



SHIRE OF YORK

## NOTICE OF MEETING

Dear Councillors

I respectfully advise that the SPECIAL COUNCIL MEETING will be held in Council Chambers, York Town Hall, York on Tuesday, 4 August 2020, commencing at 5.00.

MEETING AGENDA ATTACHED

*Chris Linnell*

CHRIS LINNELL  
CHIEF EXECUTIVE OFFICER  
Date: 31 July 2020

---

☛ PLEASE READ THE FOLLOWING IMPORTANT DISCLAIMER BEFORE PROCEEDING ☛

Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

Any statement, comment or decision made at a Council meeting regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity who has an application before the Shire of York must obtain, and should only rely on, written notice of the Shire of York's decision and any conditions attaching to the decision and cannot treat as an approval anything said or done at a Council meeting.

Any advice provided by an employee of the Shire of York on the operation of a written law, or the performance of a function by the Shire of York, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the Shire of York. Any advice on a matter of law, or anything sought to be relied upon as a representation by the Shire of York should be sought in writing and should make clear the purpose of the request. Any plans or documents in Agendas and Minutes may be subject to copyright.

<p><b>MISSION STATEMENT</b> <i>"Building on our history to create our future"</i></p>
---

**Local Government Act 1995 (as amended)****Part 1 Introductory Matters**

## 1.3. Content and intent

- (1) This Act provides for a system of local government by —
  - (a) providing for the constitution of elected local governments in the State;
  - (b) describing the functions of local governments;
  - (c) providing for the conduct of elections and other polls; and
  - (d) providing a framework for the administration and financial management of local governments and for the scrutiny of their affairs.
- (2) This Act is intended to result in —
  - (a) better decision making by local governments;
  - (b) greater community participation in the decisions and affairs of local governments;
  - (c) greater accountability of local governments to their communities; and
  - (d) more efficient and effective local government.
- (3) In carrying out its functions a local government is to use its best endeavours to meet the needs of the current and future generations through an integration of environmental protection, social advancement and economic prosperity.

**Part 2 Constitution of Local Government****Division 2 Local Governments and Councils of Local Governments**

## 2.7 The Role of Council

- (1) The Council —
  - (a) directs and controls the Local Government's affairs; and
  - (b) is responsible for the performance of the Local Government's functions.
- (2) Without limiting subsection (1), the Council is to —
  - (a) oversee the allocation of the Local Government's finances and resources; and
  - (b) determine the Local Government's policies.

**Meetings generally open to the public**

- 5.1.** (1) Subject to subsection (2), the following are to be open to members of the public —
- (a) all council meetings; and
  - (b) all meetings of any committee to which a local government power or duty has been delegated.
- (2) If a meeting is being held by a council or by a committee referred to in subsection (1) (b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
- (a) a matter affecting an employee or employees;
  - (b) the personal affairs of any person;
  - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
  - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
  - (e) a matter that if disclosed, would reveal —
    - (i) a trade secret;
    - (ii) information that has a commercial value to a person; or
    - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;
  - (f) a matter that if disclosed, could be reasonably expected to —

- (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
    - (ii) endanger the security of the local government's property; or
    - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
  - (g) information which is the subject of a direction given under section 23 (1a) of the Parliamentary Commissioner Act 1971; and
  - (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.



Shire of York

## **G 2.6 PUBLIC QUESTION TIME**

### **Policy Statement**

1.0 "Public Question Time" will be limited to 15 minutes\*. The Council may exercise a discretion to extend the time by resolution if required. If there are questions remaining unasked at the expiration of the time allotted members of the public will be asked to submit their questions in writing to the Chief Executive Officer who will provide a written reply with the response placed in the Agenda of the next Ordinary Meeting of the Council.

*\* A minimum of 15 minutes is provided by Regulation 6(1) of the Local Government (Administration) Regulations 1996 (S.5.24 of the Local Government Act 1995)*

2.0 Questions may be asked at the Ordinary Council Meeting and any Committee meeting on any matter affecting the Council and the Shire's operations. Questions submitted to Special Meetings of the Council will be restricted to the subject matter of the meeting.

3.0 Each questioner will be limited to two (2) questions. Statements or long preamble are not permitted.

4.0 People wishing to ask questions will be encouraged to put their questions in writing or in a prescribed form and submit them to the Chief Executive Officer prior to 10 am on the day of the meeting. This allows for an informed response to be given at the meeting. Oral questions are permitted.

5.0 Priority will be given to questions about matters on the agenda for the meeting and which are submitted in accordance with 4.0 above.

6.0 Every person who wishes to ask a question must identify themselves and register with a Council Officer immediately prior to the meeting. Subject to 5.0 above questions will be taken in the order in which people register.

7.0 Questions containing offensive remarks, reference to the personal affairs or actions of Elected Members or staff, or which relate to confidential matters or legal action will not be accepted. Questions that the Presiding Member considers have been answered by earlier questions at the meeting or earlier meetings may not be accepted.

8.0 On receipt of a question the Presiding Member may answer the question or direct it to the Chief Executive Officer to answer. If the question is of a technical nature the Chief Executive Officer may direct the question to a senior technical officer present. If the question requires research it will be taken on notice.

9.0 There will be no debate on the answers to questions.

10.0 A summary of the question and the answer will be recorded in the minutes of the Council meeting at which the question was asked.

11.0 Public Question Time guidelines incorporating this policy are being prepared and will include information on the other methods of enquiry that are available to members of the public to obtain information from the Shire.

Adopted 21 October 2013

Amended 17 September 2015

Amended 23 November 2015

Reviewed 24 October 2016

### Question(s)

**Name:** \_\_\_\_\_

**Organization Name:** \_\_\_\_\_  
(If presenting on behalf of)

**Item No. Referred To:**  
(If Applicable) \_\_\_\_\_

*Note: To provide equal opportunity for all in attendance to ask questions, a limit of two (2) questions at a time from any one person is imposed.*

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

[illegible]

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## OFFICE USE ONLY

Presented Meeting Date: \_\_\_\_\_ Item No: \_\_\_\_\_

## Order Of Business

<b>1</b>	<b>Opening .....</b>	<b>9</b>
1.1	Declaration of Opening.....	9
1.2	Disclaimer .....	9
1.3	Standing Orders .....	9
1.4	Announcement of Visitors .....	9
1.5	Declarations of Interest that Might Cause a Conflict .....	9
1.6	Declaration of Financial Interests .....	9
1.7	Disclosure of Interests that may affect Impartiality.....	9
<b>2</b>	<b>Attendance .....</b>	<b>10</b>
2.1	Members .....	10
2.2	Staff .....	10
2.3	Apologies .....	10
2.4	Leave of Absence Previously Approved .....	10
2.5	Number of People in the Gallery at Commencement of Meeting .....	10
<b>3</b>	<b>Public Question Time .....</b>	<b>10</b>
3.1	Written Questions – Current Agenda.....	11
3.2	Public Question Time .....	11
<b>4</b>	<b>Applications for Leave of Absence .....</b>	<b>11</b>
<b>5</b>	<b>Presentations .....</b>	<b>11</b>
5.1	Petitions .....	11
5.2	Presentations .....	11
5.3	Deputations.....	11
5.4	Delegates' Reports.....	11
<b>6</b>	<b>Announcements by Presiding Member without Discussion.....</b>	<b>11</b>
<b>7</b>	<b>Officer's Reports.....</b>	<b>12</b>
	SY118-08/20 Environmental Review Document: Great Southern Landfill at Allawuna Farm .....	12
<b>8</b>	<b>Closure .....</b>	<b>20</b>





The York Shire Council acknowledges the traditional owners of the land on which this meeting will be held.

## 1 OPENING

### 1.1 Declaration of Opening

### 1.2 Disclaimer

The Shire President advises the following:

*"I wish to draw attention to the Disclaimer Notice contained within the agenda document and advise members of the public that any decisions made at the meeting today, can be revoked, pursuant to the Local Government Act 1995.*

*Therefore members of the public should not rely on any decisions until formal notification in writing by Council has been received. Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material."*

### 1.3 Standing Orders

### 1.4 Announcement of Visitors

### 1.5 Declarations of Interest that Might Cause a Conflict

Councillors/Staff are reminded of the requirements of s5.65 of the Local Government Act 1995, to disclose any interest during the meeting when the matter is discussed and also of the requirement to disclose an interest affecting impartiality under the Shire of York's Code of Conduct.

Name	Item No & Title	Nature of Interest (and extent, where appropriate)

### 1.6 Declaration of Financial Interests

A declaration under this section requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision making procedure relating to the matter the subject of the declaration.

Other members may allow participation of the declarant if the member further discloses the extent of the interest and the other members decide that the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.

Name	Item No & Title	Nature of Interest (and extent, where appropriate)

### 1.7 Disclosure of Interests that may affect Impartiality

Councillors and staff are required (Code of Conduct), in addition to declaring any financial interest, to declare any interest that might cause a conflict. The member/employee is also encouraged to disclose the nature of the interest. The member/employee must consider the nature and extent of the interest and whether it will affect

their impartiality. If the member/employee declares that their impartiality will not be affected then they may participate in the decision making process.

Name	Item No & Title	Nature of Interest (and extent, where appropriate)

## 2 ATTENDANCE

- 2.1 Members
- 2.2 Staff
- 2.3 Apologies
- 2.4 Leave of Absence Previously Approved
- 2.5 Number of People in the Gallery at Commencement of Meeting

## 3 PUBLIC QUESTION TIME

Public Question Time is conducted in accordance with the Act and Regulations. In addition to this the Shire's Council Meetings Local Law 2016 states –

### 6.7 Other procedures for question time for the public

- (1) A member of the public who wishes to ask a question during question time must identify themselves and register with a Council Officer immediately prior to the meeting.
- (2) A question may be taken on notice by the Council for later response.
- (3) When a question is taken on notice the CEO is to ensure that—
  - (a) a response is given to the member of the public in writing; and
  - (b) a summary of the response is included in the agenda of the next meeting of the Council.
- (4) Where a question relating to a matter in which a relevant person has an interest is directed to the relevant person, the relevant person is to—
  - (a) declare that he or she has an interest in the matter; and
  - (b) allow another person to respond to the question.
- (5) Each member of the public with a question is entitled to ask up to 2 questions before other members of the public will be invited to ask their questions.
- (6) Where a member of the public provides written questions then the Presiding Member may elect for the questions to be responded to as normal business correspondence.
- (7) The Presiding Member may decide that a public question shall not be responded to where—
  - (a) the same or similar question was asked at a previous meeting, a response was provided and the member of the public is directed to the minutes of the meeting at which the response was provided;
  - (b) the member of the public uses public question time to make a statement, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the statement as a question; or

- (c) the member of the public asks a question that is offensive or defamatory in nature, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the question in a manner that is not offensive or defamatory.
- (8) A member of the public shall have 2 minutes to submit a question.
- (9) The Council, by resolution, may agree to extend public question time.
- (10) Where any questions remain unasked at the end of public question time they may be submitted to the CEO who will reply in writing and include the questions and answers in the agenda for the next ordinary Council meeting.
- (11) Where an answer to a question is given at a meeting, a summary of the question and the answer is to be included in the minutes.

3.1 Written Questions – Current Agenda

3.2 Public Question Time

**4 APPLICATIONS FOR LEAVE OF ABSENCE**

**5 PRESENTATIONS**

5.1 Petitions

5.2 Presentations

5.3 Deputations

5.4 Delegates' Reports

**6 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

## 7 OFFICER'S REPORTS

### SY118-08/20 ENVIRONMENTAL REVIEW DOCUMENT: GREAT SOUTHERN LANDFILL AT ALLAWUNA FARM

**File Number:** GR2.290

**Author:** Carly Rundle, Senior Planner

**Authoriser:** Darren Wallace, Executive Manager, Infrastructure & Development Services

**Previously before Council:** Not Applicable.

**Appendices:** 1. Submission

#### NATURE OF COUNCIL'S ROLE IN THE MATTER

Advocative.

#### PURPOSE OF REPORT

To seek Council endorsement of a formal submission on the Environmental Review Document for the Great Southern Landfill at Allawuna Farm.

#### BACKGROUND

On the 14 April 2014, the Wheatbelt Joint Development Assessment Panel (JDAP) refused a development application to construct and use a portion of Lot 4869, 5931, 9926 and 26934 Great Southern Highway, Saint Ronans (the subject land) for a class II landfill facility. The applicant subsequently filed an Application for review with the State Administrative Tribunal (SAT) on 24 April 2014. As part of this SAT review process, the applicant submitted an amended application to the JDAP, which was refused by the JDAP on 31 August 2015.

On 8 March 2016, the SAT upheld the appeal and approved the application subject to conditions. The Department of Environmental Regulations (now DWER) subsequently issued a works approval to SITA Australia on the 17 March 2016. SITA then revoked the works approval at its request on the 11 August 2016 when it was determined that they would no longer be proceeding with the development.

A new applicant Alkina Holdings Pty Ltd submitted a new works approval application to the DWER on the 21 July 2017 which is currently awaiting determination.

On the 10 April 2018, the Mid-West/Wheatbelt JDAP refused an application to extend the period permitted for the development to be substantially commenced. On application to SAT, the SAT upheld the appeal and amended the substantial commencement period permitted by a further two years to 8 March 2020.

On the 1 April 2019, the Minister for Environment issued a notice of decision to assess the proposal pursuant to section 43(1) of the *Environmental Protection Act 1986*, which until completed effectively places a prohibition on other authorities from issuing a decision(s) which would cause the proposal to be implemented until the Minister issues a statement under section 45(5)(b) on the acceptability of the impact of the development on the environment. The level of assessment was set at Public Environmental Review.

On the 25 June 2020, the Regional JDAP refused a further application to extend the period permitted for the development to be substantially commenced. At the current time no appeals against this

decision has been lodged with the SAT, and the development does not have a current planning approval.

The Shire has received notification from the Department of Water and Environmental Regulation (DWER) that the Environmental Review Document, submitted as part of the EPA assessment, is available for public comment until the 10 August 2020.

## COMMENTS AND DETAILS

The Environmental Review Document (ERD) is a report prepared by Alkina Holdings on their environmental review which describes the proposal and its likely effects on the environment.

Following a review of the ERD, officers are of the opinion that the proposed landfill cannot be considered to have an acceptable environmental impact. A detailed list of reasons why is provided in the Submission (Appendix 1), which generally relates to the following:

- The proposed landfill represents adhoc and unplanned development which is inconsistent with orderly and proper planning.
- The development is inconsistent with the State Planning Strategy 2050 and the Waste Avoidance and Resource Recovery Strategy.
- The Shire of York Town Planning Scheme No. 2 identifies the land use of 'Waste Disposal Facility' as an 'X' use in the General Agriculture zone, which means that landfills are not permitted or considered a compatible use in that zone. The development does not have a current planning approval in place and an application to extend the permitted substantial commencement period was refused by the Regional Joint Development Assessment Panel on the 25 June 2020.
- Aspects of the ERD such as bushfire management have not demonstrated to an adequate level that the risk is acceptable in accordance with state policy.

Other comments on the contents of the ERD have been made where appropriate.

## OPTIONS

The following options are also available to Council:

1. Endorse the submission as presented; or
2. Endorse the submission with modification; or
3. Not endorse the submission. If Council resolves to progress this option, the Shire will not be making a submission on the ERD.

## IMPLICATIONS TO CONSIDER

### Consultative

The ERD has been released for public comment by the DWER for a period of 5 weeks.

### Strategic

Providing a submission on the ERD supports delivery of the following outcomes from the Shire of York's 2018-2028 Strategic Community Plan:

- 5.5 There is a strong collective voice on key issues of concern to the community.
- 5.6 There are high levels of community engagement in decision making.

The Allawuna landfill proposal was identified as a key area of concern to the community, where Council will advocate for the community.

**Policy Related**

There are no other policy related implications associated with the recommendation.

**Financial**

There are no financial implications for the Shire associated with the officer's recommendation.

**Legal and Statutory**

The ERD is provided for public comment as a requirement of the *Environmental Protection Act 1986*.

**Risk Related**

A landfill facility provides a range of environmental risks. The ERD provides management plans to address these risks, which the Shire is able to make comment on via this submission. Following this the EPA will make a recommendation to the Minister and the Minister will issue a statement on the acceptability of the likely impact on the environment.

**Workforce**

There are no workforce implications associated with the officer's recommendation.

**VOTING REQUIREMENTS**

**Absolute Majority: No**

**RECOMMENDATION**

That Council, with respect to the Environmental Review Document for the Great Southern Landfill at Allawuna Farm (Assessment No. 2204) endorses the submission on behalf of the Shire of York as detailed in Appendix 1 and requests the Chief Executive Officer to inform the Environmental Protection Authority.

**Great Southern Landfill at Allawuna Farm – Assessment no: 2204 - Environmental Review****Document:**

The Shire considers that the proposed landfill cannot be considered to have an acceptable environmental impact because:

1. The proposed landfill represents adhoc and unplanned development and is inconsistent with orderly and proper planning. In this respect it is noted that the proposal is inconsistent with the State Planning Strategy 2050 and the Waste Avoidance and Resource Recovery Strategy 2030. Both of these documents stress the importance of strategically planned waste management facilities to ensure –
  - The number and type of facilities required and their relationship to existing waste facilities can be identified;
  - They are optimally located;
  - That they have appropriate access to transport networks;
  - Buffers are appropriate and adequate;
  - That the degree of risk of air, soil, groundwater and surface water pollution is acceptable.

The absence of any strategic planning has removed the ability of the community to engage with government on the appropriate identification of a range of potential landfill sites, and to prioritise the most appropriate sites on the basis of environmental, social and economic performance. The community has not been able to contribute to a broader planning process that enables the most appropriate location to be debated, tested and considered in a collaborative, transparent manner.

The Strategy (2030) and associated Action Plan and Data Strategy reflect that it is a priority to undertake a strategic review of WA's waste infrastructure (including landfills) by 2020 to guide infrastructure development. The outcomes of this assessment will inform the preparation of a State Waste Infrastructure Plan. The DWER has provided that preliminary planning and scoping of the State Waste Infrastructure Plan is currently underway with the DWER advising it anticipates commencing work on this early in 2020/21. Development of landfills which are not informed by strategic assessment have potential to undermine the objectives of the Strategy.

It is also noted in terms of strategic location that a new Eastlink Route road is being investigated as an alternative new key freight corridor between Perth and Northam which will bypass the Great Southern Highway connection to York and the proposed landfill.

2. The Shire of York Town Planning Scheme No. 2 identifies the land use of 'Waste Disposal Facility' as an 'X' use in the General Agriculture zone, which means that landfills are not permitted or considered a compatible use in that zone.

An application to extend the planning approval for the Allawuna Farm Landfill to allow development to be substantially commenced to the 8 March 2022 was recently refused by the Regional Development Panel at a meeting held on the 25 June 2020 for the following reasons:

- 1) Pursuant to section 41(3) of the Environmental Protection Act 1986, a decision maker is prevented from making a decision which could have the effect of causing or allowing a proposal to be implemented that may be inconsistent with a determination of the Minister for Environment.
- 2) There has been substantial change to the planning framework since the original application was granted in that:
  - a) Amendment 50 to Shire of York Town Planning Scheme No.2 (TPS 2) was gazetted on 16 March 2018, which relevantly provides that 'waste disposal facility' is an X use within the General Agriculture zone.
- 3) The development would not receive approval now as:
  - a) The development is a 'waste disposal facility' use under TPS 2 which is a prohibited use and cannot be approved.
  - b) It is inconsistent with the requirements of State Planning Policy 2.5: Rural Planning in that the Shire has considered whether regional facilities such as waste facilities are suitable on rural land and concluded that they should not be permitted (a determination supported by Amendment 50 and in the recently developed draft Local Planning Strategy and Scheme).
  - c) It does not comply with the requirements of State Planning Policy 3.7: Planning in Bushfire Prone Areas in that a BAL assessment and BAL contour plan have not been produced resulting in inadequate consideration of bushfire hazard and risks.
  - d) It does not achieve the objectives of the General Agriculture zone under TPS 2, namely the protection of productive agricultural land.
  - e) It cannot be sufficiently demonstrated that the development is not detrimental to the environment, as:
    - i) The proposal is subject to a formal environmental assessment pursuant to the Environmental Protection Act 1986; and
    - ii) It cannot be presumed that environmental approval will be forthcoming.
- 4) In these circumstances, it is unreasonable to warehouse the approval. It cannot be assumed that an Environmental approval will be forthcoming or when this might be granted.

Specific comments on the Environmental Review Document are outlined below:

Page & Paragraph	Comments	References
26, 57 & 209 – Buffers	<p>Consideration should be given to draft Guidelines which recommend separation distance of 1000m for gas, noise, dust, odour and risk. The draft guidelines refer that separation distances do not apply to significant proposals which are formally assessed by the EPA. Appropriate buffers should be identified by the site-specific studies.</p> <p>The Shire also notes that the separation distance of 1000m extends outside the lot boundary onto adjoining land. Whilst this predominantly covers bushland and does not impact existing sensitive land uses, the General Agriculture zone provides for a range of tourism uses to be developed in such land, which would be incompatible within</p>	<p>Draft Environmental Assessment Guideline No. X – Separation Distances between industrial and sensitive land uses</p> <p>State Planning Policy 2.5 Rural Planning</p>



	identified buffer areas and potentially affect development potential of adjoining properties. Subdivision is also possible in accordance with State Planning Policy 2.5 Rural Planning on the basis of conservation lot or homestead lot.	Development Control Policy 3.4 Subdivision of Rural Land
Page 28, fourth paragraph	Should refer to SPP3.7, not 3.6	State Planning Policy 3.7 Planning in Bushfire Prone Areas
28 & 237	Not supported.  The development has the potential to increase the threat of bushfire to people, property and infrastructure. The initial approval of the development, and fire management plan was prepared to the prior to introduction of SPP3.7 which identifies landfills as 'high risk' land uses.  Fire Management Planning to date has not demonstrated that the risk introduced by the development is acceptable in accordance with State Planning Policy 3.7. This position is also supported by DFES.	State Planning Policy 3.7 Planning in Bushfire Prone Areas.  See attached Department of Fire and Emergency Services submission on the application to extend planning approval.
Page 31	Any proposed Special Use zone was removed by the Minister for Planning.  Refer attached Regional Development Assessment Panel decision notice on the application to extend planning approval.	Shire of York Town Planning Scheme No. 2  Regional Development Assessment Panel decision notice dated 30 June 2020
Page 35 & 66	Not supported. Information in the SWIPP report would be based on outdated data and does and does not account for the direction of the newly adopted Waste Avoidance & Resource Recovery Strategy 2030 adopted in 2019 with updated strategies, actions and target which would influence any conclusions of the previous SWIPP.  The auditor generals report in 2016 also identified that the intention of the 2014 SWIPP was to define a long-term plan for waste facilities, including an outline of the number and type of facilities likely to be required, and their optimum location. Instead it effectively confirmed that a long-term plan needs to be done to plan to 2050.  The Strategy (2030) and associated Action Plan and Data Strategy reflect that it is a priority to undertake a strategic review of WA's waste infrastructure (including landfills by 2020) to guide infrastructure development. The outcomes of this assessment will inform the preparation of a State	Waste Avoidance and Resource Recovery Strategy 2030  Waste Avoidance and Resource Recovery Action Plan 2020-21  Waste Data Strategy (2019)

	<p>Waste Infrastructure Plan. The DWER has provided that preliminary planning and scoping of the State Waste Infrastructure Plan is currently underway with the DWER advising it anticipates commencing work on this early in 2020/21.</p> <p>Development of landfills which are not informed by strategic assessment have potential to undermine the objectives of the Strategy.</p> <p>It is also noted in terms of strategic location that a new Eastlink Route road is being investigated as an alternative new key freight corridor between Perth and Northam which will bypass the Great Southern Highway connection to York and the proposed landfill.</p>	
63	States that the applicant contacted the Shire Ranger requesting a meeting regarding fire breaks and received no reply. The Shire records, including the Rangers personal records, show no evidence of such a request.	
66	<p>The Shire is not qualified to assess the appropriateness of groundwater monitoring.</p> <p>However, it is noted that groundwater quality is a key point of concern to the community and there is perception that adequate groundwater monitoring has not been undertaken to support assertions of groundwater flows.</p> <p>The site is located within 1km of a Public Drinking Water Supply area, and adjoining properties who do not have access to reticulated water supply and have the option of installing bores for supply. Protection of water supplies is important in a drying climate.</p> <p>Contamination of groundwater would have serious implications where the precautionary principle should apply.</p>	
228	All adjoining agricultural properties should be treated as sensitive premises, given the rapidly changing agricultural export market where use of products, such as glyphosate are increasingly being banned and may require necessitate a shift to more forms of organic agriculture.	
General Comment	<p>The planning approval (now lapsed) issued by the State Administrative Tribunal took the view that the DWER/EPA were responsible for regulation of environmental matters under the <i>Environmental Protection Act 1986</i>, and as such limited conditions of approval so as to avoid duplication.</p> <p>Further discussion with the DWER has indicated that emissions are only considered for works where they are sited within the prescribed premises boundary. The DWER has indicated that the borrow pits may not be considered a</p>	<i>Environmental Protection Regulations 1987</i>

	<p>prescribed premise under Schedule 1 of the <i>Environmental Protection Regulations 1987</i>, as screening and/or crushing activities are not proposed, referring that these may require an extractive industry licence under local planning.</p> <p>The Shire requests that in considering the acceptability of the development, that regard is given to whether works fall under the jurisdiction of a prescribed premises, and ability for the works to be regulated by the DWER.</p>	
--	--	--

## **8 CLOSURE**