



Regional Joint Development Assessment Panel Agenda

Meeting Date and Time: Tuesday, 12 September 2023; 9.30am
Meeting Number: RJDAP/114
Meeting Venue: Electronic Means

To connect to the meeting via your computer -
<https://us06web.zoom.us/j/82528434320>

To connect to the meeting via teleconference dial the following phone number -
+61 8 7150 1149 Australia
Insert Meeting ID followed by the hash (#) key when prompted - **825 2843 4320**

This DAP meeting will be conducted by electronic means (Zoom) open to the public rather than requiring attendance in person.

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Attendance

DAP Members

Tony Arias (Presiding Member)
Sheryl Chaffer (A/Deputy Presiding Member)
Cr Frank Johnson (Local Government Member, Shire of Gingin)
Cr Linda Balcombe (Local Government Member, Shire of Gingin)

Officers in attendance

James Bayliss (Shire of Gingin)
Sam Smith (Shire of Gingin)

Minute Secretary

Tenielle Brownfield (DAP Secretariat)

Applicants and Submitters

Oliver Basson (Planning Solutions)
Hilton Rich-Bowles (Lion Mushrooms)
Tony Doan (Lion Mushroom)
Paul Ghantous (Urbii)
Dr Peter Forster (JBS&G)
Kate Lane
Lindsie Leahy
Jeff and Kerry Murray
Chris Tenni

Members of the Public / Media

Nil.

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declares the meeting open and acknowledges the traditional owners and pay respects to Elders past and present of the land on which the meeting is being held.

This meeting is being conducted by electronic means (Zoom) open to the public. Members are reminded to announce their name and title prior to speaking.

2. Apologies

Kanella Hope (Deputy Presiding Member)
Justin Page (Third Specialist Member)

3. Members on Leave of Absence

Nil.

4. Noting of Minutes

Signed minutes of previous meetings are available on the [DAP website](#).



5. Declarations of Due Consideration

Any member who is not familiar with the substance of any report or other information provided for consideration at the DAP meeting must declare that fact before the meeting considers the matter.

6. Disclosure of Interests

Member	Item	Nature of Interest
Tony Arias	8.1	Impartiality Interest – Mr Arias has previously consulted on a project where EAQ (John Hurley) was a consultant.
Justin Page	8.1	Impartiality Interest – Mr Page's employer (Element) has recently been appointed by the Shire of Gingin and therefore his attendance on the panel would be perceived as a conflict of interest.

7. Deputations and Presentations

- 7.1 Kate Lane presenting against the recommendation for the application at Item 8.1. The presentation will address the incompatibility with the current LPS9.
- 7.2 Lindsie Leahy presenting against the recommendation for the application at Item 8.1. The presentation will address community concerns.
- 7.3 Jeff and Kerry Murray presenting against the recommendation for the application at Item 8.1. The presentation will address against the application.
- 7.4 Chris Tenni presenting against the recommendation for the application at Item 8.1. The presentation will address against the application.
- 7.5 Dr Peter Forster (JBS&G) presenting in support of the recommendation for the application at Item 8.1. The presentation will address the merits of the proposal from the regulatory, odour, dust, and environmental amenity perspective. PowerPoint slides to follow.
- 7.6 Oliver Basson (Planning Solutions) presenting in support of the recommendation for the application at Item 8.1. The presentation will address the merits of the proposal from a land use suitability and planning perspective, requesting approval in accordance with the RAR recommendation.

The Shire of Gingin may be provided with the opportunity to respond to questions of the panel, as invited by the Presiding Member.



8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 Lot 800 & 801 Military Road, Muckenburra

Development Description: Proposed Composting Facility
Applicant: Planning Solutions
Owner: Thi Chinh Duong, Van Phy Doan & Van Tiep Doan
Responsible Authority: Shire of Gingin
DAP File No: DAP/23/02467

9. Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval

Nil.

10. State Administrative Tribunal Applications and Supreme Court Appeals

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DP/14/00039 DR 65/2020	Shire of York	Lots 4869 (2256), 5931, 9926 (2948) and 26934 Great Southern Highway, St Ronans	Construction and Use of Allawuna Farm for the purposes of a Class II Landfill	28 July 2020
DAP/21/02063 DR241/2021	Shire of Dardanup	Lot 2 Banksia Road, Crooked Brook	Cleanaway Dardanup Landfill Facility	5 November 2021
DAP/22/02256 PA80/2022	Shire of Capel	79 (Lot 100) Bussell Highway, Gelorup	Proposed Service Station and Motor Vehicle Wash	30 May 2023

11. General Business

In accordance with Section 7.3 of the DAP Standing Orders 2020 only the Presiding Member may publicly comment on the operations or determinations of a DAP and other DAP members should not be approached to make comment.

12. Meeting Closure



Presentation Request Form

[Regulation 40\(3\)](#) and [DAP Standing Orders 2020](#) cl. 3.5

Must be submitted at least 72 hours (3 ordinary days) before the meeting

Presentation Request Guidelines

Persons interested in presenting to a DAP must first consider whether their concern has been adequately addressed in the responsible authority report or other submissions. Your request will be determined by the Presiding Member based on individual merit and likely contribution to assist the DAP's consideration and determination of the application.

Presentations are not to exceed **5 minutes**. It is important to note that the presentation content will be **published on the DAP website** as part of the meeting agenda.

Please complete a separate form for each presenter and submit to daps@dplh.wa.gov.au

Presenter Details

Name	Kate Lane
Company (if applicable)	Click or tap here to enter text.
Please identify if you have any special requirements:	YES ☐ NO ☐ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Meeting Details

DAP Name	OCP157113 - Proposed Composting Facility on Lot 800 and 801 Military Road, Mucklenburra - DAP/23/02467
Meeting Date	12th September 2023
DAP Application Number	DAP/23/02467
Property Location	Lot 800 & 801 Military Road, Mucklenburra
Agenda Item Number	Click or tap here to enter text.

Presentation Details

I have read the contents of the report contained in the Agenda and note that my presentation content will be published as part of the Agenda:	YES yes ☐
Is the presentation in support of or against the <u>report recommendation</u> ? (<i>contained within the Agenda</i>)	☐ AGAINST
Is the presentation in support of or against the <u>proposed development</u> ?	AGAINST ☐



Will the presentation require power-point facilities?	YES ☐ NO ☐ If yes, please attach
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Presentation Content*

These details may be circulated to the local government and applicant if deemed necessary by the Presiding Member. Handouts or power points will not be accepted on the day.

Brief sentence summary for inclusion on the Agenda	<i>The incompatibility with the current LPS9</i>
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In accordance with Clause 3.5.2 of the [DAP Standing Orders](#), your presentation request must also be accompanied with a written document detailing the content of your presentation.

*Please attach detailed content of presentation or provide below:
by limiting the introduction of sensitive land uses in the General Rural zone.*

Kate Lane, Chitna Road, Neergabby

At the last meeting, Lion Mushrooms were criticised for not "engaging with the community" - this community remains very unhappy that neither Lion Mushrooms, nor the panel, (despite our invitations) came to actually view the greater area to gain real knowledge of the points raised.

Those members of the public who wished to attend this second meeting are most upset that they have been effectively prevented from proper participation due to the meeting being held via "Zoom" - a method that might be o.k. for casual office matters but is NOT suitable for meetings that are required to be "open to the public" - these should always be "in person".

The local population feels that their submissions are being sidelined and viewed as nothing more than emotional handwringing. Our valid concerns seem to be dismissed as unwarranted, despite the information supplied to you being (in the main) taken from reports and studies of government agencies with the evidence presented being well referenced and pertinent.

I am sure that it is assumed - as a panel of highly qualified planning "experts" - that your capabilities to make decisions that affect the lives of others are guaranteed. But in respect of Muckenburra your knowledge must be severely limited and therefore any decision made in ignorance of the actual facts has to be lacking.

The *SHIRE OF GINGIN – TOWN PLANNING SCHEME NO. 9* states the following:-

The objectives of the General Rural Zone are to:

a) manage land use changes so that the specific local rural character of the zone is maintained or enhanced;

b) encourage and protect broad acre agricultural activities such as grazing and more intensive agricultural activities such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use;

c) maintain and enhance the environmental qualities of the landscape, vegetation, soils and



water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage; and

d) provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the General Rural zone.

Lion Mushrooms proposed development runs in direct conflict to these objectives.

LPS No. 9 states that changes in land use are managed so that the ***specific local rural character of the zone is maintained, or enhanced***. A composting facility demonstrably will **not** do this. The specific local character of Muckenburra is of individual smallholdings and virgin bushland, with no industries - development comprises mostly of individual residences.

Industrial composting does not ***protect broad acre activities, or horticultural activities***. Even as a secondary use there is no direct ***compatibility with either of these primary uses***, there are no mushroom growing facilities here.

An industrial composting facility most definitely does NOT ***maintain, or enhance the environmental qualities of landscape, vegetation, soils and water bodies***, indeed it is a direct threat to the protection of these clearly defined, especially ***sensitive areas*** - the ***natural valley and watercourse systems*** that are specifically singled out in the LPS for protection from damage.

Industrial composting is a "***sensitive land use***" and certainly should not be "***introduced***" into this currently pristine environment where it will negatively affect future land uses.

As professional Planners your obligations do not allow you to ignore **any** of these points - let alone **all** four objectives clearly stated in LPS No.9 - indeed it is your duty to fully uphold and comply with all these clearly stated requirements.

The fundamental basis of this application is fatally flawed - it runs counter to the objectives in the Shire's Local Planning Scheme (LPS9) and therefore - should this panel grant consent it will clearly be overriding the democratically reached decisions made by our Shire.

In addition to this - Lion Mushrooms are setting themselves an impossibly high standard of operation that can never be implemented in practice. On paper it may seem feasible to control and mitigate all factors and cover any obvious scenarios, however - as every person knows - it is inevitable that, one day, a combination of unforeseen events will result in an un-contained spillage of contaminants, or fire will break out.

In this badly chosen location such an incident will be immediately uncontainable - there is no leeway, or buffer for control on site.

When this occurs, none of you will be personally affected.

The people here are the ones who will carry the can - we won't have the option to quietly ignore the consequences should you decide to override our Local Planning Objectives and disregard the obvious high risks.

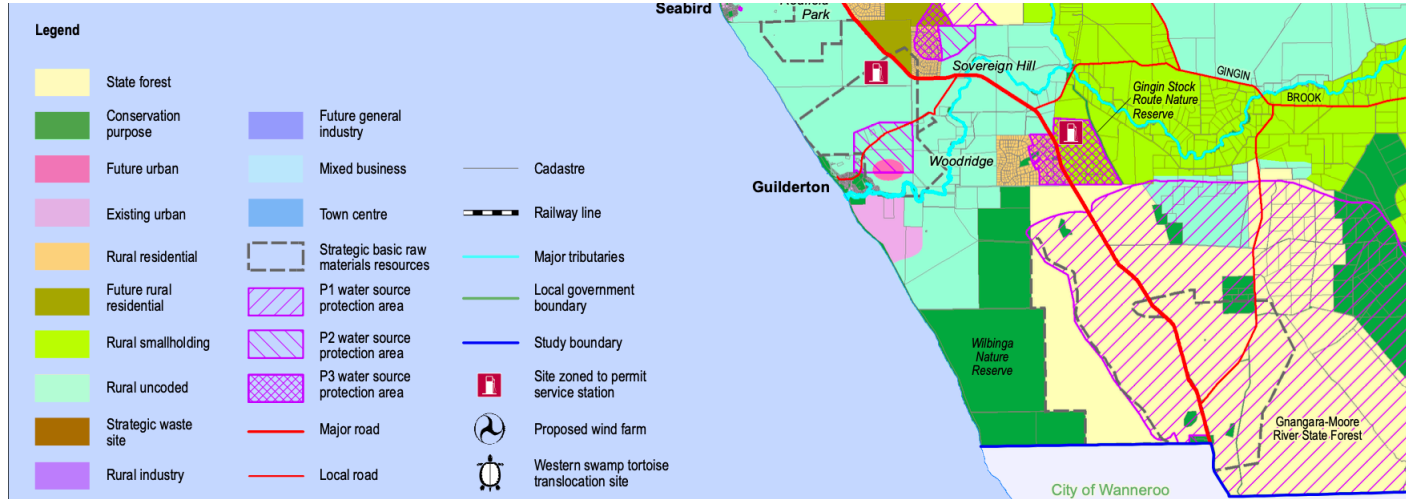
It is our water that won't be fit to use, our homes that will burn, our livestock and wildlife that will suffer and perish.

Last summer, a fire in bushland on Chitna Road, swiftly burnt out over 970 hectares - it was only controlled due to unusually light winds and constant water bombing from multiple aircraft.

One neighbour only just escaped with his life. He lost his sheds and all he possessed - his pigs, trapped and unreachable were burnt alive.



Therefore, with proper regard for due diligence and an understanding of this particular locality, we ask you, please, to refuse this application on the grounds of the severe risks this development holds for the greater area - and its incompatibility with the objectives laid out in Gingin Shire's Local Planning Scheme No.9. Thank you.





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Presenter Details

Name	Lindsie Leahy
Company (if applicable)	Click or tap here to enter text.
Please identify if you have any special requirements:	YES ☐ NO ☒ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Meeting Details

DAP Name	Proposed Composting Facility
Meeting Date	7/09/2023
DAP Application Number	DAP/23/02467
Property Location	800 + 801 Military Road Muckenburra
Agenda Item Number	Click or tap here to enter text.

Presentation Details

I have read the contents of the report contained in the Agenda and note that my presentation content will be published as part of the Agenda:	YES ☒
Is the presentation in support of or against the <u>report recommendation</u> ? (<i>contained within the Agenda</i>)	SUPPORT ☐ AGAINST ☒
Is the presentation in support of or against the <u>proposed development</u> ?	SUPPORT ☐ AGAINST ☒
Will the presentation require power-point facilities?	YES ☐ NO ☒ If yes, please attach



Presentation Content*

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Brief sentence summary for inclusion on the Agenda	<i>The presentation will address:</i> Community concerns
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In accordance with Clause 3.5.2 of the [DAP Standing Orders](#), your presentation request must also be accompanied with a written document detailing the content of your presentation.

Please attach detailed content of presentation or provide below:

“The purpose of State Planning Policy 2.5 – rural planning is to protect and preserve Western Australia’s rural land assets due to importance of their economic, natural resource, food production, environmental and landscape values”

We and the greater local community of Neergabby have ongoing concerns with the proposed compost facility that continued to go unanswered and ignored.

35We feel it would be reckless to allow a compost facility to be developed in a known high risk bushfire zone, negligent to put our waterways and aquifers (arguably the most vital amenity) at risk and extremely short sighted in terms of planning for the longevity of the urban/rural living enjoyed in Neergabby as urbanisation rapidly expands north.

Community Engagement

We would suggest community engagement was non-existent because Lion Mushroom rightly assumed they would be met with valid concerns and discontent from a community who wishes to protect their local amenities which include natural waterways, valuable underground water systems, unique bushland, and a world class research facility to name a few.

Feasibility Study

The underlying aquifers and adjacent waterways are known to be sensitive to biological and chemical contamination.

Typically when waste management facilities are proposed that have a potential to contaminate local water ways and aquifers, an assessment of the risks and mitigations must be completed. That the facility will be privately operated should make no difference to the requirement to demonstrate that environmental risks have been properly assessed by a competent party (independent environmental and planning assessment consultant) and mitigations have likewise been designed with appropriate expertise to achieve containment and treatment of contaminants and nutrients.

We request all relevant parties ensure assessment and mitigation is carried out to the level befitting the value of the environment at risk and demonstrate that they are



comfortable that all prudent measures are taken to sustain the health and safety of our community, our land, and our water.

When the Gingin shire were asked to produce the feasibility study for public review we were told “the responsible authority report presented to RJDAP represents a competent assessment against the applicable planning framework, which considered environmental risks and measure proposed to mitigate those risks”. Having read and re read the environmental report included in the responsible authority report, it is little more than a due diligence document.

We fear appropriate and independent feasibility studies have not been done as they would prove on a risk vs benefit scale allowing this project to advance on the proposed site would be reckless, negligent, short sighted and put our waterways and aquifers at unnecessary risk.

Composting Hub

We raise the commentary surrounding "the composting hub" as it demonstrates previous research and feasibility tests have proven this site to be the most safe and viable location (removed from sensitive water resources) for such industries with millions of dollars invested by both state and federal governments.

To clarify for the RJDAP panel the composting hub north of Gingin includes 6 facilities:

- Geo Organics/Brunnings - green waste
- Fern View Environmental - the earmarked FOGO site, completion and operation delayed due to developer financial hurdles
- both piggeries in the vicinity have composting capabilities/operations
- both feedlots in the vicinity have composting capabilities/operations

Access Road

By utilizing the driveway to the proposed property, you are reconfiguring the T junction into a 4-way cross intersection and as such the Chitna/Military intersection must be taken into account.

- Chitna Road and Military Road currently form a T intersection
- In it's current state the intersection isn't particularly safe
- It is within a 90km/hr zone, which has poor compliance
- It has poor visibility related to the positioning of the intersection, the degree at which the roads bisect and accompanying topography
- It is affected by fog, the position of the sun especially bad for the majority of the year.
- A semi or B double will need to cross over into the incoming lane to effect entry to the proposed property, a section of road governed by a double white line
- It forms part of numerous school bus routes
- It is utilized by many inexperienced and foreign drivers accessing employment at the local fruit and vegetable farms.
- Many factors that can not be ascertained or appreciated from a map alone



Odour

We believe the basis of the original odour report to be inadequate. Given the extensive community concern, the unique nature of mushroom composting and the simplified approach generic offset tables we request independent dispersion modelling to accurately assess the amenity impacts on the nearby properties from the proposed mushroom farm.

Norway:

We have contacted the Minister for Agriculture and are awaiting reply however our initial research has shown concerns expressed regarding odour and contaminant run off.

New Zealand:

Many concerns regarding mushroom composting available via quick google search.

<http://i.stuff.co.nz/environment/101592974/te-mata-mushroom-company-eyeing-up-site-near-waipukurau>

“Te Mata Mushroom Company near Havelock North is a regular source of odour complaints”

“There have been ongoing issues with the smell emitted from the Havelock North site, which has been the subject of 758 odour complaints to the regional council...”

- Neighbours find Te Mata mushroom company odour offensive
- Mushroom farm with odour issues want to expand production
- Mushroom Company fined over odour breach
- Odour from mushroom farm sinks proposed new school site
- Mushroom farm odour forces rethink on Havelock North expansion

<https://i.stuff.co.nz/business/129721932/mushroom-plant-that-announced-sudden-closure-was-about-to-face-enforcement-action>

https://www.cecildaily.com/news/local_news/r-s-residents-complain-about-mushroom-farm-odors/article_f07b5822-eb2e-518c-b8ad-40cdbe2c18ef.html

<https://www.nzherald.co.nz/nz/locals-blame-mushroom-farm-for-job-losses/Z5BUD6RSPUVAYHZ5ITHJIQV26M>

Similar local operations have been relocated secondary to discontent from the community (mushroom composting facility on King Road, Oldbury)

Fire

- Brunnings suffered from a fire earlier this year which reportedly lasted for weeks, more accurately probably months and while I agree this is a discussion for another forum, I bring it up for two reasons:



1. Unless Brunnings has decided to diversify into char industry I'm certain turning thousands of dollars of green waste into ash isn't featured in their business plan, however there was still a fire

2. The containment measures were breached allowing for run off to infiltrate ground water systems well before the rescue effort reached the MILLIONS of litres of water pumped onto the fire, fortunately as it is appropriately located important waterways and aquifers weren't put at risk of contamination

- In reality the proposed site is situated in a high-risk bush fire zone. Even if the facility itself isn't the cause, threat of fire is a real one. The stored straw and other raw materials have a history of spontaneous combustion or themselves catching fire from outside sources. In recent years there have been two spontaneous and devastating bush fires resulting in Chitna Road being evacuated. The most recent in February of this year where a neighbour lost his house and sheds, 995 hectares of natural bush being burnt, and we personally lost 60+ hectares and fire damage came within 50m of farm infrastructure.

- If the proposed facility was a victim of bushfire:

A) Is the bush fire plan actually adequate???

B) In the event of rescue efforts and stormwater can Lion Mushroom assure containment measures will protect natural waterways and underground water resources from contamination? Is there data from a nutrient losing impacts and risk management for drainage and monitoring available?

Conditions (of approval)

We feel you are investing a lot of faith in conditions of approval and a company with a proven/documented "better to seek forgiveness than ask permission" attitude.

Lion Mushrooms expanded their Wanneroo operation without planning approval from the city and retrospective approval was denied by the City.

"Owners of a Mariginiup mushroom farm seeking to expand their business have had their retrospective building application refused by the Wanneroo City Council. Reasons for objection included that a significant expansion would entrench an activity inconsistent with the areas future urbanisation"

<https://www.perthnow.com.au/community-news/wanneroo-times/mushroom-farm-expansion-rejected-c-928090>

Recommendation

JDAP protocol states "where the responsible authority is the local government, it will assess the application following the process set out in the local planning scheme. This includes seeking advice on the application from referral bodies, advertising the application and reviewing submissions (where it is required to be advertised). The local government will then prepare a report containing its recommendations for the DAP to take into account when determining the application".

The Shire of Gingin were asked if they could confirm all recommendations and decisions regarding the proposal had been made in line with the councils own vision statement and planning schemes and to justify what framework was used to guide



these recommendations. We were told “The report presented to the DAP was consistent with the planning framework ... having regard to comments received from relevant state agencies”.

As the recommendation to approve / approve with conditions does not assimilate with the Shires own vision statement or Local Planning Scheme, we again ask what framework was used to reach these decisions and recommendations and can the state agency reports be made available to the public?

We need to live and make decisions like tomorrow matters. I ask you, if the department of planning are not advocating for tomorrow, who is?



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Presenter Details

Name	Jeff & Kerry Murray
Company (if applicable)	Click or tap here to enter text.
Please identify if you have any special requirements:	YES ☐ NO ☒ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Meeting Details

DAP Name	Proposed Compost Facility @ Lots 800/801 Military Road, Muckenburra
Meeting Date	12 September 2023
DAP Application Number	DAP/CS46760 - ICP237742
Property Location	As above
Agenda Item Number	ICP237742

Presentation Details

I have read the contents of the report contained in the Agenda and note that my presentation content will be published as part of the Agenda:	YES ☒
Is the presentation in support of or against the <u>report recommendation</u> ? (<i>contained within the Agenda</i>)	SUPPORT ☐ AGAINST ☒
Is the presentation in support of or against the <u>proposed development</u> ?	SUPPORT ☐ AGAINST ☒
Will the presentation require power-point facilities?	YES ☐ NO ☒ If yes, please attach



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Brief sentence summary for inclusion on the Agenda	<i>The presentation will address:</i> What is progress and is the proposal the truth and is there more to come that hasn't been disclosed in the present submission.
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Please attach detailed content of presentation or provide below:

As per my previous submission, my family and we have been at our Military Rd address since early 1994. We have operated our small holding "Organically" in that time without the use of poisons or soluble modern fertilisers because that is our belief system of not interfering with our ecology and surrounding environment. We do not do anything harmful to impinge on nature or our neighbours. These are our operating procedures and we do not expect others to understand completely, although our methods are becoming quite widespread throughout the world due to uncontrollable land clearing and spread of disease. Most or all of the people who live in our vicinity live here for similar reasons to us, namely peace and quiet and an escape from the urban rat race but that is changing quickly, with the introduction of market gardens and the influx of people to work those lots. Military road is becoming busier and is now of great concern to me and my family because of the speed, numbers and size of vehicles. Ingress and egress from our property is extremely dangerous to us and all who visit us. ("B Doubles" will enhance that danger.)

We have just had one of the worst seasons of Stable Fly infestation since we moved here, with our cattle and dog affected badly and the proposed facility will only add to that problem, severely impacting our lifestyle.

The 1000 metre buffer zone for dust and smell impingement crosses our property and I find this measurement totally bewildering as we get the intolerable stench of pig manure from 3 Km to our southwest. **The buffer zone should be taken from our boundary, not our residence as it impacts substantially on any future development on our property and will have a negative impact if we chose to sell**

The Shire of Gingin developed the light industrial area of "Frogmore Estate" many years ago for the purpose of industry to develop and co-exist without impinging on people's homes and rural escapes. A 2800 m² shed and operational equipment would fit perfectly into that environment. Why has the proposed rural bush site of several hundred acres been purchased to establish and build the above mentioned shed and ancillaries? Is it proposed for future expansion into maybe an extensive growing facility? If that is the case, then will there be future applications for land clearing of 100 to 200-year-old Blackbutt trees and supporting flora and native fauna? Will an application be lodged at all as I have witnessed the clearing of the remaining 30 odd acres of bushland at the eastern end of the market garden on Quin Road, which is right next door to this



proposed development?

In closing, I ask the panel and all those listening; Do we allow this development to go ahead against all the wishes of the residents of Neergabby, Muckenburra and many others and risk further degeneration of this beautiful area or do we stand by who we are and what we stand for because this company has some established history of non compliance? Call me a Greeny, Treehugger, what ever you want but never tell me, my wife, 4 Sons and my 4 Grandchildren that I do not care about all our futures.

THIS DEVELOPMENT MUST NOT BE BUILT ON OR NEAR THIS SITE AND SHOULD BE ENCOURAGED TO MOVE TO THE ESTABLISHED COMPOST HUB NORTH OF GINGIN OR TO THE LIGHT INDUSTRIAL AREA OF "FROGMORE ESTATE"



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Presenter Details

Name	Chris Tenni
Company (if applicable)	Click or tap here to enter text.
Please identify if you have any special requirements:	YES ☐ NO ☒ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Meeting Details

DAP Name	Regional JDAP, Gingin
Meeting Date	12 September 2023
DAP Application Number	DAP/23/02467
Property Location	Lot 800 & 801 Military Road, Muckenburra
Agenda Item Number	8.1

Presentation Details

I have read the contents of the report contained in the Agenda and note that my presentation content will be published as part of the Agenda:	YES ☒
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Presentation Content*

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Brief sentence summary for inclusion on the Agenda	<i>The presentation will address:</i> Failings of the application to demonstrate compliance with WAPC Dark Sky and Astrotourism position statement
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In accordance with Clause 3.5.2 of the [DAP Standing Orders](#), your presentation request must also be accompanied with a written document detailing the content of your presentation.

Please attach detailed content of presentation or provide below:

Noting Stakeholder 27 response; "UWA has reviewed the information available and would like to bring to the Shire of Gingin (Shire) attention that light generated from the mushroom composting facility must be in compliance with the WAPC Dark Sky and Astrotourism position statement. It should be noted that the Zadko Observatory and the Gingin Gravity Precinct (GGP) is within ~2.3km from the composting facility. A dark sky is critical to UWA's scientific research and studies undertaken at the GGP.

It is recommended that a Lighting Management Plan be conditioned as part of the development to ensure that all lighting is in compliance with the WAPC Dark Sky and Astrotourism position statement and to eliminate light spill where possible given close proximity to the GGP.

The officer response is "Noted and agreed"

The position statement refers specifically to the Gravity Discovery Centre located at 1098 Military Road, Yeal in Table 1. The position statement states in section 5.1 that the WAPC may require special control areas to restrict light and dust pollution, to protect dark sky and astrotourism locations. The Special Control Areas are defined as within 20 kilometers of an observatory which this application certainly is.

Dust:

The dust report by JBS&G report (Page 11 of their report, PDF page 126 of 378) Q5. Special case factors, which asks "Are there special case factors that might increase dust impacts". The failings of the report to identify the site to exist within 20km of an observatory has meant the questionnaire has been incorrectly assessed and appears to require a detailed dust analysis which has not been undertaken.

Lighting / Traffic:

A traffic assessment has not been properly considered for the intersection of Chitna / Military. The shire provides rural and industrial crossover drawing for reference. This is incomplete as it fails to consider the entire intersection which if approved would result in a 4 way intersection as opposed to the T-junction discussed. This raises several safety concerns not addressed in the reports including lighting requirements.

Referring to Main Roads lighting requirements document, section 3.4.2.3 mentions "Special Cases, Regardless of the above, road lighting including Flag Lighting, may be appropriate along a road section or at an isolated intersection due to: Crash History,



Entry/Exit by slow moving vehicles or vehicles longer than 19m, Road Alignment, Pedestrian Activity.

Given the expected lighting requirement of this intersection, no consideration to a lit intersection within the WAPC Dark Sky and Astro tourism area is addressed in the submission.

In summary, this application has resulted in my family putting our house on the market and moving to a property away from this proposed development pending the outcome such is the seriousness of our concern for our rural amenity for which this application certainly has the potential to destroy. Our actions are both rational and reasonable given the genuine concern that a composting facility can have on nearby residents, despite what a flow chart may say. Whilst the technical argument presented today gives instrument for the panel to reject the application on technical grounds, there are numerous other genuine reasons the application is of concern for which the application may have operational conditions placed on them. The concern of mine and numerous other residents is compliance with these conditions given the applicant has a track record of non-compliance with operational conditions in the City of Wanneroo.

I thank the panel for the opportunity to provide discussion. My property in which I have spent the last 18 months raising my family and renovating is on the market. Where we live going forward will pend on the outcome of your decision today.



Presentation Request Form

[Regulation 40\(3\)](#) and [DAP Standing Orders 2020](#) cl. 3.5

Must be submitted at least 72 hours (3 ordinary days) before the meeting

Presentation Request Guidelines

Persons interested in presenting to a DAP must first consider whether their concern has been adequately addressed in the responsible authority report or other submissions. Your request will be determined by the Presiding Member based on individual merit and likely contribution to assist the DAP's consideration and determination of the application.

Presentations are not to exceed **5 minutes**. It is important to note that the presentation content will be **published on the DAP website** as part of the meeting agenda.

Please complete a separate form for each presenter and submit to daps@dplh.wa.gov.au

Presenter Details

Name	Dr Peter Forster
Company (if applicable)	JBS&G
Please identify if you have any special requirements:	YES ☐ NO ☒ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Meeting Details

DAP Name	RJDAP/114
Meeting Date	12 September 2023
DAP Application Number	DAP/23/02467
Property Location	Lots 800 and 801 Military Road, Muckenburra
Agenda Item Number	8.1

Presentation Details

I have read the contents of the report contained in the Agenda and note that my presentation content will be published as part of the Agenda:	YES ☒
Is the presentation in support of or against the <u>report recommendation</u> ? (<i>contained within the Agenda</i>)	SUPPORT ☒ AGAINST ☐
Is the presentation in support of or against the <u>proposed development</u> ?	SUPPORT ☒ AGAINST ☐
Will the presentation require power-point facilities?	YES ☒ NO ☐ If yes, please attach



Presentation Content*

These details may be circulated to the local government and applicant if deemed necessary by the Presiding Member. Handouts or power points will not be accepted on the day.

Brief sentence summary for inclusion on the Agenda	<i>The presentation will address:</i> The merits of the proposal from a regulatory, odour, dust and environmental amenity perspective. PowerPoint slides to follow.
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In accordance with Clause 3.5.2 of the [DAP Standing Orders](#), your presentation request must also be accompanied with a written document detailing the content of your presentation.

Please attach detailed content of presentation or provide below:

The Screening Analysis carried out to assess the potential odour impacts from the proposed mushroom compost facility concluded that a Detailed Analysis was not required.

A low risk of odour emission impacts at off-site locations is predicted from the Operational Odour Analysis.

The actual separation distance (minimum 1,040m) is well in excess of the recommended minimum separation distance (650m) providing considerable conservatism in the risk of odour impacts.

Overall, the Detailed Analysis has found a low risk of odour impacts at the nearest sensitive receptors from the proposed mushroom composting facility.

PowerPoint slides to follow.



FAST, CAPABLE, EXPERTS

Odour assessment

Proposed Composting Facility – Military Road, Muckenburra

Odour risk assessment

DWER Odour Guideline

- Screening level analysis
- Detailed Analysis

Screening Level

- DWER Odour Guideline separation distance
 - *650 m is considered appropriate for the proposed activity*
- Previous assessment showed separation distance to nearest residence is 1040 m
 - Based on location as understood at the time
 - Since then, the site boundary and building locations have been accurately defined
- Actual separation distance from Lion activity area to the boundary of the nearest residential property is 1130 m
- **As such, no unacceptable odour impacts are expected at the residence from the activities at the Lion premises**

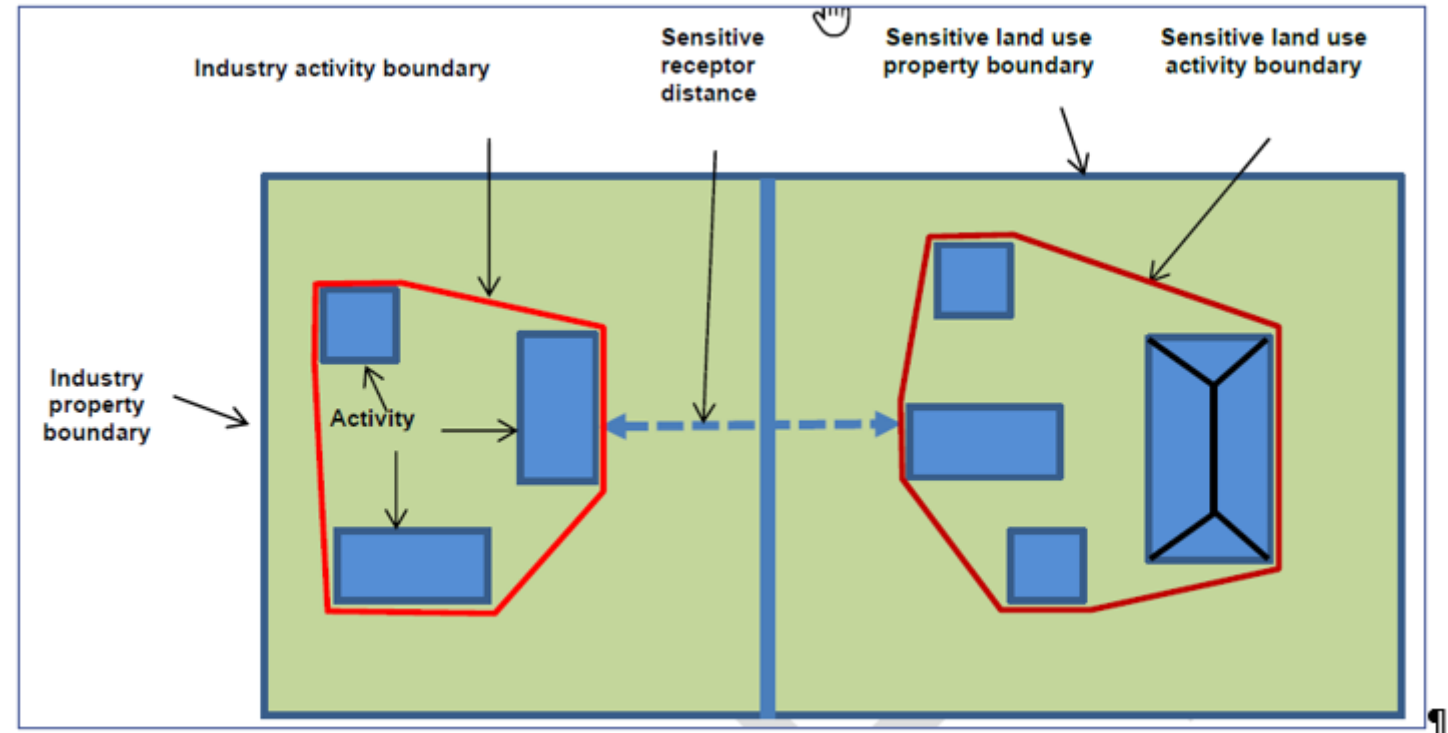


Figure 3.1: Method 2—rural method—for measuring separation distances (from DWER 2019)

Separation distance to nearest residential receptor



Detailed Odour Analysis

Detailed Odour Analysis methodology

- Screening level analysis found that a Detailed Analysis is not required.
- However, a Detailed Analysis was carried out to consider the establishment of the Bigfoot Abattoir at Gingin Brook Road.
 - The Detailed analysis considers the potential for cumulative odour impacts
- Key elements (“priority tools”) of a Detailed Analysis are an Operational Odour Analysis and a Location Review
- Lower priority tools of relevance are:
 - Odour field assessments
 - Comparison with similar operations:

- Operational odour analysis found a low risk of odour emissions of significance from the proposed facility
 - **Odour emitting activities inside a shed**
 - Maintenance of aerobic conditions and moisture levels at 40-65% minimises odour formation (in particular NH_3 and H_2S)
 - Goody water tanks are aerated to minimise formation of NH_3 and H_2S
 - General best practice composting management
- Location review found:
 - Adequate separation distance to receptors
 - Low frequency of prevailing winds toward receptors
- Odour field assessments not required
 - Bigfoot has measures in place to manage and minimise odour emissions
 - DWER has not imposed any conditions on odour controls in the Licence
- Comparison with similar size operation (Higgs Forrestdale) shows nearest sensitive receptor is 250 m from the site
 - Only requirement in the Licence is for turning and aeration or covering of wind rows
 - Conclude a low risk
 - Lion proposal is fully enclosed (no wind rows) = low risk

Conclusions

Screening Level and Detailed Odour Analyses

- Nearest residential premises is located 1,130 m from the activity area
- Significantly greater than the DWER recommended distance (650 m)
- Potentially odour emitting activities conducted in an enclosed shed
- Controlled composting process (aeration, temperature and moisture) minimises risk of anaerobic processes occurring, reduced risk of odour formation
- Design and relatively small scale of the operation provides a low odour formation and emission risk

Overall, the proposal shows a low risk of odour impacts upon amenity at nearby residential properties



Presentation Request Form

[Regulation 40\(3\)](#) and [DAP Standing Orders 2020](#) cl. 3.5

Must be submitted at least 72 hours (3 ordinary days) before the meeting

Presentation Request Guidelines

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Please complete a separate form for each presenter and submit to daps@dplh.wa.gov.au

Presenter Details

Name	Oliver Basson
Company (if applicable)	Planning Solutions (Aust) Pty Ltd
Please identify if you have any special requirements:	YES ☐ NO ☒ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Meeting Details

DAP Name	RJDAP/114
Meeting Date	12 September 2023
DAP Application Number	DAP/23/02467
Property Location	Lots 800 and 801 Military Road, Muckenburra
Agenda Item Number	8.1

Presentation Details

I have read the contents of the report contained in the Agenda and note that my presentation content will be published as part of the Agenda:	YES ☒
Is the presentation in support of or against the <u>report recommendation</u> ? (<i>contained within the Agenda</i>)	SUPPORT ☒ AGAINST ☐
Is the presentation in support of or against the <u>proposed development</u> ?	SUPPORT ☒ AGAINST ☐
Will the presentation require power-point facilities?	YES ☐ NO ☒ If yes, please attach



Presentation Content*

These details may be circulated to the local government and applicant if deemed necessary by the Presiding Member. Handouts or power points will not be accepted on the day.

Brief sentence summary for inclusion on the Agenda	<i>The presentation will address:</i> The merits of the proposal from a land use suitability and planning perspective, requesting approval in accordance with the RAR recommendation.
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In accordance with Clause 3.5.2 of the [DAP Standing Orders](#), your presentation request must also be accompanied with a written document detailing the content of your presentation.

Please attach detailed content of presentation or provide below:

Refer enclosed.

Presentation Summary

To:	Regional JDAP	From:	Oliver Basson
Attention:	Mr Tony Arias, Presiding Member	Job No:	8160
Copy to:	DAP Secretariat	Date:	8 September 2023
Subject:	DAP Meeting Number: RJDAP/114 Item 8.1 – Proposed Mushroom Composting Facility Lot 800 and 801 Military Road, Muckenburra (subject site)		

Planning Solutions acts for Lion Mushrooms in support of the proposed mushroom composting facility development on Lots 800 and 801 Military Road, Muckenburra. We wish to express our support for the proposal and the RAR recommendation to conditionally **APPROVE** the proposed development.

We thank the Shire's officers for their balanced and thorough assessment of the proposal. The requested information and reasons for deferral have now evidently been addressed. The DWER works application was submitted to the Department of Water and Environmental Regulation on 5 September 2023 and will now undergo a rigorous assessment by environmental experts and further scrutiny by the regulatory body.

SUITABILITY OF LAND USE AND LOCATION

There is a commonly and generally accepted expectation that if you live in a rural area, you may experience a range of land uses and amenity impacts associated with agriculture and primary production. This may be in the form of odours from the transportation of livestock, dust from the grazing of livestock or harvesting of broadacre crops or spray drift. The mushroom compost proposed to be produced is a stable and aerobically decomposed organic matter with an earthy appearance and smell. This is inherently an agricultural product.

The subject site is zoned 'General Rural'. It is not zoned Residential, Rural Living, Tourism, Conservation or Landscape Protection. Composting is a specific land use that is capable of approval on the subject site, with the Shire conservatively exceeding the minimum statutory public advertising requirements.

State Planning Policy 2.5 – Rural Planning (SPP2.5) seeks to protect and preserve Western Australia's rural land assets due to the importance of their economic, natural resource, food production, environmental and landscape values. The proposed mushroom composting facility facilitates the production of food, with mushrooms to be grown in the compost that is produced (albeit at a separate facility).

The proposed mushroom composting facility is evidently a rural land use that supports, and is associated with Primary Agricultural production, being the cultivation of mushrooms for human consumption. Importantly, SPP2.5 does not include rural living as a rural land use. On this basis, the proposed mushroom composting facility is arguably a more appropriate land use for its context than rural lifestyle properties, some of which are objecting.

The Shires Local Planning Strategy identifies that rural land is a finite resource, if often the only land available for diverse and sustainable rural activities and is critically important for sustaining diverse agriculture and other rural uses. The strategy acknowledges that the continued use and protection of rural land for agricultural production is paramount to the economic future of the Shire due to its economic significance and employment generation.

However, the ability of rural land to sustain its primary agricultural function and use is threatened by the spread of urban development, which has been evident during the assessment of this proposal. We acknowledge the recommended buffer distances between rural land uses and sensitive rural dwellings need to be carefully considered. The proposal achieves this by conservatively exceeding the minimum buffer distances outlined by DWER and the Environmental Protection Authority. The asserted impact on property values is not a valid planning consideration and the asserted impact on 62 Chitna Road is highly speculative.

The objections raised by submitters on the premise of unsuitability of the land use on the subject site undermine the objectives of the General Rural zone and the Shire's Local Planning Strategy, by inhibiting the responsible use and development of productive rural land for agricultural purposes.

OVERVIEW AND MERITS OF THE PROPOSAL

The development is suitably located within a rural locality, appropriately separated from nearby sensitive land uses, has been subject to detailed environmental reporting and will be subject to future environmental regulatory and legislative requirements. Approval of the proposal is warranted for the following reasons:

- The development is appropriately located within an existing rural setting which accommodates agricultural land uses and the specific land use of Composting is capable of approval.
- The proponent has investigated the environmental conditions of the subject site and is progressing the necessary approval processes for environmental licensing. The proposed development is required to be licenced under the *Environmental Protection Act 1986* due to its intended compost production threshold. The facility will need to be constructed in accordance with all relevant approvals/permits and operated in accordance with its DWER licence (should it be granted).
- The facility will likely be subject to regular compliance auditing by DWER. The development is unlikely to detrimentally impact the locality by nature of its operations, location, production capacity, management measures and environmental licensing requirements.
- JBS&G has assessed that the risk of odour impacts at nearby sensitive receptors is low. The separation distance from the boundary of the proposed facility is at least 1,000m to the nearest sensitive receptor, when the DWER guidelines indicate a 650m distance conservatively applies.
- The proposal exceeds the generic separation distance requirements for an operation of this nature by nearly 400m, which would allow the JDAP to take comfort that there will be no unacceptable offsite health or amenity impacts. The generic separation distances and the fact that there will be a future environmental licence in place for the proposed development under the *Environmental Protection Act 1986*, that any health and safety concerns will be adequately resolved.
- Potential risks and adverse amenity impacts such as odours, leachate and breeding of stable flies have been thoroughly considered, hence the suite of technical and environmental reporting that has been prepared in support of the proposal. The reporting demonstrates that any risks can be appropriately regulated and managed. Operational environmental management regimes have been developed and will be implemented to the satisfaction of the Shire and the DWER.
- The proposed development has been thoroughly scrutinised by expert technical consultants, Shire staff and external referral authorities to confirm their suitability with respect to bushfire safety, environmental impacts, dust, odour and community health. We note the Department of Health and DWER have not objected to the proposed development.

CONCLUSION

As demonstrated above, and by the amended development plans, the civil plans and hydraulic information, the proposed development has suitably considered how potential amenity and environmental impacts from stormwater and wastewater can not only be managed, but avoided. We are satisfied with the recommended conditions of development approval and the Shire's preferred location for the crossover.

We reiterate that it is important that any development approval does not seek to duplicate the requirements of separate environmental legislation, with any decision to allow other regulatory processes to progress unfettered. DWER's role in the future licensing of the mushroom composting facility cannot be understated and is paramount to providing a high level of expertise in ensuring the facility's environmental management.

The amended proposal is the outcome of the progressed DWER works approval and licensing documentation and further development of options to mitigate any impacts on the environs. We submit the amended proposal represents a technically sound development that will make a positive contribution to agricultural productivity of the locality, warranting the support of the Shire and JDAP.

Thank you for your time and consideration. I would be pleased to answer questions from the JDAP members at the meeting on 12 September 2023.

Yours sincerely,



OLIVER BASSON
SENIOR PLANNER



Addendum to Responsible Authority Report – Regional Joint Development Assessment Panel (RJDAP)

Addendum Date	31 August 2023
DAP File No:	DAP/23/02467
Property Location:	Lot 800 and 801 Military Road, Muckenburra
Development Description:	Composting Facility

Reason/Purpose for Addendum:

The abovementioned application was deferred at the Regional Joint Development Assessment Panel (RJDAP) 102 meeting held on 11 July 2023 for a period of up to 60 days.

The application was deferred by the RJDAP for the reasons below:

1. *The Development Plans are inadequate to be stamped as part of a development approval for the following reasons:*
 - a. *The development plans do not depict onsite infrastructure such as hardstand perimeter bunding, wastewater catchment systems or concrete flooring within the composting building that demonstrates wastewater is adequately captured and contained.*
 - b. *The development plans do not accurately depict the wastewater pond (delineated as 'rain overflow pond') or provide elevation drawings that outline the capacity, design or lining of the infrastructure.*
 - c. *The development plans do not demonstrate the location for the loading/unloading of heavy vehicles within the confines of the composting building.*
 - d. *The development plans do not demonstrate that onsite employees are provided with a basic level of amenities (i.e., toilets).*
 - e. *The development plans do not outline the internal access road modification required by the Bushfire Management Plan.*
2. *The supporting documents do not meet the required standard that demonstrates that the amenity and environment of the locality is protected in a manner which is consistent with the applicable policy framework.*

In view of the above, this addendum to the responsible authority report (RAR) has been prepared to consider additional information submitted by the applicant.

A copy of the additional information is provided as **Attachment 1** and includes the following components:

- Additional Planning Report;
- Amended Development Plans;
- Concept civil engineering plans detailing drainage and stormwater infrastructure; and
- Hydraulic information regarding effluent disposal associated with staff amenities buildings.

It should be noted that since the RJDAP meeting held on 11 July 2023, additional community comments have been received. The submitters were advised that the appropriate forum to provide further submissions was via a presentation to the RJDAP meeting that reconsiders the proposal.

Notwithstanding that the formal consultation period has ceased, the officer has nevertheless compiled the additional comments in a schedule of submissions, which is provided as **Attachment 2**.

It is noted that safety concerns were raised regarding the property entry being in close proximity to the intersection between Military Road and Chitna Road. The Shire engaged Stantec Australia (traffic engineering) to review the access arrangements. Stantec have suggested that the property entry be relocated 38.5m to the north. The technical note is provided as **Attachment 3**.

Planning Assessment:

This addendum does not seek to replicate the contents of the RAR or the applicant's deferral response. The content of those reports speaks for themselves.

The commentary below is provided in the context of the reasons for deferral.

Development Plans

The revised plans address the following:

- Hardstand and wastewater catchment systems to demonstrate that wastewater is adequately captured and contained on the hardstand areas.
- Further details in relation to the wastewater/rain overflow pond.
- Identified locations for the loading/unloading of heavy vehicles within the confines of the composting building, and also the straw bale unloading area.
- The location and details of staff amenity buildings.
- Access road modifications consistent with the BMP.

The officer is satisfied that the revised plans are now suitable to be stamped as part of a conditional approval.

Traffic Considerations

Stantec Australia conclude the following:

- The traffic generated by the proposed development is likely to have a 'low' impact on the surrounding road network;
- There is no recorded crash pattern that indicates an existing road safety issue on Military Road that would be exacerbated by the proposed development;
- The proposed development crossover should be designed in accordance with Shire of Gingin standard drawings to accommodate 27.5m B-doubles;

- To comply with Australian Standards, the proposed development crossover should be located a minimum of 38.7m north of the prolongation of the Chitna Road reserve boundary;
- Safe Intersection Sight Distance (SISD) for 90km/h should be provided for vehicles egressing the proposed crossover;
- A minor amendment to the RAV network on Military Road may be required to facilitate legal B-double access to the proposed development.

In response to Stantec, the applicant obtained their own technical opinion that suggests the crossover in its current location is able to be supported, notwithstanding its proximity to the intersection between Chitna/Military Road.

Given the time constraints associated with determining the proposal, the expert traffic consultants have been unable to confer and agree upon an outcome. Notwithstanding this, it is apparent that a solution can be achieved, and on that basis a condition has been recommended to enable the precise location to be determined as part of the crossover application process.

Supporting Documentation

The additional commentary provided as part of the applicant's deferral response, specifically clause 67 (2) (o), provides confidence that the environment and amenity of the locality is unlikely to be adversely impacted, and that the development is consistent with the applicable planning policy framework. The officer has no comments in addition to what the applicant has provided in this regard.

Concluding Comments

The officer is of the view that the reasons for deferral have been adequately addressed by lodgement of the additional information. As such, an amended 'responsible authority recommendation' has been provided below.

Responsible Authority Recommendation

That the Regional Joint Development Assessment Panel resolves to:

1. **Accept** that the DAP Application reference DAP/23/02467 is appropriate for consideration as a "Composting" land use and is compatible with the objectives of the General Rural zone in accordance with Clause 3.2.7 of the Shire of Gingin's Local Planning Scheme No. 9;
2. **Approve** DAP Application reference DAP/23/02467 and accompanying revised development plans in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.

2. The approved development plans, together with any requirements and annotations detailed thereon, are the plans approved as part of this application and shall form part of the development approval issued, unless conditioned otherwise.
3. The approved development is limited to produce up to 5,590 tonnes of compost (mushroom substrate) annually.
4. Prior to the commencement of site works, a revised Operational Environmental Management Plan is to be submitted to the Shire of Gingin for approval, and on advice from relevant state agencies (if required), that at a minimum includes the following:
 - a. Operating Strategy;
 - b. Waste Management, Wastewater Management, Stormwater Management, Dust Management, Vermin/Mosquito Management, Noise Management, Odour suppression and contingency measures;
 - c. Soil and nutrient monitoring program;
 - d. Traffic Statement (covering of vehicle loads, transport route restrictions); and
 - e. Lighting Management (refer to WAPC Dark Sky and Astrotourism position statement).
5. The approved Operational Environmental Management Plan is to be implemented and adhered to thereafter for the life of the development, to the satisfaction of the Shire of Gingin.
6. The operator shall keep legible, up-to-date soil and nutrient monitoring records and compost production tonnage as per the approved Operational Environmental Management Plan (OEMP), that is to be made available to the Shire of Gingin within 21 days upon written request.
7. Restricted Access Vehicles are prohibited from accessing the site until such time as the landowner/operator demonstrates to the Shire of Gingin that relevant permits have been obtained from Main Roads Western Australia in relation to use of Military Road.
8. Prior to the commencement of site works, a revised Bushfire Management Plan shall be submitted to and approved by the Shire of Gingin, and on advice from the Department of Fire and Emergency Services (if required).
9. The approved Bushfire Management Plan is to be implemented and adhered to thereafter for the life of the development, to the satisfaction of the Shire of Gingin.
10. Prior to the commencement of site works, a Bushfire Risk Management Plan shall be submitted to and approved by the Shire of Gingin, and on advice from the Department of Fire and Emergency Services (if required).
11. The approved Bushfire Risk Management Plan is to be implemented and adhered to thereafter for the life of the development, to the satisfaction of the Shire of Gingin.
12. Prior to the commencement of the approved use, the landowner shall execute and provide to the Shire of Gingin a notification pursuant to Section 70A of the *Transfer of Land Act 1893* to be registered on the title to the land as notification to prospective purchasers as follows:

Bushfire Prone Area – This lot is located within a bushfire prone area and is subject to a Bushfire Management Plan and Bushfire Risk Management Plan relation to the operation of an approved composting facility.

Further information may be obtained from the offices of the Shire of Gingin.

13. Prior to the commencement of site works, the applicant/operator shall enter into a Deed of Agreement for the upgrade of the intersection between the internal access road and Military Road. The applicant/operator shall be responsible for all costs associated with the preparation of the deed (including all drafts). The applicant/operator shall be responsible for all costs related to the road /intersection upgrades and any associated works.
14. Prior to the commencement of the approved use, the works specified in the Deed of Agreement for the upgrade on the intersection between Military Road and the internal access road shall be undertaken at the expense of the landowner/operator to the satisfaction of the Shire of Gingin.
15. Prior to the commencement of the approved use, the landowner/applicant shall install a new crossover from Military Road to a sealed standard and in a location to the satisfaction of the Shire of Gingin, as per drawing number SOG/STD-02. The landowner/operator shall be responsible for all costs associated with the crossover installation.
16. Prior to the commencement of site works, the applicant/landowner shall prepare and implement a Construction Management Plan (CMP) for the construction phase of the development to the satisfaction of the Shire of Gingin, that at a minimum ensures site works, machinery and materials on the site do not generate unreasonable levels of noise, vibration, dust, wastewater or waste products.
17. Any external lighting located on all approved structures must be designed, baffled and located so as to comply with Australian Standard 4282:2019 'Control of the obtrusive effects of outdoor lighting'.
18. The service delivery hours of the approved use are between 7am - 5pm Monday - Friday and 7am - 12pm Saturday.

Advice Notes

1. If you are aggrieved by the conditions of this approval, you have the right to request that the State Administrative Tribunal (SAT) review the decision under Part 14 of the *Planning and Development Act 2005*.
2. Where an approval has lapsed, no development may be carried out without further approval of the RJDAP having first been sought and obtained.
3. Further to this approval, the applicant is required to submit working drawings and specifications to comply with the requirements of the *Building Act 2011* and *Health Act 2016*, which are to be approved by the Shire of Gingin.
4. The operation is required to comply with the *Environmental Protection (Noise) Regulations 1997*. Please be advised that the Shire of Gingin's Environmental Health Section may request an acoustic report/statement to accompany the Noise Management section of the OEMP.

5. Please be advised that the property may be re-rated to reflect the change in intensification and use approved as part of this application.
6. Please be advised that that as of 1 July 2023, the *Aboriginal Cultural Heritage Act 2021* will become the relevant legislation in managing Aboriginal Heritage matters. Further information can be obtained from the Department of Planning, Lands and Heritage.
7. Acid sulfate soils (ASS) risk mapping indicates that the site is located within an area identified as representing a moderate to low risk of ASS occurring within 3 metres of the natural soil surface. Please refer to Department of Health's acid sulfate soil guidelines for information to assist with the management of ground and/or groundwater disturbing works:
<https://www.der.wa.gov.au/your-environment/acid-sulfate-soils/69-acidsulfatesoils-guidelines>
8. Onsite wastewater treatment systems for amenities facilities are required to be secondary treatment systems and the proponent will be required to submit a formal application to the local government. This should include the required supplementary information: a site and soil evaluation (mid-July/August), scaled plans and specification of the wastewater treatment system as outlined in the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Wastes) Regulations 1974* and Government Sewage Policy.
9. Any composting that includes blending of any biosolids should not be permitted for growing food products for human and animal consumption without the DOH's approval.
10. Please be advised that development plan for the Composting Facility will need to be provided to the DFES Built Environment Branch for assessment as required by Regulation 18B of the *Building Regulations 2012 (as amended)*.
11. Dark sky is critical to UWA's scientific research and studies at the Gingin gravity/observatory precinct. Refer to the following link:
<https://www.wa.gov.au/government/publications/position-statement-dark-sky-and-astrotourism>
12. Please liaise with the Heavy Vehicle Services (HVS) division of Main Roads Western Australia in relation to obtaining a Restricted Vehicle Access (RAV) permit to use 27.5m B-double vehicles on Military Road.
13. In relation to the installation of a new crossover, the precise location is to be determined by conferral between the applicant and the Shire of Gingin as part of the crossover approval process.
14. Please be advised that the development requires registration as an 'offensive trade' with the Shire of Gingin's Environmental Health Section.
15. It is noted that property currently has a title notification alerting prospective purchasers that the site is designated as being bushfire prone. This notification will require an amendment to reference the terminology outlined by the relevant approval condition.

8 August 2023

Shire of Gingin
PO Box 510
Gingin WA 6503

Attention: James Bayliss, Coordinator Statutory Planning

Dear James,

**LOT 800 AND 801 MILITARY ROAD, MUCKENBURRA
PROPOSED MUSHROOM COMPOSTING FACILITY
AMENDED DEVELOPMENT PLANS AND FURTHER INFORMATION – JDAP DEFERRAL RESPONSE**

Planning Solutions is the applicant for the above application for approval to commence development.

The application was considered by the Regional Joint Development Assessment Panel (JDAP) at its meeting on 11 July 2023. The JDAP resolved to defer the application, for the following reasons:

1. The Development Plans are inadequate to be stamped as part of a development approval for the following reasons:

- a. The development plans do not depict onsite infrastructure such as hardstand perimeter bunding, wastewater catchment systems or concrete flooring within the composting building that demonstrates wastewater is adequately captured and contained.*
- b. The development plans do not accurately depict the wastewater pond (delineated as 'rain overflow pond') or provide elevation drawings that outline the capacity, design or lining of the infrastructure.*
- c. The development plans do not demonstrate the location for the loading/unloading of heavy vehicles within the confines of the composting building.*
- d. The development plans do not demonstrate that onsite employees are provided with a basic level of amenities (i.e., toilets).*
- e. The development plans do not outline the internal access road modification required by the Bushfire Management Plan.*

2. The supporting documents do not meet the required standard that demonstrates that the amenity and environment of the locality is protected in a manner which is consistent with the applicable policy framework.

Following the deferral, the proponent engaged Porter Consulting Engineers to the project team to provide technical advice addressing the Shire's concerns and the JDAP's reasons for deferral. Specifically, Porter Consulting Engineers was engaged to resolve issues around civil, drainage and stormwater design.

The further technical information, amended plans, and additional justification is outlined and provided within this submission. Specifically, please find attached:

- **Appendix 1:** Amended development plans and elevations prepared by Hindley & Associates.
- **Appendix 2:** A concept civil engineering plan detailing the drainage and stormwater design for the subject site prepared by Porter Consulting Engineers.
- **Appendix 3:** Hydraulic information relating to the ATU system and leach drains to cater for the staff amenities.

The changes/additions to the proposed design, and responses to the reasons for deferral, are addressed in turn below.

AMENDED PLANS

The principal additions and modifications to the design considered by JDAP comprise:

- The addition and notation of the passing bays on the site location plan, required to be provided every 200m in accordance with the recommendation of the Bushfire Management Plan. The passing bays are depicted along the crushed/compacted limestone access track, from the Military Road crossover to the development site.
- The inclusion of the Shire of Gingin crossover specifications plan on the site location plan, providing a commitment to the redevelopment/upgrade of the existing crossover to the subject site in accordance with the Shire's expected standards. For the avoidance of doubt, Council Drawing SoG/STD-02 is provided in **Appendix 1** as a separate plan.
- Minor notation modifications on the site location plan, including relabelling as a Mushroom Composting Facility and notation of adjoining lot numbers to the north and west.
- Additional detail shown on the proposed site plan, including an underlay of the proposed floor plan on the footprint of the Mushroom Composting Facility building and revised footprints of the wheat straw bale storage area and rainwater/rain overflow pond.
- The rainwater pond has increased in size to 40m long x 28m wide and will be 2m deep to accommodate rainwater (from the facility roof and roads) for a 1 in 20-year 24 hour flood event and a 1 in 100 year 12 hour flood event. The pond will be lined with welded plastic, exceeding the minimum requirements of DWER's Guideline: Better Practice Organics Recycling.
- Revised crushed/compacted limestone access road layout and widths. The central road has been widened to 10m (formerly 8m) and the northern road realigned and narrowed.
- Annotation of the wheat straw bale unloading area, to clearly identify the location where 27.5m long B-Double trucks will deliver wheat straw bales, to be unloaded into the uncovered storage area by forklifts. The trucks will then proceed in a clockwise direction to the north and east of the rainwater pond, exiting to the south.
- Revision of some access locations on the proposed site plan, with entry/exit doors to the facility reconfigured.
- The inclusion of a site truck path plan, depicting the suitable access, egress and turning movements of a B-Double truck (delivery of wheat straw bales) and 19m semi-trailers (unloading of poultry manure and gypsum and loading of compost).
- A revised floor plan with additional details shown, the following key changes made and operational information:
 - The compost building notated with concrete flooring and finished floor levels shown based on the concept civil plan prepared by Porter Consulting Engineers.
 - The tractor shed has been relocated to the north west corner of the building.
 - The chicken manure/gypsum and litter/storage bunkers shifted east and notated as 4m high concrete bunkers.
 - The unloading area for semi trailers which will reverse through the 8m wide roller shutter from the north has been hatched in yellow. Trucks will reverse into the bunkers and empty their contents via a flatbed system. This clarifies that the unloading occurs internally. Depending on wind conditions, we understand the roller door can easily be closed to mitigate any potential dust from the delivered poultry manure during unloading.
 - The two raw material bunkers removed and the filling hall extended north, with the proposed equipment depicted and notated.
 - Additional tunnels have been added, with the northern three tunnels to be used for Phase 1 composting. A tech room has been added to the east of the Phase 1 tunnels.

- We understand the mixing line and hoppers to the west of the filling hall will mix the compost, with the emptying winch and discharge belt dispenser filling the tunnels. Following Phase 1, the compost is returned to the mixing line, with further components added.
- The cassette conveyor then fills the southern four tunnels with Phase 2 and 3 compost. From here, the compost is loaded into plastic containers and then into enclosed trucks. Provision has been made for the trucks to either reverse into the emptying hall from the southern 6m wide roller shutter or approach from the north in a forward gear through the north eastern 8m wide roller shutter.
- The aerated goody water tanks have increased in height and reduced in diameter and have been shifted west to accommodate the new truck access. The tank capacity of 739m³ has been designed to allow for two weeks' worth of compost water usage.
- Removal of the south western roller door in proximity to the bunkers.
- The inclusion of a toilet block floor plan depicting the proposed staff amenities. The proposed 3.55m wide x 3.78m long toilet block (crib room) makes provision for two showers, two toilets, one sink and a locker/storage area. Two alternating drains 4m long x 2.1m wide AqwaCell16 Flatbed Leach Drains are proposed to accommodate greywater following treatment by an Aquarius O-2NR 1.8KL Plastic ATU.
- The proposed office to the south of the toilet block will also function as a breakout/lunchroom.
- Revised elevations depicting the increase in height of the eastern portion of the building to 7m (eaves) and 10m (apex). This is to accommodate the height of trucks and composting machinery/conveyors.

CIVIL, STORMWATER, DRAINAGE AND EFFLUENT SYSTEM DESIGN

The proposal previously considered by JDAP had minimal information on the stormwater/wastewater design of the proposed facility and how this water would be appropriately collected and managed to avoid any potential amenity impacts on the environment.

Rain overflow pond and drainage systems

The civil plans prepared by Porter Consulting Engineers in **Appendix 2** depict the internal wastewater catchment system, the external stormwater catchment system and demonstrate that a suitable design solution can be implemented to ensure wastewater is adequately captured and contained. The plan contains the following information:

- Internal mushroom composting facility drainage swales with a width of 3m and depth of 0.6m. The final width will be confirmed at the detailed design stage following confirmation on the depth and exact culvert/grate arrangement. The swales traverse the western, northern, eastern and half of the southern walls of the facility.
- Proposed RCP drainage culverts and headwalls are proposed in the vehicle access locations. The proposed finished floor levels and gradient of the swales ensure the wastewater and leachate flows into and is captured by the goody water collection pit.
- External 4.5m wide and 1m deep drainage swales are proposed around the mushroom composting building to capture stormwater runoff and direct it to the rainwater overflow pond for collection. The rainfall on the roof will also be captured and directed to the overflow pond.
- The 2m deep rain overflow pond lined with welded plastic has been designed to cater for a 1 in 20 year 24hr storm event. The rainwater pond will also cater for all events up to the 1 in 100 year 12 hour storm event. The pond is 40m wide x 28m long at its surface, narrowing to 33m x 21.5m at its base and has a freeboard of 500mm. The pond may capture minimal amounts of nutrients on the road surfaces, with water to be pumped back into the goody water tanks immediately for reuse in the composting process via a submersible pump.

The wastewater, stormwater, drainage and civil design will be constructed in accordance with DWER requirements.

Effluent system

The proposed toilet block (crib room) proposes to utilise an Aquarius O-2NR 1.8KL Plastic ATU system to treat effluent and greywater. Please refer to **Appendix 3**. The ATU system is nutrient retentive and configured in plastic tanks with non-trafficable lids. The system comes with the option of:

- a single discharge pump and control panel; or
- a dual standby duty discharge pumps and control panel (mild steel powder coated enclosure with inner door).

The specific system will be confirmed at the detailed design stage.

Given the proposed hours of operation are 7am-5pm (i.e. a 10 hour work day), the hydraulic loading rate has been calculated as 105 litres per person (i.e. $70L \times 1.5x$) instead of 70 litres per person (which is based on an 8-hour work day).

Assuming a sandy gravel soil type with a Design Loading Rate (DLR) of 50mm per day, we understand the potential hydraulic loading of 525 litres per day $\div 50$ (DLR) $\div 2$ (Flatbed Infiltrative Area) requires a 5.25m area. These calculations have informed the proposed disposal of effluent by two 4m long x 2.1m wide alternating AqwaCell16 Flatbed Leach Drains on a 2-port automatic diversion valve.

Ultimately, the system will be designed and implemented to meet the specifications and requirements of the Shire and the relevant health and safety legislation.

REASONS FOR DEFFERAL

For clarity, the reasons for deferral are specifically addressed and responded to in **Table 1** below.

Table 1: Applicant response to reasons for deferral

Reason for deferral	Applicant comment
<i>a. The development plans do not depict onsite infrastructure such as hardstand perimeter bunding, wastewater catchment systems or concrete flooring within the composting building that demonstrates wastewater is adequately captured and contained.</i>	Please refer to the amended development plans in Appendix 1 . The amended floor plan notates a concrete floor within the mushroom composting building. The civil plans prepared by Porter Consulting Engineers in Appendix 2 depict the internal wastewater catchment system, the external stormwater catchment system and demonstrate that a suitable design solution can be implemented to ensure leachate and wastewater is adequately captured and contained.
<i>b. The development plans do not accurately depict the wastewater pond (delineated as 'rain overflow pond') or provide elevation drawings that outline the capacity, design or lining of the infrastructure.</i>	The development plans do not depict the rain overflow pond as a wastewater pond given its purpose is not for the collection of wastewater. Appendix 1 and 2 contain the necessary information (elevation drawings that outline the capacity, design or lining of the infrastructure).
<i>c. The development plans do not demonstrate the location for the loading/unloading of heavy vehicles within the confines of the composting building.</i>	Please refer to the amended development plans in Appendix 1 . The locations for the loading/unloading of heavy vehicles within the confines of the composting building have been depicted. Only the B-Double truck that delivers wheat straw bales is required to have an external unloading area.
<i>d. The development plans do not demonstrate that onsite employees are provided with a basic level of amenities (i.e., toilets).</i>	Please refer to the amended development plans in Appendix 1 which now includes a toilet block floor plan and to the hydraulic information that includes an ATU system and flatbed leach drains. The proposed office will function and a staff breakout/lunchroom.

e. The development plans do not outline the internal access road modification required by the Bushfire Management Plan.	Please refer to the amended development plans in Appendix 1 which includes the notation of the passing bays every 200m on the internal crushed/compacted limestone access track in accordance with the recommendation of the Bushfire Management plan.
2. The supporting documents do not meet the required standard that demonstrates that the amenity and environment of the locality is protected in a manner which is consistent with the applicable policy framework.	The supporting documents provided within this submission and the previous documents prepared by JBS&G (Dust and Odour Analyses and Operational Environmental Management Plan) demonstrate that the amenity and environment of the locality is protected in a manner which is consistent with the applicable policy framework.

In consideration of **Table 1** above the and justification and information provided within this submission, we consider the JDAP reasons for deferral have been suitably addressed.

CLAUSE 67 MATTERS TO BE CONSIDERED

Clause 67(2) of the Deemed Provisions sets out the matters for which due regard is to be given when considering a development application. Sub clause (o) is of particular relevance to the proposed development.

(o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;

The proponent has further considered the likely effect of the development on the natural environment and water resources by the engagement of a civil engineer to prepare a concept drainage and stormwater design.

Section 8.2 of the Department of Water and Environmental Regulation's *Guideline: Better Practice Organics Recycling 2023* contains best practices and benchmark controls to protect the environment by preventing or minimising emissions to land and water that may cause pollution or environmental harm. We understand these benchmark controls are generally implemented for low to medium risk organics recycling facilities, such as the proposed mushroom composting facility.

The following controls (based on or in exceedance of the benchmark controls) are proposed to be implemented and establish how the environmental performance objectives can be achieved for emissions to land and water generated by the proposed mushroom composting facility:

- The leachate containment system has been designed following a quantitative assessment of the potential leachate and stormwater runoff generated from a one in 20 (5 per cent) annual exceedance probability (AEP) 24-hour storm event.
- Separation of uncontaminated stormwater from the area serviced by the leachate containment system by using surface-grade changes, interceptor drains, piping and other drainage systems to keep the stormwater and rainwater directed to the rain overflow pond separate the leachate and wastewater captured internally within the facility.
- Collection and storage of leachate and liquid wastes in a pond or an above-ground tank. We note the rainwater pond is only expected to contain insignificant amounts of leachate, give the internal drainage swales will capture leachate within the concrete lined composting facility building.
- Use hardstand surfaces for the receipt, storage and processing of materials undergoing composting.
- The concrete hardstand of the facility will be designed to the specifications to ensure the surface can support the load of machinery and equipment without compromising its integrity. The same will occur for the welded plastic lining of the rain overflow pond.
- If required, the preparation of a construction quality assurance plan for infrastructure and equipment to be constructed or installed as part of the leachate containment system.
- The use hardstand surfaces for the receipt, storage and processing of materials undergoing processing (i.e. composting), products and residual physical contaminants. The low-permeability concrete floors and concrete bunkers within the facility will act as a leachate barrier to eliminate or significantly minimise the infiltration of leachate to the soil or groundwater.

- Suitable finished floor levels result in an appropriate gradient to prevent any pooling leachate and provide a sufficient fall towards the leachate storage infrastructure (closed drainage system) that collects water at the leachate pit, before being pumped back into the goody water tanks and reused in the composting process. The leachate/good water drainage pit will be designed as a storage tank for leachate in accordance with AS3735 *Concrete structures for retaining liquids* and AS4766 *Rotationally moulded buried, partially buried and non-buried storage tanks for water and chemicals* to ensure not seepage occurs. The pit will not be permeable.
- Monitoring equipment (e.g. high-level alarms) is likely to be installed for storage ponds and tanks to ensure they cannot be overfilled.
- Table 5 provides benchmark controls for leachate barriers on hardstand surfaces, including compacted clay, concrete, asphalt and bitumen. The proposed development meets and exceeds these benchmark controls by proposed concrete as the facility hardstand, drain surfaces and bunkers.
- Table 6 provides benchmark controls for liners in ponds or drainage infrastructure. The proposed development will exceed the benchmark controls of compacted clay, geosynthetic clay liner and high-density polyethylene geomembrane (1mm thick) with welded plastic as the pond lining.
- A minimum freeboard of 500mm on the rainwater pond will be maintained to prevent overtopping, even though it is not a leachate or liquid waste storage pond.
- Other operation management measures identified within the Operational Environmental Management Plan as required by DWER and its regulatory requirements as part of the works approval/licensing process.

We note that DWER did not identify any fundamental concerns with the proposal during the advertising stage. The benchmark controls and design of the facility will also be thoroughly assessed and scrutinised by DWER during the works approval and licensing process. DWER's role in the future licensing of the mushroom composting facility cannot be understated and is paramount to providing a high level of expertise in ensuring the proper operation of the facility's environmental management.

CONCLUSION

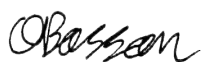
As demonstrated above, and by the amended development plans, the civil plans and hydraulic information, the proposed development has suitably considered how potential amenity and environmental impacts from stormwater and wastewater can be managed and avoided.

We reiterate that it is important that any development approval does not seek to duplicate the requirements of separate environmental legislation, with any decision to allow other regulatory processes to progress unfettered.

The amended proposal is the outcome of the progressed DWER works approval and licensing documentation and further development of options to mitigate any impacts on the environs. We submit the amended proposal represents a technically sound development that will make a positive contribution to agricultural productivity of the locality, warranting the support of the Shire and JDAP.

Should you have any queries or require further clarification, please do not hesitate to contact the writer.

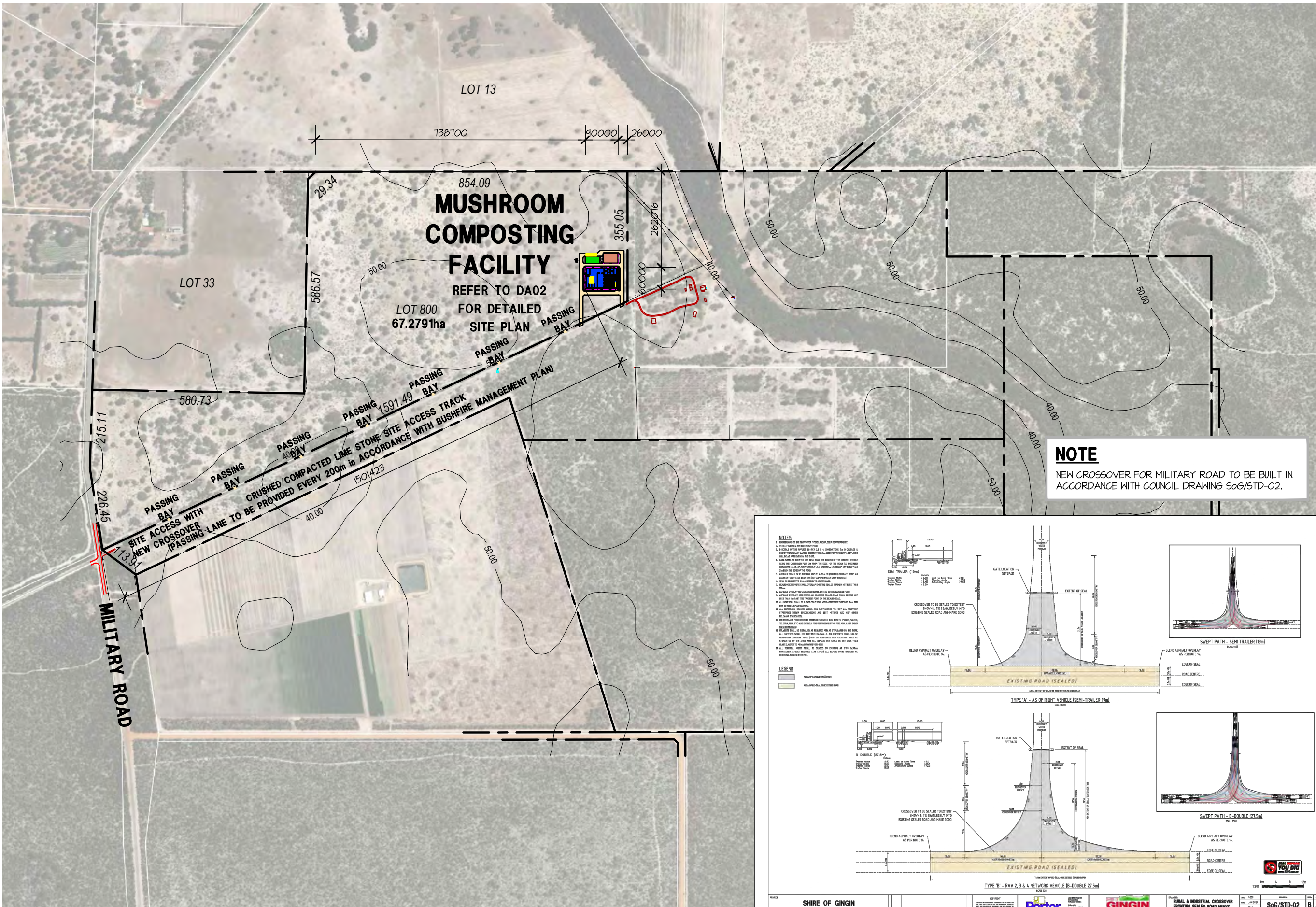
Yours faithfully,



OLIVER BASSON
SENIOR PLANNER

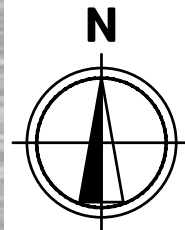
Appendix 1

Amended Development Plans and Elevations



NOTE

NEW CROSSOVER FOR MILITARY ROAD TO BE BUILT IN ACCORDANCE WITH COUNCIL DRAWING SoG/STD-02.



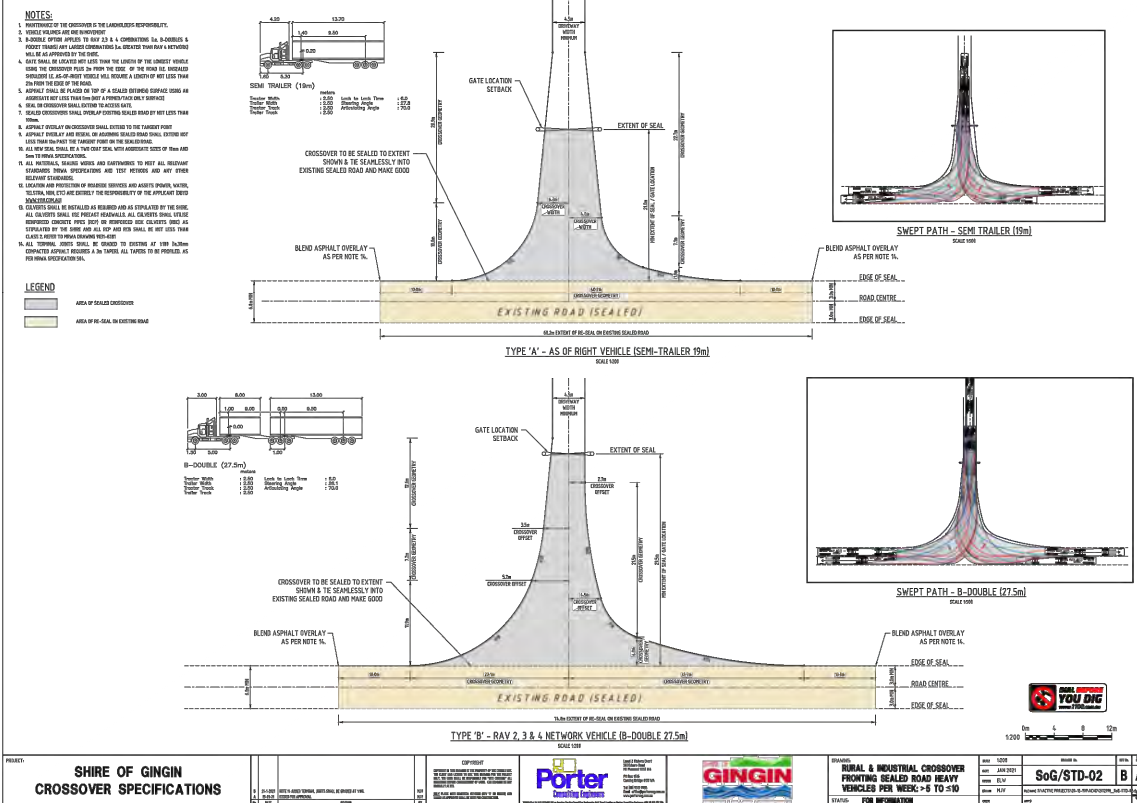
HINDLEY & ASSOCIATES
BUILDING DESIGNERS

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NEDLANDS WA 6009

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PHONE - 9386 6699
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DEVELOPMENT APPLICATION



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NO: DATE: REVISION: DRAWN: CHECK:
A 23.02.23 DEVELOPMENT APPLICATION ISSUE MDB CPH

A3 SHEET

SITE LOCATION PLAN

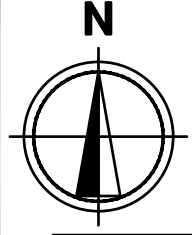
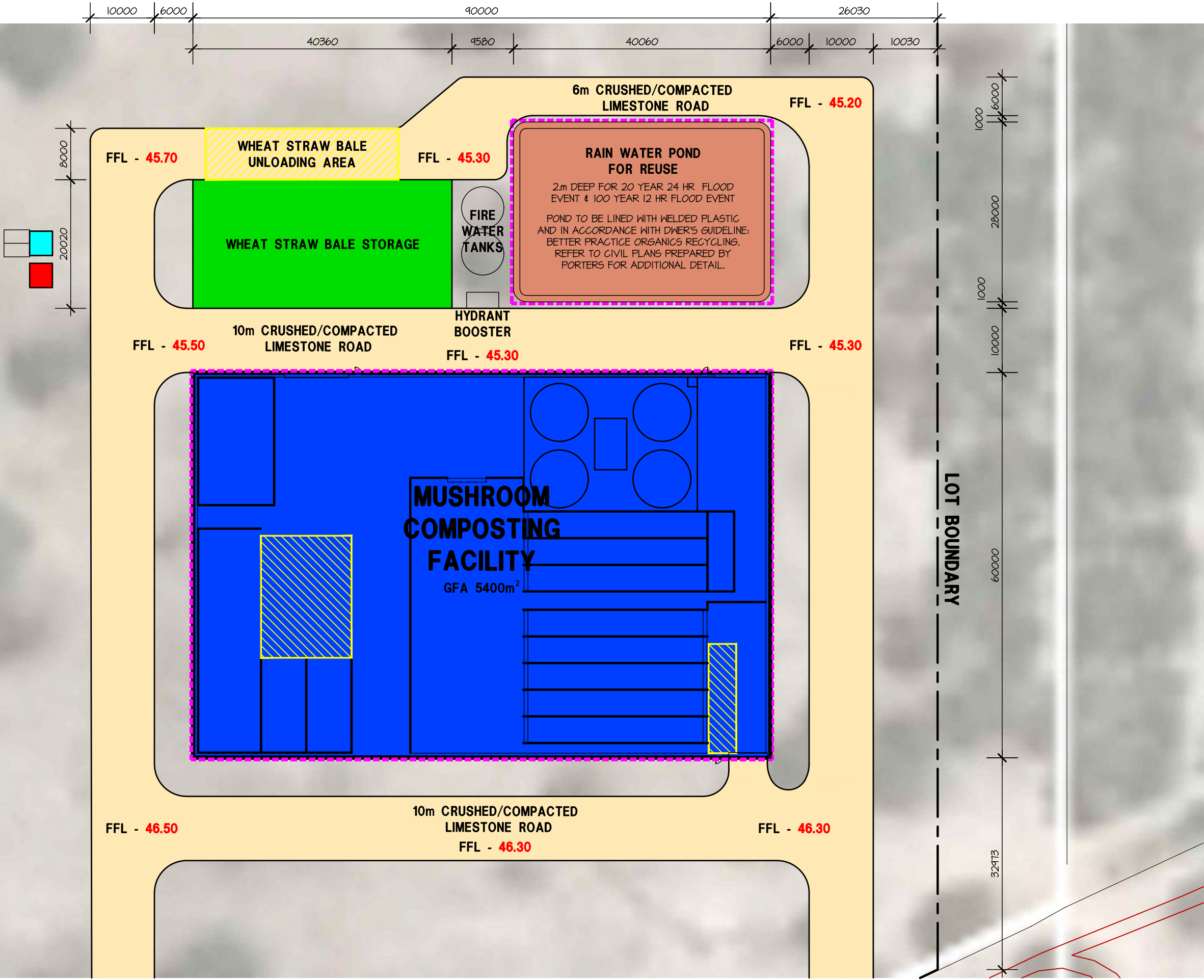
SCALE 1:10,000

MUSHROOM COMPOSTING FACILITY
LOT 800 MILITARY ROAD
GINGIN
LION COMPOST Pty Ltd

Date - 23.02.23
Design - CPH
Drawn - CPH
Checked - CPH
Scale - 1:10000
Job No. 0830
Dwg - DA01
Rev - A

LEGEND

- CRUSHED/COMPACTED LIMESTONE ROAD.
- EXTENT OF BALE STORAGE AREA.
- EXTENT OF RAIN OVERFLOW POND.
- BUILDING FOOTPRINT.
- PERIMETER DRAIN/BUNDING WITH ACCESS GRATES AT BUILDING ENTRY LOCATIONS. SPECIFIC DESIGN AND WIDTHS TO BE CONFIRMED PRIOR TO BUILDING PERMIT. DETAILS OF DRAIN & TOILETS SUBJECT TO CIVIL PLANS.
- INDICATIVE TOILET / ABLUTION BLOCK LOCATION. SPECIFIC SYSTEM TO BE DESIGNED TO THE SATISFACTION OF THE SHIRE AND CONFIRMED PRIOR TO BUILDING PERMIT.
- OFFICE FOOTPRINT.



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A	23.02.23	DEVELOPMENT APPLICATION ISSUE	MDB	CPH
B	28.06.23	BUNDING/DRAIN ADDED	CPH	CPH
C	29.06.23	TOILET/ABLUTION ADDED	MDB	CPH
D	31.07.23	OFFICE ADDED / LAYOUT UPDATED	MDB	CPH
E	03.08.23	LAYOUT UPDATED	MDB	CPH
-	-	-	-	-

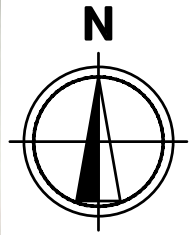
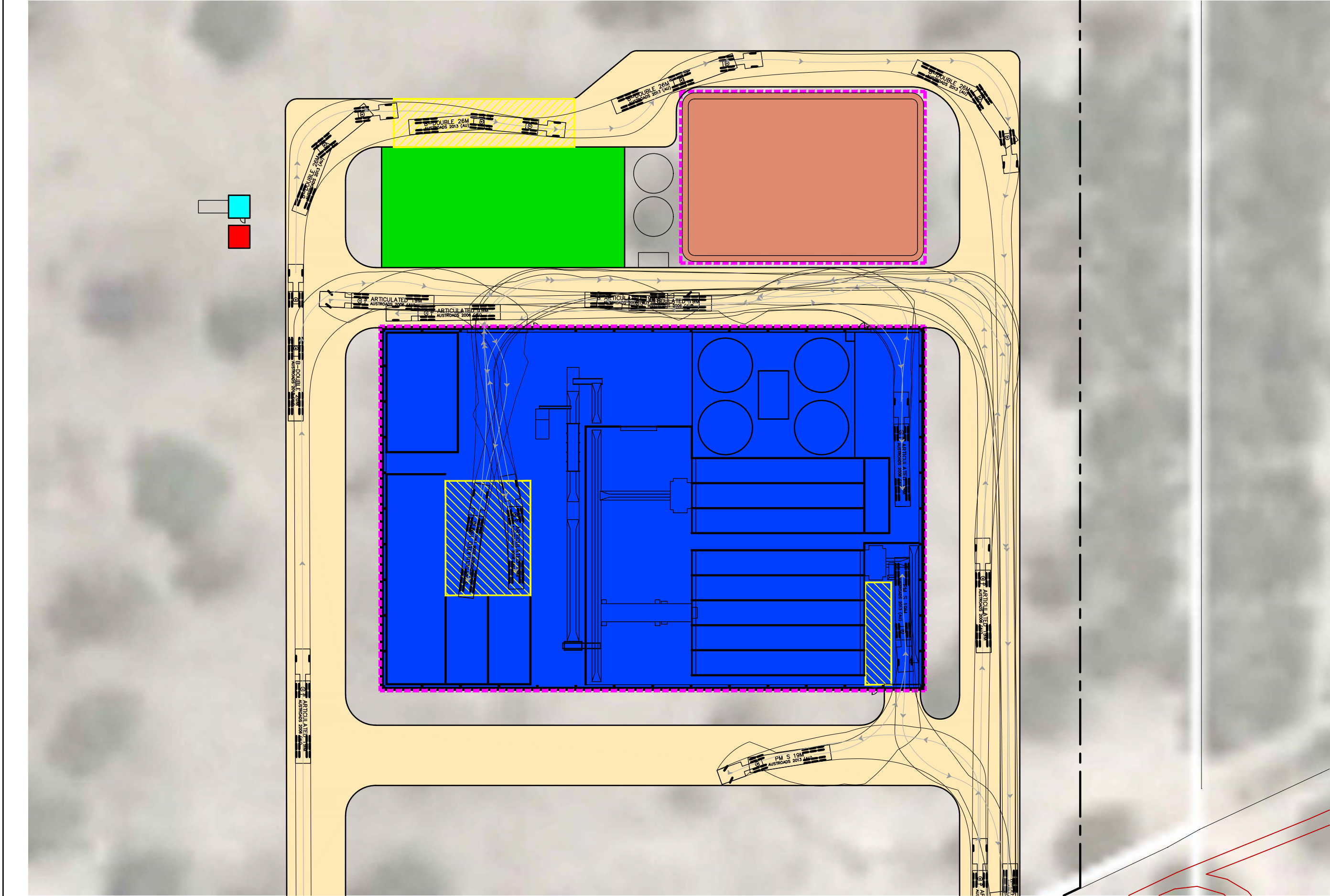
A3 SHEET

PROPOSED SITE PLAN

SCALE 1:600

MUSHROOM COMPOSTING FACILITY
LOT 800 MILITARY ROAD
GINGIN
LION COMPOST Pty Ltd

Date - 07.08.23
Design - CPH
Drawn - MDB
Checked - CPH
Scale - 1:600
Job No. - 0830
Dwg - DA02
Rev - E



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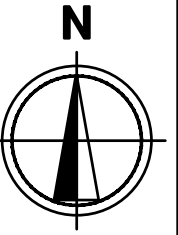
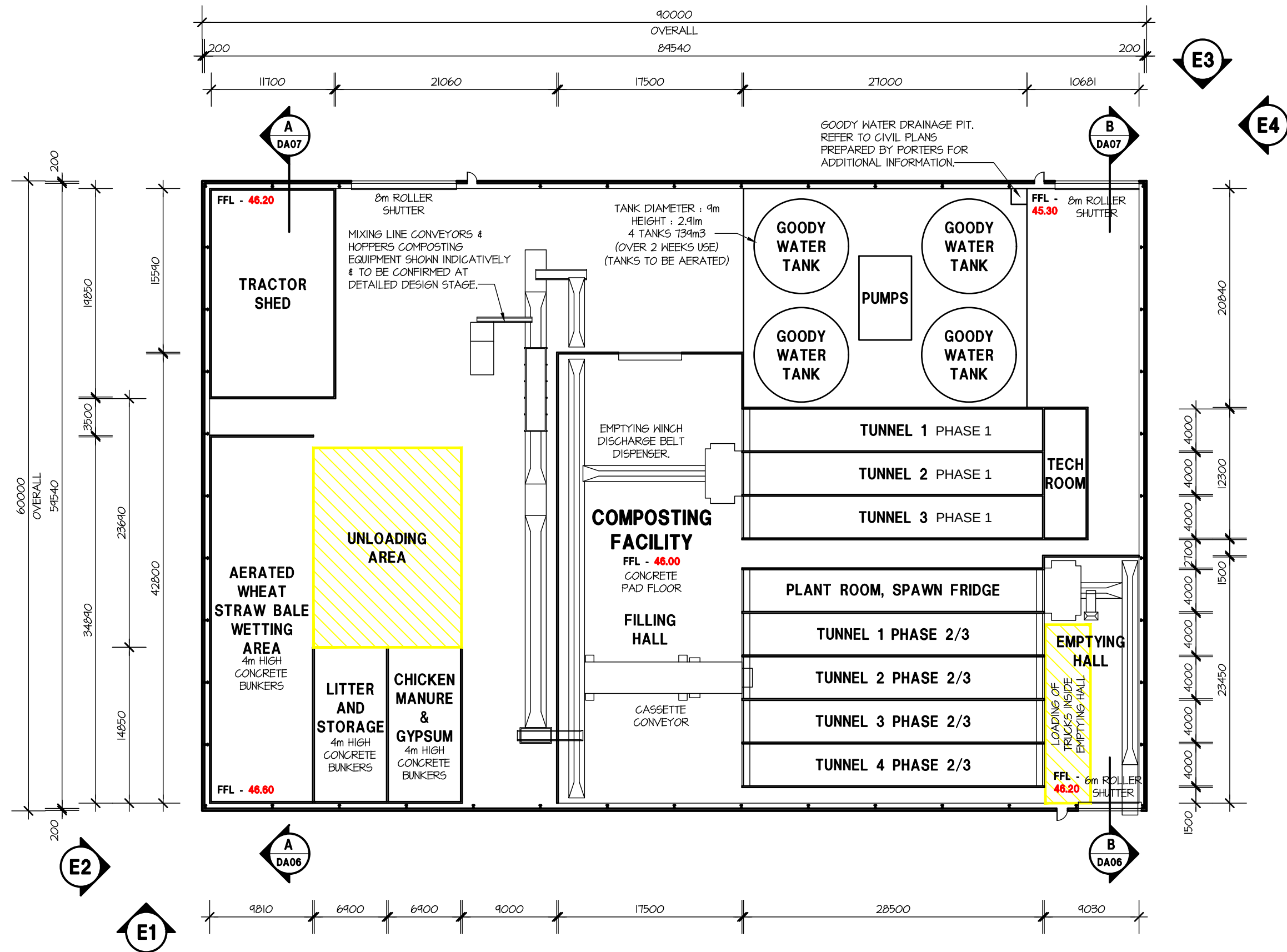
A3 SHEET

SITE TRUCK PATH PLAN

SCALE 1:600

MUSHROOM COMPOSTING FACILITY
LOT 800 MILITARY ROAD
GINGIN
LION COMPOST Pty Ltd

Date	-	03.08.23
Design	-	CPH
Drawn	-	MDB
Checked	-	CPH
Scale	-	1:600
Job No.	-	0830
Dwg.	-	DA03
Rev	-	A



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B	03.08.23	LAYOUT UPDATED	MDB	CPH

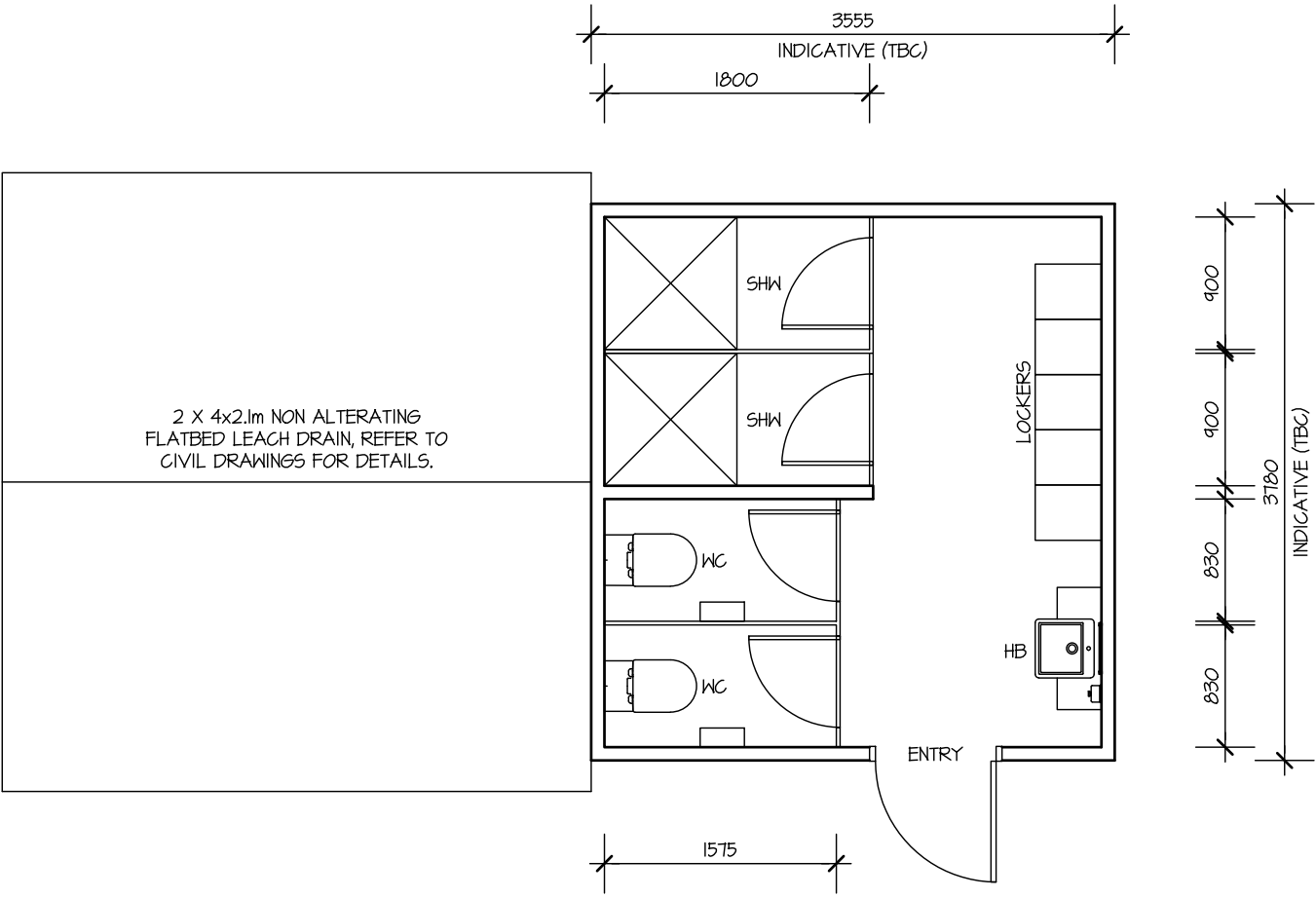
A3 SHEET

PROPOSED FLOOR PLAN

SCALE 1:400

MUSHROOM COMPOSTING FACILITY
LOT 800 MILITARY ROAD
GINGIN
LION COMPOST Pty Ltd

Date - 04.08.23
Design - CPH
Drawn - MDB
Checked - CPH
Scale - 1:400
Job No. - 0830
Dwg - DA04
Rev - B



NOTE

SPECIFIC DESIGN AND WIDTHS TO BE CONFIRMED
PRIOR TO BUILDING PERMIT. DETAILS OF DRAIN &
TOILETS SUBJECT TO CIVIL PLANS.

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TOILET BLOCK FLOOR PLAN

SCALE 1:50

MUSHROOM COMPOSTING FACILITY
LOT 800 MILITARY ROAD
GINGIN
LION COMPOST Pty Ltd

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BUILDING DESIGNERS

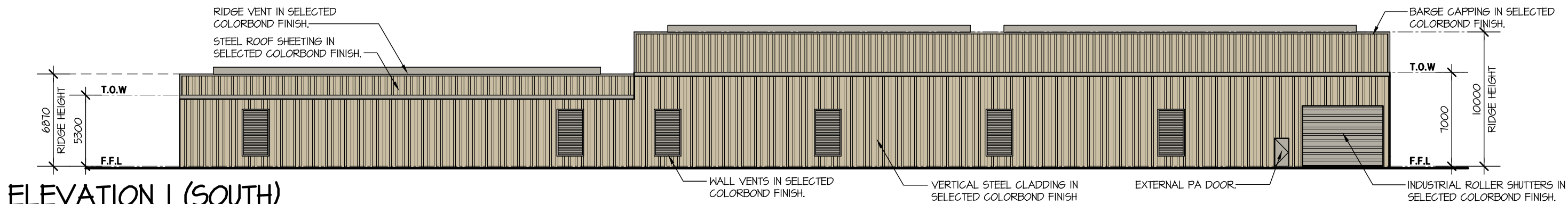
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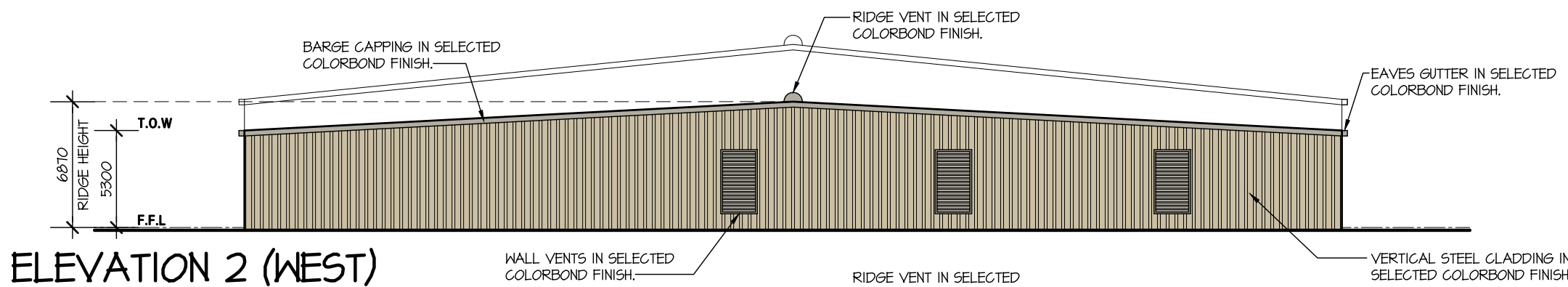
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DEVELOPMENT APPLICATION

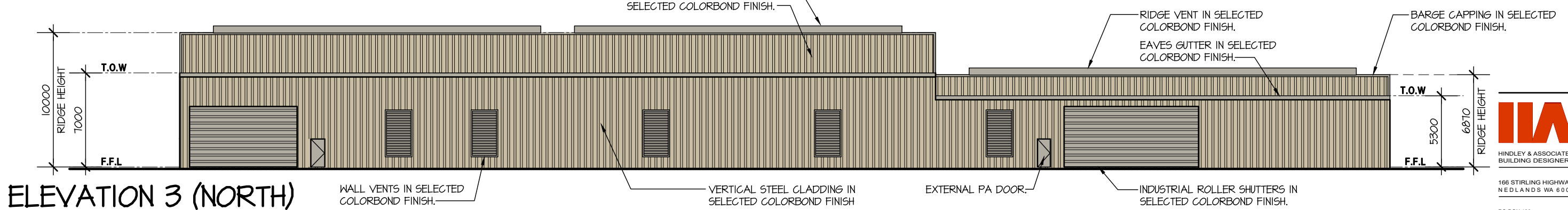
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Dwg.	-	DA05
Rev	-	B



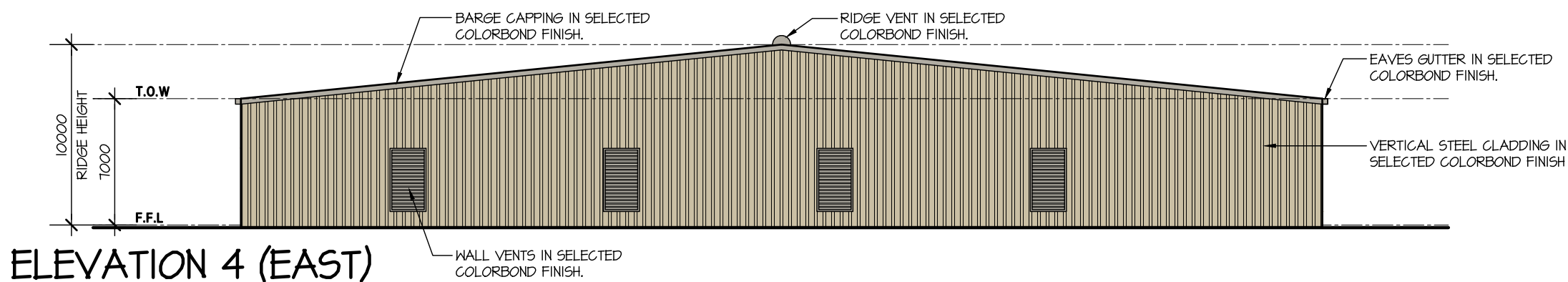
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SCALE 1:300



ELEVATION 2 (WEST)
SCALE 1:300



ELEVATION 3 (NORTH)
SCALE 1:300



ELEVATION 4 (EAST)
SCALE 1:300

COLOUR SCHEDULE	
	COLORBOND PAPERBARK
	COLORBOND DUNE

HA
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DEVELOPMENT APPLICATION

NO.	DATE	REVISION	DRAWN	CHECK
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B	02.08.23	ELEVATIONS UPDATED	MDB	CPH

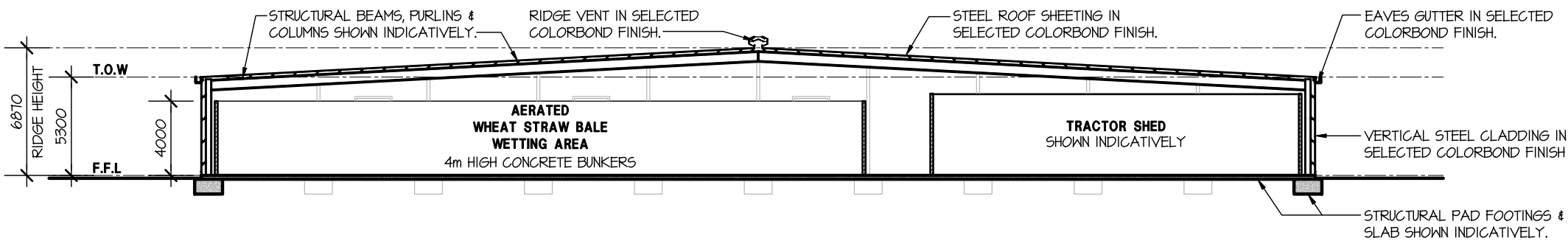
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A3 SHEET

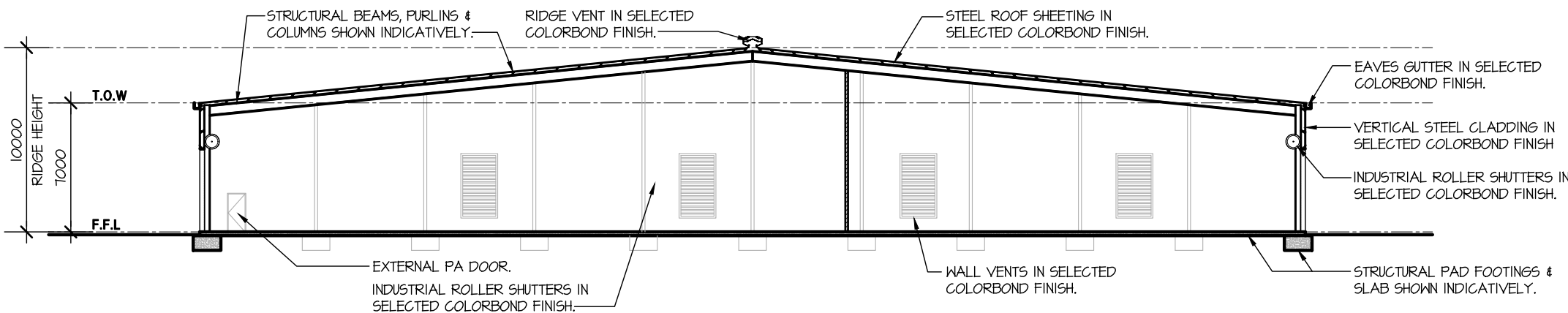
MUSHROOM COMPOSTING FACILITY
LOT 800 MILITARY ROAD
GINGIN
LION COMPOST Pty Ltd

Date	- 02.08.23
Design	- CPH
Drawn	- MDB
Checked	- CPH
Scale	- 1:300
Job No.	- 0830
Dwg.	- DA06
Rev	- B

SECTION A-A
SCALE 1:300



SECTION B-B
SCALE 1:300



HINDLEY & ASSOCIATES
BUILDING DESIGNERS

166 STIRLING HIGHWAY
NEDLANDS WA 6009

PO BOX 199
NEDLANDS WA 6909

PHONE - 9386 6699
admin@hindley.com.au
www.hindley.com.au

DEVELOPMENT APPLICATION

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NO.	DATE:	REVISION:	DRAWN:	CHECK:
A	02.08.23	DEVELOPMENT APPLICATION ISSUE	MDB	CPH

A3 SHEET

MUSHROOM COMPOSTING FACILITY
LOT 800 MILITARY ROAD
GINGIN
LION COMPOST Pty Ltd

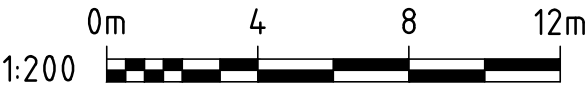
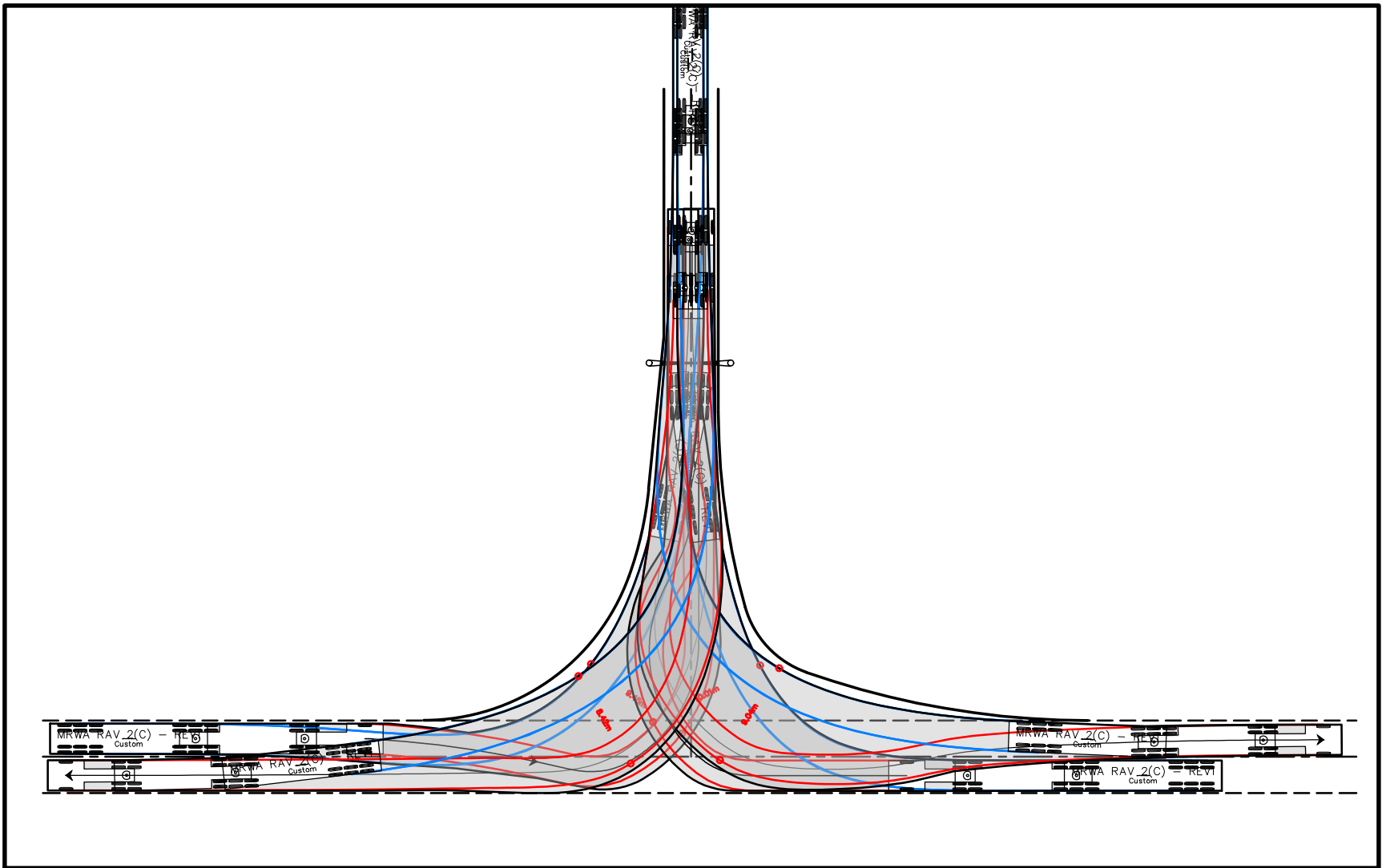
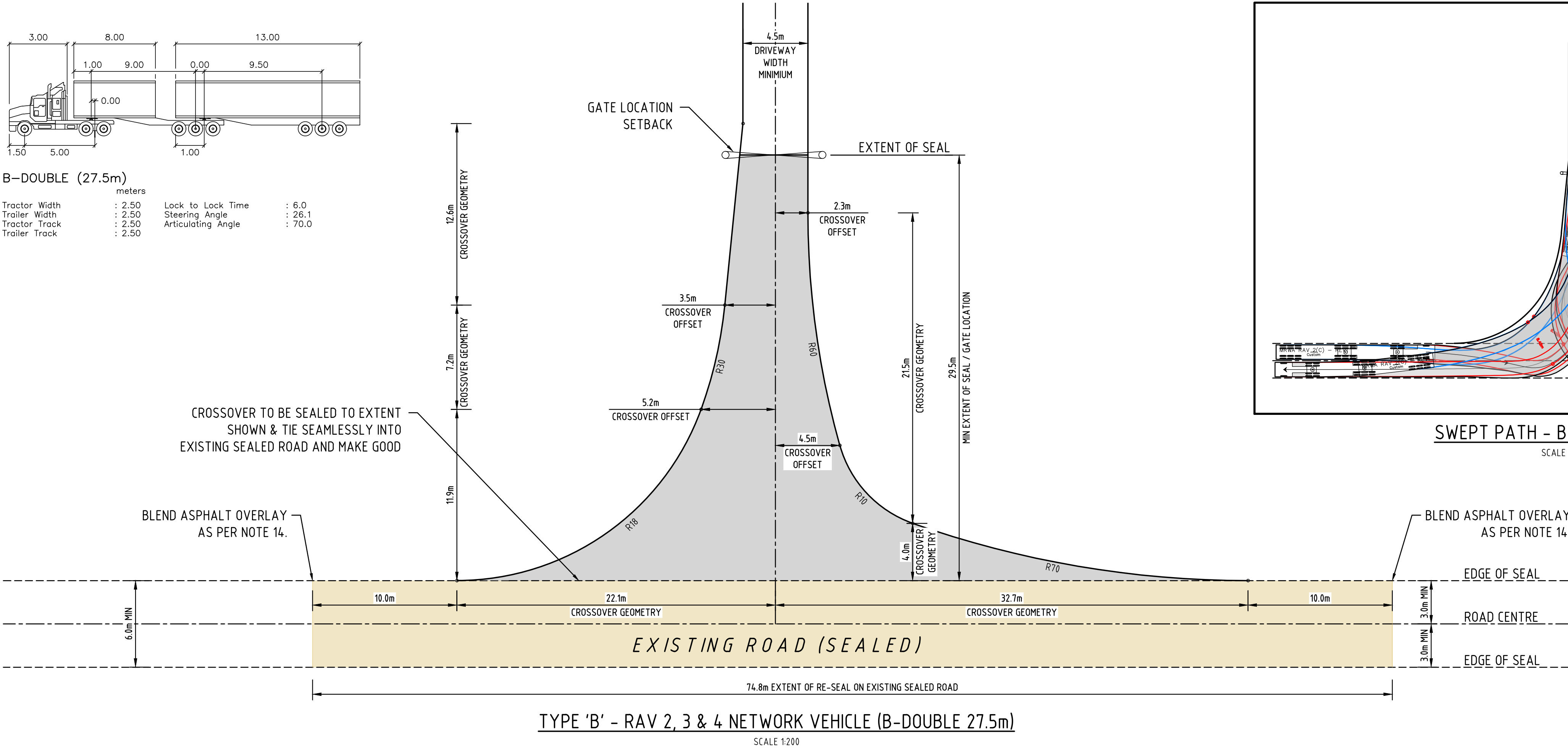
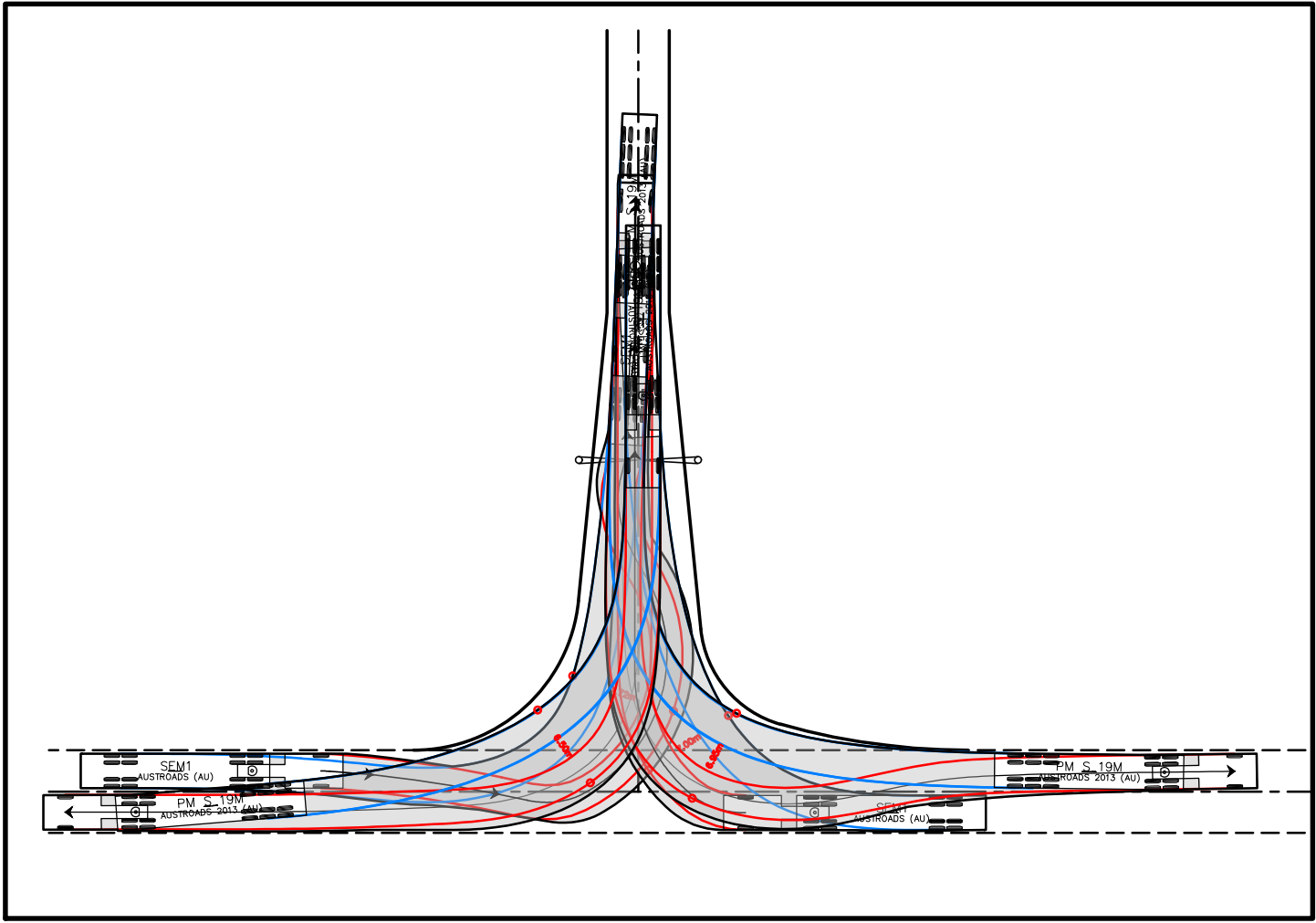
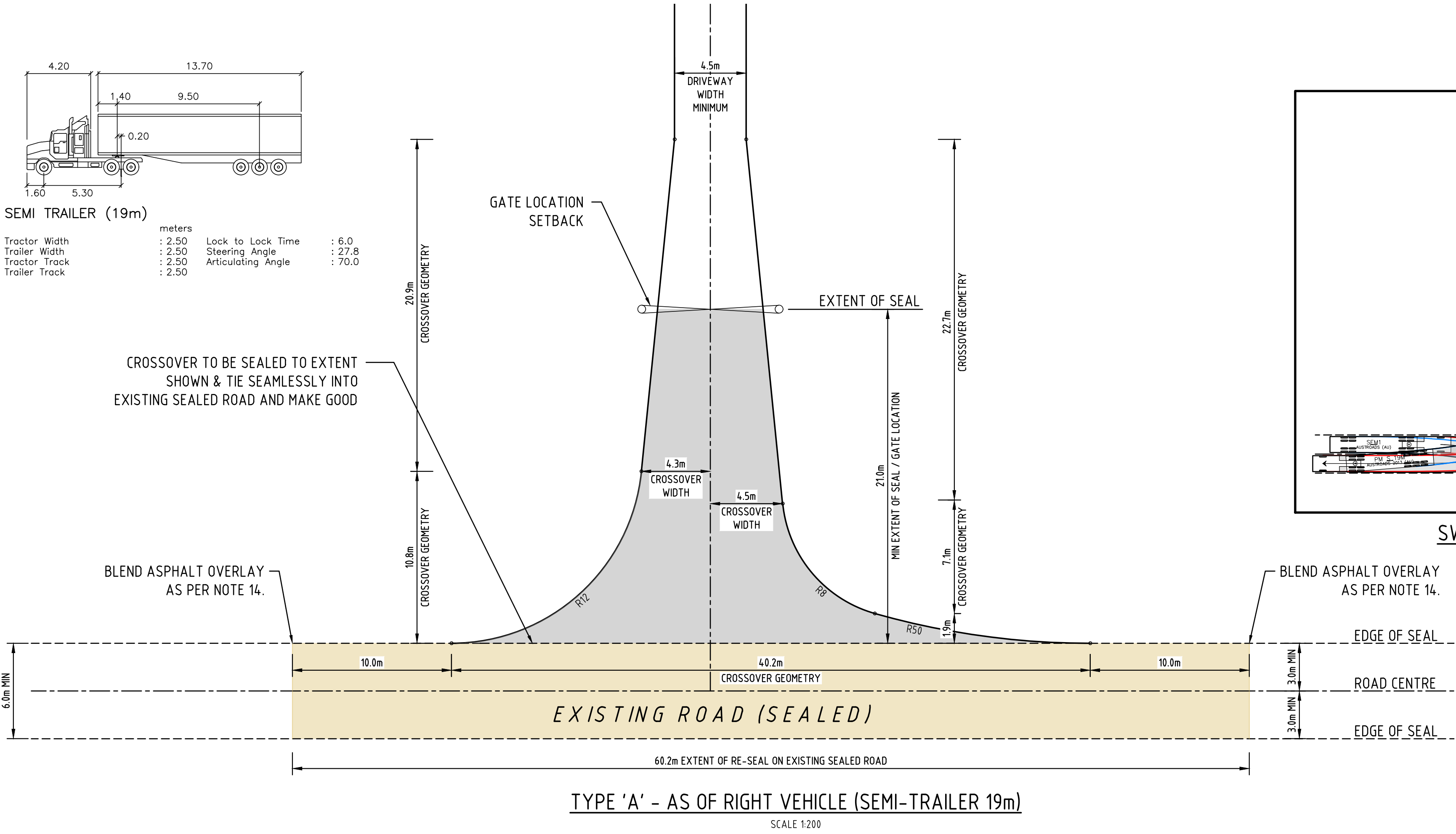
Date - 07.08.23
Design - CPH
Drawn - MDB
Checked - CPH
Scale - 1:300
Job No. - 0830
Dwg - DA07
Rev - A

NOTES:

1. MAINTENANCE OF THE CROSSOVER IS THE LANDHOLDERS RESPONSIBILITY.
2. VEHICLE VOLUMES ARE ONE IN MOVEMENT
3. B-DOUBLE OPTION APPLIES TO RAV 2,3 & 4 COMBINATIONS (i.e. B-DOUBLES & POCKET TRAINS) ANY LARGER COMBINATIONS (i.e. GREATER THAN RAV 4 NETWORK) WILL BE AS APPROVED BY THE SHIRE.
4. GATE SHALL BE LOCATED NOT LESS THAN THE LENGTH OF THE LONGEST VEHICLE USING THE CROSSOVER PLUS 2m FROM THE EDGE OF THE ROAD (i.e. UNSEALED SHOULDER) (i.e. AS-OF-RIGHT VEHICLE WILL REQUIRE A LENGTH OF NOT LESS THAN 21m FROM THE EDGE OF THE ROAD.
5. ASPHALT SHALL BE PLACED ON TOP OF A SEALED (BITUMEN) SURFACE USING AN AGGREGATE NOT LESS THAN 5mm (NOT A PRIMED/TACK ONLY SURFACE)
6. SEAL ON CROSSOVER SHALL EXTEND TO ACCESS GATE.
7. SEALED CROSSOVERS SHALL OVERLAP EXISTING SEALED ROAD BY NOT LESS THAN 100mm.
8. ASPHALT OVERLAY ON CROSSOVER SHALL EXTEND TO THE TANGENT POINT
9. ASPHALT OVERLAY AND RESEAL ON ADJOINING SEALED ROAD SHALL EXTEND NOT LESS THAN 10m PAST THE TANGENT POINT ON THE SEALED ROAD.
10. ALL NEW SEAL SHALL BE A TWO COAT SEAL WITH AGGREGATE SIZES OF 10mm AND 5mm TO MRWA SPECIFICATIONS.
11. ALL MATERIALS, SEALING WORKS AND EARTHWORKS TO MEET ALL RELEVANT STANDARDS (MRWA SPECIFICATIONS AND TEST METHODS AND ANY OTHER RELEVANT STANDARDS).
12. LOCATION AND PROTECTION OF ROADSIDE SERVICES AND ASSETS (POWER, WATER, TELSTRA, NBN, ETC) ARE ENTIRELY THE RESPONSIBILITY OF THE APPLICANT (DBYD WWW.1100.COM.AU)
13. CULVERTS SHALL BE INSTALLED AS REQUIRED AND AS STIPULATED BY THE SHIRE. ALL CULVERTS SHALL USE PRECAST HEADWALLS. ALL CULVERTS SHALL UTILISE REINFORCED CONCRETE PIPES (RCP) OR REINFORCED BOX CULVERTS (RBC) AS STIPULATED BY THE SHIRE AND ALL RCP AND RCB SHALL BE NOT LESS THAN CLASS 2. REFER TO MRWA DRAWING 9831-6281
14. ALL TERMINAL JOINTS SHALL BE GRADED TO EXISTING AT 1:100 (i.e.30mm COMPACTED ASPHALT REQUIRES A 3m TAPER). ALL TAPERS TO BE PROFILED. AS PER MRWA SPECIFICATION 504.

LEGEND

- AREA OF SEALED CROSSOVER
- AREA OF RE-SEAL ON EXISTING ROAD



PROJECT:

SHIRE OF GINGIN
CROSSOVER SPECIFICATIONS

No.	DATE	REVISION	BY
B	21-1-2021	NOTE 14 ADDED TERMINAL JOINTS SHALL BE GRADED AT 1:100.	MJV
A	19-01-21	ISSUED FOR APPROVAL	MJV

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Porter
Consulting Engineers

Level 2 Kishorn Court
58 Kishorn Road
Mt Pleasant 4553 WA
PO Box 1036
Canning Bridge 4553 WA
Tel (08) 9315 9955
Email: office@portereng.com.au
www.portereng.com.au



DRAWING:
RURAL & INDUSTRIAL CROSSOVER
FRONTING SEALED ROAD HEAVY
VEHICLES PER WEEK: >5 TO ≤10

STATUS: FOR INFORMATION

SCALE	1:200	DRAWING No		REV No	ORIGINAL DRAWING SIZE
DATE	JAN 2021	SoG/STD-02	B	A1	
DESIGN	ELW				
DRAWN	MJV				
CHECK	APPD	FILE NAME S:\ACTIVE PROJECTS\20-12-1999\ACAD\2012\199_506-STD-02.d			
					

Appendix 2

Civil and Stormwater concept plans



PROJECT:
**LOT 800 AND 801 MILITARY ROAD
GINGIN**

B 8-8-2023 SITE LAYOUT UPDATED AS PER DAZZIE!
A 4-8-2023 ISSUED FOR APPROVAL
No. DATE REVISION BY

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MEG
MEG
BY

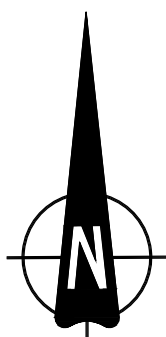
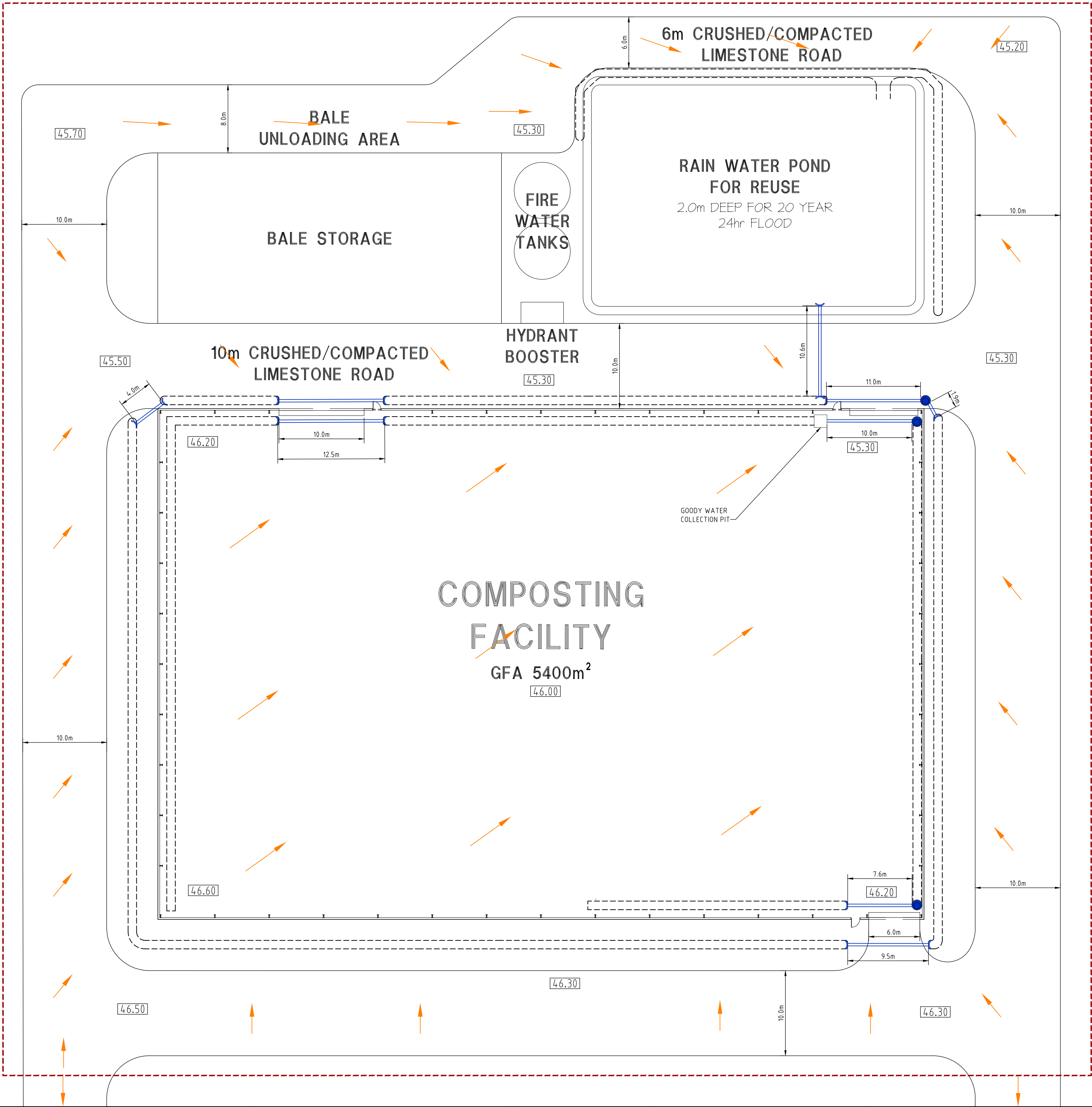
Porter
Consulting Engineers
Level 2 Kishorn Court
58 Kishorn Road
Mt Pleasant 6153 WA
PO Box 1036
Canning Bridge 6153 WA
Tel (08) 9315 9955
Email office@portereng.com.au
www.portereng.com.au
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CLIENT:
LION MUSHROOMS

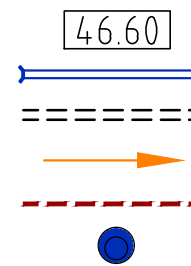
DRAWING:
DRAINAGE CONCEPT PLAN

STATUS: **FOR APPROVAL**

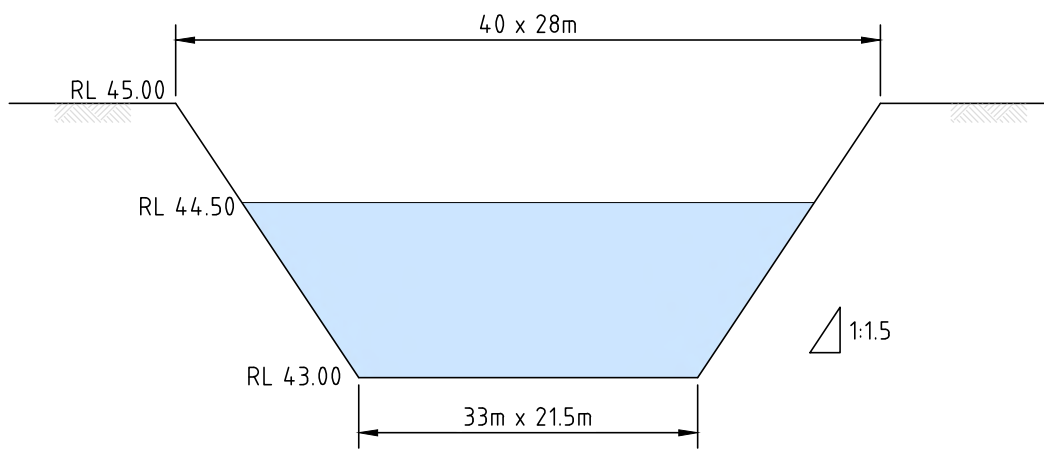
SCALE: 1:250
DATE: Aug-23
DESIGN: JK
DRAWN: MEG
CHECK: APPD
DRAWING No.:
23-7-75/400
REV No.:
B
ORIGINAL DRAWING SET:
A1
FILE NAME: \23-07-075\ACAD\23775-400.dwg



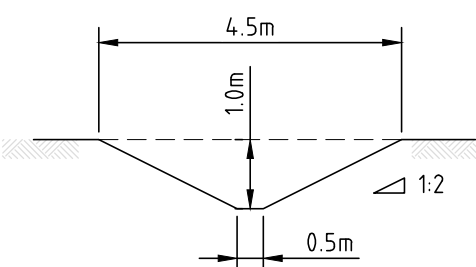
LEGEND



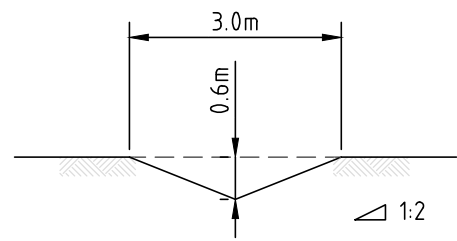
APPROXIMATE CONCEPT FINISHED SURFACE LEVELS
PROPOSED RCP DRAINAGE CULVERT AND HEADWALL
PROPOSED DRAINAGE SWALE
DIRECTION OF DRAINAGE FLOW
CATCHMENT BOUNDARY
PROPOSED JUNCTION PIT



POND DETAIL TYPICAL SECTION
NTS



EXTERNAL SWALE DETAIL TYPICAL SECTION
NTS



INTERNAL SWALE DETAIL TYPICAL SECTION
NTS

NOTE:
POND AND SWALES TO BE LINED IN ACCORDANCE WITH DWR REQUIREMENTS

STORMWATER DRAINAGE CRITERIA

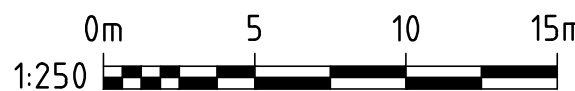
RAINWATER POND VOLUME TO CATER FOR THE FULL 5% AEP 24hr STORM EVENT BASED ON NO PERMEABILITY AND A 0.5m FREEBOARD.

RE-USE OF STORMWATER TO COMMENCE IMMEDIATELY UPON POND FILLING VIA SUBMERSIBLE PUMP

DRAINAGE CALCULATIONS

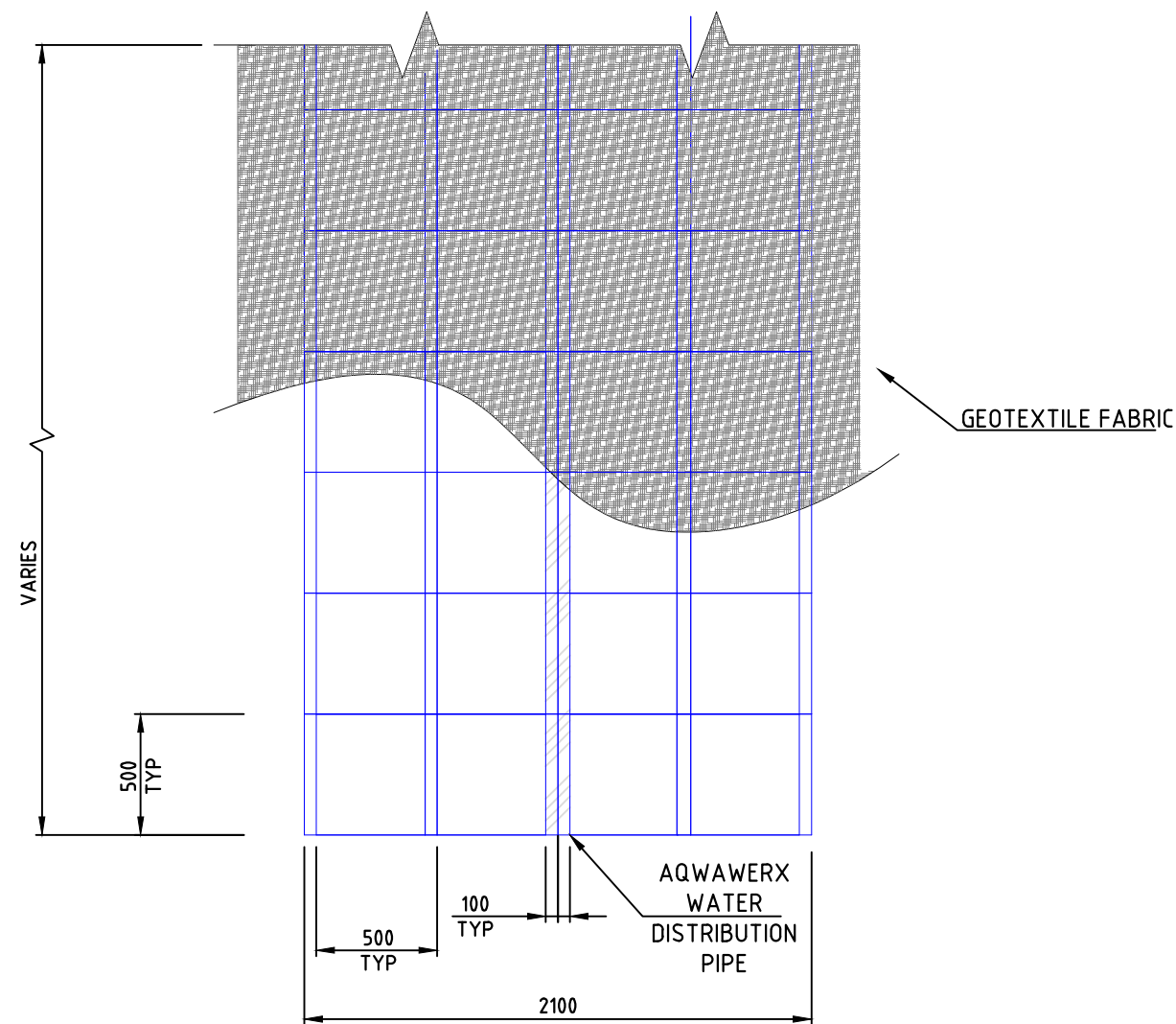
CATCHMENT AREA= 1.320ha
C= 0.9
I= 4.38m/hr

STORM VOLUME
Q=FCIA= 1250m³
DESIGN POND VOLUME = 1258m³

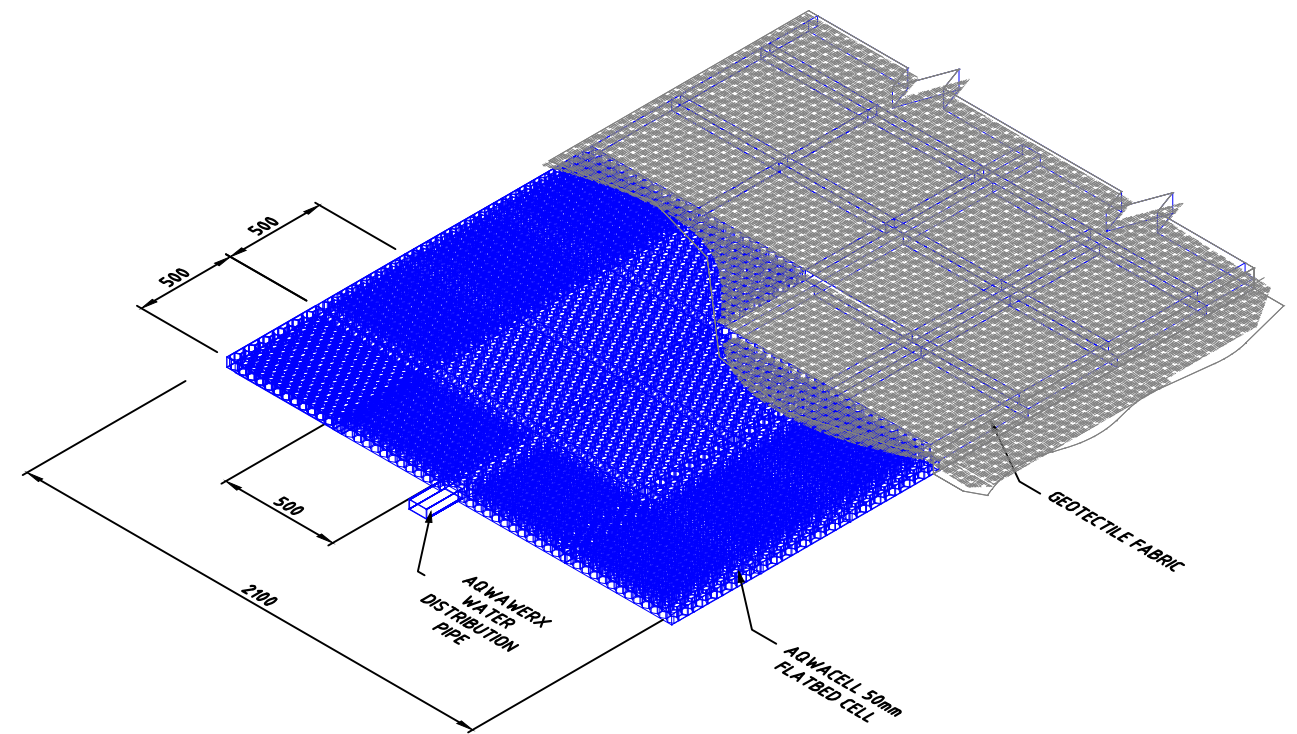


Appendix 3

Hydraulic/effluent treatment information

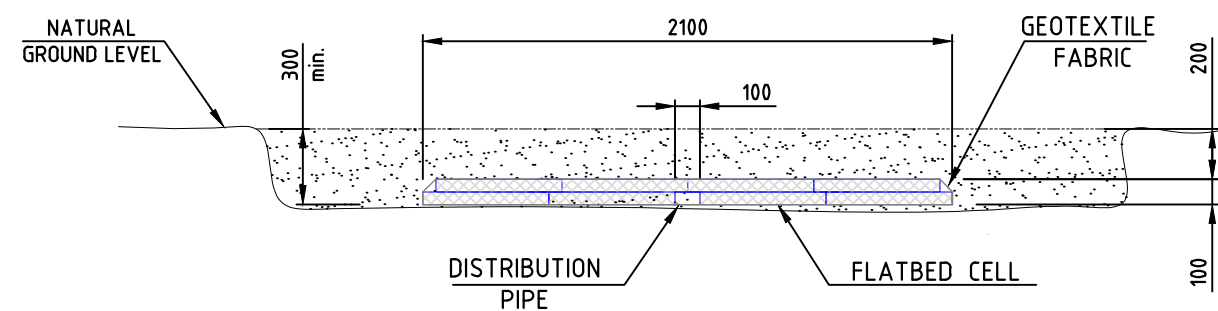


AQWACELL FLATBED CELL UNITS
PLAN VIEW
SCALE 1:30



TYPICAL AQWACELL FLATBED CELL ARRANGMENT
SCALE 1:30

NOTE: CELLS ARE TO BE FULLY COVERD WITH
GEOTEXTILE FABRIC ON INSTALLATION.



AQWACELL FLATBED CELL UNITS
SECTIONAL VIEW
SCALE 1:30

Aquarius Wastewater Systems Pty Ltd

 A: 34 Sarich Court,
Osborne Park WA 6017
Ph: 08 9240 8545
E: admin@aquariuswastewater.com.au
ABN: 43 609 521 735

TITLE: AquwaCell16 Flatbed Leach Drain

All measurements are in millimeters unless specified otherwise

			SCALE : See on dwg	CHECKED : M.B	REV.
			DATE : 01 / 09 / 2021	SHEET : 1 OF 1	0
			DRAWN : S.H		SIZE
Rev.	Description	Date	DRAWING NO: AWS-AQWACELL16-FLD		A3

AQUARIUS[®] O-2 NR 1.8KL ATU

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ELEVATION

Duralen Plastic Tanks2 x 2700 Carat Tank with baffles

Single Discharge

Invert Level 650mm to 850mm
(adjustable with Risers)

Tank Capacities (L):

Primary Chamber : 2400
Secondary/Aeration Chamber:875
Clarifying Chamber : 650
Discharge Chamber : 875
Discharge Volume: 170

Effluent Quality Performance
Criteria:

Parameters & Specification
Total Suspended Solids: <30mg/L
Biological Oxygen Demand: <20mg/L

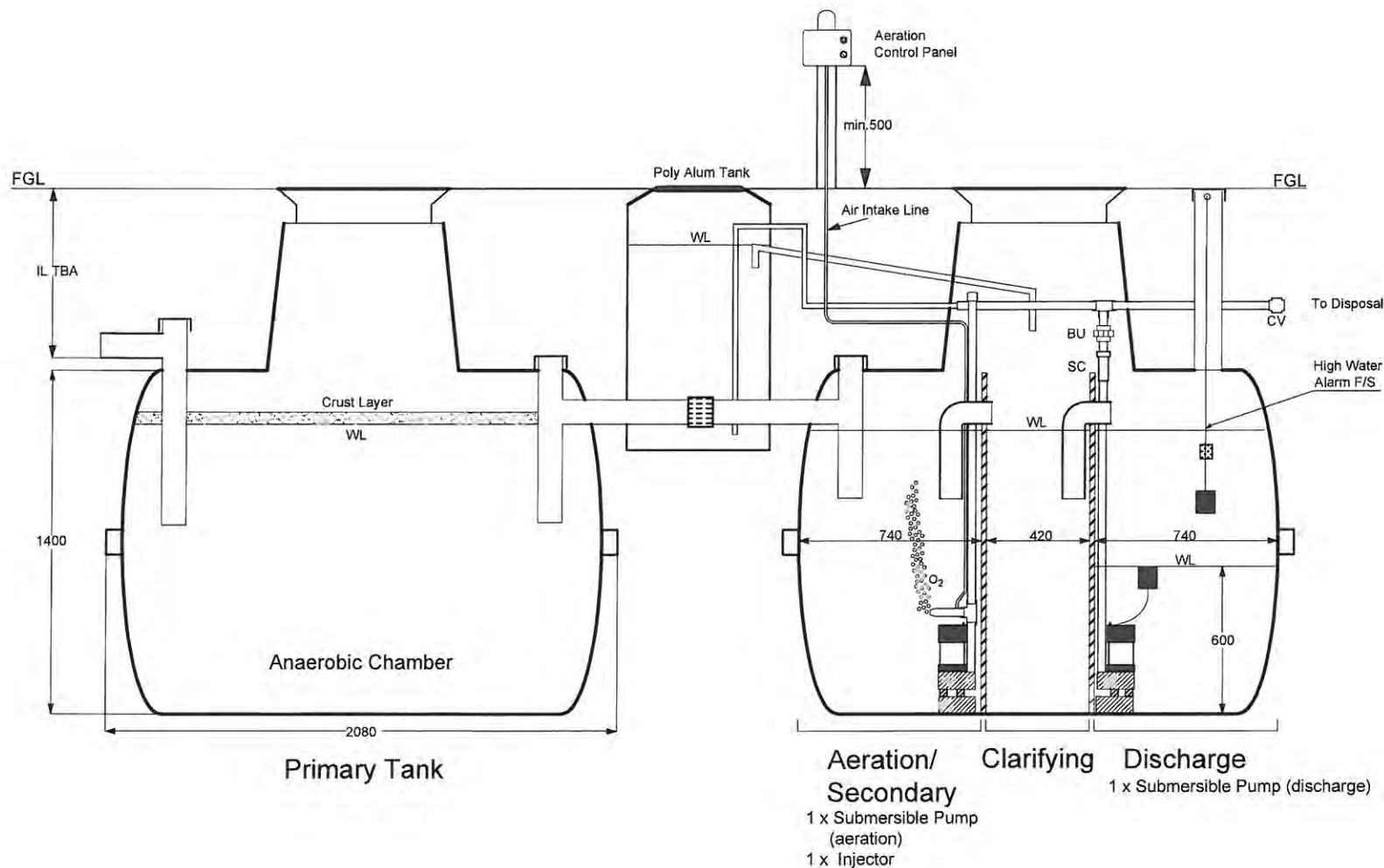
pH: 6.5 - 8.5

Structural integrity: 15 years (tanks)
Serviceability min 15 years

System complies with AS/NZS
1547:2012 & 1546.3

Treatment Performance:

Maximum: 1800 Litres per day
Minimum: 180 Litres per day



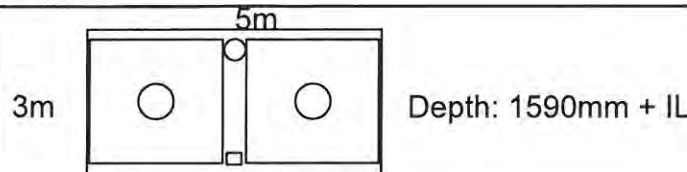
CERTIFICATION

PROCESS ENGINEER: Olaf Stams, State Qualified Technician ATST Kiel Germany
Environmental Technology/Process Engineering

DATE: 16.01.2018

SIGNATURE: *Olaf Stams*

FOOTPRINT



AQUARIUS[®] O-2 NR 1.8KL-ATU

DRAWN:
NB

CHECKED:
[Signature]

DATE:
16.01.2018

SCALE:
NTS

All measurements are in millimetres unless specified
otherwise

SCHEDULE OF SUBMISSIONS AND APPLICANTS' RESPONSES

PROPOSED COMPOSTING FACILITY AT LOT 800 AND 801 MILITARY ROAD, MUCKENBURRA

No	Submitter	Submission details	Officers response
1.	Community	The submitter provides the following general comment: <i>Dear JDAP Secretariat,</i> <i>May I please request a copy of the following information from presiding member Arias.</i> <i>The application pertains to be of the value of 2.5m hence making the opt in provisions for JDAP appropriate. Does Mr. Arias, the shire of Gingin, or the applicant have a Quantity Survey (QS) Report or similar, confirming the value of the development. The request is relevant as if the application fails to demonstrate this value threshold, the appropriateness of the JDAP process has not been demonstrated.</i> <i>Can I please request this information at the earliest available opportunity. If this is not available I would request that Mr. Arias move that the application is to be considered by Shire of Gingin using the conventional planning framework.</i> <i>I await your reply.</i> <i>I have CC'd to my local councillors and planning officer as the outcome is critical to the standing of your panel in the above matter.</i>	The officer became aware of rhetoric within the community throughout the assessment process that the cost of development had been inflated by the applicant, seemingly in an attempt to have the matter heard by the DAP as opposed to the Gingin Shire Council. The officer has investigated approximate costings for composting developments, and engaged with an existing composting facility operator who envisaged a construction cost far greater than what was indicated on the application form. The officer investigated this further with the applicant and received a copy of a quotation from an international mushroom/composting provider (Christiaens Group) for the proposed development. In view of the above, the officer is satisfied that the cost of development is within the threshold for an optional DAP consideration. The officer further notes that the planning framework does not change as a result of the cost of development or who the decision-making body is.
2.	Community	The submitter provides the following general comment: <i>Dear JDAP Secretariat,</i>	As outlined in the preceding response to submissions, land values are not a material planning consideration. The officer is unaware of any provision under the planning framework that enlivens such a consideration in a planning assessment.

		Can you please forward the following to presiding member Arias for distribution to panellists deciding my fate on DAP/23/02467. <u>62 Chitna Rd, Neergabby, WA 6503 - Lifestyle for Sale - realestate.com.au</u> <u>768 Chitna Road, Neergabby, WA 6503 - House for Sale - realestate.com.au</u> 62 Chitna Road is my property adjacent to the proposed mushroom compost facility. Has been on the market for over 2 months. Listing price 945k. 1 km from Proposed Compost Facility. First listed 31 May. 768 Chitna Road is a nearby comparable property on the same street, less hectares, similar specification home, sheds etc. Has been on the market 2 weeks. Under Offer 1.2m 8km from Proposed Compost Facility. I provide presiding member Arias this information to table / consider as the application has now had a demonstrable impact on my property and I provide this as record of this on the basis of; - A comparable property, 8km away is now under offer for 1.2m. (Confirmed today by Mr. Hyne, Country Values Property) - My property initially marketed at a significantly discounted 945k has had significant interest (20+ groups have visited) yet not one offer with feedback provided specifically regarding this pending mushroom compost application.	
--	--	--	--

		<i>As I am now suffering a demonstrable loss, I request this application is swiftly rejected on the basis of it demonstrably, negatively impacting my property value.</i> <i>Further, the prolonged deferral while this application is yet to be rejected is impacting me with a weekly loss of income while the property sits empty awaiting sale.</i> <i>I trust the above satisfies the JDAP requirements for tabling of information and that this is particularly relevant as not only is my future amenity being impacted but the amenity of future potential buyers as is demonstrated by the property failing to receive an offer.</i> <i>I can have Mr. Daniel Murphy (Ray White real estate) attest to this point if required at the JDAP meeting.</i> <i>I have CC'd to my local councillors.</i>	
3.	Community	The submitter provides the following general comment: <i>Refer to attachment.</i>	<u>Site Inspection</u> The officer inspected the property. <u>Community engagement</u> Community consultation went above and beyond that required under clause 64 of the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i>. <u>Feasibility Study</u> The officer is unaware of the context of comments relating to private operators. The officer notes that various studies were undertaken as outlined within the attachments to the RAR. The proposal will be assessed under the <i>Environmental Protection Act 1986</i> by the DWER.

			Planning approval represent one approval in a sequence of approval that must be obtained, each of which is considered under different legislation. <u>Composting Hub</u> No relevance to the proposal. Applications must be considered on their merits, against the planning framework, irrespective of whether the decision maker is of the view that alternate sites may be more appropriate. <u>Access Road</u> Refer to the technical note provided by Stantec and suggested conditions of approval. <u>Odour</u> Refer to the RAR in relation to odour comments.
--	--	--	--

“The purpose of State Planning Policy 2.5 – rural planning is to protect and preserve Western Australia’s rural land assets due to importance of their economic, natural resource, food production, environmental and landscape values”

Dear Sir/Madam,

Re: DAP/23/02467
Mushroom Composting Facility
Lot 800 & Lot 801 Military Road, Muckenburra

I write to clarify and further discuss certain issues raised at the recent RJDAP meeting held on July 11th 2023 in Gingin.

We and the greater local community of Neergabby are concerned with the above proposed compost facility. We feel it would be reckless to allow a compost facility to be developed in a known high risk bushfire zone, negligent to put our waterways and aquifers (arguably the most vital amenity) at risk and extremely short sighted in terms of planning for the longevity of the urban/rural living enjoyed in Neergabby as urbanisation rapidly expands north.

It is utterly impossible to come to any considered decision without personally viewing the area under discussion, we therefore request that a formal visit is planned to view:

- Lots 800 and 801 and the actual site of the proposed buildings
- Local Brook environs
- Local Bushland
- View the results of the recent fire on Chitna Road
- Visit AIGO and view the proximity of the Gravity Tower (from the top) - which will also give a very clear view of the extent of the contiguous bushland
- Visit Willowbrook Caravan Park.

This matter cannot be understood from maps, pictures and diagrams digitally portrayed on a computer screen.

Community Engagement

We would suggest community engagement was non-existent because Lion Mushroom rightly assumed they would be met with valid concerns and discontent from a local community who wishes to protect their local amenities which include natural waterways, valuable underground water systems, unique bushland, and a world class research facility to name a few.

Feasibility Study

The underlying aquifers and adjacent waterways are known to be sensitive to biological and chemical contamination.

Typically when waste management facilities are proposed that have a potential to contaminate local water ways and aquifers, an assessment of the risks and mitigations must be completed. That the facility will be privately operated should make no difference to the requirement to demonstrate that environmental risks have

been properly assessed by a competent party (independent environmental and planning assessment consultant) and mitigations have likewise been designed with appropriate expertise to achieve containment and treatment of contaminants and nutrients.

We request all relevant parties ensure assessment and mitigation is carried out to the level befitting the value of the environment at risk and demonstrate that they are comfortable that all prudent measures are taken to sustain the health and safety of our community, our land, and our water.

We fear feasibility studies have not been done or if so not provided as they would prove on a risk vs benefit scale allowing this project to advance on the proposed site would be reckless, negligent, short sighted and put our waterways and aquifers at unnecessary risk.

Composting Hub

We raise the commentary surrounding "the composting hub" as it demonstrates previous research and feasibility tests have proven this site to be the most safe and viable location (removed from sensitive water resources) for such industries with millions of dollars invested by both state and federal governments.

To clarify for the RJDAP panel the composting hub north of Gingin includes 6 facilities:

- Geo Organics/Brunnings - green waste
- Fern View Environmental - the earmarked FOGO site, completion and operation delayed due to developer financial hurdles
- both piggeries in the vicinity have composting capabilities/operations
- both feedlots in the vicinity have composting capabilities/operations

Access Road

By utilizing the driveway to the proposed property, you are reconfiguring the T junction into a 4-way cross intersection and as such the Chitna/Military intersection must be taken into account.

- Chitna Road and Military Road currently form a T intersection
- In it's current state the intersection isn't particularly safe
- It is within a 90km/hr zone, which has poor compliance
- It has poor visibility related to the positioning of the intersection, the degree at which the roads bisect and accompanying topography
- It is affected by fog, the position of the sun especially bad for the majority of the year.
- A semi or B double will need to cross over into the incoming lane to effect entry to the proposed property
- It forms part of numerous school bus routes
- It is utilized by many inexperienced and foreign drivers accessing employment at the local fruit and vegetable farms.
- Many factors that can not be ascertained or appreciated from a map alone

Odour

We believe the basis of the original odour report to be inadequate. Given the extensive community concern, the unique nature of mushroom composting and the simplified approach generic offset tables we request independent dispersion modelling to accurately assess the amenity impacts on the nearby properties from the proposed mushroom farm.

Norway:

We have contacted the Minister for Agriculture and are awaiting reply.

New Zealand:

<http://i.stuff.co.nz/environment/101592974/te-mata-mushroom-company-eyeing-up-site-near-waipukurau>

“Te Mata Mushroom Company near Havelock North is a regular source of odour complaints”

“There have been ongoing issues with the smell emitted from the Havelock North site, which has been the subject of 758 odour complaints to the regional council...”

- Neighbours find Te Mata mushroom company odour offensive
- Mushroom farm with odour issues want to expand production
- Mushroom Company fined over odour breach
- Odour from mushroom farm sinks proposed new school site
- Mushroom farm odour forces rethink on Havelock North expansion

<https://i.stuff.co.nz/business/129721932/mushroom-plant-that-announced-sudden-closure-was-about-to-face-enforcement-action>

https://www.cecildaily.com/news/local_news/r-s-residents-complain-about-mushroom-farm-odors/article_f07b5822-eb2e-518c-b8ad-40cdbe2c18ef.html

<https://www.nzherald.co.nz/nz/locals-blame-mushroom-farm-for-job-losses/Z5BUD6RSPUVAYHZ5ITHJIQV26M>

Similar local operations have been relocated secondary to discontent from the community (mushroom composting facility on King Road, Oldbury)

Fire

• Brunnings has been on fire for weeks, at this point probably months and while I agree this is a discussion for another forum, I bring it up for two reasons:

1. Unless Brunnings has decided to diversify into char industry I'm certain turning thousands of dollars of green waste into ash isn't featured in their business plan, however there is still a fire

2. The containment measures were breached allowing for run off to infiltrate ground water systems well before the rescue effort reached the MILLIONS of litres of water pumped onto the fire, fortunately as it is appropriately located important waterways and aquifers weren't put at risk of contamination

- In reality the proposed site is situated in a high-risk bush fire zone. Even if the facility itself isn't the cause, threat of fire is a real one. The stored straw and other raw materials have a history of spontaneous combustion or themselves catching fire from outside sources. In recent years there have been two spontaneous and devastating bush fires resulting in Chitna Road being evacuated. The most recent in February of this year where a neighbour lost his house/sheds, 995 hectares of natural bush being burnt, and we personally lost 60+ hectares and fire damage came within 50m of farm infrastructure.

- If the proposed facility was a victim of bushfire:

- A) is their bush fire plan actually adequate???

- B) in the event of rescue efforts (and stormwater) can they assure containment measures will protect natural waterways and underground water resources from contamination???

Conditions (of approval)

We feel you are investing a lot of faith in conditions of approval and a company with a proven/documented "better to seek forgiveness than ask permission" attitude. Lion Mushrooms expanded their Wanneroo operation without planning approval from the city (also important to note retrospective approval was denied as per City of Wanneroo shire minutes).

"Owners of a Mariginiup mushroom farm seeking to expand their business have had their retrospective building application refused by the Wanneroo City Council. Reasons for objection included that a significant expansion would entrench an activity inconsistent with the areas future urbanisation"

<https://www.perthnow.com.au/community-news/wanneroo-times/mushroom-farm-expansion-rejected-c-928090>

We would be happy to host the RJDAP committee and feel it is essential to invite you to visit our community, view our amenities and take a minute to enjoy the unique beauty that is rural living so close to the city.

We need to live and make decisions like tomorrow matters. I ask you, if the department of planning are not advocating for tomorrow, who is?

Kind Regards,

Lindsie Leahy

(on behalf of the environment, our neighbours and wider community)

Project:	Lot 800 and 801 Military Road, Muckenburra	Office:	Perth, Adelaide Tce
Project No:	300305024	Status:	Rev A
Client:	Shire of Gingin	Prepared by:	FO
Date:	14 August 2023	Approved by:	SGL

1. Introduction

Stantec has been engaged by the Shire of Gingin to undertake a peer review of the traffic and transport elements of the proposed Mushroom Composting Facility at Lot 800-801 Military Road, Muckenburra (DAP/23/02467).

2. Traffic Impact

The proposed development is expected to generate less than 10 vehicle trips per day according to the *Development Application Report* (2023). As per the WAPC *Transport Impact Assessment Guidelines Volume 4 – Individual Developments* (2016), this level of trip generation falls well below the threshold of 10 vehicle trips in the peak hour to warrant a Transport Impact Statement. This suggests that the effect of the proposed development on the road network is considered “Low Impact” and all that is required is a “*brief description of land use and proposed development to establish impact as low.*” The *Development Application Report* (2023) indicates the proposed development is expected to accommodate 1 Restricted Access Vehicle (RAV) movement per week (a B-Double) with other movements being either Semi-Trailers, Rigid Trucks, or Light Vehicles.

3. Road Safety

Main Roads’ crash data was reviewed using the Crash Map application. There were no recorded crashes within 300m of the Military Road/Chitna Road intersection in the past 5 years.

Two PDO Major crashes were recorded on Military Road in 2022, approximately 390m and 850m north of Chitna Road, respectively. One crash was the result of hitting an object on the roadway that had fallen from another vehicle. The other crash was a rear-end crash with no direction specified.

Overall, there is no recorded crash pattern that indicates a particular safety issue with Military Road at the location of the proposed development.

4. Crossover Design

The existing property access consists of a narrow, unsealed leading from Military Road near the intersection of Chitna Road as shown in **Figure 1**. The *Development Application Report* (2023) indicates that this access will be sealed to single-lane standard as part of the development.

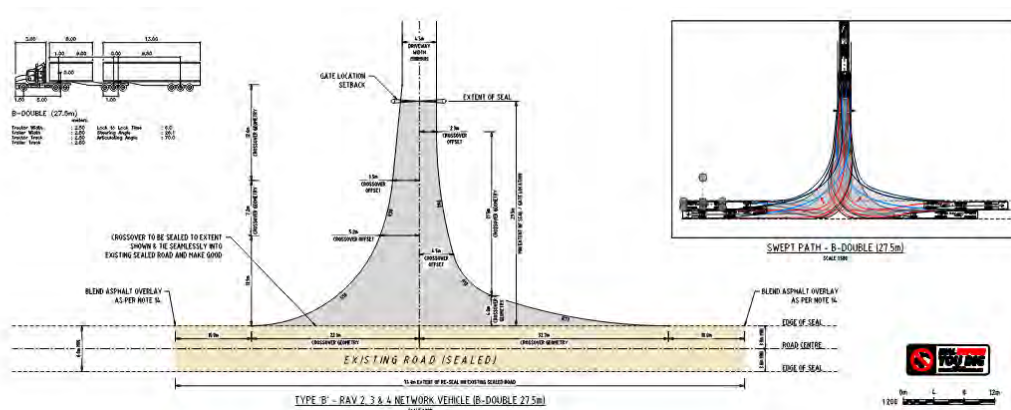
Figure 1 - Existing Property Access



Source: Google Street View

The design of the crossover should be in accordance with the Shire of Gingin's *Rural & Industrial Crossover Fronting Sealed Road Heavy Vehicles per Week: >5 to ≤10* (2021) standard drawing, shown in **Figure 2**, and AS2890.2 *Parking facilities Part 2: Off-street commercial vehicles parking* (2018). Under these, it is acceptable for B-Doubles and Semi-Trailers to use the opposite lane of travel to utilise the crossover. Rigid Trucks and Light Vehicles must be able to use the access lane-correct.

Figure 2 - Gingin Crossover Standard Drawing



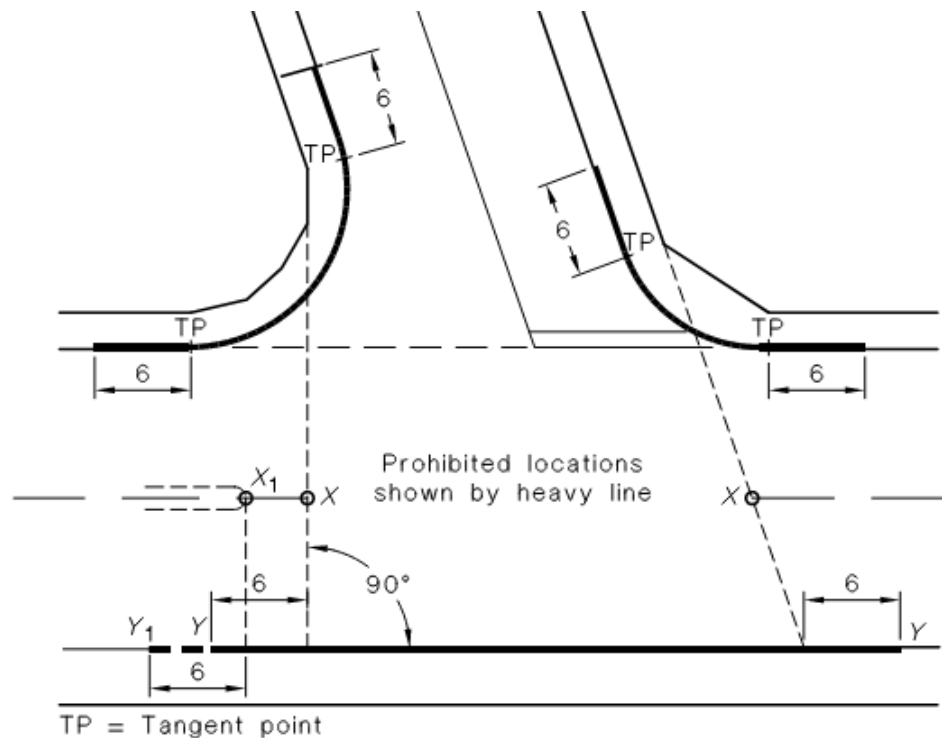
Source: Rural & Industrial Crossover Fronting Sealed Road Heavy Vehicles per Week: >5 to ≤10

5. Crossover Location

The proposed access location of the Mushroom Composting Facility is on Military Road adjacent Chitna Road. Commercial property accesses can cause unacceptable traffic conflicts with frontage road traffic if located too close to an intersection, therefore, Section *AS2890.1 Parking facilities Part 1: Off street car parking* (2004) prohibits the provision of commercial property accesses near unsignalised T-intersections as depicted in **Figure 3**.

As the precise location of the road reserve boundary on Chitna Road is unclear, an estimate of the approximate area of access prohibition is shown in **Figure 3**. It is evident that the existing access location is not compliant with Australian Standards.

Figure 3 - Prohibited Locations of Access Driveways



NOTES:

- 1 Accesses to domestic driveways are excluded from the prohibition in respect of the kerb section marked Y-Y (see Clause 3.2.3(a)).
- 2 The points marked X_1 and X are respectively at the median end on a divided road and at the intersection of the main road centre-line and the extensions of the side road property lines shown as dotted lines, on an undivided road. On a divided road, dimension Y-Y extends to Point Y_1 .

DIMENSIONS IN METRES

Source: AS2890.1:2004 Parking Facilities Part 1: Off-Street Car Parking

Figure 4 - Prohibited Commercial Access Locations Adjacent Chitna Road



Base Map Source: Metromap

Based on the standard crossover design shown in **Figure 2**, the centreline of the upgraded crossover should be relocated a minimum of 38.7m north of the prolongation of the Chitna Road reserve boundary. This would require a realignment of the access track within the property to tie-in to the new crossover location.

6. Sight Distance

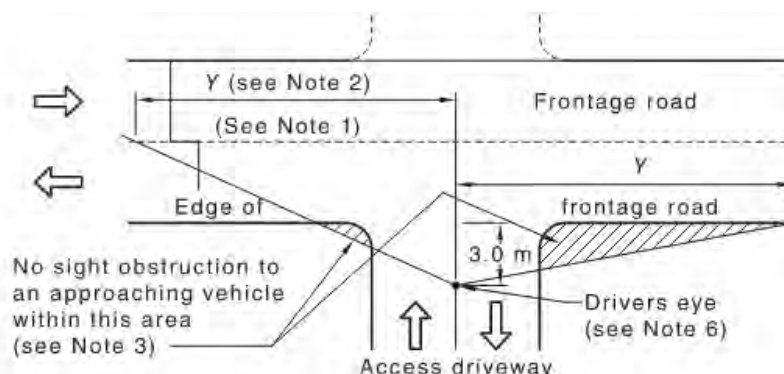
Sight distance is a critical safety feature for the safe operation of property accesses, especially where heavy vehicles ingress and egress a major road.

AS2890.2 Parking facilities Part 2: Off-street commercial vehicle facilities (2018) lists the sight distance requirement for a crossover onto a 90km/h road as 125m as per **Figure 5**. The speed limit of 90km/h has been adopted given the only 85th percentile speed in the area is close to Gingin Brook Road which for which the speed data is distorted by the nearby intersection (i.e. well below 90km/h).

It should be noted that while the sight distance value of 125m may be suitable for light vehicles entering a 90km/h road, it may not be suitable for heavy vehicles entering the same road. Heavy vehicles take significantly longer to execute the turning movement and this presents a higher risk of conflict occurring, particularly where it is necessary for heavy vehicles to cross to the 'wrong' side of the road when exiting the crossover. As per *Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections* (2023) Section 3.4, "desirably, sight distances at accesses should comply with the sight distance requirements for intersections". Therefore, assuming a 2% downgrade on each approach, it is recommended that Safe Intersection Sight Distance (SISD) of 221m be provided, based on *Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections* (2023), Table 3.2 and Table 3.3.

Based on a desktop assessment, SISD is likely to be available from the south, however it may not be achieved to the north due to the horizontal curve. This should be resolved during the detailed design of the crossover.

Figure 5 - Sight Distance Requirements at Access Driveway Exits



Frontage road speed (see Note 4) km/h	Distance (Y) along frontage road (see Note 5) m	
	5 s gap	8 s gap
40	55	89
50	69	111
60	83	133
70	97	156
80	111	178
90	125	200
100	139	222
110	153	244

NOTE 1 Centre-line or centre of roadway (undivided road), or right-hand edge of right-hand through lane (divided road).

NOTE 2 A check to the left is not required at a divided road where the median is wide enough to shelter a vehicle leaving the driveway.

NOTE 3 Parking on this side of the frontage road may need to be restricted on either side of the driveway so that the sight distance required by the above table to an approaching vehicle is not obstructed.

NOTE 4 This is the posted or general speed limit unless the 85th percentile speed is significantly higher.

NOTE 5 These distances are equivalent to minimum gap sight distance (MGSD) for an exiting vehicle. The minimum requirement is a 5 s gap. A right turn exit into a six lane road may require up to an 8 s gap, unless the median is wide enough to shelter a vehicle leaving the driveway.

NOTE 6 When checking sight distance the height of the object (approaching vehicle) is to be taken as 1.15 m above the road surface. The driver's eye height is to be taken as any height in the range 1.15 m to 2.5 m, to cater for both car and commercial vehicle drivers.

Source: AS2890.2 Parking Facilities Part 2: Off Street Commercial Vehicle Parking (2018)

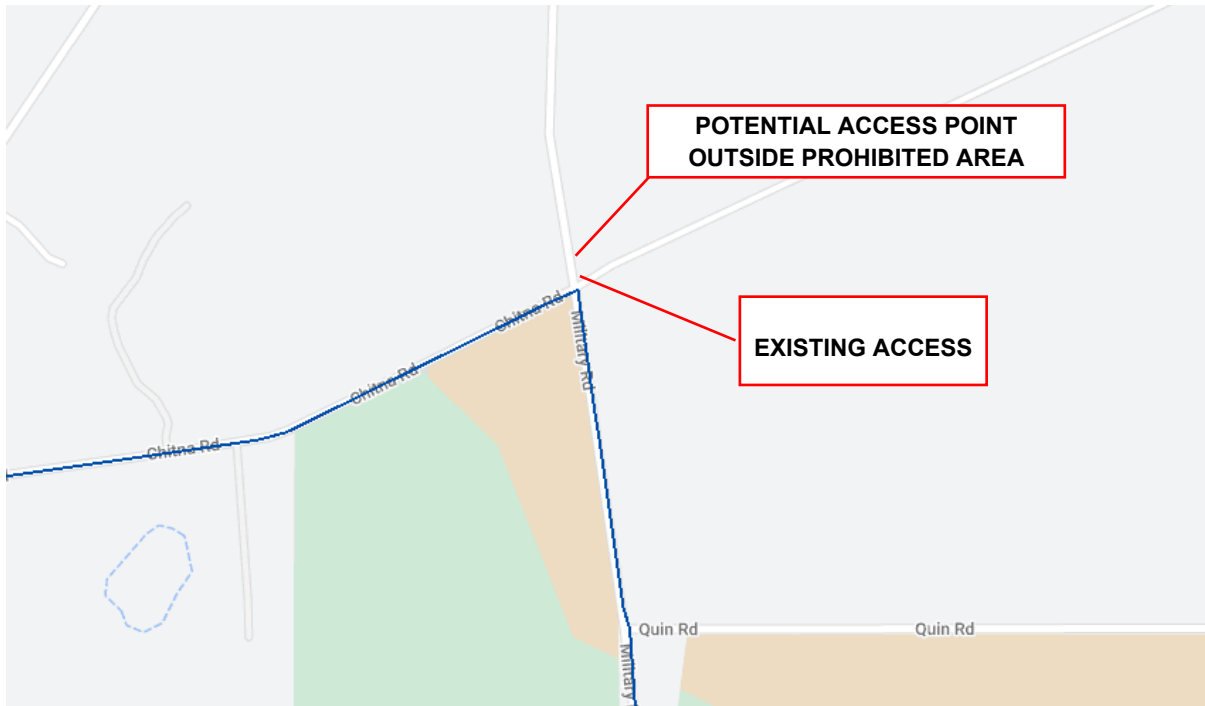
7. Restricted Access Vehicle (RAV) Network

The existing access to Lot 800 and 801 is located slightly north of the Military Road/Chitna Road intersection. As described in **Section 5**, the crossover location may need to be shifted to the north to comply with Australian Standards to avoid being within the prohibited area of the intersection.

Whether in the existing location or further north, the access appears to be slightly outside the existing RAV network shown in **Figure 6**.

To facilitate B-double access to the proposed development, as described in their *Development Application Report* (2023), then a minor amendment to the RAV 4 network will be required to ensure the access abuts the network.

Figure 6 - Restricted Access Vehicle Network



Source: MRWA HVS Network Map (2023)

8. Summary and Conclusions

As a result of this peer review, the following conclusions have been made regarding the proposed development:

1. The traffic generated by the proposed development is likely to have a 'low' impact on the surrounding road network;
2. There is no recorded crash pattern that indicates an existing road safety issue on Military Road that would be exacerbated by the proposed development;
3. The proposed development crossover should be designed in accordance with Shire of Gingin standard drawings to accommodate 27.5m B-doubles;
4. To comply with Australian Standards, the proposed development crossover should be located a minimum of 38.7m north of the prolongation of the Chitna Road reserve boundary;
5. Safe Intersection Sight Distance (SISD) for 90km/h should be provided for vehicles egressing the proposed crossover;
6. A minor amendment to the RAV network on Military Road may be required to facilitate legal B-double access to the proposed development.