

## Records

**From:** Customer Service Centre SSR  
**Sent:** Friday, 24 April 2015 10:57 AM  
**To:** Records  
**Subject:** Amended Development Assessment Panel Application - Proposed Landfill at Allawuna Farm, 2948 Great Southern Highway, St Ronans  
**Attachments:** Application for relocation or removal of Western Power assets.pdf; ATT94S97.pdf

Good morning Kira

Western Power does not have any specific comments at this time to the above proposal, however we would appreciate being kept informed of developments.

The following should be considered, prior to any of works commencing.

**Please note:**

**Western Power must be contacted on 13 10 87, or complete the attached DQA form, if your proposed works involve:**

A) Any changes to existing ground levels around poles and structures.

B) Working under overhead powerlines and/or over underground cables.

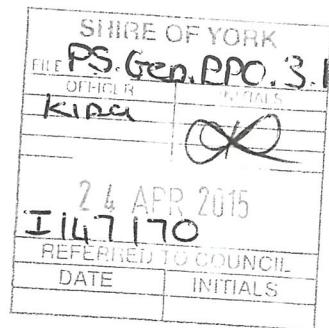
(See attached file: Updated DQA.pdf)

**Western Power is obliged to point out that any change to the existing (power) system; if required, is the responsibility of the individual developer.**

Kind regards

Kelly  
Customer Service Coordinator  
Customer Service  
Western Power –

**T:**  
**E:**  
**W:** [westernpower.com.au](http://westernpower.com.au)



Electricity Networks Corporation, trading as Western Power  
ABN: 18 540 492 861

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VIRUSES - Western Power scans all outgoing emails and attachments for viruses, however it is the recipient's responsibility to ensure this email is free of viruses.

### Application for relocation/removal of Western Power assets

This form is for the relocation/removal of Western Power assets. If you are applying to relocate an unmetered supply or streetlight, you will need to fill in an application for unmetered supply.

Help us process your application quickly by ensuring all relevant documents are attached.

**A site plan MUST be submitted with all applications.**

Mail your completed application to: Western Power Connections, Locked Bag 2520, Perth WA 6001

Fax: 9225 2073. Email: [works.admin.general@westernpower.com.au](mailto:works.admin.general@westernpower.com.au)

For information about this application call 13 10 87.

#### Customer details (for invoice purposes)

Company name

Company name												
Contact name												
Postal address												
Suburb or town												
Contact number												
Alternative number												
Email												

Post code

Fax

#### Work site details

Lot

Unit no.

Street no.

Street

Street

Suburb or town

Post code

#### Description of works to be carried out

e.g. remove or relocate pillar

If this is a Blackspot project, subject to Federal Government funding or of special significance to the community, please provide details:

Black Spot reference number

Customer required by date for quotation

/ /

Customer required by date for construction

/ /



This information is available in alternative formats by contacting 13 10 87



You have two options for completing this work:

**Option 1. Two stage desktop estimate and design/quote**

This is the standard option for customers and involves two stages:

1. A free desktop cost estimate providing approximate costs for the work. This will be sent to you, by mail, within two weeks of your application being received.
2. After accepting the estimate and proceeding to a detailed design and quotation, you are required to pay a \$1,500 design fee (non-refundable, including GST), which is deducted from the final cost. The detailed design and quotation will be sent to you within four weeks of receipt of your acceptance and design fee.

**Option 2. Fast-track estimate bypass**

Customers may bypass the estimate stage and proceed straight to a detailed design and quotation. For this option, you are required to pay an upfront \$1,500 design fee (non refundable, including GST). The detailed design and quotation will be sent to you within four weeks of receipt of your acceptance and design fee. The design fee will be deducted from the final cost.

Note: if your project is technically complex and/or of a larger scale, Western Power will apply cost-reflective design fees. We will contact you if this is the case.

Please indicate your preference below:

Option 1. I require an estimate only at this stage.

Option 2. I choose to proceed straight to a detailed design and quotation and I understand I will be invoiced the \$1,500 design fee (non refundable GST inclusive).

Purchase order: \_\_\_\_\_ (if applicable)

I understand that the electricity supply to the property may be temporarily interrupted to allow the work to be undertaken. If the power is interrupted I confirm this will not adversely affect anyone at the property who relies on Life Support Equipment.

Name

Signed

Date

**Confirmation of your application**

Western Power will forward an acknowledgement letter confirming receipt of your application within 10 days. Call 13 10 87 if you would like to discuss your application.



This information is available in alternative formats by contacting 13 10 87

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## Design and Access Offer Application (DOA) for an Electricity Network Connection

This form is used to request an access offer for work to be undertaken on the Western Power network.

Please complete this form if your request fits one or more of the following descriptions:

- A. New connection of
  - a property that is commercial, industrial or for primary production purposes
  - a supply greater than standard LV supply
  - four or more domestic dwellings on one lot
  - three or more direct meters to be supplied and fitted by Western Power
  
- B. Alteration to existing connection of
  - a property that is commercial, industrial or for primary production purposes
  - a property with a supply greater than standard LV supply
  - three or more domestic dwellings
  
- C. Isolation of
  - supply affecting three or more meters
  - the Western Power Network

Requests to increase your Contract Maximum Demand (CMD) must be made direct to your electricity retailer and not on this form.

As the information we need to prepare an access offer is quite technical, we recommend you ask your electrical contractor or consultant to assist you in completing this form.

An *Application for Domestic Underground Supply* form can be obtained from our web site [www.westernpower.com.au/index.html](http://www.westernpower.com.au/index.html) under Residential Services - new connections. This form can be used for up to 3 standard connections.

### Part A

Required for all work types

### Part B

You need to complete Part B if the work type is anything

DM#: 3015072

other than a standard domestic load.

### Part C

You need to complete Part C if the work type is for more than 1 commercial or industrial unit, more than 4 domestic units new connections, the isolation or installation of more than 2 direct meters, or requiring Master and/or CT metering.

### Part D

This part of the form is for 'contestable' customers applying for connection to the network. Customers using an average load of 5.7kW can choose their electricity retailer and are described as 'contestable'.

If you require further information about the choice of Retailers please contact the Office of Energy on 9420 5600 or visit their website at <http://www.energy.wa.gov.au/>

### Next steps

At the end of this form is a checklist of the diagrams, documents and information you need to attach to your application. Please use this list to ensure you have enclosed everything.

Please return the completed form and attachments to us by either:

fax: (08) 9225 2073

email: [works.admin.general@westernpower.com.au](mailto:works.admin.general@westernpower.com.au)

or mail: Connections Manager Locked Bag 2520 Perth WA 6001

If you require more details or information about the conditions governing individual customers please visit our web site [www.westernpower.com.au/index.html](http://www.westernpower.com.au/index.html).

Please note, if you are not the owner/developer of the property we also require a letter from the owner/developer authorising you to act as their representative.

If you have any other questions about this application form, please contact our Customer Service Centre on 13 10 87.

### Part A – General, for all applicants

Are there any issues such as Local Government, Heritage, Environmental or Safety Issues that need to be considered in this application?

Yes  No

If yes, please state: .....

Western Power reference number of previous application (i.e. MP, MT) .....

**As the information we need to prepare an access offer is quite technical, we recommend you ask your electrical contractor or consultant to assist you in completing this form.**

### Name of Applicant

Company Name ..... ABN .....

**Contact (Mandatory)** ... Title ..... Given Name ..... Surname .....

Current Address.....

..... Suburb ..... P/Code .....

**Contact Number** ..... Fax .....

Email address.....

### Postal Address

..... Suburb ..... P/Code .....

Is the Applicant the Lot Owner? Yes  No

### As above – Electrical Consultant / Electrical Contractor

Business / Company Name .....

Address ..... Suburb ..... Post Code .....

Contact Person ..... Contact Number .....

Fax ..... Email .....

Preliminary/Completion ticket number .....

### Site Details

Lot No. ..... Street Number ..... Street .....

Suburb ..... P/Code: ..... Contact .....

Contact Number ..... Fax: .....

<b>Work Required for:</b>			
<input type="checkbox"/> New Installation <input type="checkbox"/> Temporary Supply (less than 1 year) <input type="checkbox"/> Alterations or additions to existing installation			
<input type="checkbox"/> Isolation of Western Power Network		Existing Meter Number .....	
Description of Work Required..... ..... Date-Work required by ....., Please allow a minimum of three months (12 weeks), from receipt of payment, for connection to be provided by Western Power.			
WAPC Application Number (if subdivision/amalgamation) .....			
<b>Application will not be processed until WAPC approval has been received for a subdivision / amalgamation.</b>			
<b>Type of Network Connection</b>			
<input type="checkbox"/> Domestic <input type="checkbox"/> Commercial <input type="checkbox"/> Multi Residential <input type="checkbox"/> Hotel/Motel			
<input type="checkbox"/> Industrial (provide details eg boat building, steel fabrication workshop) .....			
Tick all that apply:			
<b>1. STANDARD SUPPLY REQUIRED (new or changed):</b>			
32 amps single phase (country regional areas)		<input type="checkbox"/> Yes	
63 amps single phase (metro only)		<input type="checkbox"/> Yes	
32 amps three phase		<input type="checkbox"/> Yes	
<i>(If Yes answered to any of 1 of the above and none of the below apply, application is complete.. go to page 6)</i>			
<b>2. MORE THAN STANDARD SUPPLY REQUIRED (new or changed), GREATER THAN:</b>			
32 amps single phase (country regional areas)		<input type="checkbox"/> Yes	
63 amps single phase (metro only)		<input type="checkbox"/> Yes	
32 amps three phase		<input type="checkbox"/> Yes	
Are the consumer mains sized 35mm or larger		<input type="checkbox"/> Yes	
<i>(If YES to any of 2, you must complete Part B of this application)</i>			
<b>3. WESTERN POWER TO SUPPLY AND FIT 3 OR MORE DIRECT METERS</b>		<input type="checkbox"/> Yes	
<b>4. WESTERN POWER TO ISOLATE 3 OR MORE DIRECT METERS</b>		<input type="checkbox"/> Yes	
<b>5. ARE THERE ANY LOTS/UNITS/DWELLINGS REQUIRING OVER 100 AMPS</b>		<input type="checkbox"/> Yes	
<i>(If YES to 3, 4 or 5, complete Part C of this application)</i>			
<b>6. WESTERN POWER TO ISOLATE THE NETWORK</b>		<input type="checkbox"/> Yes	
<i>(If YES to 6 only application is complete.. go to page 6)</i>			

## Part B – Load details for supplies other than standard load

The information in this part must be completed to ensure Western Power Networks provides an appropriate connection for your facility. An electrical consultant/contractor is required to complete this part.

### Existing load demand

Maximum demand .....Amps/phase or .....kVA

**New load demand. (Note: if new load is for a unit on a multi-unit site, the total load for the site MUST be completed).**

**Estimated total maximum demand** .....amps/phase

Initial total loading .....Amps/phase or .....kVA by ...../...../.....(date)

Total load for the site .....Amps/phase or .....kVA by ...../...../.....

### Estimated total consumption

Initial .....kWh/day      Ultimate .....kWh/day

### Method used to estimate load

AS/NZ3000    Volt amps (VA)/m<sup>2</sup>    Direct reading / load survey

Other (please specify) .....

### Load Pattern

Normal Business operating hours (per week day).....

Normal Business operating hours (per weekend) .....

Weekly operation pattern (eg Monday to Friday or 7 days a week) .....

Annual operating pattern : (Weeks / Year) .....

### Meter Details

Low Voltage Supply      Anytime       Time of Use  .....

Low Voltage Supply      Monitored time based demand

High Voltage Supply

### Disturbing equipment and motor details

Please indicate if the type of electrical equipment proposed for use in the installation falls into the following motor or disturbing equipment categories, then complete either 6.1 and/or 6.2 as shown.

Please make extra copies of the table if necessary

Motors (eg pumps, compressors, conveyors, crushers etc)

Please complete section 6.1 below

Power Converting Equipment      (eg. rectifiers, inverters, degaussing equipment, variable speed motor drives, X-Ray machines etc).

Arcing Devices (eg arc furnaces, welding equipment, discharge lamps etc),

Magnetic Core Equipment (eg voltage regulating transformers, induction furnaces etc)

Power Factor Correction/Harmonic Mitigating Equipment (eg reactors/chokes, capacitors etc)

Please complete section 6.2 below

#### 6.1 Details of motors

Motor	1	2	3	4
Is the motor new or existing?				
Number of starts (per day /hour /min /sec)				
Motor size (kW)				
Starting device (D.O.L. star delta (close transition, autotransformer, soft start, liquid resistance starter))				
Other (please specify) .....				
Any other relevant information				

#### 6.2 Details of disturbing devices

Disturbing equipment	1	2	3	4
Type of equipment				
Is it new or existing?				
Number of disturbances (day /hour /min /sec)				
Device power rating (kW)				
Any other relevant information				

Note: Disturbing equipment can affect the quality of the electricity supply to other customers connected to the electricity network and Western Power may require you to mitigate the disturbances caused by this equipment.

#### Part C – Units Requiring Master or CT Type Meter Installation

We recommend your electrical consultant completes, or helps you to complete this part.

Total number of units .....
Total number of CT Meters required .....
Amperage of each unit requiring CT Metering: .....
Total number of direct meters to be fitted by Western Power..... <i>(Direct meters may be fitted by a suitably accredited Electrical Contractor. In this case details are not required by Western Power)</i>
Total number of direct meters to be isolated by Western Power.....

**You have 2 options for completing this work:**

**Option 1. Two stage desktop estimate and design**

This is the standard option and involves two stages:

1. A free desktop cost estimate providing approximate costs for the work. This will be sent to you within two weeks of your application being received.
2. After accepting the estimate and proceeding to a detailed design and access offer, you are required to pay a \$1,500 design fee (non-refundable, including GST), which is deducted from the final cost. The detailed design and access offer will be sent to you within four weeks of receipt of your acceptance and design fee.

**Option 2. Fast-track estimate bypass**

Customers may bypass the estimate stage and proceed straight to a detailed design and access offer. For this option, you are required to pay an upfront \$1,500 design fee (non refundable, including GST). Please note that if your project is technically complex and/or of a larger scale, Western Power will apply cost-reflective design fees. We will contact you if this is the case

The detailed design and access offer will be sent to you within four weeks of receipt of your acceptance and design fee. The design fee will be deducted from the final cost.

**Please indicate your preference (MUST BE COMPLETED):**

I require an estimate only at this stage  
 I choose to proceed straight to a detailed design and access offer and understand I will be invoiced for the \$1,500 design fee (non refundable, including GST).

Purchase order (if applicable) \_\_\_\_\_

**Applicant Agreement** – I understand and agree to the attached terms and conditions and I understand that the electricity supply to the property may be temporarily interrupted to allow the work to be undertaken. If the power is interrupted I confirm this will not adversely affect anyone at the property who relies on Life Support Equipment. Please print name and contact phone number:

Full Name..... Phone.....

Signature..... Date..... / ..../ .....

**Note: If you require the invoice to be issued to another party, please provide all details below.**

Name: .....

Postal Address: .....

.....

E-mail Address: .....

## Part D – Contestable Customers – nomination of electricity retailer

Customers on the South West Interconnected System with an annual electricity consumption of at least 50 megawatt-hours (an average load of 5.7kW) are deemed by the Electricity Transmission and Distribution Systems (Access) Act 1994 to be contestable.

The processing of this application will include a determination of contestability under the Electricity Distribution Regulations and the Electricity Distribution Access Order. This will be based on the information you have provided in Part B of this application.

If found to be contestable, your customer will have to choose a retailer.

Because Western Power cannot connect the meter and energise the service for a contestable customer until a contract has been entered with the retailer, this choice should be made **as soon as possible**.

If you would like more information about contestability, please visit our website at <http://www.westernpower.com.au/mainContent/ourServices/NetworksAccessServices/Contestability.html>.

For more information about retailers, please visit:

<http://www.energy.wa.gov.au/>



### Additional information - Checklist

If you have engaged an electrical consultant to act on your behalf, it is essential that you attach a letter to this form, authorising him or her to act as your representative.



Yes, I have engaged a consultant to represent me and have enclosed a letter of authority.

The following information is also important and will help us design the most suitable electricity supply for your installation.



Copy of site plan/layout of installation, showing position of all electrical distribution switchboards, main cable routes, etc.



Electrical single line diagram of installation, detailing all primary plant ratings (eg. rating of fixed plant, cable rating, protective devices installed, etc.)



Equipment technical information data-sheet for equipment in Part B, section 6, (eg. voltage and current harmonic contents, starting characteristics, etc.) - If appropriate



Earthing details



Load profiles, if available

#### Any questions?

Please telephone our Customer Service Centre on 13 10 87.

Thank you



Electricity Networks Corporation  
ABN 18 540 492 861

**DISTRIBUTION WORKS (Design & Access Offer Application)**  
**TERMS & CONDITIONS**

**A. APPLICATION OF TERMS & CONDITIONS AND PROCESS FOR WORKS**

**1. Application**

Unless specifically varied in writing by an authorised representative of Western Power, these Terms & Conditions shall apply to:

- 1.1 an application by the Customer for Customer funded works and/or distribution works (the *works*);
- 1.2 the *works* being undertaken by Western Power at the Customer's request; and
- 1.3 any estimate or access offer issued by Western Power in relation to the *works*.

**2. Process**

Unless otherwise agreed by Western Power and the Customer, the process for undertaking *works* shall be as follows:

- 2.1 Customer submits a *Design and Access Offer Application (DOA)* form (electronic or hardcopy);
- 2.2 Western Power produces a desktop estimate of the cost of the *works*;
- 2.3 Western Power sends a *Desktop Estimate Letter* to the Customer containing the estimate;
- 2.4 If the customer decides to proceed, it must request a firm access offer by submitting a *Request to Provide a Firm Access Offer* form within 30 business days of the date specified in the *Desktop Estimate Letter*, and paying a non-refundable design fee to obtain a firm access offer;
- 2.5 Western Power undertakes detailed design and provides *Firm Access Offer Letter* to the Customer containing the access offer;
- 2.6 If the Customer decides to proceed, it must complete and submits an *Access Offer Acceptance* form (in which the Customer selects payment option specified in the *Access Offer Acceptance* form) within 30 business days of the date specified in the *Firm Access Offer Letter*.
- 2.7 Customer makes payment accordingly; and
- 2.8 After receiving an *Access Offer Acceptance* form and approving it, Western Power undertakes the *works*.

The Customer may choose to skip steps 2.2 and 2.3 (Fast-track estimate bypass). If the Customer wishes to do so, it must comply with steps 2.4 and 2.5.

**B. ESTIMATE CONTAINED IN THE DESKTOP ESTIMATE LETTER**

**3. Desktop Estimates**

- 3.1 The estimate is based on a desktop review of the Customer's request and Western Power's records of the electrical network at the time of the review. Western Power's records are frequently updated which means that the estimate may become obsolete or inaccurate as records are subsequently updated.
- 3.2 The estimate is an INDICATIVE FIGURE ONLY.
- 3.3 The estimate is non-binding.
- 3.4 The estimate is provided free of charge.
- 3.5 Environmental, heritage and land development issues are not considered in preparing the estimate.

- 3.6 The estimate only remains current for 60 calendar days from the date of the estimate.
- 3.7 The design fee is non refundable, except where the final access offer differs from the estimate by 30 percent or more. In that case the Customer may cancel the job and receive a full refund of the design fee.
- 3.8 The design fee paid will be deducted from the total project cost if the Customer proceeds to construction.
- 3.9 If Western Power does not receive a fully completed *Request to Provide a Firm Access Offer* form within 60 calendar days of the date of the estimate, then the request for works will expire and will be deleted from Western Power's works management system.
- 3.10 A Customer may submit a *Request to Provide a Firm Access Offer* form after 60 calendar days from the date of the estimate. However, if the Customer chooses to do so, Western Power reserves the right to charge for any time reasonably spent preparing a new or subsequent estimate or detailed design. Western Power also reserves the right to charge for any time reasonably spent preparing a new or subsequent estimate or detailed design if the Customer's requirements change.
- 3.11 Western Australian Planning Commission clearance (if applicable) cannot be granted merely upon payment of the design fee.

#### **4. Assumptions on estimate**

*The estimate has been based on information readily available at the time of making it and certain assumptions regarding the project and costs. The information and assumptions may turn out to be incorrect or incomplete.*

#### **5. Fluctuations from estimate**

- 5.1 The quote in the *Firm Access Offer Letter* may be higher or lower than the estimate in the *Desktop Estimate Letter*.
- 5.2 In some cases, an access offer may be significantly higher than an estimate because of ground conditions and other impediments identified during a site visit and/or fluctuations in construction costs (including materials and labour etc).

#### **6. Good faith in calculating estimate**

*Western Power will calculate the indicative estimate in good faith. However, the estimate will be prepared without viewing the site and based on the assumption that there will be no unusual or unexpected ground conditions or other impediments that may change construction costs. As a consequence, the estimate is indicative only and may be inaccurate, and Western Power, to the extent permitted by law, accepts no liability for any errors or omissions or for any discrepancy between the indicative estimate and the final access offered cost, if any.*

### **C. FIRM ACCESS OFFER**

#### **7. Making of firm access offer**

- 7.1 The firm quote applies to the detailed design drawing that accompanies the *Firm Access Offer Letter*.
- 7.2 The Customer must carefully check the drawing and any scope of works to ensure that they are in accordance with the Customer's requirements.
- 7.3 The firm access offer only remains valid for 30 business days from the date of the firm access offer.
- 7.4 The completed *Access Offer Acceptance* form (including payment arrangements) must be approved by Western Power prior to the works proceeding. Western Power will not be obliged to carry out any works until the completed *Access Offer Acceptance* form is approved by Western Power.
- 7.5 The Customer must make payment to Western Power in accordance with one of the payment options set out on the *Access Offer Acceptance* form.
- 7.6 If the Customer applies for periodic payments as the payment option, then Western Power will carry out a credit check (in accordance with clause 9 below). If the customer does not achieve credit approval then the Customer must select another payment option in order for the works to proceed.

## **8. Payment**

8.1 Western Power will issue a tax invoice for which payment must be made within 30 calendar days in accordance with one of the payment options set out in the Access Offer Acceptance form.

8.2 Failure to pay within the specified time entitles Western Power to terminate the contract and cease work. There may be additional costs payable by the Customer should the Customer wish to resurrect a terminated project.

8.3 If GST is or will be payable on a supply made in connection with these Terms & Conditions and the amount payable for that supply is not stated to include an amount in respect of GST, the amount payable for that supply is increased by the amount of that GST.

8.4 The GST amount is payable as and when payments must be made.

8.5 If the GST law changes (including without limitation as a result of a change in the GST rate) after the date of these Terms & Conditions, any amount payable that expressly includes GST will be adjusted to reflect the change in the GST law.

## **9. Credit check**

If a Customer applies to pay by credit, then Western Power may inquire as to the credit worthiness of the Customer and Western Power retains the right to decline to perform (or further perform) the works if Western Power does not receive an acceptable credit reference (as reasonably determined by Western Power).

## **10. Claim**

The Customer acknowledges and agrees that it shall have no claim or right or cause of action against Western Power by reason of:

- (a) Western Power declining to perform (or further perform) the works in the circumstances arising from a credit worthiness inquiry; or
- (b) Western Power terminating the contract and ceasing works as a result of a payment default by the Customer.

## **11. Commencement and completion of works**

11.1 No work will commence until:

- (a) the price offered has been received in full (unless other payment arrangements have been approved by Western Power); and
- (b) the completion of all other requirements in these Terms & Conditions that are expressly required to be completed before the commencement of the works (for example, vegetation clearing and land access, if applicable).

11.2 Western Power does not guarantee starting or completion dates.

11.3 The detailed design drawing that accompanies the Firm Access Offer letter is only valid for 6 months from the date of the access offer, unless determined otherwise by Western Power. This means that the Customer must be ready in all aspects for the works to commence within the 6 month period, unless Western Power agrees otherwise. Any delay to the commencement of the works caused or contributed to by the Customer may result in additional charges under clause 15 or termination under clause 26.

11.4 The Customer must not cause or contribute to the completion of the works being delayed such that the works are not completed within 6 months of commencement, unless Western Power agrees otherwise. Any such delay to completion of the works may result in additional charges under clause 15 or termination under clause 26.

## **12. No liability in certain circumstances**

Western Power shall not be liable to the Customer for any delay, loss, damage or expense arising in any way from the works, any estimate or any firm access offer which is caused by or attributable to any cause or event which is not reasonably within the control of the party affected and (without limiting the generality of the foregoing) includes:

- (a) acts of God;
- (b) strikes;
- (c) lockouts;

- (d) stoppages or restraints of labour or other industrial disturbances;
- (e) war, terrorism, acts of public enemies, riot or civil commotion or sabotage;
- (f) fire, explosion, earthquake, landslide, flood, washout, lightning, storm or tempest;
- (g) conditions different to those Western Power reasonably assumed in making the firm quote;
- (h) breakdown or an accident to plant, machinery, equipment, lines or pipes howsoever caused;
- (i) failure of suppliers to supply equipment or machinery; and
- (j) restraints, embargoes or other actions of any government.

### **13. Consequential loss**

To the extent permitted by law (including the Australian Consumer Law):

- (a) if any party is found liable by a court for damages, the damages shall be limited to damages for direct and foreseeable loss attributable to breach or default under these Terms & Conditions;
- (b) the rights of the Customer or Western Power to damages for indirect or consequential loss are excluded; and
- (c) neither the Customer nor Western Power shall be liable to the other for any loss of profit suffered by either of them or any other person.

### **14. Modification**

No purported:

- (a) modification, variation or amendment of these Terms & Conditions or the scope of works;
- (b) waiver of any rights of the Customer or Western Power; or
- (c) approval or consent,

shall have effect unless in writing and signed by the Customer and Western Power, and each may (subject to condition 15, below) attract an administration fee payable by the Customer to Western Power (as reasonably determined by Western Power from time to time to cover Western Power's reasonable time and costs in dealing with the matter).

### **15. Additional charges**

Cancellation or modification or variation or amendment (**Revision**) of the works the subject of the access offer will result in an administration fee as reasonably determined by Western Power, plus any reasonably incurred expenses being immediately payable by the Customer. This fee and any expenses may be deducted from a refund cheque, or added to a revised access offer, or may be payable in advance of the Revision. Any administration fee shall be no more than what is reasonably required to cover Western Power's time and costs in dealing with the matter.

### **16. Application of Acts and By-laws**

Nothing contained in these Terms & Conditions shall in any way limit the operation or effect of the Electricity Corporations Act 2005 (WA), the Australian Consumer Law, Energy Operators (Powers) Act 1979 (WA), Electricity Industry Act 2004 (WA), or any Regulations, By-laws or Orders or subsidiary legislation made under these Acts.

### **17. Assignment**

*The Customer may not assign or subcontract any rights or obligations under the contract without Western Power's prior written consent, such consent not to be unreasonably delayed or refused.*

### **18. Clearing of vegetation**

Where specified in writing by Western Power, the Customer must arrange and pay for clearing of vegetation as directed by an authorised representative of Western Power and further that such clearing will be completed prior to commencement of the works the subject of the access offer. All clearing must be conducted in accordance with applicable environmental regulations and requirements.

**19. Land access and government approvals**

- 19.1 The Customer must apply for and obtain, at its own cost, all easements, approvals, licences and other rights reasonably required by Western Power to provide Western Power with a right of access to all land (that is not owned or controlled by Western Power) which is needed for the carrying out, installation and maintenance of the works the subject of the access offer.
- 19.2 The Customer must apply for and obtain, at its own cost, all approvals necessary to perform the works the subject of the access offer.
- 19.3 Western Power will not be required to commence the works until all land access rights and approvals are obtained.

**20. Ownership of works**

- 20.1 *The whole of the electricity network extension that forms the works carried out in accordance with the access offer is the property of Western Power and Western Power has the right to connect additional Customers to any part of the extension.*
- 20.2 *All intellectual and industrial property rights (including trademarks, copyright, inventions, patents, designs) evidenced by or incorporated in the works, the design drawings or related documents, remains the property of Western Power.*

**21. Adverse conditions**

- 21.1 *Adverse conditions will incur additional charges as reasonably assessed by Western Power when those conditions are encountered.*
- 21.2 *The firm access offer for the works is based upon assumptions of soil conditions (sandy) and normal weather conditions. As such, Western Power reserves the right to charge for any additional costs reasonably incurred.*
- 21.3 *Any delays incurred as a result of the Customer's action or inaction will result in additional charges, as reasonably assessed by Western Power.*
- 21.4 *The Customer will be notified prior to the work continuing where the additional costs are estimated to be greater than 20% of the access offered price.*

**22. Responsibility for boundaries**

*The Customer shall be responsible for accurately pegging all necessary boundaries to enable accurate placement of cables in the allocated alignment. Western Power, to the extent permitted by law (including the Australian Consumer Law), accepts no liability for any delay, loss, damage or expense caused by or attributable to the inaccurate pegging of boundaries.*

**D. GENERAL TERMS AND CONDITIONS**

**23. Governing law**

*These Terms & Condition will be construed and interpreted in accordance with the laws of Western Australia and the parties submit to the non-exclusive jurisdiction of the courts of that State.*

**24. Notices**

*All notices and other documents given pursuant to this contract must be in writing and must be delivered by hand, post, facsimile or email to the other party at its address shown in the Request to Provide Firm Access Offer form or Access Offer Acceptance form.*

**25. Entire agreement**

*This contract (including the fully completed Access Offer Acceptance form and detailed design drawings) states all the express terms of the agreement between Western Power and the Customer in respect of its subject matter. It supersedes all prior discussions, negotiations, understandings and agreements in respect of its subject matter. However, guarantees and other terms and conditions as set out in the Australian Consumer Law may apply to this contract.*

**26. Termination**

*If a party fails to perform any of its obligations under these Terms and Conditions (or any associated access offer letter or other document issued under this contract) and fails to remedy such failure within a reasonable period as notified by the other party then the other party may terminate the works (and the contract) upon 14 days written notice to the defaulting party.*

**27. References to the Australian Consumer Law**

*A reference to the "Australian Consumer Law" in these Terms and Conditions is a reference to:*

- (a) schedule 2 to the *Competition and Consumer Act 2010* (Cth) as applied as a law of the Commonwealth under section 131 of the *Competition and Consumer Act 2010* (Cth); and
- (b) *the Australian Consumer Law (WA) as defined in, and as applied as a law of Western Australia under, section 19 of the Fair Trading Act 2010 (WA).*



2

ABN: 50 860 676 021

Enquiries: \_\_\_\_\_

Our Ref: 13/2013

Your Ref: O121908, GR2A290

Shire of York  
PO Box 22  
YORK WA 6302

ATTENTION: KIRA STRANGE

SHIRE OF YORK	
FILE	GR2.290
OFFICER	INITIALS
KIRA	<i>[Signature]</i>
29 APR 2015	
T147220	
REFERRED TO COUNCIL	
DATE	INITIALS

**CHIDLLOW YORK ROAD (M010) 25.82 SLK  
PROPOSED CLASS II LANDFILL FACILITY - LOT 4869 (25560) GREAT SOUTHERN  
HIGHWAY, ST RONANS**

Further to your correspondence of the 22 April 2015 with attachments, Main Roads WA (MRWA) provides the following comments.

The supplementary report advises that the modifications to the proposal do not change the traffic movements and therefore the required upgrades to the access intersection remain the same.

With regard to the proposed Fire Management Plan, MRWA requests that a secured gate be installed at the crossover of the proposed Emergency Access Route to Chidlow York Road to ensure that this access is only used for emergency purposes.

If you require any further information please contact Melinda Marshall on'

Yours faithfully

Janet Hartley-West  
NETWORK MANAGER

## Records

**From:** Ryan Crawford (Heritage)  
**Sent:** Thursday, 30 April 2015 11:16 AM  
**To:** Records  
**Cc:** Cesar Rodriguez (Heritage)  
**Subject:** Department of Aboriginal Affairs Comment on Proposed Landfill Allawuna Farm  
**Attachments:** DAA Comment on Proposed Landfill at Allawuna Farm Shire of York Apr 2015.pdf

Kira

30 APR 2015

I 147263

Landfill Allawuna Farm

Shire of York Apr 2015.pdf

3

Good morning,

As requested, please find attached comment from the Department of Aboriginal Affairs regarding the proposed landfill at Allawuna Farm in the Shire of York.

Please do not hesitate to get in contact should you have any further queries.

Kind regards,

Ryan Crawford (Heritage)  
Senior Advice and Approvals Officer

[www.daa.wa.gov.au](http://www.daa.wa.gov.au)

DAA Strategic Framework 2012 – 2014



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ENQUIRIES : Ryan Crawford-

OUR REF: 2015/0031-01

YOUR REF: O121908, GR2A290

Chief Executive Officer

Shire of York

1 Joaquina Street

YORK WA 6302

records@york.wa.gov.au

Dear Sir/Madam

**RE: AMENDED DEVELOPMENT ASSESSMENT PANEL APPLICATION -  
PROPOSED LANDFILL AT ALLAWUNA FARM - 2948 GREAT SOUTHERN  
HIGHWAY ST RONANS**

I refer to the letter sent by Mr Graeme Simpson to the Department of Aboriginal Affairs (DAA) dated 22 April 2015. Thank you for providing the opportunity to comment on the above development proposal.

DAA has reviewed the relevant information and can confirm that there are currently no known Aboriginal sites registered with the DAA within the area of proposed development. There are therefore no known heritage reasons why the development cannot proceed.

It should be noted that the area subject to the proposal (the Subject Area) is within the publicly marked area for DAA 3758 (Helena River), however the Subject Area is not within the actual boundary of this heritage place. The publicly marked area for DAA 3758 has been enlarged intentionally to mask the actual location of the place. This has occurred as the site has been assessed as having a 'Closed' status.

DAA has released Cultural Heritage Due Diligence Guidelines (the Guidelines) to assist developers with planning and considering Aboriginal heritage during proposed works. It is recommended that the developer be made aware of the Guidelines. A copy of the Guidelines can be found on the DAA website at:

[http://www.daa.wa.gov.au/Documents/HeritageCulture/Heritage%20management/AH\\_A\\_Due\\_Diligence\\_Guidelines.pdf](http://www.daa.wa.gov.au/Documents/HeritageCulture/Heritage%20management/AH_A_Due_Diligence_Guidelines.pdf)

It is suggested that the developer contact DAA on the above number should they have any further heritage concerns.

Yours sincerely



Cesar Rodriguez  
MANAGER, ADVICE AND APPROVALS=

30 April 2015

## Records

**From:** Kira Strange  
**Sent:** Tuesday, 5 May 2015 11:51 AM  
**To:** Records  
**Subject:** FW: Ref 0121908 GR2A290

SHIRE OF YORK	
FILE	PS:Gen PPO.3.1
OFFICER	INITIALS
Kira	<i>[Handwritten Initials]</i>
5 MAY 2015	
I147367	
REFERRED TO COUNCIL	
DATE	INITIALS

**From:** Susan Barratt  
**Sent:** Tuesday, 5 May 2015 10:12 AM  
**To:** Kira Strange  
**Subject:** Ref 0121908 GR2A290

4

Re: Amended Development Assessment Panel Application – Proposed Landfill at Allawuna Farm, 2948 Great Southern Highway, St Ronans

Good morning Kira

I have had a look at the revised proposal for the proposed landfill site at Allawuna on your website as per your letter dated 22 April 2015.

As the proposed location of the Landfill site will remain the same, and is located at some distance from any registered place, our previous advice of 19 February 2014 is still valid:

- The closest registered place to the proposed development is St Ronan's Well, York. However, the proposed landfill is located at some distance south of the registered curtilage of this place.
- The proposed development does not appear to impact upon any place of State cultural heritage significance.

Regards

**Susan Barratt**

Senior Heritage Officer  
State Heritage Office

Email: \_\_\_\_\_  
Web: [www.stateheritage.wa.gov.au](http://www.stateheritage.wa.gov.au)



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The banner for the 2015 Western Australian Heritage Awards. It features the State Emblem of Western Australia, the logo for the Western Australian Heritage Council, and the text '2015 WESTERN AUSTRALIAN HERITAGE AWARDS WINNERS ANNOUNCED'. To the right is a black and white photograph of a large, ornate three-story building with multiple gables and verandas. The website 'STATEHERITAGE.WA.GOV.AU' is displayed at the bottom right of the banner.

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## Records

**From:** PEIRIS, Elias  
**Sent:** Wednesday, 13 May 2015 8:43 AM  
**To:** Records  
**Subject:** Proposed Landfill at Allawuna Farm, 2948 Great Northern Highway, St Ronans  
**Attachments:** 004636.elias.peiris.pdf

5

Dear Sir/Madam,

Please find the attached GSWA letter on the above.

Regards

Elias

3-1

SHIRE OF YORK	
FILE	P.S. GEN. P.P.O.
OFFICER	INITIALS
K.L.A.	
13 MAY 2015	
1147525	
REFERRED TO COUNCIL	
DATE	INITIALS

Attached Document: GSWA letter to the Shire of York - Amended Development Assessment application - Proposed Landfill at Allawuna Farm - 004636.elias.peiris.pdf(Addresser and Within Government Only)



**Elias Peiris** | Senior Geologist  
Resources, Geological Survey

**Department of Mines and Petroleum**  
100 Plain Street East Perth WA 6004

[www.dmp.wa.gov.au](http://www.dmp.wa.gov.au)

This email has been saved as 004637.elias.peiris.msg (Addresser and Within Government Only). The document has been automatically registered on file A0289/201401

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Before you take any action based upon advice and/or information contained in this email you should carefully consider the advice and information and consider obtaining relevant independent advice.

## Records

**From:** Francis, Caroline  
**Sent:** Friday, 15 May 2015 10:09 AM  
**To:** Records  
**Cc:** Brindal, Shelley  
**Subject:** 0121908,GR2A290 Amended proposal for landfill site at Allawuna Farm 2949 Great Southern Hwy, St Ronans

FILE NO. 31  
OFFICER: Kira  
INITIALS: Kira  
15 MAY 2015  
1147596  
REFERRED TO COUNCIL  
DATE: INITIALS

6

Dear Kira,

Thank you for forwarding the Public Transport Authority (PTA) advice of an amended Development Application for the proposed landfill at Allawuna Farm dated 22 April 2015.

The PTA does not have any objections to the amended proposal.

Kind regards,

Caroline Francis  
A/Lands Officer  
INFRASTRUCTURE PLANNING & LAND SERVICES  
Public Transport Authority of Western Australia  
Perth Business Centre | Perth WA 6849 | Ph:  
Email | Website: [www.pta.wa.gov.au](http://www.pta.wa.gov.au)

PTA Ref: PTA0534/14/1

## Records

**From:** Bishopp, Jaime  
**Sent:** Tuesday, 19 May 2015 2:25 PM  
**To:** Records  
**Subject:** Amended Development Assessment Panel Application - Proposed Landfill at Callawuna Farm, 2948 Great Southern Hwy, St Ronans

SHIRE OF YORK  
B.GEN.BPO.3.1  
FILE  
OFFICER  
KRA  
INITIALS  
19 MAY 2015  
1147695  
Proposed Landfill at Callawuna  
DATE INITIALS

**Attn: Graeme Simpson**

Your ref: O121908, GR2A290  
Our ref: DP/10/02057

7

Policy Development and Review previously commented on the above mentioned proposal on 14 March 2014 and have no additional comments to make.

Please note that this is a response from the Policy Development and Review branch on **tourism planning issues only** and does not reflect comments of other branches of the Department of Planning or a formal position of the Western Australian Planning Commission, which may need to be consulted on this proposal.

Kind regards,  
Jaime

Jaime Bishopp | Senior Planning Officer | Infrastructure, Projects, Policy and Research  
Department of Planning | Perth WA 6000

T  
E 

[www.planning.wa.gov.au](http://www.planning.wa.gov.au)



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Government of Western Australia  
Department of Mines and Petroleum

Your ref: O121908, GR2A290

Our ref: A0289/201401

Enquiries: Elias Peiris -

Email:

Mr Graeme Simpson  
Acting Chief Executive Officer  
Shire of York  
P O Box 22  
York WA 6302

Dear Mr Simpson

**AMENDED DEVELOPMENT ASSESSMENT PANEL APPLICATION -  
PROPOSED LANDFILL AT ALLAWUNA FARM, 2948 GREAT SOUTHERN  
HIGHWAY, ST RONANS**

Thank you for your letter dated 22 April 2015 inviting comments on the above amended development application.

The Geological Survey of Western Australia (GSWA) has assessed this proposal on behalf of the Department of Mines and Petroleum (DMP) with respect to access to mineral and petroleum resources, geothermal energy and basic raw materials. GSWA has no comments to make on the proposed amendments.

If you have any queries, please contact Elias Peiris on 08 9222 3533 or Elias.Peiris@dmp.wa.gov.au.

Yours sincerely

  
Rick Rogerson  
Executive Director  
GEOLOGICAL SURVEY OF WESTERN AUSTRALIA

12 May 2015

## Records

**From:** Della Vedova, Thomas  
**Sent:** Wednesday, 20 May 2015 1:58 PM  
**To:** Records  
**Subject:** Department of Planning response - amended application for Allawuna landfill  
**Attachments:** 2015.05.20\_DoP response to Shire York\_amended application SIGNED.pdf; ATT00001.txt

8

Dear Sir / Madam,

Please find attached a response from the Department of Planning on the above matter.

Thanks and regards,

Thomas Della Vedova | Principal Planning Officer - Wheatbelt | Regional Planning & Strategy  
Department of Planning | 140 William Street | Perth WA 6000

SHIRE OF YORK  
PS. GEN. P.P.O. 31  
FILE NUMBER: KIRA  
OFFICER: KIRAS  
DATE: 20 MAY 2015  
INITIALS: 1147723  
REFERRED TO COUNCIL  
DATE: \* INITIALS:

[www.planning.wa.gov.au](http://www.planning.wa.gov.au)





Your ref: O121908, GR2A290  
Our ref: 853/4/34/2  
Enquiries: Thomas Della Vedova  
Telephone:

Mr Graeme Simpson  
Chief Executive Officer  
Shire of York  
PO Box 22  
YORK WA 6302

**TRANSMITTED BY E-MAIL ONLY: records@york.wa.gov.au**

Attention: Kira Strange, Planning Officer

Dear Mr Simpson

**AMENDED DEVELOPMENT APPLICATION – PROPOSED LANDFILL AT ALLAWUNA, LOT 4869 GREAT SOUTHERN HIGHWAY, YORK**

Thank you for your letter of 22 April 2015 inviting comment on the amended development application for the above proposal currently before the State Administrative Tribunal. The Western Australian Planning Commission (WAPC) has no jurisdiction on this matter and the following is provided as general advice.

In October 2014 the WAPC endorsed the Wheatbelt Regional Planning and Infrastructure Framework (RPIF) to provide a basis for ongoing planning and development at a regional scale. Regarding waste management, the RPIF states:

*“Generally, the WAPC favours the identification and zoning of sites through a scheme amendment process...Subject to environmental and land use suitability, sites adjacent to the major transport routes of the Great Eastern Highway, Great Northern Highway and Brand Highway are considered most suitable for regional landfill.”*

It is noted that the amended application proposes to reduce the footprint, overall volume of waste and nominal life of the landfill facility. Notwithstanding, the modified proposal is remains significant in terms of its scale and nature, and raises issues such as the impact on transport networks and amenity.

I trust this information assists the Shire in the further consideration of the matter.

Yours sincerely

Cath Meaghan  
Director, Wheatbelt

20 May 2015

Postal address  
Tel

Fax

Street address.

www.planning.wa.gov.au  
ABN 79 051 750 680  
wa.gov.au

## Records

**From:** Kira Strange  
**Sent:** Thursday, 21 May 2015 2:18 PM  
**To:** Records  
**Subject:** FW: Allawuna Farm- Landfill- Amendment to Application

SHIRE OF YORK	
PS-GEN/PO.3-1	
FILE	OFFICER
	KIRA
INITIALS	
21 MAY 2015	
1167758	
REFERRED TO COUNCIL	
DATE	INITIALS

**From:** Elise Woods [mailto:  
**Sent:** Thursday, 21 May 2015 2:17 PM  
**To:** Kira Strange  
**Cc:** Grant Arthur  
**Subject:** Allawuna Farm- Landfill- Amendment to Application

Hi Kira,

Our feedback on the proposed landfill site in the Shire of York remains the same as per email from Grant Arthur on the 17/03/14 even with the proposed amendments. We would like to add that the WDC are currently seeking funds for site identification as mentioned in previous feedback.

Give me a call if you have any further questions.

Regards,  
Elise

Elise Woods | Research and Project Officer  
Wheatbelt Development Commission | Avon  
Northam WA 6401

9

## Records

**From:** MACKINTOSH James <  
**Sent:** Friday, 22 May 2015 9:19 AM  
**To:** Records  
**Subject:** 0121908, GR2A290 - Amended Development Assessment Panel Application - Proposed Landfill at Allawuna Farm, 2948 Great Southern Highway, St Ronans  
**Attachments:** RF11246-03 - DoW to Shire of York - Allawuna Landfill - WJDAP DA May 2015.pdf  
**Importance:** High

10

Please find attached the Department of Water's submission to the above proposal. A hard copy will also be posted today.

Regards

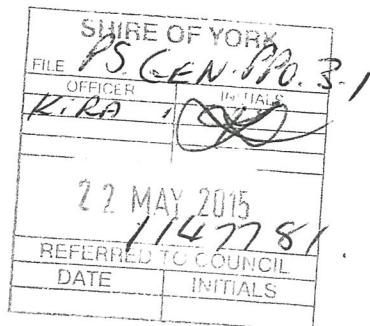
**James Mackintosh**

**Department of Water**

**Program Manager**

**Land Use Planning**

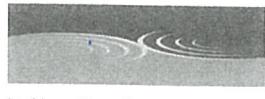
**Swan Avon Region**



Visit our website [www.water.wa.gov.au](http://www.water.wa.gov.au)

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Your ref: O121908, GR2A290

Our ref: RF11246-03

Enquiries: James Mackintosh

Chief Executive Officer  
Shire of York  
PO Box 22  
YORK, WA 6302

Dear Mr Simpson

### DEVELOPMENT ASSESSMENT PANEL APPLICATION – PROPOSED LANDFILL AT ALLAWUNA FARM, 2948 GREAT SOUTHERN HIGHWAY, ST RONANS

Thank you for the above referral dated 22 April 2015. The Department of Water (DoW) has assessed the proposal and would like to provide the following advice:

The DoW has reviewed the following documentation as part of our assessment:

- *Works Approval Application Supporting Documentation – Allawuna Landfill (Golder Associates, March 2015);*
- *Appendix D – Geotechnical Investigation for Landfill Development (Golder Associates, March 2015);*
- *Appendix E1 – Hydrogeological Site Characterisation Studies (Golder Associates, March 2015);*
- *Appendix E2 – Surface Water, Groundwater and Leachate Management Plan (Golder Associates, March 2015);*
- *Appendix H – Topsoil Handling and Sedimentation Management (Golder Associates, March 2015);*
- *Appendix M2 – Technical Specification Infrastructure – Allawuna Farm Landfill (Bowman & Associates, April 2015); and*
- *Appendix N – Environmental Risk Assessment (Golder Associates, March 2015).*

The subject site is located within the upper reaches of the Avon River Management Area proclaimed under the *Waterways Conservation Act 1976*, and within a proclaimed surface water area under the *Rights in Water and Irrigation Act 1914*. This site is also located in proximity to a minor waterway known as Thirteen Mile Brook.

#### Local Hydrogeology

Overall, the upper catchment location and design of the proposed Allawuna Landfill site should have a low impact on groundwater and surface water resources over its active life and beyond.

The Geotechnical Investigations undertaken (Appendix D) are extensive, including 114 test pits, and indicate that the proposed landfill is located above suitable ground. This site is described as predominately composed of very stiff clayey material that once loaded with waste and compacted fill is not expected to significantly consolidate. Discrete areas of loose material may need to be replaced with compacted fill to form a suitable foundation.

Swan Avon Region

It is understood that a double geosynthetic liner is required in order to comply with Victoria Best Practice Environmental Management Landfill Guidelines 2014 because the hydraulic conductivity of the clayey material onsite increases by an order of magnitude when exposed to saline water. In zones where trial pit refusal was encountered additional fill might be required in addition to the geosynthetic puncturing layer. Groundwater pressure release subsoil drains have been recommended to prevent erosion of embankment toes where groundwater is shallow or seeps to the surface.

The Hydrogeological Site Characterisation Studies (Appendix E1) show that the landfill is set in an Archaen granitic geological setting, with a classical saprolitic regolith profile developed from the weathering process. The additional studies undertaken by Golder Associates are generally sufficient to indicate that there is no evidence of the presence of extensive palaeochannel systems that might link the landfill site to other catchments. Groundwater generally flows westward to Thirteen Mile Brook.

In the minor ephemeral creek immediately east of the new landfill site groundwater can appear as seepages in winter that moves towards Thirteen Mile Brook. The findings are supported by a simple groundwater model constructed to examine how local topography and drainage features are likely to constrain groundwater levels and seepages in the vicinity of the landfill footprint. Additionally, the findings agree that the groundwater quality is variable at the site but generally the water has no beneficial use as a human drinking water supply.

### **Storage Dams**

The Surface Water, Groundwater and Leachate Management Plan (Appendix E2) reports on the investigations into the requirements and specifications for leachate and stormwater management at the proposed Allawuna Farm landfill site. A Retention Pond of 2000kL for subsoil drainage, and a Stormwater Dam of 36000 kL for water supply requirements, have been proposed. The Stormwater Dam is proposed to be filled by diversion bunds and interception drains that will be required to control surface water runoff from surrounding areas. It is understood that an assessment is yet to be undertaken for an emergency/contingency water supply for extreme dry periods.

The DoW notes that the Stormwater Dam proposed overlays the eastern minor ephemeral creeks. In accordance with the *Water Quality Protection Note 53 – Dam construction and operation in rural areas May 2014*, the DoW's preference is for dams to be positioned off-stream due to potential downstream impacts from decreased flow. This issue has been identified, but not further investigated, in Appendix E2 - *Surface Water, Groundwater and Leachate Management Plan (Golder Associates, March 2015)*. In addition, licenses will be required from the DoW for the construction of the dam and the taking of water, under the *Rights in Water and Irrigation Act 1914*. Please note however that at this stage there is no guarantee of licenses being issued.

### **Conclusions and Recommendations**

- the DoW has no objections to the proposal;
- the DoW's preference is for the proposed dam to be located off-stream;
- a DoW license will be required to construct the dam and to take water;
- rehabilitation and revegetation of the Thirteen Mile Brook should be considered as general best management practice for development adjacent to degraded waterways;
- assessment for an emergency/contingency water supply for extreme dry periods should be undertaken.

Should you wish to discuss this advice further please contact James Mackintosh, Program Manager on 01234 567890 or by email at james.mackintosh@bbc.co.uk

Yours sincerely



Don Cummins  
Regional Manager  
Swan Avon Region

22 May 2015

## Records

**From:** Department of Environment Regulation  
**Sent:** Monday, 25 May 2015 10:27 AM  
**To:** Records  
**Cc:** Laszig, Kerry  
**Subject:** CEO839/15  
**Attachments:** CEO839-15.pdf

3-1

SHIRE OF YORK	
P.S.GEN.P.P.O.	
FILE	INITIALS
KIRA	
25 MAY 2015	
1147849	
REFERRED TO COUNCIL	
DATE	INITIALS

Good morning,

Please find attached a response from the Director General of the Department of Environment Regulation in response to your letter dated 22 April 2015.

Regards,  
*Department of Environment Regulation*



Mr Graeme Simpson  
Acting Chief Executive Officer  
Shire of York  
PO Box 22  
YORK WA 6302

*Attention: Ms Kira Strange*

Dear Mr Simpson

**AMENDED DEVELOPMENT ASSESSMENT PANEL APPLICATION – PROPOSED LANDFILL AT ALLAWUNA FARM, 2948 GREAT SOUTHERN HIGHWAY, ST RONANS**

Thank you for your letter dated 22 April 2015 regarding the amended development assessment panel application for the proposed landfill at Allawuna Farm, Lots 4869, 5931, 9926 and 26934 Great Southern Highway, St Ronans.

This advice is provided in reference to the Department of Environment Regulation's (DER) regulatory responsibilities under Part V of the *Environmental Protection Act 1986* (EP Act), specifically responsibilities relating to industry regulation and clearing regulation.

DER accepted a works approval application from SITA Australia Pty Ltd for a Class II putrescible landfill at the above premises on 29 April 2015, under s 54(2)(b) of the EP Act. As per Schedule 1 of the *Environmental Protection Regulations 1987*, a premises on which 20 tonnes or more of waste is accepted for burial per year is categorised as a Category 64 prescribed premises. DER is currently undertaking an assessment of the works approval application.

As part of the assessment of works approval applications, DER has regard to environmental impacts of proposed emissions and discharges to the receiving environment, including amenity for residential areas and other sensitive land uses. This is done in reference to the Environmental Protection Authority's (EPA) *Guidance Statement No. 3 – Separation Distances between Industrial and Sensitive Land Uses* (EPA 2005; hereafter GS3).

Under GS3, separation distances for landfills vary according to the types of waste accepted. The generic separation distance as per GS3 for a Category 64 putrescible landfill is 500 metres (m) from subdivisions and 150 m from single residences. The nearest residence (a single dwelling) is located 1900 m from the proposed landfill location.

The separation distance in GS3 is to mitigate the risk of impacts from noise and odour, dust and gases. Based on DER's assessment of the application to date, there are no sensitive uses within the separation distance for putrescible landfills in GS3. As part of the works approval assessment, DER considers the GS3 separation distances but also requires the applicant to complete a detailed assessment of all emissions including those listed in GS3. The Department is currently reviewing those assessments.

In addition to determining an acceptable separation distance to avoid amenity and environmental impacts, DER also assesses the site specific operations and management. These aspects are specific to the facility design, management and biophysical characteristics of each individual proposal. The application must demonstrate that the emissions and discharges can be regulated such that the proposal will not result in environmental harm.

In this regard, assessment of the proposed design or engineering of the premises to manage other emissions and discharges to a required standard is ongoing, and the Department cannot yet advise on whether a works approval will be granted or refused.

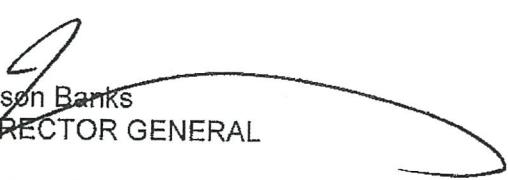
The works approval application includes a proposal to clear a maximum 0.2 hectares of vegetation to widen the entry road and a small number of isolated trees. This proposal is exempt from clearing permit requirements under Regulation 5, Item 12 and Regulation 5, Item 19 of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.

Following completion of the assessment process, DER will make a determination on whether to grant or refuse a works approval and, if granted, the conditions to which it should be subject. The Department will not grant a works approval and subsequently issue a licence under Part V of the EP Act where emissions and discharges to the environment cannot be regulated.

DER advises that the environmental implications of this proposal, pertinent to the planning framework, can be adequately assessed and managed under the provisions of Part V of the EP Act. Therefore, DER recommends that the Wheatbelt Joint Development Assessment Panel proceeds to determine the amended development proposal independently of the Department completing its assessment of the works approval application.

Should your officers have any queries, please contact DER's Director – Licensing and Approvals,

Yours sincerely

  
Jason Banks  
DIRECTOR GENERAL

25 May 2015

## Records

**From:** Kay, Rebecca  
**Sent:** Monday, 25 May 2015 5:07 PM  
**To:** Records  
**Subject:** Amended Development Assessment Panel Application - Proposed Landfill at Allawuna Farm, 2948 Great Southern Highway, St Ronans  
**Attachments:** SKM\_C554e15052516580.pdf

12

Hi Kira,

Please see Parks and Wildlife response to the above proposal attached.

Kind regards,

**Rebecca Kay** | A/Operations Officer  
Perth Hills District | W/A Department of Parks and Wildlife

SHIRE OF YORK

FILE	OFFICER	INITIALS
	K. KAY	
25 MAY 2015		
1147906		
REFERRED TO COUNCIL		
DATE	INITIALS	



Please think of the environment before printing this email.



Government of Western Australia  
Department of Parks and Wildlife  
Perth Hills District

Your ref: O121908.GR2A290  
Our ref: 35939  
Enquiries: Rebecca Kay  
Phone:  
Email:

Graeme Simpson  
Acting Chief Executive Officer  
Shire of York  
1 Joaquina Street  
York WA 6302

Attn: Kira Strange

**Amended Development Assessment Panel Application – Proposed Landfill at Allawuna Farm, 2948 Great Southern Highway, St Ronans**

I refer to your letter 22 April 2015 requesting comments on the above proposal.

The Department of Parks and Wildlife previously provided comment on the original proposal in relation to black cockatoo habitat and vegetation. Based on documentation provided by the proponent and the Department of Sustainability, Environment, Water, Population and Communities, Parks and Wildlife is satisfied that the identified potential impacts on the site have been adequately addressed.

In considering the proposal it should be noted that lands adjoining Allawuna Farm, namely Wandoo National Park are managed by Parks and Wildlife for the purposes of conservation and recreation. It is this department's expectation that the proposed development will be managed in such a way that doesn't impact upon the values of Wandoo National Park.

Thank you for the opportunity to comment on this proposal. Please contact Rebecca Kay on [redacted] or by email at [redacted] should you have any queries regarding this advice.

Yours sincerely

Benson Todd  
DISTRICT MANAGER

22 May 2015

Perth Hills District



Government of Western Australia  
Department of Health

Your Ref: O121908, GR2A290  
Our Ref: F-AA-27149 EHB15/760  
Contact: Vic Andrich  
Phone:

Mr Graeme Simpson  
Acting Chief Executive Officer  
Shire of York  
PO Box 22  
YORK WA 6302

SHIRE OF YORK	
PS-Gov-170-3.1	
OFFICER	INITIALS
KIRA	
25 MAY 2015	
1147822	
REFERRED TO COUNCIL	
DATE	INITIALS

13

Dear Mr Simpson

**AMMENDED DEVELOPMENT ASSESSMENT PANEL APPLICATION –  
PROPOSED ALLAWUNA FARM LANDFILL – 2948 GREAT SOUTHERN  
HIGHWAY, ST RONANS**

Thank you for your letter dated 22 April 2015 requesting comment from the Department of Health (DOH) on the above proposal.

The DOH has no objection to the amended development as proposed providing adequate monitoring of environmental water quality is maintained prior to and during the operation of the landfill and there are contingencies in place in the event of adverse water quality results.

It noted that SITA will implement a complaints register and will record, investigate and where appropriate, respond to mitigate complaints regarding pests, dust, odours and other issues resulting from Allawuna Farm Landfill.

Should you have queries or require further information please contact Vic Andrich on 9388 4978 or [vic.andrich@health.wa.gov.au](mailto:vic.andrich@health.wa.gov.au)

Yours sincerely

Jim Dodds  
**DIRECTOR**  
**ENVIRONMENTAL HEALTH DIRECTORATE**

20 May 2015

All correspondence

**Environmental Health**

SHIRE OF YORK	
FILE	PS-GEN.PPO.3.
OFFICER	INITIALS
KIRA	
27 MAY 2015	
1147954	
REFERRED TO COUNCIL	
DATE	INITIALS



14

YOUR REF: O121908, GR2A290  
 OUR FILE REF: DER0075-9  
 OUR REF: WAS-00754

Mr Graeme Simpson  
 Acting Chief Executive Officer  
 Shire of York  
 PO Box 22  
 YORK WA 6302

Attention: Ms Kira Strange  
 Town Planner

Dear Mr Simpson

**AMENDED DEVELOPMENT ASSESSMENT PANEL APPLICATION – PROPOSED LANDFILL AT ALLAWUNA FARM, 2948 GREAT SOUTHERN HIGHWAY, ST RONANS**

Thank you for your letter of 22 April 2015 inviting comment from the Waste Authority on the public advertising of an amended development proposal for a landfill site at the above property.

The Waste Authority is committed to reducing waste to landfill and maximising the recovery and recycling of materials.

The Waste Authority provided comment on the application for the proposed landfill at this property on 25 February 2014. The advice provided in February 2014 is still applicable to this amended development proposal.

The Department of Environment Regulation is best placed to provide specific advice relating to conditions relevant to this application.

Thank you for providing an opportunity to comment on this proposal.

Yours sincerely

Marcus Geisler  
**CHAIRMAN**

21 May 2015

15

SHIRE OF YORK	
PS Gen. P.P.O. 3.1	
FILE OFFICER	INITIALS
KLA	
27 MAY 2015	
1147970	
REFERRED TO COUNCIL	
DATE	INITIALS
ATT00001.txt	

## Records

**From:** Wiggins, Carmel,  
**Sent:** Wednesday, 27 May 2015 11:42 AM  
**To:** Records  
**Cc:** Doncon, Greg  
**Subject:** Propsed Landfill at Allawuna Farm St Ronans  
**Attachments:** Proposed Landfill at Allawuna Farm O117455.GR2A290.pdf; ATT00001.txt

Good morning

Please find attached letter re: Amended Development Assessment Panel Application – Proposed Landfill at Allawuna Farm, 2948 Great Southern Highway, St Ronans, for your information and records.

If you have any queries please contact Greg Doncon or

Kind regards

**Carmel Wiggins**

Regional Administrative Support Officer  
 Central Region  
 Department of Agriculture and Food, Western Australia  
 Northam WA 6401

w agric.wa.gov.au



A progressive, innovative and profitable agrifood sector that benefits Western Australia



Acting Chief Executive Officer  
Attn: Graeme Simpson  
Shire of York  
PO Box 22  
York WA 6302

Your Ref: O117455/GR2.A290  
Our Ref:  
Enquiries:  
Date: 26 May 2015

Dear Mr Simpson

**RE: Amended Development Assessment Panel Application – Proposed Landfill at Allawuna Farm. 2948 Great Southern Highway, St Ronans**

The Department of Agriculture and Food, WA (DAFWA) does not routinely comment on development applications but can provide the following general advice to the Development Assessment Panel on this proposal:

DAFWA, in accordance with State Planning Policy 2.5 (SPP2.5) *Land use planning in rural areas*, considers rural land uses to be the best use of land zoned for rural purposes. DAFWA currently has a project identifying high quality agricultural land in the coastal areas. This is based on a new methodology which considers both irrigated and dryland agricultural uses.

High quality agricultural land is defined as “areas of land identified from a combination of soil, land capability, water resource and rainfall data as the most productive and versatile for either irrigated or broadacre agriculture”

SPP2.5 defines Priority Agricultural Land as land considered to be of State, regional or local significance for food production purposes, due to its collaborative advantage in terms of soils, climate, water (rain or irrigation) and access to services. Priority agricultural land is derived from High Quality Agricultural Land data that has been subject to consultation and refinement, and has removed land required for existing and future urban/development areas, public use areas and land required for environmental purpose.

If the application for the landfill site is approved, DAFWA requests that:

- The landfill facility requires suitable fencing to prevent the incursion of feral pigs onto the site from nearby forested areas
- A vegetated buffer is established around the land fill site to help prevent the drift of wind blown material from the land fill site onto the adjacent farm land.

The application proposes that “On completion, the Landfill will be re-habilitated and may be used for agricultural use.”

The Department of Environment Regulation lists landfill sites as a potentially contaminating activity. The *Contaminated Sites Act 2003*, defines contaminated, in relation to land, water or a site, as having a substance present in or on that land, water or site at above background concentrations that presents, or has the potential to

present, a risk of harm to human health, the environment or any environmental value. DAFWA would recommend that the rehabilitated landfill site is not used for agricultural purposes. Revegetation of the landfill site would complement agricultural uses on the adjacent farmland.

DAFWA is available to engage in further discussion about these and other agricultural issues, with respect to the development application.

If you have any queries regarding these comments, please contact Greg Doncon on \_\_\_\_\_ or email \_\_\_\_\_

Yours sincerely,



**Pamela I'Anson**  
**REGIONAL DIRECTOR**  
**CENTRAL REGION**

#### **Important disclaimer**

The Chief Executive Officer of the Department of Agriculture and Food and the State of Western Australia accept no liability whatsoever by reason of negligence or otherwise arising from the use or release of this information or any part of it.

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## Records

From: Rowan Hegglun  
Sent: Monday, 8 June 2015 9:56 AM  
To: Records  
Subject: WNRN  
Attachments: Wheatbelt NRM York Response.pdf

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SHIRE OF YORK	
PS. GEN. PRO.	
FILE	OFFICER
KIRA.	
8- JUN 2015	
1148194	
REFERRED TO COUNCIL	
DATE	INITIALS

3.1

Hi Kiera

Please find attached Wheatbelt NRM's response to request for comment. Please let me know if you have any questions or should any of the contents require further clarification.

Many thanks,

Rowan

Rowan Hegglun | Program Manager Biodiversity



OFFICE: 209 Fitzgerald Street, PO Box 311, Northam WA 6401 | TEL: 08 9670 3100 | FAX: 08 9670 3140



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5 June 2015

Wheatbelt Natural Resource  
Management (Incorporated)  
ABN: 61 661518 664

Graeme Simpson  
Chief Executive Officer  
Shire of York  
1 Joaquina Street  
York, WA 6302

Dear Graeme,

RE: Development assessment Panel Application – Proposed Class II Landfill at Allawuna Farm. 2948  
Great Southern HWY, St Ronans

I write in response to your request to comment on planning approval regarding the above application. Wheatbelt NRM Inc. has a politically neutral position on the application for use of Allawuna Farm for use as landfill. However, after careful review of the application for planning approval for the site as a class II landfill and construction of supporting infrastructure would like to make the following recommendations.

This response has been written on the assumption that best environmental management practice in accordance with relevant acts and regulatory standards will be adhered to throughout the entirety of the project life until final approval for closure by DER. These comments will only be relevant for the current proposal as a Class II sanitary landfill site; a change in class or size would require a new list of recommendations.

***1. Ground and Surface Water***

Given the results of the hydrological surveys and subsequent assessment by the EPA and DOW, that the proposed site should have low impact on groundwater and surface water, we are of the opinion that there should be no adverse impacts on the surrounding environment. To mitigate any potential emerging threat careful site design, environmental monitoring and reporting to relevant authorities must happen regularly.

There is, however, the potential for poisoning of wildlife as a result of contact with Leachate. Appropriate management strategies will need to be implemented to reduce this impact. There should be a range of tactics used to deter wildlife from toxic leachate to avoid acclimatisation leading to reduced effectiveness of deterrents. Some possible deterrents include:

- Audio to create a sense of primal fear
- Visual deterrents

- Use of Birds of Prey
- Minimising availability of potential food sources

The effectiveness of management options will need to be monitored closely and a contingency plan put in place to address issues immediately as they arise. We recommend an adaptive management approach in line with changing conditions.

## **2. Impacts on Agriculture**

Provided the site is well managed there are no, foreseeable, major negative impacts on agricultural activities. However, it is noted that under certain climatic conditions (eg. temperature inversion or strong winds) both sound and odour will travel further than predicted potentially making the environment unpleasant for those working on neighbouring properties. The potential for this impact should be investigated further and preventative strategies implemented to minimise impacts. Some of the strategies include:

- Buffer Plantings with fast growing native species.
- Monitoring of noise and odour on neighbouring properties under a range of climatic conditions. This could be extended to visitor areas including Mt observation.
- Minimise the size of the working face in the landfill and cover more regularly under certain climatic conditions
- Continued regular contact and feedback from surrounding landholders and visitors with respect to noise and odour should be maintained and reviewed regularly

Weeds and plant pathogens pose a threat to farming enterprise if organic matter is not dealt with in an appropriate manner. Management options will be discussed in the next section.

## **3. Impacts on Biodiversity**

Although SITA's landfill proposal states that the "landfill will have a minimal impact on flora and fauna within the region". There is a real potential for damage to flora and fauna in the adjacent bushland remnant, if the threats are not managed appropriately. Application of the precautionary principle should be applied in the decision making process to reduce negative impacts on biodiversity.

*"Where there are threats of serious or irreversible damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, decisions should be guided by*

*(a) careful evaluation to avoid, where practicable, serious or irreversible damage to the environment; and*

*(b) an assessment of the risk-weighted consequences of various options. Environmental Protection Act 1986, S4A(1) "*

A Nature Map inquiry of flora and Fauna species occurring within a 5km, 10km, 20km radius of the landfill site, showed the presence of several nationally important species (see table 1.) all of which could be impacted if potential threats are not considered and managed appropriately.

Table 1. Flora and Fauna species

Conservation Status	No. of Species		
	5km	10km	20km
Rare or likely to become extinct	3	7	18
Protected under international agreement	1	2	2
Other specially protected fauna	2	2	3
Priority 1	0	0	4
Priority 2	0	2	11
Priority 3	4	7	19
Priority 4	10	13	21
Non-conservation taxon	509	718	1471
<b>TOTAL</b>	<b>529</b>	<b>751</b>	<b>1549</b>

### *Flora*

Potential impact on adjacent remnant vegetation should be investigated and strategies put in place to minimise impacts. Surrounding vegetation can be negatively impacted by weeds, pathogens and fire. Many urban gardens contain plants sourced from nurseries infected by various species of phytophthora and other plant diseases. Most green waste contains environmental weeds (this can include native species) and some of these may be declared at a local, state or national level. If not managed there is the potential for spread into native bushland. Weeds and plant pathogens can be spread by wind, water, vehicles and animals.

Some strategies may include

- Hygiene of all plant and machinery
- Greenwaste composted and treated off site
- Personnel maintaining the landfill should be able to identify the various types of declared weeds which may exist in the region so that they can monitor for their presence at the facility and undertake appropriate treatment and destructive action (as any land manager is required to do)
- Site regularly tested for pathogens
- Prevention of birds and animals feeding on organic waste
- Revegetation to Buffer neighbouring reserve from weeds
- Weed management including identification, monitoring and control
- Covering of waste more regularly on particularly windy days

- Composting and treatment of organic waste offsite

#### *Fauna*

There is potential poisoning of fauna as a result of contact with leachate, and refuse and subsequent secondary poisoning of native fauna. Edge sensitive species may be impacted by increased noise and vehicle movement in the area forcing them to retreat further in to remnant vegetation potentially limiting their capacity for dispersal and ability to forage for food.

#### *Birds*

Bird can be attracted to landfill sites in large numbers for water, food, nesting or roosting. The birds may transfer pathogens to drinking water collection or storage areas, as well as depositing seed laden excreta and food scraps in bushland.

There is also potential for a population increase of the more aggressive species (Galah, Corella, Australian Raven) that have a reputation for taking over habitat and nesting sites of more sensitive species including the Carnaby's Black cockatoo. Large flocks will damage native vegetation on agricultural crops. Scavenger species and waterbird population increases may exceed the carrying capacity of the surrounding environment and will require management and monitoring.

#### Possible Bird control measures

- Minimise size of uncovered working face
- Use of Birds of prey
- A range of Visual, audio deterrents that used in a random pattern to minimise potential of birds becoming accustomed to the measures
- Culling
- monitoring for effectiveness of management measures should be carried out regularly

#### Feral Animals

Fox, cat and rodent populations will increase in response to increased food availability. This increase in numbers will have a devastating impact on Wildlife in the area if not managed. They have the ability to climb and dig. Daily covering on its own is unlikely to act as a sufficient deterrent, so a combination of measures will need to be implemented

Some feral animal management options include:

- Covering waste deep enough to reduce the attraction of animals to waste
- monitoring covered area for signs of feral animals
- trapping
- baiting(care need to be taken to avoid secondary poisoning of native species)
- shooting

#### 4. Recommendations

- That an appropriately qualified and diverse advisory group be established to guide environmental risk mitigation for the site, development of the SITA Landfill Operational Management Plan and monitoring of indicator thresholds
- That planning approval be subject to a comprehensive environmental management plan addressing the impacts discussed above
- An effective monitoring regime be put in place and reviewed regularly to understand efficacy of risk mitigation
- A biosecurity plan be developed to mitigate the risk of incursions through landfill activities – so that there is a predetermined framework for responding to biosecurity incursions

Wheatbelt NRM Inc. may be able to assist in the development and implementation of the above recommendations. Further there are potential opportunities for the above recommendations to contribute, in a meaningful way, to localised conservation initiatives in the area. Wheatbelt NRM Inc. would be happy to provide context for any such activity. Please don't hesitate to contact me if you require further clarification or have any questions.

Yours faithfully



Natarsha Woods

Chief Executive Officer