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19 December 2024

Chief Executive Officer
Shire Of Wagin
2 Arthur Rd
WAGIN WA 6315

Re: Wagin, West Arthur & Williams Joint Local Planning Strategy

Thank you for your letter dated 2 December 2024. We offer the following comments regarding this proposal.

The proposed Wagin, West Arthur & Williams Joint Local Planning Strategy does not affect Water Corporation assets. Servicing connections to future residential, commercial and industry zones will be assessed on a case by case basis as the Development Applications are submitted. Any future servicing required should be presented to Water Corporation in advice for assessment and planning.

The information provided above is subject to review and may change. If the proposal has not proceeded within the next 6 months, please contact us to confirm that this information is still valid.

Should you have any queries or require further clarification on any of the above issues, please do not hesitate to contact me at matt.calabro@watercorporation.com.au

Regards,

A handwritten signature in black ink, appearing to read "Matt Calabro", written over a horizontal line.

Matt Calabro
Senior Advisor – Land Use Planning
Development Services



Department of Planning,
Lands and Heritage

OFFICIAL

Your ref: -
Our ref: PLH00047-52047
Enquiries: Kathryn Exell (08) 6551 9683

Chief Executive Officers
Shires of Wagin, West Arthur and Williams
shire@wagin.wa.gov.au
shire@westarthur.wa.gov.au
shire@williams.wa.gov.au

**SHIRES OF WAGIN, WEST ARTHUR AND WILLIAMS DRAFT JOINT LOCAL
PLANNING STRATEGY**

Dear Sirs

Thank you for your email of 2 December 2024 regarding the joint Shire of Wagin, West Arthur and William's Local Planning Strategy 2024.

It is encouraging that the Shire's of Wagin, West Arthur and Williams have included actions in the joint Local Planning (LPS) Strategy to ensure each Shire's Heritage List and Local Heritage Survey is current and consistent with the requirements of the Planning and Development (Local Planning Schemes) Regulations 2015. We also recommend that these documents are reviewed in line with the current Heritage Council endorsed guidelines.

We note that the strategy does not include specific actions relating to Local Planning Policies (LPP) for heritage. We encourage the Shire's to include in the joint LPS an action to review and update heritage related policies for all Shires. This would be helpful to include given the Shire of Williams does not have a specific policy for heritage, and the Shire of Wagin's policy dates from 2013. LPPs for heritage provide useful built form control guidance, and clearly sets out the requirements for development of heritage listed places. The Department has published [Guidelines for Preparing a Local Planning Policy for Local Heritage](#), which the Shire's may find useful.

We also note that one of the strategy aims is to aims to reclassify land to create an Arthur River Heritage Precinct. The intention to protect the heritage values of the precinct may be better achieved through the inclusion of the precinct on the Shire's statutory Heritage List, rather than by the creation of a 'heritage reserve' in the Local Planning Scheme. A 'heritage reserve' may unduly limit uses for the buildings.

The Department also has several other useful publications for Local Government. For your reference, the complete list of published Heritage Council endorsed guidelines, publications, strategies and policies can be found [here](#). We are also happy to provide further guidance if required.

We hope that these comments are of value in the development of the proposed joint Local Planning Strategy.

Should you have any queries regarding this advice please contact Kathryn Exell at kathryn.exell@dplh.wa.gov.au or on 6551 9683.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Katie Davies', with a stylized flourish at the end.

Katie Davies
A/Assistant Manager
Historic Heritage Conservation

22 January 2025



Your Ref: N/A
Our Ref: F-AA-90538-3
Contact: Yashvee Manrakhan-Field 9222 2000

Mr Kenneth Parker – CEO, Shire of Wagin
Mr Vin Fordham Lamont – CEO, Shire of West Arthur
Mr Peter Stubbs – CEO, Shire of Williams

Via email:

Shire of Wagin: ceo@wagin.wa.gov.au

Shire of West Arthur: ceo@westarthur.wa.gov.au

Shire of Williams: peter.stubbs@williams.wa.gov.au

Dear Mr Parker, Mr Lamont and Mr Stubbs

PROPOSED SHIRE OF WAGIN, WEST ARTHUR AND WILLIAMS – JOINT PLANNING STRATEGY 2024

Thank you for your email dated 2 December 2024, requesting comment from the Department of Health (DoH) on the above proposal.

The DoH provides the following comment:

1. Water Supply and Wastewater Disposal

All drinking water provided on site must meet the health-related requirements of the Australian Drinking Water Quality Guidelines 2011.

Where reticulated sewerage is not available, disposal of wastewater generated on site is required to comply with the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*. A site-specific Site and Soil Evaluation (SSE) will be required to be undertaken by a qualified consultant during the wettest seasonal time of the year (mid-July/August) as per AS/NZS 1547:2012 to ensure the land application area is located and sized appropriately size as per the Government Sewerage policy 2019.

Any non-drinking water (i.e., water that is not intended or suitable for drinking) must be managed to ensure it cannot be confused with or contaminate the drinking water supply. This requires satisfactory labelling of non-drinking water taps and, depending on system configuration suitable backflow prevention arrangements in accordance with Australian/New Zealand Standards AS3500 – Plumbing and Drainage.

Sewage intended to be or recycled for beneficial purposes such as landscape and garden bed irrigation, toilet flushing or other purposes, will require prior approval from the Department of Health. Please refer to the "Application Process for approval of a

recycling water scheme": https://ww2.health.wa.gov.au/Articles/A_E/Application-process-for-approval-of-recycling-water-scheme.

2. Chemical Hazards

The submission relates to the preparation of a *Joint Council - Local Planning Strategy* to guide the future redevelopment and economic growth of three regional townships. Numerous lots have been identified for rezoning and reuse within each township area.

- A search of the Department of Water and Environment Regulation's (DWER) Contaminated Sites database (CS Act 2003) has identified a number of contaminated sites within the Plan areas which represent constraints on future redevelopment and land use. In addition, there may be other sites that are subject to other important contaminated sites classifications that do not appear on the public database. The proponent should obtain a Basic Summary of Records for each site under consideration, so that they can complete their assessment of each site's suitability for a rezoning to a more sensitive land use. [Schedule 1 — Forms \(www.wa.gov.au\)](http://www.wa.gov.au). Under section 11 of the *Contaminated Sites Act 2003*, if a site is 'known or suspected' of being a contaminated site, it should be reported to DWER.
- Section 2.1 of the Environment Protection Authority guideline "*Separation Distances between Industrial and Sensitive Land Uses*" recommends that appropriate separation/buffer distances should be established around existing land uses where they may be significant offsite impacts. The DoH recommends that the potential off-site impacts (dust/fumes, odour, noise, light) from a range of land uses are considered prior to determining the suitability of each site for the current rezoning, to minimise the impacts and public health risks arising from the encroachment of incompatible land uses.

3. Medical Entomology

To protect the health and lifestyle of communities, land use planning decisions must include consideration of the proximity to breeding habitat of mosquitoes and whether mosquito management, if required, will be

- effective,
- appropriately resourced; and
- be approved by the relevant environmental agencies

Mosquito breeding sites may be either natural wetlands or constructed water bodies. For this reason, careful planning and consideration must be given to the design and location of 'liveable communities' and social infrastructure, such that there are buffer zones between water bodies and developments that reflect mosquito dispersal distances.

4. Public Health Considerations

The DoH recommends the incorporation of healthy design elements into urban development to encourage healthy active living. The DoH publication 'Evidence supporting the creation of environments that encourage healthy active living' is a document providing a summary of evidence-based literature and key components of urban development. The document provides a rationale and suggested design elements for mixed land use, activity centres, movement networks, public open space, housing diversity, and schools. A copy may be downloaded from:

<https://www.health.wa.gov.au/~media/Files/Corporate/general-documents/Environmental-health/Health-risk-assesment/Evidence-statement-BE-Health.pdf>

Public health factors to be considered are provided on the DoH webpage 'Residential estates precincts and urban developments', which is accessible from:

https://www.health.wa.gov.au/Articles/N_R/Residential-estates-precincts-and-urban-developments).

These factors include air quality, water quality, land and hazard management, radiation safety, and communities. Early consideration of health and wellbeing is a cost-effective way of minimising future health implications and associated health-related costs that may be imparted onto State and Local Governments and private developers and businesses.

Should you have any queries or require further information please contact System Performance on 9222 2000 or eh.eSubmissions@health.wa.gov.au.

Yours sincerely



Dr Michael Lindsay
EXECUTIVE DIRECTOR
ENVIRONMENTAL HEALTH DIRECTORATE

29 January 2025



Kenneth Parker, CEO, Shire of Wagin
Vin Fordham Lamont, CEO, Shire of West Arthur
Peter Stubbs, CEO, Shire of Williams
Sent by Email — ceo@wagin.wa.gov.au; ceo@westarthur.wa.gov.au;
peter.stubbs@williams.wa.gov.au
PO BOX 200, WAGIN WA 6315; 31 BURROWES STREET, DARKAN 6392; PO
BOX 96, WILLIAMS WA 6391

Dear Kenneth Parker; Vin Fordham Lamont; Peter Stubbs

SHIRES OF WAGIN WEST ARTHUR AND WILLIAMS - DRAFT JOINT LOCAL PLANNING STRATEGY

Thank you for your letter dated 02/12/2023 inviting comment on the draft Joint Local Planning Strategy from the Shires of Wagin, West Arthur and Williams.

The Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) has assessed this proposal with respect to mineral and petroleum resources, geothermal energy, and basic raw materials and makes the following comments.

Minerals, petroleum and geothermal energy can only be mined or extracted where they naturally occur. Economic, environmental and other constraints further limit the areas available for mining. An important aspect of resource evaluation and development from a land use planning viewpoint is that the locations of mineable deposits cannot always be predicted. This makes it imperative that known resources should be protected from inappropriate zoning or development, and that access to land for exploration should be maintained over as much of the planning area as possible.

Changes to land use that are incompatible with mineral, petroleum and basic raw material exploration and mining can result in the loss of valuable resources to the State and broader community. It is therefore essential, when planning how land is to be used, to take account of both known mineral and petroleum resources and basic raw materials and the potential for further discoveries.

DEMIRS recommends that councils adopt the following strategies regarding mineral resources in its planning.

- Operating mines and quarries should be protected from sterilisation or hindrance by encroachment of incompatible development, maintaining adequate separation distances between mining operations and nearby sensitive land uses.
- Known resources and areas of identified high resource potential should not be unnecessarily sterilised by inappropriate zoning, land use permissibility or development.

- Access to land for exploration and possible development should be maintained over as much of the Local Planning Strategy area as possible.

Consistent with Section 5.7 of State Planning Policy No. 2 Environment and Natural Resources the important mineral resources and basic raw materials within the Shire should be identified and protected.

The Shires have potential for gold, base-metals and bauxite, plus minor occurrences of coal and Iron ore have been recorded within the Shires.

DEMIRS provides information on geology and mineral deposits in various [publications](#), State wide spatial datasets that can be downloaded free of charge from the [Data and Software Centre](#) or viewed interactively using [GeoView](#). Maps can be produced directly by using this software, or by downloading the digital data for use in GIS software.

Basic raw materials (BRM) are defined as a mineral when on Crown land, and hence the need for mining leases under the Mining Act 1978 for basic raw material extraction in Crown reserves. On private property, basic raw material extraction and sale is authorised by the Shire through grant of Extractive Industry Licences. Extraction of basic raw materials is required for all new infrastructure (roads, telecommunications etc) to be built in the Shire.

There are 60 crown reserves for BRM, and one extractive industry licence.

There are 31 MINEDEX points recorded within the area.

All these areas warrant consideration in the strategy for long term use and protection from conflicting land uses.

In reference to legislation, Section 120 of the *Mining Act 1978* states that local planning schemes and local laws are to be considered but do not derogate from the *Mining Act 1978*. Consequently, we recommend that no comments be made in the Joint Local Planning Strategy regarding constraining or providing for mining operations, although it will be important to identify particular areas of known resources.

At the time of this assessment, in total, there are 18 granted mining tenements, 13 pending mining tenements wholly or partly within the Shires. Most of the mining companies are targeting Gold, Iron ore, Base metals, and Bauxite.

Information on Mining Act tenements and Petroleum and Geothermal Energy Resources Act titles is available from the DEMIRS website [Tengraph](#) and [GeoView](#). It is recommended that you consider using these systems in your land-use planning studies.

Local Government has a critical role in maintaining the State's access to strategic resources and BRM, including significant geological supplies. DEMIRS are not responsible for granting Extractive Industry Licences for BRM extraction, however data collected from BRM extraction sites by Local Government over time allows DEMIRS to

effectively track the strategic supply of important building and construction material across the State, particularly in growth areas.

DEMIRS encourages all Local Governments with BRM resources to quantify the scale and nature (i.e. types of material and volumes extracted) of BRM activities and granted Extractive Industry Licences. This reporting and sharing of data allow DEMIRS to spatially identify and track strategic BRM resources across the State and thus improve decision making capabilities for strategic and statutory planning proposals.

DEMIRS lodges no objections to the above Joint Local Planning Strategy.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'S. Batty', with a horizontal line extending from the end of the signature.

Steven Batty | Senior Geologist
Resource Security Directorate
20 December 2024

Table 1: Department of Water and Environmental Regulation Comments - Joint 'Local Planning Strategy' - Shires of Wagin, West Arthur and Williams

Page Section	Topic	Issue	Suggested amendments (in red)
p.6/7	1.2.2.2 Community, urban growth and settlement	Climate change <u>Rationale:</u> to highlight (early in the Strategy) the issue of 'Climate Change' as a planning factor in each Shire.	Amended wording (dot point 6) becomes: "Mitigate the impact of natural disasters on the community and local economy including ensuring that land use and development addresses climate change , bushfire and flood risk".
p.10	1.2.2.14 Table: 'Directions and actions'	Hazards <u>Rationale:</u> as per DWER Flood Advice, to align with and better follow bushfire wording at 1.2.2.13	Amend (insert new wording) wording: "Each shire to review its local planning framework and implement controls to manage development intensification or rezoning that provides: • an acceptable level of flood protection for health and safety of people, damage to property and community infrastructure. • for free passage and temporary storage of floodwaters and avoid increasing flood risk to adjacent land"
p.15	1.2.4 Environment	Key issues/opportunities for the Strategy Area includes adding 'buffer zones' to waterways.	Amended wording (dot point 1) becomes: Maintain the integrity of the water resources in the Strategy Area, including surface water catchments,

p.17-19	1.2.5 Infrastructure	Rationale: specifies that the values of a waterway, and its protection, requires adequate riparian buffer zones. Re: Key issues/opportunities for the Strategy Area Water Supply (n.b. Question if this is the appropriate section?) Whereas the Strategy acknowledges the potential for climate change (apart from reference to the 'Shire of West Arthur Water Supply Security Strategy, 2022') the Strategy <u>does not provide a strategic position on drought conditions.</u> Rationale: The need for provision of water for firefighting purposes in changing climate i.e. drought conditions. It is prudent that the strategy identifies - in context of drying climate and potential drought conditions - the need to address non-potable water supply to support environment, public open space, industry and agriculture.	waterways, wetlands and their buffer zones, and underground water assets. Insert added points (where appropriate): • Ensure that contingency planning exists for sufficient fit-for-purpose water availability during drought conditions. • The identification and development of secure climate resilient fit-for-purpose water supplies.
p.20	1.3 Planning areas 1.3.1 Wagin - Key issues/opportunities	Climate change <u>Rationale:</u> as per Williams (at 1.3.3) acknowledging the potential impacts of climate change.	Insert added dot point: "Consider the potential impacts of climate change such as potential floods, drought and bushfires of increasing frequency and severity, on the Shire's

	for the Shire of Wagin		residential population when reviewing and determining planning proposals”.
p.25	1.3.1.21	Risks (pertaining to Shire of Wagin - flood) <u>Rationale:</u> as per DWER Flood Advice <u>NOTE:</u> While flood / inundated land is displayed on current scheme map it differs from the flood study results (Aquaterra, 2008) used by DWER when providing flood management advice. Neither mapping may be fit for purpose, and it is recommended an updated flood study be prepared using new data available for observed flood event in Feb 2017 and updated design rainfall and future climate forecasts. <u>DWER can assist the Shire to seek funding, scope required work and provide technical advice.</u>	Amended wording becomes: “With the advice of the Department of Water and Environmental Regulation, to define flood prone land and implement development provisions into the local planning scheme to control development at risk of flooding from Dorderymunning Creek, Colbinine River and Wagin Lake. Habitable development should achieve a minimum 0.50 metre freeboard above the 1 in 100 (1%) AEP flood level”. <i>Rationale: Refer to Part 2 item 2.4.7.</i>
p.26	1.3.2 West Arthur Key issues/opportunities for the Shire of West Arthur	Climate change <u>Rationale:</u> as per Williams (at 1.3.3) acknowledging potential impacts of climate change.	Insert added dot point: “Consider the potential impacts of climate change such as potential floods and bushfires of increasing frequency and severity, on the Shire's residential population when reviewing and determining planning proposals”.
p.39	1.3.3.24	Hazards (pertaining to Shire of Williams – flood) <u>Rationale:</u> as per DWER Flood Advice	Amended wording becomes:

		NOTE: There is no formal mapping to define flood prone land in Williams to adequately guide planning and development decision making. DWER currently uses a small number of observations from a moderate flood event in December 2011 as evidence. To appropriately understand the risk across the townsite and surrounds, it is recommended an updated flood study be prepared using data available for observed flood events and updated design rainfall and future climate forecasts. <u>DWER can assist the Shire to seek funding, scope required work and provide technical advice.</u>	“Subject to the advice of the Department of Water and Environmental Regulation, the Shire of Williams to ensure its local planning framework identifies flood prone land and defines mitigation measures to be applied to new development in the Williams townsite which may be at risk of flooding from the Williams River and its tributaries”. <i>Rationale: Refer to Part 2 item 2.4.7.</i>
p.49	Table 1: State Planning Policy overview and Strategy implications and responses	Re: Draft SPP 2.9 ‘Planning for Water’, suggest including provisions to include rainwater tanks on buildings/sheds as a planning proposal requirement. Rationale: A rural water planning measure.	Amended wording (dot point 4) becomes: “Consider a reliable water supply as part of land use planning, including rainwater tanks on all buildings/sheds and encourage the sustainable use of water supplies, including through on-site rainwater harvesting.
p.51	Table 1: State Planning Policy overview and	Re: SPP 3.7 ‘Bushfire’, suggest including the provision of fit-for-purpose water supplies for fire fighting	Insert added dot point: Provide for the identification and development of secure climate resilient fit-for-purpose water supplies.

	Strategy implications and responses		
p.70	Table 10: Other relevant strategies, plans and policies	Wording modified to reflect Departmental responsibility. Rationale: correction	“The Shire, with advice from the Department of Water and Environmental Regulation shall seek to investigate detailed land use planning controls to mitigate flood impacts through its local planning scheme”
p.92/93	Flood	Section ‘Flood’ relates to broad comments, changes to the two paragraphs beginning “The Williams River, which runs through the Williams townsite...” and “In Wagin, land surrounding Wagin Lake...” <u>Rationale:</u> as per DWER Flood Advice. NOTE: Information from the Feb 2017 flood could assist a review of the mapping. In 2008, the flood extent and peak water levels were unable to be determined. Advancements in technology would enable more detailed mapping of flood risk within Wagin townsite.	Amended wording becomes: “The Williams River, which runs through the Williams townsite, has historically experienced some flooding. In 2017 rain caused flooding which impacted the use of Albany Highway at the Williams River Bridge crossing. There is no formal floodplain mapping for the Williams River at Williams. In Wagin, land surrounding Wagin Lake and parts of its catchment are recorded as having an elevated flood risk. A 2008 study by Aquaterra found land in the Wagin townsite is at risk of flooding during a 1 in 100 AEP flood event. Figure 6 shows that the area broadly south of the Wagin Shire Sportsground, between Tudor and Unicorn Streets, draining to Wagin Lake could experience flooding in a significant rainfall

p.93 text box	Flood	The text box 'Strategic Implications' wording modified to reflect DWER position on flood wording. <u>Rationale:</u> as per DWER Flood Advice.	event. Parts of Wagin's industrial area, along with land east and south east of the Wagin Airport, are also at risk". Amended wording becomes: "There is broad consensus among scientists that while overall winter rainfall may reduce, extreme rainfall events which can result in flooding will become more frequent because of the changing global climate. This may have future implications for strategies which seek to increase development in settlement areas. Land use intensification in locations which may be impacted by flooding should be carefully considered. In locations where there is an elevated flood risk, local planning schemes and development proposals should identify flood prone areas and outline measures to manage flood risk to people, property and infrastructure. The broader planning framework should enable appropriate development consistent with the intent and principles of State Planning Policies 2.9 and 3.4"
p.97	2.6.1 Natural areas	Correction in paragraph 5.	The clearing of land in the Strategy Area has also caused problems like salinity and soil erosion.

p.98	2.6.1 Natural areas	Rationale: Strengthening of wording Last paragraph)	Contemporary land use planning controls to protect all remaining native vegetation from further clearing and encourage revegetation works as part of future development should be contemplated enacted to improve and maintain biodiversity and natural environmental resources to benefit the Strategy Area into the future.
p.98	2.6.2 Water resources	Correction in Paragraph 4 (last sentence)	Areas outside of proclaimed groundwater areas do not require a licence for groundwater abstraction. Water licences are required to extract surface or non-artesian groundwater in proclaimed areas, or to extract artesian groundwater in any areas in WA
p.99	Groundwater extraction	The text box 'Strategic Implications' wording modified to reflect Departmental responsibility Rationale: correction	Amended wording (paragraph 2) becomes: Furthermore, the extraction of groundwater should be guided by advice from the State Department of Water and Environmental Regulation"
p.102	Water Security	The text box 'Strategic Implications' wording (last sentence) modified to include infrastructure.	However, an emphasis should be placed on development prioritising fit-for-purpose on-site water supplies and associated infrastructure and implementing efficiency improvements.