

## MINUTES

### CERTIFICATION OF CONFIRMATION OF TECHNICAL ADVISORY COMMITTEE MINUTES

4 February 2016

I, Mr Doug Pearson, hereby certify that the minutes from the Technical Advisory Committee Meeting held on 4 February 2016 pages 1 to 19 were confirmed at a Committee meeting held on 4 August 2016.

A handwritten signature in black ink, appearing to be "D. Pearson", written over a horizontal line.

**Signature**

**Mr Doug Pearson  
Person presiding at Meeting**

## TECHNICAL ADVISORY COMMITTEE

### MINUTES

4 February 2016

(REF: D2016/00251)

A meeting of the Technical Advisory Committee was held at the EMRC Administration Office, 1<sup>st</sup> Floor, 226 Great Eastern Highway, BELMONT WA 6104 on **Thursday, 4 February 2016**. The meeting commenced at **4:03pm**.

### TABLE OF CONTENTS

---

<b>1</b>	<b>DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS</b>	<b>1</b>
<b>2</b>	<b>ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE (PREVIOUSLY APPROVED)</b>	<b>1</b>
<b>3</b>	<b>DISCLOSURE OF INTERESTS</b>	<b>1</b>
<b>4</b>	<b>ANNOUNCEMENTS BY THE CHAIRMAN OR PRESIDING MEMBER WITHOUT DISCUSSION</b>	<b>1</b>
<b>5</b>	<b>PETITIONS, DEPUTATIONS AND PRESENTATIONS</b>	<b>1</b>
<b>6</b>	<b>CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS</b>	<b>2</b>
6.1	<i>MINUTES OF THE TECHNICAL ADVISORY COMMITTEE MEETING HELD ON 19 NOVEMBER 2015 (Ref: D2015/19728)</i>	<b>2</b>
<b>7</b>	<b>QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN</b>	<b>2</b>
<b>8</b>	<b>QUESTIONS BY MEMBERS WITHOUT NOTICE</b>	<b>2</b>
<b>9</b>	<b>ANNOUNCEMENT OF CONFIDENTIAL MATTERS FOR WHICH MEETINGS MAY BE CLOSED TO THE PUBLIC</b>	<b>2</b>
<b>10</b>	<b>BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING</b>	<b>2</b>
<b>11</b>	<b>REPORTS OF EMPLOYEES</b>	<b>3</b>
11.1	<i>TENDER 2015-008 – PROVISION OF MINOR CIVIL AND DRAINAGE WORKS (Ref: D2016/00252)</i>	<b>3</b>
11.2	<i>AMENDMENT TO FEES AND CHARGES (Ref: D2016/00933)</i>	<b>9</b>
11.3	<i>CONSERVATION COVENANT ON LOT 501 AND LOT 82 RED HILL WASTE MANAGEMENT FACILITY (Ref: D2016/00936)</i>	<b>12</b>
11.4	<i>ITEMS CONTAINED IN THE INFORMATION BULLETIN (Ref: D2016/00253)</i>	<b>18</b>
<b>12</b>	<b>REPORTS OF DELEGATES</b>	<b>18</b>
<b>13</b>	<b>NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE CHAIRMAN OR PRESIDING MEMBER OR BY DECISION OF MEETING</b>	<b>18</b>
<b>14</b>	<b>CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC</b>	<b>18</b>
<b>15</b>	<b>FUTURE MEETINGS OF THE TECHNICAL ADVISORY COMMITTEE</b>	<b>19</b>
<b>16</b>	<b>DECLARATION OF CLOSURE OF MEETING</b>	<b>19</b>

---



## 1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Chairman opened the meeting at 4:03pm.

## 2 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

### Committee Members

Mr Doug Pearson ( <b>Chairman</b> )	Director Technical Services	City of Bayswater
Mr Ric Lutey ( <b>Deputy Chairman</b> )	Director Technical Services	City of Belmont
Mr Dennis Blair ( <i>from 4:04pm</i> )	Director Infrastructure Services	Shire of Kalamunda
Mr Shane Purdy	Director Infrastructure Services	Shire of Mundaring
Mr Jim Coten	Executive Manager Operations	City of Swan
Mr Peter Schneider	Chief Executive Officer	EMRC

### Apologies

Mr Simon Stewert-Dawkins	Director Operational Services	Town of Bassendean
Mr Ken Cardy	Manager Asset Services	Town of Bassendean

### EMRC Officers

Mr Stephen Fitzpatrick	Director Waste Services
Mr Hua Jer Liew	Director Corporate Services
Mr Kevin Porter	Manager Administration and Compliance
Ms Justine Lewis	Project Engineer Waste Services
Ms Giulia Bono	Administration Officer Waste Services
Ms Melinda Berwick	Administration Officer (Minutes)

## 3 DISCLOSURE OF INTERESTS

Nil

## 4 ANNOUNCEMENTS BY THE CHAIRMAN OR PRESIDING MEMBER WITHOUT DISCUSSION

Nil

## 5 PETITIONS, DEPUTATIONS AND PRESENTATIONS

Nil



**6 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**6.1 MINUTES OF THE TECHNICAL ADVISORY COMMITTEE MEETING HELD ON 19 NOVEMBER 2015**

That the Minutes of the Technical Advisory Committee meeting held on 19 November 2015, which have been distributed, be confirmed.

**TAC RESOLUTION(S)**

MOVED MR LUTEY

SECONDED MR PURDY

THAT THE MINUTES OF THE TECHNICAL ADVISORY COMMITTEE MEETING HELD ON 19 NOVEMBER 2015 WHICH HAVE BEEN DISTRIBUTED, BE CONFIRMED.

**CARRIED UNANIMOUSLY**

**7 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil

**8 QUESTIONS BY MEMBERS WITHOUT NOTICE**

Nil

**9 ANNOUNCEMENT OF CONFIDENTIAL MATTERS FOR WHICH MEETINGS MAY BE CLOSED TO THE PUBLIC**

Nil

**10 BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING**

Nil



## **11 REPORTS OF EMPLOYEES**

### **11.1 TENDER 2015-008 – PROVISION OF MINOR CIVIL AND DRAINAGE WORKS**

**REFERENCE: D2016/00252**

#### **PURPOSE OF REPORT**

The purpose of this report is to advise Council of the results of Tender 2015-008 for Provision of Minor Civil and Drainage Works and recommend a preferred tenderer.

#### **KEY ISSUES AND RECOMMENDATION(S)**

- A tender for the provision of Minor Civil and Drainage Works was advertised in The West Australian newspaper on 2 December 2015 and online at the EMRC Tenderlink website.
- Tenders closed on 16 December 2015 with eleven (11) submissions being received.
- The tender called for the provision of Minor Civil and Drainage Works at Red Hill Waste Management Facility and Hazelmere Resource Recovery Park.

#### **Recommendation(s)**

That:

1. Council award Tender 2015-008 to Densford Pty Ltd at the listed rates forming the Attachment to this report for a three (3) year period from 1 March 2016 to 28 February 2019 with an option for two (2) single year extensions at the discretion of the EMRC.
2. Council authorise the CEO to enter into a contract, on behalf of the EMRC, with Densford Pty Ltd in accordance with their submitted tender, subject to any minor variations that may be agreed on between the CEO and Densford Pty Ltd.
3. Council authorise the CEO to exercise the option to extend the contract for two (2) single year extensions following the initial three (3) year period, subject to satisfactory performance.
4. The contract rates for Tender 2015-008 are to be adjusted annually at each anniversary of the contract based on the consumer price index for Perth over the previous twelve months.

#### **SOURCE OF REPORT**

Director Waste Services

#### **BACKGROUND**

The EMRC has ongoing requirements for a contractor to assist at the Red Hill Waste Management Facility and Hazelmere Resource Recovery Park for the provision of:

- Minor civil works, including site earthworks, upgrading of internal roads, minor concrete works, construction of siltation ponds, stormwater ponds, stone pitching, repair and maintenance of these works;
- Landfill drainage works – including construction of contour banks, drains, pipework, culverts, flushing of the leachate system, repair and maintenance of these works;
- Site drainage works – including construction of stormwater diversion channels, drains, pipework, culverts, repair and maintenance of these works; and
- Other works that are reasonably within the capabilities of the contractor, including supervision of sub-contractors.



*Item 11.1 continued*

## REPORT

Tender 2015-008 for the Provision of Minor Civil and Drainage Works was advertised in the West Australian newspaper on 2 December 2015 and online at the EMRC Tenderlink website. Tenders closed on 16 December 2015 and submissions were received from:

- a) Allwest Plant Hire Australia Pty Ltd;
- b) CCS Rentals Pty Ltd;
- c) Densford Pty Ltd;
- d) Erebus Contracting Pty Ltd;
- e) Gilmour Global Pty Ltd;
- f) HAS Earthmoving;
- g) Hinds Transport Services Pty Ltd TA Hinds Sand Supplies;
- h) Industrial Roadpavers WA Pty Ltd;
- i) Jaycourt Nominees Pty Ltd TA Barfield Earthmoving;
- j) Mining Drilling Services Pty Ltd; and
- k) The Trustee for the Dowsing Family Trust.

An evaluation panel of EMRC officers assessed the submissions on the following criteria:

Assessment Criteria	Weighting
(a) Demonstrated experience in completing similar projects	30%
(b) Availability of Resources	20%
(c) Safety Management Plan	10%
(d) Environmental Management Plan	10%
(e) Tendered price	30%

The weightings adopted reflect the significant importance of contractors needing to understand how to work in a rocky and clay rich environment as encountered at Red Hill, as well as the sandy environment encountered at Hazelmere.

Densford Pty Ltd scored the highest for the four qualitative criteria (a, b, c and d) due to their ability to demonstrate substantial experience in providing quality civil and drainage works throughout the metropolitan area. This was further evidenced by the availability of resources to do such works and their understanding of safety management and environmental management.

The tendered price was evaluated by developing three likely scenarios for work at Red Hill Waste Management Facility over the initial three year contract term and the schedule of rates provided by each tenderer.



*Item 11.1 continued*

The result of the evaluation of the criteria was that Densford Pty Ltd present the best value for money tender and is the recommended tenderer.

**STRATEGIC/POLICY IMPLICATIONS**

Key Result Area 1 – Environmental Sustainability

- 1.1 To provide sustainable waste disposal operations

**FINANCIAL IMPLICATIONS**

The provision of minor civil and drainage works has been included in the approved 2015/2016 Budget. The estimated value of the contract is \$600,000 over a three year period plus \$200,000 per year for the subsequent two years if the contract extensions are granted.

**SUSTAINABILITY IMPLICATIONS**

The minor civil and drainage works carried out by the contractor enables the EMRC to maintain a high level of environmental performance at the Red Hill Waste Management Facility and the Hazelmere Resource Recovery Park. Using a contractor for these works enables the EMRC to have access to a range of plant and specialist skills for limited periods of time during the year, making the provision of the service more cost effective than if the EMRC supplied it internally.

**MEMBER COUNCIL IMPLICATIONS**

<b>Member Council</b>	<b>Implication Details</b>
Town of Bassendean	} Nil
City of Bayswater	
City of Belmont	
Shire of Kalamunda	
Shire of Mundaring	
City of Swan	

ATTACHMENT(S)

Tendered Schedule of Rates, Densford Pty Ltd (Ref: D2016/00991)

VOTING REQUIREMENT

Simple Majority



*Item 11.1 continued*

## **RECOMMENDATION(S)**

That:

1. Council award Tender 2015-008 to Densford Pty Ltd at the listed rates forming the Attachment to this report for a three (3) year period from 1 March 2016 to 28 February 2019 with an option for two (2) single year extensions at the discretion of the EMRC.
2. Council authorise the CEO to enter into a contract, on behalf of the EMRC, with Densford Pty Ltd in accordance with their submitted tender, subject to any minor variations that may be agreed on between the CEO and Densford Pty Ltd.
3. Council authorise the CEO to exercise the option to extend the contract for two (2) single year extensions following the initial three (3) year period, subject to satisfactory performance.
4. The contract rates for Tender 2015-008 are to be adjusted annually at each anniversary of the contract based on the consumer price index for Perth over the previous twelve months.

### Discussion ensued

Mr Blair entered the meeting at 4:04pm.

The Director Waste Services and Project Engineer Waste Services provided a brief overview of the evaluation process and the result.

## **TAC RECOMMENDATION(S)**

MOVED MR LUTEY


SECONDED MR BLAIR

That:

1. Council award Tender 2015-008 to Densford Pty Ltd at the listed rates forming the Attachment to this report for a three (3) year period from 1 March 2016 to 28 February 2019 with an option for two (2) single year extensions at the discretion of the EMRC.
2. Council authorise the CEO to enter into a contract, on behalf of the EMRC, with Densford Pty Ltd in accordance with their submitted tender, subject to any minor variations that may be agreed on between the CEO and Densford Pty Ltd.
3. Council authorise the CEO to exercise the option to extend the contract for two (2) single year extensions following the initial three (3) year period, subject to satisfactory performance.
4. The contract rates for Tender 2015-008 are to be adjusted annually at each anniversary of the contract based on the consumer price index for Perth over the previous twelve months.

**CARRIED UNANIMOUSLY**



 <b>RFT 2015-008 - Minor Civil &amp; Drainage Works (Red Hill &amp; Hazelmere)</b> <b>PRICE SCHEDULE</b> <b>DENSFORD CIVIL - PLANT / EQUIPMENT WET HIRE</b>									
The contract/unit price/s includes all labour, plant and equipment, attendants, driver/operator's wages, taxes (excluding GST), charges, fees, import duties, overheads, profit and all other things necessary to perform the Works in an efficient and safe manner, including but not limited to spare parts, repairs and insurance. The contract/unit price/s shall not be subject to any rise and fall or fluctuation in exchange rates whatsoever.									
Item No.	Plant Required	Make	Model	Year of Manufacture	No. of Machines in Fleet	Mob/Demob (Ex GST) (paid once per job only)	Wet Hire Price per Hour (Ex GST)		
1	Grader 140H	Caterpillar	140G	1983	3	\$ 580.00	\$ 185.00		
2	Dozer	Caterpillar	D8	2010	2	\$ 1,000.00	\$ 410.00		
3	Loader Wheeled ERG WA320	Case	721C	2002	10	\$ 580.00	\$ 160.00		
4	Water Cart 14000L (inside working hours)	Mack			6	\$ 450.00	\$ 130.00		
5	Water Cart 14000L (outside working hours)	Mack			6	\$ 480.00	\$ 180.00		
8	Excavator 5t	Hyundai	35Z-7	2010	2	\$ 450.00	\$ 125.00		
6	Excavator 15t	Case	CX145C	2013	3	\$ 180.00	\$ 150.00		
7	Excavator 20t	Volvo	EC240BLC	2005	2	\$ 550.00	\$ 159.00		
9	Excavator 48t	Volvo	EC480DL	2012	2	\$ 580.00	\$ 180.00		
10	Compactor Plate 600mm	Wacker Neuson		2005	6	\$ 100.00	\$ 30.00		
11	Truck (rigid vehicle ~ 10m3)	Mack		2011	3	\$ 480.00	\$ 110.00		
12	Truck (articulating vehicle ~ 18m3)	Mack		2011	6	\$ 480.00	\$ 125.00		
13	Truck (rigid with Hiab)	Mack		2011	2	\$ 480.00	\$ 110.00		
14	Roller Multi	Wirtgen			3	\$ 480.00	\$ 110.00		
15	Roller Smooth 13t or greater mass	Wirtgen			4	\$ 480.00	\$ 110.00		
16	Roller 13t or less mass	Wirtgen			4	\$ 480.00	\$ 100.00		
17	Bobcat / Skid Steer Loader	Case	44XT	2010	4	\$ 480.00	\$ 110.00		
18	Street Sweeper				2	\$ 480.00	\$ 195.00		
19	Scraper 639	Case	633	2007	2	\$ 1,000.00	\$ 400.00		
20	Dump Truck 40t	Volvo	A40D	2008	4	\$ 580.00	\$ 160.00		



RFT 2015-008 - Minor Civil & Drainage Works (Red Hill & Hazelmere)

SCHEDULE OF RATES

DENSFORD CIVIL - SUPERVISION / LABOUR

The contract/unit price/s includes all labour, plant and equipment, attendants, driver/operator's wages, taxes (excluding GST), charges, fees, import duties, overheads, profit and all other things necessary to perform the Works in an efficient and safe manner, including but not limited to spare parts, repairs and insurance. The contract/unit price/s shall not be subject to any rise and fall or fluctuation in exchange rates whatsoever.

Item No	Position	Rate Per Hour (A\$ excl GST)	GST Amount	Rate Per Hour (A\$ incl GST)
1	Supervisor	\$ 90.00	\$ 9.00	\$ 99.00
2	Plant Operator	\$ 60.00	\$ 6.00	\$ 66.00
3	Labourer - skilled	\$ 60.00	\$ 6.00	\$ 66.00
4	Survey Crew	\$ 130.00	\$ 13.00	\$ 143.00
5	Project Manager	\$ 130.00	\$ 13.00	\$ 143.00
6	Project Engineer	\$ 90.00	\$ 9.00	\$ 99.00



## 11.2 AMENDMENT TO FEES AND CHARGES

REFERENCE: D2016/00933

### PURPOSE OF REPORT

The purpose of this report is to advise Council of proposed amendments to the 2015/2016 Waste Management Schedule of Fees and Charges for the disposal of mattresses at Hazelmere Resource Recovery Park.

### KEY ISSUES AND RECOMMENDATION(S)

- To make it more attractive for member Councils and charitable organisations to dispose of mattresses at Hazelmere Resource Recovery Park, it is proposed to reduce the charge per mattress.

#### Recommendation(s)

That:

1. Council by absolute majority, in accordance with section 6.16 of the *Local Government Act 1995*, adopts the amended fees and charges for mattresses disposed at Hazelmere Resource Recovery Park for 2015/2016 as contained within the report.
2. The amended fees and charges for mattresses disposed at Hazelmere Resource Recovery Park take effect from 1 March 2016.

### SOURCE OF REPORT

Director Waste Services

### BACKGROUND

The fees and charges for 2015/2016 were set as part of the budget process in June 2015.

In June 2015 (Ref: D2015/09463), Council resolved inter alia that:

*“COUNCIL, BY ABSOLUTE MAJORITY, IN ACCORDANCE WITH SECTION 6.2(1) OF THE LOCAL GOVERNMENT ACT 1995 AND LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996, ADOPTS THE EMRC 2015/2016 ANNUAL BUDGET AND SUPPORTING SCHEDULES WHICH HAVE BEEN PREPARED IN COMPLIANCE WITH THE AUSTRALIAN ACCOUNTING STANDARDS.”*

### REPORT

The fees and charges for mattresses were increased in May 2014 to cover the increased cost of processing mattresses including higher landfill disposal costs for non-recyclable mattress material and because at that time and up until early 2015, processing of mattresses at Hazelmere Resource Recovery Park had been a manual operation with the recovery of the foam rubber and the spring steel. In February 2015 the EMRC commissioned a Hammel shredder to process mattresses because the manual stripping operation had become unprofitable with returns for recovered materials minimal and strong competition from lower cost private operators.

Mechanical processing using the Hammel shredder has reduced unit costs per mattress and although recovered spring steel is now being recycled to metals recyclers there is no revenue return because of the current scrap metal market conditions.



*Item 11.2 continued*

Following a request from the City of Swan, it is proposed to reduce the fees and charges for mattresses disposed at Hazelmere Resource Recovery Park for member Council residents and charitable organisations as shown in the table below. The amended fees and charges will encourage disposals of mattresses at Hazelmere and assist with the acquittal of the Waste Authority grant of \$100,000 against volume milestones. Indications are that this price reduction has the potential to increase mattress disposal volumes.

The proposed fees and charges for mattresses are as follows:

Waste Type	Unit	Current 2015/2016 Charge ex GST	GST	Current 2015/2016 Charges inc GST	Proposed 2015/2016 Charge ex GST	GST	Proposed Charges inc GST
Mattress disposal fee (Member Council residents)	Each	\$16.36	\$1.64	\$18.00	\$15.00	\$1.50	\$16.50
Mattress disposal fee (Charitable Organisations)	Each	\$16.36	\$1.64	\$18.00	\$15.00	\$1.50	\$16.50

**STRATEGIC/POLICY IMPLICATIONS**

Key Result Area 1 – Environmental Sustainability

1.1 To provide sustainable waste disposal operations

**FINANCIAL IMPLICATIONS**

There is an expectation that the reduction in mattress fees and charges will lead to a greater volume being received from member Councils and an increase in revenues.

**SUSTAINABILITY IMPLICATIONS**

Fees and Charges are set to ensure services offered are sustainable in the long term.

**MEMBER COUNCIL IMPLICATIONS**

Member Council	Implication Details
Town of Bassendean City of Bayswater City of Belmont Shire of Kalamunda Shire of Mundaring City of Swan	The amended fees and charges for mattress disposal represents a cost reduction to member Councils



*Item 11.2 continued*

ATTACHMENT(S)

Nil

VOTING REQUIREMENT

Absolute Majority

**RECOMMENDATION(S)**

That:

1. Council by absolute majority, in accordance with section 6.16 of the *Local Government Act 1995*, adopts the amended fees and charges for mattresses disposed at Hazelmere Resource Recovery Park for 2015/2016 as contained within the report.
2. The amended fees and charges for mattresses disposed at Hazelmere Resource Recovery Park take effect from 1 March 2016.

**TAC RECOMMENDATION(S)**

MOVED MR COTEN

SECONDED MR LUTEY

That:

1. Council by absolute majority, in accordance with section 6.16 of the *Local Government Act 1995*, adopts the amended fees and charges for mattresses disposed at Hazelmere Resource Recovery Park for 2015/2016 as contained within the report.
2. The amended fees and charges for mattresses disposed at Hazelmere Resource Recovery Park take effect from 1 March 2016.

**CARRIED UNANIMOUSLY**



### **11.3 CONSERVATION COVENANT ON LOT 501 AND LOT 82 RED HILL WASTE MANAGEMENT FACILITY**

**REFERENCE: D2016/00936**

#### **PURPOSE OF REPORT**

The purpose of this report is to seek Council approval to enter into a conservation covenant for Lots 501 and 82 which form part of the land holdings at Red Hill Waste Management Facility.

#### **KEY ISSUES AND RECOMMENDATION(S)**

- The EMRC has been seeking approval for a clearing permit for 13.9 ha of remnant vegetation on Lot 12 at Red Hill Waste Management Facility in order to facilitate the development of landfill cells.
- As the clearing involves removing vegetation which is also feeding and potential breeding habitat for threatened species of cockatoos, approvals were required under both the Federal Government Environmental Protection and Biodiversity Conservation Act 1999 (EPBC), administered by the Department of the Environment (DoTE) and the Environmental Protection Act 1986, administered by the Department of Environment Regulation (DER).
- The assessment process involved several stages of flora and fauna studies to determine an appropriate offset for the proposed clearing.
- It was determined that 52.5 ha of offset would satisfy EPBC offset calculations and this could be met through Lots 501 and 82 which are in the southern landfill buffer zone on the EMRC's land holding.
- The clearing permit has been issued with conditions, one of which is the requirement to place a conservation covenant over Lots 501 and 82.
- The DoTE assessment is complete and is expected to mirror the DER assessment under the bilateral assessment process.
- The conservation covenant will retain and protect 52.5 hectares of native vegetation in perpetuity at Red Hill Waste Management Facility.

#### **Recommendation(s)**

That Council:

1. Approve a Conservation Covenant being placed on Lot 501 on Deposited Plan 40105 and Lot 82 on Diagram 18309 as a condition of Clearing Permit 5743/2 issued by the Department of Environment Regulation for Lot 12, Red Hill Waste Management Facility.
2. Authorise the Chief Executive Officer to execute the Conservation Covenant on behalf of the EMRC.

#### **SOURCE OF REPORT**

Director Waste Services

#### **BACKGROUND**

The EMRC has been progressing federal and state approvals concurrently for the clearing of 13.9 ha of remnant native vegetation across Lot 12 at Red Hill Waste Management Facility to make way for Farm Stages 3-5 landfill cell development (Attachment 1).



*Item 11.3 continued*

The vegetation to be cleared constitutes feeding habitat and potential breeding habitat of several fauna species of State and Commonwealth significance. These species include the Carnaby's Cockatoo, Baudin's Cockatoo and the Forest Red-Tail Cockatoo. For this reason, approvals to clear are required under the Environmental Protection Act 1985, administered by DER and the Environmental Protection and Biodiversity Conservation (EPBC) Act, 1999 administered by DoTE.

Following the requirements of each assessment process, several detailed fauna and flora surveys were undertaken over different seasonal periods, with particular focus on the black cockatoo's potential breeding and foraging habitat, to assist in determining appropriate offsets within Red Hill's buffer zone. It was determined that 52.5 ha of offset would satisfy EPBC offset calculations and this could be met through Lots 501 and 82.

The federal approval process is nearing completion with final decision documents being drafted for the Federal Minister of the Environment, whilst DER have issued state regulatory approval through clearing permit CPS 5743/2. Several conditions have been attached to clearing permit CPS 5743/2, one of which requires a conservation covenant to be placed over Lots 501 and 82 prior to the commencement of clearing.

A conservation covenant is an irrevocable instrument that is registered as a Memorial over the Certificate of Land Title and is issued under the Soil and Land Conservation Act, 1945 by the Soil and Land Conservation Commissioner. The EMRC lodged an application for a conservation covenant over Lots 501 and 82 in December 2015.

## **REPORT**

The EMRC has established two landfill cells on Lot 12, Red Hill Waste Management Facility, namely Farm Stages 1 and 2. To develop Farm Stages 3 to 5 in accordance with the Red Hill Development Plan requires the clearing of 13.9 ha of remnant vegetation.

The EMRC commenced the approval process in 2013 by applying to the DER for a clearing permit for Lot 12 at Red Hill Waste Management Facility. This approval required an environmental offset for the loss of the 13.9 ha of native vegetation which can be met by utilising Lots 501 and 82 which are part of the Red Hill site and contain native vegetation in good condition.

Lot 501 also has an existing restrictive covenant which was placed on the title in June 2004 by Margaret Chambers and the Shire of Mundaring such that "the subject land shall be put to no use other than as a buffer to the Red Hill Waste Disposal Facility and no further development shall occur on the site until the subject land is provided with constructed dedicated road frontage". Even if this condition is met and the restrictive covenant is removed from the title, this lot and Lot 82 remain part of the landfill buffer zone under DER guidelines for separation distances between class II/III landfills and sensitive land uses and will now be permanently protected under the conservation covenant.

In November 2015, the DER issued a Clearing Permit, a condition of which is the requirement to place a conservation covenant over Lots 501 and 82, including the submission of a weed management plan by 31 January 2016 for the two lots. The weed management plan was prepared and submitted to DER in December 2015.

The Federal Government's Department of Environment assessment is almost completed and is expected to mirror the DER assessment under the bilateral assessment process.

The conservation covenant will retain and protect 52.5 hectares of native vegetation in perpetuity at Red Hill Waste Management Facility, details of which are shown in Attachment 2.

Council approval is sought as the conservation covenant will remain in force forever and would transfer to new owners at some stage in the future when the site is closed.



*Item 11.3 continued*

## **STRATEGIC/POLICY IMPLICATIONS**

Key Result Area 1 – Environmental Sustainability

- 1.1 To provide sustainable waste disposal operations

## **FINANCIAL IMPLICATIONS**

There will be a need to manage weed control on Lots 501 and 82 and otherwise protect the land from environmental damage. This will be managed within the operating budgeted for Red Hill.

## **SUSTAINABILITY IMPLICATIONS**

The loss of remnant vegetation on Lot 12 at Red Hill Waste Management Facility is protected forever by a conservation covenant placed on Lots 501 and 82.

## **MEMBER COUNCIL IMPLICATIONS**

<b>Member Council</b>	<b>Implication Details</b>
Town of Bassendean	} Nil
City of Bayswater	
City of Belmont	
Shire of Kalamunda	
Shire of Mundaring	
City of Swan	

## **ATTACHMENT(S)**

1. Plan view of Red Hill Waste Management Facility with proposed Lot 12 development (Ref: D2016/00992)
2. Conservation Covenant for Lot 501 and Lot 82 (Ref: D2016/00997)

## **VOTING REQUIREMENT**

Simple Majority

## **RECOMMENDATION(S)**

That Council:

1. Approve a Conservation Covenant being placed on Lot 501 on Deposited Plan 40105 and Lot 82 on Diagram 18309 as a condition of Clearing Permit 5743/2 issued by the Department of Environment Regulation for Lot 12, Red Hill Waste Management Facility.
2. Authorise the Chief Executive Officer to execute the Conservation Covenant on behalf of the EMRC.





*Item 11.3 continued*

**TAC RECOMMENDATION(S)**

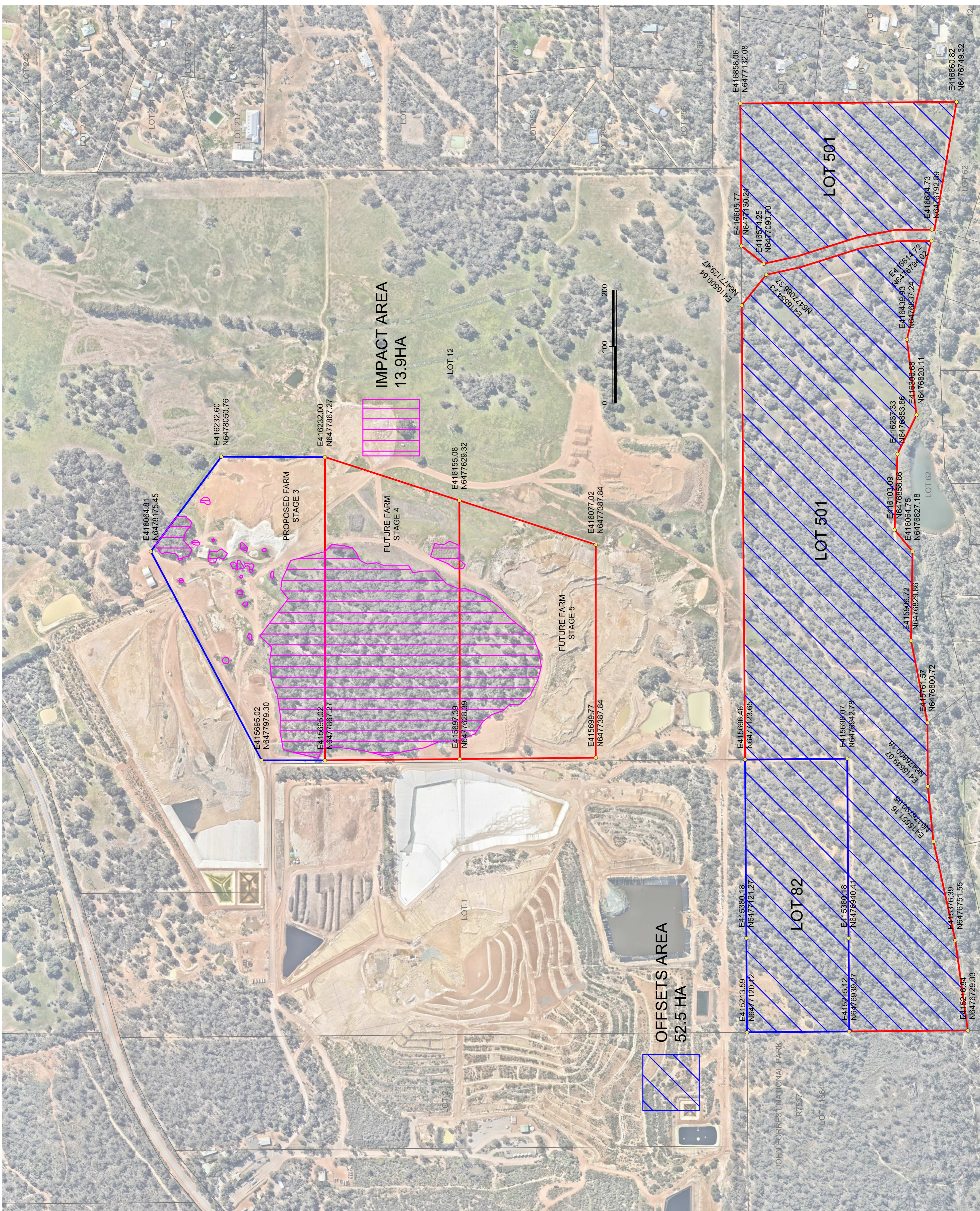
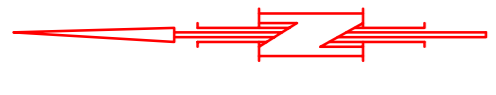
MOVED MR PURDY

SECONDED MR COTEN

That Council:

1. Approve a Conservation Covenant being placed on Lot 501 on Deposited Plan 40105 and Lot 82 on Diagram 18309 as a condition of Clearing Permit 5743/2 issued by the Department of Environment Regulation for Lot 12, Red Hill Waste Management Facility.
2. Authorise the Chief Executive Officer to execute the Conservation Covenant on behalf of the EMRC.

**CARRIED UNANIMOUSLY**



**NOT FOR CONSTRUCTION**  
 WORKING DRAWINGS SHOULD NOT BE OFFICIALLY  
 USED WITHOUT ENGINEERING & WASTE  
 MANAGEMENT BUSINESS UNIT AUTHORISATION  
 © EMRC FEBRUARY 2015

NO.	INT.	DATE	REVISION
B	SF	28/01/2016	RE-ISSUED AS AN ATTACHMENT FOR TAC REPORT
A	GA	08/12/2015	ISSUED FOR APPROVAL

DESIGNED	GA 12/2015
DRAWN	AS 12/2015
CHECKED	SF 01/2016
APPROVED	
— DIRECTOR, WASTE SERVICES —	

**NTS**  
 COORDINATE SYSTEM  
 GDA MGA 94  
 ALL LEVELS IN AHD

**ADDRESS**  
 1094 TOODYAY ROAD  
 RED HILL  
 COORDINATES AT ADDRESS MAIN ENTRY GATE  
 EASTING: 414819.50  
 NORTHING: 6477981.65

**RED HILL WASTE  
 MANAGEMENT FACILITY**  
 OFFSET PROPOSAL PLAN  
 OFFSET AREAS STAGE 3, 4 & 5

**EMRC**  
 Eastern Metropolitan Regional Council  
 1st Floor Ascot Place, 228 Great Eastern Hwy  
 Belmont, Western Australia 6104  
 PO Box 234 Belmont Western Australia 6984

DRAWING NO. 2015-02-FS3-05  
 AMENDMENT B  
 A1

**CONSERVATION COVENANT**  
SOIL AND LAND CONSERVATION ACT  
SECTION 30B

File:

The registered proprietor, **EASTERN METROPOLITAN REGIONAL COUNCIL**, of the land described as *Lot 501 on Plan 40105, Certificate of Title Volume 2227 Folio 692* and *Lot 82 on Diagram 18309, Certificate of Title Volume 1131 Folio 63*, recognises the value of sound land management practices and the value of protecting areas within the land described on this plan.

The registered proprietor of the land agrees that an irrevocable instrument known as a Conservation Covenant be entered into in respect of that area of land contained within *Certificate of Title Volume 2227 Folio 692 and Certificate of Title 1131 Folio 63* and for the purpose of setting aside land for the protection and management of vegetation under Section 30B of the *Soil and Land Conservation Act 1945*. Accordingly:

We: **EASTERN METROPOLITAN REGIONAL COUNCIL**  
(Proprietor of the Land)

Of: **226 Great Eastern Highway**  
**BELMONT WA**  
(Normal Postal Address)

Covenant to retain and protect 52.5 hectares of native vegetation in perpetuity, as shown on this plan as an area cross hatched orange contained within *Certificate of Title Volume 2227 Folio 692 and Certificate of Title 1131 Folio 63* in accordance with the following conditions:

The area of land described above is to be adequately fenced to exclude all classes of livestock and be managed in such a way as to retain and promote the growth of native vegetation.

Subject to sections 30B and 30C of the *Soil and Land Conservation Act 1945*, this Conservation Covenant is to have effect in perpetuity.

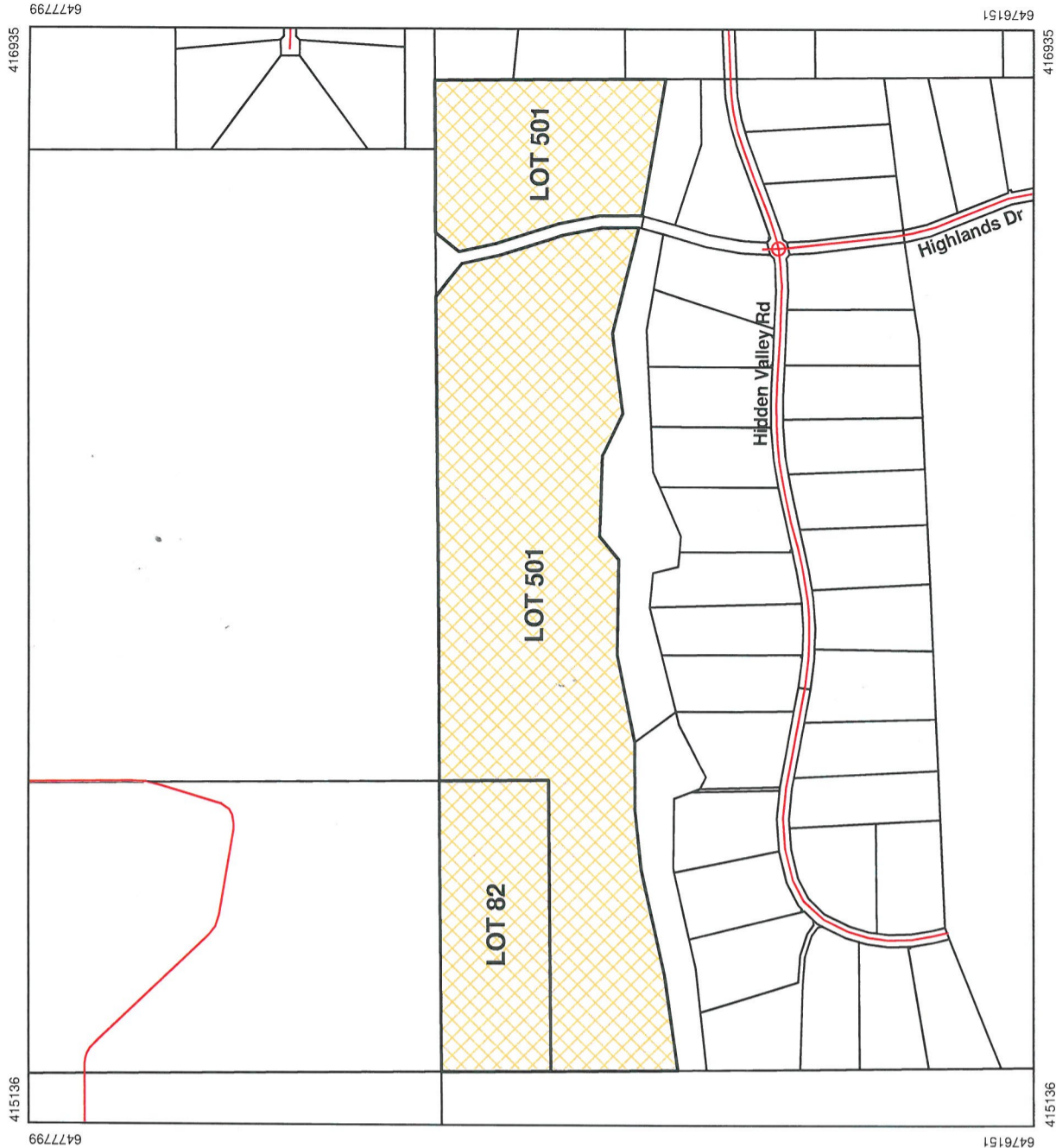
A Conservation Covenant registered on Certificate of Title by Memorial binds each person successively becoming an owner or occupier of the land.

Subject to any necessary approvals from relevant authorities, and in accordance with any written law, clearing is permitted within the areas described above for building envelope, boundary fence lines and firebreaks.

**REGISTERED PROPRIETOR:**

..... DATE : ...../...../ 2015  
(print name) (signature)

Andrew Watson ..... DATE : ...../...../ 2015.  
COMMISSIONER OF SOIL AND LAND CONSERVATION



**Legend**

— WATERWAYS

— ROADS

▭ CADASTRAL PARCEL BOUNDARY

▨ AREA TO BE RETAINED AND PROTECTED AS NATIVE VEGETATION 52.5 ha

NOTE: 1. ALL MEASUREMENTS AND AREAS ARE ONLY APPROXIMATE AND SUBJECT TO ON-SITE ASSESSMENT BY A LAND CONSERVATION OFFICER FROM DEPARTMENT OF AGRICULTURE AND FOOD WESTERN AUSTRALIA.  
2. LANDGATE CADASTRAL PARCELS SUPPLIED MARCH 2015  
3. AERIAL PHOTOGRAPHY EXTRACTED FROM ORTHOPHOTO - MOSAIC NETRO CENTRAL FEBRUARY 2015  
4. PROJECTION - MAP GRID OF AUSTRALIA 1994; ZONE - 50 DATUM - GEOCENTRIC DATUM OF AUSTRALIA 1994

DRAWN BY: G.SEREDENCO DATE: 16/12/2015

CHECKED BY: DATE:



#### **11.4 ITEMS CONTAINED IN THE INFORMATION BULLETIN**

**REFERENCE: Ref: D2016/00253**

The following items are included in the Information Bulletin, which accompanies the Agenda.

#### **1. WASTE SERVICES**

1.1 COUNCIL TONNAGE COMPARISONS AS AT 31 DECEMBER 2015 (Ref: D2016/00254)

#### **RECOMMENDATION**

That the Technical Advisory Committee notes the items contained in the Information Bulletin.

#### Discussion ensued

Mr Purdy queried whether the decrease in tonnages were impacting the budget. The CEO stated that the EMRC are undertaking the half year budget review and reviewing new strategies.

#### **TAC RESOLUTION(S)**

MOVED MR COTEN

SECONDED MR PURDY

THAT THE TECHNICAL ADVISORY COMMITTEE NOTES THE ITEMS CONTAINED IN THE INFORMATION BULLETIN.

**CARRIED UNANIMOUSLY**

#### **REPORTS OF DELEGATES**

12  
Nil

13 **NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE CHAIRMAN OR PRESIDING MEMBER OR BY DECISION OF MEETING**

Nil

14 **CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC**

Nil



## 15 FUTURE MEETINGS OF THE TECHNICAL ADVISORY COMMITTEE

The next meeting of the Technical Advisory Committee will be held on **Thursday, 10 March 2016 (if required)** at the EMRC Administration Office, 1<sup>st</sup> Floor, Ascot Place, 226 Great Eastern Highway, Belmont WA 6104 commencing at 4:00pm.

### Future Meetings 2016

Thursday	10	March (if required)	at	EMRC Administration Office
Thursday	7	April (if required)	at	EMRC Administration Office
Thursday	5	May (if required)	at	EMRC Administration Office
Thursday	9	June (if required)	at	EMRC Administration Office
Thursday	7	July (if required)	at	EMRC Administration Office
Thursday	4	August (if required)	at	EMRC Administration Office
Thursday	8	September (if required)	at	EMRC Administration Office
Thursday	6	October (if required)	at	EMRC Administration Office
Thursday	17	November (if required)	at	Red Hill Waste Management Facility

## 16 DECLARATION OF CLOSURE OF MEETING

There being no further business, the Chairman declared the meeting closed at 4:29pm.