation with the artist.

11. Decommissioning of public artwork

11.1 The City may decide to remove an artwork because it is in an advanced state of disrepair or damage or because the public art is no longer considered suitable for the location. In such cases, the City will prepare a documented archival record of the public art prior to its removal.

Acknowledgement:

This policy is based on Artsource's Model Planning Policy and has been adapted from their original work.

Appendix 1

Public Art Report

The Public Art Report is to include:

- i. Details of the artist's qualification, experience and suitability to the project.
- ii. Design documentation - including research, concept development and a detailed statement addressing compliance with this Percent for Public Art Policy and Public Art Strategy (where applicable).
- iii. Detailed plans of the public art. Plans are to be to scale and include dimensions, materials, colours and installation details.
- iv. Plans showing location of proposed public art.
- v. Details of cost calculations including construction cost and the public art contributions costs, in accordance with this policy.
- vi. For public art to be located on or over the public land, written consent of the landowner and/or authority with management control of the land.
- vii. Details of requirements and written consent from the artist for any ongoing care or maintenance of the artwork by the owner or City.

15.3 Adoption of Local Development Plan – Lot 601 Millar Road, Wellard – Wellard East Local Structure Plan

SUMMARY:

A draft Local Development Plan (LDP) for Lot 601 Millar Road within the Wellard East Local Structure Plan (LSP) area has been received for consideration under the City of Kwinana's Town Planning Scheme No. 2 (TPS2) (refer to Attachments A and B).

The draft LDP (refer Attachment B) sets out design requirements for the development of the lots indicated within the LDP boundaries. These requirements apply in addition to normal Scheme and State Planning Policy No. 3.1 (*Residential Design Codes of Western Australia*) (R-Codes) requirements and will permit certain variations in order to achieve a desired outcome.

Subdivision approval was granted for Lot 601 Millar Road, Wellard by the Western Australian Planning Commission (WAPC) on 17 February 2017 with a condition requiring preparation of an LDP for the subject lots. Engineering drawings were then approved by the City's Engineering Department in July 2017.

Fire Management

The draft LDP indicates the lots that are subject to specific building design requirements for bushfire in accordance with the Bush Fire Attack Level (BAL) ratings as specified in the Fire Management Plan (FMP) for this area. The proposed BALs were reviewed by the City's Fire Consultant and are supported.

Local Planning Policy No. 2 – Streetscapes (LPP No. 2)

LPP No. 2 was adopted by Council on 26 April 2017. The policy focuses on improved streetscape across the City and places emphasis on trees and landscaping and road design. Whilst the policy does not apply retrospectively to the subdivision which was approved in February 2017, the policy was however taken into account when assessing the engineering drawings, which were approved in July 2017.

The draft LDP includes the majority of the model provisions that are stipulated in the adopted LPP No.2. This includes built form design provisions relating to garage setbacks, dwelling façade treatment, room ceiling height, fencing and location of street trees. City Officers noted that there are some of the policy provisions not included and, following consultation with the applicant, are recommending that these be included as part of the Council resolution.

City Officers are also recommending the removal of Provision 3 of the draft LDP relating to garages as the provision reflects the R Codes rather than the intended variation via the LDP.

The draft LDP (refer Attachment B) has been assessed and is supported by City Officers subject to amendments. It is recommended that Council approves the draft LDP in accordance with Clause 51(1) (a) of Schedule 2 – Deemed Provisions for Local Planning Schemes of the Planning and Development (Local Planning Schemes) Regulations 2015.

15.3 ADOPTION OF LOCAL DEVELOPMENT PLAN – LOT 601 MILLAR ROAD, WELLARD – WELLARD EAST LOCAL STRUCTURE PLAN**OFFICER RECOMMENDATION**

That Council approves the Local Development Plan (LDP) for Lot 601 Millar Road, Wellard (as per Attachment B), pursuant to Clause 52(1)(a) of Schedule 2 – Deemed Provisions for Local Planning Schemes of the Planning and Development (Local Planning Schemes) Regulations 2015 subject to the following amendments:

- (i) Proposed street tree plantings to be shown on the LDP.

Street Trees

1. In accordance with the City's Policy, a minimum of one street per lot is required. Street trees will be provided by the developer within the road verge, and maintained for a minimum of two years until established. Street trees are to be generally located as shown on this LDP, subject to detailed landscape design. Refer to approved landscape plans (available from the City) for detail. Street trees are not to be relocated or removed by landowners.

- (ii) Remove Provision 3 of the Draft Local Development Plan which reads:

“Where garages exceed 50% of the lot frontage to the primary street they shall be setback at least 1.0m behind the dwelling alignment”

- (iii) Include the following provisions:

Garages

1. Where lots have a frontage of 12 metres or less, garages may exceed 50% of the primary lot frontage to a maximum of 60% of the primary lot frontage.
2. Where garages exceed 50% of the primary lot frontage for lots with frontages of 12 metres or less, they shall comply with the following:
 - A clear indication of the dwelling entrance.
 - The dwelling entrance shall be the dominant feature of the facade, and shall include a projecting portico or veranda with a minimum depth of 1.5 metres.
3. For any single storey dwelling on a lot with a frontage less than 10 metres in width and where vehicle access is gained solely from the primary street, only a single width garage/carport (including tandem) is permitted.
4. Double garages are permitted on lots less than 10m wide where dwellings are two storeys and where major openings to habitable rooms are provided on the primary street frontage.

Fencing

1. Front fences within the primary street setback (if constructed) are to be visually permeable above 0.9m to a maximum height of 1.2m above natural ground level.
2. For secondary street boundaries, fencing shall be visually permeable above 1200mm behind the primary street setback, for a minimum length of 3m behind the truncation with a habitable room addressing the street.

15.3 ADOPTION OF LOCAL DEVELOPMENT PLAN – LOT 601 MILLAR ROAD, WELLARD – WELLARD EAST LOCAL STRUCTURE PLAN

DISCUSSION:

Land Status

Metropolitan Region Scheme: Urban
Town Planning Scheme No. 2: Residential R20

Planning Comment

A LDP is a planning tool which allows certain design requirements, either in addition to or in variance to those stipulated under TPS2 and R-Codes to be imposed on subsequent development of land. These requirements will often cover aspects including dwelling placement and design, solar orientation, private open space, setbacks, garage placement and design, fencing, store areas and service provision. Requirements vary depending on the type of land and design outcome trying to be achieved. Most importantly is the LDP's ability to vary Scheme and R-Code provisions where such variations are needed in achieving the most optimal design outcome.

The draft LDP (Attachment B) has been specifically required as a condition of the WAPC's subdivision approval for the subject land. The draft LDP (refer Attachment B) sets out design requirements for the development of the lots indicated within the LDP boundaries within Lot 601 Millar Road. These requirements apply in addition to normal Scheme and R-Codes requirements and will permit certain variations in order to achieve an optimal form of development.

Fire Management

The draft LDP also indicates the lots that are subject to specific building design requirements for bushfire in accordance with the BAL ratings as specified in the FMP for this area.

The proposed BALs were reviewed by the City's Fire Consultant and are supported.

LPP No. 2 – Streetscapes

As discussed, LPP No. 2 was adopted by Council on 26 April 2017. In respect to building articulation and garage setbacks the policy refers to the following;

Garages

- a) *Garages are not to be forward of the dwelling alignment. Garages may be aligned with the dwelling provided they do not exceed the dwelling setback line.*
- b) *Where lots have a frontage of 12 metres or less, garages may exceed 50% of the primary lot frontage to a maximum of 60% of the primary lot frontage.*
- c) *Where garages exceed 50% of the primary lot frontage, they shall comply with the following:*
 - *A clear indication of the dwelling entrance.*
 - *The dwelling entrance shall be the dominant feature of the facade, and shall include a projecting portico or veranda with a minimum depth of 1.5 metres.*
 - *Garages are to be set back at least 0.5 metres behind the dwelling alignment.*

15.3 ADOPTION OF LOCAL DEVELOPMENT PLAN – LOT 601 MILLAR ROAD, WELLARD – WELLARD EAST LOCAL STRUCTURE PLAN

- d) *For any single storey dwelling on a lot with a frontage less than 10 metres in width and where vehicle access is gained solely from the primary street, only a single width garage/carport (including tandem) is permitted.*
- e) *Double garages are permitted on lots less than 10m wide where dwellings are two storeys and where major openings to habitable rooms are provided on the primary street frontage.*
- f) *For all lots where a footpath adjoins the boundary, the garage must be setback a minimum 4.5m from that boundary.*

The draft LDP contains a majority of the above provisions. However, provisions b) to e) have not been included in the draft LDP.

The applicant stated that given the lot widths within the subdivision, the majority of lots would not be affected by these provisions and therefore the value in including the provisions was questioned. As per the R-codes, these provisions are really only applicable if garages are built within 1m of the front building setback. The applicant went on to state these provisions would only apply to two irregular shaped lots (Lot 3 and 14) which widen out substantially (more than 10m at the front building setback line) and are relatively large lots. Therefore, they have plenty of land area for double garages and it is unlikely that two storey dwellings would be erected on these two lots, which are the largest lots in the subdivision.

City Officers have considered this input and are of the view that the model conditions would help provide a higher standard of design outcome and encourage creative thought being applied to the design of any dwelling proposed on these irregular shaped lots. More importantly, the provisions would ensure that the primary street frontage of these lots was not dominated by the garage.

City Officers recommend these provisions be included as part of the Council resolution along with the removal of provision 3 on the draft LDP which reads:

“Where garages exceed 50% of the lot frontage to the primary street they shall be setback at least 1.0m behind the dwelling alignment”

This provision is a reflection of the R-Codes and the purpose of the LDP is to outline variation from these codes.

Dwelling facade treatment

All dwellings to provide an appropriate, high quality design interface with the surrounding streetscape, through the use of at least three of the following architectural design features:

1. *Articulation in dwelling facade (i.e. varied wall setbacks);*
2. *A minimum of two building materials, colours and/or finishes (E.g. render, brick, cladding);*
3. *Major habitable room openings incorporating large windows to provide surveillance;*
4. *Roof forms that incorporate gables;*
5. *A balcony, portico, or verandah; or*
6. *A built in planter box.*

15.3 ADOPTION OF LOCAL DEVELOPMENT PLAN – LOT 601 MILLAR ROAD, WELLARD – WELLARD EAST LOCAL STRUCTURE PLAN

The draft LDP complies with the policy in respect to the above requirements as the dwelling facade treatment provisions have been incorporated into the LDP provisions.

Room ceiling height

The front elevation of a single storey dwelling will have greater presence when the ceiling height of rooms is greater than the standard 2.4m. For lots where vehicle access is gained solely from a rear laneway or right-of-way, the ceiling height for rooms located on the front elevation shall be minimum 32 vertical brick courses (2.7m).

This has not been included in the draft LDP as there are no laneway lots included in the subdivision.

The policy also states the following regarding fencing;

Fencing

1. *Cohesive and consistent fencing is to be constructed by the developer along the front boundaries of all of the proposed lots with vehicle access from a rear laneway.*
2. *For all rear-loaded lots, a ground level height difference of between 300mm and 600mm between the front boundary and the street is encouraged.*
3. *Front fences within the primary street setback being visually permeable above 0.9m to a maximum height of 1.2m above natural ground level.*
4. *For secondary street boundaries, fencing shall be visually permeable above 1200mm behind the primary street setback, for a minimum length of 3m behind the truncation with a habitable room addressing the street.*

As the subdivision does not include any laneway lots, Point 1 and 2 are not applicable and therefore not addressed in the draft LDP. Provisions requiring visually permeable fencing for front fences and a portion of the secondary street have been included on the draft LDP should they be constructed.

Street Tree Locations

To ensure the locations of retained trees and new street trees is available to prospective purchasers and builders, the policy requires that all retained trees and proposed street tree plantings be shown on the LDP.

The proposed street tree locations have not been shown on the draft LDP. A recommendation of approval is to make amendments to the LDP requiring the inclusion of street tree locations and a provision stating that trees are not to be removed or relocated by landowners.

Quiet House Design

The draft LDP also specifies quiet house design provisions for lots impacted by Rail and Freeway noise. The purpose of the quiet house design provisions is to mitigate noise transferred from these noise sources.

15.3 ADOPTION OF LOCAL DEVELOPMENT PLAN – LOT 601 MILLAR ROAD, WELLARD – WELLARD EAST LOCAL STRUCTURE PLAN**Conclusion**

It is considered that the LDP will be a single point of reference that will provide clarity and certainty to builders, property owners and City Officers. The City's Officers have assessed the provisions and requirements of the draft LDP and are supportive subject to the modifications specified.

Community Engagement

The draft LDP was prepared by the developer and the lots have not yet been created and are in the ownership of the developer. The draft LDP was not advertised as it is not considered to adversely affect any owners or occupiers within the area covered by the plan or an adjoining area.

LEGAL/POLICY IMPLICATIONS:

For the purposes of Councillors considering a declaration of interest, the land owner is Wellard Land Pty Ltd and the applicant is Lorraine Elliot Planning Services.

The following strategic and policy based documents were considered in assessing the application:

- City of Kwinana Town Planning Scheme No.2;
- Wellard East Local Structure Plan;
- State Planning Policy No. 3.1 (*Residential Design Codes of Western Australia*);
- Liveable Neighbourhoods Operational Policy;
- Guidelines for Planning in Bushfire Prone Areas & Appendices 2015; and
- Local planning and other related policies

FINANCIAL/BUDGET IMPLICATIONS:

There are no financial or budget implications as a result of this application.

ENVIRONMENTAL IMPLICATIONS:

The LDP encourages the use of passive solar urban design. Quiet house design provisions are included in the LDP.

STRATEGIC/SOCIAL IMPLICATIONS:

LDPs allow for variations to the Scheme and R-Codes which take into account specific site characteristics and configurations of lots, particularly smaller lots. The use of such a mechanism is common practice, and is encouraged to allow for the most optimal form of urban development to occur. LDPs are only one tool in the suite of those used to create urban places and communities and should be considered in conjunction with other subdivision requirements, social and environmental policy.

15.3 ADOPTION OF LOCAL DEVELOPMENT PLAN – LOT 601 MILLAR ROAD, WELLARD – WELLARD EAST LOCAL STRUCTURE PLAN

It could be argued that the proposal stimulates economic development in the City as the draft LDP results in the residential development in Wellard East to progress in a timely manner.

Plan	Objective	Strategy
Corporate Business Plan	10.1 Planning	10.1.1 To implement the long term strategic land use planning for the social, economic and environmental wellbeing of the City

RISK IMPLICATIONS:

Risk Event	Appeal of Council's decision on the draft LDP.
Risk Theme	Failure to fulfil statutory regulations or compliance requirements Providing inaccurate advice/ information.
Risk Effect/Impact	Reputation Compliance
Risk Assessment Context	Strategic
Consequence	Minor
Likelihood	Possible
Rating (before treatment)	Low
Risk Treatment in place	Reduce - mitigate risk
Response to risk treatment required/in place	<ul style="list-style-type: none"> • Work instructions in place and checklists used when assessing the application. • Consideration of the application within the statutory timeframes. • Compliance of the proposal with Town Planning Scheme No. 2, R-Codes, Bushfire Guidelines and relevant Policies. • Liaising with the applicant throughout the application process.
Rating (after treatment)	Low

15.3 ADOPTION OF LOCAL DEVELOPMENT PLAN – LOT 601 MILLAR ROAD, WELLARD –
WELLARD EAST LOCAL STRUCTURE PLAN

COUNCIL DECISION

608

MOVED CR W COOPER

SECONDED CR D WOOD

That Council approves the Local Development Plan (LDP) for Lot 601 Millar Road, Wellard (as per Attachment B), pursuant to Clause 52(1)(a) of Schedule 2 – Deemed Provisions for Local Planning Schemes of the Planning and Development (Local Planning Schemes) Regulations 2015 subject to the following amendments:

- (i) Proposed street tree plantings to be shown on the LDP.

Street Trees

1. In accordance with the City's Policy, a minimum of one street per lot is required. Street trees will be provided by the developer within the road verge, and maintained for a minimum of two years until established. Street trees are to be generally located as shown on this LDP, subject to detailed landscape design. Refer to approved landscape plans (available from the City) for detail. Street trees are not to be relocated or removed by landowners.

- (ii) Remove Provision 3 of the Draft Local Development Plan which reads:

“Where garages exceed 50% of the lot frontage to the primary street they shall be setback at least 1.0m behind the dwelling alignment”

- (iii) Include the following provisions:

Garages

1. Where lots have a frontage of 12 metres or less, garages may exceed 50% of the primary lot frontage to a maximum of 60% of the primary lot frontage.
2. Where garages exceed 50% of the primary lot frontage for lots with frontages of 12 metres or less, they shall comply with the following:
 - A clear indication of the dwelling entrance.
 - The dwelling entrance shall be the dominant feature of the facade, and shall include a projecting portico or veranda with a minimum depth of 1.5 metres.
3. For any single storey dwelling on a lot with a frontage less than 10 metres in width and where vehicle access is gained solely from the primary street, only a single width garage/carport (including tandem) is permitted.
4. Double garages are permitted on lots less than 10m wide where dwellings are two storeys and where major openings to habitable rooms are provided on the primary street frontage.

Fencing

1. Front fences within the primary street setback (if constructed) are to be visually permeable above 0.9m to a maximum height of 1.2m above natural ground level.
2. For secondary street boundaries, fencing shall be visually permeable above 1200mm behind the primary street setback, for a minimum length of 3m behind the truncation with a habitable room addressing the street.

CARRIED
8/0

Attachment A: Location Plan



Attachment B: Draft Local Development Plan

Local Development Plan Provisions

The following design requirements shall apply in conjunction with the requirements annotated on the plan. The provisions in the Local Development Plan (LDP) comprise additional Residential Design Code "Acceptable Development" provisions.

Unless varied in the LDP, a proposal shall be designed and assessed in accordance with the Residential Design Codes, City of Kwinana Town Planning Scheme No. 2 and/or local planning policies.

1. OPEN SPACE PROVISION	
Minimum open space – R20	40%

For the purposes of determining open space as defined in the R-Codes, site coverage includes the floor area of all buildings, alfresco and permanent roof covered patio areas and outbuildings. Therefore, maximum site coverage for all lots may be increased to 60%.

2. SETBACK PROVISIONS	Minimum
a) Dwelling - Primary Street R20	Min. 3.0m Max. 5.0m
b) Dwelling - Secondary Street R20	1.5m
c) Dwelling - Side and rear boundaries	1.2m to habitable rooms
d) Boundary Walls (parapets)	Refer to point 5

*Irregular shaped lots (Lots 14, 15 and 3) are excluded from the maximum setback requirement.

General Provisions

Garages

- Garages are not to be forward of the dwelling alignment. Garages may be aligned with the dwelling provided they do not exceed the dwelling setback line.
- For all lots where a footpath adjoins the boundary, the garage must be setback a minimum 4.5m from that boundary.
- Where garages exceed 50% of the lot frontage to the primary street they shall be setback at least 1.0m behind the dwelling alignment.
- Garages are to be located as designated on this LDP for Lots 2, 15 and 16.
- All garages are to have doors to enclose them.

Building Form and Orientation

- For all lots, a nil side setback is permissible to one side boundary behind the primary street setback line and to a minimum of 4 metres from the rear boundary, unless this boundary is to a secondary street.
- For corner lots, where the major dwelling entry (front door) is oriented toward the secondary street, secondary street setbacks still apply. Primary street setbacks apply to the other street, as designated on this LDP.

Dwelling Façade Treatment

All dwellings to provide an appropriate, high quality design interface with the surrounding streetscape, through the use of at least three of the following architectural design features:

- Articulation in dwelling façade (ie. varied walled setbacks);
- A minimum of two building materials, colours and/or finishes (eg. render, brick, cladding);
- Major habitable room openings incorporating large windows to provide surveillance;
- Roof forms that incorporate gables;
- A balcony, portico, or verandah; or
- A built-in planter box.

Noise Management

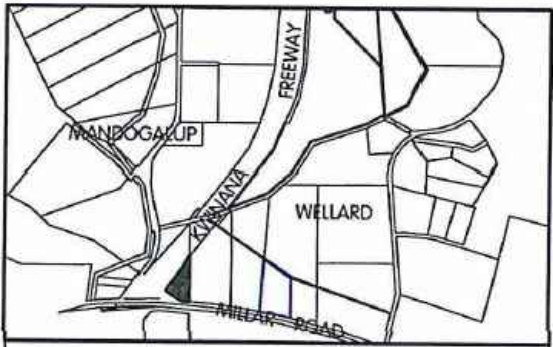
- For those lots potentially affected by noise emanating from the Kwinana Freeway and the Millar Road rail line, dwellings are to be constructed to comply with the relevant 'Deemed to Comply Noise Insulation Package' specified on this LDP, see Table 1. Noise Insulation Package requirements are set out under the Implementation Guidelines for State Planning Policy 5.4 (SPP5.4). Please note Lots 1-8 are primarily influenced by rail noise and the noise corridor for these lots is the rail.

- The following Noise Insulation Packages apply:

Table 1 Quiet house design requirements Applicable Lot No.	Noise Insulation Package	
	Ground Floor	Upper Floor
7, 18	Package A	Package A
1, 2, 3, 4, 8, 9, 12, 13, 14, 15, 16, 17	Package A	Package B
5, 6, 10, 11, 19	Nil	Package A

Fire Management

- Dwellings constructed on lots identified as being at risk of bushfire attack under the approved Fire Management Plan shall be constructed to the appropriate BAL rating in accordance with Australian Standard 3959.
- This LDP shall be read in conjunction with the approved Fire Management Plan.



LOCATION PLAN ■ SUBJECT AREA

LEGEND

- Residential Density - R20
- Primary Street Development Frontage
- Noise Insulation Required (refer to TABLE 1).
- Designated Garage & Carport Location
- BAL Affected Lot
- Retaining Walls

This Local Development Plan has been adopted by Council and signed by the Principal Planner:

.....
Principal Planner
City of Kwinana

Date.....



15.4 Proposed Mixed Use Development - Offices, Shops, Multiple Dwellings & Associated Car Parking – Lot 543 Chiswick Parade, Wellard

SUMMARY:

An application has been received for a mixed use development on Lot 543 Chiswick Parade, Wellard (refer Attachments A-O). The proposal is for a five storey building comprising of the following;

- Ground Floor – three shops, 49 car parking bays and two bin storage areas. These car parks will be for the use of the tavern (35 car parking bays), the three shops (8 car parking bays) and multiple dwelling visitor bays (6 car parking bays);
- Level 1 – 61 car parking bays and 24 storerooms. These car parks will be for the use of the remainder of the shop uses (8 car parking bays), offices (26 car parking bays) and multiple dwellings (27 car parking bays) ;
- Level 2 – Offices;
- Levels 3-5 - Twenty four multiple dwellings spread across Levels 3, 4 and 5 (eight dwellings per Level); and
- Landscaping areas.

The subject site is located within the Wellard Village Centre and is classified as “Development Area 2: Wellard Village” under Town Planning Scheme No. 2 (TPS 2). The property is zoned under the Wellard Village Local Structure Plan (LSP) as Neighbourhood Centre R80 (incorporating retail, office, residential and community facilities). The site is also subject to the Wellard Village Design Guidelines (WVDGs) and a Local Development Plan (LDP) which were all prepared and approved as a requirement under TPS 2 (originally approved in 2008 and subsequently amended to the WVDGs and LDP approved on 24 August 2016).

A pre-lodgement meeting and discussions were held between the proponent and City Officers with a particular focus on the design and how the building would address the public realm. Following these discussions, plans were amended to the proposal and the car parking in respect to addressing the adjacent streets. The changes made included louvres being added to the ground and first floor of the building to screen the parking from public view.

Following lodgement of the application, a meeting was held with the Wellard Village Design Guidelines Review Panel (The Panel) as required under the WVDGs. The Panel consists of two Councillors, the Mayor, Senior Planning Officer/s, a Peet representative and an Urban Designer. Comments received from the Panel included the requirement for the south western elevation (facing the Transperth ‘kiss and ride’ road) and the elevation facing the adjoining property to the north east being articulated through the use of a pattern on the walls. The Panel recommendations were incorporated in the amended plans or required as conditions of approval.

A Council Forum was also held on the 11 September 2017 where this application was presented by the proponent.

15.4 PROPOSED MIXED USE DEVELOPMENT - OFFICES, SHOPS, MULTIPLE DWELLINGS & ASSOCIATED CAR PARKING – LOT 543 CHISWICK PARADE, WELLARD

The proposal is required to comply with TPS 2, the Residential Design Codes of Western Australia (R-Codes), the WVDGs and the LDP. Overall, the application meets the objectives and statutory requirements set out in these planning documents. This includes a strong relationship between the built form and public spaces (particularly streets), setbacks and open space requirements, architectural design and articulation of the building.

The proposal does not comply however with the following requirements under the WVDGs, and the applicant has sought Council's discretion to vary these requirements for this application.

1. The mixed use development exceeds the 1.5 maximum plot ratio (1.7 plot ratio proposed).
2. The building exceeds the maximum number of storeys permitted on this site. Five storeys are proposed in lieu of four storeys.
3. The building exceeds the maximum 14m height permitted for a concealed roof. This proposal is for a 19.6m high building.

Plot Ratio

Although the proposal exceeds the maximum plot ratio allowed for this site, the variance is considered minor, being approximately 477.5m². The building has been designed to limit the appearance of bulk through the provisions of varied setbacks, landscaping and architectural design detail. The proposal provides a mix of dwelling types and sizes including one and two bedroom dwellings which is likely to bring a diversity of residents to the area. It is considered the bulk and scale of the building is consistent with the existing and desired built form within the Wellard Village Centre.

Whilst the WVDGs and the LDP cap the maximum plot ratio at 1.5, the Commercial development requirements of TPS 2 allows a maximum plot ratio of 2, which could also apply to this site. The proposed development complies with the maximum plot ratio under TPS 2.

City Officers are supportive of the increase in plot ratio on the basis that the proposed ratio provides more flexibility for built form and architectural design.

Number of Storeys and Height

The proposed building exceeds the maximum number of storeys by one storey. The number of storeys has been necessitated by the unique need to provide adequate parking for the proposed development and also the overflow parking for the Wellard Village tavern. The tavern use was approved on Lot 5001 Chiswick Parade with a car parking shortfall subject to the shortfall in car parking bays being provided at Lot 543 Chiswick Parade (the subject site).

The subject site has been identified under the Wellard Village LSP as being a car parking lot for the approved Wellard Village tavern development. However, the proponent noted that instead of providing only a car park building on the site, which could otherwise comply with the WVDGs and LDP, they opted to provide a mixed use building that would provide for residential, commercial uses, as well as car parking on the same property. The number of storeys is also required to provide three levels of apartments that would make this development financially viable for the proponents (albeit not a planning justification).

15.4 PROPOSED MIXED USE DEVELOPMENT - OFFICES, SHOPS, MULTIPLE DWELLINGS & ASSOCIATED CAR PARKING – LOT 543 CHISWICK PARADE, WELLARD

It is also noted that the property opposite the subject property (Lot 534 Chiswick Parade) is permitted to build a maximum five storey building with a sixth storey permitted in the identified landmark locations. Therefore in time, once the Wellard Village Centre is fully developed, the proposed building would not be out of character with the built form throughout the Wellard Village Centre.

Although the proposed building exceeds the maximum height by 5.6m, given the location of the site within the Wellard Village Centre and its proximity to the Wellard train station, it is not considered that the building will adversely impact the amenity of adjoining properties. The subject site is separated from other residential zoned properties by roads and the railway reserve to the south and the Transperth 'Kiss and Ride' road to the south west.

The building façade has been designed to reduce the perception of height and bulk through the proposed landscaping on the second and third floors. In addition, given the setback of the upper floors from the boundaries, the building will not overshadow the neighbouring property to the north east (with potential residential development) with any overshadowing limited to the south and south west (being the railway reserve and 'Kiss and Ride' road respectively).

Advertising

The proposal was advertised for 21 days and 3 submissions were received (two in support and one against).

The submissions in support of the application included the Public Transport Authority (PTA) which requested some conditions given proximity to the railway line.

The submission in opposition believed that the building was not aesthetically pleasing and requires improvement. In this respect, City Officers note that the building has been designed to comply with the WVDGs. The external finishes and colours of the building are proposed to match the existing buildings in the Wellard Village Centre. Conditions have been recommended requiring that a schedule of colours be endorsed by Peet Ltd and submitted for approval by the City.

The submitter objecting also raised concerns regarding the increase in traffic congestion on Lambeth Circle and queried if consideration had been given for an extra entry/exit point to the east/north of the suburb to allow easier access to the Kwinana Freeway and reduce congestion around the Wellard Village Centre. The City's Development Engineers have considered this proposal but take the view that the roads in the suburb have been designed to cater for the anticipated traffic arising from the use of the sites in the Wellard Village Centre. The suburb is considered to be well connected to provide access to the Kwinana Freeway from the east and north of the suburb, hence an additional entry/exit point is not required.

City Officers have reviewed the proposal and the submissions received and are satisfied that the proposed development is consistent with the development anticipated in the Wellard Village Centre. The subject site is considered suitable for this type of development as it adjoins a lot that is likely to have multi storey residential development to the north east. The site is also separated from other residential zoned properties by roads and the railway reserve to the south and the Transperth 'Kiss and Ride' road to the south west.

15.4 PROPOSED MIXED USE DEVELOPMENT - OFFICES, SHOPS, MULTIPLE DWELLINGS & ASSOCIATED CAR PARKING – LOT 543 CHISWICK PARADE, WELLARD

The building has been designed to meet the building and architectural design and articulation of facades requirements of the WVDGs. In addition, the proposed plans have been endorsed by Peet Ltd and conditionally supported by the Panel. In this regard, it is considered that with appropriate conditions, the development would be a positive contribution to the Wellard Village Centre. The application is recommended for conditional approval on this basis.

OFFICER RECOMMENDATION:

That Council approves the proposed Mixed Use Development comprising of Offices, Shops, Multiple Dwellings and Associated Car Parking on Lot 543 Chiswick Parade, Wellard subject to the following conditions and advice notes:

1. Conditions

- 1.1 This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval lapses and shall be of no further effect.
- 1.2 The premises being kept in a neat/tidy condition at all times by the owner/occupier to the satisfaction of the City of Kwinana.
- 1.3 The applicant shall implement dust control measures for the duration of site works to the satisfaction of the City of Kwinana.
- 1.4 A Drainage Management Plan shall be provided to the City for approval prior to the lodgement of a building permit application, in accordance with Council's requirements demonstrating stormwater is able to be contained and disposed of on-site for the car parking, driveways and roofed areas.
- 1.5 Landscaping areas (including landscaping on Level 3), vehicle parking spaces, accessways and all other details as provided on the development plans are to be installed prior to occupying the proposed development and maintained thereafter by the owner/occupier to the satisfaction of the City of Kwinana.
- 1.6 The proposed building walls being applied with anti-graffiti treatment to the satisfaction of the City of Kwinana.
- 1.7 Any graffiti, vandalism or damage to the proposed development shall be made good immediately by the landowner to the satisfaction of the City of Kwinana.
- 1.8 A minimum of 190 square metres (8%) of the subject site to be landscaped and maintained to a high standard, to the satisfaction of the City of Kwinana.
- 1.9 A detailed Landscaping Plan which outlines the proposed species and densities of plants to be used at the time of planting together with the anticipated height of each plant at maturity, spacing of each species and location of existing vegetation, and the proposed reticulation layout is required to be submitted to the City of Kwinana for approval prior to the commencement of construction. The landscaping plan shall be implemented to the satisfaction of the City prior to occupation of the development.
- 1.10 The provision of 110 vehicle parking bays as detailed on the development plans in accordance with Australian Standard AS2890, to be clearly marked on the ground and constructed of bitumen, brick or concrete to the satisfaction of the City of Kwinana.

15.4 PROPOSED MIXED USE DEVELOPMENT - OFFICES, SHOPS, MULTIPLE DWELLINGS & ASSOCIATED CAR PARKING – LOT 543 CHISWICK PARADE, WELLARD

- 1.11 Crossover(s) shall be of concrete or brick paving construction and located to the specifications and satisfaction of the City of Kwinana.
- 1.12 The redundant crossover off Chiswick Parade shall be removed. The kerb and footpath shall be reinstated to match the existing. Design details and plans being provided at the building permit stage.
- 1.13 The existing on street car parking bay on Chiswick Parade partially affected by the proposed crossover shall be removed. The kerb and footpath shall be reinstated to match with the existing. Design details and plans being provided at the building permit stage.
- 1.14 A visible warning alert sign is to be placed over the Chiswick Parade footpath, to warn pedestrians of vehicles exiting the car park. This shall be triggered by vehicles as they approach the exit from within the car park. Design details and plans being provided at the building permit stage.
- 1.15 The ground floor car park entry is to be clearly delineated and separated from the level one car park exit to provide an adequate separation between the exit and the entry, taking into consideration turning path of vehicles, to avoid any conflict between vehicles. The separation is to be adequate enough in width to provide pedestrian refuge between the two car park entry/exits. Design details and plans being provided at the building permit stage.
- 1.16 Any damage during construction to the existing streetscape infrastructure (including hard and soft landscaping) adjacent to the subject site shall be rectified to the satisfaction of the City.
- 1.17 A \$25,000 streetscape infrastructure bond (bank guarantee) in respect of condition 1.16 shall be lodged with the City prior to the issue of a building permit and held in trust until condition 1.16 has been completed to the satisfaction of the City.
- 1.18 The provision of ten (10) bicycle parking spaces designed in accordance with Austroads Guide to Traffic Engineering Practice Part 14 – Bicycles 10.3 and AS2890.3, to the satisfaction of the City of Kwinana. Details being provided at the building permit stage.
- 1.19 No goods or materials are to be placed or stored or offered for sale within car parking areas, access roads or on any footpath at any time. Storage of goods or materials shall be confined to designated service areas only.
- 1.20 A Signage Strategy detailing the dimensions, construction and artwork of all proposed signage being submitted for approval of the City of Kwinana prior to the lodgement of a building permit application.
The strategy shall provide that:-
 - (a) Signage is to be kept clean and free from unsightly matter including graffiti at all times by the owner/occupier to the satisfaction of the City of Kwinana.
 - (b) Signage associated with a business is to be removed upon vacancy of the business.

The approved signage strategy being implemented to the satisfaction of the City of Kwinana.

15.4 PROPOSED MIXED USE DEVELOPMENT - OFFICES, SHOPS, MULTIPLE DWELLINGS & ASSOCIATED CAR PARKING – LOT 543 CHISWICK PARADE, WELLARD

- 1.21 Rubbish bins are to be stored in the designated bin storage areas only. No storage of rubbish, recyclables or other stock within parking areas or access roads.
- 1.22 The proponent shall submit a Waste Management Plan for approval by the City of Kwinana prior to lodgement of a building permit. The plan shall;
 - a) Include all details and plans for the proposed bin area/s on the site;
 - b) Demonstrate consideration for the number of receptacles to be housed in the bin area/s based on the total number of residential and commercial tenancies to be accommodated;
 - c) Indicate how the bins will be presented for collection on the adjoining verge or alternatively demonstrate how a waste collection truck would be able to gain access to the bin area/s; and
 - d) Outline measures to be put in place to ensure bins are removed from the verge at the end of each bin collection day. These measures are to be incorporated in the strata management plan.
- 1.23 The proponent is to submit an Acoustic consultant's report to the City of Kwinana for approval prior to the lodgement of a building permit. The report shall address the impact of cumulative noise, traffic movement, security alarms, mechanical exhaust systems, air conditioning and refrigeration plant equipment of commercial properties on noise sensitive premises (existing and proposed). The report is to include a noise management plan that addresses any potential nuisances associated with the operation of the commercial tenancies and make recommendations on how identified noise impacts can be attenuated so as to comply with the provisions of the Environmental Protection Act and Regulations.
- 1.24 No audible security alarms shall be installed on the commercial premises.
- 1.25 The proponent is to submit an Odour Management Plan to the City for approval prior to the lodgement of a building permit with detailed design and specifications of ventilation systems should there be any commercial tenancies with odour generating potential.
- 1.26 The development shall comply with AS2107:2000 (Acoustics – recommended design sound levels and reverberation times for building interiors) to the satisfaction of the City of Kwinana. Written certification from a suitably qualified acoustic consultant is to be submitted to the City of Kwinana prior to the submission of a building permit application for the new building to ensure the dwellings comply with these standards.
- 1.27 The development being suitably lit in accordance with Australian Standard AS4282 – Control of Obtrusive Effects of Outdoor Lighting. Details to be provided to the City prior to the lodgement of a building permit application.
- 1.28 Prior to the lodgement of a building permit application, the applicant shall submit an application with associated fees for approval and thereafter implement, a Construction Management Plan and a Traffic and Pedestrian Management Plan to the satisfaction of the City of Kwinana. The plan shall detail and address the construction program (including but not limited to site opening and closing times, dust management, construction noise management, traffic and pedestrian management) proposed for the development.

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- 1.29 The proponent shall provide mechanical engineering design drawings and specifications, together with certification by the design engineer that satisfy the requirements of the Australian Standard 3666 for Air Handling and Water Systems, to be submitted in conjunction with the Building Permit Application. Written approval from the City's Health Service for the design and installation of air handling system, water system cooling or cooling tower is to be obtained prior to the installation of the system.
- 1.30 Undercover car parks to be ventilated to ensure compliance with the Health (Carbon Monoxide) Regulations 1975. The proponent will be required to submit certification that all ventilation systems comply with the AS 1668 and Health (Carbon Monoxide) Regulations 1975 prior to occupancy.
- 1.31 The applicant to pay a contribution to the City of Kwinana for the ongoing costs of managing mosquitoes and midges in the City of Kwinana. The payment shall be made to the City of Kwinana prior to commencement of development.
- 1.32 Notification in the form of a memorial under section 70A of the Transfer of Land Act 1893 as amended shall be lodged against the title and incorporated into the strata management plan advising landowners of the existence of a noise hazard. The notification is to state as follows;

'The lot is situated in the vicinity of a transport corridor (Perth to Mandurah Railway line) and is currently affected, or may in the future be affected by rail noise and vibration.'

The memorials are to be lodged against the title prior to any subdivision or strata titling of the subject property.

- 1.33 Prior to the commencement of development, appropriate arrangements will be made with the City of Kwinana for the payment of development contributions for community infrastructure as proposed by Amendment 145 to Town Planning Scheme No. 2 to the satisfaction of the Chief Executive Officer, City of Kwinana.
- 1.34 A schedule of colours, materials, textures and finishes and coloured elevation plans for the development shall be submitted to the City of Kwinana for approval within 60 days of the date of this approval, and implemented in the development.
- 1.35 The north-eastern elevation (fronting onto Lot 544 Chiswick Parade) shall be improved visually whether by attractive painting or architectural features (or both) to the satisfaction of the City of Kwinana. Details shall be provided to the satisfaction of the City of Kwinana as part of the schedule and plans required in condition 1.34 above.
- 1.36 Vehicle parking spaces, accessways, clothes drying facilities and store areas being installed prior to occupying the proposed development and maintained thereafter by the owner/occupier to the satisfaction of the City of Kwinana.
- 1.37 External fixtures (other than solar collectors, standard type television aerials, essential plumbing vent pipes and rainwater downpipes) shall not be visible from the primary or secondary street.

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- 1.38 Prior to the occupation of the development, a parking management plan detailing measures to manage parking and potential parking conflicts between the mixed use development uses and the tavern overflow parking being submitted to the City for approval and thereafter implemented to the satisfaction of the City of Kwinana. The management plan shall include erection of signage indicating car parking bays to be exclusively allocated to the Wellard Village tavern development.
- 1.39 The use of the 35 car parking bays for the Wellard Village tavern development shall be for a maximum duration of three hours. Management of the use of the parking bays is to be controlled pursuant to the Parking Management Plan referred to in Condition 1.38.

2. Advice Notes

- 2.1 The applicant is advised that all future development must be submitted to the City of Kwinana prior to the commencement of works or alteration of land use.
- 2.2 Should the applicant be aggrieved by the decision or any condition imposed, then a right of review may be lodged with the State Administrative Tribunal within 28 days of the date of this decision.
- 2.3 The applicant is further advised that this is not a building permit/sign licence the City of Kwinana issues to enable construction to commence. A building permit/sign licence is a separate requirement and construction cannot be commenced until a building permit is obtained.
- 2.4 The proponent is advised that bin stores are adequate, based on a sharing ratio of one 240 Litre waste and one 240 Litre recycle bin per 3 units. Provision of a minimum eight 240 Litre recycle bins and eight 240 Litre waste bins are adequate for the residential component. Commercial bin store is adequate for offices and non food businesses occupancy of tenancy's 1, 2 and 3. Food businesses may require additional space and would be determined as part of Environmental Health approvals for a food business.
- 2.5 Bin stores are to be mechanically ventilated in accordance with the requirements of Australian Standard 1668, and require filters to control odour at the exhaust outlets. Bin stores are to be fitted with an impervious concrete floor graded to a waste water discharge point connected to sewer.
- 2.6 Wash down facilities to be provided in commercial & residential bin store in the form of a water outlet fitted with an industrial grade hose cock. Doors to bin stores to open outward with a minimum doorway width of 1.25 metres.
- 2.7 Any food businesses, hairdressers, skin penetration premises shall receive City's Environmental Health Services approval prior to occupancy.
- 2.8 The development shall comply with the requirements of Sewage (Lighting, Ventilation and Construction) Regulations 1971 (as amended), Health (Miscellaneous Provisions) Act 1911, Local Government Act 1995, Health Act (Laundries and Bathrooms) Regulations, Food Act 2008 and relevant Health Local Laws.
- 2.9 The proponent shall apply under the Water Services Act 2012 for a permit for all businesses involved in the retail food industry for a written permission in the form of a trade waste permit before discharging any waste into the Water Corporation's wastewater system.

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- 2.10 All tenancies proposing to carry out a food business must comply with the Food Act 2008 and Food Regulations 2009. An application to construct or alter a food business and an application for notification or registration of a food business shall be submitted with associated fees to, and approved by, the City of Kwinana Environmental Health Services prior to the fit out of the tenancy.
- 2.11 The applicant should ensure the proposed development complies with all other relevant legislation, including but not limited to, the Environmental Protection Act 1986 and Regulations, Health (Miscellaneous Provisions) 1911 and Regulations, and the National Construction Code.
- 2.12 Regarding condition 1.33, the proponent is referred to the City's Local Planning Policy: Administration of Development Contribution Plans for requirements to clear this condition.
- 2.13 Regarding condition 1.9, the proponent is advised that the Landscaping Plan is required to be prepared in consultation with Peet Ltd and approved by Peet Ltd prior to the plan being submitted to the City of Kwinana for approval.
- 2.14 Upon completion of construction, if Condition 1.16 has been complied with to the satisfaction of the City, the City shall on request from the bond applicant, return to the bond applicant (or the nominee appointed in writing by the bond applicant) the bond.
- 2.15 The development shall comply with the Public Transport Authority Working In and Around the PTA Rail Reserve document available from the Public Transport Authority website.
- 2.16 Regarding condition 1.31, a contribution as per the current Council fees and charges schedule is required to be paid to the City of Kwinana to ensure the ongoing management of mosquitoes and midges in the area.

DISCUSSION:

Land Status

Metropolitan Region Scheme:	'Urban' zone
Town Planning Scheme No. 2:	Residential (Development Area 2) Wellard Village Neighbourhood Centre R80 (incorporating retail, office, residential and community facilities)

Background

The subject site (Lot 543 Chiswick Parade) is located within the Wellard Village Transit Oriented Development (TOD). The site forms one of a number of development sites, bounded by Lambeth Circle which make up the Neighbourhood Centre of the estate.

The 2372m² site is located within the Wellard Village Centre, to the north eastern side of the Wellard Train Station. The site is bound by Chiswick Parade to the north, the Transperth 'Kiss and Ride' road to the south west and the Perth to Mandurah Railway line to the south east. The Wellard Village shopping centre is located to the north-west. The subject site is currently used as a 26 bay car park area.

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Related Applications

A development application (ref DA7901) for the Wellard Village Tavern was approved under delegation for Lot 5001 Chiswick Parade which is also owned by the owners of the subject site (Lot 543 Chiswick Parade). Approval for the tavern was granted subject to the car parking shortfall of 35 bays being provided on Lot 543 Chiswick Parade (the subject site for the proposed mixed use development). Lot 543 Chiswick Parade was earmarked for a car park to support the development of the tavern building. Preliminary earthworks and in ground services have commenced at the tavern site.

To ensure that the 35 parking bays to be provided on the subject site will always be available for use of the tavern, DA7901 was conditioned to require the proponent to enter into a deed of agreement with the City confirming that these bays would be provided. The agreement also states that the two properties, Lots 543 (subject site) and 5001 (the tavern site) would not be disposed off separately unless vehicular and pedestrian access was granted or reserved for the benefit of Lot 5001 over Lot 543. This agreement would enable the City to lodge an absolute caveat over Lots 5001 and 543.

In addition, it was required that the use of the tavern car parking bays on both Lots 5001 and 543 be limited to a maximum duration of three hours. A condition has been recommended under this application requiring the submission of a parking strategy that outlines the use of the car parking bays for the mixed uses on site and limiting the use of the tavern car parking bays to a maximum duration of three hours as required under DA7901.

Rather than providing a car park building on Lot 543 Chiswick Parade, the proponent has proposed a mixed use building to provide residential and commercial uses as well as car parking.

Proposal

An application has been received for a mixed use development on Lot 543 Chiswick Parade, Wellard (refer Attachments A-O). The proposal is for a five storey building comprising of the following;

- Ground Floor – three shops, 49 car parking bays and two bin storage areas. These car parks will be for the use of the tavern (35 car parking bays), the three shops (8 car parking bays) and multiple dwelling visitor bays (6 car parking bays);
- Level 1 – 61 car parking bays and 24 storerooms. These car parks will be for the use of the remainder of the shop uses (8 car parking bays), offices (26 car parking bays) and multiple dwellings (27 car parking bays) ;
- Level 2 – Offices;
- Levels 3-5 - Twenty four multiple dwellings spread across Levels 3, 4 and 5 (eight dwellings per Level); and
- Landscaping areas.

Vehicle access is proposed to be solely off Chiswick Parade. Pedestrian access to the ground level car parking area is proposed off the south western side of the property.

Landscaping is proposed along the south western boundary, on Level 2 (office area level) and Level 3 (multiple dwellings area level).

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Planning Assessment:

The application has been considered by the City against a range of documents applicable to the development, including TPS 2, the R-Codes, Wellard Village Design Guidelines and the Local Development Plan.

Town Planning Scheme No. 2 Implications

The subject site is classified as “Development Area 2: Wellard Village” under TPS 2. The site is covered by the Wellard Village LSP which sets out the design and development of the Wellard Village estate. Under the LSP, the site is zoned as a Neighbourhood Centre R80.

Schedule IV – Development Area No. 2 of TPS 2 states that;

‘Council may vary the provisions of the Residential Design Codes and any other Scheme provisions, where in the opinion of Council, the variation promotes Liveable Neighbourhood design and is in accordance with the approved DAP(s) and/or approved design guidelines.’

Use Class

Schedule IV Development Area 2 of TPS 2 states:

‘Uses within the Neighbourhood Centre identified on the Structure Plan shall be in accordance with the provisions of the Commercial Zone.’

Under the Commercial Zone, the level of permissibility of the various land uses is listed as follows in Table 1 of TPS 2;

- Multiple Dwellings - ‘AA’ (Discretionary)
- Shop – ‘P’ – (Permitted)
- Office – ‘P’ (Permitted).

The Multiple Dwellings use is classified as an ‘AA’ use within the Commercial Zone under TPS No. 2; a use which may be approved by Council using the discretionary powers of the Scheme.

Car Parking

Part VII of TPS 2 stipulates car parking requirements for the proposed development as follows;

Table 2 – TPS 2 Parking Requirements

Land Use	Total GFA(m ²)	Ratio	Car bays required	Car bays provided
Office	1313	1:50	26	26
Shop	322.5	1:20	16	16
Tavern Overflow			35	35

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Multiple Dwellings	As per R-Codes	N/A	27	27
Visitor bays	As per R-Codes	N/A	6	6
Total			110	110

The proposal complies with TPS 2 car parking provisions for the shop and office uses. The required car bays of the residential uses and the Wellard Village tavern overflow parking as required under DA7901 have also been met.

Wellard Village LSP

The Wellard Village LSP was adopted by Council and approved by the Western Australian Planning Commission (WAPC) to guide subdivision and development of the area. The subject property is identified within the LSP as “Neighbourhood Centre R80 (incorporating retail, office, residential and community facilities)”. The Neighbourhood Centre is intended to be a mixed use area, based around streets rather than ‘big box’ shopping mall commercial development. The LSP focuses on the relationships between buildings and public spaces, rather than establishing hard and fast land uses for each site. Development is intended to be scaled appropriately to the street and should address the street, rather than be inward focused.

The proposed mixed use development is for multiple dwellings, shops and offices, therefore meets the intended uses under the LSP. The building has been designed so that the ground level is glazed and presents well to the street. The upper floors contain living areas, pergolas and balconies overlooking the street and help to create the relationship between the built form and public domain as intended by the LSP.

Residential Design Codes and Local Development Plan

The subject site is identified as an R80 coded site under the Wellard Village LSP. Council has also approved an LDP over the subject site which varies some of the provisions of the R-Codes. The City has assessed the application against both these documents and has determined the application generally complies with the relevant requirements. The following table lists the relevant provisions of these documents which apply to the application.

Residential Design Codes & Local Development Plan Requirements		
Design Element	Statutory Requirements	City Planning Comment
6.1.1 – Building Size	Plot Ratio 1.5 (LDP)	<p>Development Plot Ratio = 1.7</p> <p>It is noted that the residential component of this development complies with the 1.5 plot ratio (1.01 plot ratio proposed) under the LDP. However, the overall plot ratio (including offices and shops) exceeds the maximum 1.5 plot ratio.</p> <p>It is noted that TPS 2 allows a maximum plot ratio of 2 for Commercial developments, which could also apply to this site. Whilst the proposal exceeds the maximum plot ratio as per the LDP, it complies with TPS 2 in this respect.</p> <p>The building has been designed to limit the appearance of bulk through the provisions of varied setbacks, landscaping and architectural design detail. The proposal provides a mix of dwelling types and sizes including one and two bedroom dwellings which is likely to bring a diversity of residents to the area. It is considered the bulk and scale of the building is consistent with the existing and desired built form within the Wellard Village centre.</p>

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6.1.2 – Building Height	<p>R-Codes - Top of External Wall (concealed roof) 13m Maximum</p> <p>LDP – 4 storeys – 14m maximum height</p>	<p>The development proposes 5 storeys, with a wall height of 19.6 metres. The proponent states that the number of storeys has been required due to the need to provide overflow parking for the Wellard Village tavern. The 5.6m increase in height is considered acceptable as the circumstances of the development present as unique and the site is separated from other lower density residential dwellings by roads and the railway reserve to the south and the Transperth 'Kiss and Ride' road to the south west.</p> <p>It is considered that adequate daylight would be accessible to major openings and habitable rooms. Any overshadowing would be to the 'Kiss and Ride' road and the railway reserve. The building has been designed to reduce the perception of height through varied setbacks for the upper levels and landscaping on Levels 2 and 3.</p>
6.1.3 – Street Setback	<p>LDP - Nil permissible to all street boundaries</p> <p>Balconies to be entirely within lot</p>	The building proposes nil setbacks from the street boundaries for the ground floor. However, a minimum 4m setback is proposed for the upper levels.
6.1.4 – Lot Boundary Setback	C4.3 – Separate multiple dwellings facing multiple dwellings on the same site to be setback as though there was a boundary between them.	Not Applicable.
6.1.5 – Open Space	LDP – 30% Open Space	The proposed development provides 33.2% open space.
6.2.1 – Street Surveillance	<p>R-Codes – Elevations address street and are parallel to the street.</p> <p>Building has habitable rooms and balconies that face street</p>	Building is parallel to the street and addresses the street through major openings to living areas and balconies.
6.2.2 – Street Walls and Fences	Fences visually permeable above 1.2m in height	No fencing proposed.
6.2.3 – Sight Lines	Walls, fences, etc truncated or reduced to 0.75m height within 1.5 metres of where they adjoin an accessway or where two streets intersect	The City has assessed the proposed crossovers and deems the sight lines to be satisfactory. The development complies.
6.2.4 – Building Appearance	Buildings comply with Local Planning Policy or Scheme Provisions	See assessment of Design Guidelines below.
6.3.1 – Outdoor Living Areas	<p>Minimum Area 10sqm, with minimum dimension of 2.4m</p> <p>Accessible off a habitable room.</p>	Balconies or courtyards are provided for all dwellings which either meet or are in excess of the requirements of 6.3.1.

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6.3.2 - Landscaping	<p>Street setback developed without car parking and maximum 50% hard surface</p> <p>Paths connecting entrances to parking areas and public footpath</p> <p>Lighting to pathways, open space and parking areas</p> <p>Clear sight lines for pedestrian and vehicle crossings</p>	<p>The primary street setback has been varied by the LDP to allow a nil street setback. Therefore this provision does not apply to this development. However, a 0.2 metre wide landscaped strip is being provided along the south-western side of the building. In addition, landscaping is provided on Levels 2 and 3 to visually soften the extent of the development on the streetscape.</p> <p>Pedestrian paths provided throughout the development which connect with the public road.</p> <p>The requirements for lighting have been conditioned on the approval.</p> <p>Complies.</p>
6.3.3 – Parking	<p>Minimum car parking spaces required at a rate of 0.75 per dwelling for small dwellings and 1 per dwelling for medium dwellings.</p> <p>Visitor car parking spaces required at a rate of 0.25 per dwelling.</p>	<p>The residential component of this development requires a total of 27 resident car parks. 27 car parks are provided.</p> <p>The development requires a total of 6 visitor car parks. These are accommodated on site and provided on the ground floor so that they are readily accessible to visitors.</p>
6.3.4 – Design of Car Parking Spaces	<p>Spaces in accordance with AS2890.1.</p> <p>Visitors bays marked/sign posted, located close to entrance, outside security gate.</p> <p>Provide accessible path of travel.</p> <p>Resident parking concealed from view</p>	<p>Spaces comply with AS2890.1</p> <p>The visitor bays will be located on the ground floor where they will be readily accessible to visitors.</p> <p>A pedestrian footpath is proposed to the south-western side of the building to provide access to the ground floor car park.</p> <p>The car parking bays are located to the rear of the building and will be screened from public view by louvers.</p>
6.3.5 – Vehicular Access	<p>Access – one per 20m frontage</p> <p>Access from right of way or secondary street where possible.</p> <p>Driveways provide two way access</p> <p>Driveways paved and drained</p>	<p>One access is proposed off Chiswick Parade.</p> <p>Access can only be obtained from Chiswick Parade (primary street).</p> <p>A two way driveway access is proposed.</p> <p>Crossovers and driveways to be conditioned to be paved and drained as per the City's specifications.</p>
6.3.6 – Site Works	<p>Site works within street setback no more than 0.5m</p> <p>Site works behind the building within 1m of boundaries no more than 0.5m</p>	<p>The site has been levelled as part of the subdivision of the estate.</p> <p>The site slopes gently down towards the rear boundary. Development has been 'stepped' to follow the slope of the site.</p>
6.3.8 – Stormwater Management	<p>Stormwater being contained on site</p>	<p>This requirement has been conditioned.</p>

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6.4.1 – Visual Privacy	Major openings and outdoor spaces above 0.5m being setback or screened.	Dwellings are adequately setback or screened.
6.4.3 – Dwelling Size	<p>Minimum 20% of development being 1 bedroom units.</p> <p>Minimum 40% being 2 bedroom units.</p> <p>No unit being smaller than 40m².</p>	<p>Total 24 apartments. 12 – one bedroom apartments provided (50%)</p> <p>12 – two bedroom apartments provided (50%)</p> <p>All multiple dwellings exceed 40m² in size (minimum 73m² proposed).</p>
6.4.5 – External Fixtures	External fixtures (other than solar collectors, standard type television aerials, essential plumbing vent pipes and rainwater downpipes) shall not be visible from the primary or secondary street.	This requirement has been conditioned.
6.4.6 – Utilities and Facilities	<p>4m² stores provided per unit</p> <p>Bin storage areas provided.</p> <p>Clothes drying facilities provided.</p>	<p>24 stores proposed for the 24 multiple dwellings.</p> <p>Two bin store areas proposed on the ground floor.</p> <p>This requirement has been conditioned.</p>

WVDGs and LDP

The original WVDGs were prepared and approved in 2008 as a requirement under TPS2. The WVDGs and LDP were amended to incorporate or reflect the changes to the design requirements and objectives of both Liveable Neighbourhoods and the R-Codes and to provide a single combined guideline and LDP document. The amendments mainly related to the inclusion of new provisions relating to building/architectural design, increasing the maximum height from three storeys to four and five storeys (with a sixth storey permitted in landmark locations) and increasing plot ratio from 1.0 to 1.5. The amended document was approved by Council on 24 August 2016.

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The following Table lists the relevant provisions under the WVDGs;

2.1 Building Design		
Design Element	Requirements	Planning Comment
2.1.1 Architectural Design	<ul style="list-style-type: none"> All new development to be of a high quality and responds to the context of the established character and quality of the Wellard Village Centre. Buildings shall address the street and/or public realm in a manner that promotes visual interest. Entrances, balconies and openings should create an engaging interface with the street that encourages interaction between people within the building and the public realm. All buildings to be designed to maximise solar access and passive ventilation and minimise overshadowing of adjacent buildings. 	<p>Complies</p> <p>The building has been designed to be consistent with the theme in the Wellard Village Centre. The building has been designed to address Chiswick Parade and the Transperth 'Kiss and Ride' road through the use of glazing and avoidance of blank walls.</p> <p>City Officers requested the proponent to consider increasing the height of the glazing along the elevation facing the 'Kiss and Ride' road. The intent was to have the car parking on Level 1 further screened from the road. The proponent considered this request and noted that the height of the glazing could not be increased as it currently goes to the underside of the awning. It was also noted that the horizontal blades along this elevation are an integral part of the design as it reduces the impact of the car park levels, reduces light spill and will screen vehicles on Level 1 when viewed from the street. City Officers considered this and were comfortable with the plans submitted.</p> <p>The entrance to the building is well defined and provides interaction with the street. Pergolas and balconies are proposed on the upper floors facing the public realm.</p> <p>The upper levels are setback a minimum of 4m from all boundaries and hence the building will not overshadow adjacent buildings.</p>
2.1.2 Articulation of Facades	<ul style="list-style-type: none"> To ensure a high quality public realms, elevation to streets, rear laneways, rear entrances from car parks, and public open spaces are to be articulated to feature clearly defined architectural elements. 	<p>The proposed building has a defined front entry off Chiswick Parade with an awning proposed along the building frontage.</p>
2.1.3 Building Materials and Colours	<ul style="list-style-type: none"> Material and colour selection shall respond to contemporary architectural character within the Wellard Village Centre. 	<p>The proposed building materials will match the character of the buildings within the Wellard Village Centre. A condition has been recommended requiring the submission of a schedule of colours, materials, textures and finishes for approval by the City. The materials and colours are also required to be approved by the developer, Peet Ltd.</p>

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2.1.4 Roof Forms	<ul style="list-style-type: none"> Roof forms are not restricted; rather a mix of contemporary roof elements is encouraged to provide varied and interesting streetscapes. 	The development proposes a concealed roof which is considered to contribute to a mix of contemporary roof elements within the Wellard Village Centre.
2.1.5 Building Height	<ul style="list-style-type: none"> Maximum building height for 4 storeys shall be 14m. Maximum building height for 5 storeys shall be 17.2m. 	Variation Sought The subject site is subject to a maximum 4 storey limit under the LDP. The proposal is for 5 storeys with a maximum height of 19.6m. The proposal exceeds the maximum permitted height by 5.6m. Please refer to detailed assessment below.
2.1.6 Plot Ratio/Site Coverage	<ul style="list-style-type: none"> Maximum plot ratio shall be a maximum of 1.5. Minimum Open Space shall be 30%. 	Variation Sought The proposal is for 1.7 plot ratio, which equates to approximately 477.5m ² . Please refer to detailed assessment below. The proposed development provides 33.2% open space, therefore complies.
2.1.7 Setbacks	<ul style="list-style-type: none"> As per the LDP – Nil setbacks permitted. 	The building proposes nil setbacks from the street boundaries for the ground floor. However, a minimum 4m setback is proposed for the upper levels.
2.1.8 Landmark Locations/Element	<ul style="list-style-type: none"> Additional architectural emphasis required for the landmark lots. 	The subject property is not identified as a landmark lot on the LDP.
2.1.9 Secondary Street Elevations	<ul style="list-style-type: none"> Development on Lot 543 is to provide a high quality design and suitable articulation to both Chiswick Parade and the Transperth 'Kiss and Ride' road. 	The proposed building has been designed to address the Transperth 'Kiss and Ride' road through the use of glazing and other architectural features. In addition pedestrian entry into the building and the ground floor car park is proposed.
2.1.10 Glazing	<ul style="list-style-type: none"> For commercial/retail activities glazing to the street elevation shall be optimised with at least 70% of the ground floor façade to be glazed. 	The development proposes window and door glass panels along the Chiswick Parade and the Transperth 'Kiss and Ride' road frontages. Approximately 71% of the Chiswick Parade building ground floor frontage will be glazed, whilst 100% of the 'Kiss and Ride' ground floor building frontage will be glazed.
2.1.11 Stores	<ul style="list-style-type: none"> For each multiple dwelling a store shall be provided in accordance with the R-Codes (being 4m² area with 1.5m minimum dimensions) 	A total of 24 store rooms are proposed for the 24 multiple dwellings. The store rooms are 4m ² in area with a minimum dimension of 1.5m.
2.1.12 Safety	<ul style="list-style-type: none"> Developments are to incorporate design principles of Crime Prevention Through Environmental Design (CPTED) 	The building has been designed to address the streets with windows and upper floor balconies along the street frontages and railway reserve. Conditions will require that the development be suitably lit in accordance with Australian Standard AS4282 – Control of Obtrusive Effects of Outdoor Lighting.

15.4 PROPOSED MIXED USE DEVELOPMENT - OFFICES, SHOPS, MULTIPLE DWELLINGS & ASSOCIATED CAR PARKING – LOT 543 CHISWICK PARADE, WELLARD

2.1.13 Noise Mitigation (including Quiet house design)	<ul style="list-style-type: none"> Development to ensure a level of acoustic privacy for residences. 	The development is required to comply with AS2107:2000 (Acoustics – recommended design sound levels and reverberation times for building interiors). This has been conditioned and written certification from a suitably qualified acoustic consultant is to be submitted to the City of Kwinana prior to the submission of a building permit application for the new building to ensure the dwellings comply with these standards.
2.2 Building Context		
2.2.1 Sustainable Design	<ul style="list-style-type: none"> Environmentally sustainable development is encouraged within the Wellard Village Centre. All residential and commercial development shall satisfy the energy efficiency requirements of the National Construction Code. 	The building includes awnings, canopies and balconies to control direct solar impact on openings. The development is required to comply with the National Construction Code, with details being submitted at the building permit stage.
2.3 Street Integration		
2.3.1 Frontage Articulation & Streetscape	<ul style="list-style-type: none"> Elevations to streets, rear laneways, rear entrances from car parks and public open spaces are to be articulated, using clearly defined architectural elements. 	The proposed building has a clearly defined ground floor entrance which is clearly identifiable from the street. The building has been designed to address the ‘Kiss and Ride’ road through the use of windows/doors and courtyards along that elevation.
2.3.2 Retail	<ul style="list-style-type: none"> At street level, the building frontage of retail tenancies should be designed to address the street via entries, windows, and displays to provide activation. 	The proposed development consists of retail uses on the ground floor. The retail frontages are fully glazed to maximise the visual connection between the street and the retail activity.
2.3.3 Awnings/Canopies	<ul style="list-style-type: none"> All retail frontages to be provided with awnings and canopies 	Canopies and awnings are proposed along both retail frontages along Chiswick Parade and the ‘Kiss and Ride’ road.
2.3.4 Signage	<ul style="list-style-type: none"> Location, design and content of all signage visible from public spaces or adjoining properties must comply with the City of Kwinana Local Law on signage, and may require planning approval or a sign licence. 	The proponent is required to submit a Signage strategy for approval prior to the lodgement of a building permit. The signage strategy will provide details of the location, size and artwork for the signs. The proponent has been advised that a sign licence will be required for the signs.
2.3.5 Fencing	<ul style="list-style-type: none"> Solid fencing to street boundaries shall be no higher than 750mm and be visually permeable above the solid section to a maximum total height of 1.5m. 	No street fencing is proposed under this application.

15.4 PROPOSED MIXED USE DEVELOPMENT - OFFICES, SHOPS, MULTIPLE DWELLINGS & ASSOCIATED CAR PARKING – LOT 543 CHISWICK PARADE, WELLARD

2.4 Open Space and Landscape		
2.4.1 Private Open Space	<ul style="list-style-type: none"> Outdoor living spaces for multiple dwellings shall overlook the adjacent street where possible. Outdoor Living Areas shall have a minimum area of 10m² and a minimum dimension of 2.4m. 	All multiple dwellings have a balcony accessed from a habitable room with a minimum area of 10m ² and minimum dimension of 2.4m.
2.4.2 Landscaping	<ul style="list-style-type: none"> 10% of the site area shall be landscaped. A Landscape Plan shall be prepared and submitted with all applications to Peet Limited for approval, prior to formal lodgement with the City. 	Landscaping is proposed along the north western boundary (fronting the 'Kiss and Ride' road) and on the second and third floors to visually soften the extent of the development on the streetscape. A total area of 353.2m ² or 14.9% of the site area will be landscaped.
2.5 Parking and Services		
2.5.1 Parking	<ul style="list-style-type: none"> The visual impact of car parking areas is to be minimised to preserve the streetscape. At grade parking should be designed to incorporate landscaping, along with well-defined pedestrian access to and from the parking area. 	The proposal is for parking to be provided on the ground and first floors located towards the rear of the development. Car parking will be screened from public view by louvres and landscaping. A well defined pedestrian access has been provided to the ground floor parking from the 'Kiss and Ride' road.
2.5.2 Services	<ul style="list-style-type: none"> Storage of rubbish should be screened from public view. Loading docks and service areas shall be suitably screened. 	The proposed rubbish bin areas will be screened and will not be visible from Chiswick Parade. Service areas for the commercial tenancies are located to the rear of the building.

Building Height/Storeys

The subject property is permitted a maximum of four storeys under the WVDGs and the LDP (variance of one storey). As discussed previously in this report, the number of storeys (5 Storeys) has been necessitated by the need to provide the overflow parking for the Wellard Village tavern building as required under the development approval. This is a unique situation applying to this property.

Although the proposed building exceeds the maximum height by 5.6m, given the location of the site within the Wellard Village Centre and its proximity to the Wellard train station, it is not considered that the building will adversely impact the amenity of adjoining properties. The subject site is separated from other lower density residential dwellings in the Wellard locality by roads and the railway reserve to the south and the Transperth 'Kiss and Ride' road to the south west.

The building façade has been designed to reduce the perception of height and bulk through the proposed landscaping on the second and third floors. The proposed building has varied setbacks from the streets and property boundaries, thus reducing the perception of height and bulk. In addition, given the setback of the upper floors from the boundaries, the building will not overshadow the neighbouring property to the north east (with potential residential development) with any overshadowing limited to the south and south west (being the railway reserve and 'Kiss and Ride' road respectively).

15.4 PROPOSED MIXED USE DEVELOPMENT - OFFICES, SHOPS, MULTIPLE DWELLINGS & ASSOCIATED CAR PARKING – LOT 543 CHISWICK PARADE, WELLARD

It is also noted that the property opposite the subject property (Lot 534 Chiswick Parade) is permitted to build a maximum five storey building with a sixth storey permitted in the identified landmark locations. Therefore in time, once the Wellard Village Centre is fully developed, the proposed building would not be out of character with the built form throughout the Wellard Village Centre.

It should also be noted that one of the floors is to be dedicated for parking (Level 1) with some parking as well as office tenancies being provided on the ground floor. Whilst 5 storeys physically, it can be argued that Level 1 should not be considered as a storey as per Clause 7.1(c) of TPS 2 states that *Car parking provided within a building shall not be regarded as a level in determining the number of storeys of any development*. City Officers have however sought to set this provision aside and consider the application in the urban design context as it presents in reality, as the 5 storeys.

Plot Ratio

The development proposes a plot ratio of 1.7 in lieu of the maximum 1.5 stipulated under the LDP. It is however noted that plot ratio within the Wellard Village Centre is a matter which TPS 2 affects as uses in the Wellard Village Centre must be considered in accordance with the provisions of the Commercial Zone as well as the Residential Zone. Schedule IV of TPS2 – Development Area 2, Clause 4 states:

“In addition to the Residential zone, uses within the (Wellard Village) Neighbourhood Centre identified on the Structure Plan shall be in accordance with the provisions of the Commercial zone.”

In this respect, under Division 3 of TPS 2, ‘Commercial Zones’, Clause 6.6.3 – Plot Ratio and Site Coverage states:

“The maximum plot ratio and site coverage shall be as follows:

- (a) In the Commercial Zone no building shall have a plot ratio exceeding 2.0 and the site coverage allowed shall be 100% subject to the satisfaction of Council on matters relating to access, car parking, circulation, servicing, loading and unloading and other matters which Council in its absolute discretion may take into consideration”.*

The proposal therefore complies with the plot ratio stipulated under TPS 2.

The proposal exceeds the maximum plot ratio stipulated in the LDP by approximately 477.5m². Although the proposal exceeds the maximum plot ratio, the variance is considered minor. The building has been designed to limit the appearance of bulk through the provisions of varied setbacks, landscaping and architectural design detail. The proposal provides a mix of dwelling types and sizes including one and two bedroom dwellings which is likely to bring a diversity of residents to the area. It is considered the bulk and scale of the building is consistent with the existing and desired built form within the Wellard Village Centre.

City Officers are supportive of the increase in plot ratio on the basis that the proposed ratio provides more flexibility for built form and architectural design and is compliant with the provisions of TPS 2.

15.4 PROPOSED MIXED USE DEVELOPMENT - OFFICES, SHOPS, MULTIPLE DWELLINGS & ASSOCIATED CAR PARKING – LOT 543 CHISWICK PARADE, WELLARD**Community Engagement:**

The application was advertised to adjoining and nearby landowners as the proposal includes Multiple Dwellings which is an 'AA – Discretionary' use in the Commercial Zone. The application was advertised for a period of 21 days and three submissions were received, two in support and one against (refer Attachment P).

The matters raised by the submitters included the following;

Building Design

This submitter was concerned about the appearance of the building and noted that it was not aesthetically pleasing and requires improvement. City Officers note that the building has been designed to comply with the WVDGs. The external finishes and colours of the building are proposed to match the existing buildings in the Wellard Village Centre. Conditions have been recommended requiring that a schedule of colours be endorsed by Peet Ltd and submitted for approval by the City. In addition, the north-eastern elevation (fronting onto Lot 544 Chiswick Parade) is required to be improved visually by attractive painting or/and architectural features.

Traffic

The submitter also raised concerns regarding the increase in traffic congestion on Lambeth Circle and queried if consideration had been given for an extra entry/exit point to the east/north of the suburb to allow easier access to the Kwinana Freeway and reduce congestion around the Wellard Village Centre. The City's Development Engineers confirmed the roads in the suburb have been designed to cater for the anticipated traffic arising from the use of the sites in the Wellard Village Centre. The suburb is considered to be well connected to provide access to the Kwinana Freeway from the east and north of the suburb.

Noise

A submission was received from the Public Transport Authority (PTA) in support of the application subject to conditions relating to noise abatement measures as the development adjoins a bus and train interchange. The WVDGs require that 'quiet building' design principles be considered for all dwellings. The development is required to comply with Australian Standard 2107:2000 (Acoustics – recommended design sound levels and reverberation times for building interiors. Written confirmation from a suitably qualified acoustic consultant will be required to be provided at the building permit stage confirming compliance with these standards. Recommended conditions also require that an acoustic consultant report be submitted to the City for approval. This report will address the impact of noise, traffic movement, security alarms and equipment of commercial properties on the multiple dwellings. Details will be provided at the building permit stage.

The PTA also requested that section 70A notifications be placed on titles alerting future owners of the multiple dwellings that they may be affected by rail noise and vibration. A condition has been recommended requiring that notifications pursuant to section 70A of the Transfer of Land Act 1893 are placed on titles advising future owners that they may be affected by rail noise and vibration.

15.4 PROPOSED MIXED USE DEVELOPMENT - OFFICES, SHOPS, MULTIPLE DWELLINGS & ASSOCIATED CAR PARKING – LOT 543 CHISWICK PARADE, WELLARD**Drainage**

The PTA also noted that the development is required to contain drainage on site or directed away from the rail reserve. The proponent is required to contain all stormwater from paved and roofed areas on site. A condition requiring the submission of a Drainage Management Plan to the City for approval prior to the lodgement of a building permit is recommended.

This Drainage Management Plan is required to be implemented to ensure all stormwater is contained on site.

Waste Management

The PTA also noted that the development is required to contain rubbish on site and minimise dust. The development proposes two bin storage areas and all rubbish will be contained on site. A Waste Management Plan is required to be submitted to the City for approval which demonstrates how waste collection will be managed on site.

Recommended conditions require that a Construction Management Plan be provided for approval to the City. This plan will detail and address the construction program which will include dust management on site.

Conclusion:

Upon assessment of the development against the requirements of the Town Planning Scheme No. 2, the Wellard Village Local Structure Plan, R-Codes, the Wellard Village Design Guidelines and the LDP, it is considered that the application can be approved subject to conditions. The proposed development represents the built form outcomes anticipated for the Wellard Village Centre.

Although the proposal does not comply with the maximum height, maximum number of storeys and plot ratio, it is considered to be a good built form outcome for the subject site which will improve the level of interaction and visual amenity to the surrounding area and contributing to the sense of place. It is considered that the proposed building is visually appealing, provides a mix of materials and will contribute to a varied streetscape. Once the development in the Wellard Village Centre is complete, it is considered that in time, the proposed building will be complementary to the development within the Wellard Village Centre in relation to bulk, scale and aesthetics. It is recommended that the application be approved subject to conditions.

LEGAL/POLICY IMPLICATIONS:

"For the purpose of Councillors considering a financial or impartiality interest only, the proponent/owner is Wellard Hospitality Pty Ltd and the applicant is Resolve Group."

Legislation

Metropolitan Region Scheme
City of Kwinana Town Planning Scheme No. 2
State Planning Policy 3.1 - Residential Design Codes of Western Australia
Wellard Village Local Structure Plan
Wellard Village Design Guidelines and Local Development Plan

15.4 PROPOSED MIXED USE DEVELOPMENT - OFFICES, SHOPS, MULTIPLE DWELLINGS & ASSOCIATED CAR PARKING – LOT 543 CHISWICK PARADE, WELLARD

FINANCIAL/BUDGET IMPLICATIONS:

There are no financial or budget implications as a result of this report.

ASSET MANAGEMENT IMPLICATIONS:

There are no asset management implications as a result of this report.

ENVIRONMENTAL IMPLICATIONS:

The proposed building incorporates the design principles of CPTED. The building has been designed to provide passive surveillance the public realm through the location of windows and upper floor balconies overlooking the public areas.

STRATEGIC/SOCIAL IMPLICATIONS:

It could be argued that the proposal stimulates economic development in the City through potential employment opportunities to be created during construction and from the commercial and office tenancies once operational. In addition, the construction of multiple dwellings will result in more people living in the Wellard Village Centre thereby further stimulating economic growth and encouraging diversification in the City.

COMMUNITY ENGAGEMENT:

The application was advertised for a period of 21 days and three submissions were received, two in support and one against. A full assessment of the submissions received has been undertaken previously in this report.

RISK IMPLICATIONS:

Risk Event	Appeal of Council's decision on the development application.
Risk Theme	Failure to fulfil statutory regulations or compliance requirements Providing inaccurate advice/ information.
Risk Effect/Impact	Reputation Compliance
Risk Assessment Context	Strategic
Consequence	Minor
Likelihood	Possible
Rating (before treatment)	Low

15.4 PROPOSED MIXED USE DEVELOPMENT - OFFICES, SHOPS, MULTIPLE DWELLINGS & ASSOCIATED CAR PARKING – LOT 543 CHISWICK PARADE, WELLARD

Risk Treatment in place	Reduce - mitigate risk
Response to risk treatment required/in place	Work instructions in place and checklists used when assessing the application. Consideration of the application within the Statutory timeframes. Compliance of the proposal with Town Planning Scheme No. 2, R-Codes, Wellard Village Design Guidelines, Local Development Plan and relevant Policies. Liaising with the applicant throughout the application process.
Rating (after treatment)	Low

COUNCIL DECISION

609

MOVED CR P FEASEY

SECONDED CR S MILLS

That Council approves the proposed Mixed Use Development comprising of Offices, Shops, Multiple Dwellings and Associated Car Parking on Lot 543 Chiswick Parade, Wellard subject to the following conditions and advice notes:

1. Conditions

- 1.1 This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval lapses and shall be of no further effect.**
- 1.2 The premises being kept in a neat/tidy condition at all times by the owner/occupier to the satisfaction of the City of Kwinana.**
- 1.3 The applicant shall implement dust control measures for the duration of site works to the satisfaction of the City of Kwinana.**
- 1.4 A Drainage Management Plan shall be provided to the City for approval prior to the lodgement of a building permit application, in accordance with Council's requirements demonstrating stormwater is able to be contained and disposed of on-site for the car parking, driveways and roofed areas.**
- 1.5 Landscaping areas (including landscaping on Level 3), vehicle parking spaces, accessways and all other details as provided on the development plans are to be installed prior to occupying the proposed development and maintained thereafter by the owner/occupier to the satisfaction of the City of Kwinana.**
- 1.6 The proposed building walls being applied with anti-graffiti treatment to the satisfaction of the City of Kwinana.**
- 1.7 Any graffiti, vandalism or damage to the proposed development shall be made good immediately by the landowner to the satisfaction of the City of Kwinana.**
- 1.8 A minimum of 190 square metres (8%) of the subject site to be landscaped and maintained to a high standard, to the satisfaction of the City of Kwinana.**

15.4 PROPOSED MIXED USE DEVELOPMENT - OFFICES, SHOPS, MULTIPLE DWELLINGS & ASSOCIATED CAR PARKING – LOT 543 CHISWICK PARADE, WELLARD

- 1.9 A detailed Landscaping Plan which outlines the proposed species and densities of plants to be used at the time of planting together with the anticipated height of each plant at maturity, spacing of each species and location of existing vegetation, and the proposed reticulation layout is required to be submitted to the City of Kwinana for approval prior to the commencement of construction. The landscaping plan shall be implemented to the satisfaction of the City prior to occupation of the development.**
- 1.10 The provision of 110 vehicle parking bays as detailed on the development plans in accordance with Australian Standard AS2890, to be clearly marked on the ground and constructed of bitumen, brick or concrete to the satisfaction of the City of Kwinana.**
- 1.11 Crossover(s) shall be of concrete or brick paving construction and located to the specifications and satisfaction of the City of Kwinana.**
- 1.12 The redundant crossover off Chiswick Parade shall be removed. The kerb and footpath shall be reinstated to match the existing. Design details and plans being provided at the building permit stage.**
- 1.13 The existing on street car parking bay on Chiswick Parade partially affected by the proposed crossover shall be removed. The kerb and footpath shall be reinstated to match with the existing. Design details and plans being provided at the building permit stage.**
- 1.14 A visible warning alert sign is to be placed over the Chiswick Parade footpath, to warn pedestrians of vehicles exiting the car park. This shall be triggered by vehicles as they approach the exit from within the car park. Design details and plans being provided at the building permit stage.**
- 1.15 The ground floor car park entry is to be clearly delineated and separated from the level one car park exit to provide an adequate separation between the exit and the entry, taking into consideration turning path of vehicles, to avoid any conflict between vehicles. The separation is to be adequate enough in width to provide pedestrian refuge between the two car park entry/exits. Design details and plans being provided at the building permit stage.**
- 1.16 Any damage during construction to the existing streetscape infrastructure (including hard and soft landscaping) adjacent to the subject site shall be rectified to the satisfaction of the City.**
- 1.17 A \$25,000 streetscape infrastructure bond (bank guarantee) in respect of condition 1.16 shall be lodged with the City prior to the issue of a building permit and held in trust until condition 1.16 has been completed to the satisfaction of the City.**
- 1.18 The provision of ten (10) bicycle parking spaces designed in accordance with Austroads Guide to Traffic Engineering Practice Part 14 – Bicycles 10.3 and AS2890.3, to the satisfaction of the City of Kwinana. Details being provided at the building permit stage.**
- 1.19 No goods or materials are to be placed or stored or offered for sale within car parking areas, access roads or on any footpath at any time. Storage of goods or materials shall be confined to designated service areas only.**

15.4 PROPOSED MIXED USE DEVELOPMENT - OFFICES, SHOPS, MULTIPLE DWELLINGS & ASSOCIATED CAR PARKING – LOT 543 CHISWICK PARADE, WELLARD

- 1.20 A Signage Strategy detailing the dimensions, construction and artwork of all proposed signage being submitted for approval of the City of Kwinana prior to the lodgement of a building permit application. The strategy shall provide that:-**

- (a) Signage is to be kept clean and free from unsightly matter including graffiti at all times by the owner/occupier to the satisfaction of the City of Kwinana.**
- (b) Signage associated with a business is to be removed upon vacancy of the business.**

The approved signage strategy being implemented to the satisfaction of the City of Kwinana.

- 1.21 Rubbish bins are to be stored in the designated bin storage areas only. No storage of rubbish, recyclables or other stock within parking areas or access roads.**
- 1.22 The proponent shall submit a Waste Management Plan for approval by the City of Kwinana prior to lodgement of a building permit. The plan shall;**
- a) Include all details and plans for the proposed bin area/s on the site;**
 - b) Demonstrate consideration for the number of receptacles to be housed in the bin area/s based on the total number of residential and commercial tenancies to be accommodated;**
 - c) Indicate how the bins will be presented for collection on the adjoining verge or alternatively demonstrate how a waste collection truck would be able to gain access to the bin area/s; and**
 - d) Outline measures to be put in place to ensure bins are removed from the verge at the end of each bin collection day. These measures are to be incorporated in the strata management plan.**
- 1.23 The proponent is to submit an Acoustic consultant's report to the City of Kwinana for approval prior to the lodgement of a building permit. The report shall address the impact of cumulative noise, traffic movement, security alarms, mechanical exhaust systems, air conditioning and refrigeration plant equipment of commercial properties on noise sensitive premises (existing and proposed). The report is to include a noise management plan that addresses any potential nuisances associated with the operation of the commercial tenancies and make recommendations on how identified noise impacts can be attenuated so as to comply with the provisions of the Environmental Protection Act and Regulations.**
- 1.24 No audible security alarms shall be installed on the commercial premises.**
- 1.25 The proponent is to submit an Odour Management Plan to the City for approval prior to the lodgement of a building permit with detailed design and specifications of ventilation systems should there be any commercial tenancies with odour generating potential.**
- 1.26 The development shall comply with AS2107:2000 (Acoustics – recommended design sound levels and reverberation times for building interiors) to the satisfaction of the City of Kwinana. Written certification from a suitably qualified acoustic consultant is to be submitted to the City of Kwinana prior to the submission of a building permit application for the new building to ensure the dwellings comply with these standards.**

15.4 PROPOSED MIXED USE DEVELOPMENT - OFFICES, SHOPS, MULTIPLE DWELLINGS & ASSOCIATED CAR PARKING – LOT 543 CHISWICK PARADE, WELLARD

- 1.27 The development being suitably lit in accordance with Australian Standard AS4282 – Control of Obtrusive Effects of Outdoor Lighting. Details to be provided to the City prior to the lodgement of a building permit application.**
- 1.28 Prior to the lodgement of a building permit application, the applicant shall submit an application with associated fees for approval and thereafter implement, a Construction Management Plan and a Traffic and Pedestrian Management Plan to the satisfaction of the City of Kwinana. The plan shall detail and address the construction program (including but not limited to site opening and closing times, dust management, construction noise management, traffic and pedestrian management) proposed for the development.**
- 1.29 The proponent shall provide mechanical engineering design drawings and specifications, together with certification by the design engineer that satisfy the requirements of the Australian Standard 3666 for Air Handling and Water Systems, to be submitted in conjunction with the Building Permit Application. Written approval from the City's Health Service for the design and installation of air handling system, water system cooling or cooling tower is to be obtained prior to the installation of the system.**
- 1.30 Undercover carparks to be ventilated to ensure compliance with the Health (Carbon Monoxide) Regulations 1975. The proponent will be required to submit certification that all ventilation systems comply with the AS 1668 and Health (Carbon Monoxide) Regulations 1975 prior to occupancy.**
- 1.31 The applicant to pay a contribution to the City of Kwinana for the ongoing costs of managing mosquitoes and midges in the City of Kwinana. The payment shall be made to the City of Kwinana prior to commencement of development.**
- 1.32 Notification in the form of a memorial under section 70A of the Transfer of Land Act 1893 as amended shall be lodged against the title and incorporated into the strata management plan advising landowners of the existence of a noise hazard. The notification is to state as follows;**

'The lot is situated in the vicinity of a transport corridor (Perth to Mandurah Railway line) and is currently affected, or may in the future be affected by rail noise and vibration.'

The memorials are to be lodged against the title prior to any subdivision or strata titling of the subject property.

- 1.33 Prior to the commencement of development, appropriate arrangements will be made with the City of Kwinana for the payment of development contributions for community infrastructure as proposed by Amendment 145 to Town Planning Scheme No. 2 to the satisfaction of the Chief Executive Officer, City of Kwinana.**
- 1.34 A schedule of colours, materials, textures and finishes and coloured elevation plans for the development shall be submitted to the City of Kwinana for approval within 60 days of the date of this approval, and implemented in the development.**

15.4 PROPOSED MIXED USE DEVELOPMENT - OFFICES, SHOPS, MULTIPLE DWELLINGS & ASSOCIATED CAR PARKING – LOT 543 CHISWICK PARADE, WELLARD

- 1.35 The north-eastern elevation (fronting onto Lot 544 Chiswick Parade) shall be improved visually whether by attractive painting or architectural features (or both) to the satisfaction of the City of Kwinana. Details shall be provided to the satisfaction of the City of Kwinana as part of the schedule and plans required in condition 1.34 above.**
- 1.36 Vehicle parking spaces, accessways, clothes drying facilities and store areas being installed prior to occupying the proposed development and maintained thereafter by the owner/occupier to the satisfaction of the City of Kwinana.**
- 1.37 External fixtures (other than solar collectors, standard type television aerials, essential plumbing vent pipes and rainwater downpipes) shall not be visible from the primary or secondary street.**
- 1.38 Prior to the occupation of the development, a parking management plan detailing measures to manage parking and potential parking conflicts between the mixed use development uses and the tavern overflow parking being submitted to the City for approval and thereafter implemented to the satisfaction of the City of Kwinana. The management plan shall include erection of signage indicating car parking bays to be exclusively allocated to the Wellard Village tavern development.**
- 1.39 The use of the 35 car parking bays for the Wellard Village tavern development shall be for a maximum duration of three hours. Management of the use of the parking bays is to be controlled pursuant to the Parking Management Plan referred to in Condition 1.38.**

2. Advice Notes

- 2.1 The applicant is advised that all future development must be submitted to the City of Kwinana prior to the commencement of works or alteration of land use.**
- 2.2 Should the applicant be aggrieved by the decision or any condition imposed, then a right of review may be lodged with the State Administrative Tribunal within 28 days of the date of this decision.**
- 2.3 The applicant is further advised that this is not a building permit/sign licence the City of Kwinana issues to enable construction to commence. A building permit/sign licence is a separate requirement and construction cannot be commenced until a building permit is obtained.**
- 2.4 The proponent is advised that bin stores are adequate, based on a sharing ratio of one 240 Litre waste and one 240 Litre recycle bin per 3 units. Provision of a minimum eight 240 Litre recycle bins and eight 240 Litre waste bins are adequate for the residential component. Commercial bin store is adequate for offices and non food businesses occupancy of tenancy's 1, 2 and 3. Food businesses may require additional space and would be determined as part of Environmental Health approvals for a food business.**
- 2.5 Bin stores are to be mechanically ventilated in accordance with the requirements of Australian Standard 1668, and require filters to control odour at the exhaust outlets. Bin stores are to be fitted with an impervious concrete floor graded to a waste water discharge point connected to sewer.**

15.4 PROPOSED MIXED USE DEVELOPMENT - OFFICES, SHOPS, MULTIPLE DWELLINGS & ASSOCIATED CAR PARKING – LOT 543 CHISWICK PARADE, WELLARD

- 2.6 Wash down facilities to be provided in commercial & residential bin store in the form of a water outlet fitted with an industrial grade hose cock. Doors to bin stores to open outward with a minimum doorway width of 1.25 metres.**
- 2.7 Any food businesses, hairdressers, skin penetration premises shall receive City's Environmental Health Services approval prior to occupancy.**
- 2.8 The development shall comply with the requirements of Sewage (Lighting, Ventilation and Construction) Regulations 1971 (as amended), Health (Miscellaneous Provisions) Act 1911, Local Government Act 1995, Health Act (Laundries and Bathrooms) Regulations, Food Act 2008 and relevant Health Local Laws.**
- 2.9 The proponent shall apply under the Water Services Act 2012 for a permit for all businesses involved in the retail food industry for a written permission in the form of a trade waste permit before discharging any waste into the Water Corporation's wastewater system.**
- 2.10 All tenancies proposing to carry out a food business must comply with the Food Act 2008 and Food Regulations 2009. An application to construct or alter a food business and an application for notification or registration of a food business shall be submitted with associated fees to, and approved by, the City of Kwinana Environmental Health Services prior to the fit out of the tenancy.**
- 2.11 The applicant should ensure the proposed development complies with all other relevant legislation, including but not limited to, the Environmental Protection Act 1986 and Regulations, Health (Miscellaneous Provisions) 1911 and Regulations, and the National Construction Code.**
- 2.12 Regarding condition 1.33, the proponent is referred to the City's Local Planning Policy: Administration of Development Contribution Plans for requirements to clear this condition.**
- 2.13 Regarding condition 1.9, the proponent is advised that the Landscaping Plan is required to be prepared in consultation with Peet Ltd and approved by Peet Ltd prior to the plan being submitted to the City of Kwinana for approval.**
- 2.14 Upon completion of construction, if Condition 1.16 has been complied with to the satisfaction of the City, the City shall on request from the bond applicant, return to the bond applicant (or the nominee appointed in writing by the bond applicant) the bond.**
- 2.15 The development shall comply with the Public Transport Authority Working In and Around the PTA Rail Reserve document available from the Public Transport Authority website.**
- 2.16 Regarding condition 1.31, a contribution as per the current Council fees and charges schedule is required to be paid to the City of Kwinana to ensure the ongoing management of mosquitoes and midges in the area.**

**CARRIED
8/0**

ATTACHMENT A





CHISWICK MIXED USE DEVELOPMENT WELLARD - WESTERN AUSTRALIA



VIEW FROM WEST



VIEW FROM NORTH



VIEW FROM EAST



VIEW FROM SOUTH

Rev	Description	By	Date
1	Additional Windows to North & South Elevations	RIO	08 / 09 / 17

DEVELOPMENT APPLICATION

Client:
WELLARD HOSPITALITY PTY LTD

Project Name:
MIXED USE DEVELOPMENT
LOT 543, CHISWICK PARADE, WELLARD. WESTERN AUSTRALIA.

Drawing Title:
MASSING MODEL

room
by design

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☐ FOR INFORMATION

☐ FOR COMMENT

☒ DEVELOPMENT APPLICATION

☐ BUILDING LICENCE APPLICATION

☐ FOR CONSTRUCTION

REFERENCE: R80 - ARCH - DA - RIO - 060817

DRAWN BY:

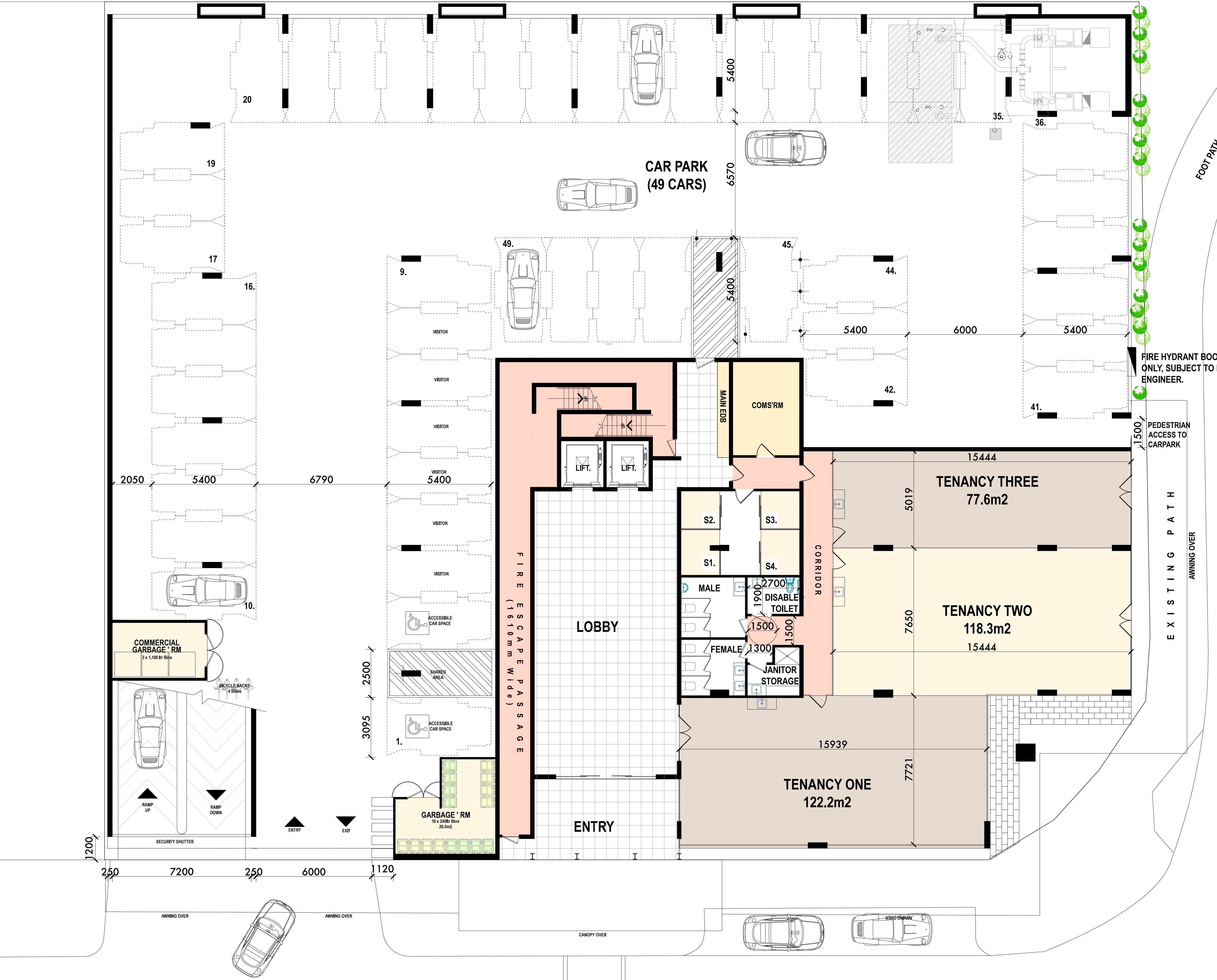
CHECKED BY:

DATE: JUNE 2017.

SCALE:

DWG NO. DA-01

Rev. 1



GROUND FLOOR COMMERCIAL		
1	TENANCY ONE	122.2m2
2	TENANCY TWO	118.3m2
3	TENANCY THREE	77.6m2
	TOTAL	317.1m2

Rev	Description	By	Date

DESIGN APPLICATION

Client: WELLARD HOSPITALITY PTY LTD

Project Name: MIXED USE DEVELOPMENT
LOT 543, CHISWICK PARADE, WELLARD, WESTERN AUSTRALIA.

Drawing Title: GROUND FLOOR PLAN

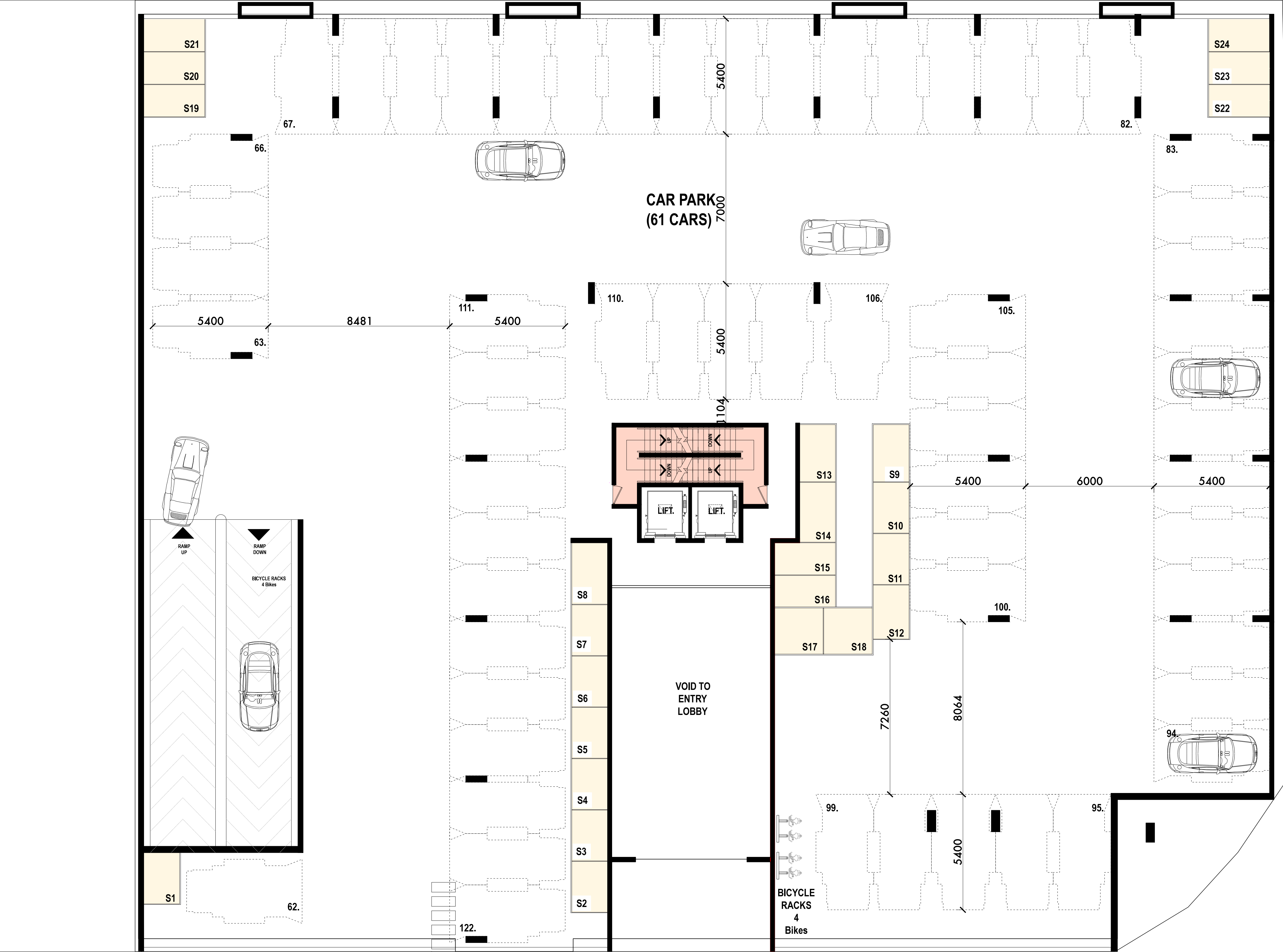
20th Floor, Phu Hoang Anh Tower, Nguyen Huu Tho Street, Phuoc Kien, Nha Be, Ho Chi Minh City, Vietnam.
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<input type="checkbox"/> BUILDING LICENCE APPLICATION	DATE: JUNE 2017.
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	DWG NO. DA-03
	Rev.

C H I S W I C K

P A R A D E

ATTACHMENT D



Rev	Description	By	Date

DESIGN APPLICATION

Client:
WELLARD HOSPITALITY PTY LTD

Project Name:
MIXED USE DEVELOPMENT
LOT 543, CHISWICK PARADE, WELLARD, WESTERN AUSTRALIA.

Drawing Title:
LEVEL ONE FLOOR PLAN

room
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☒ DEVELOPMENT APPLICATION

☐ BUILDING LICENCE APPLICATION

☐ FOR CONSTRUCTION

REFERENCE: R80 - ARCH - DA - R10 - 060817

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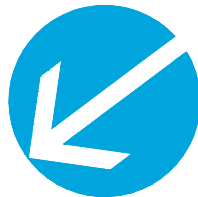
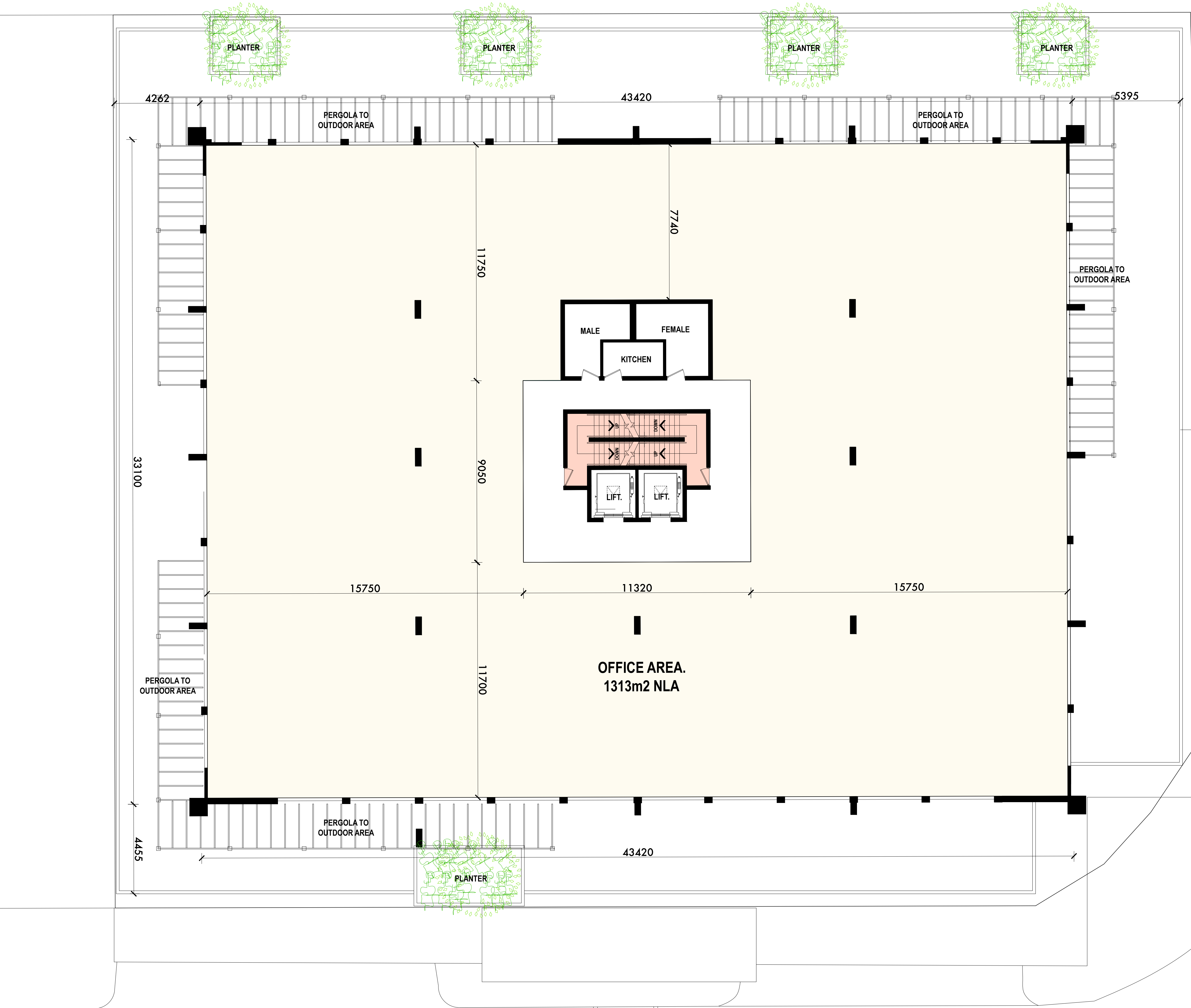
CHECKED BY:

DATE: JUNE 2017.

SCALE: 1:100 @ A3

DWG NO. DA-04

Rev.



Rev	Description	By	Date
DESIGN APPLICATION			

Client:
WELLARD HOSPITALITY PTY LTD

Project Name:
MIXED USE DEVELOPMENT
LOT 543, CHISWICK PARADE, WELLARD. WESTERN AUSTRALIA.

Drawing Title:
LEVEL TWO FLOOR PLAN



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<input type="checkbox"/> FOR INFORMATION	REFERENCE: RBD - ARCH - DA - RIO - 060817
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	DWG NO. DA-05
	Rev.

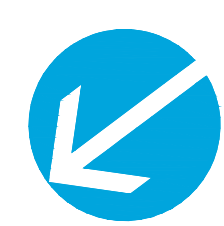
C H I S W I C K

P A R A D E

ATTACHMENT F




C H I S W I C K P A R A D E ATTACHMENT G



Rev	Description	By	Date
1	Additional Windows to North & South Elevations	RIO	08 / 09 / 17

DEVELOPMENT APPLICATION

Client: WELLARD HOSPITALITY PTY LTD
Project Name: MIXED USE DEVELOPMENT
LOT 543, CHISWICK PARADE, WELLARD, WESTERN AUSTRALIA.
Drawing Title: LEVEL THREE FLOOR PLAN



20th Floor, Phu Hoang Anh Tower, Nguyen Huu Tho Street, Phuoc Kien, Nha Be, Ho Chi Minh City, Vietnam.
email - roombydesignmodules@gmail.com Phone. +84 1864 938 538

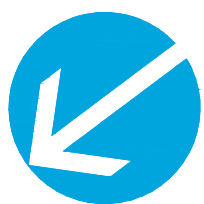
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	DWG NO. DA-06
	Rev. 1



C H I S W I C K

P A R A D E

ATTACHMENT H



Rev	Description	By	Date
1	Additional Windows to North & South Elevations	RIO	08 / 09 / 17

DEVELOPMENT APPLICATION

Client:
WELLARD HOSPITALITY PTY LTD

Project Name:
MIXED USE DEVELOPMENT
LOT 543, CHISWICK PARADE, WELLARD, WESTERN AUSTRALIA.

Drawing Title:
LEVEL FOUR FLOOR PLAN

 **room**
by design

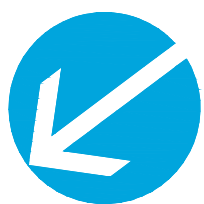
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email - roombydesignmodules@gmail.com Phone. +84 1864 938 538

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<input type="checkbox"/> DEVELOPMENT APPLICATION	CHECKED BY:
<input type="checkbox"/> BUILDING LICENCE APPLICATION	DATE: JUNE 2017.
<input type="checkbox"/> FOR CONSTRUCTION	SCALE: 1:100 @ A3
	DWG NO. DA-07
	Rev. 1



C H I S W I C K

P A R A D E ATTACHMENT I



Rev	Description	By	Date
1	Additional Windows to North & South Elevations	RIO	08 / 09 / 17

DEVELOPMENT APPLICATION

Client:
WELLARD HOSPITALITY PTY LTD

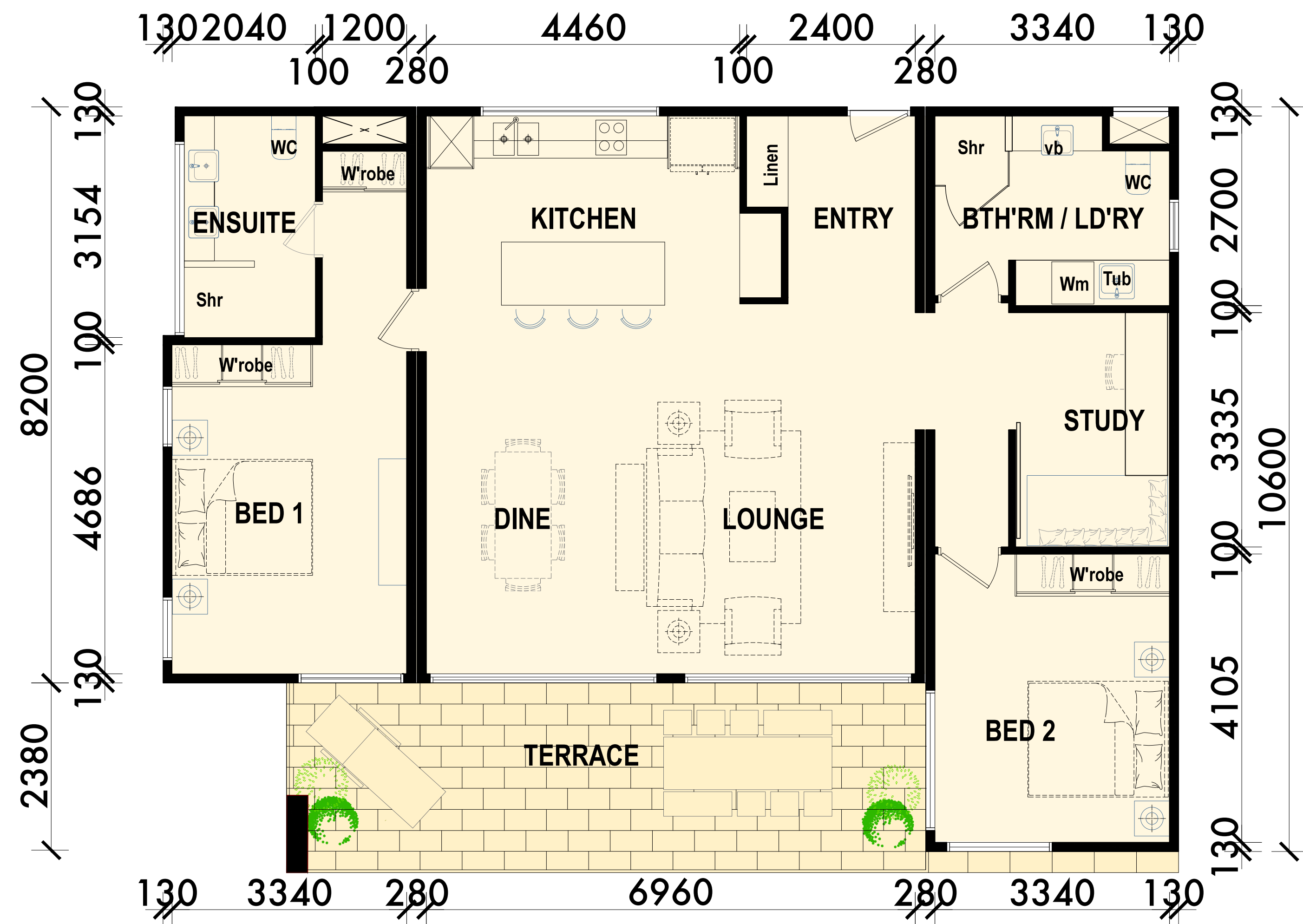
Project Name:
MIXED USE DEVELOPMENT
LOT 543, CHISWICK PARADE, WELLARD, WESTERN AUSTRALIA.

Drawing Title:
LEVEL FIVE FLOOR PLAN

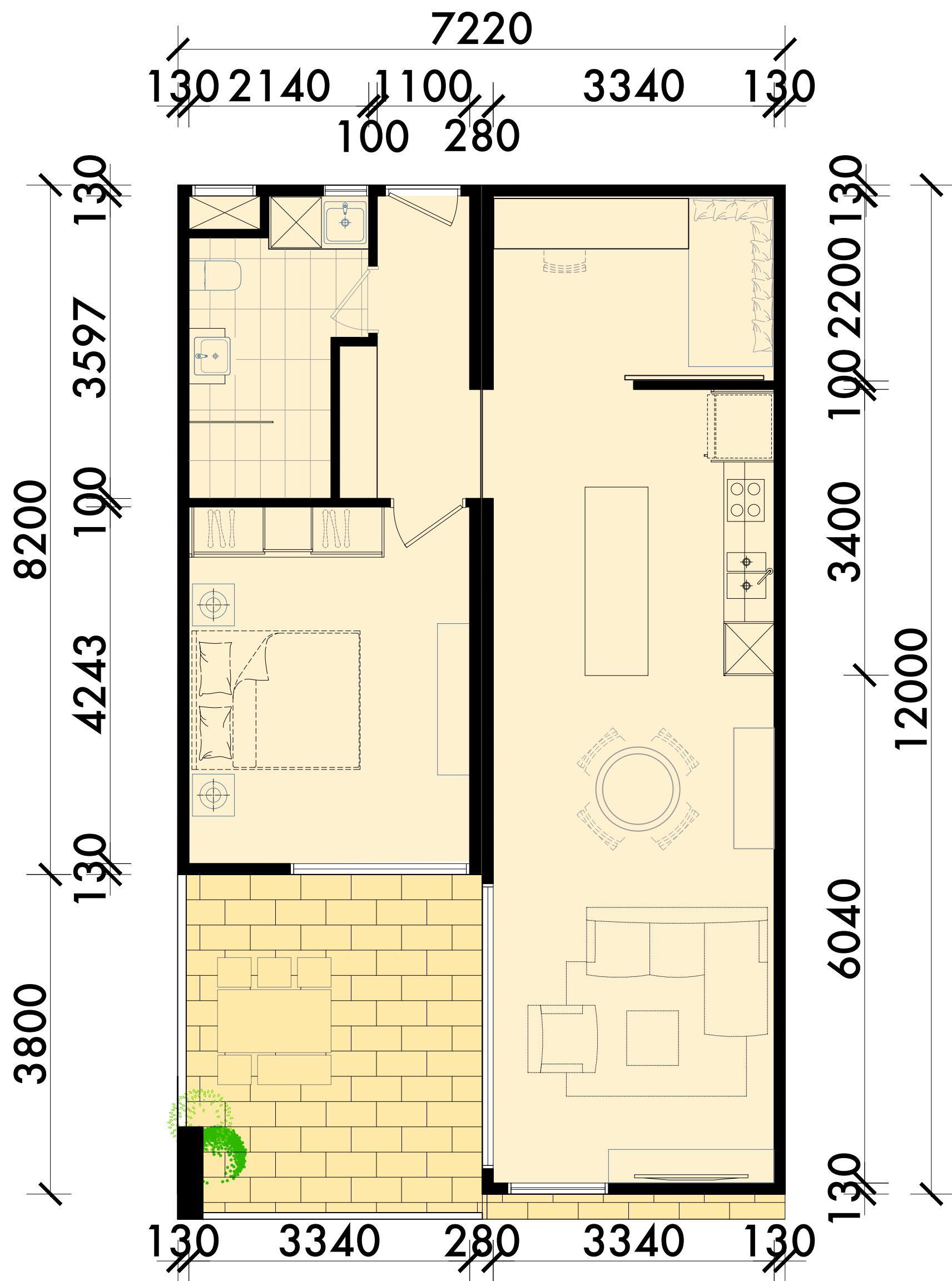


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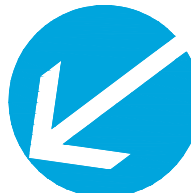
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<input type="checkbox"/> BUILDING LICENCE APPLICATION	DATE: JUNE 2017.
<input type="checkbox"/> FOR CONSTRUCTION	SCALE: 1:100 @ A3
	DWG NO. DA-08
	Rev. 1



FLOOR AREA = 127M2
TERRACE = 21M2



FLOOR AREA = 73M2
TERRACE = 14M2



Rev	Description	By	Date
1	Additional Windows to North & South Elevations	RIO	08 / 09 / 17

DEVELOPMENT APPLICATION

Client:
WELLARD HOSPITALITY PTY LTD

Project Name:
MIXED USE DEVELOPMENT
LOT 543, CHISWICK PARADE, WELLARD. WESTERN AUSTRALIA.

Drawing Title:
TYPICAL APARTMENTS

room

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20th Floor, Phu Hoang Anh Tower, Nguyen Huu Tho Street, Phuoc Kien, Nha Be, Ho Chi Minh City, Vietnam.

email - roombydesignmodules@gmail.com

Phone. +84 1 864 938 538

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☐ FOR COMMENT

☒ DEVELOPMENT APPLICATION

☐ BUILDING LICENCE APPLICATION

☐ FOR CONSTRUCTION

REFERENCE: RBD - ARCH - DA - RIO - 060817

DRAWN BY:

CHECKED BY:

DATE: JUNE 2017.

SCALE: 1:50 @ A3

DWG NO. DA-09

Rev. 1



NORTH WESTERN ELEVATION

Rev	Description	By	Date
DESIGN APPLICATION			

Client: WELLARD HOSPITALITY PTY LTD
Project Name: MIXED USE DEVELOPMENT
LOT 543, CHISWICK PARADE, WELLARD. WESTERN AUSTRALIA.
Drawing Title: NORTH WESTERN ELEVATION

FOR INFORMATION

FOR COMMENT

DEVELOPMENT APPLICATION

BUILDING LICENCE APPLICATION

FOR CONSTRUCTION

REFERENCE: RBD - ARCH - DA - RIO - 060817

DRAWN BY:

CHECKED BY:

DATE: JUNE 2017.

SCALE: 1:100 @ A3

DWG NO. DA-10

Rev.

room

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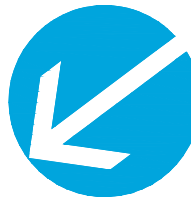
email - roombydesignmodules@gmail.com

Phone. +84 1864 938 538



NORTH EASTERN ELEVATION

RAIL LINE LEVEL.



Rev	Description	By	Date
1	Additional Windows to North & South Elevations	RIO	08 / 09 / 17

DEVELOPMENT APPLICATION

Client:
WELLARD HOSPITALITY PTY LTD

Project Name:
MIXED USE DEVELOPMENT
LOT 543, CHISWICK PARADE, WELLARD. WESTERN AUSTRALIA.

Drawing Title:
NORTH EASTERN ELEVATION



20th Floor, Phu Hoang Anh Tower, Nguyen Huu Tho Street, Phuoc Kien, Nha Be, Ho Chi Minh City, Vietnam.
email - roombydesignmodules@gmail.com Phone. +84 1864 938 538

<input type="checkbox"/> FOR INFORMATION	REFERENCE: RBD - ARCH - DA - RIO - 060817
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<input checked="" type="checkbox"/> DEVELOPMENT APPLICATION	CHECKED BY:
<input type="checkbox"/> BUILDING LICENCE APPLICATION	DATE: JUNE 2017.
<input type="checkbox"/> FOR CONSTRUCTION	SCALE: 1:100 @ A3
	DWG NO. DA-11
	Rev. 1



SOUTH EASTERN ELEVATION

Rev	Description	By	Date
DESIGN APPLICATION			

Client:
WELLARD HOSPITALITY PTY LTD

Project Name:
MIXED USE DEVELOPMENT
LOT 543, CHISWICK PARADE, WELLARD, WESTERN AUSTRALIA.

Drawing Title:
SOUTH EASTERN ELEVATION

FOR INFORMATION

FOR COMMENT

DEVELOPMENT APPLICATION

BUILDING LICENCE APPLICATION

FOR CONSTRUCTION

REFERENCE: RBD - ARCH - DA - RIO - 060817

DRAWN BY:

CHECKED BY:

DATE: JUNE 2017.

SCALE: 1:100 @ A3

DWG NO. DA-12

Rev.

room

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Phone. +84 1864 938 538



SOUTH WESTERN ELEVATION

Rev	Description	By	Date
1	Additional Windows to North & South Elevations	RIO	08 / 09 / 17

DEVELOPMENT APPLICATION

Client:
WELLARD HOSPITALITY PTY LTD

Project Name:
MIXED USE DEVELOPMENT
LOT 543, CHISWICK PARADE, WELLARD. WESTERN AUSTRALIA.

Drawing Title:
SOUTH WESTERN ELEVATION

FOR INFORMATION

FOR COMMENT

DEVELOPMENT APPLICATION

BUILDING LICENCE APPLICATION

FOR CONSTRUCTION

REFERENCE: RBD - ARCH - DA - RIO - 060817

DRAWN BY:

CHECKED BY:

DATE: JUNE 2017.

SCALE:

DWG NO. DA-13

Rev. 1

room

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20th Floor, Phu Hoang Anh Tower, Nguyen Huu Tho Street, Phuoc Kien, Nha Be, Ho Chi Minh City, Vietnam.
email - roombydesignmodules@gmail.com

Phone. +84 1864 938 538



MATERIAL PALETTE - EXTERNAL FINISHES

EXTERNAL WALLS

EXT-001 "Acratex" - Sand Style applied finish - "Dulux" - WHITE

EXT-002 "Dulux" - West Coast Grey - 50BG 38/011

EXT-003 "Acratex" - Sand Style applied finish -"Dulux" - West Coast Grey - 50BG 38/011

EXT-004 "Acratex" - Sand Style applied finish - "Dulux" - Wedgewood Satin - 27250279

EXT-005 Basalt Flagstone

HORIZONTAL BLADES

EXT-006 "Dulux" - Wedgewood Satin - 27250279

WINDOW / GLAZING UNITS

EXT-007 Aluminium framing - "Duralloy" - Ironstone satin - 27250279

EXT-008 Low Emissivity Glass - GREY

BALUSTRADING

EXT-009 12mm Skyglass (Australian Glass Group)frameless

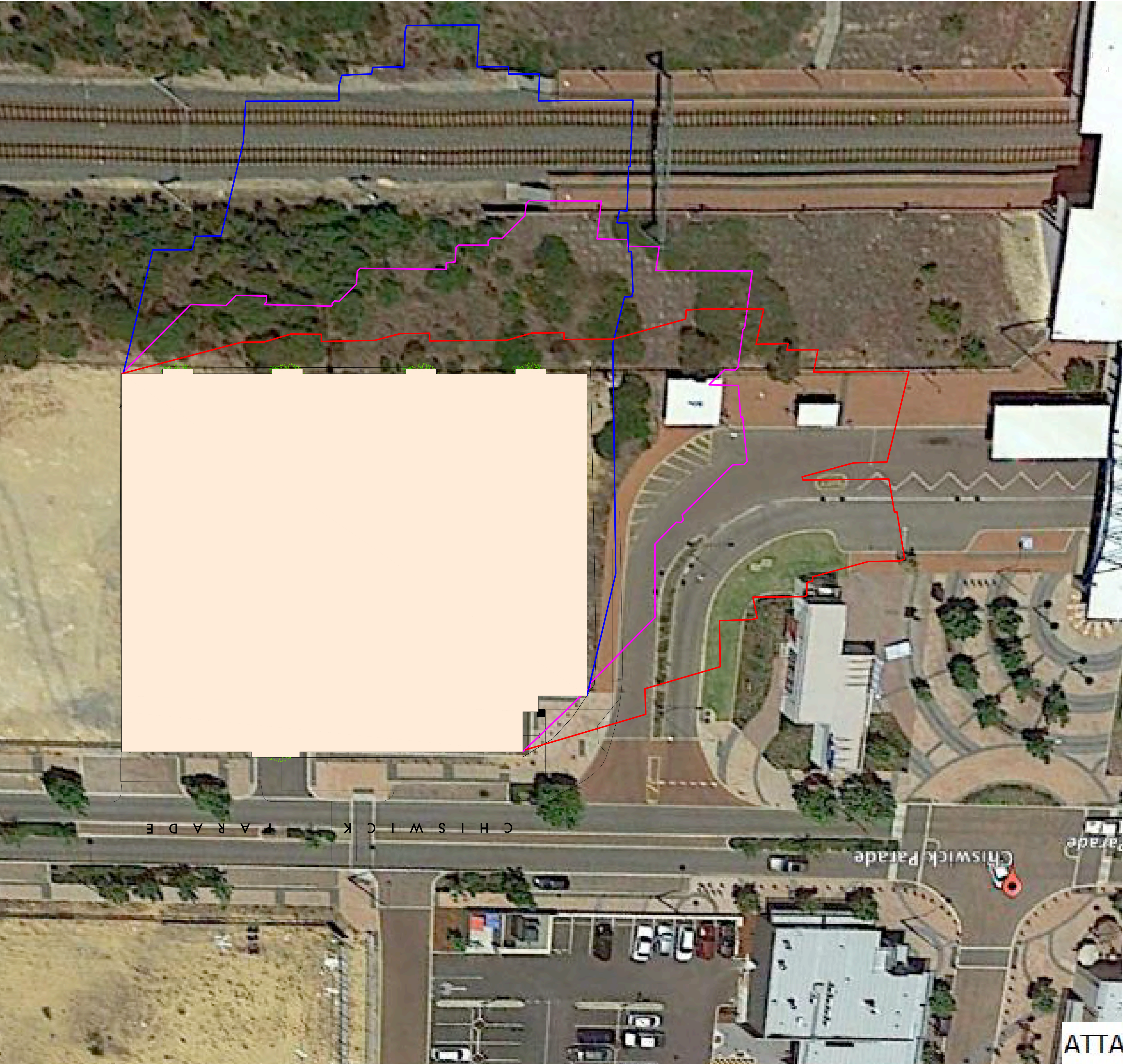
Rev	Description	By	Date
DESIGN APPLICATION			

Client: WELLARD HOSPITALITY PTY LTD

Project Name: MIXED USE DEVELOPMENT
LOT 543, CHISWICK PARADE, WELLARD. WESTERN AUSTRALIA.

Drawing Title: EXTERNAL FINISHES

<div><div><div></div><div></div><div></div></div><div>room</div><div>by design</div></div>	
<div><div>20th Floor, Phu Hoang Anh Tower, Nguyen Huu Tho Street, Phuoc Kien, Nha Be, Ho Chi Minh City, Vietnam. email - roombydesignmodules@gmail.com</div><div>Phone. +84 1864 938 538</div></div>	
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WINTER SOLTICE

- 10AM
- 12PM
- 2PM




Rev	Description	By	Date
DESIGN APPLICATION			

Client:
WELLARD HOSPITALITY PTY LTD

Project Name:
MIXED USE DEVELOPMENT
LOT 543, CHISWICK PARADE, WELLARD. WESTERN AUSTRALIA.

Drawing Title:
SHADOW ANALYSIS



20th Floor, Phu Hoang Anh Tower, Nguyen Huu Tho Street, Phuoc Kien, Nha Be, Ho Chi Minh City, Vietnam.
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<input type="checkbox"/> FOR INFORMATION	REFERENCE: RBD - ARCH - DA - RIO - 060817
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<input type="checkbox"/> BUILDING LICENSE APPLICATION	DATE: JUNE 2017.
	SCALE:
	DWG NO. DA-16
	Rev.

ATTACHMENT Q- SCHEDULE OF SUBMISSIONS

Submitter No.	NATURE & SUMMARY OF SUBMISSION	CITY COMMENT
1.	Support. Supporting the proposed development.	Noted.
2.	<p>Support subject to the following;</p> <p>The proposed development should also comply with the Working In and Around Rail document as it is in close proximity to the operating rail.</p> <p>Noise abatement measures in accordance with SPP5.4 by developers/owners as the development is bordering a functional bus and train interchange, with services operating over a long span of hours on weekdays and weekends.</p> <p>Contain drainage on site or directed away from the rail reserve.</p>	<p>Noted. The proponent will be advised of this requirement.</p> <p>The Wellard Village Design Guidelines require that 'quiet building' design principles be considered for all dwellings. The development is required to comply with Australian Standard 2107:2000 (Acoustics – recommended design sound levels and reverberation times for building interiors. Written confirmation from a suitably qualified acoustic consultant will be required to be provided at the building permit stage confirming compliance with these standards. Recommended conditions also require that an acoustic consultant report be submitted for approval by the City. This report will address the impact of noise, traffic movement, security alarms and equipment of commercial properties on the multiple dwellings. Details will be provided at the building permit stage.</p> <p>Conditions of this approval will require that all stormwater be contained and disposed of on site.</p>

ATTACHMENT Q- SCHEDULE OF SUBMISSIONS

	<p>Contain rubbish on site and minimise dust.</p> <p>Section 70A notification to be placed on the titles advising potential purchasers that the amenity of the lot may be affected by rail noise and vibration.</p> <p>It should also be noted that vehicular movement from the proposed development may be affected by a high frequency of bus movements on Chiswick Parade for various bus services accessing Wellard Station.</p>	<p>The development proposes two bin storage areas and all rubbish will be contained on site. Recommended conditions require that a Waste Management Plan be submitted for approval to the City and be implemented to ensure all rubbish is contained on site and properly managed. A Construction Management Plan is also required to be provided to the City for approval and this plan will detail and address the construction program which will include dust management on site.</p> <p>A condition has been recommended requiring that notifications pursuant to section 70A of the Transfer of Land Act 1893 be placed on titles advising future owners that they may be affected by rail noise and vibration.</p> <p>Noted.</p>
3.	<p>Objection.</p> <p>The building is not aesthetically pleasing and requires improvement.</p>	<p>The building has been designed to comply with the Wellard Village Design Guidelines in terms of addressing the street and/or public realm. The development plans were reviewed and endorsed by the developer of the Wellard Village, Peet Ltd and the Wellard Village</p>

ATTACHMENT Q- SCHEDULE OF SUBMISSIONS

	<p>Traffic congestion on Lambeth Circle will increase, it is a busy street at present. Conditions should apply.</p> <p>Has consideration been given for an extra entry exit point to the East/North into the suburb? This would allow easier access to the Freeway and reduce congestion around the town centre.</p>	<p>Centre Design Guidelines Review Panel. Conditions have been recommended requiring that the north-eastern elevation (fronting onto Lot 544 Chiswick Parade) be improved visually by attractive painting or architectural features.</p> <p>The City's Development Engineers confirmed that Lambeth Circle is a higher order road and has been designed and constructed to cater for the traffic generated from the uses approved in the Wellard Village Centre.</p> <p>The City's Development Engineers confirmed that the Wellard Village suburb is connected to the Kwinana Freeway via Leda Boulevard, Runnymede Gate and Henley Boulevard. It is not considered that an additional entry/ exit point into the suburb is required.</p>
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16 Reports – Civic Leadership

Mayor Carol Adams left the Council Chambers at 7:28pm, Deputy Mayor Peter Feasey took the position as the Chair.

16.1 Disposal of Property by Way of Lease – Reserve 26572 (Lot 434 Thomas Road, Kwinana) between the City of Kwinana and Waste Stream Management Pty Ltd

SUMMARY:

At the Ordinary Council Meeting held on 28 June 2017, Council resolved to give local public notice of the proposed disposition in accordance with Section 3.58(3)(a) and (4) of the Local Government Act 1995.

The City advertised the proposed disposition by way of lease in the local public notice section of the Weekend Courier on Friday, 7 July 2017. Submissions were invited to be made in writing by Friday, 21 July 2017. There was one submission received.

Section 3.58(4)(c) of the Local Government Act 1995 requires the market value of the disposition to be ascertained by a valuation carried out not more than 6 months before the proposed disposition. The valuation of \$200,000 (GST exclusive) per annum was undertaken on 12 April 2017, which is less than 6 months before the disposition.

This report seeks Council approval to authorise the Chief Executive Officer and Mayor to execute the lease agreement, in relation to the proposed disposition by way of lease of Reserve 26571 (Lot 434 Thomas Road, Kwinana), between the City of Kwinana and Waste Stream Management Pty Ltd as detailed in Attachment A.

OFFICER RECOMMENDATION:

That Council:

1. Note the City responses to the one submission received during the submission period, as detailed in Attachment B.
2. Authorise the Chief Executive Officer and Mayor to execute the lease agreement, in relation to Reserve 26572 (Lot 434 Thomas Road, Kwinana) between the City of Kwinana and Waste Stream Management Pty Ltd, as detailed in Attachment A.

DISCUSSION:

The City entered into an agreement stamped 19 May 2000 with CSR Pty Ltd (CSR) and Construction and Demolition Waste Re-cycling Company Pty Ltd (now Waste Stream Management Pty Ltd [WSM]). Lot 434 Thomas Road was formally known as Lot 50 Thomas Road (formally Reserve 26572) and was originally a crown reserve for the purpose of a quarry. The original intention was for CSR to undertake extraction activities and then WSM carry out landfill purposes. In February 1998, the City of Kwinana requested the purpose of the reserve to be changed to add landfill and that Lot 50 be under the care, control and management of the City. In May 1999 CSR applied for a mining tenement for the purpose of quarrying and removing sand and limestone.

16.1 DISPOSAL OF PROPERTY BY WAY OF LEASE – RESERVE 26572 (LOT 434 THOMAS ROAD, KWINANA) BETWEEN THE CITY OF KWINANA AND WASTE STREAM MANAGEMENT PTY LTD

In August 1999, the Minister for Lands took part of Lot 50 for the purpose of Recreation being for motor sports facility and ancillary purposes and in January 2000 that part was placed under the care, control and management of the Western Australian Sports Centre Trust.

The quarry activity did not proceed whereby CSR were going to extract raw materials and the air space as a result of the extraction would be used for land fill. CSR withdrew from the agreement in 2004 and the mining lease was then assigned to WSM which commenced the extraction operations.

WSM are leasing Lots 303 and part 304 (that is not licensed to Alcoa Australia) and Lot 434 adjoins these properties for the purpose of landfill where they have been given a licence under the Environmental Protection Act 1986 to carry out activities for Class 1 and Class 2 waste (which includes disposal and recycling of inert civil construction and demolition waste products including concrete, timber, bricks, steel, other construction materials and contaminated waste).

The legal owners of the lots of the landfill operation are:

1. Lot 303 and part Lot 304 – The Western Australian Planning Commission (WAPC) (formally State Planning Commission). There is an existing lease agreement between WAPC and the City of Kwinana which expires 18 August 2019. There is an existing sub lease agreement between the City of Kwinana and WSM. This land is owned freehold by WAPC.
2. Lot 434 – Crown land and the City of Kwinana has the care, control and management including the power to lease for any term not exceeding 21 years, subject to the consent of the Minister for Lands. The history of agreements and legal advice in relation to the lease of Lot 434 are contained in Confidential Attachments C, D and E.

The term of the proposed lease is for a period of 20 years which is inclusive of two options available to extend the lease for five years for each option. The proposed rent is \$200,000 per annum. The current use of the premises is waste management and remediation services, undertaken by Waste Stream Management Pty Ltd. The valuation of the annual market rent was undertaken by Jones Lang LaSalle as detailed in Confidential Attachment F. City Officers believe the valuation has not been discounted and has been valued as a commercial market rent.

As detailed in Attachment G, in accordance with section 18 of the Land Administration Act 1997 (LAA), the Minister for Lands has granted approval to the proposed lease, on the condition that the lease agreement is on the same terms as that provided to Department of Lands (DoL). If the final document executed by the parties is not on the approved terms, then it may be void under section 18 LAA.

A copy of the submission is detailed in Attachment B with the City Officer responses for each matter raised. A copy of the responses will be sent to the respondent once Council consider this matter.

It is recommended that the lease be for a period of ten (10) years, with options for a further two, five (5) years terms.

16.1 DISPOSAL OF PROPERTY BY WAY OF LEASE – RESERVE 26572 (LOT 434 THOMAS ROAD, KWINANA) BETWEEN THE CITY OF KWINANA AND WASTE STREAM MANAGEMENT PTY LTD

LEGAL/POLICY IMPLICATIONS:

Local Government Act 1995

3.58. *Disposing of property*

(1) *In this section —*

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;
property includes the whole or any part of the interest of a local government in property, but does not include money.

(2) *Except as stated in this section, a local government can only dispose of property to —*

- (a) *the highest bidder at public auction; or*
- (b) *the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*

(3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*

- (a) *it gives local public notice of the proposed disposition —*
 - (i) *describing the property concerned; and*
 - (ii) *giving details of the proposed disposition; and*
 - (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;**and*
- (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

(4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*

- (a) *the names of all other parties concerned; and*
- (b) *the consideration to be received by the local government for the disposition; and*
- (c) *the market value of the disposition —*
 - (i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
 - (ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*

(5) *This section does not apply to —*

- (a) *a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or*
- (b) *a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or*
- (c) *anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or*
- (d) *any other disposition that is excluded by regulations from the application of this section.*

16.1 DISPOSAL OF PROPERTY BY WAY OF LEASE – RESERVE 26572 (LOT 434 THOMAS ROAD, KWINANA) BETWEEN THE CITY OF KWINANA AND WASTE STREAM MANAGEMENT PTY LTD

Section 46(3b) of the Land Administration Act 1997 (LAA)
Care, control and management of reserves

- (3b) The Minister's approval under section 18 is not required for the exercise of a power conferred under subsection (3)(a) unless —
- (a) the person on whom the power is conferred is —
 - (i) a body corporate that is constituted for a public purpose under an enactment and is an agency of the Crown in right of the State; or
 - (ii) a person referred to in subsection (10)(b), and the order provides that the Minister's approval under section 18 is required;
 - or
 - (b) the person on whom the power is conferred is a person other than a person referred to in paragraph (a).

FINANCIAL/BUDGET IMPLICATIONS:

There are financial/budget implications identified as a result of this report. If the City does not approve the lease then the City will not receive the budgeted revenue.

ASSET MANAGEMENT IMPLICATIONS:

There are no asset management implications identified as a result of this report.

ENVIRONMENTAL IMPLICATIONS:

There are no environmental implications identified as a result of this report.

STRATEGIC/SOCIAL IMPLICATIONS:

Plan	Objective	Strategy
Corporate Business Plan	6.3 Maximise the value of the City's property assets	6.3.1 Develop the City's Land Asset Management Plan and acquire, manage and dispose of Council land assets on the basis of the adopted recommendations

RISK IMPLICATIONS:

The risk implications in relation to this proposal are as follows:

Risk Event	That Council does not approve the lease of lot 434 Thomas Road
Risk Theme	Ineffective management of facilities/venues/events
Risk Effect/Impact	Financial

16.1 DISPOSAL OF PROPERTY BY WAY OF LEASE – RESERVE 26572 (LOT 434 THOMAS ROAD, KWINANA) BETWEEN THE CITY OF KWINANA AND WASTE STREAM MANAGEMENT PTY LTD

Risk Assessment Context	Operational
Consequence	Moderate
Likelihood	Almost certain
Rating (before treatment)	High
Risk Treatment in place	Avoid
Response to risk treatment required/in place	This report is in relation to a new lease agreement, and negotiations have achieved a more favourable outcome for the City than originally proposed.
Rating (after treatment)	Low

COUNCIL DECISION

610

MOVED CR B THOMPSON

SECONDED CR D WOOD

That Council:

- 1. Note the City responses to the one submission received during the submission period, as detailed in Attachment B.**
- 2. Authorise the Chief Executive Officer and Mayor to execute the lease agreement, in relation to Reserve 26572 (Lot 434 Thomas Road, Kwinana) between the City of Kwinana and Waste Stream Management Pty Ltd, as detailed in Attachment A.**

**CARRIED
7/0**

Mayor Carol Adams returned to the Council Chambers at 7:29pm and resumed her position as the Chair.

Lease of Reserve 26572, Lot 434 Thomas Road, Kwinana

City of Kwinana

Waste Stream Management Pty Ltd

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Details

Parties

City of Kwinana

of PO Box 21, Kwinana, Western Australia
(Lessor)

Waste Stream Management Pty Ltd (ACN 069 513 346)

of 695 Murray Street, West Perth, Western Australia
(Lessee)

Background

- A The Lessor is vested with care, control and management of the Land pursuant to the Management Order.
- B Under the Management Order, the Lessor has the power to lease the Land for any term not exceeding 21 years, subject to the approval of the Minister for Lands first being obtained.
- C The Lessor has agreed to grant a lease of the Premises on the terms and conditions of this Lease.

Agreed terms

1. Defined terms and interpretation

1.1 Defined terms

In this Lease, unless otherwise required by the context or subject matter -

Alterations means any of the acts referred to in **clauses 12.1(1)(b); 12.1(1)(c), 12.1(1)(d) and 12.1(1)(e);**

Amounts Payable means the Rent and any other money payable by the Lessee under this Lease;

Authorised Person means –

- (a) an agent, employee, licensee or invitee of the Lessor; and
- (b) any person visiting the Premises with the express or implied consent of any person mentioned in paragraph (a);

Commencement Date means the date of commencement of the Term specified in **Item 4** of the Schedule;

Contaminated Sites Act means the *Contaminated Sites Act 2003 (WA)*.

Contamination has the same meaning as the word “contaminated” in the Contaminated Sites Act;

CPI means the Consumer Price Index (All Groups) Perth number published from time to time by the Australian Bureau of Statistics;

DER means the Department of Environment Regulation of Western Australia;

Encumbrance means a mortgage, charge, lien, pledge, easement, restrictive covenant, writ, warrant or caveat and the claim stated in the caveat or anything described as an encumbrance on the Certificate of Title for the Land;

EPA means the Environment Protection Agency of Western Australia;

Further Term means the further term specified in **Item 3** of the Schedule;

Inert Landfill means the Class 1 Inert Landfill permitted under the Licence, being those Wastes that are largely non-biodegradable, non-flammable and not chemically reactive, including Clean Fill, Inert Waste Type 1, Inert Waste Type 2 (Tires and plastic only), Special Waste Type 1 (cement bonded asbestos only), Green Waste and Acid Sulphate Soils as defined in the *Landfill Waste Classification and Waste Definitions 1996* (and as amended from time to time);

Interest Rate means the rate at the time the payment falls due being 2% greater than the Lessor’s general overdraft rate on borrowings from its bankers on amounts not exceeding \$100,000.00;

Land means the land described at **Item 1(a)** of the Schedule;

Landfill means Inert Landfill disposed of on the Land;

Landfill Site means a site used for disposal of solid material (i.e. is spadeable) by burial in the ground that is licensed as a landfill under the *Environmental Protection Act 1986*.

Lease means this deed as supplemented, amended or varied from time to time;

Lessee's Agents includes:

- (a) the sublessees, employees, agents, contractors, invitees and licensees of the Lessee; and
- (b) any person on the Leased Premises by the authority of a person specified in paragraph (a).

Lessee's Covenants means the covenants, agreements and obligations set out or implied in this Lease or imposed by law to be performed and observed by the Lessee;

Lessor's Covenants means the covenants, agreements and obligations set out or implied in this Lease, or imposed by law to be performed and observed by the Lessor;

Licence means Licence L6772/1997 issued by the Department of Environment Regulation pursuant to Part V of the *Environmental Protection Act 1986*, attached as **Annexure 1** of this Lease;

Logbook means the logbook recording the volume of all Landfill deposited on the Premises in cubic meters and tonnage of steel extracted from the Premises;

Minister for Lands means the Minister for Lands in her or his capacity as the body corporate continued under section 7 of the *Land Administration Act 1997*;

Notice means each notice, demand, consent or authority given or made to any person under this Lease;

Order means the vesting order published in the *Government Gazette* under the former *Land Act 1933* (and which now has the status of a Management Order made by the Minister under section 46 of the *Land Administration Act 1997*), or the Management Order made under section 46 of the *Land Administration Act 1997*, under which the Land was vested in the Lessor;

Party means the Lessor or the Lessee according to the context;

Permitted Purpose means the purpose described at **Item 6** of the Schedule;

Pollution is as defined by s. 3A of the *Environmental Protection Act 1986*;

Premises means the premises described in **Item 1(b)** of the Schedule;

Rent means the rent specified in **Item 5** of the Schedule as varied from time to time under this Lease;

Rent Period means each period from the Commencement Date or a Rent Review Date to the next Rent Review Date or Termination;

Rent Review Date means a date identified in **Item 9** of the Schedule;

Schedule means the Schedule to this Lease;

Term means the term of years specified in **Item 2** of the Schedule and any Further Term; and

Termination means expiry by effluxion of time or sooner determination of the Term or any period of holding over;

Waste means the definition as adopted by the Department of Environmental Regulation (Western Australia) including:

- (a) any substance that is discarded, emitted or deposited in the environment in such volume, constituency or manner as to cause an alteration in the environment;
- (b) any discarded, rejected, unwanted, surplus or abandoned substance;
- (c) any otherwise discarded, rejected, unwanted, surplus or abandoned substance intended for sale or for recycling, reprocessing, recovery, or purification by a separate operation from that which produced the substance;
- (d) any substance described in regulations under the Environmental Protection Act 1986 as Waste.

1.2 Interpretation

In this Lease, unless expressed to the contrary -

- (c) words importing -
 - (i) the singular includes the plural and vice versa; and
 - (ii) a gender or genders include each other gender;
- (d) if a word or phrase is assigned a particular meaning, other grammatical forms of that word or phrase have a corresponding meaning;
- (e) a reference to -
 - (i) a natural person includes a body corporate or local government;
 - (ii) a body corporate or local government includes a natural person;
 - (iii) a professional body includes a successor to or substitute for that body;
 - (iv) a Party includes its legal personal representatives, successors and assigns and if a Party comprises two or more persons, the legal personal representatives, successors and assigns of each of those persons;
 - (v) a statute, includes an ordinance, code, regulation, award, town planning scheme, regulation, local law, by-law, requisition, order or other statutory instruments made under any of them and a reference to any of them, whether or not by name, includes any amendments to, re-enactments of or replacements of any of them from time to time in force;
 - (vi) a right includes a benefit, remedy, discretion, authority or power;
 - (vii) an obligation includes a warranty or representation and a reference to a failure to observe or perform an obligation includes a breach of warranty or representation;
 - (viii) this Lease or provisions of this Lease or any other deed, agreement, instrument or contract includes a reference to -
 - (A) both express and implied provisions; and
 - (B) that other deed, agreement, instrument or contract as varied, supplemented, replaced or amended;
 - (ix) writing includes any mode of representing or reproducing words in tangible and permanently visible form and includes facsimile transmissions;

- (x) any thing (including, without limitation, any amount) is a reference to the whole or any part of it and a reference to a group of things or persons is a reference to any one or more of them; and
- (xi) a subparagraph, paragraph, subclause, clause, Item, Schedule or Annexure is a reference to, respectively, a subparagraph, paragraph, subclause, clause, Item, Schedule or Annexure of this Lease;
- (f) the covenants and obligations on the part of the Lessee not to do or omit to do any act or thing include:
 - (i) covenants not to permit that act or thing to be done or omitted to be done by the Lessee's Agents; and
 - (ii) a covenant to take all reasonable steps to ensure that that act or thing is not done or omitted to be done;
- (g) the meaning of general words or phrases is not limited by specific examples introduced by 'including', 'for example' or similar expressions; and
- (h) if a Party comprises two or more persons, the covenants and agreements on their part bind them and must be observed and performed by them jointly and each of them severally, and may be enforced against any one or more of them.

1.3 Headings

Except in the Schedule, headings do not affect the interpretation of this Lease.

2. Condition precedent

This Lease is subject to and conditional on the approval of the Minister for Lands under section 18 of the *Land Administration Act 1997*. The parties acknowledge that a copy of the approval of the Minister for Lands is annexed hereto as **Annexure 3**.

3. Grant of lease

The Lessor, subject to **clause 2** of this Lease, leases to the Lessee the Premises for the Term subject to:

- (a) all Encumbrances;
- (b) the payment of the Amounts Payable; and
- (c) the performance and observance of the Lessee's Covenants.

4. Quiet enjoyment

Except as provided in the Lease, for so long as the Lessor is the management body of the Premises under the Order, and subject to the performance and observance of the Lessee's Covenants the Lessee may quietly hold and enjoy the Premises during the Term without any interruption or disturbance from the Lessor or persons lawfully claiming through or under the Lessor.

5. Rent and other payments

The Lessee covenants with the Lessor:

5.1 Rent

To pay to the Lessor the Rent in the manner set out at **Item 5** of the Schedule on and from the Commencement Date clear of any deductions.

5.2 Royalties

- (1) To pay to the Lessor the royalties calculated at the following rates applicable to waste received at the Premises or received by the Lessee at any transfer station and then brought to the Premises by the Lessee:
 - (a) Royalty per cubic meter (\$/m³) of Landfill received: \$2.76; and
 - (b) Royalty per tonne of steel extracted: 10% of the income received by the Lessee from sale of the steel.
- (2) Any materials accepted by the Lessee that are not listed in (1) may only be received at the Premises with the approval of the Lessor and shall be subject to such royalty as specified by the Lessor.
- (3) To provide the Lessor with a quarterly report specifying for the preceding quarter:
 - (a) the tonnage of steel extracted and sold;
 - (b) the cubic meters of Landfill received;
 - (c) the tonnage of asbestos received;
 - (d) the amount of any other material received at the Premises; and
 - (e) the royalties payable to the Lessor for that quarter.
- (4) The quarterly report referred to in subclause (3) must include a copy of all weighbridge dockets and the Logbook.
- (5) Royalties shall be increased in accordance with CPI on each anniversary of the Commencement Date.

5.3 Outgoings

- (6) To pay to the Lessor or to such person as the Lessor may from time to time direct punctually all the following outgoings or charges, assessed or incurred in respect of the Premises:
 - (a) local government services charges, including but not limited to sewerage and rubbish collection charges and the emergency services levy;
 - (b) water, drainage and sewerage rates, charges for disposal of stormwater, meter rent and excess water charges;
 - (c) telephone, electricity, gas and other power and light charges including but not limited to meter rents and the cost of installation of any meter, wiring or telephone connection;
 - (d) any other consumption or connection charge or cost, statutory impost or other obligation incurred or payable by reason of the Lessee's use and occupation of the Premises.
- (7) If the Premises are not separately charged or assessed the Lessee will pay to the Lessor a proportionate part of any charges or assessments referred to in **clause 5.3(1)** being the proportion that the Premises bears to the total area of the land or premises included in the charge or assessment.

5.4 Interest

Without affecting the rights, power and remedies of the Lessor under this Lease, to pay to the Lessor interest on demand on any Amounts Payable which are unpaid for 7 days computed from the due date for payment until payment is made and any interest payable under this paragraph will be charged at the Interest Rate.

5.5 Costs

(8) To pay to the Lessor on demand :

- (a) all duty, fines and penalties payable under the *Duties Act* 2008 and other statutory duties or taxes payable on or in connection with this Lease; and
- (b) all registration fees in connection with this Lease.

(9) To pay to the Lessor all costs, legal fees, disbursements and payments incurred by or for which the Lessor is liable in connection with or incidental to -

- (a) the Amounts Payable or obtaining or attempting to obtain payment of the Amounts Payable under this Lease;
- (b) any breach of covenant by the Lessee or an Authorised Person;
- (c) the preparation and service of a notice under Section 81 of the *Property Law Act 1969* requiring the Lessee to remedy a breach even though forfeiture for the breach may be avoided in a manner other than by relief granted by a Court;
- (d) any work done at the Lessee's request; and
- (e) any action or proceedings arising out of or incidental to any matters referred to in this **clause 5.5** or any matter arising out of this Lease.

5.6 Payment of Money

Any Amounts Payable to the Lessor under this Lease must be paid to the Lessor at the address of the Lessor referred to in the Lease or as otherwise directed by the Lessor by Notice from time to time.

5.7 Accrual of amounts payable

Amounts Payable accrue on a daily basis.

6. Rent Review

6.1 Rent to be reviewed

The Rent will be reviewed on and from each Rent Review Date to determine the Rent to be paid by the Lessee until the next Rent Review Date.

6.2 Methods of Review

The review will be either based on CPI or a Market Review. The basis for each rent review is as identified for each Rent Review Date in **Item 9** of the Schedule.

6.3 CPI Review

A rent review based on CPI will increase the amount of Rent payable during the immediately preceding period by the percentage of any increase in CPI having regard to the quarterly CPI published immediately prior to the later of the Commencement Date or the last Rent Review Date as the case may be and the quarterly CPI published immediately prior to the relevant Rent Review Date. If there is a decrease in CPI having regard to the relevant CPI publications the Rent payable from the relevant Rent Review Date will be the same as the Rent payable during the immediately preceding period. Should the CPI be discontinued or suspended at any time or its method of computation substantially altered, the parties shall endeavour to agree upon the substitution of the CPI with an equivalent index, or failing agreement by the Parties, the substitution shall be made by a Valuer appointed in accordance with clause 6.4.

6.4 Market Review

- (1) A rent review based on market rent will establish the current market rent for the Premises (which will not be less than the Rent payable in the period immediately preceding the Rent Review Date) by agreement between the Parties and failing agreement, will be determined in accordance with the following provisions.
- (2) If agreement as to the current market rent for the Premises is not reached at least one (1) month prior to the relevant Rent Review Date then the current market rent for the Premises will be determined at the expense of the Lessee by a valuer (Valuer) licensed under the Land Valuers *Licensing Act 1978*, to be appointed, at the request of either Party, by the President for the time being of the Australian Property Institute (Western Australian Division) (or if such body no longer exists, such other body which is then substantially performing the functions performed at the Commencement Date by that Institute).
- (3) The Valuer will act as an expert and not as an arbitrator and his or her decision will be final and binding on the Parties. The Parties will be entitled to make submissions to the Valuer.
- (4) In this clause 6, “*current market rent*” means the rent obtainable for the Premises in a free and open market if the Premises was unoccupied and offered for rental for the use for which the Premises is permitted pursuant to this Lease and on the same terms and conditions contained in this Lease, but will not include:
 - (a) any improvements made or effected to the Premises by the Lessee; and
 - (b) any rent free periods, discounts or other rental concessions.

6.5 Rent will not decrease

Notwithstanding the provisions of this clause 6, the Rent payable from any Rent Review will not be less than the Rent payable in the period immediately preceding such Rent Review Date.

6.6 Lessor’s right to review

The Lessor may institute a rent review notwithstanding the Rent Review Date has passed and the Lessor did not institute a rent review on or prior to that Rent Review Date, and in which case the Rent agreed or determined shall date back to and be payable from the Rent Review Date for which such review is made.

7. Insurance

7.1 Insurance to be effected

The Lessee must effect and maintain with reputable insurers, noting the respective rights and interests of the Lessee and Lessor in the Premises for the time being:

- (a) insurance to cover the Lessee's fixtures, fittings and equipment and machinery against loss or damage by fire, fusion, smoke, lightning, flood, storm, tempest, earthquake, sprinkler leakage, water damage and other usual risks against which a lessee can and does ordinarily insure in their full replacement value, and loss from theft or burglary;
- (b) insurance against all risks as the Lessor may require of all plate glass windows and doors forming part of or within the Premises for a sum which is not less than its full insurable value;
- (c) adequate public liability insurance for a sum not less than the sum set out at **Item 8** of the Schedule in respect of any one claim or such greater amount as the Lessor may from time to time reasonably require.

7.2 Details and receipts

In respect of the insurances required by **clause 7.1** the Lessee must:

- (a) on demand supply to the Lessor details of the insurances and give to the Lessor copies of the certificates of currency in relation to those insurances;
- (b) promptly pay all premiums and produce to the Lessor each policy or certificate of currency and each receipt for premiums or certificate of currency issued by the insurers; and
- (c) notify the Lessor immediately-
 - (i) when an event occurs which gives rise or might give rise to a claim under or which could prejudice a policy of insurance; or
 - (ii) when a policy of insurance is cancelled.

7.3 Not to invalidate

The Lessee must not do or omit to do any act or thing or bring or keep anything on the Premises which might -

- (d) render any insurance effected under **clause 7.1** on the Premises, or any adjoining premises, void or voidable;
- (e) cause the rate of a premium to be increased for the Premises or any adjoining premises (except insofar as an approved development may lead to an increased premium).

7.4 Report

Each Party must report to the other promptly in writing, and in addition verbally in an emergency -

- (f) any damage to the Premises of which they are or might be aware; and
- (g) any circumstances of which they are aware and which are likely to be a danger or cause any damage or danger to the Premises or to any person in or on the Premises.

7.5 Settlement of claim

The Lessee may not without prior written consent of the Lessor, settle or compromise any claims under any policy of insurance required by clauses 7.1. The Lessor agrees to act reasonably when settling or compromising any claim, and to have due consideration to the Lessee's interests.

7.6 Lessor as attorney

The Lessee appoints the Lessor as the Lessee's attorney during the Term -

- (h) in respect to all matters and questions which may arise in relation to any insurances required by clause 7.1;
- (i) with full power to demand, sue for and recover and receive from any insurance company or society or person liable to pay the insurance money as are payable for the risks covered by the insurances required by clause 7.1;
- (j) to give good and effectual receipts and discharges for the insurance; and
- (k) to settle, adjust, arbitrate and compromise all claims and demands and generally to exercise all powers of absolute owner.

7.7 Lessee may be required to pay excess on insurances

The Lessee agrees with the Lessor that it shall be responsible to pay any excess payable in connection with the insurances referred to in clause 7.1.

7.8 Lessee's equipment and possessions

The Lessee acknowledges it is responsible to obtain all relevant insurances to cover any damage and/or theft to its property. The Lessor does not take any responsibility for the loss or damage of the Lessee's property.

8. Indemnity

8.1 Lessee responsibilities

- (1) The Lessee is subject to the same responsibilities relating to persons and property to which the Lessee would be subject if during the Term the Lessee were the owner and occupier of the freehold of the Premises.
- (2) The Lessee is responsible and liable for all acts or omissions of the Lessee's Agents on the Premises and for any breach by them of any covenants or terms in this Lease required to be performed or complied with by the Lessee.

8.2 Indemnity

- (3) The Lessee indemnifies, and shall keep indemnified, the Lessor and the Minister for Lands from and against all actions, claims, costs, proceedings, suits and demands whatsoever which may at any time be incurred or suffered by the Lessor and/or the Minister for Lands, or brought, maintained or made against the Lessor and/or the Minister for Lands, in respect of:

- (a) any loss whatsoever (including loss of use);
- (b) injury or damage of, or to, any kind of property or thing; and
- (c) the death of, or injury suffered by, any person,

caused by, contributed to, or arising out of, or in connection with, whether directly or indirectly:

- (d) the use or occupation of the Premises by the Lessee or the Lessee's Agents;
- (e) any work carried out by or on behalf of the Lessee on the Premises;
- (f) the Lessee's activities, operations or business on, or other use of any kind of, the Premises;

- (g) the presence of any Contamination, Pollution or Environmental Harm in on or under the Premises or adjoining land caused or contributed to by the act, neglect or omission of the Lessee or the Lessee's Agents;
- (h) any default by the Lessee in the due and punctual performance, observance and compliance with any of the Lessee's covenants or obligations under this Lease; or
- (i) an act or omission of the Lessee.

8.3 Obligations Continuing

The obligations of the Lessee under this clause:

- (j) are unaffected by the obligation of the Lessee to take out insurance, and the obligations of the Lessee to indemnify are paramount, however if insurance money is received by the Lessor for any of the obligations set out in this clause then the Lessee's obligations under **clause 8.2** will be reduced by the extent of such payment.
- (k) continue after the expiration or earlier determination of this Lease in respect of any act, deed, matter or thing occurring or arising as a result of an event which occurs before the expiration or earlier determination of this Lease.

8.4 No indemnity for Lessor's negligence

The parties agree that nothing in this clause shall require the Lessee to indemnify the Lessor, its officers, servants, or agents against any loss, damage, expense, action or claim arising out of a negligent or wrongful act or omission of the Lessor, or its servants, agents, contractors or invitees.

8.5 Release

(4) The Lessee:

- (a) agrees to occupy and use the Premises at the risk of the Lessee; and
- (b) releases to the full extent permitted by law, the Lessor from:
 - (i) any liability which may arise in respect of any accident or damage to property, the death of any person, injury to any person, or illness suffered by any person, occurring on the Premises or arising from the Lessee's use or occupation of the Premises;
 - (ii) loss of or damage to the Premises or personal property of the Lessee; and
 - (iii) all claims, actions, loss, damage, liability, costs and expenses arising from or connected with (directly or indirectly) the presence of any Contamination, Pollution or Environmental Harm in, on or under the Premises or surrounding area,

except to the extent that such loss or damage arises out of a negligent or wrongful act or omission of the Lessor, or its servants, agents, contractors or invitees.

(5) The Lessee further releases the Lessor to the full extent permitted by law from any liability which may arise from the malfunction, failure or interruption to any water, gas or electricity service to the Land or the blockage of any sewers water drains gutters downpipes or storm water drains whatsoever on the Land.

- (6) The release by the Lessee continues after the expiration or earlier determination of this Lease in respect of any act, deed, matter or thing occurring or arising as a result of an event which occurs before the expiration or earlier determination of this Lease.

9. Limit of Lessor's liability

9.1 No liability for loss on Premises

The Lessor will not be liable for loss, damage or injury to any person or property in or about the Premises however occurring, except to the extent that such loss or damage arises out of a negligent or wrongful act or omission of the Lessor, or its servants, agents, contractors or invitees.

9.2 Limit on liability for breach of Lessor's covenants

- (1) The Lessor is only liable for breaches of the Lessor's Covenants set out in this Lease which occur while the Lessor is the management body of the Premises under the Order.
- (2) The Lessor will not be liable for any failure to perform and observe any of the Lessor's Covenants due to any cause beyond the Lessor's control.

10. Contamination and Pollution

- (1) The Lessee acknowledges and agrees:
- (a) it is responsible for all and any Contamination or Pollution caused as a result of the Lessee's use and occupation of the Premises, including prior to commencement of this Lease;
 - (b) if at any time during the Term the Lessee knows or suspects of any Contamination or Pollution on, in or under the Land or the Premises, then the Lessee must immediately inform the DER, the EPA and the Lessor of the Contamination;
 - (c) it must take all reasonable steps to prevent Pollution or Contamination:
 - (i) occurring on, in or under the Premises; and
 - (ii) entering neighbouring premises from the Premises; and
 - (d) if any Contamination or Pollution occurs which is attributable to the Lessee's use of the Premises, it must immediately and to the Lessor's satisfaction remediate such Contamination or Pollution. If the Lessee fails to remediate the Contamination or Pollution in accordance with this clause, then the Lessor is permitted to, at the Lessee's cost remediate the Premises or adjoining land. Any reasonable expense that the Lessor incurs in remediating the Contamination or Pollution will be owed by the Lessee to the Lessor as a debt payable on demand.
- (2) The Lessee shall comply with any order, requisition, notice or direction issued by the Environmental Protection Authority or any other authority in respect of remediation or other work required on the Premises or adjoining land as a result of leachate arising from the Lessee's use or occupation of the Premises, including prior to the commencement of this Lease.

11. Rehabilitation

The Lessee shall undertake at its own cost all rehabilitation of the Premises required by:

- (a) any government agency or statutory body acting under lawful authority; or
- (b) the terms of any approvals authorising landfill activities to be conducted on the Premises.

12. Alterations

12.1 Restriction

- (1) The Lessee must not without prior written consent:
 - (i) from the Lessor;
 - (ii) from any other person from whom consent is required under this Lease; and
 - (iii) required under statute in force from time to time, including but not limited to the planning approval of the Lessee under a town planning scheme of the Lessee;
- (b) install any new signage;
- (c) make or allow to be made any alteration, addition or improvements to or demolish any part of the Premises;
- (d) remove alter or add to any fixtures, fittings or facilities in or on the Premises; or
- (e) unless authorised by a provision of this Lease, remove any flora or fauna, alter or cut down any flora, or sell, remove or otherwise dispose of any flora, sand, gravel, timber or other materials from the Premises, other than as provided under this Lease.

12.2 Consent

- (2) If the Lessor and any other person whose consent is required under this Lease or at law consents to any matter referred to in **clause 12.1** the Lessor may:
 - (a) consent subject to conditions;
 - (b) require that work be carried out in accordance with plans and specifications approved by the Lessor or any other person giving consent; and
 - (c) require that any alteration be carried out to the satisfaction of the Lessor under the supervision of an engineer or other consultant.
- (2) If the Lessor consents to any matter referred to in **clause 12.1** -
 - (a) the Lessor gives no warranty that the Lessor will issue any consents, approvals, authorities, permits or policies under any statute for such matters; and
 - (b) the Lessee must apply for and obtain all such consent approvals, authorities, permits or policies as are required at law before undertaking any alterations, additions, improvements or demolitions.

12.3 Cost of Works

All works undertaken under this **clause 12** will be carried out at the Lessee's expense, unless otherwise agreed by the Lessor in writing.

12.4 Conditions

If any of the consents given by the Lessor or other persons whose consent is required under this Lease or at law require other works to be done by the Lessee as a condition of giving consent, then the Lessee must at the option of the Lessor either:

- (c) carry out those other works at the Lessee's expense; or

- (d) permit the Lessor to carry out those other works at the Lessee's expense,
in accordance with the Lessor's requirements.

13. Use

13.1 Restrictions on use

(1) Generally

The Lessee must not and must not suffer or permit a person to:

- (a) use the Premises or any part of it for any purpose other than for the Permitted Purpose; or
- (b) use the Premises for any purpose which is not permitted under any local planning scheme or any law relating to health.

(2) Landfill Business

The Lessee must:

- (a) carry on the business of a Landfill Site operator on the Premises; and
- (b) keep the Landfill Site business on the Premises open for trade and business at normal business hours in accordance with similar businesses.

The Lessee may recycle all material brought on site and sell or export the finished product to customers.

(3) No offensive or illegal acts

The Lessee must not and must not suffer or permit a person to do or carry out on the Premises any harmful, offensive or illegal act, matter or thing.

(3) No nuisance

The Lessee must not and must not suffer or permit a person to do or carry out on the Premises anything which causes a nuisance, damage or disturbance to the Lessor or to owners or occupiers of adjoining properties;

(4) No dangerous substances

The Lessee must not and must not suffer or permit to store any dangerous compound or substance on or in the Premises, otherwise than in accordance with the following provisions -

- (a) any such storage must comply with all relevant statutory provisions;
- (a) all applications for the approval or renewal of any licence necessary for such storage must be first referred to the Lessor;
- (b) the Lessor may within its absolute discretion refuse to allow the storage of any particular dangerous compound or substance on the Premises; and
- (c) upon the request of the Lessor, the Lessee will provide a list of all dangerous compounds or substances stored on the Premises.

(5) No signs

The Lessee must not and must not suffer or permit a person to display from or affix any signs, notices or advertisements on the Premises without the prior written consent of the Lessor.

13.2 No Warranty

The Lessor gives no warranty:

- (d) as to the suitability of the Premises for the Permitted Purpose and the Lessee accepts the Premises and the Land in its present condition relying upon its own enquiries and investigations; or
- (e) that the Lessor will issue any consents, approvals, authorities, permits or licences required by the Lessee under any statute for its use of the Premises.

13.3 Premises Subject to Restriction

The Lessee accepts the Premises for the Term subject to any existing prohibition or restriction on the use of the Premises.

13.4 Indemnity for Costs

The Lessee indemnifies the Lessor against any claims or demands for all costs, on a solicitor client basis, incurred by the Lessor by reason of any claim in relation to any matters set out in this **clause 13**.

14. Lessor's right of entry

14.1 Entry on Reasonable Notice

The Lessee must permit entry by the Lessor or any person authorised by the Lessor onto the Premises without notice in the case of an emergency, and otherwise upon reasonable notice -

- (a)
 - (i) at all reasonable times;
 - (ii) with or without workmen and others; and
 - (iii) with or without plant, equipment, machinery and materials;
- (b) for each of the following purposes:
 - (i) to inspect the state of repair of the Premises and to ensure compliance with the terms of this Lease;
 - (ii) to carry out any survey or works which the Lessor considers necessary, however the Lessor will not be liable to the Lessee for any compensation for such survey or works provided they are carried out in a manner which causes as little inconvenience as is reasonably possible to the Lessee;
 - (iii) to comply with the Lessor's Covenants or to comply with any notice or order of any authority in respect of the Premises for which the Lessor is liable;
 - (iv) to maintain the Lessor's equipment on the Premises, including monitoring bores;
 - (v) to take samples from the monitoring bores;
 - (vi) to check records maintained by the Lessee of materials being disposed of on the Premises; and

- (vii) to do all matters or things to rectify any breach by the Lessee of any term of this Lease but the Lessor is under no obligation to rectify any breach and any rectification under this **clause 14.1(b)(vii)** is without prejudice to the Lessor's other rights, remedies or powers under this Lease.

14.2 Costs of Rectifying Breach

All costs and expenses incurred by the Lessor as a result of any breach referred to in **clause 14.1(b)(vii)** together with any interest payable on such sums will be a debt due to the Lessor and payable to the Lessor by the Lessee on demand.

15. Statutory obligations and notices

15.1 Comply with Statutes

The Lessee must:

- (a) comply promptly with all statutes and local laws from time to time in force relating to the Lessee's use or occupation of the Premises;
- (b) apply for, obtain and maintain in force all consents, approvals, authorities, licences and permits required under any statute for the Permitted Purpose; and
- (c) comply promptly with all orders, notices, requisitions or directions of any competent authority relating to the Premises or the business the Lessee carries on at the Premises.

15.2 Indemnity if Lessee Fails to Comply

The Lessee indemnifies the Lessor against -

- (d) failing to perform, discharge or execute any of the items referred to in **clause 15.1**; and
- (e) any claims, demands, costs or other payments of or incidental to any of the items referred to in **clause 15.1**.

16. Report to Lessor

- (1) The Lessee must immediately report to the Lessor -

- (a) any act of vandalism or any incident which occurs on or near the Premises which involves or is likely to involve a breach of the peace or become the subject of a report or complaint to the police and of which the Lessee is aware or should be aware;
- (b) any occurrence or circumstances in or near the Premises of which it becomes aware, which might reasonably be expected to cause, in or on the Premises, pollution of the environment; and
- (c) all notices, orders and summonses received by the Lessee and which affect the Premises and immediately deliver them to the Lessor.

- (2) The Lessee must provide the Lessor with a copy of all reports and the findings of any monitoring undertaken in respect of the Land, including all reports from the Department of Environment Regulation or any other governmental or departmental body.

17. Default

17.1 Events of Default

A default occurs if -

- (a) any Amounts Payable remain unpaid for 14 days after a Notice has been given to the Lessee that an amount is outstanding;
- (b) the Lessee is in breach of any of the Lessee's Covenants for 28 days after a Notice has been given to the Lessee to rectify the breach or to pay compensation in money;
- (c) a mortgagee takes possession of the property of the Lessee under this Lease;
- (d) any execution or similar process is made against the Premises on the Lessee's property;
- (e) the Premises are vacated the Premises are vacated, or otherwise not used, in the Lessor's reasonable opinion, for the permitted purpose for six month period; or
- (f) a person other than the Lessee or a permitted sublessee or assignee is in occupation or possession of the Premises or in receipt of a rent and profits.

17.2 Forfeiture

On the occurrence of any of the events of default specified in **clause 17.1** the Lessor may -

- (g) without notice or demand at any time enter the Premises and on re-entry the Term will immediately determine;
- (h) by notice to the Lessee determine this Lease and from the date of giving such notice this Lease will be absolutely determined; and
- (i) by notice to the Lessee elect to convert the unexpired portion of the Term into a tenancy from month to month when this Lease will be determined as from the giving of the notice and until the tenancy is determined the Lessee will hold the Premises from the Lessor as a tenant from month to month under **clause 18**,

but without affecting the right of action or other remedy which the Lessor has in respect of any other breach by the Lessee of the Lessee's Covenants or releasing the Lessee from liability in respect of the Lessee's Covenants.

17.3 Lessor may remedy breach

If the Lessee -

- (j) fails or neglects to pay the Amounts Payable by the Lessee under this Lease; or
- (k) does or fails to do anything which constitutes a breach of the Lessee's Covenants,

then, after the Lessor has given to the Lessee notice of the breach and the Lessee has failed to rectify the breach within a reasonable time, the Lessor may without affecting any right, remedy or power arising from that default pay the money due or do or cease the doing of the breach as if it were the Lessee and the Lessee must pay to the Lessor on demand the Lessor's cost and expenses of remedying each breach or default.

17.4 Acceptance of Amount Payable By Lessor

Demand for or acceptance of the Amounts Payable by the Lessor after an event of default has occurred will not affect the exercise by the Lessor of the rights and powers conferred on the Lessor by the terms of the Lease or at law and will not operate as an election by the Lessor to exercise or not to exercise any right or power.

17.5 Essential Terms

Each of the Lessee's Covenants in **clauses 5** (Rent and Other Payments), **7** (Insurance), **8** (Indemnity), **13** (Use), **20** (No Assignment, Subletting and Charging) and **31** (Goods and Services Tax), is an essential term of this Lease but this clause **17.5** does not mean or imply that there are no other essential terms in this Lease.

17.6 Breach of Essential Terms

If the Lessee breaches an essential term of this Lease then, in addition to any other remedy or entitlement of the Lessor -

- (l) the Lessee must compensate the Lessor for the loss or damage suffered by reason of the breach of that essential term;
- (m) the Lessor will be entitled to recover damages against the Lessee in respect of the breach of an essential term; and
- (n) the Lessee covenants with the Lessor that if the Term is determined -
 - (i) for breach of an essential term or the acceptance by the Lessor of a repudiation of this Lease by the Lessee; or
 - (ii) following the failure by the Lessee to comply with any notice given to the Lessee to remedy any default,

the Lessee must pay to the Lessor on demand the total of the Amounts Payable under this Lease which would have been payable by the Lessee for the unexpired balance of the Term as if the Term had expired by effluxion of time together with the losses incurred or reasonably expected to be incurred by the Lessor as a result of the early determination including but not limited to the costs of re-letting or attempting to re-let the Premises;

- (o) the Lessee agrees that the covenant set out in this **clause 17.6(c)** will survive termination or any deemed surrender at law of the estate granted by this Lease;
- (p) the Lessee may deduct from the amounts referred to in **clause 17.6(c)** the Rent and other money which the Lessor reasonably expects to obtain by re-letting the Premises between the date of Termination and the date on which the Term would have expired by effluxion of time; and
- (q) the Lessor must take reasonable steps to mitigate its losses and endeavour to re-let the Premises at a reasonable rent and on reasonable terms but the Lessor is not required to offer or accept rent or terms which are the same or similar to the rent or terms contained or implied in this Lease.

18. Holding over

If the Lessee remains in possession of the Premises after the expiry of the Term with the consent of the Lessor, the Lessee will be a monthly tenant of the Lessor at a rent equivalent to one twelfth of the Rent for the period immediately preceding expiry of the Term and otherwise on the same terms

and conditions of this Lease provided that all consents required under this Lease or at law have been obtained to the Lessee being in possession of the Premises as a monthly tenant.

19. Damage or Destruction of Premises

19.1 Abatement of Rent

If the Premises are at any time during the Term, without neglect or default of the Lessee, destroyed or damaged so as to render the same unfit for the occupation and use of the Lessee, then the Rent or a proportionate part thereof (according to the nature and extent of the damage) shall abate until the Premises have been rebuilt or made fit for the occupation and use of the Lessee.

19.2 Total Damage or Destruction

If the Premises are at any time during the Term, without neglect or default of the Lessee, damaged or destroyed, to an extent as to be wholly unfit for the occupation and use of the Lessee then either Party may by Notice in writing to the other party given within sixty (60) days after the event elect to cancel and terminate this Lease. The Term will terminate upon such Notice being given and the Lessee must vacate the Premises and surrender the same to the Lessor, but such termination will be without prejudice to the Lessor's rights in respect of any antecedent breach of this Lease and the Lessee shall remain liable under the provisions of this Lease up until the date of termination.

20. Option to Renew

20.1 Exercise of option

(1) If the Lessee at least one month, but not earlier than 6 months, prior to the date for commencement of a Further Term gives the Lessor a Notice to grant a Further Term as specified in **Item 3** of the Schedule (if any) and:

- (a) all consents and approvals required by the terms of this Lease or at law have been obtained; and
- (b) there is no subsisting default by the Lessee at the date of service of the Notice in:
 - (i) the payment of Amounts Payable; or
 - (ii) the performance or observance of the Lessee's Obligations,

then the Lessor shall grant to the Lessee a lease for the Further Term the subject of the Notice as specified in **Item 3** of the Schedule at the Rent and on the terms and conditions of this Lease other than this **clause 20** in respect of any Further Term previously taken or the subject of the present exercise.

21. Obligations Upon Termination

21.1 Remove all improvements, structures and property

In the event this Lease is terminated or otherwise determined the Lessee must at its cost and to the Lessor's satisfaction:

- (a) remove any improvements, fixtures and fittings constructed or located on the Premises by the Lessee, unless otherwise agreed by the Lessor in writing;
- (b) following the removal of any improvements, fixtures and fittings in accordance with paragraph (a) restore the Premises the same or substantially the same condition as it was

immediately prior to the erection or construction of such any improvements, fixtures and fittings;

- (c) rehabilitate the Premises in accordance with cl. 11, if the Lessee has not previously done so; and
- (d) remove any contaminated soil from the Premises and remediate any Contamination or Pollution to the satisfaction of the Lessor.

21.2 Failure to remove or restore

- (1) If the Lessee fails to comply with **clause 21.1** within 60 days following termination or determination of the Lease, the Lessor may at its option:
 - (a) remove any improvements, fixtures and fittings;
 - (b) rehabilitate and restore the Premises; and
 - (c) remove any contaminated soil and remediate any Contamination or Pollution.
- (2) Where the Lessor carries out any works pursuant to subclause (1), the Lessor may recover the cost of such works from the Lessee as a liquidated debt payable on demand.

21.3 Obligations to Survive Termination

The Lessee's obligation under this **clause 21** will survive termination.

22. No assignment, sub-letting and charging

22.1 No assignment or sub-letting

The rights in this Lease are personal to the Lessee, and Lessee may not transfer, assign, sublet, assign or otherwise part with possession or any way dispose of any of its rights or obligations under this Lease without the written consent of the Lessor and the Minister for Lands, which consent may be withheld for any reason whatsoever in the absolute discretion of the Lessor or the Minister for Lands.

22.2 Property Law Act 1969

Sections 80 and 82 of the Property Law Act 1969 are excluded.

22.3 No mortgage or charge

The Lessee must not mortgage nor charge the Premises or the leasehold interest in the Premises.

23. Acts by agents

23.1 Agents for Lessor

All acts and things which the Lessor is required to do under this Lease may be done by the Lessor, the Chief Executive Officer of the Lessor, an officer or the agent, solicitor, contractor or employee of the Lessor.

23.2 Agents for Lessee

All acts and things which the Lessee is required to do under this Lease may be done by the Lessor, the Chief Executive Officer of the Lessee, an officer or the agent, solicitor, contractor or employee of the Lessee.

24. Statutory powers

The powers conferred on the Lessor by or under any statutes for the time being in force are, except to the extent that they are inconsistent with the terms and provisions expressed in this Lease, in addition to the powers conferred on the Lessor in this Lease.

25. Notice

25.1 Form of delivery

A Notice to a Party must be in writing and may be given or made -

- (a) by delivery to the Party personally; or
- (b) by addressing it to the Party and leaving it at or posting it by registered post to the address of the Party appearing in this Lease or any other address nominated by a Party by Notice to the other.

25.2 Service of notice

A Notice to a Party is deemed to be given or made -

- (c) if by personal delivery, when delivered;
- (d) if by leaving the Notice at an address specified in **clause 25.1(b)**, at the time of leaving the Notice, provided the Notice is left during normal business hours; and
- (e) if by post to an address specified in **clause 25.1(b)**, on the second business day following the date of posting of the Notice.

25.3 Signing of notice

A Notice to a Party may be signed -

- (f) if given by an individual, by the person giving the Notice;
- (g) if given by a corporation, by a director, secretary or manager of that corporation;
- (h) if given by a local government, by the CEO;
- (i) if given by an association incorporated under the *Associations Incorporation Act 1987*, by any person authorised to do so by the board or committee of management of the association;
or
- (j) by a solicitor or other agent of the individual, corporation, local government or association giving the Notice.

26. Severance

If any part of this Lease is or becomes void or unenforceable, that part is or will be severed from this Lease to the intent that all parts that are not or do not become void or unenforceable remain in full force and effect and are unaffected by that severance.

27. Disputes

27.1 Appointment of arbitrator

Except as otherwise provided or agreed by the parties, any dispute arising out of this Lease is to be determined by a single arbitrator under the provisions of the *Commercial Arbitration Act 1985* and the Lessor and the Lessee may each be represented by a legal practitioner.

27.2 Payment of amounts payable to date of award

The Lessee must pay the Amounts Payable without deduction to the date of the award of the Arbitrator or the date of an agreement between the Parties whichever event is the earlier, and if any money paid by the Lessee is not required to be paid within the terms of the award of the Arbitrator or by agreement between the Lessor and the Lessee then the Lessor will refund to the Lessee the monies paid.

28. Variation

This Lease may be varied only by deed executed by the parties subject to such consents as are required by this Lease or at law.

29. Moratorium

The provisions of a statute which would but for this clause extend or postpone the date of payment of money, reduce the rate of interest or abrogate, nullify, postpone or otherwise affect the terms of this Lease do not, to the fullest extent permitted by law, apply to limit the terms of this Lease.

30. Further assurance

The Parties must execute and do all acts and things necessary or desirable to implement and give full effect to the terms of this Lease.

31. Waiver

31.1 No general waiver

Failure to exercise or delay in exercising any right, power or privilege in this Lease by a Party does not operate as a waiver of that right, power or privilege.

31.2 Partial exercise of right power or privilege

A single or partial exercise of any right, power or privilege does not preclude any other or further exercise of that right, power or privilege or the exercise of any other right, power or privilege.

32. Goods and services tax

32.1 Definitions

The following definitions apply for the purpose of this clause -

- (a) **Act** means the Commonwealth's *A New Tax System (Goods and Services Tax) Act 1999* and associated Acts and subsidiary legislation;

- (b) **Consideration** means the Amounts Payable or any other money payable to the Lessor under this Lease, but does not include the amount of the GST which may apply to the Amounts Payable or other money payable under the Act;
- (c) **GST** means a tax under the Act levied on a Supply including but not limited to the Amounts Payable or other money payable to the Lessor for goods or services or property or any other thing under this Lease; and
- (d) **Supply** means a good or service or any other thing supplied by the Lessor under this Lease and includes but is not limited to a grant of a right to possession of the Premises.

32.2 Lessee to pay GST

- (2) The Consideration will be increased by the amount of the GST, if any, which the Lessor is required under the Act to pay on any Supply made under this Lease.
- (3) The Lessee must pay any increase referred to in **clause 32.2(1)** whether it is the Lessee or any other person who takes the benefit of any Supply.
- (4) The Lessee must pay the amount of the GST to the Lessor at the same time and in the same manner as the Lessee is required to pay the Consideration under this Lease.

32.3 Consideration in kind

If consideration in kind is accepted by the Lessor for any Supply made under this Lease, the GST amount payable to the Lessor under **clause 32.2(2)** in respect of the consideration in kind will be calculated by using the prevailing market value of the consideration in kind as determined by the Lessor.

32.4 No contribution from Lessor

If the Lessee is required under this Lease to make any payment of money or give other consideration to a third party for outgoings, goods, services and benefits of any kind, the Lessee is not entitled to any contribution from the Lessor for any GST payable by it to any person.

32.5 Statement of GST paid is conclusive

A written statement given to the Lessee by the Lessor of the amount of the GST that the Lessor pays or is liable to pay or account for is conclusive as between the Parties except in the case of an obvious error.

32.6 Tax invoices

For each payment by the Lessee under this clause the Lessor agrees to promptly deliver to the Lessee, as required under the Act, tax invoices and adjustment notes in a form which complies with the Act, so as to enable the Lessee to claim input tax credits or decreasing adjustments for Supplies.

32.7 Reciprocity

If the Lessee furnishes any Supplies to the Lessor under this Lease, then the requirements set out in this clause with respect to the Lessee will apply to the Lessor with the necessary changes.

33. Caveats

33.1 No absolute caveat

The Lessee shall not, without the prior written consent of the Lessor, lodge any absolute caveat at Landgate against the Certificate of Title for the Land, to protect the interests of the Lessee under this Lease.

33.2 Subject to claim caveat

Nothing in this clause prevents the Lessee from lodging a caveat expressed to be subject to claim to protect the Lessee's interest under this Lease. Any caveat lodged by the Lessee in accordance with this subclause must be withdrawn by the Lessee upon the expiration or earlier determination of this Lease.

34. Additional terms, covenants and conditions

Each of the terms, covenants and conditions (if any) specified in **Item 7** of the Schedule are part of this Lease and are binding on the Lessor and the Lessee as if incorporated into the body of this Lease.

35. Governing law

This Lease is governed by and is to be interpreted in accordance with the laws of Western Australia and, where applicable, the laws of the Commonwealth of Australia.

Schedule

Item 1 Land and Premises

(a) Land

Lot 434 on Deposited Plan 220492 being the whole of the land comprised in Crown Land Title Volume LR3114 Folio 992.

(b) Premises

The whole of the Land together with all building, structures, alterations, additions and improvements on the Land erected on the Land during the Term.

Item 2 Term

A term of ten (10) years commencing on 1 September 2017 and expiring on 31 August 2027

Item 3 Further Terms

First Further Term

Five (5) years commencing on 1 September 2027 and expiring on 31 August 2032

Second Further Term

Five (5) years commencing on 1 September 2032 and expiring on 31 August 2037

Item 4 Commencement Date

1 September 2017

Item 5 Rent

Two hundred thousand dollars (\$200,000) per annum plus GST, payable by equal monthly instalments in advance with the first payment due on the Commencement Date.

Item 6 Permitted Purpose

Landfill and recycling purposes and uses reasonably ancillary thereto.

Item 7 Additional terms and covenants

1. Early Possession of Premises

The parties acknowledge that the Lessee has been in possession of the Premises since 1 May 2006. The Lessee has been, and shall continue to be fully responsible, for the Premises until the Commencement Date of this Lease and thereafter in accordance with the provisions of this Lease. The Lessee shall pay the Lessor the monthly rent of \$8,330.58 plus GST from 1 December 2015 until the Commencement Date of this Lease.

2. Landfill Charges

The Lessee agrees to accept without charge the following waste from the Lessor:

- (a) building rubble;
- (b) road base;
- (c) concrete;
- (d) bricks; and
- (e) bitumen waste,

provided that the Lessor pays any applicable State Government landfill levies incurred by the Lessee in respect of such waste.

3. Sand

The Lessee shall make available at no cost 6000m³ of sand to be taken from the Premises by the Lessor, upon the Lessor providing the Lessee with 7 days written notice that sand is required.

4. Dust Management

The Lessee must ensure that any dust produced from the activities and operations on the Land is managed to the satisfaction of the Lessor. Dust management measures shall include but not be limited to the use of an appropriate water cart and sprinkler system, installation of a secure fence clad with dust proof material and any other dust management measures required or directed by the Lessor, acting reasonably.

5. Water Sampling

- (1) The Lessee permits the Lessor to enter onto the Land to undertake water sampling, monitoring and maintenance of the monitoring bores and equipment.
- (2) The Lessor shall provide the Lessee with the results of any water sampling undertaken on the Land.
- (3) All costs associated with monitoring and audit will be borne by the Lessee.

6. Damage

The Lessee must not permit any act or thing which may cause loss or damage to any sewerage connections, drains and fittings.

7. Recycling

The Lessee may recycle all material brought on site and sell or export the finished product to customers.

8. Monitoring

The Lessee must ensure that the Department of Environment Regulation undertakes an annual monitoring report on the Land and shall as soon as practicable send a copy of the annual monitoring report to the Lessor.

9. Lessee's Duties

- (1) The Lessee must report to the City the volume and tonnage of all waste categories, including asbestos, it has received at the Premises each year.
- (2) The Lessee shall maintain Ratcliffe Road, as depicted on the plan annexed as Annexure 2, in a state of good repair including but not limited to:
 - (a) Road sweeping
 - (b) Maintenance of shoulders and pavement
 - (c) Maintenance of drains
 - (d) Maintenance of crossover of Thomas Road
 - (e) Removal of rubbish and debris
 - (f) Removal of any illegal dumping

Item 8 Public liability insurance

Twenty million dollars (\$20,000,000.00).

Item 9 Rent Review Dates

CPI Rent Review

Each anniversary of the Commencement Date specified in **Item 4** of the Schedule other than the 6th, 13th and 20th anniversary of that commencement date (including any Further Term and any period of holding over, if applicable).

Market Rent Review

The 6th, 13th and 20th anniversary of the Commencement Date specified in **Item 4** of the Schedule.

Signing page

EXECUTED on the

day of

2017

Executed by **WASTE STREAM
MANAGEMENT PTY LTD (ACN 069 513
346)** in accordance with section 127 of
the Corporations Act:

Signature of Director

Signature of Director/Company Secretary

Name of Director (print)

Name of Director/Company Secretary (print)

The **COMMON SEAL** of the **CITY OF**)
KWINANA was hereunto affixed in)
the presence of:)

CHIEF EXECUTIVE OFFICER

(PRINT FULL NAME)

MAYOR

(PRINT FULL NAME)

Annexure 1 – Department of Environment Regulation Licence No. L6772/1997/13



Government of Western Australia
Department of Environment Regulation

Licence

Environmental Protection Act 1986, Part V

Licensee: Waste Stream Management Pty Ltd

Licence: L6772/1997/13

Registered office: 22 Railway Parade
Subiaco WA 6008

ACN: 069 513 346

Premises address: Waste Stream Management
Ratcliffe Road
Kwinana Beach
WA 6167
Being Lot 304 on Diagram 72808 and Lot 434 on Plan 220492 as depicted in Schedule 1.

Issue date: Thursday 23 July 2015

Commencement date: Saturday 25 July 2015

Expiry date: Sunday, 24 July 2016

Prescribed premises category

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved Premises production or design capacity
13	Crushing of building material: premises on which waste building or demolition material (for example, bricks, stones or concrete) is crushed or cleaned	1000 tonnes or more per year	90,000 tonnes per annual period
61A	Solid waste facility: premises (other than premises within category 67A) on which solid waste produced on other premises is stored, reprocessed, treated, or discharged onto land	1000 tonnes or more per year	100,000 tonnes per annual period
62	Solid waste depot: premises on which waste is stored, or sorted, pending final disposal or re-use	500 tonnes or more per year	90,000 tonnes per annual period
63	Class I inert landfill site: premises on which waste (as determined by reference to the waste types set out in the document entitled "Landfill Waste Classification and Waste Definitions 1996" published by the CEO and as amended from time to time) is accepted for burial.	500 tonnes or more per year	500,000 tonnes per annual period



70	Screening etc, of material: premises on which material extracted from the ground is screened, washed, crushed, ground, milled, sized or separated.	More than 5000 but less than 50 000 tonnes per year	50,000 tonnes per annual period
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Conditions

This Licence is subject to the conditions set out in the attached pages.

.....
Ruth Dowd

Officer delegated under section 20
of the *Environmental Protection Act 1986*



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Introduction

This Introduction is not part of the Licence conditions.

DER's industry licensing role

The Department of Environment Regulation (DER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER regulates to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitors and audits compliance with works approvals and licence conditions, takes enforcement action as appropriate and develops and implements licensing and industry regulation policy.

Licence requirements

This Licence is issued under Part V of the Act. Conditions contained within the Licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link:

<http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- *Environmental Protection (Unauthorised Discharges) Regulations 2004* – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- *Environmental Protection (Controlled Waste) Regulations 2004* - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.
- *Environmental Protection (Noise) Regulations 1997* – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.

You must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.

Licence holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.



Licence fees

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises.

Ministerial conditions

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for Environment. You are required to comply with any conditions imposed by the Minister.

Premises description and Licence summary

The company has operated at the Waste Stream Management (WSM) premises in Kwinana since 1997, and leases the premises from the Town of Kwinana. The premise is approximately 29ha in size and located ~ 1.9km from the town site of Kwinana. Landfilling activities ceased on Lot 304 in 2008 and it is currently being rehabilitated with native vegetation, although it still comprises of licensed activities related to the solid waste depot and crushing of building material. Class I Landfill activities are now restricted to Lot 434.

The premise is bordered to the north by rural and recreational land, to the east by parks and recreation bushland areas, to the south by Thomas Road, and to the west by Rockingham Road. The Kwinana Industrial Area is located ~ 500m to the west of the premises on the other side of Rockingham Road. An urban residential area (Medina) is located south east of the premises, with the closest residence being approximately 1.9 km south of the WSM site.

Lots 304 and 434 are located within the Swan Coastal Plain within the Spearwood Dune System on associated sands and limestone. The closest Environmentally Sensitive Area (ESA) to the WSM premises is Bush Forever Site 349, known as 'Leda and Adjacent Bushland, Leda located south of the premises on the opposite side of Thomas Rd. The nearest mapped wetland is the Mounsey Road Resource Enhancement Wetland (REW), located ~ 820m south of the premises. The prescribed activities are not considered likely to impact on nearby ESA due to the activities on site; distance to nearby ESA and groundwater flow is in a south-westerly direction.

The main activities on site include screening of limestone, crushing of building material, shredding of green waste and disposal of asbestos and inert waste landfilling. The main potential emissions from the site are fugitive emissions in the form of dust. The site implements a number of dust management measures such as the use of a purpose built water cart and fixed sprinklers on roadways and batters.

This Licence is the successor to licence L6772/1997/12 and includes changes which reflects revised licence template and DER Director General's instructions.

The licences issued for the Premises are:

Instrument log		
Instrument	Issued	Description
L6772/1997/4	16/07/2000	Licence re-issue
L6772/1997/5	27/07/2001	Licence re-issue
L6772/1997/6	31/07/2002	Licence re-issue
L6772/1997/7	21/07/2003	Licence re-issue
L6772/1997/8	17/08/2004	Licence re-issue
L6772/1997/9	22/7/2006	Licence re-issue
L6772/1997/10	19/07/2007	Licence re-issue
L6772/1997/11	16/07/2009	Licence re-issue
L6772/1997/12	21/05/2015	Licence amendment to authorise the construction of an ASS treatment facility.
L6772/1997/13	23/07/2015	Licence reissue



Severance

It is the intent of these Licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this Licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this Licence to impose and are not otherwise *ultra vires* or invalid.

END OF INTRODUCTION



Licence conditions

1 General

1.1 Interpretation

1.1.1 In the Licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 For the purposes of this Licence, unless the contrary intention appears:

“**Act**” means the *Environmental Protection Act 1986*;

“**ACM**” means asbestos containing material and has the meaning defined in the Guidelines for Assessment, Remediation and Management of Asbestos Contaminated Sites Western Australia, (DOH 2009);

“**AHD**” means the Australian height datum;

“**Acceptance Criteria**” has the meaning defined in Landfill Waste Classification and Waste Definitions 1996 published by DEC and as amended from time to time;

“**annual period**” means the inclusive period from 1 July until 30 June the following year;

“**AS/NZS 5667.1**” means the Australian Standard AS/NZS 5667.1 *Water Quality – Sampling – Guidance of the Design of sampling programs, sampling techniques and the preservation and handling of samples*;

“**AS/NZS 5667.11**” means the Australian Standard AS/NZS 5667.11 *Water Quality – Sampling – Guidance on sampling of groundwaters*;

“**asbestos**” means as defined in the Environmental Protection (Controlled Waste) Regulations 2004;

“**asbestos**” means the asbestiform variety of mineral silicates belonging to the serpentine or amphibole groups of rock-forming minerals and includes actinolite, amosite, anthophyllite, chrysotile, crocidolite, tremolite and any mixture containing 2 or more of those;

“**asbestos containing material**” has the meaning **defined** in the Guidelines for Assessment, Remediation and Management of Asbestos Contaminated Sites, Western Australia, (DOH, 2009);

“**asbestos fibres**” has the meaning **defined** in the Guidelines for Assessment, Remediation and Management of Asbestos Contaminated Sites, Western Australia, (DOH, 2009);

“**asbestos fines**” has the meaning **defined** in the Guidelines for Assessment, Remediation and Management of Asbestos Contaminated Sites, Western Australia, (DOH, 2009);

“**AS 1940**” means the current version of Australian Standard AS 1940 *The storage and handling of flammable and combustible liquids*.

“**averaging period**” means the time over which a limit or target is measured or a monitoring result is obtained;

“**Clean Fill**” has the meaning defined in Landfill Waste Classification and Waste Definitions 1996 published by DEC and as amended from time to time;

“**CEO**” means Chief Executive Officer of the Department of Environment Regulation;



“CEO” for the purpose of correspondence means;

Manager Licensing (Waste Industries)
Department of Environment Regulation
Locked Bag 33
CLOISTERS SQUARE WA 6850
Telephone: (08) 9333 7510
Facsimile: (08) 9333 7550
Email: industry.regulation@der.wa.gov.au;

“**DEC Asbestos Guidelines**” means the current version of the *Guidelines for managing asbestos at construction and demolition waste recycling facilities*;

“**Department of Health Asbestos Guidelines**” means the Guidelines for Assessment, Remediation and Management of Asbestos Contaminated Sites, Western Australia, (DOH, 2009);

“**disposal site**” means a premises licenced under Part V of the *Environmental Protection Act 1986* to accept that waste;

“**garden waste or green waste**” means biodegradable waste comprising plants and their component parts such as flower cuttings, hedge trimmings, branches, grass, leaves, plants, seeds, shrub and tree loppings, tree trunks, tree stumps and similar materials and includes any mixture of those materials;

“**green waste storage area**” means any area where garden waste or green waste is stored pending processing, and/or any area where there is a mulched garden waste or green waste windrow;

“**hydrocarbons**” means the subset of organic compounds that consist entirely of carbon and hydrogen such as methane (CH₄ – the main component of natural gas) and petroleum products including petrol, diesel, lubricating oils and fuel oils; it should be noted that hydrocarbons may contain other (minor) impurities within their bulk such as oxygen, sulfur, chlorine or nitrogen containing compounds and various metals, either intentionally added (as with molybdenum sulfide – a lubricant) or as residue from refining or operational use;

“**Inert Waste Type 1**” has the meaning defined in Landfill Waste Classification and Waste Definitions 1996 published by the CEO and as amended from time to time;

“**Inert Waste Type 2**” has the meaning defined in Landfill Waste Classification and Waste Definitions 1996 published by DEC and as amended from time to time;

“**Licence**” means this licence numbered L6772/1997/12 and issued under the *Environmental Protection Act 1986*;

“**Licensee**” means the person or organisation named as Licensee on page 1 of the Licence;

“**NATA**” means the National Association of Testing Authorities, Australia;

“**NATA accredited**” means in relation to the analysis of a sample that the laboratory is NATA accredited for the specified analysis at the time of the analysis;

“**placard quantity**” has the meaning defined in the Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007;

“**practicable**” is as defined in the Environmental Protection Act 1986.

“**Premises**” means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;



“Special Waste Type 1” has the meaning defined in Landfill Waste Classification and Waste Definitions 1996 published by DEC and as amended from time to time;

“spot sample” means a discrete sample representative at the time and place at which the sample is taken;

“SWL” means the standing water level prior to sampling and expressed in metres AHD;

“usual working day” means 0800 – 1700 hours, Monday to Friday excluding public holidays in Western Australia;

“waste” has the meaning defined in the *Environmental Protection Act 1986*.

“windrows” mean parallel rows of mulched green waste where each row is no more than 3 metres high and no more than 4 metres wide and separated by at least 2.5 metres of clear ground from any other row; and

- 1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the standard in force from time to time during the term of this Licence.
- 1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.
- 1.1.5 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:
 - (a) pollution;
 - (b) unreasonable emission;
 - (c) discharge of waste in circumstances likely to cause pollution; or
 - (d) being contrary to any written law.

1.2 General conditions

- 1.2.1 The Licensee shall operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.
- 1.2.2 The Licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.
- 1.2.3 The Licensee shall:
 - (a) implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the Premises; and
 - (b) treat contaminated or potentially contaminated stormwater as necessary prior to being discharged from the Premises.¹

Note1: *The Environmental Protection (Unauthorised Discharges) Regulations 2004* make it an offence to discharge certain materials into the environment.
- 1.2.4 The Licensee shall ensure that the pH of the water from the leachate sump in the acid sulphate soil treatment area is between 6.5 and 8.5 prior to discharge to the drainage system on the site.

1.3 Premises operation

- 1.3.1 The Licensee shall only accept waste on to the Premises if:
 - (a) it is of a type listed in Table 1.3.1;
 - (b) the quantity accepted is below any quantity limit listed in Table 1.3.1; and
 - (c) it meets any specification listed in Table 1.3.1
 - (d) in the case of contaminated solid waste is supported by documentation that demonstrates compliance with the acceptance criteria for an inert Class 1 landfill



values in Tables 3, 4 and 5 of the document titled *Landfill Waste Classification and Waste Definitions 1996 (As amended December 2009)* for an inert class 1 landfill;

Table 1.3.1: Waste acceptance		
Waste type	Quantity limit tonnes/ year	Specification ¹
Inert Waste Type 1	500,000	None specified
Inert Waste Type 2		Tyres and plastic only
Clean Fill		None specified
Special Waste Type 1 (asbestos)		Cement bonded asbestos. No fibrous asbestos shall be accepted.
Green Waste	90,000	None specified
Acid Sulphate Soils	100,000	None Specified

Note 1: Additional requirements for the acceptance of controlled waste (including asbestos and tyres) are set out in the Environmental Protection (Controlled Waste) Regulations 2004.

1.3.2 The Licensee shall ensure that where waste does not meet the waste acceptance criteria set out in condition 1.3.1 it is removed from the Premises by the delivery vehicle or, where that is not possible, stored in a quarantined storage area or container and removed to an appropriately authorised facility as soon as practicable.

1.3.3 The Licensee shall ensure that wastes accepted onto the Premises are only subjected to the process (es) set out in Table 1.3.3 and in accordance with any process limits described in that Table.

Table 1.3.3: Waste processing		
Waste type	Process(es)	Process limits ^{1, 2}
Inert Waste Type 1	Receipt, handling and storage of waste prior to crushing.	Construction and demolition waste containing visible asbestos or ACM shall not be processed for crushing purposes.
	Mechanical treatment consisting only of crushing and cleaning.	None specified.
	Storage of crushed materials	Treated materials shall only be stored within designated storage bays provided with dust control measures.
Inert Waste Type 1 & Inert Waste Type 2	Receipt, handling and disposal of waste by landfilling	<p><u>All waste types</u></p> <p>(i) Disposal of waste by landfilling shall only take place within the landfill area depicted by the pink line in the Landfill Area Map Schedule 1.</p> <p>(ii) The separation distance between the base of the landfill and the highest groundwater level shall not be less than 1.2 metres</p> <p><u>Special Waste Type 1</u></p> <p>(i) accept only Asbestos Waste and Material containing asbestos which is sealed in double-lined or double-bagged, heavy duty plastic sheeting of at least 0.2 millimetres thickness;</p>



Table 1.3.3: Waste processing		
Waste type	Process(es)	Process limits ^{1,2}
		<ul style="list-style-type: none"> (ii) accept only wrapped or otherwise contained Asbestos Waste or Material containing asbestos, which is labeled or marked with the words "CAUTION – ASBESTOS" in letters not less than fifty (50) millimetres high; (iii) as soon as practicable and before compaction, cover the asbestos or material containing asbestos with a layer of soil at least 300 millimetres thick or with a layer of dense, inert and incombustible material at least 1 metre thick; (iv) record as grid references on a premises plan all locations used for the disposal of Asbestos Waste or Material containing asbestos and keep this plan as a permanent record; (v) keep a permanent register of each load of Asbestos Waste or Material containing asbestos deposited at the premises, including the date, the name of person that deposited the Asbestos or Material containing asbestos and the vehicle registration number; (vi) witness the covering of Asbestos Waste or Material containing asbestos and sign the register referred to in (v) within two (2) hours of the covering taking place; (vii) not deposit any Asbestos Waste or Material containing asbestos within two metres of the final tipping surface of the landfill; (viii) operate the landfill such that any existing Asbestos Waste or Material containing asbestos deposited on the premises remains undisturbed; and (ix) make all records available for viewing by an Inspector upon request.
Green Waste	Receipt, handling and storage prior to disposal or re-use	<ul style="list-style-type: none"> (i) no greater than 250 m³ of garden waste or green waste shall be stored at the premises at any one time; (ii) no greater than 1,250 m³ of mulched garden waste or green waste shall be stored at the premises at any one time; (iii) all mulched garden waste or green waste shall be stored in windrows; (iv) temperatures within mulched garden waste or green waste windrows are monitored and managed to prevent self combustion; (v) all mulched and non-mulched garden waste and green waste storage areas are on a base of compacted limestone; and (vi) a five metre fire break shall be maintained around mulched and non-mulched garden waste and green waste storage areas.
Acid Sulphate Soils	Receipt, handling and storage prior to disposal or re-use	The licensee shall receive, handle and store acid sulphate soils in the designated acid sulphate soil treatment area as detailed in <i>Waste Stream Management Pty Ltd Acid Sulphate Soil Treatment and Environmental Management Document, August 2014</i> .

Note 1: Requirements for landfilling tyres are set out in Part 6 of the Environmental Protection Regulations 1987.

Note 2: Additional requirements for the acceptance and landfilling of controlled waste (including asbestos and tyres) are set out in the Environmental Protection (Controlled Waste) Regulations 2004.



- 1.3.4 The Licensee shall manage the landfilling activities to ensure:
- (a) waste is levelled and compacted as soon as practicable after it is discharged; and
 - (b) waste is placed and compacted to ensure all faces are stable and capable of retaining rehabilitation material; and
 - (c) rehabilitation of a cell or phase takes place within 6 months after disposal in that cell or phase has been completed.
- 1.3.5 The Licensee shall ensure that cover is applied and maintained on landfilled wastes in accordance with Table 1.3.5 and that sufficient stockpiles of cover are maintained on site at all times.

Table 1.3.5: Cover requirements ¹			
Waste Type	Material	Depth	Timescales
Special Waste Type 1	Type 1 Inert waste or soil	300mm	As soon as practicable after deposit and prior to compaction
		1000mm	By the end of the working day in which the asbestos waste was deposited
Inert Waste Type 2		100mm	By the end of the working day in which the waste was deposited.
			Plastic waste with the potential to become windblown shall be covered as soon as practicable after deposit.
Inert Waste Type 1	No cover required		

Note 1: Additional requirements for the covering of tyres are set out in Part 6 of the *Environmental Protection Regulations 1987*.

- 1.3.6 The Licensee shall :
- (a) implement security measures at the site to prevent as far as is practical unauthorised access to the site;
 - (b) undertake regular inspections of all security measures and repair damage as soon as practicable; and
 - (c) ensure the entrance gates are closed and locked when the site is closed.
- 1.3.7 The Licensee shall ensure that wind-blown waste is contained within the boundary of the Premises and that wind-blown waste is returned to the tipping area on at least a weekly basis.
- 1.3.8 The licensee shall not burn or allow the burning of waste at the premises.
- 1.3.9 The licensee shall store liquid hydrocarbons within a facility with a floor and bunds of a permeability of less than 1×10^{-9} metres per second, designed to contain 110% of the volume of the stored hydrocarbons and sufficient additional capacity to ensure hydrocarbons are not discharged beyond the bunds during rainfall events.
- 1.3.10 The licensee shall undertake activities on the Premises and manage asbestos and ACM in accordance with the Asbestos Management Plan *Waste Stream Management Pty Ltd C&D Asbestos Management at WSM and ACH facility, Ratcliffe Rd, Medina, WA June 2013*.
- 1.3.11 The licensee shall establish and maintain internal buffer distances of:
- (i) 10 metres at the northern and southern premises boundaries;
 - (ii) 25 metres at the eastern premises boundary; and
 - (iii) a minimum 5 metres at the western premises boundary.
- 1.3.12 The Licensee shall install and maintain a sign at the entrance to the Premises which clearly displays the following information:
- (a) hours of operation;
 - (b) contact telephone number;
 - (c) a warning indicating penalties for people lighting fires;



- (d) list of materials accepted for recycling and the location of where they can be deposited on the premises.

1.3.13 The Licensee shall ensure that the treatment of acid sulfate soils is conducted according to the provisions of the *Waste Stream Management Acid Sulfate Soil Treatment and Environmental Management Document August 2014*.

2 Monitoring

2.1 General Monitoring

2.1.1 The licensee shall ensure that:

- (a) all water samples are collected and preserved in accordance with AS/NZS 5667.1;
- (b) all groundwater sampling is conducted in accordance with AS/NZS 5667.11; and
- (c) all laboratory samples are submitted to and tested by a laboratory with current NATA accreditation for the parameters being measured [unless indicated otherwise in the relevant table].

2.1.2 The Licensee shall ensure that:

- (a) six monthly monitoring is undertaken at least 5 months apart; and
- (b) annual monitoring is undertaken at least 9 months apart.

2.1.3 The Licensee shall ensure that all monitoring equipment used on the Premises to comply with the conditions of this Licence is calibrated in accordance with the manufacturer's specifications and the requirements of the Licence.

2.1.4 The Licensee shall, where the requirements for calibration cannot be practicably met, or a discrepancy exists in the interpretation of the requirements, bring these issues to the attention of the CEO accompanied with a report comprising details of any modifications to the methods.

2.2 Monitoring of inputs and outputs

2.2.1 The Licensee shall undertake the monitoring in Table 2.2.1 according to the specifications in that table.

Table 2.2.1: Monitoring of inputs and outputs				
Input/Output	Parameter	Units	Averaging period	Frequency
Waste Inputs	Inert 1, Inert 2, Special Waste 1, Clean Fill, and Green Waste, Acid Sulphate Soil	tonnes (where a weighbridge is present on the site)	N/A	Each load arriving at the Premises
Waste Outputs	Waste type as defined in the Landfill Definitions	m ³ (where no weighbridge is present)		Each load leaving or rejected from the Premises



2.3 Ambient environmental quality monitoring

2.3.1 The Licensee shall undertake the monitoring in Table 2.3.1 according to the specifications in that table.

Table 2.3.1 Monitoring of ambient groundwater quality				
Monitoring point reference & location	Parameter	Units	Averaging period	Frequency ¹
TMP1A – shallow, intermediate deep TMP2 – shallow, intermediate deep TMP3 – shallow, intermediate deep TMP4 – shallow, intermediate deep TMP5 – shallow, intermediate deep TMP6 – shallow, intermediate deep	Ammonia-Nitrogen (NH ₃ -N)	mg/L	Spot sample	Six Monthly
	COD (Chemical Oxygen demand)	mg/L	Spot sample	
	Nitrate Nitrogen NO ₃ -N	mg/L	Spot sample	
	Nitrite Nitrogen NO ₂ -N	mg/L	Spot sample	
	Phosphorus (total)	mg/L	Spot sample	
	Nitrogen (total)	mg/L	Spot sample	
	TDS (Total Dissolved Solids)	mg/L	Spot sample	
	TOC (Total Organic Carbon)	mg/L	Spot sample	
	Calcium	mg/L	Spot sample	
	Magnesium	mg/L	Spot sample	
	Potassium	mg/L	Spot sample	
	Sodium	mg/L	Spot sample	
	Chloride	mg/L	Spot sample	
	Bicarbonate	mg/L	Spot sample	
	Sulphate	mg/L	Spot sample	
	Aluminium	mg/L	Spot sample	
	Arsenic	mg/L	Spot sample	
	Cadmium	mg/L	Spot sample	
	Chromium	mg/L	Spot sample	
	Copper	mg/L	Spot sample	
	Iron (total)	mg/L	Spot sample	
	Lead	mg/L	Spot sample	
	Manganese	mg/L	Spot sample	
	Mercury	mg/L	Spot sample	
	Nickel	mg/L	Spot sample	
	Selenium	mg/L	Spot sample	
	Zinc	mg/L	Spot sample	
	pH*	pH units		Annually
	Electrical Conductivity*	µS/cm	Spot sample	
	Standing Water Level (SWL)*	m(AHD)	Spot sample	
	Eh (redox potential)*	mV	Spot sample	
	Dissolved Oxygen	mg/L	Spot sample	
	Benzene	mg/L	Spot sample	
	Ethyl benzene	mg/L	Spot sample	
	Toluene	mg/L	Spot sample	
	Xylenes	mg/L	Spot sample	
	Total Petroleum Hydrocarbons	mg/L	Spot sample	
	Organochlorines	mg/L	Spot sample	
	Organophosphates	mg/L	Spot sample	
	Phenols	mg/L	Spot sample	
	Polycyclic Aromatic Hydrocarbons (PAHs)	mg/L	Spot sample	
	Polychlorinated Biphenyls (PCB's)	mg/L	Spot sample	
	Total Petroleum Hydrocarbon (TPH)	mg/L	Spot sample	

* Denotes infield measurements

SWL shall be determined prior to collection of all other water samples.

Note 1: Six monthly sampling shall take place between February - April and August - October of each year.



3 Improvements

3.1 Improvement program

- 3.1.1 The Licensee, for improvements not specifically requiring a written submission, shall write to the CEO stating whether and how the Licensee is compliant with the improvement within one week of the completion date specified in Table 3.1.1.

Table 3.1.1: Improvement program

Improvement reference	Improvement	Date of completion
IR1	The Licensee shall construct the acid sulphate soil (ASS) treatment facility in accordance with the <i>Waste Stream Management Acid Sulfate Soil Treatment and Environmental Management Document August 2014</i> .	30/04/2016
IR2	The Licensee shall submit a compliance document to the CEO, following the construction of the ASS treatment facility and prior to commissioning of the same.	-

4 Information

4.1 Records

- 4.1.1 All information and records required by the Licence shall:
- (a) be legible;
 - (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
 - (c) except for records listed in 5.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
 - (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
 - (i) off-site environmental effects; or
 - (ii) matters which affect the condition of the land or waters.
- 4.1.2 The Licensee shall ensure that:
- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
 - (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.
- 4.1.3 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.
- 4.1.4 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.

4.2 Reporting

- 4.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 28 calendar days after the end of the annual period. The report shall contain the information listed in Table 4.2.1 in the format or form specified in that table.



Table 4.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form¹
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
Table 2.2.1	The volume of waste received at the premises during the reporting period	None specified
Table 2.2.1	The volume of waste rejected at the premises during the reporting period	None specified
Table 2.3.1	Parameters as specified in Table 2.3.1. Ambient Groundwater Monitoring including; (i) a graph of the groundwater monitoring results obtained from the analysis showing a comparison of these results with historical data collected for this licence; (ii) interpretation of the monitoring results obtained from the analysis and (iii) comparison of the monitoring results obtained from the analysis and if any limits or targets are exceeded, include reasons for the exceedance(s) and actions taken by the licensee to prevent recurrence of such exceedances.	None specified
3.1.3	Compliance	AACR
3.1.4	Complaints summary	None specified

Note 1: Forms are in Schedule 2

- 4.2.2 The Licensee shall ensure that the Annual Environmental Report also contains:
- (a) any relevant process, production or operational data recorded under Condition 2.1.3; and
 - (b) an assessment of the information contained within the report against previous monitoring results and Licence limits.
- 4.2.3 The Licensee shall submit the information in Table 4.2.3 to the CEO according to the specifications in that table.

Table 4.2.3: Non-annual reporting requirements				
Condition or table (if relevant)	Parameter	Reporting period	Reporting date (after end of the reporting period)	Format or form¹
-	Copies of original monitoring reports submitted to the Licensee by third parties	Not Applicable	Within 14 days of the CEO's request	As received by the Licensee from third parties

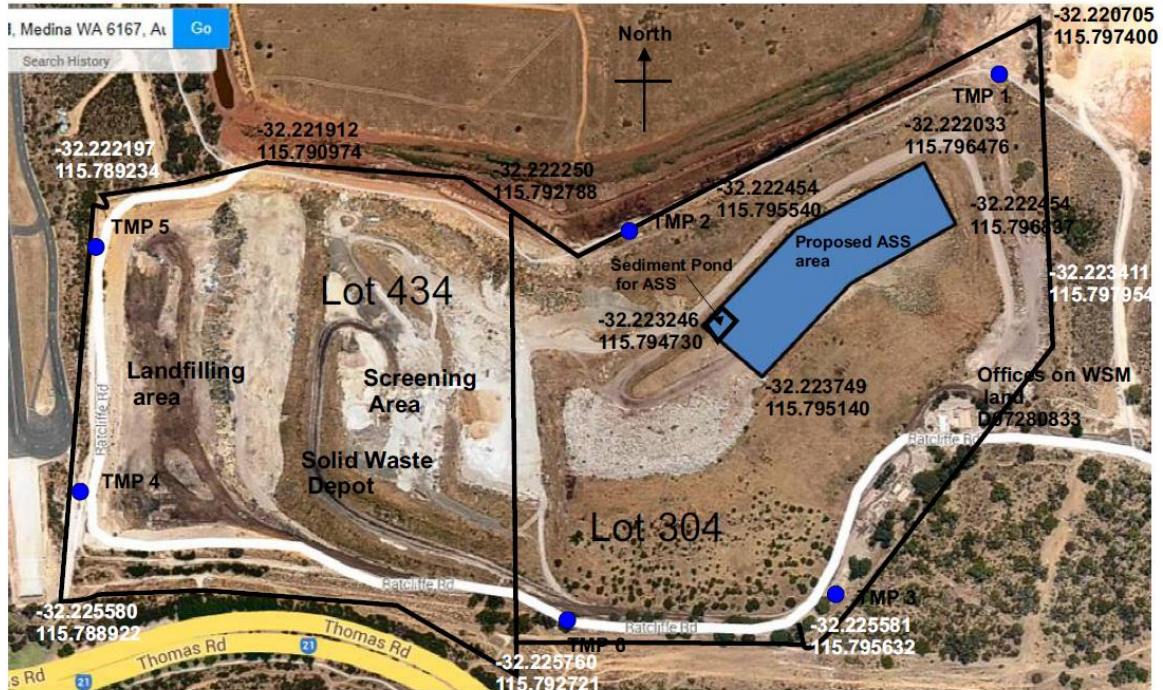
Note 1: Forms are in Schedule 2



Schedule 1: Maps

Premises map

The Premises is shown in the map below. The black line depicts the Premises boundary.



Plan showing boundaries of Lot 434 and lot 304, showing activities on each area.
Monitoring bores are shown as TMP 1 to TMP 6 ●



Schedule 2: Reporting & notification forms

These forms are provided for the proponent to report monitoring and other data required by the Licence. They can be requested in an electronic format.

ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

SECTION A LICENCE DETAILS

Licence Number:	Licence File Number:
Company Name: Trading as:	ABN:
Reporting period: _____ to _____	

STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of the Licence complied with within the reporting period? (please tick the appropriate box)

Yes ☐ Please proceed to Section C

No ☐ Please proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this Annual Audit Compliance Report (AACR).

Initial:



SECTION B

DETAILS OF NON-COMPLIANCE WITH LICENCE CONDITION.

Please use a separate page for each Licence condition that was not complied with.

a) Licence condition not complied with:	
b) Date(s) when the non compliance occurred, if applicable:	
c) Was this non compliance reported to DER?:	
<input type="checkbox"/> Yes <input type="checkbox"/> Reported to DER verbally Date _____ <input type="checkbox"/> Reported to DER in writing Date _____	<input type="checkbox"/> No
d) Has DER taken, or finalised any action in relation to the non compliance?:	
e) Summary of particulars of the non compliance, and what was the environmental impact:	
f) If relevant, the precise location where the non compliance occurred (attach map or diagram):	
g) Cause of non compliance:	
h) Action taken, or that will be taken to mitigate any adverse effects of the non compliance:	
i) Action taken or that will be taken to prevent recurrence of the non compliance:	

Each page must be initialled by the person(s) who signs Section C of this AACR

Initial:



SECTION C

SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) may only be signed by a person(s) with legal authority to sign it. The ways in which the AACR must be signed and certified, and the people who may sign the statement, are set out below.

Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is		The Annual Audit Compliance Report must be signed and certified:
An individual	<input type="checkbox"/> <input type="checkbox"/>	by the individual licence holder, or by a person approved in writing by the Chief Executive Officer of the Department of Environment Regulation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A corporation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the <i>Corporations Act 2001</i> ; or by two directors of the licensee; or by a director and a company secretary of the licensee, or if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A public authority (other than a local government)	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
a local government	<input type="checkbox"/> <input type="checkbox"/>	by the chief executive officer of the licensee; or by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

SIGNATURE: _____

NAME:
(printed) _____

POSITION: _____

DATE: ____/____/____

SEAL (if signing under seal)

SIGNATURE: _____

NAME:
(printed) _____

POSITION: _____

DATE: ____/____/____



Licence: L6772/1997/12
Form: N1

Licensee: Waste Stream Management Pty Ltd
Date of breach:

Notification of detection of the breach of a limit.

These pages outline the information that the operator must provide.

Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

Part A

Licence Number	
Name of operator	
Location of Premises	
Time and date of the detection	

Notification requirements for the breach of a limit	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	



Part B

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident.	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission.	
The dates of any previous N1 notifications for the Premises in the preceding 24 months.	

Name	
Post	
Signature on behalf of Xxxx Xxxx	
Date	



Decision Document

Environmental Protection Act 1986, Part V

Licensee: **Waste Stream Management Pty Ltd**

Licence: **L6772/1997/13**

Registered office: 22 Railway Parade
 Subiaco WA 6008

ACN: 069 513 346

Premises address: Waste Stream Management
 Ratcliffe Road
 Kwinana Beach
 WA 6167
 Being Part Lot 304 on Diagram 72808 and Lot 434 on Plan 220492 as
 depicted in Schedule 1.

Issue date: Thursday, 23 July 2015

Commencement date: Friday, 25 Saturday 2015

Expiry date: Sunday, 24 July 2016

Decision

Based on the assessment detailed in this document the Department of Environment Regulation (DER), has decided to issue an amended licence. DER considers that in reaching this decision, it has taken into account all relevant considerations.

Decision Document prepared by:

Dr Bhabesh Das
Senior Licensing Officer

Decision Document authorised by:

Caron Goodbourn
A/Manager Licensing



Contents

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1 Purpose of this Document

This decision document explains how DER has assessed and determined the application and provides a record of DER's decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to DER's assessment and decision making under Part V of the *Environmental Protection Act 1986*. Other approvals may be required for the proposal, and it is the proponent's responsibility to ensure they have all relevant approvals for their Premises.



2 Administrative summary

Administrative details		
Application type	Works Approval <input type="checkbox"/> New Licence <input checked="" type="checkbox"/> Licence amendment <input type="checkbox"/> Works Approval amendment <input type="checkbox"/>	
Activities that cause the premises to become prescribed premises	Category number(s)	Assessed design capacity
	13	90,000 tonnes per annual period
	62	90,000 tonnes per annual period
	63	500,000 tonnes per annual period
	61A	100,000 tonnes per annual period
	70	50 000 tonnes per annual period
Application verified	Date: 19/05/2015	
Application fee paid	Date: 27/05/2015	
Works Approval has been complied with	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Compliance Certificate received	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Commercial-in-confidence claim	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Commercial-in-confidence claim outcome	N/A	
Is the proposal a Major Resource Project?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No:
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i>)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Department of Water consulted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is the Premises within an Environmental Protection Policy (EPP) Area Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <i>Environmental Protection (Kwinana) (Atmospheric Waste) Policy 1999</i> . Swan Coastal Plain		
Is the Premises subject to any EPP requirements? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		



3 Executive summary of proposal and assessment

The Waste Stream Management facility (WSM), located at Part Lot 304 on Diagram 72808 and Lot 434 on Plan 220492 is approximately 29 ha in size and is located approximately 1.9 km from the Town site of Kwinana.

WSM is located within the Swan Coastal Plain and within the Spearwood Dune System on associated sands and limestone. The closest Environmentally Sensitive Area (ESA) to the WSM facility is Bush Forever Site 349, known as Leda and Adjacent Bushland, located south of the premises on the opposite side of Thomas Road. The nearest mapped wetland is the Mounsey Road Resource Enhancement Wetland (REW) located approximately 820m south of the premises. The depth to groundwater ranges from approximately 17.5m to 29m across the site and groundwater flow appears to be in a south-westerly direction across the site.

The main activities on site include Class I landfilling, crushing of building material, shredding of green waste, disposal by burial of asbestos, the treatment of acid sulphate soils (ASS) and screening of limestone.

The current licence allows the licensee to treat ASS according to the provisions of the Waste Stream Management Acid Sulphate Soil Treatment and Environmental Management document, August 2014. The document specifies the construction of an ASS treatment pad and leachate collection pond. The pad will be approximately 100 m long by 50 m wide and constructed with 300mm thick compacted limestone with perimeter bund. The pad will have a permeability of 1×10^{-9} m/s. The pad will be graded so that it drains to a HDPE lined leachate pond. The pond has a capacity of 20,000 Litres.

The Waste Stream Management Licence L6772/1997/12 is due to expire on 24 July 2015. As part of this reissue, DER has not re-assessed the acceptability or impacts of emissions and discharges from the Premises or re-visited any existing emission control levels. The changes to the licence include standard administrative changes and changes to reflect DER's revised licence template with Director General's instructions. A partial decision document has been completed for the reissue of this licence.

The current activities are described in Appendix A



4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987*, DEC's Policy Statement - Limits and targets for prescribed premises (2006), and DER's Operational Procedure on Assessing Emissions and Discharges from Prescribed Premises. Where other references have been used in making the decision they are detailed in the decision document.

DECISION TABLE			
Licence section	Condition number	Justification (including risk description & decision methodology where relevant)	Reference documents
Template changes	-	<p>The licence has been updated from the previous licence to reflect changes to DER's licence template. Specifically the following changes have been made:</p> <ul style="list-style-type: none">- All references to REFIRE have been removed. This project has been incorporated into DER's Strategy and Reform group and it is no longer appropriate to reference in licences.- Text referring to 'there are no specified conditions in this section' have been removed;- Sections where there are no conditions have not been retained for numbering purposes. Condition numbers may therefore have changed from the previous version of the licence;- Conditions that duplicate requirements of s72 have been removed.- Generic fugitive emission conditions have been removed. These aspects are controlled directly by the Environmental Protection act 1986.	
Improvement	L3.1.1	Condition L3.1.1 has been added to the licence which requires the Licensee to submit a compliance document following the construction of the acid sulphate treatment facility and commissioning of the same.	
Information	L4.2.3	Condition L4.2.3 has been added to the licence. The condition relates to the submission of original monitoring reports at the request of CEO. There is requirement of ambient groundwater monitoring in the licence under condition L2.3.1 for groundwater quality assessment. Therefore, the addition of this condition is justified.	N/A
Licence duration	N/A	The licence is issued for a period of one. year	N/A



5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
8/06/2015	Advertised in West Australian	No submissions received	N/A
22/07/2015	Proponent sent draft instrument		DER was unable to provide the proponent with a draft licence to comment on prior to issue and the current licence expiring. The proponent has a right to appeal any condition imposed under this licence.



6 Risk Assessment

Note: This matrix is taken from the DER Corporate Policy Statement No. 07 - Operational Risk Management

Table 1: Emissions Risk Matrix

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Severe
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Moderate	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	Extreme
Unlikely	Low	Moderate	Moderate	Moderate	High
Rare	Low	Low	Moderate	Moderate	High



Appendix A

Current activities on Site

Class I Inert Landfill

The inert landfilling on site occurs in the void created by a limestone excavation on Lot 434. Construction and demolition waste arrives at the WSM site where it is checked, accepted and weighed over a weighbridge. Trucks are then directed to an unloading area where the material is unloaded and then spread and compacted by dozers. Any non-conforming waste identified at this time is separated out for removal off-site. Water is also added as required to assist with compaction and dust suppression. When clean fill is accepted it is set aside to be used as cover on the tip face and batters. Waste is buried at regular intervals and as soon as practicable during operating hours.

Asbestos from building sites and fencing contractors is accepted, provided it is wrapped in high-density polyethylene (HDPE) sheeting as per the *Environment Protection (Controlled Waste) Regulations 2004* (the CW Regulations) and buried as soon as practical. Material that is not wrapped according to the CW Regulations is wrapped correctly before disposal. An extract "Disposal of Material Containing Asbestos" from the *Environment Protection (Controlled Waste) Regulations 2004* is also handed to the truck driver and the load is diverted to a watering down area and sprayed with water before wrapping.

Dust suppression is achieved through the use of a purpose built water cart and fixed sprinklers on roadways and batters.

Screening of material

WSM screens limestone at the premises sourced from the onsite quarry. The screening plant is mobile and moved to various areas of the lot depending on where extraction is being undertaken. The screener is manned by one operator when in use. Dust and noise will be managed in accordance with the "Waste Stream Management, Environmental and Operational Management Plan, Redcliffe Road, Medina WA, May 2010".

Crushing of building material

A hired crusher located on Lot 434 separates brick from concrete when volumes reach levels to run the crusher. Crushed building material is sold for off-site use as road base or drainage aggregate. Dust and noise will be managed in accordance with the "Waste Stream Management, Environmental and Operational Management Plan, Redcliffe Road, Medina WA, May 2010".

Solid waste depot

The premises has a solid waste depot for shredding green waste. It is intended that shredded green waste materials can produce products suitable for sale off-site to compost manufacturers. Dust and noise will be managed in accordance with the "Waste Stream Management, Environmental and Operational Management Plan, Redcliffe Road, Medina WA, May 2010".

Treatment of Acid Sulphate Soils (ASS)

Acid sulphate soil will be treated on the premises in accordance with the *Waste Stream Management Pty Ltd Acid Sulphate Soil Treatment and Environmental Management Document*, August 2014. The management plan has been approved by the Contaminated Sites Branch of DER.



Acid sulphate soil will be treated within a designated area as detailed in the *Waste Stream Management Pty Ltd Acid Sulphate Soil Treatment and Environmental Management Document, August 2014* as depicted in Schedule map. The designated area has been constructed with a minimum 300 mm thickness of compacted crushed limestone and bunded with a minimum 150mm high perimeter of compacted crushed limestone to contain potential leachate runoff within the treatment area and prevent surface water runoff from entering the treatment area. The treatment area is graded with a rainfall of 1:100 to ensure any leachate generated during wet season is collected in a geotextile lined sediment pond.

Leachate in the sediment pond is monitored prior to its discharge by irrigating landfill cover and dust suppression. . Leachate water will not be discharged from the sediment pond unless water quality is between pH 6.5 and 8.5.

The following information is to be collected prior to acceptance of ASS material for neutralisation on site:

- total quantity of material;
- source from which material originated;
- acidity status of material (field and/or laboratory results as appropriate);
- neutralisation status of any material received in a neutralised state; and
- quantity of neutralising agent applied for neutralised material.

Potential off site impacts from this premises are:

- noise from machinery on site;
- dust from vehicle movements, stockpiles, crushing and screening;
- groundwater contamination from materials on site; and
- contaminated stormwater runoff.

**NOTICE OF AMENDMENT OF LICENCE EXPIRY DATES
SECTION 59B(9) AND SECTION 59(1)(k) ENVIRONMENTAL PROTECTION ACT 1986
LICENCED PRESCRIBED PREMISES**

Section 63 of the *Environmental Protection Act 1986* prescribes that a licence shall continue in force for such period as is specified in the licence. The Department of Environment Regulation's (DER) Guidance Statement on Licence Duration provides for the granting of licences for up to 20 years duration.

In accordance with section 59(1)(k) of the *Environmental Protection Act 1986*, the CEO may amend the duration of a licence. Having had regard to the Guidance Statement on Licence Duration, the Chief Executive Officer (CEO) has determined that the licence expiry dates for almost all of the licenced prescribed premises are to be amended. The following matters have been considered:

- confirmations which have been received from licensees and local government authorities have been considered to ensure that amended expiry dates do not exceed the duration of any relevant planning approvals and mining tenements;
- risk-based reviews for the assessment of licenced prescribed premises will be undertaken in accordance with DER's regulatory framework;
- licenced prescribed premises will be subject to ongoing compliance inspections and investigations following incidences and complaints, in accordance with the EP Act;
- in the event that risk issues arise in relation to licenced prescribed premises, the CEO may, depending on the circumstances:
 - amend the conditions of licenced prescribed premises at any time;
 - in the event of an alleged offence, exercise enforcement powers under the EP Act, including an environmental protection notice; and
 - in the event of breach of licence conditions, revoke the licence;
- to ensure the efficient operation of the licensing regime, the regulatory burden of frequent renewals in the absence of full assessment has been removed; and
- the extension of expiry dates will enable both DER and affected licensees to undertake an ordered and structured implementation of DER's risk-based regulatory framework to existing premises.

Notice of Amendments

This notice is given in accordance with section 59B(9) of the *Environmental Protection Act 1986* that the following licences are hereby amended to have the new expiry date in accordance with the schedule set out below. These amendments are effective as of 29 April 2016.

Jason Banks

DIRECTOR GENERAL
DEPARTMENT OF ENVIRONMENT REGULATION

29 April 2016

SCHEDULE OF LICENCE PREMISES EXPIRY DATE AMENDMENTS

LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L4193/1989/12	Electricity Generation and Retail Corporation	Synergy - Perron Quarry	20 August 2013	19 October 2018	19 August 2032
L4201/1991/11	Water Corporation	Woodman Point WWTP	1 November 2010	31 October 2016	31 October 2029
L4202/1991/10	Water Corporation	Point Peron WWTP	1 November 2010	31 October 2016	31 October 2022
L4247/1991/13	Talison Lithium Australia Pty Ltd	Greenbushes Lithium Operations	14 December 2013	13 December 2016	13 December 2026
L4275/1982/15	Mid West Ports Authority	Geraldton Port	18 March 2015	17 March 2020	17 March 2025
L4323/1988/10	Craig Mostyn Farms Pty Ltd	Craig Mostyn Farms - Gingin	19 February 2013	18 February 2018	18 February 2028
L4328/1989/10	Global Advanced Metals Pty Ltd	Wodgina Mine	1 October 2013	30 September 2018	30 September 2033
L4385/1988/12	Pilbara Iron Company (Services) Pty Ltd	Channar Iron Ore Mine	1 June 2011	31 May 2016	31 May 2031
L4404/1991/15	Harvey Fresh (1994) Ltd	Harvey Fresh Juice and Dairy Factories	1 October 2012	30 September 2017	30 September 2031
L4409/1988/8	Westpork Pty Ltd	Westpork Gingin Breeder Farm	5 October 2015	4 October 2020	4 October 2024
L4431/1987/12	BGC (Australia) Pty Ltd t/a BGC Cement	BGC Cement	1 October 2013	30 September 2018	30 September 2028
L4432/1989/14	Pilbara Ports Authority	Port Hedland Port	16 October 2016	16 October 2016	16 October 2026
L4437/1988/12	Brownes Foods Operations Pty Limited	Brunswick Milk Processing Facility	29 November 2013	28 November 2018	28 November 2024
L4459/1987/13	Argyle Diamonds Limited	Argyle Diamond Mine	20 September 2014	19 September 2019	19 September 2032
L4466/1988/13	Chevron Australia Pty Ltd	Thevenard Island Facility	1 November 2013	31 October 2016	31 October 2026
L4467/1972/14	Chevron Australia Pty Ltd	Barrow Island Oil and Gas Facility	1 November 2014	31 October 2019	31 October 2026
L4496/1988/11	Big Bell Gold Operations Pty Ltd	Bluebird Gold Mine	1 October 2013	30 September 2018	30 September 2023
L4498/1986/15	Hexion Australia Pty Ltd	Hexion Australia Pty Ltd	25 September 2015	24 September 2016	24 September 2029
L4503/1975/14	BHP Billiton Iron Ore Pty Ltd	Mt Whaleback/Orebody 29/30/35	17 November 2013	16 November 2018	16 November 2032
L4504/1981/17	South32 Worsley Alumina Pty Ltd	Worsley Alumina Refinery	1 October 2015	30 September 2018	30 September 2024
L4513/1969/18	BHP Billiton Iron Ore Pty Ltd	BHP Billiton Iron Ore Port Hedland Operations	17 November 2013	16 November 2016	16 November 2030
L4549/1982/12	Holcim (Australia) Pty Ltd	Turner River Quarry	1 October 2013	30 September 2018	30 September 2025
L4557/1986/19	Iluka Resources Limited	North Capel Operations	24 January 2014	23 January 2019	23 January 2034
L4593/1983/13	Hanson Construction Materials Pty Ltd	Hanson - Gelorup Quarry	1 October 2012	30 September 2017	30 September 2023
L4597/1988/14	Hanking Gold Mining Pty Ltd	Marvel Loch Mine	26 September 2013	25 September 2018	25 September 2022

SCHEDULE OF LICENCE PREMISES EXPIRY DATE AMENDMENTS

LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L4605/1987/11	Koppers Wood Products Pty Ltd	Koppers Wood Products	1 October 2013	30 September 2018	30 September 2027
L4611/1987/11	Agnew Gold Mining Company Pty Ltd	Agnew Gold Operations	18 October 2013	17 October 2018	17 October 2022
L4612/1989/11	BHP Billiton Nickel West Pty Ltd	Leinster Nickel Operation	19 October 2013	18 October 2018	18 October 2030
L4630/1989/12	Lime Industries Pty Ltd	Lime Industries Pty Ltd (Osborne Park plant)	17 September 2011	16 September 2016	16 September 2034
L4680/1988/13	FMR Investments Ptd Ltd	Greenfields Processing Site	1 November 2015	31 October 2020	31 October 2034
L4698/1967/12	Holcim (Australia) Pty Ltd	Holcim - Bunbury Quarry Gelorup	1 October 2013	30 September 2016	30 September 2021
L4706/1972/17	Electricity Generation and Retail Corporation	Muja Power Station	18 October 2014	17 October 2017	17 October 2036
L4726/1991/15	Water Corporation	Subiaco Wastewater Treatment Plant	1 November 2014	31 October 2017	31 October 2022
L4739/1981/6	Holcim (Australia) Pty Ltd	Albany Quarry	29 September 2009	30 September 2017	30 September 2027
L4741/1982/12	Holcim (Australia) Pty Ltd	Nickol Bay Quarry	1 October 2013	30 September 2018	30 September 2022
L4762/1972/14	Pilbara Iron Company (Services) Pty Ltd	Greater Tom Price Iron Ore Mine	28 May 2015	27 May 2020	27 May 2036
L4884/1992/11	Water Corporation	Bullsbrook Waste Water Treatment Plant	17 October 2010	16 October 2016	16 October 2020
L4893/1992/14	Water Corporation	Harvey Wastewater Treatment Plant	1 November 2013	31 October 2018	31 October 2024
L4958/1992/12	Aljota Pty Ltd	Peel Pork Piggery	13 October 2013	12 October 2018	12 October 2028
L4996/1993/9	MMA Offshore Limited	MMA Offshore Dampier Supply Base	24 November 2013	23 November 2018	23 November 2026
L5008/1991/13	A.R HOWARD & E.J HOWARD	Kamarah Piggery	19 October 2011	18 October 2016	18 October 2026
L5089/1989/9	Kwinana Chlor Alkali Pty. Ltd.	Kwinana Chlor Alkali Pty Ltd	27 July 2011	26 July 2016	26 July 2027
L5094/1987/16	Premier Coal Limited	Premier Coal Mine	14 October 2015	13 October 2016	13 October 2028
L5099/1974/14	Southern Ports Authority	Esperance Port Authority	7 March 2014	6 March 2019	
L5101/1981/11	Ausvision Rural Services Pty Ltd	Ausvision Rural Services Pty Ltd	23 January 2013	22 January 2018	22 January 2026
L5107/1988/13	HBJ Minerals Pty Ltd	Jubilee Operations	25 October 2014	24 October 2019	24 October 2036
L5109/1990/13	Coogee Chemicals Pty Ltd	Coogee Chemicals Pty Ltd	5 December 2014	4 December 2017	4 December 2034
L5110/1988/10	Agnew Gold Mining Company Pty Ltd	Lawlers Gold Mine	19 October 2011	18 October 2016	18 October 2020
L5116/1978/10	IMI FABI (Australia) Pty Ltd	Mount Seabrook Talc Mine	2 November 2014	1 November 2019	1 November 2028
L5154/1989/10	Schütz Australia Pty Ltd	Schütz Australia Pty Ltd	16 November 2014	15 November 2019	15 November 2036

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LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L5177/1989/13	Dardanup Butchering Company Nominees Pty Ltd	DBC Abattoir	1 October 2015	30 September 2020	30 September 2027
L5199/1983/12	Western Australian Meat Marketing Co-operative Limited	WAMMCO International - Katanning Abattoir	16 October 2011	15 October 2016	15 October 2019
L5200/1988/11	Rural Export & Trading (W.A.) Pty Ltd	Rural Export & Trading (WA) Pty Ltd - Peel Feedlot	9 October 2015	8 October 2020	8 October 2026
L5214/1993/11	Shire Of Moora	Shire Of Moora Waste Water Treatment Plant	6 October 2013	5 October 2018	5 October 2032
L5241/1990/10	Apache Energy Limited	Airlie Project	8 October 2014	7 October 2019	7 October 2029
L5245/1967/14	Alcoa of Australia Limited	Kwinana Alumina Refinery	3 September 2014	2 September 2016	2 September 2022
L5265/1988/11	Bernard Hart Nominees PTY LTD	Hartway Galvanisers	1 October 2015	30 September 2020	30 September 2030
L5271/1983/14	Alcoa of Australia Ltd	Pinjarra Refinery	17 June 2014	16 June 2016	16 June 2025
L5275/1972/12	Pilbara Iron Company (Services) Pty Ltd	Paraburdoo Iron Ore Mine	28 May 2014	27 May 2019	27 May 2033
L5319/1988/12	Tronox Management Pty Ltd	Cooljarloo Mineral Sands Mine	1 October 2012	30 September 2017	30 September 2027
L5320/1988/14	Tronox Management Pty Ltd	Tronox Kwinana Pigment Plant	12 July 2011	11 July 2016	11 July 2025
L5324/1988/8	GS & M Engineering Pty Ltd	Law Castings	31 October 2015	30 October 2020	30 October 2023
L5343/1989/6	Kitchener Mining No Liability	Bamboo Creek Goldmine	23 May 2011	22 May 2016	22 May 2023
L5366/1972/14	Electricity Generation and Retail Corporation	Kwinana Power Station	20 August 2012	19 August 2017	19 August 2027
L5400/1992/12	Water Corporation	Waroona Wastewater Treatment Plant	1 November 2015	31 October 2020	31 October 2025
L5423/1990/15	Goodchild Abattoirs Pty Ltd	Goodchild Abattoir	1 October 2015	30 September 2020	30 September 2025
L5491/1984/18	Woodside Energy Ltd	Woodside Onshore Gas Treatment Plant	1 October 2013	30 September 2016	30 September 2031
L5505/1988/8	Holcim (Australia) Pty Ltd	Newman Quarry	1 October 2013	30 September 2018	30 September 2031
L5509/1982/11	Holcim (Australia) Pty Ltd	Geraldton Quarry	28 September 2014	27 September 2019	27 September 2034
L5529/1988/12	Mt Magnet Gold Pty Ltd	Mt Magnet Gold Pty Ltd	10 September 2015	9 September 2020	9 September 2025
L5533/1976/11	BHP Billiton Nickel West Pty Ltd	Kambalda Nickel Concentrator	5 October 2013	4 October 2018	4 October 2030
L5551/1988/11	Mephalene Rust Control (1995) Pty Ltd	Mephalene Rust Control (1995) Pty Ltd	25 January 2013	24 January 2018	24 January 2026
L5611/1993/11	BHP Billiton Iron Ore Pty Ltd	Yarrie Project	18 September 2015	20 September 2020	20 September 2035
L5627/1988/12	Mintech Chemical Industries Pty Ltd	Mintech Chemical Industries Pty Ltd	11 December 2015	10 December 2020	10 December 2029

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LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L5646/1994/10	Iluka Resources Limited	Eneabba East Mineral Sands Mine	1 April 2015	31 March 2020	31 March 2021
L5724/1993/11	Westpork Pty Ltd	Mindarra Farm Piggery	13 June 2012	12 June 2017	12 June 2027
L5765/1994/11	AWE Perth Pty Ltd	Dongara Production Facility	29 March 2014	28 March 2019	28 March 2032
L5775/1994/11	Southern Ports Authority - Port of Bunbury	Bunbury Outer Harbour - Berth 1	1 May 2013	30 April 2018	30 April 2028
L5817/1994/13	Pilbara Iron Company (Services) Pty Ltd	Tom Price Wastewater Treatment Plant	1 June 2015	31 May 2020	31 May 2029
L5850/1993/11	Cliffs Asia Pacific Iron Ore Pty Ltd	Koolyanobbing Iron Ore Project	28 October 2013	27 October 2018	27 October 2032
L5864/1982/11	Ixom Operations Pty Ltd	Ixom Kwinana	8 November 2014	7 November 2019	7 November 2032
L5882/1976/13	Downer EDI Works Pty Ltd	Emoleum - Gosnells Asphalt Plant	29 January 2016	28 January 2018	28 January 2032
L5897/1993/11	BAE Systems Australia Defence Pty Ltd	BAE Systems Australia Defence Pty Ltd ACN: 006 870 846	9 February 2015	8 February 2020	8 February 2030
L5908/1990/11	Doral Fused Materials Pty Ltd	Doral Fused Materials Pty Ltd	14 March 2013	13 March 2018	13 March 2021
L5926/1991/10	Susac Lime Supply Pty Ltd	Susac Lime Supply Pty Ltd	1 October 2015	30 September 2020	30 September 2036
L5938/1967/12	BP Refinery (Kwinana) Proprietary Limited	BP Refinery (Kwinana) P/L	9 May 2011	8 May 2016	8 May 2033
L5950/1991/11	Water Corporation	Mandurah No 1 Wastewater Treatment Plant	1 November 2015	31 October 2020	31 October 2032
L5952/1991/11	Water Corporation	Busselton No.1 Wastewater Treatment Plant	1 November 2012	31 October 2016	31 October 2021
L5953/1991/14	Water Corporation	Augusta Wastewater Treatment Plant	1 November 2014	31 October 2019	31 October 2033
L5960/1983/11	BHP Billiton Worsley Alumina Pty Ltd	Boddington Bauxite Mine	1 October 2014	30 September 2019	30 September 2035
L5972/1992/14	Water Corporation	Bunbury No. 2 Wastewater Treatment Plant	1 November 2014	31 October 2016	31 October 2031
L5973/1992/11	Water Corporation	Pinjarra Wastewater Treatment Plant	1 November 2015	31 October 2016	31 October 2023
L5976/1991/10	Water Corporation	Carnarvon Wastewater Treatment Plant	1 November 2014	31 October 2019	31 October 2025
L5980/1991/7	Water Corporation	Exmouth Wastewater Treatment Plant	1 November 2014	31 October 2019	31 October 2034
L5982/1994/11	Jetstar Enterprises Pty Ltd	Permapole - Mundijong	29 September 2014	28 September 2019	28 September 2023
L5989/1991/11	Water Corporation	Northam Wastewater Treatment Plant	4 December 2012	3 December 2017	3 December 2022
L5995/1992/14	Water Corporation	Brunswick Wastewater Treatment Plant	1 November 2013	31 October 2018	31 October 2031

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LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L5997/1992/11	Water Corporation	Mandurah No. 2 (Halls Head) Wastewater Treatment Plant	1 November 2013	31 October 2018	31 October 2032
L6001/1989/15	V & V Walsh Pty Ltd	V & V Walsh Abattoir	4 October 2015	3 October 2018	3 October 2023
L6008/1992/14	Water Corporation	Manjimup Wastewater Treatment Plant	1 November 2013	31 October 2016	31 October 2021
L6022/1988/13	Cable Sands (W.A.) Pty Ltd	North Shore Mineral Separation Plant	27 September 2014	26 September 2019	26 September 2033
L6033/1972/10	Shinagawa Refractories Australasia Pty Ltd	Shinagawa Refractories Australasia Pty Ltd	7 August 2013	6 August 2018	6 August 2032
L6036/1988/13	Coogee Chlor Alkali Pty Limited	Coogee Chemicals Kemerton	1 October 2014	30 September 2019	30 September 2032
L6046/1967/15	Cristal Pigment Australia Ltd	Australind Finishing Plant	16 November 2014	15 November 2019	15 November 2035
L6067/1991/10	Water Corporation	Wongan Hills Wastewater Treatment Plant	1 December 2011	30 November 2016	30 November 2035
L6068/1991/9	Water Corporation	Wundowie Wastewater Treatment Plant	9 December 2013	8 December 2018	8 December 2034
L6071/1991/10	Water Corporation	Kellerberrin Wastewater Treatment Plant	1 December 2014	30 November 2019	30 November 2022
L6079/1988/13	Newcrest Mining Limited	Telfer Gold Mine	12 October 2015	11 October 2020	11 October 2024
L6088/1989/8	Western Salt Refinery Pty Ltd	Western Salt Refinery	23 May 2013	22 May 2018	22 May 2023
L6092/1972/11	Nufarm Australia Limited	Nufarm Australia Limited	14 October 2014	13 October 2019	13 October 2026
L6107/1967/17	CSBP Limited	CSBP Limited	30 July 2011	29 July 2016	29 July 2030
L6110/1990/13	Australian Gold Reagents Pty. Ltd.	Australian Gold Reagents Pty. Ltd.	28 March 2014	27 March 2019	27 March 2022
L6129/1987/13	Iluka Resources Limited	Iluka Resources Ltd - Narngulu Synthetic Rutile Plant	9 September 2013	8 September 2018	8 September 2022
L6131/1990/13	Pilbara Manganese Pty Ltd	Woodie Woodie Manganese Project	1 October 2013	30 September 2016	30 September 2028
L6144/1990/10	Fulton Hogan Industries Pty Ltd	Picton Asphalt Plant	28 August 2014	27 August 2019	27 August 2036
L6145/1983/11	GMA Garnet Pty Ltd	GMA Garnet Narngulu Processing Plant	1 October 2014	30 September 2019	30 September 2034
L6149/1988/8	Simcoa Operations Pty Ltd	Moora Quartzite Mine	5 October 2012	4 October 2017	4 October 2021
L6161/1988/10	Iluka Resources Limited	Yoganup Extended Mineral Sands Mine	1 January 2013	31 December 2018	31 December 2035
L6162/1986/15	Austral Bricks (WA) Pty Ltd T/A Austral Bricks	Austral Brick - Bellevue	1 July 2015	30 June 2018	30 June 2032
L6194/1989/14	Iluka Resources Limited	Capel Mineral Separation Plant	1 January 2014	31 December 2019	31 December 2029
L6201/1987/15	Austral Bricks (WA) Pty Ltd	Austral Bricks - Malaga	1 July 2015	30 June 2020	30 June 2030
L6210/1991/10	Alcoa of Australia Ltd	Huntly Mine Site	13 September 2013	12 September 2018	12 September 2035
L6217/1983/15	Alcoa of Australia Ltd	Wagerup Alumina Refinery	13 November 2013	12 October 2016	12 October 2035

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LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L6228/1987/10	Austral Bricks (WA) Pty Ltd	Waterloo Brickworks	3 December 2013	2 December 2018	2 December 2024
L6245/1991/8	Water Corporation	Wickham Wastewater Treatment Plant	1 November 2013	31 October 2018	31 October 2027
L6246/1991/8	Water Corporation	South Hedland Wastewater Treatment Plant	1 November 2013	31 October 2018	31 October 2028
L6248/1991/8	Water Corporation	Karratha No.1 Wastewater Treatment Plant	1 November 2013	31 October 2018	31 October 2036
L6265/1983/8	Boral Resources (WA) Limited	Boral Asphalt	3 August 2011	2 August 2016	2 August 2023
L6266/1991/10	Water Corporation	Broome Wastewater Treatment Plant	1 January 2012	31 December 2016	31 December 2021
L6267/1991/10	Water Corporation	Derby Wastewater Treatment Plant	1 November 2013	31 October 2018	31 October 2035
L6268/1991/10	Water Corporation	Halls Creek Wastewater Treatment Plant	1 November 2013	31 October 2018	31 October 2030
L6269/1991/10	Water Corporation	Wyndham Wastewater Treatment Plant	1 November 2013	31 October 2018	31 October 2025
L6270/1991/10	Water Corporation	Kununurra Wastewater Treatment Plant	1 November 2013	31 October 2018	31 October 2026
L6284/1992/10	Apache Energy Ltd	Varanus Island and East Spar Facilities	17 October 2013	16 October 2016	16 October 2019
L6306/1989/11	Wesfarmers LPG Pty Ltd	Wesfarmers LPG Pty Ltd	9 November 2014	8 November 2019	8 November 2027
L6314/1991/8	Water Corporation	Mount Barker Wastewater Treatment Plant	1 November 2015	31 October 2016	31 October 2019
L6315/1991/11	Water Corporation	Denmark Wastewater Treatment Works	1 November 2011	31 October 2019	31 October 2027
L6316/1991/13	Water Corporation	Wagin Wastewater Treatment Plant	1 November 2011	31 October 2016	31 October 2033
L6319/1991/13	Water Corporation	Kojonup Wastewater Treatment Plant	1 November 2011	31 October 2016	31 October 2034
L6320/1991/8	WATER CORPORATION	Gnowangerup Wastewater Treatment Plant	1 November 2015	31 October 2016	31 October 2026
L6326/1991/3	Water Corporation	Lancelin Wastewater Treatment Plant	16 June 2011	16 June 2016	16 June 2033
L6328/1991/8	Water Corporation	Pingelly Wastewater Treatment Works	29 October 2011	28 October 2016	28 October 2021
L6341/1988/10	Simcoa Operations Pty. Ltd.	Kemerton Silicon Smelter	13 October 2014	12 October 2019	12 October 2026
L6358/1995/11	AWE Perth Pty Ltd	Woodada Gas Field	21 December 2013	20 December 2018	20 December 2025
L6363/1995/14	The Griffin Coal Mining Company Pty Limited	Griffin Coal - Ewington I & II Open Cut Mines	15 September 2014	14 September 2019	14 September 2026
L6367/1973/8	Cambridge Gulf Limited	Port of Wyndham	24 August 2014	23 August 2019	23 August 2027
L6373/1989/10	Westpork Pty Ltd	Westpork Serpentine	7 August 2013	6 August 2018	6 August 2029
L6378/1987/14	Romine Holdings Pty Ltd	Wren Oil	12 September 2015	11 September 2016	11 September 2026
L6395/1993/16	Harvey Industries Group Pty Ltd	Harvey Beef Abattoir	15 September 2015	14 September 2016	14 September 2030

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LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L6408/1967/15	Austral Bricks (WA) Pty Ltd T/A Austral Bricks	Austral Brick - Armadale	1 July 2015	30 June 2020	30 June 2036
L6420/1988/14	Kalgoorlie Consolidated Gold Mines Pty Ltd	Fimiston Plant and Tailings Disposal	29 September 2014	28 September 2019	28 September 2025
L6426/1991/13	Water Corporation	Esperance Wastewater Treatment Plant	1 December 2013	30 November 2018	30 November 2021
L6437/1990/11	Timber Treaters Bridgetown (WA) Pty Ltd	Timber Treaters Bridgetown	1 October 2014	30 September 2016	30 September 2025
L6453/1990/12	BHP Billiton Nickel West Pty Ltd	Mt Keith Operation	27 April 2015	26 April 2020	26 April 2030
L6462/1992/12	City of Greater Geraldton	Meru Waste Disposal Facility	12 December 2013	11 December 2018	11 December 2034
L6465/1989/10	Alcoa of Australia Ltd	Willowdale Mine - Waroona	5 October 2015	4 October 2020	4 October 2031
L6498/1995/11	Northern Star Resources Limited	Jundee Operations	22 November 2013	21 November 2018	21 November 2024
L6533/1993/11	BGC (Australia) Pty Ltd	BGC Asphalt (Hazelmere)	31 January 2016	30 January 2021	30 January 2028
L6537/1994/13	Sita Medi-Collect Australia Pty Ltd t/as Sita Medi-Collect	Sita Medi-Collect Australia Pty Ltd	28 February 2016	27 February 2019	27 February 2036
L6543/1991/11	Water Corporation	Kwinana Wastewater Treatment Plant	24 September 2014	23 September 2019	23 September 2022
L6544/1993/10	Red Sands Supplies Pty Ltd	Red Sands Supplies Pty Ltd	13 February 2012	12 February 2017	12 February 2023
L6561/1995/11	Malatesta Investments Pty Ltd	Malatesta Road Paving & Hot Mix and Green Organic Recycling Contractors	19 March 2014	18 March 2017	18 March 2036
L6606/1995/9	BHP Billiton Nickel West Pty Ltd	Leinster Townsite Wastewater Treatment Plant	4 April 2015	3 April 2020	3 April 2032
L6617/1992/15	Birla Nifty Pty Ltd	Nifty Copper Operation	9 April 2015	8 April 2020	8 April 2025
L6634/1994/8	P.M.R. Quarries Pty Ltd t/a WA Limestone	WA Limestone	23 May 2011	22 May 2016	22 May 2029
L6637/1995/15	Electricity Generation and Retail Corporation	Collie A Power Station	18 October 2014	17 October 2017	17 October 2036
L6640/1994/11	Water Corporation	Gnarabup Wastewater Treatment Plant	1 November 2013	31 October 2016	31 October 2033
L6653/1994/8	Kevin William Radford	Kevin William Radford	19 June 2015	18 June 2020	18 June 2021
L6728/1993/13	BASF Australia Ltd	BASF Australia Ltd	16 July 2015	15 July 2018	15 July 2030
L6736/1993/12	Skank Boy Pty Ltd	El Caballo Golf Course	15 June 2013	14 June 2018	14 June 2021
L6744/1996/12	Southern Ports Authority - Port of Bunbury	Bunbury Inner Harbour - Berth 8 and Berth 5	30 September 2015	29 September 2016	29 September 2031
L6748/1994/13	Water Corporation	Caddadup Wastewater Treatment Plant	12 October 2014	11 October 2019	11 October 2030

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LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L6753/1996/8	Beaute Nominees Pty Ltd	Bestec Engineering Australia	20 October 2015	19 October 2020	19 October 2023
L6755/1996/9	Pilbara Iron Company (Services) Pty Ltd	Dampier Wastewater Treatment Plant	6 June 2013	5 June 2016	5 June 2026
L6756/1996/11	Shire of Waroona	Buller Road Refuse Disposal Site	9 September 2011	8 September 2016	8 September 2030
L6759/1996/12	Pilbara Iron Company (Services) Pty Ltd	Paraburdoo Wastewater Treatment Plant	8 June 2015	7 June 2020	7 June 2036
L6764/1997/14	Atlas Group Pty Ltd	Atlas Group Pty Ltd	10 July 2012	9 July 2017	9 July 2032
L6772/1997/13	Waste Stream Management Pty Ltd.	Waste Stream Management	25 July 2015	15 July 2016	15 July 2031
L6784/1997/16	Shire of Bruce Rock	Bruce Rock Waste Management Facility	1 July 2011	30 June 2016	30 June 2031
L6785/1995/11	AWE Perth Pty Ltd	Mt Horner Oilfield Project	20 December 2013	19 December 2018	19 December 2025
L6786/1991/11	Water Corporation	Albany Wastewater Treatment Plant	2 October 2012	1 October 2017	1 October 2023
L6792/1991/12	Water Corporation	Boddington Wastewater Treatment Plant	1 November 2013	31 October 2018	31 October 2032
L6794/1992/8	Visy Board Pty Ltd	Visy Board Pty Ltd	22 January 2016	21 January 2021	21 January 2023
L6796/1991/13	Water Corporation	Narrogin Wastewater Treatment Plant	1 November 2011	31 October 2016	31 October 2027
L6797/1991/12	Water Corporation	Katanning Wastewater Treatment Plant	1 November 2011	31 October 2016	31 October 2019
L6798/1993/11	T T Sand Pty Ltd	Mindijup Silica Sand Mine	23 April 2015	22 April 2020	22 April 2021
L6806/1997/8	Shire of Ashburton	Paraburdoo Waste Disposal Site	13 June 2014	12 June 2019	12 June 2034
L6807/1997/8	Shire of Ashburton	Tom Price Refuse Disposal Site	13 June 2014	12 June 2019	12 June 2026
L6808/1997/8	Shire of Ashburton	Onslow Refuse Disposal Site	13 June 2014	12 June 2019	12 June 2027
L6818/1997/11	Shire of Bridgetown-Greenbushes	Bridgetown Class II Putrescible Landfill Site	11 June 2013	10 June 2018	10 June 2036
L6820/1993/12	Robe River Mining Co. Pty Ltd	Mesa J and K - Pannawonica Iron Ore Mine	1 June 2013	31 May 2016	31 May 2026
L6821/1967/12	Holcim (Australia) Pty Ltd	Gosnells Hardrock Quarry	1 October 2011	30 September 2016	30 September 2034
L6825/1967/17	Austral Bricks (WA) Pty Ltd T/A Bristile Roofing	Austral Bricks (WA) Pty Ltd T/A Bristile Roofing	1 July 2015	30 June 2020	30 June 2035
L6826/1994/13	Wellard Animal Production Pty Ltd	Beaufort River Meats	2 May 2015	1 May 2018	1 May 2024
L6831/1997/12	Shire of Collie	Gibbs Rd Class II Putrescible Landfill Site	27 June 2015	26 May 2016	26 May 2032
L6834/1997/8	Shire of Chittering	Bindoon Landfill & Recycling Centre	4 June 2011	3 June 2016	3 June 2024

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LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L6845/1997/11	Shire of Chittering	Muchea Landfill & Recycling Centre	9 May 2011	10 May 2016	10 May 2024
L6850/1997/13	Shire of Perenjori	Perenjori Landfill Site	2 May 2013	1 May 2017	1 May 2032
L6853/1997/14	Shire of Perenjori	Latham Landfill Site	2 May 2014	1 May 2019	1 May 2025
L6857/1993/10	Shire of Morawa	Morawa Wastewater Treatment Plant	5 April 2014	4 April 2019	4 April 2027
L6859/1987/12	Pearls Pty Ltd	Narrogin Farm	2 October 2011	1 October 2016	1 October 2036
L6860/1995/11	City of Mandurah	Tim's Thicket Septage and Inert Disposal Facility	15 November 2012	14 November 2017	14 November 2029
L6862/1997/11	Shire of Denmark	McIntosh Rd Landfill	25 November 2015	24 November 2020	24 November 2025
L6863/1994/13	Shire of Augusta-Margaret River	Margaret River Liquid Waste Facility	27 July 2015	26 July 2016	26 July 2019
L6868/1989/12	Northern Star Resources Ltd	Plutonic Gold Mine	18 September 2014	17 September 2019	17 September 2024
L6869/1992/12	Pilbara Iron Company (Services) Pty Ltd	Marandoo Iron Ore Mine	12 February 2015	11 February 2020	11 February 2035
L6870/1993/12	Shire of East Pilbara	Newman Wastewater Treatment Plant	30 July 2011	29 July 2016	29 July 2023
L6872/1994/11	Buru Energy Limited	Blina Production Facility EP129	3 February 2012	2 February 2017	2 February 2020
L6876/1989/12	GD Pork Holdings Pty Ltd	Australind Piggery	20 October 2012	19 October 2017	19 October 2024
L6877/1997/12	Shire of Northampton	Kalbarri Waste Management Facility	20 June 2013	19 June 2018	19 June 2032
L6878/1997/13	Shire of Northampton	Northampton Waste Management Facility	21 October 2014	20 October 2019	20 October 2033
L6882/1997/13	Shire of Esperance	Wylie Bay Sanitary Landfill Site	10 August 2011	9 August 2019	9 August 2025
L6896/1997/10	Shire of Tammin	Tammin Refuse Disposal Site	9 August 2011	8 August 2016	8 August 2035
L6897/1997/13	Shire of Gingin	Seabird Waste Management Facility	7 April 2013	6 April 2018	6 April 2033
L6900/1997/12	Shire of Gingin	Gingin Waste Management Facility	7 April 2012	6 April 2017	6 April 2022
L6911/1997/10	Shire of Gingin	Lancelin Waste Management Facility	13 June 2013	12 June 2018	12 June 2023
L6912/1997/11	Shire Of Broome	Shire of Broome Refuse Site	11 June 2012	10 June 2017	10 June 2028
L6917/1997/8	Town Of Port Hedland	South Hedland Tip Site	17 October 2011	16 October 2016	16 October 2035
L6919/1997/11	Shire of Katanning	Katanning Shire Refuse Site	30 January 2014	29 January 2019	29 January 2025
L6921/1997/9	Shire of Mundaring	Coppin Road Transfer Station	30 April 2015	29 April 2020	29 April 2024
L6925/1997/8	City of Albany	Albany Refuse Site	3 June 2013	2 June 2018	2 June 2032
L6930/1986/12	Boral Resources (W.A.) Ltd	Boral Quarries - Toodyay	30 October 2011	29 October 2016	29 October 2017
L6933/1996/14	Poseidon Nickel Limited	Black Swan Mine Site	27 April 2013	26 April 2018	26 April 2025
L6944/1997/13	Shire of Carnamah	Carnamah Shire Waste Disposal Site	22 August 2013	21 August 2018	21 August 2028

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LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L6945/1997/13	Shire of Carnamah	Eneabba Waste Disposal Site	23 August 2013	22 August 2018	22 August 2027
L6946/1970/11	Clive Ross Page acting as The Trustee for The Narrogin Clay Trust	Narrogin Brick	5 October 2013	4 October 2018	4 October 2025
L6949/1993/8	Black Oak Minerals Limited	Twin Shafts Treatment Plant - Sandstone Gold	30 September 2013	29 September 2018	29 September 2032
L6950/1997/11	Pilbara Iron Company (Services) Pty Ltd	7 Mile Rail Yard Bioremediation Facility	1 June 2011	31 May 2016	31 May 2022
L6953/1997/8	Shire of Wongan-Ballidu	Wongan Hills Waste Management Site	7 November 2011	6 November 2016	6 November 2024
L6954/1997/9	City of Armadale	Roleystone Greenwaste Site	2 March 2016	1 March 2017	1 March 2035
L6955/1997/11	Shire of Victoria Plains	Calingiri Refuse Site	23 October 2011	22 October 2016	22 October 2027
L6956/1997/11	Shire of Victoria Plains	Bolgart Refuse Site	23 October 2011	22 October 2016	22 October 2019
L6958/1997/12	City of Canning	Ranford Road Landfill Site	23 August 2014	22 August 2019	22 August 2024
L6963/1997/14	Mindarie Regional Council	Tamala Park Waste Management Facility	26 June 2013	25 June 2018	25 June 2030
L6964/1997/11	City of Armadale	City of Armadale Landfill & Recycling Facility	6 September 2013	5 September 2018	5 September 2029
L6965/1997/14	City of Cockburn	Henderson Waste Recovery Park	9 June 2015	8 June 2018	8 June 2021
L6969/1995/9	Frank Sullervain Scott and Carolyn June Scott	Esperance Treated Timbers	14 May 2015	13 May 2020	13 May 2022
L6977/1997/10	Shire of Northam	Old Quarry Road Waste Disposal Facility	9 October 2011	8 October 2016	8 October 2027
L6989/1997/13	Shire of Augusta-Margaret River	Davis Road Class II putrescible landfill site	19 December 2013	18 December 2016	18 December 2022
L6993/1997/12	Shire of Capel	Capel Waste Transfer Station	27 May 2014	26 May 2019	26 May 2034
L6996/1997/14	Shire of Harvey	Richardson Rd Class II Putrescible Landfill Site	6 August 2014	5 August 2019	5 August 2022
L7002/1997/8	Shire of York	Shire of York Waste Transfer Station	28 March 2013	27 March 2018	27 March 2029
L7003/1997/11	Shire of Dandaragan	Cervantes Waste Management Facility	7 July 2015	6 July 2020	6 July 2033
L7004/1997/15	Shire of Dandaragan	Jurien Waste Management Facility	26 May 2011	25 May 2016	25 May 2031
L7007/1997/11	Shire of Manjimup	Manjimup Recycling & Refuse Centre	27 June 2015	26 June 2020	26 June 2031
L7011/1997/11	Shire of Victoria Plains	Mogumber Refuse Site	23 October 2011	22 October 2016	22 October 2021
L7016/1997/9	Shire of Kulin	Kulin Rubbish Tip	19 July 2011	18 July 2016	18 July 2026
L7021/1997/15	City of Karratha	Seven Mile Waste Disposal Facility	21 June 2015	20 June 2020	20 June 2034

SCHEDULE OF LICENCE PREMISES EXPIRY DATE AMENDMENTS

LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L7025/1997/13	Shire of Meekatharra	Meekatharra Refuse Site	2 August 2013	1 August 2018	1 August 2026
L7026/1997/12	Shire of Plantagenet	Mt Barker Waste Management Facility	25 June 2014	24 June 2019	24 June 2023
L7034/1997/10	Edward Culloton	Humpty Doo Farm Bringo-(Geraldton)	19 June 2014	18 June 2019	18 June 2036
L7037/1997/6	Boral Resources (WA) Ltd	Mt Regal Quarry	7 April 2009	6 April 2017	6 April 2021
L7040/1997/8	Gary Ross Higgs and Karen Lee-Ann Higgs	GR & KL Higgs Cartage Contractors	29 September 2010	28 September 2016	28 September 2022
L7048/1997/11	City of Albany	Bakers Junction Waste Management Facility	25 December 2011	24 December 2016	24 December 2030
L7050/1997/11	Shire of Corrigin	Corrigin Waste Management Facility	19 July 2011	18 July 2016	18 July 2027
L7057/1997/12	Shire of East Pilbara	Nullagine Refuse Site	2 December 2013	1 December 2018	1 December 2034
L7058/1997/12	Shire of East Pilbara	Marble Bar Refuse Site	24 November 2013	23 November 2018	23 November 2024
L7059/1997/12	Shire of East Pilbara	Windell Refuse Site	28 June 2010	27 June 2016	27 June 2031
L7060/1997/13	Peel Resource Recovery Pty Ltd	Cross Resource Management	29 August 2014	28 August 2019	28 August 2030
L7064/1997/11	City of Rockingham	Millar Road Landfill Facility	6 September 2015	5 September 2020	5 September 2029
L7065/1997/11	Shire of Carnarvon	Browns Range Waste Management Facility	19 November 2013	18 November 2018	18 November 2034
L7066/1997/15	Shire of Carnarvon (Carnarvon Office)	Coral Bay Landfill Site	17 January 2014	16 January 2019	16 January 2036
L7081/1997/10	Shire of Mt Magnet	Mt Magnet Refuse Site	7 July 2014	6 July 2019	6 July 2026
L7084/1997/16	Shire of Donnybrook-Balingup	Donnybrook Waste Management Facility (Class II Putrescible Landfill Site)	17 June 2015	16 June 2016	16 June 2019
L7085/1997/13	Town of Narrogin	Narrogin Waste Management Facility	30 June 2011	29 June 2016	29 June 2031
L7089/1997/11	Fitonia Pty Ltd	TJ Depiazzi & Sons - Composting Facility	6 October 2014	5 October 2019	5 October 2025
L7092/1997/10	Shire of Wongan-Ballidu	Ballidu Tip Site	3 December 2011	2 December 2016	2 December 2027
L7097/1997/11	Shire of Wongan-Ballidu	Cadoux Tip Site	4 December 2011	3 December 2016	3 December 2026
L7102/1997/8	Transpacific Cleanaway Pty Ltd	Bayswater Transfer Station	7 August 2013	6 August 2018	6 August 2024
L7104/1997/12	Shire of Pingelly	Pingelly Waste Management Facility	20 July 2013	19 July 2018	19 July 2034
L7113/1997/12	Shire of Lake Grace	Lake Grace Rubbish Tip	9 March 2013	8 March 2018	8 March 2027
L7120/1997/12	City of Busselton	Rendezvous Road Waste Transfer Station	17 December 2012	16 December 2017	16 December 2024
L7122/1997/12	City of Busselton	Vidler Road Class II Putrescible Landfill Site & Liquid Waste Facility	8 June 2013	7 June 2018	7 June 2030
L7132/1997/10	Grainfeeds Pty Ltd	Grainfeeds Pty Ltd	23 September 2013	22 September 2018	22 September 2035

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LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L7134/1997/10	Air Liquide WA Pty Ltd	Air Liquide WA Pty Ltd	4 January 2015	3 January 2020	3 January 2036
L7142/1997/11	Shire of Halls Creek	Halls Creek Rubbish Tip	7 January 2013	6 January 2018	6 January 2026
L7166/1997/10	Electricity Generation and Retail Corporation	Geraldton Gas Turbine	31 December 2014	30 December 2019	30 December 2027
L7167/1997/10	Electricity Generation and Retail Corporation	Mungarra Gas Turbine Station	30 December 2014	29 December 2019	29 December 2022
L7168/1997/10	Electricity Generation and Retail Corporation	Kalgoorlie Gas Turbine Station	4 January 2015	3 January 2020	3 January 2023
L7179/1997/11	Dampier Salt Limited	Dampier Salt - Port Hedland Port Operations	5 October 2013	4 October 2018	4 October 2032
L7180/1997/11	Onslow Salt Pty Ltd	Onslow Salt Pty Ltd	11 March 2012	10 March 2017	10 March 2026
L7182/1997/11	Dampier Salt Limited	Dampier Salt - Dampier	22 September 2013	21 September 2018	21 September 2034
L7183/1997/11	Dampier Salt Limited	Dampier Salt Port Hedland	22 September 2013	21 September 2018	21 September 2027
L7184/1997/11	Shark Bay Resources Pty Ltd	Shark Bay Resources	2 September 2013	1 September 2016	1 September 2028
L7189/1997/8	Cord Nominees Pty Ltd t/a Hard Chrome Sales	Cord Nominees Pty Ltd t/a Hard Chrome Sales	12 May 2011	11 May 2016	11 May 2032
L7200/1997/10	Transpacific Cleanaway Pty Ltd	Gordon Road Transfer Station	17 November 2012	16 November 2017	16 November 2023
L7201/1997/10	City of Stirling	Recycling Centre Balcatta	29 August 2013	28 August 2018	28 August 2033
L7219/1997/9	Nor-West Seafoods Pty Ltd	Nor-West Seafoods Pty Ltd	23 March 2014	22 March 2019	22 March 2024
L7223/1997/10	Shire of Harvey	Harvey Liquid Waste Facility	12 August 2013	11 August 2018	11 August 2028
L7244/1997/13	Laminex Group Pty Limited	Dardanup Particleboard Plant	12 January 2014	11 January 2019	11 January 2026
L7276/1996/11	Murrin Murrin Operations Pty Ltd	Murrin Murrin Nickel Cobalt Project	6 June 2013	5 June 2018	5 June 2021
L7279/1994/9	Westpork Pty Ltd	Westpork- Martup Hills Piggery	8 October 2012	9 October 2017	9 October 2025
L7287/1998/12	Shire of Moora	Watheroo Rubbish Tip	24 February 2014	23 February 2019	23 February 2025
L7288/1998/11	Shire Of Moora	Moora Townsite Rubbish Tip	19 January 2015	18 January 2020	18 January 2029
L7291/1995/9	Cockburn Cement Limited	Dongara Lime Plant	29 April 2014	28 April 2019	28 April 2025
L7293/1998/11	Goldfields Power Pty Ltd	Parkeston Power Station	20 January 2014	19 January 2019	19 January 2029
L7294/1998/11	Shark Lake Food Group Pty Ltd	Shark Lake Food Group	18 October 2014	17 October 2016	17 October 2027
L7303/1998/10	Western Metropolitan Regional Council	JFR (Jim) McGeough Resource Recovery Facility	12 October 2013	11 October 2018	11 October 2024
L7307/1998/10	Shire of York	York Waste Treatment Facility	11 July 2013	10 July 2016	10 July 2027

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LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L7308/1998/13	A. Richards Pty Ltd	Richgro Garden Products	23 October 2014	22 October 2019	22 October 2025
L7309/1997/10	Water Corporation	Nowergup Biosolids Facility	31 October 2011	30 October 2016	30 October 2028
L7315/1998/8	Shire of Wyndham-East Kimberley	Kununurra Waste Disposal Site	28 October 2011	27 October 2016	27 October 2019
L7316/1996/8	Fletcher International Exports Pty Ltd	Narrikup Export Abattoir	4 October 2011	3 October 2016	3 October 2020
L7329/1997/8	Atlas Group Pty Ltd	Atlas Composting Facility	10 November 2010	9 November 2016	9 November 2019
L7331/1996/9	Shire Of Carnarvon	Carnarvon Water Storage Ponds - Treated Sewage Effluent	26 October 2014	25 October 2019	25 October 2023
L7333/1997/10	Vasse Felix Pty Ltd	Vasse Felix Winery	30 May 2014	29 May 2019	29 May 2035
L7334/1995/8	Fero Group Pty Ltd	Fero Group Pty Ltd	17 November 2015	16 November 2020	16 November 2032
L7336/1998/10	Alinta DEWAP Pty Ltd	Port Hedland Power Station	8 December 2013	7 December 2018	7 December 2025
L7337/1998/10	Alinta Energy Transmission (Roy Hill) Pty Ltd	Newman Power Station	8 December 2013	7 December 2018	7 December 2023
L7340/1997/9	Pilbara Iron Company (Services) Pty Ltd	Yandicoogina Iron Ore Mine	1 June 2014	31 May 2019	31 May 2036
L7344/1998/10	Vancouver Waste Services Pty Ltd	Mindijup Rd Tyre Disposal Site	17 January 2012	16 January 2017	16 January 2027
L7345/1999/10	TEC Desert Pty Ltd and TEC Desert No.2 Pty Ltd T/A Southern Cross Energy Partnership	Kalgoorlie Power Station	20 January 2014	19 January 2019	19 January 2032
L7347/1999/9	TEC Desert Pty Ltd and TEC Desert No.2 Pty Ltd T/A Southern Cross Energy Partnership	Leinster Power Station	20 January 2014	19 January 2019	19 January 2036
L7348/1999/10	TEC Desert Pty Ltd and TEC Desert No. 2 Pty Ltd T/A Southern Cross Energy Partnership	Mount Keith Diesel Power Station	20 January 2014	19 January 2019	19 January 2027
L7352/1989/10	Derby Industries Pty Ltd	Linley Valley Pork	13 February 2015	12 February 2020	12 February 2028
L7353/1996/10	Monadelphous Energy Services Pty Ltd	KMK Cogeneration Facility	24 January 2012	23 January 2017	23 January 2023
L7357/1999/11	Lightrange Pty Ltd	Cashmans (Lightrange)	5 May 2014	4 May 2019	4 May 2022
L7358/1991/9	Ransberg Pty Ltd	Whitby Hard Rock Quarry	15 June 2011	14 June 2016	14 June 2027
L7359/1995/10	Accolade Wines Australia Limited	Houghton Wines	14 September 2015	13 September 2020	13 September 2034

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LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L7360/1999/8	Shire of Toodyay	Toodyay Waste Transfer Station	9 August 2015	8 May 2020	8 May 2021
L7369/1999/10	Shire of Manjimup	Manjimup Liquid Waste Facility	15 September 2012	14 September 2016	14 September 2021
L7384/1999/8	West Australian Landfill Services Pty Ltd	Welshpool Transfer Station - West Australian Landfill Services	16 August 2015	15 August 2020	15 August 2028
L7390/1999/9	West Australian Landfill Services Pty Ltd	South Cardup Landfill	2 September 2013	1 September 2016	1 September 2022
L7391/1999/9	A Richards Pty Ltd	Amazon Soils & Landscaping Supplies	6 January 2014	5 October 2016	5 October 2033
L7395/1991/10	Water Corporation	Capel Wastewater Treatment Plant	1 November 2010	31 October 2016	31 October 2036
L7398/1999/7	Phillip Norman Bario & Robert Michael Bario	Minorba Grazing Co. Timber Treatment Plant	24 May 2014	23 May 2019	23 May 2021
L7404/1999/9	Australian Nickel Investments Pty Ltd	Cosmos Nickel Operations	30 July 2013	3 March 2020	29 July 2033
L7407/1998/9	Shire of Plantagenet	Great Southern Regional Cattle Saleyards	3 March 2012	2 March 2017	2 March 2027
L7411/2000/9	Xanadu Wines Pty Ltd	Xanadu Winery	9 July 2014	8 July 2019	8 July 2034
L7413/1998/9	Cretta Pty Ltd	Howard Park Winery	24 February 2014	23 February 2019	23 February 2024
L7416/1999/9	3 Oceans Winery Company Pty Ltd	3 Oceans Wine Company Palandri Winery	30 January 2015	29 January 2020	29 January 2036
L7421/1995/10	Hanson Construction Materials Pty Ltd	Hanson - Bunbury Quarry	1 October 2012	30 September 2017	30 September 2023
L7426/2000/8	RAC Tourism Assets Pty Ltd	Monkey Mia Dolphin Resort	7 April 2015	6 April 2020	6 April 2029
L7427/1998/8	Water Corporation	Dunsborough Wastewater Treatment Plant	1 November 2013	31 October 2016	31 October 2033
L7437/2000/11	Nufeds Ltd	Nufeds Ltd	23 June 2011	22 June 2016	22 June 2020
L7438/2000/9	Milne Agrigroup Pty Ltd	Milne Feeds	24 March 2012	23 March 2017	23 March 2030
L7440/1998/7	Water Corporation	Bridgetown Wastewater Treatment Plant	1 November 2014	31 October 2019	31 October 2031
L7446/1999/8	Pinetec Pty Ltd	Pinetec Limited	29 June 2011	28 June 2016	28 June 2026
L7455/2000/7	Pilbara Iron Company (Services) Pty Ltd	Pannawonica Sewerage Treatment Plant	29 May 2011	28 May 2016	28 May 2029
L7458/2000/9	Australian Drilling Specialities Pty Ltd	Australian Drilling Specialties Pty Ltd	15 September 2014	14 September 2019	14 September 2026
L7463/1993/8	Water Corporation	Onslow Wastewater Treatment Plant	1 November 2013	31 October 2018	31 October 2029
L7465/1999/8	Saracen Gold Mines Pty Ltd	Carosue Dam Operations	1 November 2013	31 October 2018	31 October 2021
L7475/2000/9	Bartter Enterprises Pty Ltd	Bartter Enterprises Pty Ltd	15 January 2014	14 January 2019	14 January 2025

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LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L7477/2001/9	Inghams Enterprises Pty. Limited	Inghams Enterprises Pty. Limited	22 January 2016	21 January 2021	21 January 2025
L7639/2000/8	Total Waste Management Pty Ltd	Total Waste Management	1 November 2015	31 October 2035	31 October 2035
L7643/1999/8	Flying Fish Cove Pty Ltd	Flying Fish Cove Winery	28 July 2014	27 July 2019	27 July 2029
L7672/2001/5	Hanson Construction Materials Pty Ltd	Mount Barker Quarry	1 October 2009	30 September 2017	30 September 2023
L7685/1993/6	Water Corporation	Dongara Wastewater Treatment Plant	11 October 2013	10 October 2018	10 October 2026
L7690/1997/6	Water Corporation	Denham Wastewater Treatment Plant	1 November 2014	31 October 2019	31 October 2036
L7691/1991/5	Water Corporation	Three Springs Wastewater Treatment Plant	26 October 2014	25 October 2019	25 October 2036
L7707/1992/7	Hanson Construction Materials Pty Ltd	Hanson Construction Materials Mt Regal Quarry	1 October 2014	30 September 2019	30 September 2032
L7712/2001/8	Doral Mineral Sands Pty Ltd	Picton Mineral Separation Plant	5 September 2014	4 September 2019	4 September 2034
L7714/2001/7	Cape Mentelle Vineyards Ltd	Cape Mentelle Winery	10 May 2014	9 May 2019	9 May 2031
L7716/2001/8	Ferngrove Vineyards Ltd	Ferngrove Winery	22 December 2014	21 December 2019	21 December 2036
L7717/1993/9	Water Corporation	Pemberton Wastewater Treatment Plant	1 November 2014	31 October 2019	31 October 2023
L7719/2001/7	Primax Pty Ltd	Capel Vale Winery	19 December 2014	18 December 2019	18 December 2023
L7720/2001/8	West Cape Howe Wines Pty Ltd	West Cape Howe Wines	14 February 2016	13 February 2021	13 February 2029
L7725/2001/7	Rural Developments Pty Ltd	Leeuwin Estate Winery	5 June 2014	4 June 2016	4 June 2023
L7727/2001/8	Treasury Wine Estates Vintners Limited	Devil's Lair Winery	12 December 2015	11 December 2020	11 December 2033
L7737/2001/6	Bridgetown Golf Club Inc.	Bridgetown Golf Club	23 November 2014	22 November 2019	22 November 2030
L7738/2000/9	Water Corporation	Margaret River Wastewater Treatment Plant	1 November 2013	31 October 2016	31 October 2034
L7741/2001/6	Haoma Mining NL	Normay Gold Mine	23 May 2011	22 May 2016	22 May 2030
L7749/1999/9	Stella Bella Wines Pty Ltd	Stella Bella Winery	19 January 2014	18 January 2019	18 January 2031
L7751/2001/7	STEG Waste Management Pty Ltd	Buckingham Road Inert Landfill	12 April 2014	11 April 2019	11 April 2031
L7753/2001/7	Process Minerals International Pty Ltd	Coobina Chromite Operations	27 February 2012	26 February 2017	26 February 2025
L7765/2002/6	Kimberley Diamond Company NL	Ellendale Diamond Project	6 May 2013	5 May 2018	5 May 2026

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LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L7773/1993/6	Fulton Hogan Industries Pty Ltd	Fulton Hogan Asphalt Plant	31 October 2015	30 October 2017	30 October 2021
L7779/1978/6	Delta Corporation Ltd	Delta Corporation Ltd	22 July 2011	21 July 2016	21 July 2031
L7789/2001/9	Doral Mineral Sands Pty Ltd	Dardanup Mineral Sands Mine	13 June 2015	12 June 2017	12 June 2028
L7798/1993/6	Deflector Mining Limited	Gullewa Operations	1 December 2013	30 November 2018	30 November 2026
L7799/2001/8	Southern Metropolitan Regional Council	Regional Resource Recovery Centre	31 March 2014	30 March 2017	30 March 2033
L7802/2001/11	Water Corporation	Kemerton Wastewater Treatment Plant	30 October 2013	29 October 2018	29 October 2027
L7811/2002/4	William Richard Cocking	Wourie Pool Farm	14 November 2011	13 November 2016	13 November 2031
L7815/2001/11	Saracen Metals Pty Ltd	North Eastern Goldfields Operations	21 October 2014	20 October 2019	20 October 2024
L7817/2000/6	Sand Queen Gold Mines Pty Ltd	Sand Queen Dewatering Project	14 October 2013	13 October 2018	13 October 2023
L7818/2002/5	The Busselton Golf Club Inc.	Busselton Golf Course	10 December 2014	9 December 2019	9 December 2032
L7819/2002/9	Margaret River Winemakers Pty Ltd	Margaret River Winemakers Winery	16 May 2014	15 May 2019	15 May 2034
L7827/2001/5	Abbotts Liquid Salvage Pty Ltd	Abbotts Liquid Salvage	20 January 2013	19 January 2017	19 January 2020
L7829/2001/6	Vince Borrello	Borrello Cheese	27 November 2015	26 November 2020	26 November 2035
L7833/2002/5	Flyash Australia Pty Limited	Flyash Australia	22 December 2014	21 December 2019	21 December 2022
L7835/2003/5	Macrofertil Australia Pty Ltd	Macrofertil Kwinana Operations	26 April 2013	25 April 2018	25 April 2021
L7839/1998/6	Ausvision Rural Services Pty Ltd	Serpentine-Jarrahdale Holding Yards	21 February 2013	21 February 2017	21 February 2021
L7845/2003/5	All Earth Group Pty Ltd	All Earth Group	22 December 2013	21 December 2018	21 December 2023
L7847/2003/7	AWE Perth Pty Ltd	Hovea Oil and Gas Production Facility and Xyris Gas Production Facility	30 March 2014	29 March 2019	29 March 2022
L7851/2002/6	BHP Billiton Iron Ore Pty Ltd	Mining Area C Project	17 November 2014	16 November 2019	16 November 2029
L7860/2003/5	Electricity Generation and Retail Corporation	Cockburn No. 1 Power Station	17 June 2015	16 June 2020	16 June 2030
L7864/2003/4	International Livestock Export Pty Ltd	Broome Common	3 September 2014	2 September 2019	2 September 2036
L7865/2002/5	Tomcat Hardchrome Engineering	Tomcat Hardchrome Engineering	8 July 2011	7 July 2016	7 July 2032
L7873/2002/6	Ausvision Rural Services Pty Ltd	Narrogin Beef Feedlot	1 April 2015	31 March 2020	31 March 2031
L7881/1999/5	Watershed Premium Wines Ltd	Watershed Premium Wines Winery	8 October 2014	7 October 2019	7 October 2033
L7882/1991/14	Water Corporation	Beenyup Wastewater Treatment Plant	1 November 2011	31 October 2016	31 October 2024
L7902/2003/4	Esperance Power Station Pty Ltd	Esperance Power Station	5 January 2013	4 January 2018	4 January 2025
L7907/2004/8	Gardincourt Estate Pty Ltd	Willow Bridge Estate Winery	1 July 2015	30 June 2020	30 June 2032

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LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L7921/2003/4	City of Karratha	Wickham Transfer Station	24 April 2015	23 April 2020	23 April 2024
L7922/1989/5	Fox Radio Hill Pty Ltd	Radio Hill Mine Site	21 June 2012	20 June 2016	20 June 2025
L7927/2003/4	Water Corporation	Coral Bay Wastewater Treatment Plant	24 May 2015	23 May 2020	23 May 2032
L7930/2004/4	Westone Pty Ltd	Great Eastern Abattoir	21 August 2011	20 August 2016	20 August 2033
L7932/2004/4	River Nominees Pty Ltd	Purearth	14 June 2011	13 June 2016	13 June 2027
L7938/1991/3	Water Corporation	Bremer Bay Wastewater Treatment Plant	1 November 2013	31 October 2018	31 October 2021
L7967/2003/6	Savannah Nickel Mines Pty Ltd	Savannah Project	2 August 2014	1 August 2019	1 August 2032
L7969/2004/3	Northern Star Resources Ltd	Paulsens Gold Project	8 November 2011	7 November 2016	7 November 2025
L7970/1997/6	Shire Of Coolgardie	Kambalda Waste Disposal Site	22 November 2013	21 November 2018	21 November 2027
L7972/2004/4	Monument Gold Operations Pty Ltd	Burnakura Gold Project	24 September 2013	23 September 2018	23 September 2033
L7975/2004/4	Boral Resources (WA) Ltd	Boral Quarries - Tabba Tabba	20 October 2013	19 October 2018	19 October 2024
L7994/2003/4	Shire of Brookton	Brookton Wastewater Treatment Plant	13 February 2014	12 February 2019	12 February 2026
L7995/2004/3	Robowash Pty Ltd	Robowash Pty Ltd	3 April 2015	2 April 2020	2 April 2026
L7998/2003/3	Holista Colltech Limited	Holista Colltech Rendering Facility	19 January 2015	18 January 2020	18 January 2024
L8001/2005/5	NutraRich Pty Ltd	Hopelands Farm	6 March 2015	5 March 2020	5 March 2034
L8004/2005/3	Water Corporation	Kambalda Waste Water Treatment Plant	5 July 2013	4 July 2018	4 July 2025
L8008/2004/3	FQM Australia Nickel Pty Ltd	Ravensthorpe Nickel Project	14 May 2013	13 May 2016	13 May 2026
L8021/2003/5	Water Corporation	Walpole Wastewater Treatment Plant	1 November 2015	31 October 2016	31 October 2030
L8025/1992/3	Department of Corrective Services - State of Western Australia	Greenough Regional Prison	12 October 2012	11 October 2017	11 October 2033
L8026/2004/6	RATCH-Australia Kemerton Pty Ltd	Kemerton Power Station	1 November 2011	31 October 2016	31 October 2028
L8030/2003/4	OneSteel Recycling Pty Ltd	OneSteel Recycling	28 November 2013	27 November 2018	27 November 2035
L8031/2005/4	Milne Agrigroup Pty Ltd	Mt Barker Chicken	22 December 2014	21 December 2019	21 December 2024
L8032/2005/3	The Italo Pirone Family Trust	Moonyoonooka Sand Quarry	5 August 2015	5 August 2020	5 August 2030
L8034/2005/4	Cretta Pty Ltd	Howard Park Wines - Denmark Winery	5 December 2014	4 December 2019	4 December 2023
L8036/1993/6	Western Meat Processors Pty Ltd	Cowaramup Abattoir	7 February 2014	6 February 2017	6 February 2021
L8050/1991/3	Water Corporation	Jurien Wastewater Treatment Plant	1 November 2014	31 October 2019	31 October 2023

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L8070/2005/2	Watercorporation	Mundaring WWTP	27 October 2013	26 October 2018	26 October 2028
L8078/1996/3	Shire of Ravensthorpe	Ravensthorpe's Limited Effluent Treatment and Reuse Facility	5 April 2013	4 April 2018	4 April 2036
L8091/2005/2	Voyager Estate (W.A.) Pty. Ltd.	Voyager Estate Winery	7 September 2011	6 September 2016	6 September 2025
L8096/2005/4	Roc Oil (WA) Pty Ltd	Arrowsmith Stabilisation Plant	3 April 2015	2 April 2020	2 April 2024
L8098/2002/4	Australian Renewable Fuels Picton Pty Ltd	Picton Biodiesel Plant	31 May 2013	30 May 2018	30 May 2022
L8103/1989/3	Aragon Resources Pty Ltd	Fortnum Gold Mine	15 June 2011	14 June 2016	14 June 2035
L8108/2004/4	Water Corporation	Perth Seawater Desalination Plant	24 September 2013	23 September 2018	23 September 2023
L8111/2005/2	Tanami Exploration NL	Tanami Gold Mine	16 July 2012	15 July 2017	15 July 2024
L8116/2006/2	Kimberley Diamond Company NL	Ellendale 4 (E4) South Plant	13 August 2011	12 August 2016	12 August 2021
L8117/2006/8	Hamersley HMS Pty Ltd	Hope Downs 1 Iron Ore Mine	27 November 2013	26 November 2018	26 November 2021
L8120/2006/4	Nationwide Oil Pty Ltd	Nationwide Oil Parkeston Facility	20 August 2014	19 August 2019	19 August 2025
L8121/2003/2	BGC Australia Pty Ltd	BGC Naval Base Cement Mill	1 December 2011	30 November 2016	30 November 2022
L8128/2006/2	Shire of Boyup Brook	Stanton Road Liquid Waste Facility	10 November 2012	9 November 2017	9 November 2032
L8129/2006/2	ERS AUSTRALIA PTY LTD	Environmental Recovery Services Australia Pty Ltd	28 August 2010	27 August 2016	27 August 2029
L8139/2007/2	Pilbara Iron Pty Ltd	Parker Point (Kangaroo Hill) Construction Camp	12 February 2012	11 February 2017	11 February 2027
L8141/2007/2	Mt Weld Mining Pty Ltd	Mt Weld Rare Earths Project	16 April 2013	15 April 2018	15 April 2026
L8146/2007/3	Avoca Mining Pty Ltd	Higginsville Gold Project (Trident Underground)	27 May 2013	26 May 2018	26 May 2026
L8148/2006/4	Koolan Iron Ore Pty Ltd	Koolan Island Iron Ore Mine & Port Facility	18 June 2014	17 June 2019	17 June 2025
L8149/2003/3	Opalvale Pty Ltd	Salt Valley Road Inert Landfill	1 June 2013	31 May 2018	31 May 2028
L8150/1997/2	Shire of Ravensthorpe	Hopetoun Waste Site Transfer Station	9 August 2012	8 August 2017	8 August 2034
L8151/2005/2	Independence Jaguar Limited	Jaguar Operation	3 April 2013	2 April 2018	2 April 2022
L8153/2004/2	RSV Group Pty Ltd	RSV Group Pty Ltd	5 June 2011	3 June 2016	3 June 2020
L8155/2004/2	EDL NGD (WA) PTY LTD	Broome Power Station	18 June 2012	17 June 2017	17 June 2023
L8159/2004/2	EDL LNG (WA) PTY LTD	Maitland LNG Facility	13 July 2012	12 July 2017	12 July 2022
L8170/2007/3	Pilbara Iron Pty Ltd	Cape Lambert Upgrades Construction Camp	16 July 2015	15 July 2020	15 July 2021

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LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L8171/2007/2	Daromi Pty Ltd	RMD Tankers	30 August 2012	29 August 2017	29 August 2027
L8173/2007/2	Poseidon Nickel Limited	Windarra Nickel Project	22 October 2013	21 October 2018	21 October 2027
L8174/2007/5	Alcoa of Australia Ltd	Wagerup Cogeneration Plant	29 November 2014	28 November 2016	28 November 2034
L8176/2007/2	Holcim (Australia) Pty Limited	Baldivis Sand Quarry	4 March 2011	2 June 2016	3 March 2029
L8177/2007/2	Downer EDi Works Pty Ltd	Downer EDi Works Pty Ltd - Narngulu Asphalt Plant	8 October 2012	7 October 2017	7 October 2022
L8190/2007/1	Department of Finance	Mt Walton Intractable Waste Disposal Facility (IWDF) Class V Landfill	18 February 2008	17 February 2017	17 February 2022
L8193/2007/3	Talisman Nickel Pty Ltd	Sinclair Nickel Project	20 October 2014	19 October 2019	19 October 2026
L8194/2007/3	Fortescue Metals Group Limited	Anderson Point Materials Handling Facility	24 April 2014	23 April 2017	23 April 2027
L8199/2007/2	Chichester Metals Pty Ltd	Cloudbreak Iron Ore Mine	4 February 2012	3 February 2026	3 February 2032
L8202/2007/2	Water Corporation	Cunderdin Wastewater Treatment Plant	16 July 2014	15 July 2019	15 July 2032
L8222/2008/2	Naturaliste Vintners Pty Ltd	Naturaliste Vintners Winery	28 September 2014	27 September 2016	27 September 2036
L8225/2008/2	Main Roads Western Australia	Asphalt Manufacturing Derby	2 June 2013	1 June 2018	1 June 2034
L8232/2008/2	Pilbara Iron Company (Services) Pty Ltd	Brockman 4 Mine	31 July 2013	30 July 2018	30 July 2029
L8234/2008/2	Robe River Mining Co Pty Ltd	Mesa A Warrambo Iron Ore Mine	31 July 2013	30 July 2018	30 July 2033
L8235/2008/2	Ian & Jemima Minty	Narrabie Farm	8 July 2013	7 July 2018	7 July 2030
L8237/2008/2	Water Corporation	Corrigin Wastewater Treatment Plant	10 December 2014	9 December 2019	9 December 2023
L8238/2008/2	Water Corporation	Quairading Wastewater Treatment Plant	5 December 2014	4 December 2019	4 December 2029
L8239/2008/2	Water Corporation	York Wastewater Treatment Plant	22 April 2015	21 April 2020	21 April 2028
L8240/2008/2	Water Corporation	Narembeen Wastewater Treatment Plant	20 May 2015	19 May 2020	19 May 2033
L8241/2008/2	Mr Ambrose James Smith & Mrs Shiralee Smith	WA Tyre Recovery - Albany Storage	29 May 2013	28 May 2018	28 May 2028
L8242/2008/4	AnaeCo Limited	AnaeCo Limited	22 January 2014	21 January 2017	21 January 2023
L8245/2008/2	Water Corporation	Narngulu Wastewater Treatment Plant	6 October 2013	5 October 2018	5 October 2024
L8246/2008/2	Romine Holdings Pty Ltd f/t Wren Family Trust	Wren Oil Midvale Depot	4 August 2013	3 August 2018	3 August 2031
L8247/2008/2	IPM Operation & Maintenance Kwinana Pty Ltd	Kwinana Cogeneration Plant	3 July 2013	2 July 2018	2 July 2034
L8249/2008/2	Focus Operations Pty Ltd	Three Mile Hill Mine Site	29 September 2013	28 September 2018	28 September 2022

SCHEDULE OF LICENCE PREMISES EXPIRY DATE AMENDMENTS

LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L8267/2008/4	Hartway Naval Base Pty Ltd	Hartway Galvanizers Naval Base	30 January 2015	29 January 2020	29 January 2033
L8271/2008/1	NewGen Power Kwinana Pty Ltd	Kwinana Gas-Fired Power Plant	9 October 2008	8 October 2017	8 October 2028
L8272/2008/2	Nationwide Oil Pty Ltd	Nationwide Oil	9 October 2011	8 October 2016	8 October 2032
L8273/2008/2	Tambo Nominees Pty Ltd	Tyre Storage & Recycling WA	2 July 2014	1 July 2018	1 July 2027
L8275/2008/2	OZ Youanmi Gold Pty Ltd	Youanmi Mine	15 December 2013	14 December 2018	14 December 2027
L8293/2008/2	Robe River Mining Co. Pty Ltd	Pannawonica Deepdale Landfill	2 March 2014	1 March 2019	1 March 2030
L8295/2008/3	IXOM Operations Pty Ltd	Sodium Hypochlorite Plant Project Zephyr	24 December 2014	23 December 2019	23 December 2023
L8296/2008/2	Bossong Engineering Pty Ltd	Bossong Engineering	29 January 2014	28 January 2019	28 January 2025
L8306/2008/2	Newmont Boddington Gold Pty Ltd	Newmont Boddington Gold Pty Ltd	1 May 2014	30 April 2019	30 April 2023
L8310/2008/2	CITIC Pacific Mining Management Pty Ltd	Fortescue River Roadhouse	17 August 2014	16 August 2019	16 August 2022
L8312/2008/2	The Pilbara Infrastructure Pty Ltd	Mine Fuel Supply, Thomas Yard	12 January 2014	11 January 2019	11 January 2029
L8314/2008/3	Midwest Vanadium Pty Ltd	Windimurra Vanadium Project	19 February 2015	18 February 2020	18 February 2036
L8316/2008/2	Boral Resources (WA) Ltd	Turner River	25 May 2014	24 May 2019	24 May 2026
L8319/2008/1	Boral Resources (WA) Ltd	Poondano (Tabba Tabba)	25 May 2009	24 May 2017	24 May 2025
L8321/2008/2	Margaret River Wine Production Pty Ltd	Margaret River Wine Production Winery	23 January 2014	22 January 2019	22 January 2030
L8326/2008/5	Bluewaters Power 1 Pty Ltd & Bluewaters Power 2 Pty Ltd	Bluewaters I & II Power Station	18 October 2014	17 October 2017	17 October 2029
L8327/2008/2	Paddington Gold Pty Ltd	Rose Pit	2 March 2014	1 March 2019	1 March 2024
L8330/2008/2	Annadale Farm Pty Ltd	Annadale Farm	12 February 2014	11 February 2019	11 February 2029
L8332/2009/3	Tox Free Australia Pty Ltd	Karratha Liquid Waste Treatment Plant and Waste Transfer Station	30 March 2015	29 March 2020	29 March 2031
L8333/2009/2	Imerys Talc Australia Pty Ltd	Three Springs Talc Mine	4 May 2014	3 May 2019	3 May 2034
L8334/2009/2	MT ROMANCE AUSTRALIA PTY LTD	The Sandalwood Factory	27 July 2012	26 July 2017	26 July 2024
L8337/2009/2	St Barbara Limited	Gwalia Minesite	9 February 2014	8 February 2019	8 February 2029
L8338/2009/2	Wellard Rural Exports Pty Ltd	La Bergerie	16 March 2014	15 March 2019	15 March 2033
L8339/2009/3	Origin Energy Resources Limited	Jingemia Production Facility	20 April 2015	19 April 2020	19 April 2030
L8344/2009/2	Indigenous Land Corporation	Roebuck Export Depot	7 May 2012	6 May 2017	6 May 2024
L8345/2009/2	St Barbara Limited	Tarmoola Operations	4 May 2013	3 May 2016	3 May 2019

SCHEDULE OF LICENCE PREMISES EXPIRY DATE AMENDMENTS

LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L8349/2009/2	Ian and Jemima Minty	Sutherland Farm	19 June 2014	18 June 2019	18 June 2026
L8352/2009/2	Gulf Chrome Pty Ltd	Auschrome Engineering	22 June 2015	21 June 2020	21 June 2028
L8355/2009/2	P.M.R. Quarries Pty Ltd	Baldivis Pit	2 July 2014	1 July 2019	1 July 2025
L8356/2009/2	NewGen Neerabup Pty Ltd	Neerabup Power Station	3 December 2012	2 December 2017	2 December 2035
L8357/2009/2	Wespine Industries Pty Ltd	Wespine Dardanup Pine Log Sawmill	8 June 2014	7 June 2019	7 June 2031
L8358/2009/2	MKO Mines Pty LTD	Bronzewing Gold Project	19 October 2014	18 October 2019	18 October 2024
L8359/2009/2	Shire Of Coolgardie	Coolgardie Waste Water Treatment Plant	19 June 2014	18 June 2019	18 June 2033
L8362/2009/2	BHP Billiton Iron Ore Pty Ltd	Redmont Camp	2 November 2014	1 November 2019	1 November 2028
L8363/2009/2	BHP Billiton Iron Ore Pty. Ltd.	Turner Camp	5 October 2014	4 October 2019	4 October 2030
L8364/2009/2	BHP Billiton Iron Ore Pty Ltd	Cowra Camp	1 March 2015	29 February 2020	29 February 2036
L8365/2009/2	Shire of Murray	Dwellingup Waste Transfer Station	29 October 2014	28 October 2019	28 October 2034
L8367/2009/2	Shire of Yilgarn	Southern Cross Sewage Ponds	16 November 2014	15 November 2019	15 November 2022
L8375/2009/2	Future Foams Pty Ltd	Future Foams Pty Ltd	27 July 2014	26 July 2019	26 July 2033
L8382/2009/2	Ramelius Milling Services Pty Ltd	Burbanks Treatment Plant	14 September 2013	13 September 2018	13 September 2028
L8385/2009/3	Origin Energy Resources Limited	Beharra Springs Gas Processing Plant	8 September 2015	7 September 2020	7 September 2027
L8386/2009/2	ATCO Power Australia (Karratha) Pty Ltd	Karratha Power Station	8 January 2015	7 January 2020	7 January 2030
L8387/2009/2	Pastoral Management Pty Ltd	Eramurra Village: Construction Village Sewage Facility	22 March 2015	21 March 2020	21 March 2031
L8394/2009/3	Shire of Mundaring	Mathieson Road Transfer Station	28 June 2014	27 June 2017	27 June 2035
L8395/2009/2	Electricity Generation and Retail Corporation	Pinjar Gas Turbine Station	1 October 2011	30 September 2016	30 September 2024
L8397/2009/2	Resource Recovery Solutions Pty Ltd	Waste Care (Jackson St)	7 December 2011	6 December 2016	6 December 2019
L8402/2009/2	MINJAR GOLD PTY LTD	MINJAR GOLD PROJECT	1 February 2015	31 January 2020	31 January 2026
L8404/2009/2	Bradken Resources Pty Ltd	Bradken Resources Pty Ltd	30 September 2011	29 September 2016	29 September 2021
L8406/2009/2	Shire of Lake Grace	Newdegate Waste Management Facility	8 March 2013	7 March 2018	7 March 2031
L8407/2009/2	Southerly Ocean Pty Ltd	Coastal Waste Management	2 March 2015	1 March 2020	1 March 2022
L8408/2009/2	Shire of Carnamah	Carnamah Liquid Waste Disposal Facility	8 February 2015	7 February 2020	7 February 2028
L8411/2010/2	A.C.N. 065 925 402 Pty Limited	Silica Sand Storage Facility	26 July 2013	25 July 2018	25 July 2027
L8412/2010/2	Regis Resources Ltd	Moolart Well	15 July 2013	14 July 2017	14 July 2024

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LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L8413/2010/2	Quadrant Northwest Pty Ltd	Devil Creek Accommodation Village WWTP	1 March 2015	28 February 2020	28 February 2033
L8416/2010/2	Upper Great Southern Regional Renewable Energy Group Pty Ltd	CBH Facility Pingelly	18 March 2015	17 March 2017	17 March 2026
L8417/2010/2	West Tip Waste Control Pty Ltd	Redoak Corporation	29 November 2013	28 November 2018	28 November 2033
L8425/2010/2	Enviroclean (WA) Pty Ltd	Enviroclean (WA) Pty Ltd	8 November 2015	7 November 2016	7 November 2023
L8426/2010/2	Western Australian Meat Industry Authority	The Livestock Centre	30 April 2015	29 April 2020	29 April 2025
L8431/2010/2	Pilbara Iron Pty Ltd	Yurralyi Maya Power Station	19 July 2013	18 July 2018	18 July 2035
L8434/2010/1	Water Corporation	Alkimos Wastewater Treatment Plant	26 May 2011	25 May 2016	25 May 2023
L8435/2010/3	GSM Mining Company Pty Ltd	Granny Smith Gold Mine	7 October 2013	6 October 2018	6 October 2034
L8437/2010/3	BHP Billiton Nickel West Pty Ltd	Nickel West Kwinana	31 October 2015	30 October 2017	30 October 2021
L8444/2010/4	David Gray & Co. Pty Ltd	David Gray & Co. Pty Ltd	13 October 2015	12 October 2020	12 October 2029
L8446/2010/2	Sandalford Wines Pty Ltd	Sandalford Wines	15 July 2015	14 July 2020	14 July 2028
L8449/2010/1	Silver Lake Resources Limited	Silver Lake Resource, Mt Monger Operations	9 September 2013	8 September 2016	8 September 2030
L8451/2010/2	Chevron Australia Pty Ltd	Gorgon Gas Development Bridging Power Station	27 February 2015	26 February 2020	26 February 2023
L8452/2010/2	Moore Sands Resources Pty Ltd	Moore River Sands Quarry	5 July 2011	4 July 2016	4 July 2034
L8454/2010/2	Chichester Metals Pty Ltd	Christmas Creek Iron Ore Mine	24 August 2015	23 August 2020	23 August 2036
L8456/2010/1	B. & J. Catalano Pty Ltd	Wagerup Gravel Quarry	14 June 2010	13 June 2017	13 June 2034
L8457/2010/2	Silver Lake (Integra) Pty Limited	Salt Creek Processing Facility	6 September 2013	5 September 2018	5 September 2023
L8458/2010/3	CSR Building Products Limited	Jurien Gypsum Process Facility	23 October 2015	22 October 2020	22 October 2031
L8459/2010/3	Wesfeeds Pty Ltd	Wesfeeds	17 October 2013	16 October 2018	16 October 2027
L8460/2010/3	Galvin Engineering PTY LTD	Galvin Engineering	1 October 2015	30 September 2020	30 September 2036
L8462/2010/2	Tullamore Holdings Pty Ltd	Tullamore Holdings Pty Ltd	19 September 2015	18 September 2020	18 September 2030
L8465/2010/2	Aerospace NDI Pty Ltd	Aerospace NDI	12 November 2015	11 November 2020	11 November 2024
L8466/2010/2	Water Corporation	Southern Seawater Desalination Plant	17 January 2014	16 January 2019	16 January 2022
L8467/2010/1	Rocla Pty Ltd	Lot 2 Johnston Rd Waroona	29 April 2013	28 April 2018	28 April 2021
L8469/2010/2	Galaxy Resources Limited	Ravensthorpe Spodumene Project	14 October 2013	13 October 2018	13 October 2029
L8470/2010/2	Karratha Environmental Crushing Pty Ltd	KEC site	27 September 2013	26 September 2016	26 September 2020

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LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L8471/2010/2	Western Energy	Western Energy Power Station Kwinana	6 September 2015	5 September 2020	5 September 2033
L8473/2010/1	Paradise Beef Pty Ltd	Paradise Beef Cattle Feedlot	22 November 2010	21 November 2016	21 November 2032
L8482/2010/2	VEEM Ltd	VEEM Ltd	8 October 2015	7 October 2020	7 October 2031
L8484/2010/2	Shire of Kondinin	Kondinin Landfill site	5 September 2011	4 September 2016	4 September 2019
L8485/2010/2	St Ives Gold Mining Company Pty Ltd	St Ives Gold Mine	7 October 2013	6 October 2018	6 October 2032
L8490/2010/2	Focus Minerals (Laverton) Pty Limited	Barnicoat Gold Plant	27 December 2013	26 December 2018	26 December 2027
L8492/2010/2	Redgate Holdings Pty Ltd	Redgate Lime Quarry	31 January 2014	30 January 2017	30 January 2036
L8493/2010/2	Rosslyn Hill Mining	Paroo Station Mine Site	29 November 2013	28 November 2018	28 November 2021
L8495/2010/2	Mount Gibson Mining Ltd	Extension Hill Mine Site	21 January 2014	20 January 2019	20 January 2031
L8496/2010/2	Shire of Kellerberrin	Kellerberrin Waste Transfer Station	29 November 2015	28 November 2020	28 November 2023
L8497/2010/2	Waste Stream Management Pty Ltd	Welshpool Central Waste	4 September 2011	3 September 2016	3 September 2024
L8502/2010/1	Great Sand Supplies Pty Ltd	Great Sand Supplies	19 September 2011	18 September 2016	18 September 2022
L8503/2010/1	Capral Limited	Capral Limited	12 May 2011	11 May 2016	11 May 2034
L8504/2010/1	Humifert Pty Ltd	Karingal Pastoral Company	26 September 2013	25 September 2018	25 September 2033
L8510/2010/1	Downer EDi Works Pty Ltd	Newman Quarry	5 December 2011	4 December 2016	4 December 2028
L8512/2010/2	Paddington Gold Pty Ltd	Bullant Gold Mine	18 July 2015	17 July 2020	17 July 2029
L8515/2010/2	Resource Recovery Solutions Pty Ltd	Pinjarra Resource Recovery Centre	21 January 2016	31 January 2021	31 January 2025
L8518/2011/2	Wingstar Investments Pty Ltd	Cawse Nickel Operations	21 February 2014	20 February 2019	20 February 2034
L8520/2011/1	Gemec Remediation Services Pty Ltd	Main Roads Bioremediation Site Cataby	4 July 2011	3 July 2016	3 July 2029
L8521/2011/1	Department of Corrective Services	Karnet Prison Farm	30 May 2011	29 May 2016	29 May 2035
L8524/2011/1	Livestock Express Pty Ltd	Rosguy	9 May 2011	8 May 2016	8 May 2019
L8526/2011/2	Agri Corp Australia Pty Ltd	VMS Contractors Composting Facility	23 May 2014	22 May 2019	22 May 2036
L8529/2011/1	Onslow Resources Ltd	Onslow Tenement Project	30 January 2012	29 January 2017	29 January 2028
L8532/2011/1	St Barbara Limited	Kailis Mining Operation	22 August 2011	19 August 2016	19 August 2019
L8534/2011/2	PMR Quarries Pty Ltd	Pilbara Rock Supply plant	9 May 2014	8 May 2019	8 May 2032

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LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L8535/2011/1	Shire of Boyup Brook	Boyup Brook Waste Transfer Station	12 September 2011	11 September 2016	11 September 2033
L8540/2011/1	Wellard Feeds Pty Ltd	Wellard Feed Pty Ltd	2 July 2012	1 July 2017	1 July 2024
L8543/2011/1	Eco Resources Pty Ltd	Naval Base Recycling Transfer Station	18 July 2011	17 July 2016	17 July 2026
L8545/2011/1	Coolup Properties Pty Ltd	Pindari Piggery	27 June 2011	26 June 2016	26 June 2021
L8547/2011/1	IR & SA Rogers	Kylagh Feedlot	8 September 2011	7 September 2016	7 September 2023
L8548/2011/2	Avago Pty Ltd	Winchester Quarry	9 September 2014	8 September 2019	8 September 2035
L8549/2011/1	Kimberley Metals Group Pty Ltd	Ridges Iron Ore Project	6 June 2011	5 June 2016	5 June 2019
L8550/2011/1	B. & J. Catalano Pty Ltd	Martin Road Gravel Quarry	14 July 2011	13 July 2016	13 July 2034
L8551/2011/1	Rocla Pty Limited	Paganoni Rd Sand Quarry	15 August 2011	14 August 2016	14 August 2020
L8553/2011/1	BHP Billiton Petroleum Pty Ltd	Macedon Gas Project	6 February 2012	5 February 2017	5 February 2028
L8554/2011/1	Stone Resources Australia Limited	Brightstar Beta	27 June 2011	26 June 2016	26 June 2024
L8556/2011/1	Water Corporation	Broome North Wastewater Treatment Plant	4 July 2011	3 July 2016	3 July 2022
L8557/2011/1	Kimberley Metals Group Pty Ltd	Ridges Iron Ore Project Barge Loading Facility	7 July 2011	6 July 2016	6 July 2020
L8558/2011/1	Sandfire Resources NL	DeGrussa Copper-Gold Project	23 June 2011	23 December 2017	23 December 2026
L8559/2011/1	City of South Perth	Collier Park Waste Transfer Station	19 September 2011	18 September 2016	18 September 2034
L8561/2011/1	GMA Garnet Pty Ltd	Port Gregory Garnet Mine	28 July 2011	27 July 2016	27 July 2029
L8562/2011/1	Hamersley Iron Pty Limited	Koodaideri Exploration Camp	19 March 2012	18 March 2017	18 March 2030
L8563/2011/1	Water Corporation	Hopetoun Wastewater Treatment Plant	26 August 2011	24 August 2016	24 August 2019
L8564/2011/2	Lawrence George & Helen M McDonald	Exmouth Quarries and Concrete Crushing and Screening Plant	20 February 2015	19 February 2020	19 February 2024
L8565/2011/2	E & G Engineering Pty Ltd	Westralian Hard Chrome	23 June 2015	22 June 2020	22 June 2028
L8567/2011/1	Saracen Gold Mines Pty Ltd	Red October Gold Mine	7 July 2011	6 July 2017	6 July 2034
L8569/2011/2	Saracen Gold Mines Pty Ltd	Porphyry Gold Mine	7 July 2015	6 July 2020	6 July 2031
L8570/2011/1	Boral Resources (WA) Ltd	Boral Asphalt Kalgoorlie	7 July 2011	6 July 2016	6 July 2019
L8571/2011/1	Boral Resources (WA) Ltd	Seven Mile Hill Quarry	7 July 2011	6 July 2016	6 July 2029
L8572/2011/1	Total Waste Management Pty Ltd	Total Waste Management	14 July 2011	13 July 2016	13 July 2019
L8573/2011/1	Black Oak Minerals Limited	Lord Henry and Lord Nelson	14 July 2011	13 July 2016	13 July 2022
L8574/2011/1	FMR Investments Pty Ltd	Gordon Sirdar Minesite	14 July 2011	13 July 2016	13 July 2029

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LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L8575/2011/1	Independence Long Pty Ltd	Long Victor Nickel Complex	14 July 2011	13 July 2018	13 July 2025
L8577/2011/1	Mincor Operation Pty Ltd	Miitel and Mariners Mines	15 July 2011	14 July 2016	14 July 2019
L8578/2011/1	Regis Resources Limited	Garden Well Gold Project	17 February 2012	16 February 2017	16 February 2020
L8579/2011/2	AngloGold Ashanti Australia Limited	Sunrise Dam Gold Mine	21 July 2014	20 July 2019	20 July 2029
L8583/2011/1	Fimar Pty Ltd	Fimar Group	6 October 2011	5 October 2016	5 October 2030
L8585/2011/1	Peel Resource Recovery Pty Ltd	Pinjarra Transfer Recycling Station	12 September 2011	11 September 2016	11 September 2025
L8587/2011/2	Stalker Engineering Pty Ltd	Stalker Pumps	25 November 2014	24 November 2019	24 November 2026
L8588/2011/1	BGC (Australia) Pty Ltd	Ravensthorpe Quarry	20 October 2011	19 October 2016	19 October 2027
L8589/2011/1	Portlane Pty Ltd	ABM Envirosafe	11 June 2012	10 June 2017	10 June 2026
L8590/2011/1	Holcim (Australia) Pty Ltd	Holcim Kalgoorlie	10 October 2011	9 October 2016	9 October 2022
L8591/2011/1	P.M.R Quarries Pty Ltd	Mt Minnie Quarry Project	19 March 2012	18 March 2017	18 March 2024
L8592/2011/1	Mobile Concreting Solutions Pty Ltd	Tom Price Quarry Project	26 March 2012	25 March 2017	25 March 2022
L8593/2011/2	MMG Golden Grove Pty Ltd	Scuddles & Gossan Hill Mine	16 September 2014	15 September 2019	15 September 2024
L8594/2011/1	WA Salt Koolyanobbing Pty Ltd	WA Salt Koolyanobbing	26 September 2011	25 September 2016	25 September 2020
L8595/2011/1	Jack Kailis	Perth Bin Hire	13 October 2011	12 October 2016	12 October 2035
L8596/2011/1	Polaris Metals Pty Ltd	Carina Iron Ore Mine	21 November 2011	20 November 2016	20 November 2025
L8597/2011/2	Hampton Transport Services Pty Ltd	Hampton Transport	21 September 2014	20 September 2019	20 September 2032
L8602/2011/1	Shire of Derby/West Kimberley	Derby Waste Management Facility	27 October 2011	26 October 2016	26 October 2036
L8603/2011/2	Shire of Yilgarn	Southern Cross New Waste Management Facility	30 January 2015	29 January 2020	29 January 2024
L8605/2011/1	Urban Resources Pty Ltd	Limestone Quarry, 259 Wattle Ave	17 February 2012	16 February 2017	16 February 2021
L8607/2011/1	Pearson Nominees Pty Ltd	Lake Preston Cattle Feedlot	14 June 2012	13 June 2017	13 June 2026
L8608/2011/1	Roy Hill Infrastructure Pty Ltd	Roy Hill Infrastructure Rail Construction Camp 1	9 July 2012	8 July 2017	8 July 2020
L8609/2011/1	Roy Hill Infrastructure Pty Ltd	Rail Construction Camp 4	29 October 2012	28 October 2017	28 October 2033
L8610/2011/1	Roy Hill Infrastructure Pty Ltd	Roy Hill Infrastructure Rail Construction Camp 2	3 September 2012	2 September 2017	2 September 2031
L8611/2011/1	Roy Hill Infrastructure Pty Ltd	Roy Hill Infrastructure Rail Construction Camp 3	3 September 2012	2 September 2017	2 September 2028

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LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L8612/2011/1	Central Norseman Gold Corporation Ltd	Central Norseman Gold Corporation Ltd	17 November 2011	18 November 2017	18 November 2030
L8613/2011/2	Ausvision Rural Services Pty Ltd	Hillside Meat Processors	12 October 2013	11 October 2018	11 October 2022
L8614/2011/2	Downer EDi Works Pty Ltd	Albany Asphalt Plant	22 December 2013	21 December 2018	21 December 2033
L8615/2011/1	Tilling Timber Pty Ltd	Tilling Timber (WA)	19 March 2012	18 March 2017	18 March 2021
L8616/2011/1	Bioworks Australia Pty Ltd	Bioworks	22 June 2012	21 June 2017	21 June 2031
L8621/2011/1	Roy Hill Iron Ore Pty Ltd	Roy Hill Iron Ore Mine	26 March 2012	25 March 2017	25 March 2034
L8622/2012/2	G & G Corp Asset Management Pty Ltd as trustee for The Hazelmere Inert Recycling Trust	WA Recycling	23 April 2015	22 April 2020	22 April 2025
L8623/2012/1	Unigrain Pty Ltd	Wagin Sheep and Cattle Pellet Facility	26 April 2012	25 April 2017	25 April 2025
L8628/2012/1	Poseidon Nickel Limited	Lake Johnston Operations	8 March 2012	7 March 2017	7 March 2021
L8629/2012/1	Westmore Corporation Pty Ltd	Westmore Muchea Landfill	22 March 2012	21 March 2017	21 March 2018
L8631/2012/1	Downer EDI Mining - Blasting Services Pty Ltd	Collie ANE Manufacturing Facility	1 October 2012	27 September 2017	27 September 2021
L8632/2012/1	Matera 3 Pty Ltd	Matera Waste Recycling Facility	4 April 2012	3 April 2017	3 April 2022
L8634/2012/1	Advance Waste Disposal Pty Ltd	Advance Waste Disposal	27 April 2012	26 April 2017	26 April 2029
L8637/2012/1	Shire of Northampton	Porter Street Works Depot	14 June 2012	13 June 2017	13 June 2023
L8638/2012/2	Macrofertil Australia Pty Ltd	Albany Shed	30 July 2013	29 July 2018	29 July 2031
L8641/2012/2	Brajkovich Demolition & Salvage Pty Ltd	Brajkovich Demolition & Salvage Pty Ltd	7 June 2015	6 June 2016	6 June 2025
L8642/2012/2	Macrofertil Australia Pty Ltd	Macrofertil Esperance Facility	30 July 2013	29 July 2018	29 July 2033
L8644/2012/1	Silver Lake Resources Ltd	Silver Lake Resources Murchison Goldfield Project Area	27 August 2012	26 August 2017	26 August 2032
L8645/2012/1	Boral Resources (WA) Ltd	Weaner Creek Hardrock Quarry	28 May 2012	27 May 2017	27 May 2025
L8647/2012/1	Kimberley Quarry Pty Ltd	Nillibubbica Quarry	30 July 2012	29 July 2017	29 July 2033
L8649/2012/1	Tox Free Australia Pty Ltd	Tox Free Henderson	7 June 2012	6 June 2017	6 June 2021
L8650/2012/1	Bechtel (Western Australia) Pty Ltd	Ashburton North Village	2 July 2012	1 July 2017	1 July 2021
L8651/2012/1	Waroon Resources Pty Ltd	Premium Waste Management	20 August 2012	19 August 2017	19 August 2036
L8653/2012/2	BHP Billiton Nickel West Pty Ltd	Nickel West Kalgoorlie Smelter	11 June 2015	10 June 2020	10 June 2034
L8654/2012/1	Mineral Resources Limited	Phil's Creek Project	2 September 2013	1 September 2018	1 September 2021

SCHEDULE OF LICENCE PREMISES EXPIRY DATE AMENDMENTS

LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L8656/2012/1	GR Atwell Pty Ltd	Welldon Beef	4 October 2012	3 October 2017	3 October 2023
L8658/2012/1	Shire of Dundas	Norseman Liquid Waste Facility	20 September 2012	19 September 2017	19 September 2035
L8659/2012/2	CITIC Pacific Mining Management Pty Ltd	Sino Iron Project Transshipment Facility	26 November 2015	25 November 2020	25 November 2024
L8661/2012/2	Hancock Prospecting Pty Ltd	Mulga Downs East E47/1244	17 September 2015	16 September 2020	16 September 2031
L8662/2012/1	CSBP Limited	CSBP Esperance Depot	13 December 2012	12 December 2017	12 December 2021
L8664/2012/1	Lanfranchi Nickel Mines Pty Ltd	Lanfranchi Nickel Mine	15 October 2012	14 October 2017	14 October 2020
L8665/2012/1	BHP Billiton Iron Ore	Warrawandu Village	1 October 2012	30 September 2017	30 September 2021
L8666/2012/2	Saracen Gold Mines Pty Ltd	Mt Celia	17 September 2015	16 September 2020	16 September 2032
L8667/2012/1	CLIFFS Asia Pacific Iron Ore	Windarling Range mine operations	3 December 2012	2 December 2017	9 December 2027
L8669/2012/1	CSBP Limited	CSBP Albany Fertiliser Distribution Facility	13 December 2012	12 December 2016	12 December 2021
L8670/2012/2	Kimberley Freerange Beef Pty Ltd	Kimberley Freerange Gingin Brook Road Abattoir	23 August 2014	22 August 2017	22 August 2022
L8672/2012/1	Fortescue Metals Group Limited	Newman Rescreening Facility	12 November 2012	11 November 2017	11 November 2034
L8673/2012/1	Fortescue Metals Group Limited	Solomon Rail Chainage 239.5km Crushing and Screening Plant	12 November 2012	11 November 2017	11 November 2034
L8674/2012/1	Holcim (Australia) Pty Ltd	Turner River Dune	17 December 2012	16 December 2017	16 December 2033
L8675/2012/1	Millennium Minerals Limited	Nullagine Gold Operation - Golden Eagle Project	30 September 2013	29 September 2018	29 September 2026
L8676/2012/1	AngloGold Ashanti Australia Limited	Tropicana Gold Mine	11 February 2013	7 February 2018	7 February 2026
L8678/2012/1	Atlas Iron Limited	Mt Dove DSO Project	10 December 2012	9 December 2017	9 December 2027
L8679/2012/1	BHP Billiton Iron Ore Pty Ltd	Mooka Construction Camp	28 January 2013	27 January 2018	27 January 2035
L8680/2012/1	Dyno Nobel Asia Pacific Pty Limited	Dyno Nobel Port Hedland Emulsion Plant	24 December 2012	23 December 2017	23 December 2029
L8682/2012/1	Elan Energy Management Pty Ltd	Elan Energy Management Pty Ltd	10 December 2012	9 December 2017	9 December 2027
L8683/2012/2	Cockburn Cement Ltd	Cockburn Cement Kwinana plant	27 September 2015	26 September 2020	26 September 2032
L8684/2012/2	Shire of Cocos Keeling Islands	Home island Transfer station	18 September 2014	17 September 2019	17 September 2031
L8685/2012/2	Shire of Cocos Keeling Islands	West Island Sludge Disposal Facility	18 September 2015	17 September 2020	17 September 2035
L8686/2012/2	Shire of Cocos Keeling Island	Rumah Baru Wet Tip	18 September 2014	17 September 2019	17 September 2032
L8687/2012/1	B. & J. Catalano Pty Ltd	Jenkins Road Gravel Pit	24 June 2013	23 June 2018	23 June 2036

SCHEDULE OF LICENCE PREMISES EXPIRY DATE AMENDMENTS

LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L8688/2012/1	Hamersley HMS Pty Ltd	Hope Downs 4 Mine	10 December 2012	9 December 2017	9 December 2028
L8691/2012/1	Multimix Concrete Pty Ltd	Multimix Recycling	3 October 2013	2 October 2018	2 October 2024
L8692/2012/1	Paddington Gold Pty Ltd	Enterprise Open Cut Mine	11 August 2014	10 August 2019	10 August 2028
L8693/2012/2	GCW & SM Doust	Leeuwin Limesand	10 December 2015	9 December 2020	9 December 2033
L8696/2012/1	B and J Catalano Pty Ltd	Lot 191 Reen Road, Gidgegannup	29 April 2013	28 April 2018	28 April 2022
L8698/2012/1	Doray Minerals Limited	Andy Well Gold Project	24 December 2012	23 December 2017	23 December 2031
L8700/2012/1	Fortescue Metals Group Limited	Kanyirri Fuel Facility	25 January 2013	24 January 2018	24 January 2024
L8701/2012/1	Fortescue Metals Group Ltd	Chainage 232 Crushing and Screening Facility	18 February 2013	17 February 2018	17 February 2028
L8702/2012/1	JSW Holdings Pty Ltd	M80/616	10 December 2012	9 December 2017	9 December 2028
L8703/2012/1	WATER CORPORATION	Williams Wastewater Treatment Plant	21 January 2013	20 January 2018	20 January 2036
L8704/2012/1	Trendpark Holdings Pty Ltd	Vasse Bins	28 January 2013	27 January 2018	27 January 2029
L8705/2012/1	Acker Pty Ltd	Acker Bitumen Kettle	8 December 2012	7 December 2017	7 December 2023
L8707/2012/1	Tesla Kemerton Pty Ltd	Tesla Kemerton Peak Lopping Facility	21 January 2013	30 September 2018	30 September 2033
L8708/2012/1	Shire of Christmas Island	Christmas Island Waste Depot	8 December 2012	7 December 2017	7 December 2027
L8709/2012/1	Matrix Composites & Engineering Limited	Matrix Composites and Engineering	25 January 2013	24 January 2018	24 January 2034
L8712/2012/1	Orica Australia Pty Ltd	Pilbara Ammonium Nitrate Emulsion Plant, Port Hedland	15 April 2013	14 April 2018	14 April 2025
L8713/2012/1	Tesla Geraldton Pty Ltd	Tesla Geraldton Peak Lopping Facility	11 February 2013	30 September 2018	30 September 2036
L8721/2013/1	Karara Mining Limited	Karara Mine Site	20 May 2013	19 May 2018	19 May 2021
L8723/2013/1	Tesla Northam Pty Ltd	Avon Industrial Park Peak Power Station	25 February 2013	30 September 2016	30 September 2027
L8724/2013/1	KBB Pty Ltd	Landsave Organics Composting Facility	3 June 2013	2 June 2016	2 June 2030
L8725/2013/1	Merredin Energy Pty Ltd	Merredin Peak Power Station	17 March 2013	16 March 2018	16 March 2033
L8726/2013/1	Brajkovich Landfill & Recycling	Brajkovich Landfill North	10 April 2013	9 April 2018	9 April 2022
L8729/2013/1	Catwest Pty Ltd	Narngulu Asphalt Plant	19 August 2013	18 August 2018	18 August 2023
L8730/2013/1	Fremantle Plumbing Services Pty Ltd	Fremantle Plumbing Services	27 March 2013	26 March 2018	26 March 2022
L8731/2013/1	Quadrant Energy Australia Limited	Devil Creek Gas Plant	22 July 2013	21 July 2018	21 July 2026
L8733/2013/1	Atlas Iron Limited	Abydos Crushing and Screening and Wastewater Treatment Plants	29 July 2013	28 July 2018	28 July 2029

SCHEDULE OF LICENCE PREMISES EXPIRY DATE AMENDMENTS

LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L8735/2013/1	Shire of Kojonup	Kojonup Transfer Station	8 July 2013	7 July 2018	7 July 2030
L8736/2013/1	Brajkovich Demolition Pty Ltd	Brajkovich Salvage Yard	5 May 2014	4 May 2019	4 May 2022
L8737/2013/1	Sean Widdeson	Bunbury Ezy Bins	10 June 2013	9 June 2018	9 June 2031
L8738/2013/1	City of Albany	South Stirling Waste Transfer Station	8 August 2013	7 August 2018	7 August 2028
L8739/2013/1	Cable Sands (W.A.) Pty Ltd	Wonnerup Mineral Sands Mine	20 May 2013	19 May 2018	19 May 2036
L8740/2013/1	Nationwide Oil Pty Ltd	Nationwide Oil	13 May 2013	12 May 2018	12 May 2027
L8741/2013/1	Ten Year Developments Pty Ltd	Mercer Rd Grain Dust Disposal	13 June 2013	12 June 2018	12 June 2034
L8745/2013/1	Regional Power Corporation	Karratha Temporary Generation Project	15 July 2013	14 July 2018	14 July 2025
L8746/2013/1	Bunbury Harvey Regional Council	Wellington Group of Councils Compost Facility	15 July 2013	14 July 2018	14 July 2022
L8747/2013/1	Shire of Boddington	Boddington Refuse Disposal Site	8 July 2013	7 July 2018	7 July 2027
L8748/2013/1	Bindoon Hill Gravel Supply Pty Ltd	Bindoon Hill Gravel Quarry	27 May 2013	26 May 2018	26 May 2022
L8750/2013/1	Auscol Australia PTY LTD	Auscol Australia Pty Ltd T/A Fataway	19 August 2013	18 August 2018	18 August 2024
L8752/2013/2	Woodside Burrup Pty Ltd	Pluto LNG Project	1 August 2014	31 July 2019	31 July 2024
L8754/2013/1	Shire of Plantagenet	Porongurup Waste Transfer Station	16 August 2013	15 August 2018	15 August 2023
L8755/2013/1	Veolia Environmental Services Pty. Ltd.	Veolia Transfer Station Meru	15 July 2013	14 July 2018	14 July 2033
L8756/2013/1	City of Rockingham	Ennis Avenue Recycling and Storage facility	7 April 2014	6 April 2019	6 April 2027
L8758/2013/1	CITIC Pacific Mining Management Pty Ltd	Sino Iron Project Desalination Plant and Bulk Loading Facility	25 November 2013	24 November 2016	24 November 2024
L8759/2013/1	Veolia Environmental Services (Australia) Pty Ltd	Wheatstone Waste Management Site	2 September 2013	1 September 2018	1 September 2024
L8761/2013/1	Wesbeam Pty Ltd	Wesbeam Timber Preservation Plant	11 November 2013	10 November 2018	10 November 2029
L8762/2013/1	Chevron Australia Pty Ltd	Gorgon Bibby Renaissance WWTP	5 May 2014	4 May 2019	4 May 2031
L8763/2013/1	Chevron Australia Pty Ltd	Gorgon New Fly Camp WWTP	21 July 2014	20 July 2019	20 July 2029
L8765/2013/1	Veolia Environmental Services (Australia) Pty Ltd	NWWA Waste Handling and Transfer Station	23 September 2013	22 September 2018	22 September 2026
L8767/2013/1	Shire of Plantagenet	Kendenup Waste Management Facility	2 September 2013	1 September 2018	1 September 2024
L8769/2013/1	River Nominees Pty Ltd	PUREARTH WOOTTATING FACILITY	4 March 2015	3 March 2018	3 March 2026
L8771/2013/1	Rocla Pty Limited	Hawkins Rd Yellow Sand Quarry	13 January 2014	12 January 2019	12 January 2025

SCHEDULE OF LICENCE PREMISES EXPIRY DATE AMENDMENTS

LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L8773/2013/1	Shire of Roebourne	Karratha Airport	16 December 2013	15 December 2018	15 December 2030
L8774/2013/1	Western Resource Recovery Pty Ltd	Karratha Liquid Waste and Waste Transfer Facility	25 November 2013	24 November 2018	24 November 2035
L8776/2013/1	Read Robertson Pty Ltd	Marine Solutions WA	3 October 2013	2 October 2018	2 October 2031
L8777/2013/1	Buru Energy Limited	Ungani Facility	18 November 2013	17 November 2018	17 November 2034
L8778/2013/1	North West Quarries Pty Ltd	Pippingarra Quarry Site	14 October 2013	13 October 2018	13 October 2029
L8779/2013/1	Soft Star Pty Limited	Christmas Island Resort	4 April 2014	3 April 2019	3 April 2022
L8780/2013/1	APT Parmelia Pty Ltd	Mondarra Gas Storage Facility	27 January 2014	26 January 2019	26 January 2030
L8782/2013/1	Shire of Derby/West Kimberley	Fitzroy Crossing Waste Management Facility	3 March 2014	2 March 2019	2 March 2028
L8783/2013/1	Top Iron Pty Ltd	Mummaloo Iron Ore Project	18 August 2014	17 August 2019	17 August 2030
L8784/2013/1	Lomwest Enterprises Pty Ltd	Lomwest Enterprises	30 September 2013	31 August 2016	31 August 2023
L8786/2013/1	Vancouver Waste Services Pty Ltd	John St Solid Waste Depot	16 December 2013	15 December 2018	15 December 2028
L8787/2013/1	Sinosteel Midwest Corporation Limited	Blue Hills Iron Ore Project	11 November 2013	10 November 2018	10 November 2022
L8788/2013/1	Atlas Iron Limited	Mt Webber DSO Project	31 March 2014	30 March 2019	30 March 2030
L8789/2013/1	Tox Free Australia Pty Ltd	Tox Free Kalgoorlie	30 September 2013	29 September 2018	29 September 2030
L8791/2013/1	Department of Infrastructure and Regional Development	Christmas Island Power Station	8 March 2014	7 March 2019	7 March 2026
L8793/2013/1	Shire of Esperance	Myrup Truck Wash and Liquid Waste Facility	14 April 2014	13 April 2019	13 April 2028
L8794/2013/1	Chevron Australia Pty Ltd	Gorgon Project - Temporary Power Station	11 May 2015	10 May 2020	10 May 2025
L8796/2013/1	Bendotti Exporters Pty Ltd	Bendotti Exporters	14 March 2014	13 March 2019	13 March 2028
L8797/2013/1	Farfield Holdings Pty Ltd	Capital Recycling Horton Road	2 December 2013	1 December 2018	1 December 2026
L8798/2013/1	Perthwaste Pty Ltd	Perth Operations Centre	9 December 2013	8 December 2018	8 December 2030
L8800/2013/1	Shire of Menzies	Menzies Liquid Waste Facility	16 June 2014	15 June 2019	15 June 2029
L8801/2013/1	TEC Desert Pty Ltd and TEC Desert No. 2 Pty Ltd T/A Southern Cross Energy Partnership	Mt Keith Gas Turbine Power Station	20 January 2014	19 January 2019	19 January 2034
L8803/2013/1	BHP Billiton Iron Ore Pty Ltd	Yarnima Power Station	3 March 2014	2 March 2019	2 March 2031
L8804/2013/1	Shire of Augusta Margaret River	Boronia Rd Gravel Quarry	14 February 2014	13 February 2019	13 February 2023

SCHEDULE OF LICENCE PREMISES EXPIRY DATE AMENDMENTS

LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L8806/2013/1	Dodd & Dodd Group Pty Ltd	CD Dodd Scrap Metal Recyclers	10 February 2014	9 February 2019	9 February 2028
L8807/2013/1	Rottneest Island Authority	Rottneest Island Waste Water Treatment Plant	20 January 2014	19 January 2019	19 January 2023
L8808/2014/2	Tang Family Pty Ltd	GERALDTON MEAT EXPORTS	23 July 2014	22 July 2019	22 July 2033
L8809/2014/1	John Charles Bunn	Marbelup Pork	10 October 2014	9 October 2017	9 October 2027
L8810/2014/1	Quarry Park Pty Ltd	Ashburton River North Project	11 August 2014	10 August 2019	10 August 2033
L8811/2014/1	Edna May Operations Pty Ltd	Edna May Operations Village Wastewater Treatment Plant	17 March 2014	16 March 2019	16 March 2028
L8812/2014/1	Hillcroft Farms Pty Ltd	Hillcroft Farms	16 June 2014	15 June 2019	15 June 2021
L8814/2014/1	Shire of Katanning	Katanning Regional Sheep Saleyard	12 May 2014	11 May 2019	11 May 2036
L8815/2014/1	Shire of Leonora	Shire of Leonora Refuse Site	25 August 2014	24 August 2019	24 August 2030
L8817/2014/1	Chevron Australia Pty Ltd	600 EP WWTP	2 June 2014	1 June 2019	1 June 2035
L8818/2014/1	APR Energy Australia Pty Ltd	South Hedland Power Station	23 February 2015	22 February 2020	22 February 2026
L8820/2014/1	Hamersley Iron Pty Limited	Brockman 2/Brockman 4 access road screening plant	16 June 2014	15 June 2019	15 June 2031
L8821/2014/1	Spinifex Crushing and Screening Services Pty Ltd	WANDENA	14 July 2014	13 July 2019	13 July 2031
L8822/2014/1	North West Quarries Pty Ltd	Red Hill Sand Quarry	9 March 2015	8 March 2020	8 March 2035
L8825/2014/1	IB Operations Pty Ltd	North Star Wastewater Treatment Plant	8 September 2014	7 September 2019	7 September 2026
L8829/2014/1	Shire of Sandstone	Sandstone Refuse Site	20 October 2014	19 October 2018	19 October 2028
L8830/2014/1	Alliance Mineral Assets Limited	Bald Hill Tantalite Project	14 November 2014	13 November 2019	13 November 2022
L8831/2014/1	B. & J. Catalano Pty Ltd	Myalup Limestone Quarry	24 August 2015	16 June 2020	16 June 2024
L8832/2014/1	HOSMAR Pty Ltd	LOT 32 Brown Hill	29 September 2014	28 September 2019	28 September 2028
L8833/2014/1	Karara Mining Limited	Hinge Iron Ore Project (HIOP)	29 September 2014	28 September 2019	28 September 2030
L8834/2014/1	Sandstone Industries	Yundamaidera Vat Leach Project	8 December 2014	7 December 2019	7 December 2027
L8837/2014/1	Polaris Metals	Carina Iron Ore Project	24 October 2014	23 October 2019	26 October 2027
L8840/2014/1	PMR Quarries Pty Ltd	Wilga Granite Quarry	22 December 2014	21 December 2019	21 December 2031
L8841/2014/1	CSBP Limited	CSBP Geraldton Depot	1 December 2014	30 November 2019	30 November 2029
L8842/2014/1	CQ and JM Dowsing Pty Ltd	DC Recycling Facility	16 February 2015	15 February 2020	15 February 2024
L8846/2014/1	Phosphate Resources Ltd	Christmas Island Phosphates	24 February 2012	23 February 2017	23 February 2025
L8848/2014/1	Transpacific Industries Group Pty Ltd	Karratha Waste Handling Facility	16 March 2015	15 March 2020	15 March 2036

SCHEDULE OF LICENCE PREMISES EXPIRY DATE AMENDMENTS

LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L8849/2014/1	LTC Management Pty Ltd	Deep Woods Estate	23 March 2015	22 March 2020	22 March 2025
L8850/2014/1	Mobile Concreting Solutions Pty Ltd	Indee Sand Quarry	12 January 2015	11 January 2020	11 January 2030
L8852/2014/1	Shire of Broome	RES 51151, Lot 400 Buckleys Road	19 January 2015	18 January 2020	18 January 2024
L8853/2014/1	Asphalt Surfaces Pty Ltd	Asphalt Surfaces - Hope Valley	22 June 2015	21 June 2020	21 June 2022
L8854/2014/1	Shire of Broomehill-Tambellup	Broomehill Waste Management Facility	22 December 2014	21 December 2019	21 December 2024
L8855/2014/1	Shire of Broomehill-Tambellup	Tambellup Waste Management Facility	22 December 2014	21 December 2019	21 December 2032
L8856/2014/1	Shire of Cranbrook	Cranbrook Waste Facility	12 January 2015	11 January 2020	11 January 2025
L8858/2014/1	TEC Pipe Pty Ltd	134.4 MW Power Station - Solomon Project	30 March 2015	29 March 2020	29 March 2024
L8859/2014/1	Mineral Resources Limited	Iron Valley Mine Site	22 December 2014	21 December 2019	21 December 2036
L8860/2014/1	Farfield Holdings Pty Ltd ATFT R Gullotto Family Trust	Capital Recycling	20 November 2014	19 November 2019	19 November 2028
L8861/2014/1	Karratha Recycling Pty Ltd	Karratha Recycling Liquid Waste Facility	9 February 2015	8 February 2020	8 February 2034
L8864/2014/1	Holcim (Australia) Pty Ltd	Warrawanda Creek Sand Pit	19 January 2015	18 January 2020	18 January 2029
L8865/2014/1	Great Southern Quarries Pty Ltd	Great Southern Quarries Wagin Pit	20 April 2015	19 April 2020	19 April 2027
L8867/2014/1	A. D. Contractors Pty Ltd	Howell Rd Gravel Quarry	2 March 2015	1 March 2020	1 March 2024
L8868/2014/1	Urban Resources Pty Ltd	Marralla Road Sand Mine - Screening Plant	25 May 2015	24 May 2020	24 May 2036
L8869/2014/1	Shire of Plantagenet	Kamballup Waste Management Facility	1 May 2015	30 May 2020	30 May 2031
L8870/2014/1	Cristal Pigment Austalia Ltd	Kemerton Titanium Dioxide Processing Plant	30 December 2014	29 December 2019	29 December 2029
L8871/2014/1	Perthwaste Pty Ltd	North Bannister Waste Facility	9 March 2015	8 March 2020	8 March 2022
L8872/2014/1	Shire of Ashburton	Onslow Waste Transfer Station	30 March 2015	29 March 2020	29 March 2027
L8873/2015/1	Cliffs Asia Pacific Iron Ore Pty Ltd	Mt Jackson Operations	2 March 2015	1 March 2020	1 March 2024
L8878/2015/1	Ramelius Resources Limited	Kathleen Valley Project	6 July 2015	5 July 2020	5 July 2030
L8879/2015/1	Caltex Port Hedland Terminal	Caltex Port Hedland Terminal	10 March 2015	9 March 2017	9 March 2031
L8880/2015/1	Sirius Gold Pty Ltd	Nova Project	4 May 2015	3 May 2017	3 May 2023
L8882/2015/1	Klen International (74) Pty Ltd	KLEN International (74) P/L	15 June 2015	14 June 2020	14 June 2026
L8885/2015/1	KRSP Pty Ltd	KRSP Pty Ltd	28 September 2015	27 September 2020	27 September 2026
L8886/2015/1	SAMI Bitumen Technologies Pty Ltd	North Fremantle Bitumen Plant	21 April 2015	20 April 2020	20 April 2036

SCHEDULE OF LICENCE PREMISES EXPIRY DATE AMENDMENTS

LICENCE	OCCUPIER NAME	PREMISES NAME	COMMENCEMENT DATE	PREVIOUS EXPIRY DATE	NEW EXPIRY DATE
L8887/2015/1	J.D Organics Pty Ltd	Garden Organics	17 August 2015	16 August 2018	16 August 2033
L8888/2015/1	Shire of Dardanup	Dardanup Waste Transfer Station	25 May 2015	24 May 2016	24 May 2030
L8889/2015/1	Eastern Metropolitan Regional Council	Red Hill Waste Management Facility	19 May 2015	18 May 2016	18 May 2019
L8892/2015/1	Highscore Pty Ltd and Richard Read and Associates Pty Ltd	Dulcie Project	29 June 2015	28 June 2020	28 June 2031
L8894/2015/1	Chevron Australia Pty Ltd	Liquid Waste Facility and Permanent Wastewater Treatment Plant	19 October 2015	18 October 2018	18 October 2035
L8895/2015/1	PMR Quarries Pty Ltd	Abercrombie Road	2 July 2015	1 July 2020	1 July 2035
L8896/2015/1	ERS Australia Pty Ltd	ERS Kalgoorlie	2 July 2015	1 July 2020	1 July 2032
L8898/2015/1	BHP Billiton Iron Ore	Quarry 2 Sleeper Storage Area	21 September 2015	20 September 2020	20 September 2029
L8901/2015/1	M-I Australia Pty Ltd	Broome Mud Plant Facility	24 August 2015	23 August 2020	23 August 2024
L8902/2015/1	The Australian Comfort Group	Dunlop Foams	20 July 2015	19 July 2020	19 July 2033
L8907/2015/1	Big Bell Gold Operations Pty Ltd	Central Murchison Gold Project-Day Dawn	19 October 2015	18 October 2020	18 October 2025
L8912/2015/1	Halls Creek Mining Pty Ltd	Lamboo Gold Project	9 November 2015	8 November 2020	8 November 2035
L8925/2015/1	Water Corporation	Laverton Wastewater Treatment Plant	21 December 2015	20 December 2035	20 December 2035

Annexure 2 – Plan of Ratcliffe Road



Annexure 3 – Approval of the Minister for Lands



Department of **Planning,
Lands and Heritage**

Our ref:
Enquiries:
Jan Pruyn
Email:

01856-1998 Job No.172718
Ph: (08) 6552 4585
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jan.pruyn@lands.wa.gov.au

City of Kwinana
PO Box 21
KWINANA WA 6966

Att: Tyrone Cannon (Property Management Officer)

Dear Tyrone

MINISTERS CONSENT FOR LEASE OVER RESERVE 26572 KWINANA

BETWEEN CITY OF KWINANA & WASTE STREAM MANAGEMENT PTY LTD

Thank you for your correspondence seeking the permission of the Minister for Lands (Minister) for a lease over Lot 434 on Deposited Plan 220492 and being Reserve 22204 its purpose "Quarry & Landfill" between the above mentioned parties.

In accordance with section 18 of the *Land Administration Act 1997* (LAA) the Minister's approval is granted to the lease provided to the Department of Planning Lands and Heritage (DPLH) by email dated 15th September 2017 on condition that the lease is on the same terms as that provided to DPLH with that email. If the final documents executed by the parties are not on the approved terms, then they may be void under section 18 LAA.

Please note that this approval is for the purposes of section 18 LAA only and does not constitute an endorsement as to the terms and effect of the documents. DPLH cannot provide any advice in respect to the lease and recommends that each party obtain their own independent advice as to their rights and obligations under the lease.

This approval is subject to the registration requirements of the Transfer of Land Act 1893. You will need to provide a copy of this letter to Landgate if the documents are to be lodged for registration at Landgate.

Should you have any enquiries please contact me on (08) 6552 4585 quoting the above reference number.

Yours sincerely

**JAN PRUYN
SENIOR STATE LAND OFFICER
CASE DELIVERY - LANDS**

19 September 2017

Gordon Stephenson House, 140 William Street Perth Western Australia 6000 PO Box 1221 West Perth Western Australia 6872
Telephone (08) 6551 8002 Facsimile (08) 6552 4417 Freecall: 1800 735 784 (Country only)
Email: info@dplh.wa.gov.au Website: www.dplh.wa.gov.au
ABN: 68 565 723 484



The CEO

21 July 2017

City of Kwinana

Public Comment Waste Stream management Lease Renewal.

This submission is made in response to the Public Notice made in the Weekend Courier of 14 July 2017, in response to the Council resolution of June 28th.

The following resolution of the Council was made at its recent Ordinary Meeting in late June.

That Council:

- 1. Give local public notice of the proposed disposition to Waste Stream Management Pty Ltd for Lot 434 Thomas Road, Kwinana (Reserve 26572), in accordance with Section 3.58(3)(a) and (4) of the Local Government Act 1995.*
- 2. Advertise the proposed rent to be \$200,000 per annum.*

This submission is made by Chris Oughton, resident of Kwinana.

When Waste Stream Management (WSM) was granted a lease in the early 2000's, a condition of the lease related to the progressive revegetation of the site as it rose out of the ground. I believe the species were specified. As the finished external sides of the waste embankment increased in height, it was the intention that annually during the winter planting season, revegetation activities would be progressed upwards to the summit. The revegetation was to be irrigated to assist with its establishment. The purpose of this lease condition was to ensure that proper revegetation occurred enabling the finished 'hill' to appear to fit well into the bush clad environment surrounding the facility.

What I have observed to date is lots of grassy weeds and some wattles (probably self-sown) taking over the external slopes. This cannot be classified as revegetation, nor does it meet the conditions of the lease WSM operates under. One might ask why this has not been undertaken over the many years the facility has been in operation.

The operation was to accept construction and demolition waste only, yet clearly visible from Thomas Road is an embankment containing colourful plastics etc. Further, the whole operation was to be viewed as a recycling operation. Materials sorting on site and the subsequent sale or delivery of recycled materials to destinations offsite was to lead to a long term operation where the City obtained royalties for C & D waste on the way in, and on the way out (I believe). In any event, with bulk recycled materials leaving the site, room for more royalty-generating waste would be made, with the facility operating for a longer time into the future, thus generating royalties to fund City projects.

I am aware of the arguments about Main Roads refusing to accept crushed material (concrete) for road base, despite there being a successful trial in Gilmore Ave many years ago. It is hard to accept an argument that it is too expensive to prepare the material for recycling. It is simply too easy to accept the material for the price of the gate fee, and then dump it passively, letting it rapidly build up, as it has. Even without the endorsement of the material by Main Roads, recycled material could still be used, one would expect, in other situations, for example in hardstand areas or carparks etc.

The operators want another site to extend into, and I do not believe they have the track record to provide the confidence to the residents of Kwinana that the expanded operation would be managed any differently than the current site.

The current operation appears to be run as a cash cow for the operators. They are avoiding meeting their revegetation obligations, and have created an eyesore at Kwinana gateway.

The easy solution, from the operator's perspective would surely be to simply get a hold of more land and to simply operate the extension on the basis that it is another cash cow site to be filled up.

The lease application should be refused until such time as the existing site is properly revegetated as per the lease obligations. In the interim, the operator could be working hard to recycle materials to extend the life of the existing facility, and there should be a detailed third party audit of the materials on site to ensure that what has been accepted meets required specification. If it does not, remediation must occur before consideration of any further expansion because liability for a contaminated site will fall to the City once the operator has vacated.

Thank you for the opportunity to make comment.

A handwritten signature in blue ink, appearing to read 'Chris Oughton', with a long horizontal flourish extending to the right.

Chris Oughton

141 Beauchamp Loop

Wellard 6170

City of Kwinana Response from Submission received – Lot 434 Thomas Road, Kwinana

	Submission Points	City of Kwinana Response
1.	When Waste Stream Management (WSM) was granted a lease in the early 2000's, a condition of the lease related to the progressive revegetation of the site as it rose out of the ground. I believe the species were specified. As the finished external sides of the waste embankment increased in height, it was the intention that annually during the winter planting season, revegetation activities would be progressed upwards to the summit. The revegetation was to be irrigated to assist with its establishment. The purpose of this lease condition was to ensure that proper revegetation occurred enabling the finished 'hill' to appear to fit well into the bush clad environment surrounding the facility.	<p>Condition five of the planning approval from Western Australian Planning Commission (WAPC) refers to a Landscape and Visual Management Plan. The implementation of the Landscape and Visual Management Plan (dated September 2004) is to be carried out by the landfill operator to the satisfaction of WAPC on the advice of the City of Kwinana. The landfill operator is required to revegetate gradually as the site develops.</p> <p>The City is investigating the operator's compliance with the Landscape and Visual Management Plan.</p>
2.	What I have observed to date is lots of grassy weeds and some wattles (probably self-sown) taking over the external slopes. This cannot be classified as revegetation, nor does it meet the conditions of the lease WSM operates under. One might ask why this has not been undertaken over the many years the facility has been in operation	The City is investigating the operator's compliance with the Landscape and Visual Management Plan.
3.	The operation was to accept construction and demolition waste only, yet clearly visible from Thomas Road is an embankment containing colourful plastics etc.	<p>The current DER licence L6772/1997/13 states that they have been approved for the following types of waste:</p> <ul style="list-style-type: none"> i. Inert Waste Type 1 ii. Inert Waste Type 2 (tyres and plastic only) iii. Clean fill iv. Special waste type 1 (asbestos) – cement bonded asbestos. No fibre asbestos shall be accepted v. Green Waste vi. Acid Sulphate Soils vii. All types above have a quantity limit per year based on tonnes
4.	Materials sorting on site and the subsequent sale or delivery of recycled materials to destinations offsite was to feed to a long term operation where the	<p>The proposed lease includes royalties for the following:</p> <p><i>(1)(a) Royalty per cubic meter (\$/m3) of Landfill received: \$2.76</i></p>

	City obtained royalties for C & D waste on the way in, and on the way out (I believe). In any event, with bulk recycled materials leaving the site, room for more royalty—generating waste would be made, with the facility operating for a longer time into the future, thus generating royalties to fund City projects.	<p><i>(b) Royalty per tonne of steel extracted: 10% of the income received by the Lessee from sale of the steel;</i></p> <p><i>(2) Any materials accepted by the Lessee that are not listed in (1) may only be received at the Premises with the approval of the Lessor and shall be subject to such royalty as specified by the Lessor.</i></p> <p>...</p> <p><i>(5) Royalties shall be increased in accordance with CPI on each anniversary of the Commencement Date.</i></p>
5.	I am aware of the arguments about Main Roads refusing to accept crushed material (concrete) for road base, despite there being a successful trial in Gilmore Ave many years ago. It is hard to accept an argument that it is too expensive to prepare the material for recycling. It is simply too easy to accept the material for the price of the gate fee, and then dump it passively, letting it rapidly build up, as it has. Even without the endorsement of the material by Main Roads, recycled material could still be used, one would expect, in other situations, for example in hardstand areas or carparks etc.	The City would be supportive of the operator investigating any opportunity that presents itself in relation to recycling.
6.	The operators want another site to extend into, and I do not believe they have the track record to provide the confidence to the residents of Kwinana that the expanded operation would be managed any differently that the current site.	The City is not aware of the operators looking for another site to extend to. This lease will apply to Lot 434 where their existing operations are. They are not expanding their operations to another lot. Their operations require them to operate within their existing statutory approvals.
7.	The current operation appears to be run as a cash cow for the operators. They are avoiding meeting their revegetation obligations, and have created an eyesore at Kwinana gateway.	The City is investigating the operator's compliance with the Landscape and Visual Management Plan.
8.	The lease application should be refused until such time as the existing site is properly revegetated as per the lease obligations.	This is the existing site. Lot 434 is an operational landfill site.
9.	In the interim, the operator could be working hard to recycle materials to extend the life of the existing facility, and there should be a detailed third party audit of the materials on site to ensure that what has been accepted meets required specification. If it does not, remediation must occur before	<p>The lease provides the following:</p> <p><i>10. Contamination and Pollution</i></p> <p><i>(1) The Lessee acknowledges and agrees:</i></p> <p><i>(a) it is responsible for all and any Contamination or Pollution caused as a result of the Lessee's use and occupation of the Premises, including prior to commencement of this Lease;</i></p> <p><i>(b) if at any time during the Term the Lessee</i></p>

	<p>consideration of any further expansion because liability for a contaminated site will fall to the City once the operator has vacated.</p>	<p><i>knows or suspects of any Contamination or Pollution on, in or under the Land or the Premises, then the Lessee must immediately inform the DER, the EPA and the Lessor of the Contamination;</i></p> <p><i>(c) it must take all reasonable steps to prevent Pollution or Contamination:</i></p> <p><i>(i) occurring on, in or under the Premises; and</i></p> <p><i>(ii) entering neighbouring premises from the Premises; and</i></p> <p><i>(d) if any Contamination or Pollution occurs which is attributable to the Lessee's use of the Premises, it must immediately and to the Lessor's satisfaction remediate such Contamination or Pollution. If the Lessee fails to remediate the Contamination or Pollution in accordance with this clause, then the Lessor is permitted to, at the Lessee's cost remediate the Premises or adjoining land. Any reasonable expense that the Lessor incurs in remediating the Contamination or Pollution will be owed by the Lessee to the Lessor as a debt payable on demand.</i></p> <p><i>(2) The Lessee shall comply with any order, requisition, notice or direction issued by the Environmental Protection Authority or any other authority in respect of remediation or other work required on the Premises or adjoining land as a result of leachate arising from the Lessee's use or occupation of the Premises, including prior to the commencement of this Lease.</i></p>
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**Department of Planning,
Lands and Heritage**

Our ref:
Enquiries:
Jan Pruyn
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City of Kwinana
PO Box 21
KWINANA WA 6966

Att: Tyrone Cannon (Property Management Officer)

Dear Tyrone

MINISTERS CONSENT FOR LEASE OVER RESERVE 26572 KWINANA

BETWEEN CITY OF KWINANA & WASTE STREAM MANAGEMENT PTY LTD

Thank you for your correspondence seeking the permission of the Minister for Lands (Minister) for a lease over Lot 434 on Deposited Plan 220492 and being Reserve 22204 its purpose "Quarry & Landfill" between the above mentioned parties.

In accordance with section 18 of the *Land Administration Act 1997* (LAA) the Minister's approval is granted to the lease provided to the Department of Planning Lands and Heritage (DPLH) by email dated 15th September 2017 on condition that the lease is on the same terms as that provided to DPLH with that email. If the final documents executed by the parties are not on the approved terms, then they may be void under section 18 LAA.

Please note that this approval is for the purposes of section 18 LAA only and does not constitute an endorsement as to the terms and effect of the documents. DPLH cannot provide any advice in respect to the lease and recommends that each party obtain their own independent advice as to their rights and obligations under the lease.

This approval is subject to the registration requirements of the Transfer of Land Act 1893. You will need to provide a copy of this letter to Landgate if the documents are to be lodged for registration at Landgate.

Should you have any enquiries please contact me on (08) 6552 4585 quoting the above reference number.

Yours sincerely

**JAN PRUYN
SENIOR STATE LAND OFFICER
CASE DELIVERY - LANDS**

19 September 2017

16.2 Reschedule of the November 2017 Audit Committee Meeting and update of the commencement time of the Ordinary Council Meeting scheduled on 13 December 2017

SUMMARY:

At the Ordinary Council Meeting on 9 November 2016, Council approved the Council and Committee Meeting Dates for 2017. As part of the Council resolution of that report the November 2017 Audit Committee Meeting was to be held on 13 November 2017, commencing at 6pm. The public notice that was advertised following the Ordinary Council Meeting contained an error and the November 2017 Audit Committee Meeting was advertised to be held on 27 November 2017.

The Audit Committee has indicated that the commencement time of Audit Committee Meeting's could be at 5:30pm if Council were to approve this request.

The Ordinary Council Meeting scheduled on 13 December 2017 was approved and advertised to commence at 7:30pm as the Electors' General Meeting was expected to be held at 7pm prior to the scheduled Ordinary Council Meeting. The Electors' General Meeting is now expected to be held in January 2018 due to the likelihood that the Auditors Report will not be ready until the 20 November 2017 and therefore the Ordinary Council Meeting can be held at the usual commencement time of 7pm.

OFFICER RECOMMENDATION:

That Council,

1. Approve the reschedule of the November 2017 Audit Committee Meeting from 13 November 2017 commencing at 6pm, to be held on 27 November 2017, commencing at 5:30pm.
2. Approve the commencement time of the Ordinary Council Meeting scheduled to be held on 13 December 2017 to 7pm.
3. Provide local public notice and advertise the changes on the City of Kwinana public notice boards.

DISCUSSION:

The original date of the Audit Committee Meeting was scheduled to be held on 13 November 2017. This was incorrectly advertised as being held on 27 November 2017. It is anticipated that the auditors report would not be finalised before the 20 November 2017 and therefore the 13 November 2017 would not be a suitable date. The Audit Committee must endorse the Auditors Report before it is presented to Council and therefore the November Audit Committee Meeting requires this item to be included in the agenda. The preferred date for the Audit Committee meeting is the 27 November 2017.

The Audit Committee members have indicated that the commencement time of the Audit Committee meetings could be brought forward to 5:30pm. It is proposed that if Council approve the proposed change of date to the 27 November 2017 that the meeting be held at 5:30pm.

16.2 RESCHEDULE OF THE NOVEMBER 2017 AUDIT COMMITTEE MEETING AND UPDATE OF THE COMMENCEMENT TIME OF THE ORDINARY COUNCIL MEETING SCHEDULED ON 13 DECEMBER 2017

Ordinary Council Meetings are scheduled to be held at 7pm. The Ordinary Council Meeting to be held on 13 December 2017 was scheduled to commence at 7:30pm after the Electors' General Meeting (to be held at 7pm). As a result of the Auditors Report not likely to be received until the 20 November and the next Ordinary Council Meeting being the 13 December to accept the Annual Report, the Electors' General Meeting will be held in January 2018. The advertised commencement time of 7:30pm for the 13 December 2017 Ordinary Council Meeting is no longer necessary.

The Electors' General Meeting has not been advertised and therefore there is no requirement to advertise a reschedule of this meeting. This meeting will be set by Council and advertised in accordance with Section 5.27 of the Local Government Act 1995 when the Annual Report is endorsed.

The Council Resolution regarding Item 16.3, Council and Committee Meeting Dates for 2017 of the Ordinary Council Meeting held on 9 November 2016 stated:

COUNCIL DECISION

361

MOVED CR P FEASEY

SECONDED CR W COOPER

That Council:

1. Approve the schedule of the Ordinary Council Meeting dates and commencement times for 2017, with each meeting being held in the Council Chambers, as follows:

Date	Location	Commencement Time
18 January 2017	Council Chambers	7:00pm
8 February 2017	Council Chambers	7:00pm
22 February 2017	Council Chambers	7:00pm
8 March 2017	Council Chambers	7:00pm
22 March 2017	Council Chambers	7:00pm
12 April 2017	Council Chambers	7:00pm
26 April 2017	Council Chambers	7:00pm
10 May 2017	Council Chambers	7:00pm
24 May 2017	Council Chambers	7:00pm
14 June 2017	Council Chambers	7:00pm
28 June 2017	Council Chambers	7:00pm
12 July 2017	Council Chambers	7:00pm
26 July 2017	Council Chambers	7:00pm
9 August 2017	Council Chambers	7:00pm
23 August 2017	Council Chambers	7:00pm
13 September 2017	Council Chambers	7:00pm
27 September 2017	Council Chambers	7:00pm
11 October 2017	Council Chambers	7:00pm
25 October 2017	Council Chambers	7:00pm
8 November 2017	Council Chambers	7:00pm
22 November 2017	Council Chambers	7:00pm
13 December 2017	Council Chambers	7:30pm

16.2 RESCHEDULE OF THE NOVEMBER 2017 AUDIT COMMITTEE MEETING AND UPDATE OF THE COMMENCEMENT TIME OF THE ORDINARY COUNCIL MEETING SCHEDULED ON 13 DECEMBER 2017

2. *Approve the schedule of the Committee Meeting dates for 2017, with each meeting being held in the Council Chambers as follows:*

Audit Committee

13 March 2017

19 June 2017

18 September 2017

13 November 2017

Executive Appraisal Committee

4 April 2017

15 May 2017

19 June 2017

The Committee Meetings will commence at 6pm, with the exception of the Executive Appraisal Committee Meeting scheduled to be held on 19 June 2017, which will commence at 7pm.

CARRIED
7/0

LEGAL/POLICY IMPLICATIONS:

Section 5.25(1)(g) of the Local Government Act 1995 states that regulations may make provision in relation to the giving of public notice of the date and agenda for Council or Committee meetings.

Regulation 12(1) of the Local Government (Administration) Regulations 1996 states:

12. Meetings, public notice of (Act s. 5.25(1)(g))

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
 - (a) the ordinary council meetings; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.
- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).

Section 5.27 of the Local Government Act 1995 states the requirements each local government must follow regarding Electors' General Meeting:

- (1) A general meeting of the electors of a district is to be held once every financial year.
- (2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.
- (3) The matters to be discussed at general electors' meetings are to be those prescribed.

FINANCIAL/BUDGET IMPLICATIONS:

Cost of advertising in local papers is allocated within the Marketing Advertising budget.

16.2 RESCHEDULE OF THE NOVEMBER 2017 AUDIT COMMITTEE MEETING AND UPDATE OF THE COMMENCEMENT TIME OF THE ORDINARY COUNCIL MEETING SCHEDULED ON 13 DECEMBER 2017

ENVIRONMENTAL IMPLICATIONS:

No environmental implications have been identified as a result of this report or recommendation.

STRATEGIC/SOCIAL IMPLICATIONS:

This proposal will support the achievement of the following objectives and strategies detailed in the Corporate Business Plan.

Plan	Objective	Strategy
Corporate Business Plan 2016-2021	5.1 An Active and engaged Local Government, focussed on achieving the community's vision	5.1.1 Ensure that the City's strategic direction, policies, plans, services and programs are aligned with the community's vision

COMMUNITY ENGAGEMENT:

There are no community engagement implications as a result of this report.

RISK IMPLICATIONS:

The risk implications in relation to this proposal are as follows:

Risk Event	Public notice is not given for changes to dates for Council and Committee Meetings
Risk Theme	Failure to fulfil statutory regs or compliance requirements
Risk Effect/Impact	Compliance
Risk Assessment Context	Operational
Consequence	Moderate
Likelihood	Rare
Rating (before treatment)	Low
Risk Treatment in place	Avoid - remove cause of risk
Response to risk treatment required/in place	Prepared Council Report to receive Council approval of the proposed reschedule. Arrangements for public notice will be made immediately following, as required by the Local Government (Administration) Regulations 1996.
Rating (after treatment)	Low

16.2 RESCHEDULE OF THE NOVEMBER 2017 AUDIT COMMITTEE MEETING AND UPDATE OF THE COMMENCEMENT TIME OF THE ORDINARY COUNCIL MEETING SCHEDULED ON 13 DECEMBER 2017

COUNCIL DECISION

611

MOVED CR R ALEXANDER

SECONDED CR W COOPER

That Council,

- 1. Approve the reschedule of the November 2017 Audit Committee Meeting from 13 November 2017 commencing at 6pm, to be held on 27 November 2017, commencing at 5:30pm.**
- 2. Approve the commencement time of the Ordinary Council Meeting scheduled to be held on 13 December 2017 to 7pm.**
- 3. Provide local public notice and advertise the changes on the City of Kwinana public notice boards.**

**CARRIED
8/0**

16.3 Allocation of the additional Closing Surplus - 2016/17 funds

SUMMARY:

The purpose of this report is to amend the 2017/18 Annual Budget to reflect the actual carry forward surplus provided for in the draft Annual Financial Statements as at the 30th June 2017.

OFFICER RECOMMENDATION:

That Council:

1. Pursuant to section 6.11 of the Local Government Act 1995,
 - a. adopts to create an Information Technology Software Reserve for the purpose of implementing and maintain the software requirements of the City;
 - b. adopts to create a City Assist Initiative Reserve for the purpose of providing for infrastructure and other initiatives to enhance the safety and security of the City.
2. Approve the allocation of carried forward surplus and adjustments to the adopted 2017/18 Annual Budget as detailed below:

Item	Amount (\$)
Increase to budgeted Carry Forward Surplus	\$1,823,643
Increase to the following expenditure items:	
Medina Oval Lighting	(\$150,000)
Demountable Building	(\$50,000)
Latitude 32 Lighting Change from Solar	(\$286,050)
Information Technology Software Reserve	(\$500,000)
City Assist Initiative Reserve	(\$100,000)
Christmas Tree	(\$20,000)
Security Guard Darius Wells	(\$37,000)
Wells Park Feasibility Study	(\$35,000)
Big Concert	(\$15,000)
The Zone Lounge - Access	(\$25,000)
Recquatic Reception Ergonomic Workstation Refit Project	(\$30,000)
CCTV Maintenance	(\$22,100)
After Hours Monitoring	(\$30,000)
Calista Tennis Club Access	(\$20,000)
Bertram Road Drainage Improvement	(\$30,000)
Zone Youth Drop - in Lounge - Salaries	(\$78,612)
Unallocated Surplus Carried Forward	(\$394,881)

NOTE: AN ABSOLUTE MAJORITY OF COUNCIL IS REQUIRED

16.3 ALLOCATION OF THE ADDITIONAL CLOSING SURPLUS - 2016/17 FUNDS

DISCUSSION:

The draft Annual Financial Statements for the period ended 30 June 2017 have been compiled and submitted to the City's auditors for review. Until such time as the City's auditors have reviewed and signed off on the statements the closing surplus remains a draft estimate.

The draft closing surplus to be carried forward for 2016/17 is \$3,357,702; compared to the forecasted estimate at the time of the 2017/18 Annual Budget adoption of \$1,534,059. This results in \$1,823,643 of surplus funds to be allocated in the 2017/18 Annual Budget.

Description	2016/17 Forecast at 2017/18 Budget Adoption	Draft Result for 30 June 2017	Variance
Opening Surplus at 1 July 2016	\$2,844,089	\$2,844,089	\$0
Proceeds from Sale of Assets	\$413,496	\$443,979	\$30,483
Changes to Net Transfers to and from Reserves	(\$2,119,301)	(\$3,405,580)	(\$1,286,279)
Proceeds from Unspent Loans	\$0	\$62,705	\$62,705
Increase in Self Supporting Loan	\$0	(\$19,196)	(\$19,196)
Loan Principal Drawdowns	\$2,760,313	\$2,798,494	\$38,181
Loan Principal Repayments	(\$865,770)	(\$3,365,770)	(\$2,500,000)
Self Supporting Loan Recoups	\$297,904	\$18,606	(\$279,298)
Capital Expenditure (Cash Items)	(\$12,807,612)	(\$10,217,999)	\$2,589,613
Capital Revenue (Cash Items)	\$3,794,644	\$6,440,531	\$2,645,887
Operating Revenue (Cash Items)	\$61,941,463	\$60,655,499	(\$1,296,287)
Operating Expenditure (Cash Items)	(\$54,725,167)	(\$52,887,333)	\$1,837,834
Surplus Carry Forward at 30 June 2017	\$1,534,059	\$3,357,702	\$1,823,643

The June 2017 Monthly Financial Report detailed the explanations of the variances and further information will be available in the Annual Financial Statements report to be presented to Council upon completion of the Annual Financial Statements audit.

The following items have been proposed to Council for approval of the allocation of the surplus funds in the 2017/18 Annual Budget:

Proposed Item	Amount (\$)
Medina Oval Lighting The City of Kwinana has been successful in securing \$150,000 grant funding for the upgrade of lighting at Medina Oval. The grant funding is provided by the Department of Local Government, Sports and Cultural Interests (previously Department of Sports and Recreation) as part of the Local Projects – Local Jobs program. The cost of upgrading the lights at Medina Oval including design, supply and installation is estimated to be around \$300,000. In order to deliver this project, an additional \$150,000 is required to be contributed by the City. In the event that the additional funding from the City of Kwinana is not secured, the City will not be eligible to utilise the available grant funding.	\$150,000

16.3 ALLOCATION OF THE ADDITIONAL CLOSING SURPLUS - 2016/17 FUNDS

<p>Demountable Building Additional office space is required at the Operations Depot. Funds for this project were not included during the budget process and were utilised from the Building contingency account.</p>	\$50,000
<p>Latitude 32 Lighting Change from Solar The City is experiencing continued theft and vandalism to the battery units associated with the solar powered street lights within the Latitude 32 development precinct. This is resulting in the local businesses not having adequate street lighting and the City having to replace units frequently resulting in unexpected costs incurred by the City.</p> <p>This project will convert all the current solar powered street lights to conventional mains power through the Western Power grid. Upgrading to the main power supply will ensure that the street lights are fully operational and will eliminate the risk of battery theft.</p> <p>Eliminating the risk of theft/vandalism to the street light infrastructure will result in reduced insurance claims and subsequent costs.</p> <p>The total project cost is estimated at \$437,250 of which \$151,200 will come from the most current insurance claim. If the power supply of the lights was converted from solar to mains power grid, the whole of life cost savings over a 20 year period is estimated to be around \$329,000.</p>	\$286,050
<p>Information Technology Reserve To transfer funds into a new reserve called Information Technology Software that will be used to implement a new software system. The City of Kwinana has been using the current software system since 2005. Most of the core modules were installed at this time and have been progressively added to over the years. Many of the software modules the City uses were set up over ten years ago and the structure and integrity of the system is inadequate and requires attention. As a result of recognising this, the City arranged with the software provider to conduct a series of workshops between February and April 2016 with key users to analyse the current use of the system and provide recommendations for further optimisation. In addition to optimisation, the City was advised on how to take advantage of new functionality currently available to further extend the City's use of the solution.</p> <p>The objectives of the recommended advancement plan were:</p> <ul style="list-style-type: none"> - Assets <ul style="list-style-type: none"> o Realignment of Asset structure and set up o Works management – maintenance scheduling o Implement Assets mobility solution o Implement Strategic Asset Management module - Customer Request Management <ul style="list-style-type: none"> o Implement CRM Business Rules and Workflow 	\$500,000

16.3 ALLOCATION OF THE ADDITIONAL CLOSING SURPLUS - 2016/17 FUNDS

<ul style="list-style-type: none"> - Finance <ul style="list-style-type: none"> o General Ledger Restructure o Implement Work Orders and Work Order Budgeting - HR & Payroll <ul style="list-style-type: none"> o Implement Online Timesheets and Work Patterns - Hierarchy Rebuild and Role Restructure - Business Intelligence System <ul style="list-style-type: none"> o Implement GL and Work Order View <p>The heavily discounted quoted price to implement the Advancement Plan was at the time \$306,199. The amount is significant and has therefore brought about the need to conduct significant due diligence on the most suitable options available in the market that will meet the needs of the City as it continues to grow.</p>	
<p>City Assist Initiative Reserve The CCTV project for Wellard is close to commencing. This is being funded by WA Police however there has been no contingencies included in the project. A new reserve is proposed to be created to ensure there are sufficient funds to carry out CCTV installation in Kwinana.</p>	\$100,000
<p>Christmas Tree Permanent footings and a power connection are required for the Chisham Square Christmas Tree. Permanent footings were not put in last year so that the best position for the tree could be agreed first. This project proposes the supply and installation of footings in compliance with the current structural engineering standards; installation of a power supply point and modify existing reticulation mains to prepare a permanent pad for annual installation of the Christmas tree in Chisham Square, outside Darius Wells Library and Knowledge Centre.</p>	\$20,000
<p>Security Guard Darius Wells The City Assist contract salaries budget is currently funding the Static Guard at the Darius Wells which was not budgeted for.</p>	\$37,000
<p>Wells Park Feasibility Study The original budget for 17/18 was \$40,000 however the submissions received requires an additional \$35,000 to carry out the feasibility study on the further development of the Wells Park/Kwinana Beach area, including an assessment of the feasibility of undertaking repair works to the sea wall and construction of further recreational facilities at the site.</p>	\$35,000

16.3 ALLOCATION OF THE ADDITIONAL CLOSING SURPLUS - 2016/17 FUNDS

<p>Big Concert Perth Symphony Orchestra has indicated that they are not able to source a partner for Kwinana to share the cost of production of the Big Concert that will be held on 2 December. The arrangement was that they would try to find another local authority such as Swan or Wanneroo to also host such a concert, and repeat the same show in both localities, thus reducing the cost of production. This means that the City will now need to fund the whole cost of production at \$135,000. An additional \$20,000 sponsorship has been sourced, however the event will require an additional \$15,000.</p>	\$15,000
<p>The Zone Lounge - Access In order to address occupational, health and safety risks relating to access and egress from the Youth Lounge, maximise the use of the Lounge, and provide suitable ergonomic workstations for staff supervising the Lounge the following works are required: Provision of workstations to match existing cabinetry \$10,000 existing budget and costed. Change the existing exit door to a double door to create an 'entrance/exit' for the Youth Lounge \$10,000 costed not budgeted. Changes to the existing external verandah area to install an accessible ramp to allow access and egress from the Lounge. \$15,000 estimated not budgeted.</p>	\$25,000
<p>Recquatic Reception Ergonomic Work Station Refit Project Recent OHS issues have highlighted the unsuitability of the current reception counter at the Recquatic. Further discussions and reviews of the area have highlighted significant operational issues with the existing format. A quotation has been received from a company identified by the City's Insurers as specialists in the field for \$60,000. This will allow for height adjustable ergonomic workstations and a new and vibrant reception counter and foyer area.</p>	\$30,000
<p>CCTV Maintenance Overspend of budget by \$22,100 as a result of Security of the Skate Park which was not budgeted for. In order to undertake the required CCTV maintenance there needs to be an increase in the budget of the amount spent on the Skate Park security.</p>	\$22,100
<p>After Hours Monitoring The security monitoring budget is expected to be overspent by around \$30,000 due to new charges being introduced for the new WALGA contract as of July 2017. The budget is required to be increased to reflect new rates effective 1 July 2017. The City will be testing the market for a better rate shortly.</p>	\$30,000

16.3 ALLOCATION OF THE ADDITIONAL CLOSING SURPLUS - 2016/17 FUNDS

Calista Tennis Club Access Improve pedestrian access to the Tennis Club in order to meet disabled access compliance requirements. The current access ramp is too steep and non compliant. Access to the Tennis Club needs to be modified as part of construction of the footpath on the south side of Walgreen Crescent, between the Adventure Park and Gilmore Ave Walgreen Crescent footpath. The footpath construction project is included in the 2017/18 capital projects budget and is scheduled to be constructed during the latter part of 2017.	\$20,000
Bertram Road Drainage Improvement Supply and install additional drainage side entry pits and extend piping to connect to the existing system to improve drainage along Bertram Rd to prevent inundation of pedestrian access areas in the vicinity of Kings College. Drainage improvement works will complement the footpath construction project in this section of Bertram Rd which is planned to be constructed in January 2018.	\$30,000
Zone Youth Drop In Lounge - Salaries The salaries for the Zone Youth Drop In Lounge were accidentally omitted. The salaries are \$141,328 including on costs, but full cost can be offset as the Community Liaison Officer positions have only just been recruited, resulting in a salary saving year to date of \$62,716 including on costs.	\$78,612
Unallocated Surplus The remaining unallocated funds will increase the budgeted closing surplus for 2017/18 by \$394,881. By not fully allocating the additional surplus funds allows for any movement in changes to the closing surplus provided for at finalisation of the audit. Council will have the opportunity to review the budgeted surplus position at the Annual Budget Review between January and March 2018 and may reallocate any surplus at that time.	\$394,881

LEGAL/POLICY IMPLICATIONS:

The Local Government Act 1995 Part 6 Division 4 s 6.8 (1) requires the local government not to incur expenditure from its municipal fund for an additional purpose except where the expenditure-

(b) is authorised in advance by resolution*

“additional purpose” means a purpose for which no expenditure estimate is included in the local government’s annual budget.

*requires an absolute majority of Council.

FINANCIAL/BUDGET IMPLICATIONS:

Financial implications are detailed in the discussion of this report.

16.3 ALLOCATION OF THE ADDITIONAL CLOSING SURPLUS - 2016/17 FUNDS**ASSET MANAGEMENT IMPLICATIONS:**

The allocation of funds towards the upgrading and renewal of existing City assets in the capital expenditure items is in line with the Asset Management Strategy and will reduce the current asset management gap.

ENVIRONMENTAL IMPLICATIONS:

There are no environment implications associated with this report.

STRATEGIC/SOCIAL IMPLICATIONS:

This proposal will support the achievement of the following objectives and strategies detailed in the Corporate Business Plan.

Plan	Objective	Strategy
Corporate Business Plan	6.1 Ensure the financial sustainability of the City of Kwinana into the future	6.1.2 Implement sound revenue and expenditure policies, seek additional revenue sources and optimise financial management system

COMMUNITY ENGAGEMENT:

There are no community engagement implications as a result of this report.

RISK IMPLICATIONS:

The risk implications in relation to this proposal are as follows:

Risk Event	Inadequate management of the City's provisions, revenues and expenditures.
Risk Theme	Failure to fulfil statutory regulations or compliance Providing inaccurate advice/information
Risk Effect/Impact	Financial Reputation Compliance
Risk Assessment Context	Operational
Consequence	Minor
Likelihood	Unlikely
Rating (before treatment)	Low

16.3 ALLOCATION OF THE ADDITIONAL CLOSING SURPLUS - 2016/17 FUNDS

Risk Treatment in place	Reduce - mitigate risk
Response to risk treatment required/in place	Submit closing surplus of prior year to Council for consideration and allocation to budget.
Rating (after treatment)	Low

COUNCIL DECISION

612

MOVED CR P FEASEY

SECONDED CR W COOPER

That Council:

1. Pursuant to section 6.11 of the Local Government Act 1995,
 - a. adopts to create an Information Technology Software Reserve for the purpose of implementing and maintain the software requirements of the City;
 - b. adopts to create a City Assist Initiative Reserve for the purpose of providing for infrastructure and other initiatives to enhance the safety and security of the City.
2. Approve the allocation of carried forward surplus and adjustments to the adopted 2017/18 Annual Budget as detailed below:

Item	Amount (\$)
Increase to budgeted Carry Forward Surplus	\$1,823,643
Increase to the following expenditure items:	
Medina Oval Lighting	(\$150,000)
Demountable Building	(\$50,000)
Latitude 32 Lighting Change from Solar	(\$286,050)
Information Technology Software Reserve	(\$500,000)
City Assist Initiative Reserve	(\$100,000)
Christmas Tree	(\$20,000)
Security Guard Darius Wells	(\$37,000)
Wells Park Feasibility Study	(\$35,000)
Big Concert	(\$15,000)
The Zone Lounge - Access	(\$25,000)
Recquatic Reception Ergonomic Workstation Refit Project	(\$30,000)
CCTV Maintenance	(\$22,100)
After Hours Monitoring	(\$30,000)
Calista Tennis Club Access	(\$20,000)
Bertram Road Drainage Improvement	(\$30,000)
Zone Youth Drop - in Lounge - Salaries	(\$78,612)
The Edge Skate Park Grand Opening – Rescheduled	(\$36,000)
Unallocated Surplus Carried Forward	(\$358,881)

16.3 ALLOCATION OF THE ADDITIONAL CLOSING SURPLUS - 2016/17 FUNDS

CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

8/0

NOTE – That the Officer Recommendation has been amended to include an additional item for The Edge Skate Park Grand Opening. This event will be rescheduled, due to inclement weather which made the surfaces at The Edge Skate Park extremely slippery and dangerous. The Grand Opening of the facility was cancelled on Saturday, 7th October. As community expectation and excitement is high, the Grand Opening has been rescheduled to take place in mid November, with a similar line up of exhibitions, competitions and entertainment as was planned for the original event. As the claim for cost recovery due to adverse weather conditions has not yet been processed by the City's insurer, a budget of up to \$36,000 is required to cover the costs of the rescheduled event, so that planning for the event can proceed. Depending on the outcome of the claim, these funds may be recoverable.

16.4 Rescheduled Punjabi Sports and Multicultural Festival, Sunday, 12 November 2017, Fireworks Event Notice

SUMMARY:

Council acknowledged and authorised the CEO to sign the Application for a Fireworks Event Notice permitting Cardile International Fireworks Pty Ltd to apply to the Department of Mines, Industry Regulation and Safety (DMIRS) for a permit presented to the Ordinary Council meeting held on 9 August 2017.

The organisers chose to cancel the event due to bad weather and re-organised the event for 12 November 2017. The timing of the fireworks has been amended to occur between 8:15pm to 8:40pm. The original application timing of fireworks was to occur between 7:30pm – 8:00pm.

All other details, fireworks management and acknowledgment conditions remain unchanged.

OFFICER RECOMMENDATION:

That Council:

1. Acknowledges the Application for Fireworks Event Notice permit from Cardile International Fireworks Pty Ltd for the fireworks event named 'Punjabi Sports and Multicultural Festival' to be held at Calista Oval (2 Walgreen Crescent Calista), (as per Confidential Attachment A) with no objections; and
2. Authorises the Chief Executive Officer to sign the Application for a Fireworks Event Notice permit from Cardile International Fireworks Pty Ltd detailed in (1) above, on behalf of the City of Kwinana (Local Government) subject to the following conditions:

Conditions

- a. That the fireworks display complies with the Safe Use of Outdoor Fireworks in Western Australia Code of Practice;
- b. That the prescribed separation distances between buildings and patrons are strictly in accordance with the Australian Standard 2187.4:1998 Explosives-Storage, Transport and Use Part 4 Pyrotechnics-Outdoor Displays and shall be adhered to at all times;
- c. That the separation between spectators including the general public be marked off as a "No Entry" area and be properly supervised by personnel to ensure no person is exposed to undue risk and potential harm from projectiles;
- d. That the "Fall Out" zone is a non contact area and there is no risk of harm from pyrotechnic residue to spectators, general public or temporary and permanent structures and buildings area;

16.4 RESCHEDULED PUNJABI SPORTS AND MULTICULTURAL FESTIVAL, SUNDAY, 12 NOVEMBER 2017, FIREWORKS EVENT NOTICE

- e. That the noise sensitive premises within 500 metres and general residential premises within 250 metres of the event are notified, giving details of date, time and duration seven (7) days prior to the event;
- f. That during the period of fireworks display (8:15pm–8:40pm) a minimum of 700 litres of water for fire fighting purposes shall be available on site on a mobile fire fighting vehicle;
- g. That a thorough inspection must be conducted at first light the following day to check that no unfired fireworks, hazardous debris or rubbish remain.
- h. That any verbal or written directions of the FESA Officer, Police Officer or an Environmental Health Officer are forthwith adhered to in the interests of public health and safety.

DISCUSSION:

At the Ordinary Council meeting held on 9th August 2017 Council resolved to approve fireworks at the Punjabi Sports and Multicultural Festival. As a result of bad weather the event was postponed and is rescheduled to be held on 12 November 2017. The proposed time of fireworks has changed to occur between 8:15pm to 8:40pm. All other conditions remain unchanged as per previous application.

The Punjabi Sports and Multicultural Festival was held for the first time on the 16th October 2016 on the Bertram Primary School Oval. The event included multicultural dance displays/music, food and service vendors and organised team sport challenges such as volleyball. The organiser reported that the event was hugely successful, however there were some parking issues identified in the immediate area. Due to the overall success the organiser is proposing to hold the event at Calista Oval which should afford greater parking opportunities and increased participation numbers. The organiser wishes to compliment the event with a 12 minute fireworks display between 8:15pm – 8:40pm. Cardile International Fireworks P/L has inspected the event location and has submitted a site map detailing proposed firing/exclusion based on the largest firework shell being 75mm and requiring a 45m exclusion zone.

The DMIRS prescribed form – Fireworks Event Notice submitted by an applicant does not seek approval from the local government but an acknowledgement or objection. Part 3 of this form requests an authorised delegate or the Chief Executive Officer of the local government to acknowledge or state an objection to the fireworks event.

Based on legal advice provided by the City's lawyers McLeods and Governance Services there appears to be no provision within the Dangerous Goods Safety Act 2004, subsidiary Regulations or the Local Government Act 1995 for a delegation from local government to provide this acknowledgement or objection to the event.

The matter of delegated authority arising from legal advice has been discussed with the DMIRS. Pending further legal advice, the DMIRS may seek an amendment to the current legislation and the Fireworks Event Notice form, to establish clear delegated authority.

16.4 RESCHEDULED PUNJABI SPORTS AND MULTICULTURAL FESTIVAL, SUNDAY, 12 NOVEMBER 2017, FIREWORKS EVENT NOTICE

LEGAL/POLICY IMPLICATIONS:

For the purpose of Councillors considering a financial or impartiality interest only, the proponent and landowner are Robert Cardile of Cardile International Fireworks Pty Ltd and City of Kwinana respectively.

Relevant legislation applicable to this item.

Dangerous Goods Safety (Explosives) Regulations 2007

S148(2)(c) states that:

Before the holder of a fireworks contractor licence can apply for a fireworks event permit, the holder must sign a fireworks event notice and give it to the following –

- (b) the local government of the district in which the event will occur;

The Dangerous Goods Safety (Explosives) Regulations 2007 S148(6) states that:

- (6) On receiving a fireworks event notice, a local government may give the holder a written response that –
 - (a) agrees to the proposed event; or
 - (b) objects to it unless certain conditions specified in the response are met; or
 - (c) objects to it on the grounds that the local government considers the event -
 - (i) is not in the public interest; or
 - (ii) will cause danger to the public or unintended damage to any property or to the environment.

FINANCIAL/BUDGET IMPLICATIONS:

There are no financial implications associated with this report.

ASSET MANAGEMENT IMPLICATIONS:

There are no asset management implications associated with this report.

ENVIRONMENTAL IMPLICATIONS:

Fireworks displays are to be conducted in accordance with Safe Use of Outdoor Fireworks in Western Australia Code of Practice;

STRATEGIC/SOCIAL IMPLICATIONS:

There are no strategic/social implications associated with this report.

16.4 RESCHEDULED PUNJABI SPORTS AND MULTICULTURAL FESTIVAL, SUNDAY, 12 NOVEMBER 2017, FIREWORKS EVENT NOTICE

COMMUNITY ENGAGEMENT:

There are no community engagement implications as a result of this report.

RISK IMPLICATIONS:

The risk implications in relation to this proposal are as follows:

Risk Event	Potential harm to persons, environment and property
Risk Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Effect/Impact	People/Health Environment
Risk Assessment Context	Operational
Consequence	Major
Likelihood	Possible
Rating (before treatment)	Extreme
Risk Treatment in place	Reduce - mitigate risk Prepare Contingency Plans - in the event the risk occurs
Response to risk treatment required/in place	Strict adherence to Risk Assessment/Emergency Management Plan submitted by Cardile International Fireworks Pty Ltd and the Western Australian Outdoor Fireworks Code of Practice shall minimise any risk exposure to operational staff, spectators, properties and environment in general.
Rating (after treatment)	Low

COUNCIL DECISION

613

MOVED CR S LEE

SECONDED CR S MILLS

That Council:

- Acknowledges the Application for Fireworks Event Notice permit from Cardile International Fireworks Pty Ltd for the fireworks event named 'Punjabi Sports and Multicultural Festival' to be held at Calista Oval (2 Walgreen Crescent Calista), (as per Confidential Attachment A) with no objections; and**

16.4 RESCHEDULED PUNJABI SPORTS AND MULTICULTURAL FESTIVAL, SUNDAY, 12 NOVEMBER 2017, FIREWORKS EVENT NOTICE

- 2. Authorises the Chief Executive Officer to sign the Application for a Fireworks Event Notice permit from Cardile International Fireworks Pty Ltd detailed in (1) above, on behalf of the City of Kwinana (Local Government) subject to the following conditions:**

Conditions

- a. That the fireworks display complies with the Safe Use of Outdoor Fireworks in Western Australia Code of Practice;**
- b. That the prescribed separation distances between buildings and patrons are strictly in accordance with the Australian Standard 2187:4:1998 Explosives-Storage, Transport and Use Part 4 Pyrotechnics-Outdoor Displays and shall be adhered to at all times;**
- c. That the separation between spectators including the general public be marked off as a “No Entry” area and be properly supervised by personnel to ensure no person is exposed to undue risk and potential harm from projectiles;**
- d. That the “Fall Out’ zone is a non contact area and there is no risk of harm from pyrotechnic residue to spectators, general public or temporary and permanent structures and buildings area;**
- e. That the noise sensitive premises within 500 metres and general residential premises within 250 metres of the event are notified, giving details of date, time and duration seven (7) days prior to the event;**
- f. That during the period of fireworks display (8:15pm–8:40pm) a minimum of 700 litres of water for fire fighting purposes shall be available on site on a mobile fire fighting vehicle;**
- g. That a thorough inspection must be conducted at first light the following day to check that no unfired fireworks, hazardous debris or rubbish remain.**
- h. That any verbal or written directions of the FESA Officer, Police Officer or an Environmental Health Officer are forthwith adhered to in the interests of public health and safety.**

**CARRIED
8/0**

17 Urgent Business

COUNCIL DECISION

614

MOVED CR P FEASEY

SECONDED CR B THOMPSON

That Council deal with the two items of urgent business as presented in the Addendum to the Agenda.

CARRIED
8/0

17.1 Kwinana Mens Shed Inc

SUMMARY:

In January 2017 the Kwinana Mens Shed closed. A group of former users of this facility have formed an incorporated association with a view to establishing a new men's shed facility in Kwinana. The group is seeking in principle support from Council to carry out all activities associated with operating a men's shed on Lot 505 Brownell Crescent, Medina Oval (Reserve 24571). The land is owned by the Crown and is vested to the City of Kwinana for the purpose of Recreation. It is proposed that Council give in principle support to the Kwinana Mens Shed Inc to lease a portion of up to 2,000m² on Lot 505 Brownell Crescent if the following is satisfied:

1. All funds are externally sourced to construct and fit out the proposed building and associated infrastructure;
2. A business plan is prepared and approved by Council;
3. The Minister for Lands and Western Australian Planning Commission give consent to the lease; and
4. All other necessary approvals are obtained

OFFICER RECOMMENDATION:

That Council resolve to give in principle support to the Kwinana Mens Shed Inc to lease a portion of up to 2000 m² of Lot 505 Brownell Crescent (Reserve 24571 Medina Oval) if the following are satisfied:

1. All funds are externally sourced to construct and fit out the proposed building and associated infrastructure;
2. A business plan has been prepared and approved by Council;
3. The Minister for Lands consent to the lease and the Western Australian Planning Commission (WAPC) give approval for any term in aggregate which is in excess of 20 years; and
4. All other necessary approvals are obtained.

DISCUSSION:

In January 2017 the Kwinana Mens Shed operated by the Salvation Army in Medina closed after experiencing financial difficulty.

17.1 KWINANA MENS SHED INC

The men who used the service subsequently formed a group to examine the feasibility of re-creating the project elsewhere in Kwinana. They have formed an incorporated association, are in the process of developing a business plan and have undertaken preliminary research on the requirements for the establishment of a new men's shed, including contact with funding bodies in order to source capital funding to build a new shed and required supporting infrastructure including car parking, access road if required and utilities.

The Kwinana Mens Shed Inc have requested that Council give consideration to granting in principle support to leasing land to them on which their proposed facility could be located. The land requirement of up to 2,000m² would be sufficient to accommodate a 30m x 10m colourbond shed including parking for up to 66 vehicles, with the location being accessible by public transport.

It is recommended that Medina Oval be considered as the preferred location for the following reasons:

- Medina Oval is readily accessible by public transport.
- There is a possible location within the fenced area of the reserve, immediately north of the public parking area, with access to power and with limited environmental impact, which could be considered appropriate for such an initiative.
- High levels of passive surveillance over the proposed building would exist due to proximity of local residents.
- Depending on the location of the building on the site, opportunities for reciprocal parking exist with other user groups already located on the reserve.
- There is the potential for cost of site works to be minimised on this site.

LEGAL/POLICY IMPLICATIONS:

City Officers have had discussions with Officers at the Department of Lands who have advised that the construction of a men's shed on Lot 505 Brownell Crescent Medina (Reserve 24571) is seen to be acceptable as it is consistent with the Recreation purpose of the reserve. Consent to the lease from the Minister for Lands will need to be obtained if Council give in principle support to lease up to 2,000m² of Lot 505 Brownell Crescent, Medina (Reserve 24571 Medina Oval).

The City has the power to lease for any term not exceeding 21 years, subject to the consent of the Minister for Lands.

Approval to lease a portion of the lot would need to be obtained from the Western Australian Planning Commission if the term exceeded 20 years including any options.

If the Kwinana Mens Shed Inc obtain funding and all necessary approvals and consent, the Council will be required to approve to advertise the proposed disposition by way of lease and provide local public notice of its intent to lease a portion of Lot 505 Brownell Crescent, Medina (Reserve 24571 Medina Oval).

17.1 KWINANA MENS SHED INC**FINANCIAL/BUDGET IMPLICATIONS:**

There are no financial implications for the City of Kwinana as a result of this report or its recommendation.

The in principle support to lease the land to the group would be given on the basis that all capital costs associated with the development (construction of shed, car parking, access road, connection of utilities, etc) would be sourced by the group and that a sustainable business plan would be provided which would demonstrate that operating costs of the venture would be covered by the group, including the cost of insurance of building and contents, building maintenance, utilities and the like.

ASSET MANAGEMENT IMPLICATIONS:

Because the building will be located on the reserve which is vested in the City, the building would become an asset of the City, however, the Kwinana Mens Shed Inc would be responsible for building maintenance and any capital improvements and/or refurbishments into the future.

ENVIRONMENTAL IMPLICATIONS:

The exact location of the shed on the reserve has not yet been determined, however, an environmental assessment would be undertaken as part of the approval process.

The area within the fence line, immediately north of the public parking area has limited native vegetation and some street trees present. Environmental offsets to compensate for the loss of a few street trees could be considered elsewhere within the reserve.

STRATEGIC/SOCIAL IMPLICATIONS:

This proposal will support the achievement of the following objectives and strategies detailed in the Strategic Community Plan.

Plan	Objective	Strategy
Strategic Community Plan	1.4 A healthy and active community with services for everyone's needs	Community Infrastructure Plan
	4.1 Residents are provided with a range of multifunctional community places and accessible recreation facilities	Community Infrastructure Plan

COMMUNITY ENGAGEMENT:

As part of the process of determining the most suitable portion of the Reserve on which to locate the proposed facility, community engagement with nearby residents would need to occur.

17.1 KWINANA MENS SHED INC

RISK IMPLICATIONS:

The risk implications in relation to this proposal are as follows:

Risk Event	Required ministerial approval may not be achieved
Risk Theme	Failure to fulfil statutory regs or compliance requirements
Risk Effect/Impact	Compliance
Risk Assessment Context	Operational
Consequence	Minor
Likelihood	Unlikely
Rating (before treatment)	Low
Risk Treatment in place	Accept - do nothing, accept its full impact
Response to risk treatment required/in place	Nil
Rating (after treatment)	Low

COUNCIL DECISION

615

MOVED CR B THOMPSON**SECONDED CR S MILLS**

That Council resolve to give in principle support to the Kwinana Mens Shed Inc to lease a portion of up to 2000 m2 of Lot 505 Brownell Crescent (Reserve 24571 Medina Oval) if the following are satisfied:

1. All funds are externally sourced to construct and fit out the proposed building and associated infrastructure;
2. A business plan has been prepared and approved by Council;
3. The Minister for Lands consent to the lease and the Western Australian Planning Commission (WAPC) give approval for any term in aggregate which is in excess of 20 years; and
4. All other necessary approvals are obtained.

CARRIED
8/0

17.2 Contribution to the funeral of the Late Ken Jackman, Freeman of the City of Kwinana.

COUNCIL DECISION

616

MOVED CR D WOOD

SECONDED CR W COOPER

That Council:

- **Offer the Jackman family an amount of up to \$300, as contribution towards the wake for the Late Ken Jackman, former Mayor and City Freeman in recognition to his contribution to the City over the many years that he was an Elected Member.**
- **Approve the waiving of the hall hire fee and bond requirement for the utilisation of the Ken Jackman Hall at the Darius Wells Library and Resource Centre for the wake.**

**CARRIED
8/0**

18 Councillor Reports

18.1 Deputy Mayor Peter Feasey

Deputy Mayor Peter Feasey reported that he had attended the Events Working Group Meeting which was an interesting evening and that they had discussed a number of events that the City is planning.

Deputy Mayor Feasey wished the Councillors up for election good luck and also Councillor Thompson for his future endeavours.

18.2 Councillor Ruth Alexander

Councillor Ruth Alexander reported that she had greatly enjoyed the Kwinana Dance Festival at Koorliny Arts Centre, as did everyone whom came along. Councillor Alexander passed on her congratulations to all of the dancers, whom achieved so much.

Councillor Alexander mentioned she may be saying farewell, but hopefully not and she looks forward to the possibility of working with everyone for a lot longer.

18.3 Councillor Wendy Cooper

Councillor Wendy Cooper reported that she had attended the Kwinana Tennis Club Annual Open Day and said that it had been lovely to see the transformation of the interior of the club, which looked amazing. Councillor Cooper stated that it was a lovely day and that the most joyous part was that there were so many children at the event.

Councillor Cooper mentioned that she had attended the Access and Inclusion Meeting.

Councillor Cooper reported that she had attended the Events Working Group Meeting.

Councillor Cooper advised that she had attended Southern Metropolitan Regional Council (SMRC) Meetings.

Councillor Cooper reported that the Community Advisory Council no longer request representation from Councillors of the City of Rockingham or City of Kwinana and further advised that she would be attending her last meeting tomorrow.

18.4 Councillor Sandra Lee

Councillor Sandra Lee reported that she had attended the meet the candidates with the Medina Residents Group, where candidates had the opportunity to speak and answer questions. Councillor Lee added that it was good to see about 25 residents come along for the evening.

Councillor Lee advised that she had attended the Kwinana Tennis Club Annual Open Day and that it was wonderful to have a lot of people in attendance, especially many young people.

18 COUNCILLOR REQUESTS CONTINUED

Councillor Lee mentioned that she had attended the Kwinana Wirrpanda Foundation Fundraiser, which was held by Wine with Friends, Jo, Kylie, Elisa and Rachel, at Bliss Momo's Restaurant in Wellard. Councillor Lee explained that the Wirrpanda Foundation exists to improve the quality of life for Aboriginal and Torres Strait Islander People by working together to empower and build capacity amongst Aboriginals, their families and their communities.

Councillor Lee reported that she had attended the Rockingham Kwinana Chamber of Commerce Business Breakfast hosted by the City of Kwinana, where Mayor Adams gave a presentation of an overall view of how much as a City we have achieved over the last 10 years. Councillor Lee further reported that Deidre Willmot, Chief Executive Officer gave a presentation on how the Western Australian economy is travelling.

Councillor Lee advised that she had attended the 2017 Western Australian Tennis Industry Awards evening, where the City of Kwinana was the winner in the newly created category, Tim Davies Landscaping Local Government Award. Councillor Lee explained that the City's nomination was made addressing the five required selection criteria of:

1. Build and share knowledge
2. Plan collaboratively
3. Attract investment
4. Deliver a tennis specific programme
5. Improve venue sustainability

Councillor Lee mentioned that this may be her last Council meeting, but she hopes not. Councillor Lee took the opportunity to express her sincere appreciation to everyone here, our wonderful City Officers who we have a professional and respectful relationship with. Councillor Lee gave a special thank you to the Chief Executive Officer, Executive Team, Council Administration Officer, Business Improvement Officer and the Executive Assistant to the Chief Executive Officer and Mayor, whom without we would not be able to carry out our Councillor duties.

Councillor Lee addressed her fellow Councillors and thanked them all, and said that as Councillor Thompson completes his term here, that he has been a steady and logical voice whilst on Council and that his local government background has invaluable. Councillor Lee wished Councillor Thompson good luck.

Councillor Lee wished all the candidates well for the upcoming election.

Councillor Lee passed on her sincere condolences to our former Mayor and City Freeman, Ken Jackman upon his sad passing.

Councillor Lee stated that she has never forgotten that we are elected by the wonderful people in our community and we are honoured and privileged to be in our positions. We are the servants of our community.

18 COUNCILLOR REQUESTS CONTINUED

18.5 Councillor Sheila Mills

Councillor Sheila Mills reported that she had attended the Events Working Group Meeting and stated that the big event is going to be mind blowing and absolutely stunning.

Councillor Mills wished Councillor Thompson well and thanked him for being helpful and constructive.

18.6 Councillor Bob Thompson

Councillor Bob Thompson thanked everyone for their kind words and added that he will miss the Council as he has enjoyed the occasion, working with the Councillors and the team. Councillor Thompson mentioned that the City is very strategic and encourages the City to keep it up as it has made a significant difference over the years. Councillor Thompson gave his best wishes to all whom are standing for Council.

18.7 Councillor Dennis Wood

Councillor Dennis Wood addressed Councillor Thompson and said 'it has been great, it is a pity you're leaving'. Councillor Wood wished the Councillors running for election good luck.

19 Response to Previous Questions

Nil

20 Mayoral Announcements (without discussion)

Mayor Carol Adams announced the sad passing of former Mayor and City Freeman, Ken Jackman, who passed away on Sunday morning. On behalf of the City of Kwinana may I pass on our heartfelt condolences for the passing of Ken.

The Mayor reported appointments of note since the last Ordinary Council Meeting:

- Rockingham Kwinana SES 40th Anniversary
- Westport update meeting with Senator Glenn Sterle
- Mortimer District Day
- Skatepark official opening (cancellation)
- RKCC Business Breakfast hosted by the City of Kwinana with special guest speaker, Diedre Willmott, CEO of the Chamber of Commerce and Industry

The Mayor reported upcoming meetings of note:

- Official opening of the Kings College Administration Building by Senator Michaelia Cash
- Convergence Opening, Saturday 14 October – Ken Jackman Centre
- Street Verge Gardens
- SWG Taskforce Meeting with Westport Chairperson

20 MAYORAL ANNOUNCEMENTS (WITHOUT DISCUSSION)

- City of Kwinana Citizenship Ceremony
- Official opening of Coles at the Kwinana Marketplace

The Mayor advised that tonight is the last sitting of Councillors Bob Thompson, Ruth Alexander, Sandra Lee and herself as our four year terms expire on 21 October 2017.

The Mayor further advised that Councillor Thompson is retiring and not recontesting the election, and added that it had been a pleasure working with him. The Mayor said that Councillor Thompson has been a very steady, voice of reason and not afraid to make the hard decisions. The Mayor wished Councillor Thompson and his family all the best for their future endeavours.

The Mayor also wished Councillors Alexander and Lee all the very best for their re-election bids and added that it had also been a pleasure working with them both over the past several years.

The Mayor mentioned that she had asked the Acting Chief Executive Officer to read out many of the achievements of Council in the past four year term as it is important to reflect on some of the decisions made, and also congratulate ourselves for being part of a proactive and innovative council.

The Acting Chief Executive Officer advised that many of the achievements of Council in the past four year term include -

Development Achievements

- Industry - Phoenix Energy and the lithium plant as well as development approvals for Sims Metal, Puma Energy and significant upgrades and improvements at CSBP and BP.
- City Centre – In addition to Aldi & Coles there was also the approval and development of the Kwinana Commercial Centre (adjoining the Marketplace)
- Medina Development (which won a UDIA award) this was part of the Affordable Housing Project in Medina – Medina Revitalisation – which includes upgrade to Medina Hall and Harry McGuigan and new housing. Also the approvals and development of the UDIA award winning Invita Apartments (multiple stages) at Wellard Village.
- Completion and opening of the Wellard Village Centre.
- Ongoing greenfield developments such as Wellard Village, Sunrise and new estates in Wellard East, Providence, Emerald Park and Honeywood
- Developed the Indian Ocean Gateway and has carried out over 100 stakeholder briefings. The State Government has committed to \$20 million to commence planning studies.
- Hosted a Senate Inquiry in to the Perth Freight Link and provided submission in relation to the Indian Ocean Gateway as an alternative.
- Streamlined the process for NBN to be installed in Kwinana.
- Hosting of RKCC Business functions
- Local Commercial Activity Centre Grants

The large number of items that needed to be considered in relation to development matters which includes:

- Developer Contribution Plan and legal agreements in relation to provisional payments
- New schools
- Road Closures
- Local Structure Plans, Local Development Plans

20 MAYORAL ANNOUNCEMENTS (WITHOUT DISCUSSION)

- Town Planning Scheme Amendments
- Urban Amenity Strategy, Streetscapes Local Planning Policy
- Road names
- Submissions – Perth Transport Plan, Fremantle to Rockingham Controlled Access Highway, Perth and Peel Green Growth Plan for 3.5 million, Perth and Peel @ 3.5 million for South Metropolitan Peel Sub-regional planning framework

Corporate Achievements

- Major review and desktop review of Strategic Community Plan
- Long Term Financial Plan
- Corporate Business Plan
- Workforce Plan
- Strategic Information Technology Plan
- Community Infrastructure Plan
- Asset Management Plan
- Quarterly reporting on the Strategic Community Plan and Corporate Business Plan
- Reviewed and created number of Council Policies
- Major review and implemented Council Delegation Register
- Appointed Independent Audit Committee member and implemented a internal audit function
- Adopted Local Laws
- Created a City Assist 24 hour 7 days a week service
- Settled the Lehmen Brothers matters
- Supported Vote Kwinana Community Action Group through Local Government reform and came out as the City of Kwinana.
- Endorsed the Waste Management Strategy, Events Strategy, Public Health Plan
- DFES and other State Government agencies present in Kwinana as tenants

Community Achievements

- Kwinana Youth Outdoor Space
- Adventure Park
- Parks Upgrade funding \$150K per annum
- Wandi Pavilion
- William Bertram Community Centre
- John Wellard Community Centre
- Recquatic Upgrade
- Won Inaugural Tennis WA for Local Government 2017
- WA Awards for the Adventure Park - Park of the Year and Project of the Year
- Carried on events such as Lyrik, NAIDOC, Childrens Festival, Lolly run
- Review of Koorliny Arts Centre
- Welcoming Diversity Strategy including endorsing the Homelessness Policy and the Multicultural Action Plan
- PIA Awards for Planning Excellence WA 2014 for the Margaret Feilman Planning and Heritage Retrospective
- Heart Foundation Local Government Award 2016
- Childrens Environment and Health Local Government Report Card Project 2016
- Christmas Tree in the City Centre

The Mayor passed on her thanks to the Chief Executive Officer and the Executive for their support and assistance provided to her in her role as Mayor. The Mayor also thanked everyone around the table for their support over her term as Mayor. The Mayor stated that 'You are only as good as the team who support you', and in that regard she felt that she has been very blessed.

20 MAYORAL ANNOUNCEMENTS (WITHOUT DISCUSSION)

The Mayor stated that she sincerely hopes that she will be returned to Council so that she can be part of the leadership team, to help bring to fruition many of the projects we have on our future books and to realise the community's aspirations for Kwinana.

21 Matters Behind Closed Doors

COUNCIL DECISION

617

MOVED CR P FEASEY

SECONDED CR B THOMPSON

That in accordance with Sections 5.23(2)(c) and 5.23(2)(d) of the Local Government Act 1995, Council move behind closed doors to allow discussion of the Matters Behind Closed Doors items.

CARRIED
8/0

The gallery exited the Council Chambers at 8:06pm

21.1 Agreement for Payment of DCA1, DCA7 and DCA12 Cost Contributions between the City of Kwinana and the owners of Lots 1, 2 and 10 Johnson Road, Wellard

COUNCIL DECISION

618

MOVED CR S LEE

SECONDED CR B THOMPSON

That Council:

1. Resolves to approve the Agreement between the City and the Subdividers (Attachment B) in order to resolve Conditions 1 and 2 of Subdivision Approval 153017 (Attachment A) for Stage 1;
2. Authorises the Mayor and the Chief Executive Officer to sign and seal the Agreement as per Attachment B;
3. Authorises the Chief Executive Officer to advise the Western Australian Planning Commission that Conditions 1 and 2 of Subdivision Approval 153017 for Stage 1 of Fairhaven Estate (Lots 1, 2 and 10 Johnson Road, Wellard) can be cleared for the purposes of development of Stage 1, on the proviso that the provisions of the Agreement are met; and
4. Authorises the Chief Executive Officer to undertake any of the actions under the Agreement, excluding any action that would vary the intent and purpose of the Agreement.

CARRIED
8/0

21.2 Update Seeking Instructions in relation to Legal Matter 34176KWIN

COUNCIL DECISION

619

MOVED CR P FEASEY

SECONDED CR D WOOD

That Council:

- 1. Adopt Option B within this report.**
- 2. Authorise the Mayor and Chief Executive Officer to execute any agreement that formalises the settlement in relation to legal matter 34176KWIN.**

**CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL
8/0**

COUNCIL DECISION

620

MOVED CR P FEASEY

SECONDED CR B THOMPSON

That Council come back from Behind Closed Doors.

**CARRIED
8/0**

The Council Chamber doors reopened at 8:08.

22 Meeting Closure

The Mayor declared the meeting closed at 8:09pm.

Chairperson: _____ 25 October 2017