



# APPENDICES

# ORDINARY MEETING

To Be Held

Wednesday, 26 June 2019  
Commencing at 5.00pm

At

Shire of Dardanup  
ADMINISTRATION CENTRE EATON  
1 Council Drive - EATON

This document is available in alternative formats such as:  
~ Large Print  
~ Electronic Format [disk or emailed]  
Upon request.

CONDITION OF APPROVAL	DEMONSTRATE IF THE CONDITION HAS BEEN COMPLIED WITH OR IF IT REQUIRES ONGOING COMPLIANCE.
<b>Minister's Approval – Solid Waste Disposal Facility – 1 November 1999</b>	
1. Approval is for a class two site only as defined in the <i>Landfill Waste Classification and Waste Definitions 1996</i> document as published by the Chief Executive Officer, Department of Environmental Protection.	Superseded by SAT 2006 approval.
2. Access to the site is to be a route negotiated with Council (Ferguson Road, Depiazzi Road & Banksia Road) but shall not be via Dillon Road or Crooked Brook Road; Developer shall contribute to the upgrading of any access route, as required.	Compliant with condition. Cleanaway have confirmed that access to the site is via Ferguson, Depiazzi and Banksia roads. Additionally, vehicles operating beyond the local area access the site via the SW Highway and Waterloo Road.
3. Prior to development commencing, detailed engineering drawings and specifications to be submitted to and approved by Council with respect to the following: <ul style="list-style-type: none"> <li>a. Dam construction;</li> <li>b. Surface water run-off and erosion controls.</li> </ul>	Compliant with condition - detailed drawings submitted and approved.
4. Monitoring bores to be installed on the northern boundary of the site adjacent to the Shire's public waste disposal facility to the satisfaction of Council and bores are to be sampled and monitored with results of sampling to be submitted to Council.	Compliant with condition, monitoring bores have been installed across the site in the locations as required by this condition. Groundwater monitoring results have been submitted to the Shire.
5. The operation of the site shall be restricted to the hours between 7.00am to 9.00pm.	Superseded by 2018 approval.
6. A management plan to be submitted to and approved by Council covering items such as, but not limited to, litter, dust and vermin control.	Compliant an environmental management plan has been submitted to the Council.
7. Suitable and sufficient firefighting facilities are to be jointly made available on site or in close vicinity to the satisfaction of Council.	Compliant – Fire Fighting facilities are present on site and access to fire water and pumps is provided adjacent to and from the stormwater dams.
8. All disposal activities are to take place within the cell area. There is to be no storage of material of any type at the site.	Compliant all disposal activities occur only within the active landfill cells.
9. A landscaping plan is to be submitted to and approved by Council so designed that the visual impact of the site on the surrounding land area is lessened.	Appears as non-compliant. Shire Officers have not been able to obtain a copy of the site landscaping plan, nor were Cleanaway able to produce a copy of this plan. Further detail on this non-compliance is addressed in the report.

CONDITION OF APPROVAL	DEMONSTRATE IF THE CONDITION HAS BEEN COMPLIED WITH OR IF IT REQUIRES ONGOING COMPLIANCE.
10. This approval is valid for 10 years only provided that the development has commenced within 12 months. At the conclusion of 10 years or if the development has no commenced within 12 months, this approval shall lapse and no further works may be carried out within Council's further approval.	Superseded by SAT 2006 approval
<b>Development Approval – Various facilities and infrastructure – 28 November 2005</b>	
1. All development being generally in accordance with the approved development plans which form part of this Development Approval.	Cleanaway has confirmed that the physical works were undertaken in accordance with the endorsed plans for: <ul style="list-style-type: none"> <li>• Leachate pond</li> <li>• Weighbridge</li> <li>• Toilet block</li> <li>• Transportable office facilities</li> </ul> Cleanaway are compliant with the condition.
2. This approval is valid provided that the development is substantially commenced within twelve (12) months and completed within two (2) years after the approval date. If development has not been substantially commenced within twelve (12) months and completed within two (2) years, the approval shall lapse and no further works shall be carried out without further approval from Council.	Compliant with condition works and development were commenced within the 12 month period.
3. All drainage runoff being contained on site unless a suitable alternative is approved by Council.	Compliant however there have been breaches of this condition, refer to report for further detail.
4. Roads, intersections and embayments being designed and constructed to Australian Standards.	Compliant, the roads have been constructed to relevant Australian Standards and can be validated by inspection. Ancillary access roads across the site have been superseded by subsequent approvals.
5. Any non-complaint effluent disposal systems being decommissioned.	Not applicable

CONDITION OF APPROVAL	DEMONSTRATE IF THE CONDITION HAS BEEN COMPLIED WITH OR IF IT REQUIRES ONGOING COMPLIANCE.
6. An application for the construction and installation of an apparatus for the treatment of sewerage being submitted prior to any installation works.	Not applicable
7. Bio solid drying beds being constructed and maintained in a manner so as not to become offensive or injurious to health.	Not applicable, Bio solid drying beds referred to in this application were not constructed.
<b>SAT Approval Order – Expansion of facilities (Class II to Class III) – 14 September 2006</b>	
1. The application for review is allowed.	Noted.
2. The time limit set out in Condition 10 of the planning approval issued by the Shire of Dardanup on 1 November 2009 for a private, solid waste disposal facility at Lot 2 Location 3003 Banksia Road is extended indefinitely.	Noted.
3. Development approval is granted for the upgrade of the existing landfill facility on Lot 2 Banksia Road, Crooked Brook from a Class II to Class III landfill site, subject to the following conditions:	Noted
a. The proponent providing details of the final height and contours of the proposed waste cells (SHD);	In regards to this condition, Shire Staff were unable to locate the final contour plan referred to in the 2006 approval. However there has been two subsequent development approvals which approved a height contour plan. These approvals were the 2010 development approval for the construction of landfill cell 5 (Refer Appendix ORD: 12.1B), and the 2014 development approval for the construction of landfill cell 12 (Refer Appendix ORD: 12.1C)
b. Results of analysis from all ground water monitoring bores being supplied to Council annually;	Compliant with condition, monitoring bores have been installed across the site in the locations as required by this condition. Groundwater monitoring results have been submitted to the Shire.
c. Access to the site is to be via Ferguson Road, Depiazzi Road, and Banksia Road but shall not be via Dillon Road or Crooked Brook Road;	Compliant with condition. Cleanaway have confirmed that access to the site is via Ferguson, Depiazzi and Banksia roads. Additionally, vehicles operating beyond the local area access the site via the SW Highway and Waterloo Road.
d. The operation of the site shall be restricted to the houses between 7.00am to 9.00pm;	Superseded by 2018 approval.
e. Suitable and sufficient firefighting facilities are to be jointly made available on site or in the close vicinity to the satisfaction of Council.	Compliant – Fire Fighting facilities are present on site and access to fire water and pumps is provided adjacent to and from the stormwater dams.
f. All disposal activities are to take place within the cell areas.	Compliant, all disposal activities occur only within the active landfill cells.

CONDITION OF APPROVAL	DEMONSTRATE IF THE CONDITION HAS BEEN COMPLIED WITH OR IF IT REQUIRES ONGOING COMPLIANCE.
<b>Development Approval – Temporary storage facilities – 8 March 2007</b>	
1. All development being generally in accordance with the approved development plans which form part of this Development Approval.	Not Applicable – Planning approval was not acted on and approval lapsed.
2. This approval is valid provided that the development is substantially commenced within two (2) years and completed within three (3) years after the approval date. If development has not been substantially commenced within two (2) years and completed within three (3) years, the approval shall lapse and no further works shall be carried out without further approval from Council.	Not Applicable – Planning approval was not acted on and approval lapsed.
3. Approval being obtained from the Department of Environment for an amendment to the existing Category 4 Licence.	Not Applicable – Planning approval was not acted on and approval lapsed.
4. The bunds surrounding the storage tanks being constructed in accordance with AS/NZ 1940:2004 requirements.	Not Applicable – Planning approval was not acted on and approval lapsed.
<b>Development Approval – Landfill Cell 5 – 15 December 2010</b>	
1. Determine that the application for the Construction of a Landfill Cell 5 at Lot 2 Banksia Road, Crooked Brook is a 'Use Note Listed' that is consistent with the objectives of the zone on the basis that it is an extension of an approved use.	Noted.
2. Approve the Application for Planning Consent dated 4 November 2010 for the "Construction of Landfill Cell 5" on Lot 2 Banksia Road, Crooked Brook, subject to the following conditions:	
a. All development being generally in accordance with the approved development plan which form part of this Development Approval.	Compliant. All works were undertaken in accordance with the endorsed plans (April 2011).
b. The development approved is substantially commenced within 2 years, or such other period as specified in the approval, after the date of determination. The approval lapses if the development has not substantially commenced before the expiration of the period (2 years).	Compliant, works were completed in April 2011.
<b>Development Approval – MIC Residue Cell – 2 November 2011</b>	
1. All development being generally in accordance with the approved development plans which form part of this Development Approval.	Compliant, the works were undertaken in accordance with the endorsed plans.

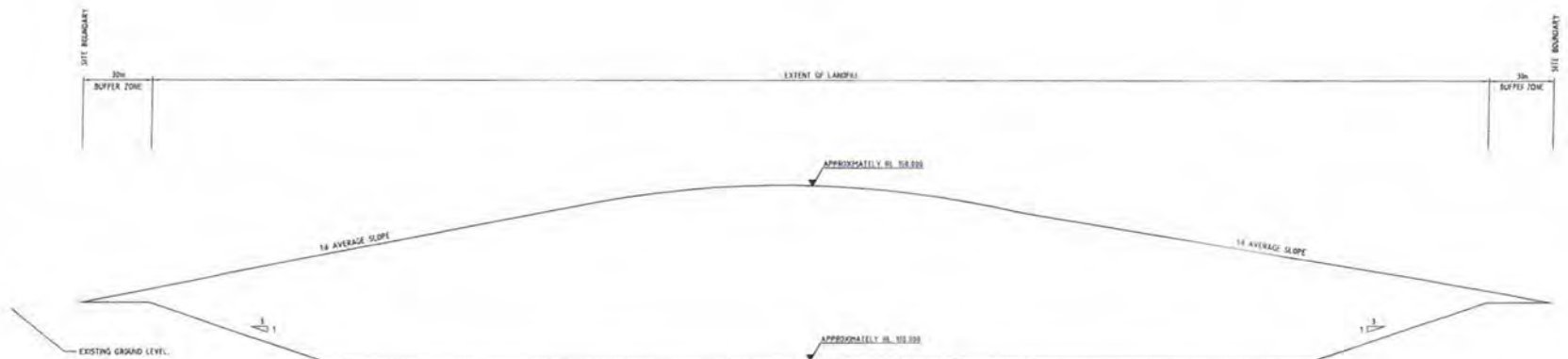
CONDITION OF APPROVAL	DEMONSTRATE IF THE CONDITION HAS BEEN COMPLIED WITH OR IF IT REQUIRES ONGOING COMPLIANCE.
2. The development approved is substantially commenced within 2 years, or such other period as specified in the approval, after the date of determination. The approval lapses if the development has not substantially commenced before the expiration of the period (2 years).	Compliant, works were completed in March 2013.
<b>Development Approval – 3 new leachate ponds – 2 November 2011</b>	
1. All development being generally in accordance with the approved development plans which form part of this Development Approval.	Compliant, physical works have been undertaken in accordance with the endorsed plans.
2. The development approved is substantially commenced within 2 years, or such other period as specified in the approval, after the date of determination. The approval lapses if the development has not substantially commenced before the expiration of the period (2 years).	Compliant, works have been completed - 2x ponds in 2012 and 1x pond in 2016.
<b>Development Approval – Waste recovery and storage shed</b>	
1. All development being generally in accordance with the approved development plans which form part of this Development Approval.	Not Applicable – Planning approval was not acted on and approval lapsed.
2. The development approved is to be substantially commenced within 2 years, or such other period as is specified in the approval, after the date of the determination. The approval lapses if the development has not substantially commenced before the expiration of the period (2 years).	Not Applicable – Planning approval was not acted on and approval lapsed.
3. The hereby approved development shall not prejudicially affect the amenity of the neighbourhood due to the emission of light, noise, vibration, electrical interference, odour, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or waste products.	Not Applicable – Planning approval was not acted on and approval lapsed.

CONDITION OF APPROVAL	DEMONSTRATE IF THE CONDITION HAS BEEN COMPLIED WITH OR IF IT REQUIRES ONGOING COMPLIANCE.
<b>Development Approval – Construction of cell 12 and leachate dam – 2 December 2014</b>	
1. All development being generally in accordance with the approved development plans which form part of this Development Approval.	Compliant, works were undertaken in accordance with the endorsed plans.
2. The development approved is substantially commenced within 2 years, or such other period as specified in the approval, after the date of determination. The approval lapses if the development has not substantially commenced before the expiration of the period (2 years).	Compliant, works were completed June 2016.
<b>Development Approval – Stormwater Bunds (infrastructure works) – 18 April 2016</b>	
1. The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plan(s) and must not be altered or modified without the further written consent of Council.	Compliant, works were undertaken in accordance with the endorsed plans.
2. All stormwater from the property shall be contained on site as indicated on the approved plans and in accordance with the Shire's specifications (ENG 20 – Stormwater Discharge from Buildings) at all times.	Compliant, works were undertaken in accordance with the approved plans (approval of plans issued by the Shire and DWER) however there have been occasions where the stormwater system has failed. Further detail and discussion is provided in the body of the report.

CONDITION OF APPROVAL	DEMONSTRATE IF THE CONDITION HAS BEEN COMPLIED WITH OR IF IT REQUIRES ONGOING COMPLIANCE.
<p>3. A Native Vegetation Buffer Plan shall be prepared to the specifications of the Department of Parks and Wildlife (DPaW) and submitted to and approved in writing by the Shire and DPaW, prior to the commencement of development.</p> <p>The Native Vegetation Buffer Plan shall provide a 20 metre wide native vegetation buffer along the entire southern boundary of Lot 2 Banksia Road, Crooked Brook and be implemented to the satisfaction of the Director Development and Engineering Services within 3 months of completion of the proposed development and thereafter maintained.</p>	<p>Compliant, a Native vegetation buffer has been installed in accordance with the approved plans.</p>
<b>Development Application – Construction of landfill cells 6, 7 &amp; 8</b>	
<p>1. The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plan(s) and must not be altered or modified without the further written consent of Council.</p>	<p>Compliant, works for Cell 6 have been undertaken in accordance with the endorsed plans. The construction for Cell 7 will commence approx. Feb 2020.</p>
<p>2. No building materials, rubbish or other matter shall be deposited on the adjacent land reserved for Regional Open Space in the Greater Bunbury Region Scheme during or after construction of the development.</p>	<p>Compliant, no building materials, rubbish and other matter are directly deposited on the adjacent open space, however wind-blown waste has been noted to enter the reserve. Cleanaway has advised they have (1) an employee dedicated to collecting wind strewn litter and (2) contracted with disability employment agency Activ to ensure that the risk of wind strewn litter is minimised. Additionally, Cleanaway are investigating the installation of a 6 metre high fence adjacent to the active landfill cell to capture wind strewn litter.</p>
<b>Development Approval – Construction and use of a waste cell and waste pond - 2018</b>	
<p>1. The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plans and must not be altered or modified without the further written consent of Council.</p>	<p>Compliant, works were completed in accordance with the endorsed plans.</p>



CONDITION OF APPROVAL	DEMONSTRATE IF THE CONDITION HAS BEEN COMPLIED WITH OR IF IT REQUIRES ONGOING COMPLIANCE.
<p>2. No building materials, rubbish or other matter shall be deposited on the adjacent land reserved for Regional Open Space in the Greater Bunbury Region Scheme during or after construction of the development.</p>	<p>Compliant, no building materials, rubbish and other matter are directly deposited on the adjacent open space, however wind-blown waste has been noted to enter the reserve. Cleanaway has advised they have (1) an employee dedicated to collecting wind strewn litter and (2) contracted with disability employment agency Activ to ensure that the risk of wind strewn litter is minimised. Additionally, Cleanaway are investigating the installation of a 6 metre high fence adjacent to the active landfill cell to capture wind strewn litter.</p>
<p>3. The permitted operating hours are restricted to the following: a. Construction activities associated with this approval – 6:00am to 6:00pm;</p>	<p>Compliant, construction works are complete. Cleanaway advised that construction works were carried out within 6:00am to 6:00pm.</p>
<p>b. All other activities – 6:00am to 6:00pm.</p>	<p>Compliant, Cleanaway confirmed that the site operational hours are 6:00am to 6:00pm, with the exception of Cristal. This is discussed in further detail in the report.</p>
<p>c. Cristal Pigment Australia Limited only, hours from 6:00am to 10:00pm.</p>	<p>Compliant, Cleanaway advised that the site operational hours for Cristal are 6:00am to 10:00pm.</p>



TYPICAL FINAL LANDFORM SECTION  
N75

SHIRE OF DARDANUP  
PLANNING DEPARTMENT  
Planning Approval Granted  
Date 15/12/10  
Signed *[Signature]*  
Planning Officer

114



WML Consultants Pty Ltd  
10th Floor, 55 Melbourne Street, Perth, WA 6000  
Tel: (08) 9472 2014 Fax: (08) 9472 2000  
Email: info@wml.com.au Web: www.wml.com.au  
PO Box 2022, Bentley Western Australia 6102  
Auss: 26 937 071 521

REVISIONS			
N°	DESCRIPTION	APPROVED	DATE DRAWN
1	ISSUED FOR REVIEW		05-10-10 OK

DESIGNED	DRAWN	CHECKED	APPROVED
P. DI DONNA	G. KNEPSCHILD		

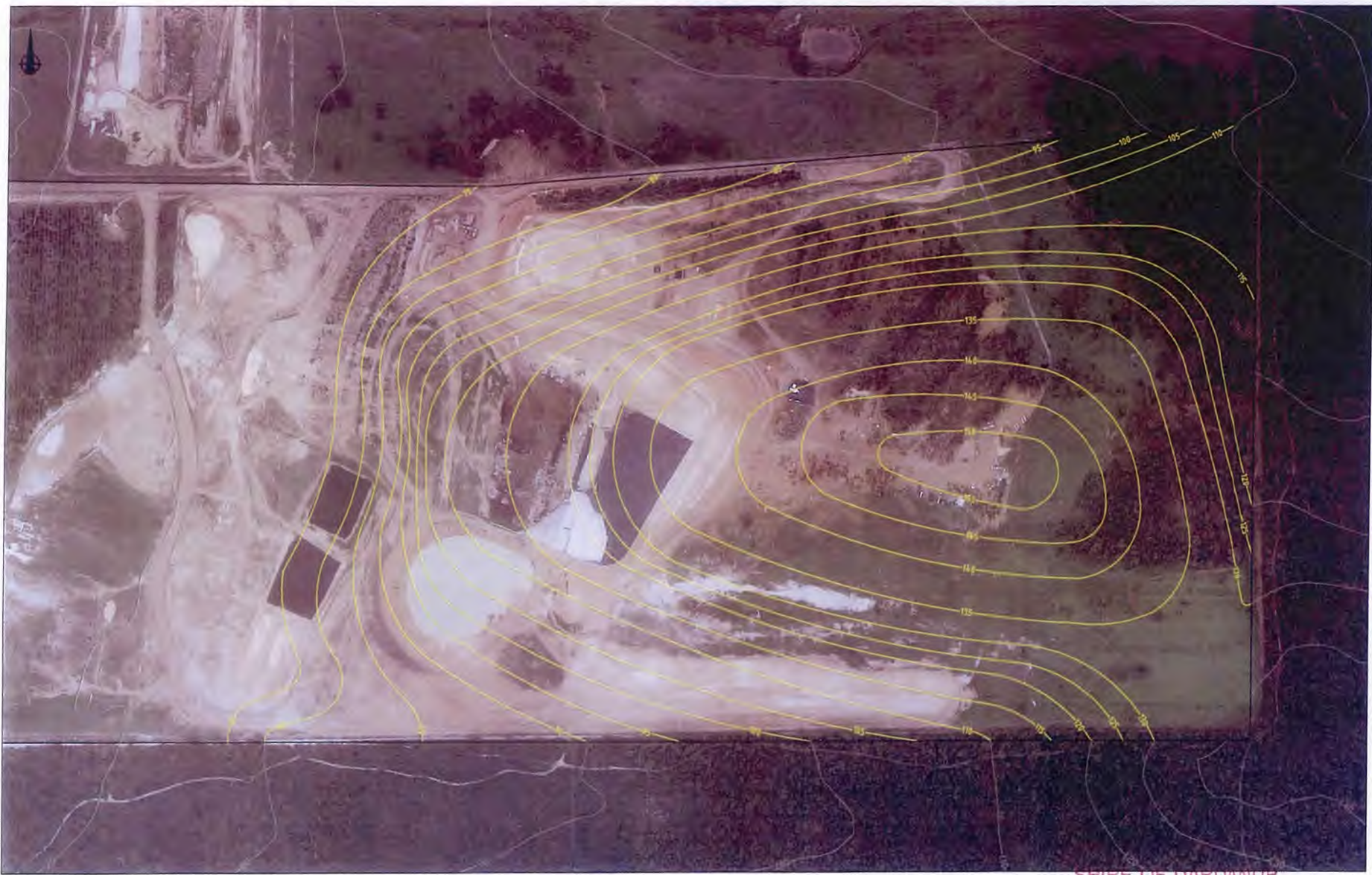
CLIENT	PROJECT
TRANSPACIFIC INDUSTRIES GROUP LTD	BANKSIA ROAD LANDFILL STRATEGIC PLAN

DRAWING TITLE
TYPICAL FINAL LANDFORM SECTION

DRAWING NUMBER	REVISION
4278-C-010	A

N.B. \* INDICATES SIGNATURE ON ORIGINAL ISSUE OF DRAWING OR LAST REVISION OF DRAWING

A1



NOTE:  
FINAL LANDFORM MATCHES EXISTING  
CONTOURS AT BOUNDARY.

CONTOUR PLAN  
1:2000

SHIRE OF DARDANUP  
PLANNING DEPARTMENT  
Planning Approval Granted  
Date 15.12.10  
Signed *Me*  
Planning Officer  
214



**WML CONSULTANTS**  
 First Floor, 42 Whitewater Street, Perth, WA 6000  
 Tel: 08 9472 2144 Fax: 08 9472 2099  
 Email: info@wml.com.au Website: www.wml.com.au

REVISIONS			
N°	DESCRIPTION	APPROVED	DATE DRAWN
A	ISSUED FOR REVIEW		25-10-10 OK

NOTE: \* INDICATES SIGNATURE ON ORIGINAL ISSUE OF DRAWING OR LAST REVISION OF DRAWING

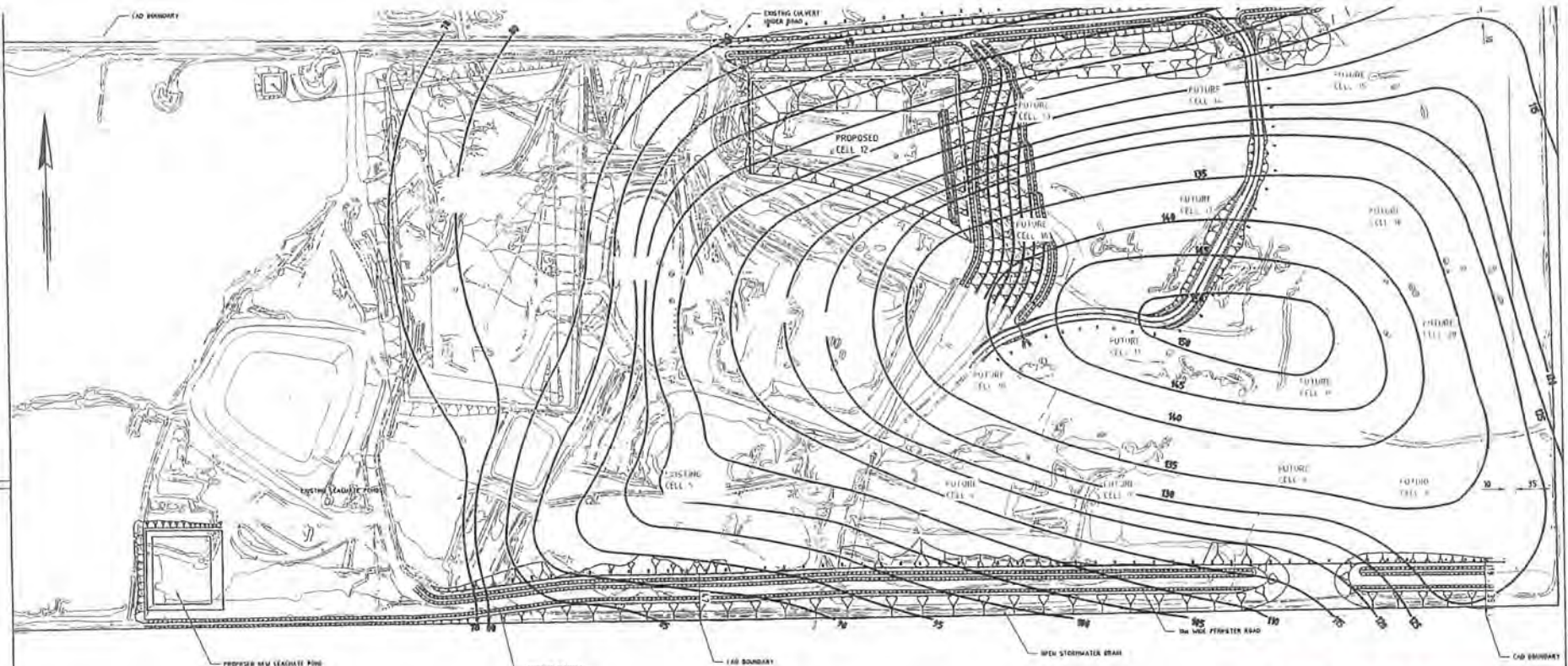
DESIGNER	DATE	CLIENT
P. DODDINA	NOV '10	TRANSPACIFIC INDUSTRIES GROUP LTD
DRAWN	NOV '10	PROJECT
VERIFIED		BANKSIA ROAD LANDFILL STRATEGIC PLAN
APPROVED		

DRAWING TITLE
CONTOUR PLAN

DRAWING NUMBER	REVISION
4278-C-100	A

THIS DRAWING SHALL BE TREATED AS PRELIMINARY AND IS NOT TO BE USED FOR CONSTRUCTION PURPOSES UNLESS STATED AS APPROVED.

(Appendix ORD: 12.1B)



GENERAL ARRANGEMENT PLAN  
12006

SHIRE OF DARDANUP  
PLANNING DEPARTMENT  
Planning Approval Granted  
Date 2/12/2014  
Signed [Signature]  
Delegated Officer  
(Page 3 of 16)

**W CONSULTING ENGINEERS**  
**WML CONSULTANTS**  
1111 Stirling Highway, Perth WA 6000  
Tel: (08) 9447 1111 Fax: (08) 9447 1111  
1111 Stirling Highway, Perth WA 6000  
Tel: (08) 9447 1111 Fax: (08) 9447 1111

REVISIONS			
N°	DESCRIPTION	APPROVED	DATE DRAWN
1	ADDED CELL 12 TO THE LANDFORM ARRANGEMENT	[Signature]	12/11/14
2	REVISED ROAD AND SPUR ROAD ARRANGEMENT	[Signature]	12/11/14
3	REVISED ROAD AND SPUR ROAD ARRANGEMENT	[Signature]	12/11/14
4	REVISED ROAD AND SPUR ROAD ARRANGEMENT	[Signature]	12/11/14

DESIGNED BY	DRAWN BY	CHECKED BY	DATE
T. BRIDGE	A. THOMAS	[Signature]	12/11/14
APPROVED BY: [Signature]			

PROJECT TITLE	PROJECT NO.
TRANSACCIE CLEANAWAY	5243-C-950
BAKERSIA ROAD LANDFILL MASTER PLAN	A

THIS DRAWING SHALL BE TREATED AS PRELIMINARY AND NOT BE USED FOR CONSTRUCTION UNLESS TITLED AS APPROVED.  
5243-C-950 A

(Appendix ORD: 12.1C)

## Dardanup Environmental Action Group

14<sup>th</sup> May 2019

**On behalf of the Dardanup Community we seek the absolute support of the Dardanup Shire Council in achieving these objectives:**

### **No tailings**

- Due to the nature of the site
  - Above the recharge for the Swan Coastal Plain- possible contamination of the groundwater. Can the integrity of cell and leachate liners be guaranteed for 20, 30, 50 years, and particularly after final closure?
  - Subject to high winds – fine dust from site blowing towards the town, across neighbouring properties and Dardanup Conservation Park
  - Highly visible on the scarp
  - History of inability to contain stormwater runoff and high superficial watertable below the site in the winter
- Nature of the tailings – very fine dust, contains heavy metals, storage compaction concerns, contains lung and skin irritants, possible effects on native vegetation & wildlife
- Within 2.5 kms of the Dardanup townsite
  - Possible contamination of the ground water, dust, visual pollution, child play areas
- Number of truck movements associated with the lithium tailings transportation
  - Impact on tourism, cyclists, school buses and motorists
- Negative impact on tourism, land values and agriculture
- Negative impact on growth of the town, necessary to support new community infrastructure and facilities maintenance (eg Water supply upgrade)

### **NO expansion into Lot 1**

- No household rubbish
- No tailings of any description
- No industrial, drill waste or special types rubbish

The currently designated Waste Precinct is not suitable for dumping or storage without liners, and with every new pond and cell, the risks from failure of one or more liners increases the likelihood of contamination of the aquifers.

The northern parts of the Waste Precinct are closer to the townsite – more dust, noise, light, visual pollution.

### **Complaints Hotline**

- Community needs to know who to contact with respect to a complaint
- Central record of all complaints
- Complaints shared across local govt and state govt depts.
- Who is actioning the complaints?
- Complaints, actions, feedback, remedies & consequences made public in a timely manner

## Monitoring and Control

- Environmental Impact Assessment carried out on Lot 2 & any further development in the proposed waste precinct. Well publicized avenues for community input into assessments.
- Planning and environmental audit carried out on Lot 2 to ascertain that all planning and environmental conditions and licences have been complied with.
- Regular monitoring of litter outside Lot 2
- 24-hour dust monitoring
- Regular monitoring & independent testing of cell and pond walls, including post-closure of the site.
- Bore water monitoring at least 4 times per year
- Monitoring bores installed along the west side of Banksia Road below Lots 1 and 2, monitoring all three aquifers, and including heavy metal & chemical tests.
- Superficial runoff tested in winter (August)
- Consider heavy metal content of all monitoring
- No future increase in maximum capped heights of cells
- Radiological Plan & Radiation Monitoring Reports made public
- Longitudinal study completed on results and community to have access to the monitoring results and study
- Rehabilitation/ remediation bond to be paid by Cleanaway. What bond is currently paid by Cleanaway/owners of Lot 2? Bond to be held in trust by third party (Council or State Govt?)
- Restrict operations on Lot 2 when wind is over a certain speed in any given direction
  - Minimise dust blowing over neighbours and town
- Remedial and landscaping Rehabilitation Plan for the site finalised and available to the community.
- Bore monitoring results from Council waste cell on Lot 1 available to the community

## No 24-hour operation on Lot 2 and any other part of the Waste Precinct

- Noise from machinery and light on site impacts on neighbours
- Trucking movements impact on those living on the trucking route.
- This is a rural residential area and not an industrial area

## Delegated Authority

- No delegated authority to any Shire of Dardanup staff with regards to the Waste Precinct.

## Waste Classifications

- Lot 2 Banksia Rd limited to Class 3 waste classification
- No Waste Disposal Facility classification, including withdrawal of the classification and approvals currently on the Cristal owned Lot.



PO Box 134,  
DARDANUP WA 6236  
15 May 2019

Mr Andre Schonfeldt,  
Chief Executive Officer,  
Dardanup Shire Council,  
1 Eaton Drive  
EATON WA 6232

Dear Andre,

**RE: COMMUNITY REQUESTS IN RELATION TO THE WASTE PRECINCT**

When we met with you prior to the April 16<sup>th</sup> Special Council Meeting, Shire President Mick Bennett and Deputy Shire President Peter Robinson requested a list of actions that we wish to be addressed by Council.

Please find this list attached.

As you are no doubt aware, Cleanaway held two Community Meetings last week. The general community reaction to these meetings was very negative. Some people expressed anger as they left the meeting, particularly after hearing the PFAS traces found in a reading from a monitor bore on the site 'was most likely from natural causes, and not from the waste' and Cleanaway is 'a millimetre away from signing a lease for the adjoining Lot 1' and yet they had no idea what they were going to do with the land or the hectares involved.

It is our belief that Cleanaway are increasing the scope of the development application to go to the JDAP, (e.g. Approvals for Lot 1) and we believe it is imperative that the Shire acts now to prepare an extremely detailed submission with the concerns we have consistently raised over the past 20 years plus the reasons for the recent community opposition to the storage of lithium tailings at the waste facility. We strongly encourage the Shire to engage environmental and planning experts to carry out an environmental on-site audit on Lots 1 and 2, review the documents on which DWER are currently making licensing decisions, consider the breaches that have taken place over the past few years, take account of local knowledge, and review planning for the future in regards to further development of the Ferguson Valley tourism precinct and the impact of a vast waste precinct adjacent to it. We are happy to assist where we can.

On another note, we recently met with the Planning Commission staff in Bunbury regarding the location and size of the Waste Precinct. They agreed that planning-wise, this was a poor location for a Waste Precinct and advised that it was up to Council to alter their Dardanup Local Planning Strategy. The Dardanup Community requests that you address this issue before finalising the new Town Planning Scheme. There must be a way forward on this, with an admission that this location is proving unsuitable for waste disposal, - particularly in the light of the contamination in a bore now

## (Appendix ORD: 12.1D)

showing on Lot 2 and DWER concerns regarding monitor bore readings relating to the closed Shire waste cell on Lot 1. An investigative environmental report on the lot owned by Cristal Millennium also indicated that their site would only be suitable for interment of titanium tailings with HDPE liners and bentonite clay. Liners can and do leak. As a community we feel that the risks posed by what will eventually be such a large number of poly lined cells, are just too great to guarantee the protection of our health and the underground aquifers.

The future expansion of the Dardanup townsite, in relation to the Waste Precinct as it is currently identified, needs further investigation. The Waterloo Industrial Area and the Ferguson River foreshore will eventually limit expansion to the North, and the Planning Commission is not amenable to further townsite development to the West of the Boyanup Picton Road. Expansion to the East would bring the town closer to the Waste Precinct.

Yours sincerely,

*Jill Cross*

Jill Cross  
Chairperson  
Dardanup and Districts Residents Assn  
Member of the sub Committee Dardanup Environmental Action Group





**(Appendix ORD: 12.2)**

**(Under Separate Cover)**

# Annual Budget 2019/20

**Administration Centre – Eaton**

1 Council Drive | PO Box 7016  
EATON WA 6232  
Tel: 9724 0000 | Fax: 9724 0091  
records@dardanup.wa.gov.au  
www.dardanup.wa.gov.au

14<sup>th</sup> of April 2019

To the Shire of Dardanup

**Working from home at lot 82, Harold Douglas Drive, Dardanup property**

Dear Madam/Sir,

I am writing to you in regards of myself wanting to work from home.

I would love to work an hour a week or so depending on the demand as a Reiki practitioner (Japanese relaxation technique) from my home. After been bought up with a mother who is herself a Reiki practitioner, she gave me this passion of helping people and I finally decided to follow my heart. I love being able to help people with relaxation for their wellbeing. Now, that I have time, space and I am fully qualified, I would love to start offering my help to the locals. I am hoping to set up our spare room and turn it onto a nice relaxing "hut" (this gave me the idea of calling my business "Dardanup healing hut". I will apply for the business name and an ABN number once the shire has approved me to work from home.) The room is easily accessible.

The business won't disturb anyone around us. The clientele would come for an hour or so, therefore that will keep the traffic to very minimum. At the most, I will accept only 3 clients a day, but as I said I would be happy with one a week for now. I will be the only person working. For the hours of operation, I would say only school hours (10-4pm) and maybe if the demand is there Saturday morning too.

The business won't need any extra building or landscaping, construction, waste or even storage. I will just use the room with a massage table and some quiet music if the customer wishes so. The carport is big enough for two cars. One place for my car and the other place is for the client.

For signage, I would love to create a little sign for the front gate and maybe on the north west wall of the house to show the clients where the Reiki room is. But if this isn't possible that's fine.

Attached, you will find the Form 110 and 110a. Also, I have attached a floorplan of the house and our block. As we built our house, and moved in last month, all the floorplans are current. Our house is timber frame with a colorbond roof.

As this is the first time I am starting to work by myself, and this is a proposed small business, please let me know if you need any additional information. I would be more than happy to provide it.

Look forward to hearing from you,

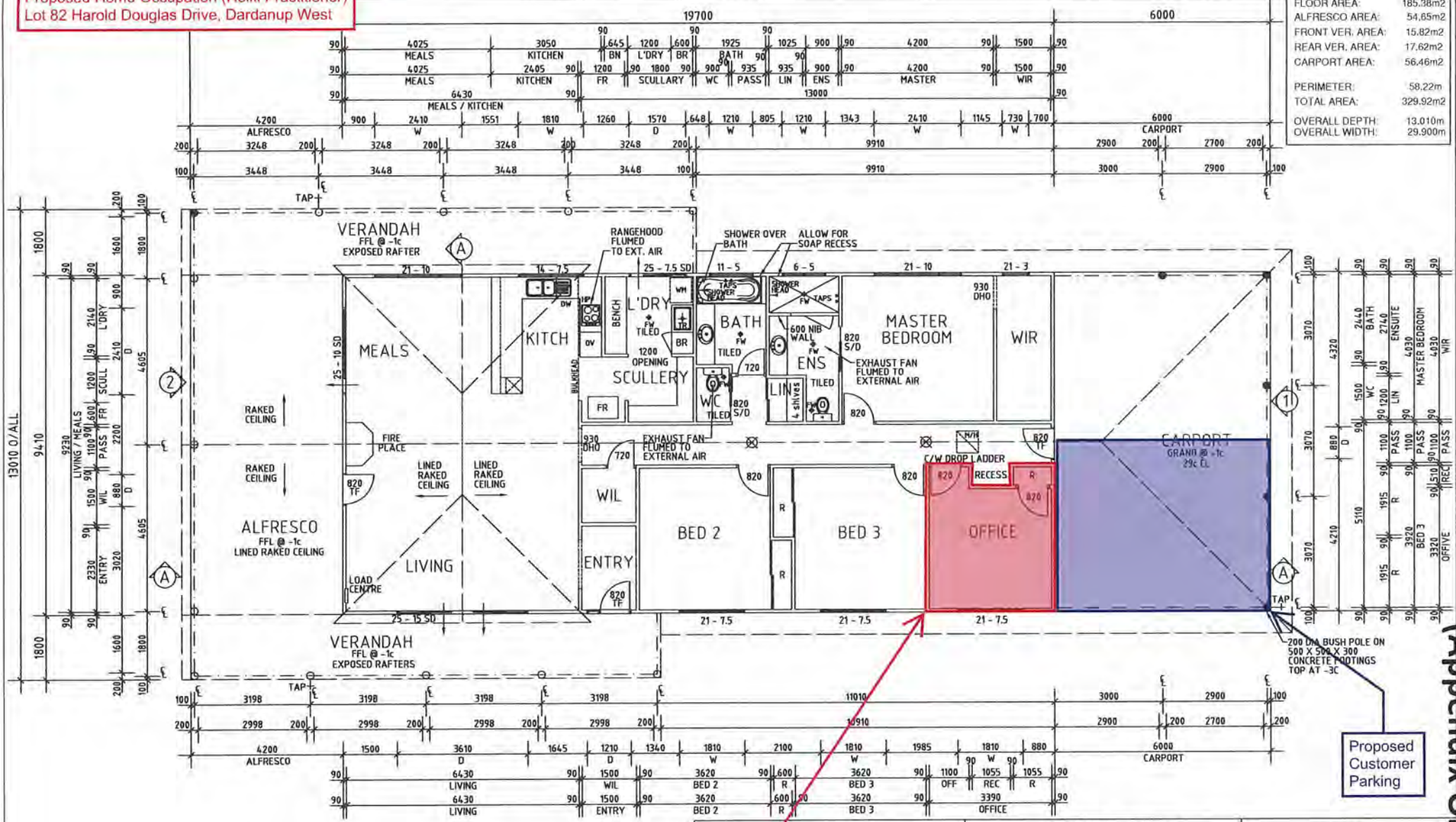
Best Regards

Laetitia Storey

Proposed Home Occupation (Reiki Practitioner)  
 Lot 82 Harold Douglas Drive, Dardanup West

29900 0/ALL

AREAS	
FLOOR AREA:	185.38m <sup>2</sup>
ALFRESCO AREA:	54.85m <sup>2</sup>
FRONT VER. AREA:	15.82m <sup>2</sup>
REAR VER. AREA:	17.62m <sup>2</sup>
CARPORT AREA:	56.46m <sup>2</sup>
PERIMETER:	58.22m
TOTAL AREA:	329.92m <sup>2</sup>
OVERALL DEPTH:	13.010m
OVERALL WIDTH:	29.900m



Proposed Customer Parking

Proposed Home Occupation (Reiki Practitioner)

CLIENT:  
 MR & MRS STOREY

ADDRESS:  
 LOT 82 (#???)  
 HAROLD DOUGLAS DRIVE  
 DARDANUP WEST

AMENDMENTS / VARIATIONS	
V.O. No.	DATE
BED 1 WINDOW & FIRE PLACE	03/12/17
MINOR MODIFICATIONS	30/01/18

SPECIAL	
DRAWN: EY	DATE: 22-10-17
CHECKED:	SHEET No: 1 OF 3
JOB No:	2017-17

FLOOR WASTE / CEILING VENTS SHOWN DIAGRAMATICALLY ONLY	DO NOT SCALE FROM DRAWINGS - DIMENSIONS SHOWN ARE TO BE FOLLOWED AND MUST BE CHECKED ON SITE	DISHWASHER PROVISION: i) 610w OPENING UNDER BENCH TOP ii) COLD WATER OUTLET ONLY iii) SINK TRAP SUITABLE TO CONNECT TO DISHWASHER WASTE iv) G.P.O. 150 AFL
CL @ 32c THROUGHOUT UNLESS NOTED OTHERWISE	DOWNPIPES TO BE LOCATED AT PLUMBERS DISCRETION TO SUIT ROOFWATER VOLUME AND LOCATION OF ROOF MEMBERS	☒ SMOKE DETECTOR
ROOF BEAMS INDICATIVE ONLY. REFER TO RELEVANT SPAN TABLES AND ENGINEER REQUIREMENTS.		

Appendix ORD: 12.4A

Proposed Signage  
Lot 82 Harold Douglas Drive, Dardanup West

# Dardanup Healing Hut



Phone: 0448 007 868

Above: Proposed signage size A3 (30cmx42cmx0.5cm)

29-5-19



P.O Box 4010  
Bunbury 6230

Gareth Webber

RE: Lot 82 Harold Douglas Drive Dardanup  
Proposal for Development.

We the owners of Lot 81 Harold Douglas Drive  
Dardanup oppose this application

We purchased here because of the area being  
semi rural, businesses were not permitted to  
operate from the properties

These are life style properties for outdoor  
activities & for a few livestock.

If maximum number of clients are 3 a day  
why does the hours of 10 am to 4pm warrant this?  
Mrs Storey's business requires quiet time, so do  
her neighbors have to go quietly around their  
properties for the 6 hours?

Is there a supervisor in place for Mrs Storey's  
2 children & possibly her clients may have  
children?

Two handwritten signatures in black ink, one on the left and one on the right, both appearing to be initials or names.

Hi Gareth

Thank you for your reply and thank you for giving me the opportunity to answer to those questions.

Please see below my answers to each question:

**Advised that they purchased the property because of the area being semi-rural, and businesses were not permitted to operate from the properties.**

My husband and I bought the block in June 2017, as we decided for the health of ourselves and our two boys it would be better to go back to a basic lifestyle and to grow our own food. Our youngest son has some health issues and only food and lifestyle will help him heal completely. At that stage, I had no idea that I would like to have my home business, or even that I would be a Reiki practitioner. We started to work on our 1 acre garden, then we started to build our house on the property. By that stage, I still had no idea about my proposed business. Otherwise, trust me, I would have included in our house design a separate room with a separate entry door just for the business. At the end of last year, I started studying Reiki to help my youngest son with his health condition. Then, at the beginning of this year, I started to think about what I would like to do when the kids go to school. Going back to my previous job wasn't an option as it doesn't suit school hours. So I decided to follow my intuition and using my new gained skills to create my home business. This will allow me to work a little bit while the kids are at school and still have extra time to work around our property. I am not going to make a lot of money but just enough to pay the school fees. My main goals are to help people with their healing and their relaxation and still have time to spend in our garden to grow our own food.

**Advised that these are lifestyle properties for outdoor activities and for a few livestock.**

Yes, I agree this is our property and that we have the space for outdoor activities. Having this home business will not change:

- The landscape of what we are using our block for
- The activities we are doing on our block when we have some free time

Having the home business will help me and my family be able to:

- spend more money on planting trees, looking after some livestock and enjoying our new lifestyle.
- spend more time with our boys at home and teach them how to look after our environment and our health without having the stress for me to find a job that fits during school hours. Working from home, means more time to spend on the block as I don't have to travel to get to work.

Yes, the lifestyle blocks are for lifestyle, but this doesn't mean I can't use it to its whole potential. The proposed home business is a little business that will not affect anyone around us, not even the animals. It will just allow us to have more time to enjoy this beautiful lifestyle.

## (Appendix ORD: 12.4C)

Queried if the maximum number of clients are 3 a day, why does the hours of 10am to 4pm warrant this?

Yes, I will not have more than 3 clients a day because this is not recommended for my health. Also, I expect each session to last one hour. I will need a rest in between clients to get myself rested and to get the room's energy cleaned up. So for example, I have the first client at 10am. He/She leaves at 11 am. I will not have the next client till 11:30. The second client leaves at 12:30. Then I need a lunch break. I will then if all goes well have the third client at 2pm and he/she leaves at 3pm. I then have time to clean up the room again. Obviously this is an example. Some days, clients might not be available in the morning so I will have maybe then two sessions in the afternoon. But, trust me, I do not plan on having more than 3 clients a day. And this is at the maximum. At this stage I will be happy with one client a week.

Secondly, the opening hours are 10am to 4pm, so clients know what time they can expect me to answer to phone calls and emails. Once the kids are back from school, I will concentrate my time on them. So by having opening hours, the clients will understand why I do not reply to email at night time.

Queried if the proposed business requires quiet time, do the neighbours have to go quietly around their properties for the 6 hours

No. I do not need any change in behaviors from my neighbours. They can do what they want to do as they always have. The session will happen in the room. It won't matter if my next door neighbor is mowing his lawn or using a chainsaw, as it won't affect the session. As I said previously, having this small business won't affect anyone or any living things but the client's health and my family's financial support.

Queried if there is a supervisor in place for the applicant's children and possibly the clients who may have children?

The client can't bring with them their children, like you wouldn't bring your children at a massage session or a meditation class. The client will come on their own. If the client is a person under the age of 18 years old, then they will need to be prepared to be lying down for the whole hour of the session, while the parent will be sitting on the seat provided in the room for the whole session. Thank you for asking me these questions I am now aware to inform the clients about letting them know that they will have to come on their own when they come to their session.

Overall:

This proposed business goals are, to help clients feel better, to help their healing process and feel more relaxed. I have no intention for the business to affect anyone or anything but the client. This business will stay small, as I am not planning to ever hire anyone. It will be just me, to help me and my family to have a better lifestyle. I am really hoping that I will be able to bring to the Dardanup Residents a local Reiki practitioner that is so close to home and affordable.

## **(Appendix ORD: 12.4C)**

I hope I gave enough details to each question, please don't hesitate to contact me if you need extra information.

Look forward to hearing from you,

Kind Regards



(Appendix ORD: 12.5)

(Under Separate Cover)



# Delegations Register 2019 - 2020

**Administration Centre – Eaton**

1 Council Drive | PO Box 7016

EATON WA 6232

Tel: 9724 0000 | Fax: 9724 0091

[records@dardanup.wa.gov.au](mailto:records@dardanup.wa.gov.au)

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



COUNCIL POLICY NO:-
<b>CP005 – KEEPING OF BEES</b>

GOVERNANCE INFORMATION			
Procedure Link:	NA	Administrative Policy Link:	NA

ADMINISTRATION INFORMATION			
History:		Synopsis:	
Version:	New	OCM 31/10/2018 Res: ???-18	Synopsis: Policy created.
Version:			

## 1. RESPONSIBLE DIRECTORATE

Engineering & Development Services Directorate

## 2. PURPOSE OR OBJECTIVE

The purpose of this Policy is to provide direction to Council in the processing of applications to keep bees in accordance with the Shire of Dardanup Health Local Law 2000 (amended 2014).

The objectives of this Policy include:

- To provide an objective framework for the assessment and processing of applications to keep bees within the District;
- To require beekeepers to operate in compliance with specified industry codes;
- To permit the keeping of bees where this is consistent with public safety and social amenity.

## 3. REFERENCE DOCUMENTS

- The Shire of Dardanup Health Local Law 2000
- Appendix 1 – "General Conditions for Using Apiary Authorities on Crown land in Western Australia"
- Appendix 2 – "National Best Management Practice for Beekeeping in the Australian Environment"
- Appendix 3 – "Draft Urban Beekeeping Code" (the Code)
- Shire of Dardanup Town Planning Scheme No. 3 (TPS3)

## 4. DEFINITIONS

The terms used in this Policy and their defined as follows in accordance with the Local Law.

Term	Definition
Apiary	A place where honey bees are collectively kept in a number of bee hives
Bee Hive	Means a hive standing alone or any two or more hives standing in a group.
Local Law	Shire of Dardanup Health Local Law 2000 (as amended)
Rural Beekeeping	Beekeeping on land that is zoned 'General Farming' or 'Small Holding' under Town Planning Scheme No. 3.
Urban Beekeeping	Beekeeping on any land not zoned 'General Farming' or 'Small Holding' under Town Planning Scheme No. 3.

Term	Definition
TPS3	Town Planning Scheme No. 3

## 5. POLICY

This policy applies to the keeping of bees within the Shire of Dardanup. The Local Law prohibits the keeping of bees anywhere within the District unless approval to do so has been granted by the Council.

### Rural Beekeeping

1. This section of the policy applies to all land zoned 'General Farming' and 'Small Holdings' within the Shire of Dardanup.
2. All Applications to keep bees on land zoned 'General Farming' or 'Small Holdings' shall require the formal approval of Council.
3. Applications shall be in writing ('Form 204 – Application Form – Keeping of Bees'), with plans and supporting information indicating the following:
  - a) Number of beehives proposed;
  - b) Distance of hives from property boundaries;
  - c) Distance of hives from nearby places of residence, thoroughfares and/or other public locations (eg workplaces and campsites);
  - d) Proposed management measures in accordance with '*National Best Management Practice for Beekeeping in the Australian Environment*';
4. Applications for a maximum of five hives that meet the following criteria may be approved by Environmental Health staff under delegated authority without the need to notify neighbouring property owners:
  - a) For proposals involving a maximum of two hives:
    - i) Minimum 100m separation distance from nearest property boundary, a public thoroughfare the nearest place of residence and/or any other public location (eg workplaces and campsites).
  - b) For proposals involving between three to five hives:
    - i) Minimum 100m separation distance from nearest property boundary and/or a public thoroughfare;
    - ii) Minimum 200m separation distance from the nearest place of residence and/or any other public location (eg workplaces and campsites).
  - c) Demonstrated compliance with the '*National Best Management Practice for Beekeeping in the Australian Environment*'.
5. When a proposal involves the processing of honey or other bee products on site for commercial gain, development approval under TPS3 will be required. In considering an Application for Development Approval under TPS3, the commercial land use and any associated infrastructure will be considered only, with all matters relating to the management of bees remaining the responsibility of Environmental Health staff under the beekeeping approval process outlined under this Policy.
6. Any proposal that is unable to meet the criteria outlined in Cl. 4 (a & b) will require Environmental Health staff to notify neighbouring landowners prior to determining the application. Where no objections are received and the applicant has demonstrated compliance with the '*National Best Management Practice for Beekeeping in the Australian Environment*', approval may be granted by Environmental Health Officers under delegated authority.

## (Appendix ORD: 12.6A)

7. For proposals involving more than five hives, officers will assess all applications against the provisions of "*General Conditions for Using Apiary Authorities on Crown land in Western Australia*" with specific regard to separation distance requirements.
8. Council, will not support any proposal to install bee hives on Shire owned or managed land under any circumstances.
9. Where objections are received as a result of notification, or where the applicant has not demonstrated full compliance with the '*National Best Management Practice for Beekeeping in the Australian Environment*', the application will be determined by Council.
10. In considering such applications the onus will be on the applicant to demonstrate the activity will not result in adverse off-site impacts to neighbouring landowners or the general public.

### Urban Beekeeping

1. This section applies to proposals for beekeeping on any land in the District, other than land zoned 'General Farming' or 'Small Holdings' under TPS3;
2. All proposals to keep bees under this section will need to obtain the formal approval of Council.
3. All applications must be in writing ('Form 204 – Application Form – Keeping of Bees'), with plans and supporting information indicating the following:
  - a) Number of beehives proposed;
  - b) Distance of hives from property boundaries;
  - c) Distance of hives from nearby places of residence, thoroughfares and/or other public locations (eg workplaces and campsites);
  - d) Proposed management measures in accordance with the '*Draft Urban Beekeeping Code*'.
4. A maximum of one hive will be permitted on any land zoned 'Residential' or within any designated townsite.
5. For all other areas the maximum hive density that may be permitted is one hive per 500m<sup>2</sup> to provide space for appropriate hive positioning and management.
6. Hives are to be managed by a designated site occupier, to facilitate a prompt response to any issues that may arise.
7. All applications will require all landowners within 100m of the proposed hive location to be notified and provided the opportunity to comment, prior to determination.
8. When a proposal involves the processing of honey or other bee products on site for commercial gain, development approval under TPS3 will be required. In considering an Application for Development Approval under TPS3, the commercial land use and any associated infrastructure will be considered only, with all matters relating to the management of bees remaining the responsibility of Environmental Health staff under the beekeeping approval process outlined under this Policy.
9. Where Development Approval is required, notification under this Policy may be combined with Town Planning notification (if required).
10. Applications that meet the following criteria may be approved by Environmental Health staff under delegated authority:
  - a) No objections received as a result of advertising;
  - b) Maximum of one hive on land zoned 'Residential' or on land within a designated townsite for personal use only;
  - c) Maximum hive density of one hive per 500m<sup>2</sup> for all other areas; and

- d) Demonstrated compliance with the 'Draft Urban Beekeeping Code'.
11. Notwithstanding any provision contained in this policy, Council will not support a beehive within 100m of any of the following:
    - a) A public park;
    - b) A school;
    - c) Child-care premises;
    - d) Aged-care premises.
  12. Council, will not support any proposal to install bee hives on Shire owned or managed land under any circumstances.
  13. Where objections are received as a result of notification, or where the applicant has not demonstrated full compliance with the 'Draft Urban Beekeeping Code' the application will be determined by Council.
  14. In considering such applications the onus will be on the applicant to demonstrate the activity will not result in adverse off-site impacts to neighbouring landowners or the general public.

#### Recommended Conditions of Approval and Advice Notes

If Council (or staff under delegated authority) determines to approve an application to keep bees, conditions and/or advice notes may be imposed on the approval including, but not limited to:

##### Conditions:

1. Compliance with the 'National Best Management Practice for Beekeeping in the Australian Environment'.
2. Compliance with the 'Draft Urban Beekeeping Code' (if relevant).
3. Compliance with an approved site plan indicating the approved location of hives.
4. Compliance with the maximum number of hives permitted.

##### Advice notes:

1. It is the responsibility of the operator to comply with the requirements of any other legislation that may be applicable to the beekeeping activity.
2. Where building work is carried out, or the use of a building changes, a Building Application or evidence of compliance with the Building Code of Australia may be required.
3. Processing of all bee or honey products intended to be sold for human consumption will require food approval.
4. A Development Application approval under TPS3 will be required when building works are carried out in association with the beekeeping activity, or the extraction, bottling, packaging or processing or sale of bee products and/or honey occurs for commercial gain.
5. All beekeepers in Western Australia are required to register with the Department of Primary Industries and Regional Development.
6. If in the opinion of an Environmental Health Officer, the approved beehives are causing a nuisance, the Council may direct any bees or approved beehives to be removed.
7. If Council is notified of a new concern regarding the keeping of bees on a particular property, the application will be reconsidered by Council and approval may be revoked in the interests of public safety.

**Comments on Dardanup Shire – Draft Keeping of Bees Policy May 2019**

**Western Australian Apiarist Society**

**General Comments**

How will this policy be applied to existing beekeepers in the shire. Will there be a moratorium where they will be given approval if no complaints have been received in the last 2years without the need for full application?

WAAS released the Draft Code Urban Beekeeping Code for feedback from its members in early May 2019. The comment period has closed with minor changes being considered by WAAS. It is the committees intention to finalise the code by Sept 2019.

Section/Page Number/Paragraph	Comment	Suggested Change
2. Purpose or Objective	<p>The document could benefit from a preamble as to why the Shire of Dardanup is developing the Keeping of Bees policy. This could include:</p> <ul style="list-style-type: none"> <li>• Information relating to the value of the industry, estimated at \$1.1b in Western Australia and \$14.4b nationally.</li> <li>• The rapid increase in registered beekeepers, predominately in urban areas, with over 3000 registered beekeepers in Western Australia.</li> <li>• The difference in rural, urban and migratory beekeeping.</li> <li>• Difference between managed versus feral bee colonies.</li> <li>• Why the Shire of Dardanup wants to encourage and have an appropriate regulatory touch.</li> <li>• That the policy relates to managed beehives with the policy aiming to ensure best practise to reduce potential for nuisance</li> </ul>	<p>Include a preamble to the policy.</p> <p><b>Officer Comment:</b>                      Note that Council Policies are ideally limited to a maximum of 2 pages, and background material such as that specified is typically contained in the Council Agenda Item requesting approval of the Policy.</p>

Section/Page Number/Paragraph	Comment	Suggested Change
	arising from managed hives.	
2. Purpose or Objective; last dot point	The purpose of the document is to allow best practise beekeeping to reduce potential for nuisance as this is the compliance lever available to the Shire.	<p>Change last dot point to be:</p> <ul style="list-style-type: none"> <li>To permit best practise keeping of bees to reduce the potential for nuisance where this is consistent with public safety and social amenity.</li> </ul> <p><b>Officer Comment:</b> Note that the Health Local Law is made under the authority of Section 342 of the Health (Miscellaneous Provisions) Act, for the purposes specified in the Act or generally for carrying into effect the provisions of the Act. It does not appear appropriate to remove the reference to public safety and social amenity.</p>
3. Reference Documents	These documents will be updated for time to time and this needs to be allowed for in the policy without requiring a revision of the policy.	<p><b>Officer Comment:</b> Note that Council Policies may only be amended by adoption of an amended Policy by Council, and are not able to be updated by Staff without approval by Council.</p>
	Update the name of the "Draft Urban Beekeeping Code"	<p>Reference should be: 'Western Australian Apiarist Society Draft Urban Beekeeping Code'</p> <p><b>Officer Comment:</b> Recommend that the name of the "Draft Urban Beekeeping Code" in "3. Reference Documents" be amended as proposed.</p>
4. Definitions	Need to make reference to the Beehive being managed.	<p>Align with the Department of Primary Industry and Regional Development definition in their legislation</p> <p><b>Officer Comment:</b> The additional definition could be added if seen as necessary, however the ordinary definition of manage (to be in charge of) appears sufficient for the purposes of the Policy, and is not required to be defined in the Policy.</p>
	Suggest a definition be added for migratory beekeeping or similar	Migratory Beekeeping – commercial scale beekeeping that temporarily locate hives on property within the Shire to collect honey for periods of up

Section/Page Number/Paragraph	Comment	Suggested Change
		to 4 months <b>Officer Comment:</b> Migratory beekeeping is not mentioned in the Policy, and no time limit is given for the temporary location of hives. If Council wishes to put a time limit on the temporary location of hives under "5. <b>POLICY Rural Beekeeping 7.</b> " then it is suggested that this is done by inserting a time limit within this clause.
	Rural Beekeeping also needs to talk to a size of property and could apply depending on the size of the small holding and general industry.	Change definition to zonings that this will apply (Rural, Semi Rural) and for others that are larger than a particular size <b>Officer Comment:</b> Recommend retention of existing definition. This allows use of land that is not subject to zoning (unallocated crown land managed by Council, closed roads, reserves etc), and also small parcels of rural land where these occur.
	Urban Beekeeping relates to urban zoning and proximity to neighbours	Specify the zoning and generally parcels less than a particular size <b>Officer Comment:</b> Current definition specifies zoning as requested (Residential, Small Holding or Industry (Light / General)). Specifying parcel size is not considered to be helpful, as the "West Australian Apiarist Society Draft Urban Beekeeping Code" has provisions for hive numbers on larger urban lots
	Provide a definition of nuisance relating to beekeeping as this is the tool for compliance. This will provide guidance to shire officers, beekeepers and complainants.	A nuisance occurs where there is a direct relationship between the beekeeping activity and will be determined against best management practises <b>Officer Comment:</b> Note that the Shire of Dardanup Health Local Law is made under Section 342 of the Health (Miscellaneous Provisions) Act, which contains a definition of nuisance.
5. Policy;	As it is a requirement to be a registered beekeeper under state legislation this should be added as a requirement under the policy for all policy areas.	<b>Officer Comment:</b> This can be added to the conditions of approval, and is expected to be checked by Shire Environmental Health Officers when they receive applications.
5. Policy; Rural	Number of hives that can be approved through	Change to reflect up to 40 hives can be approved under delegation.



Section/Page Number/Paragraph	Comment	Suggested Change
Beekeeping; 3	delegation. My notes indicate this was discussed at 40 not 20.	<p><b>Officer Comment:</b> Discussions regarding number of hives were held during the workshop. The number of 20 hives was generally discussed, with Cr Dow suggesting that the number should be 40 hives "before you can say no". It was explained that Environmental Health Officers would not have the authority to say no, it was only proposed that applications with more than 20 hives would be referred to Council for determination. In the summary of the discussion for rural beekeeping, the number of 20 hives for staff approval was stated, and no disagreement was recorded. Please also note that hive numbers for staff delegated authority may be amended when the Policy is next considered by Council.</p>
5. Policy; Rural Beekeeping; 5	3. does not require the notification of neighbours	<p>Remove reference in 5. To 3. Applications under 3 above, or 4 above where no objections are received</p> <p><b>Officer Comment:</b> Clause 3 identifies when notification to neighbours will not be required. It does not include authorisation to Environmental Health Officers to approve such applications under delegated authority. If the reference to clause 3 is removed from clause 5 as requested, then there is no clause authorising Environmental Health Officers to grant approval to applications meeting clause 3.</p>
5. Policy; Rural Beekeeping; 6	Need to tie back to previous points.	<p>6. Where objections have been received (4) or the applicant has not demonstrated that the activity will be managed in accordance with the "National Best Management Practice for Beekeeping in the Australian Environment" (3 &amp; 4), the application will be determined by Council. It is expected that these applications will not be supported unless the applicant is able to demonstrate that the activity will not result in adverse off-site impacts.</p> <p><b>Officer Comment:</b> No comment on proposed changes.</p>

Comments to Revised Policy by Adam Maskew (WAAS). Officers comments in red.

Section/Page Number/Paragraph	Comment	Suggested Change
5. Policy; Rural Beekeeping; 7	Suggest this forms a new 'section' in the policy specifically called Migratory Beekeeping. Change the intent of this to align with notification	<b>Officer Comment:</b> Note that the Industry group representing commercial beekeepers has made no comment on proposed policy, and changes to the proposed policy regarding temporary location of hives by Registered Commercial beekeepers are not supported unless consultation occurs with the industry sector affected.
5. Policy; Urban Beekeeping.	Update to reflect a size of holding for this purpose as well.	<b>Officer Comment:</b> As above – not supported.
	Change to follow format for Rural Beekeeping (numbering)	<b>Officer Comment:</b> Supported.
5. Policy; Urban Beekeeping; 1	Updated reference to Western Australian Apiarist Society for the Urban Beekeeping Code	<b>Officer Comment:</b> As above – supported.
5. Policy; Urban Beekeeping; 3	Suggest this is placed later in the section to help flow for the reader, just prior to 6	The preference for management by site occupier and that those not being a consideration for council should be placed just prior. <b>Officer Comment:</b> No opinion – does not change the intent or application of the document.
5. Policy; Revocation of Approval; first dot point	Need to define what a nuisance is somewhere in the document to provide guidance to Shire officers, beekeepers and complainants	<b>Officer Comment:</b> As above – nuisance is defined in the Health (Miscellaneous Provisions) Act.
5. Policy; Revocation of Approval; second dot point	A concern may not be of sufficient veracity for the approval to be reconsidered. Provide flexibility to the Shire and beekeepers. What concern would be of sufficient standard for the approval to be reconsidered and approval revoked?	<ul style="list-style-type: none"> <li>If Council is notified of a new concern regarding the keeping of bees on a particular property, the application will <b>may</b> be reconsidered by Council and approval may be revoked.</li> </ul> <b>Officer Comment:</b> The proposed rewording is supported, as it will allow complaints regarding non-compliance with conditions of approval where the beekeeper is cooperative to be resolved without reference to Council, unless Council wishes to have all complaints regarding approved beekeepers to be referred to Council regardless of the resolution of the issue.
Flow Diagram	Change to be about managing Nuisance Complaints	Complaints Management - Complaints assessed against industry guidelines to ensure nuisance

Comments to Revised Policy by Adam Maskew (WAAS). Officers comments in red.

Section/Page Number/Paragraph	Comment	Suggested Change
		<p>issues are adequately managed.</p> <p><b>Officer Comment:</b> Flow diagram is for illustration only (as requested by workshop participants) and does not form part of the proposed policy.</p>
Flow Diagram	Identify need to manage to ensure potential nuisance issues are reduce. Expand	<ul style="list-style-type: none"> <li>- Compliance with industry best management practises including the location of beehives; management of flight paths, provision of water; number of hives; management to reduce swarming; etc</li> </ul> <p><b>Officer Comment:</b> Flow diagram is for illustration only (as requested by workshop participants) and does not form part of the proposed policy.</p>
Form 204 – Application Form – Keeping of Bees	Not included with package. Would like to view the form to ensure it is easily understood, collects the right information and is in a format that reduces administrative burden for the shire and beekeepers.	<p><b>Officer Comment:</b> Form 204 is available on the Shire website, and comments may be made on the content of the From to Principal Environmental Health Officer to be considered if the form is amended. Note that a standard format applies to all Shire forms, and that sufficient information must be collected to allow assessment of the application.</p>

(Appendix ORD: 12.6C)



# National Best Management Practice for Beekeeping in the Australian Environment



The Australian Honey Bee Industry Council

[www.honeybee.org.au](http://www.honeybee.org.au)

Industry Partnerships Program – Action Partnership Grants  
Part of the Australian Government's Agriculture – Advancing Australia Package



Australian Government  
Department of Agriculture,  
Fisheries and Forestry



NSW DEPARTMENT OF  
PRIMARY INDUSTRIES



Project conducted on behalf of AHBIC

*Principle investigator*

**Dr Doug Somerville**

Technical Specialist Honey Bees  
NSW DPI





# Contents

Forward	4
<i>Chairman – Australian Honey Bee Industry Council</i>	
Background	6
Introduction	8
Summary	10
Elements of Best Management Practice	12

*“Bees play a vital role in maintaining the production and growth of the range native and non-native plants found across Australia today.”*



## Foreword

In times of drought, uncertain climate forecasts and tough markets, farmers are relying heavily on quality pollination services to increase their productivity.

To provide those services, the bee industry needs to safeguard its access to public native forests. The Australian Honey Bee Industry Council has been working closely with bee keepers and with managers of native floral resources on this very important issue.

The bee industry contributes around \$60 million a year to the Australian economy through honey and related products. But in addition, the contribution of pollination services to agriculture is estimated to be worth billions of dollars annually.

To allow us to continue to support farmers across the nation, we hope that a unified voice and a clear explanation of the minimal environmental footprint of bee keepers will maintain our industry's access to floral reserves.

These Best Management Practice guidelines show that we have set very high standards for ourselves. We expect bee keepers to meet these standards and to maintain strong commitment to environmentally sustainable practices.





Under the Federal Government's Advancing Agricultural Industries Programme, stakeholders from across the country joined forces to identify and resolve the most important aspects of native floral reserve access.

Significant consultation and spirited discussion have produced a practical and relevant Best Management Practice guidelines. Environmentally responsible bee keeping practices will help our industry to face up to the uncertainties of the future and continue to provide the efficient pollination services that sustain Australian agriculture.

I am confident that the implementation of these Best Management Practice guidelines will secure a sweet future for our honeybee industry.

**STEPHEN FEWSTER**  
*Chairman, Australian Honey Bee Industry Council*



*"This little animal is a valuable asset to Australia's agricultural future and long-term prosperity"*



## Background

The necessity for a National Best Management Practice set of guidelines for Australian beekeepers was initially tabled at a two day workshop held in Canberra in September 2005. Funds were successfully obtained from the Federal Government, and the project was completed by Dr Doug Somerville, Technical Specialist (Honey Bees), NSW Department of Primary Industries.

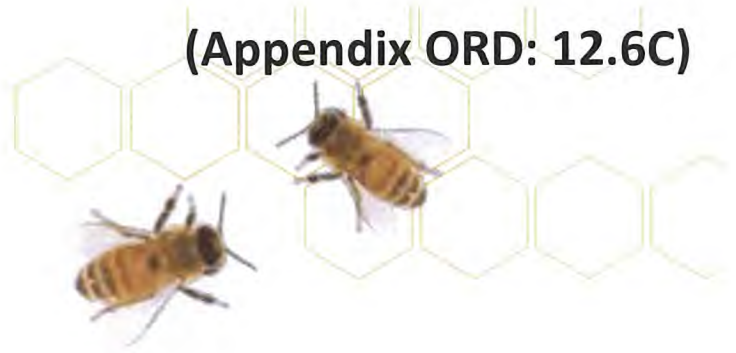
A committee was formed by the Australian Honey Bee Industry Council (AHBIC) of 20 persons to assist in providing feedback and direction to the process. They were Lindsay Bourke, Rex Carruthers, Paula Dewar, Leigh Duffield, Stephen Fewster, Ken Gell, Don Keith, Darryl Lawrence, Trevor Monson, Trevor Morgan, Ben Oldroyd, Elwyn Papworth, David Paton, Ed Planken, Greg Roberts, Doug Somerville (chair), Ian Stephens, Bill Weiss, Julian Wolthagen and Ian Zadow.

Part of the process in developing a national set of guidelines for beekeeping in the Australian environment was the facilitation of a workshop in each state. Each state member beekeeping organisation within AHBIC was asked to identify and invite persons to participate in the development of a national set of guidelines.

Each workshop was provided with presentations on the formulation of industry codes and environmental management systems. The participants were then divided into small groups and given the tasks of discussing what it is that they want from the workshop, how detailed the guidelines should be and what should be the key elements. Discussions within the smaller groups and feedback within the larger group occupied the lion's share of each workshop. Individually, each participant was also asked to complete a workshop feedback and evaluation form. The combination of responses from the workshop process and the feedback/evaluation forms was the basis of the National Best Management Practice for Beekeeping in the Australian Environment.

The facilitators at each workshop were Dr Doug Somerville, Technical Specialist (Honey Bees), and Nick Annand, Apiary Officer, both NSW Department of Primary Industries staff, belonging to the Honey Bee Industry Group.





The workshop participants for each state were:

**QLD** (13/2/07) – Peter Barnes, Neville Bradford, Carmel Burnham, Rex Carruthers, Paula Dewar, Bill Gordon, Bob Johnson, Don Keith, Tony Knight, Dave Learoyd, Rodney Ruge, Patricia Swift, Trevor Weatherhead.

**NSW** (23/2/07) – Neil Bingley, Warwick Bratley, Todd Duffy, Ray Hull, Bryn Jones, Craig Klingner, Mick Ryan, Bill Weiss, Eric J Whitby, David Mumford.

**VIC** (27/2/07) – Linton Briggs, Robert Buntine, Mick Camilleri, Graham Connel, Ken Gell, Rod Gell, David Major, Bob McDonald, Robert McDonald, Trevor Monson, Marie Murley, Terry O’Kane, Bill Shay, Alan Smith, Eric Smith, John Ward.

**TAS** (8/3/07) – Lindsay Bourke, Rod Bourke, Yeonsoon Bourke, Reg Down, Hazel Hoskinson, Hedley Hoskinson, Norman Hoyle, Ian Marmion, Greg Rainbird, Graeme Raphael, Ian Stephens, Robin Thomson, Des Willmott, Julian Wolfhagen.

**SA** (27/3/07) – Leigh Duffield, Darrell Lawrence, Nadia McLaren, Jude Nettleingham, Barry Pobke, Michael Stedman, Michael Stone, Ian Zadow.

**WA** (20/4/07) – Malcolm Briggs, John Davies, Stephen Davies, Harry East, Brendon Fewster, Colin Fleay, Jacqui Hay, Ron Hollett, Alan Kessell, David Leyland, Rod Pavy, Wayne Ridley, Tracy Shea, Bill Trend, Cheryl Wong, Wally Zajac.





## Introduction

The Australian beekeeping industry is faced with mounting issues in a range of fields, the economic viability of commercial beekeeping is being continually squeezed and the threat of exotic pests and diseases is of major concern. The one over-riding factor with a greater capacity to affect the medium to long-term viability of the Australian beekeeping industry is the availability of suitable floral resources that will consistently produce pollen and nectar vital for the survival and productivity of a honey bee colony. Quite an extensive number of threats, past and present, have been listed by the beekeeping industry. They are:

- land clearing for agriculture;
- forestry activities that remove flowering trees;
- replacement of felled trees with pine and low pollen and nectar yielding eucalypt plantations
- fires, including back burning and natural bushfires;
- reduction in vehicle access to quality apiary sites;
- salinity affecting the health of the available flora;
- droughts, which reduce flowering and interrupt growth cycles;
- control of weed species that provide pollen and nectar for honey bees;
- urban sprawl, which reduces mature vegetation and limits the size of apiary sites due to safety concerns;
- loss of access to native forests because of transfer from State Forests to National Parks; and
- reduced access to native flora on private lands because of a perception by some landholders that honey bees are harmful to the ecosystem and a threat to personal safety.

Some persons in the community have taken the position that, as managed honey bees are exotic insects, they have no place in any conservation reserve.



This view is of increasing concern to the Australian beekeeping industry due to the ever-increasing area of land being gazetted under a conservation memorandum. The debate on the impact of honey bees on the Australian environment will not be resolved by any single event.

Even through the beekeeping industry has a clear objective of preserving native flora, the industry's position on access to government lands in particular is tenuous and will need a strong proactive stance to counter extreme views. By adopting a 'National Best Management Practice for Beekeeping in the Australian Environment', the beekeeping industry is in a more favourable position to demonstrate that it has a thorough understanding of its environmental impacts, and can adequately manage these impacts.

The honey bee industry stands for and depends on the preservation of native flora and hence has much in common with those in the community whose values support nature conservation and the establishment of conservation reserves. The National Best Management Practice for Beekeeping in the Australian Environment has been provided by the beekeeping industry to complement the conservation principles it has historically held. The future of the beekeeping industry is at risk while the health of the landscape is in decline. Beekeepers have acknowledged their concerns regarding the loss of floral resources for decades in their journals and in the political arena. During the development of the national guidelines existing regulations and conditions of use were reviewed. The guidelines developed in this document have gathered all of the key points from these various documents as they relate to the environment and incorporated them into the key elements.



## Summary

The Australian beekeeping industries have long recognised the ideal of minimising any impact of their activities on the greater environment.

The formalising of a set of national best practice guidelines for beekeeping in the Australian environment demonstrates to the whole community the commitment that the Australian beekeeping industries has to ensure that it is doing everything in its power to eliminate and minimise its potential impact on the whole Australian environment.

The guidelines are provided for beekeepers to clearly understand their role to the greater community and also to provide to the public an outline of what all beekeepers should be adopting in their keeping and management of honey bees. The guidelines are not specific to any single beekeeping group and all elements may not be applicable to each individual manager of bee hives. For further information and detail on the elements, refer to the full set of guidelines.

The elements, in no particular order, are:

- 1) Respect for heritage and areas of interest to indigenous Australians.
- 2) Display warning signs in appropriate places to announce proximity of apiary to the public.
- 3) Maintain stocking rates to the floral conditions prevailing. Ensure colonies have adequate stored honey.
- 4) Ensure that the appropriate authorities have been notified of the arrival and departure of apiaries and they have the beekeeper's address and contact details.
- 5) Keep the area of the apiary clean and tidy.
- 6) Ensure appropriate availability of water when required.
- 7) Incorporate best management practice to reduce the incidence of swarming.
- 8) Maintain swarm traps in and around apiaries, particularly during the spring period.





- 9) Prevent the spread of soil pathogens such as phytophthora and weed seeds by vehicle movements. Clean footwear/shoes and vehicle after inspecting potential sites in high risk areas.
- 10) Regularly maintain and service vehicles according to manufacturer s recommendations.
- 11) No travelling on access tracks when there is a high likelihood of damaging the track.
- 12) Only the immediate area of the apiary is to be cleaned of combustible vegetation.
- 13) Only camp on site with the approval of the property owner or manager. All presence of the camp site to be removed once the camp is finished with.
- 14) All fire warnings and restrictions are to be strictly adhered to and local fire codes should be taken into consideration whenever working bee hives.
- 15) Whenever the opportunity arises, provide information on the value of nectar and pollen producing flora to highlight the value of specific floral species.
- 16) Locate apiaries with consideration of the general public and livestock movements. Stocking rates in urban areas should be appropriate to the circumstances.
- 17) Keep records of flowering events.
- 18) Consider the most energy efficient manner in which the beekeeping operation is conducted.
- 19) Store, use and dispose of chemicals in the most appropriate manner, according to state, MSDS and label requirements. Keep chemical use to a minimum.



# Elements

## ELEMENT 1:

### Respect for heritage and areas of interest to indigenous Australians

Historic sites, old buildings, relics, and materials of obvious heritage significance should be left alone and not interfered with. Areas important to indigenous Australians should also be respected, and beekeepers are encouraged to honour the spirit of Native Title claims.

## ELEMENT 2:

### Warning signs

All apiaries pose an OH&S risk to the public. To manage the risks to the public, suitable signage in an internationally recognised format should be placed in proximity of the apiary to warn any approaching persons of the presence of the apiary. These signs should include sufficient information so the owner can be contacted, if required.

## ELEMENT 3:

### Stocking rates

It is normal practice for commercial bee hives to be placed in areas where there is an abundance of nectar and/or pollen. The actual quantity of floral rewards on offer will vary from species to species and from site to site, thus stocking rates will vary. A generic number of hives for an apiary would not be appropriate in all circumstances. If bee hives are to be left for any time, when not on a nectar flow, suitable amounts of stored honey should be left on each hive. Where the flowering intensity of the local flora is not adequate for



the bees present, then consideration should be given to reducing the number of hives in an apiary to that of the carrying capacity of the pollen and nectar available or removing the apiary to a new site.

## ELEMENT 4:

### Communicate movement of apiaries

In most cases commercial beekeepers, and often amateur beekeepers, place their apiaries on lands not of their ownership. Some land agencies require, as a condition of use, that they are notified when a site is being used for bees. It is also a courtesy to inform all land managers of the imminent arrival of an apiary and the departure of the apiary. Land managers, if kept informed, can then consider the bees in their daily management schedules. This may include functions such as the use of chemical sprays, maintenance of tracks, hazard reduction burning, and the movement of livestock.

Ensure the land manager/owner has the apiarist's full contact details, including phone numbers, address and beekeeper registration number, so that contact can be made rapidly if required.

## ELEMENT 5:

### Remove rubbish

It is normal practice for an apiary to be moved onto a site when the floral prospects are attractive and there is a strong possibility of an ample surplus of nectar and/or pollen. Likewise, once a flowering event is coming to a finish, the apiary is normally shifted to another site with a suitable flowering event.

In the course of the management of the hives, hive materials that may be broken or damaged must be removed from the site. Scrapings and products from the hive must never be left on site.

Under no circumstances should household or industrial waste be left on site. If the beekeeper finds rubbish not belonging to them located on the apiary site, they should notify the relevant property manager and if possible make all efforts to properly dispose of the rubbish.



ELEMENT 6:

**Provide water for bees**

Ensure appropriate availability of water when required. In some states this activity is enshrined in legislation. Where water is close by, such as a creek, dam or river, water should not have to be supplied by the beekeeper. Honey bees, like all living creatures, require water to survive. In summer this requirement can equate to substantial amounts of water being collected by colonies and in extreme hot weather a colony will devote all of the available field bees to the collection of water.

The water consumption of a colony will vary according to the strength of the colony, the colony's location, and the ambient air temperature. Beekeepers should supply sufficient water for the apiary's needs if required to ensure that the colonies do not perish during hot weather, so that bees do not cause a nuisance around stock troughs and swimming pools.

An artificial water source should be placed within 200 metres of an apiary if a suitable, naturally occurring water source such as a dam, stream, or river is not within 500 metres. An artificial water source supplied by beekeepers must be suitably covered with mesh to prevent access by wildlife and their accidental drowning.

ELEMENT 7:

**Swarm control**

It is normally accepted good practice for a beekeeper to do all in their power to prevent a colony from swarming. Swarming is a natural phenomenon that ensures the survival of the species through a colony reproducing itself. Swarming normally occurs in spring, allowing the colony to establish itself over the following summer and autumn before winter brings a serious reduction in flowering species from which food can be obtained.

The selection criteria for commercial breeding stock does not tolerate any swarming behaviour. Feral bees, on the other hand, are much more likely to issue swarms than managed bees. Beekeepers should consider the following, particularly in the spring period.

- Re-queen on a regular basis – young queens have less inclination to swarm than old queens.
- Replace the queens in any colony that has swarmed, to reduce the possibility of future swarming.
- Relieve congestion in a hive in spring when colonies can expand in populations extremely rapidly.
- Continue to select strains of bees that demonstrate a low tendency to swarm.





ELEMENT 8:

**Swarm capture**

Invariably, some colonies within managed apiaries will swarm. Given the breeding of such stock, they possibly have a reduced chance of survival in the medium to long term compared to a swarm from a local feral colony. Managed bees are selected for rapid population gain so as to take advantage of major flowering events. A colony bred for commercial purposes and remaining on the one site is likely to experience significant shortages of food in the form of pollen and nectar, thus has a greater likelihood of starving. Even so, a beekeeper should make every endeavour to remove and collect swarms where clearly they have originated from the apiary under management.

For some unexplained reason, it is not uncommon for swarms originating from feral hives to be attracted to a managed apiary. In this case it is imperative that the swarms be collected and removed.

ELEMENT 9:

**Prevent the spread of soil pathogens and weed seeds**

Soil borne fungi and weed seeds have been known to be spread from one location to another by vehicle movements. Fire fighting, logging and road working machinery have all been implicated in the spread of fungi and weed seeds. Even bushwalkers and bike riders can spread fungi and seeds by the transfer of mud on their boots and tyres.

The movement and servicing of apiaries may also provide the opportunity to spread soil pathogens and weed seeds. To help stop the spread of soil pathogens and weed seeds, beekeepers, where possible, should:

- avoid driving in areas when soils are wet and sticky;
- stay on designated roads and tracks;
- in high risk areas for soil pathogens and weed seeds brush soil off vehicles and footwear before and after each trip – this would be a site by site decision;



- obey road signs that alert the driver to a possible problem in the area, e.g., phytophthora;
- use wash down or hygiene stations when provided;
- report any unusual plant deaths to the local Department of Environment, National Parks and Wildlife, Heritage or Conservation office;
- remove weeds where feasible from the immediate area of the apiary.

ELEMENT 10:

**Minimise truck and vehicle emissions**

In the course of keeping bees, the owner requires the use of a truck. Some beekeeping operations have ownership or control over a number of vehicles. To ensure the least impact on the environment, the following should be considered.

- Perform regular service and maintenance of each vehicle according to the manufacturer's specifications.
- Maintain tyre pressures to the manufacturer's recommendations.
- When given a choice of vehicles, choose the most economical one for the task in hand.
- When buying a new or second hand vehicle, consider the fuel efficiency rating.
- Where possible, work flowering events which require the least amount of travel.
- Place apiaries in the same region to reduce the distances necessary to service each apiary.



### ELEMENT 11:

#### Track use and maintenance

As beekeepers are required, in most cases, to site apiaries on lands not of their ownership, it is important that the use of tracks and access routes be respected. Most tracks used by beekeepers are multi-use and not solely created for the benefit of siting bee hives.

Beekeepers have a duty of care to not travel on tracks or roads where it is known that there will be a strong possibility of causing damage to the surface. The circumstances will vary according to the integrity of the track/road, the materials it is constructed from, and the prevailing weather conditions. Poorly formed tracks on heavy soil during wet weather are likely to sustain heavy damage as a result of truck usage. On the other hand, tracks composed of sandy soils will be easier to negotiate during wet weather.

When a bee site is being considered, wet weather access should be a significant factor. If an apiary is located in an area where the soil type does pose a problem during wet weather, beekeepers should first consider the potential damage to the tracks and environment and delay use, if possible, until conditions improve.

Before taking on the task of repairing tracks and particularly bringing in materials from elsewhere, the beekeeper should consult with the land manager or property owner to obtain permission. If bringing in materials from elsewhere it is imperative that the introduction of soil pathogens and weeds are considered. Refer to Element 9.

### ELEMENT 12:

#### Clearing of apiary sites

Site clearing must be completed with care to cause the least amount of disturbance to the local environment, while providing an adequate site for the placement of an apiary. To achieve this:

- rake or clear all loose surface litter on site before the placement of the bee hives;
- no trees greater than 20 cm circumference are to be damaged or removed;
- care must be exercised not to damage or destroy protected flora or fauna.



ELEMENT 13:

**Camping**

Historically, camping with the apiary on site has been a common practice by beekeepers. Such activity (probably), in most circumstances, is no longer warranted. If camping is a desirable activity to enable the beekeeper to manage their bees, permission should be sought from the government land agency or private property owner. All evidence of the camping activity must be removed once the camp is finished with.

ELEMENT 14:

**Fire management**

The very nature of beekeeping means that bee hives are at risk of bushfire damage and that a beekeeper's use of a smoker has the potential to cause a fire. Therefore, it is necessary for beekeepers to ensure that:

- the smoker used is in good repair;
- the lighting of a smoker is done on bare ground or on the back of a suitable vehicle;

- the smoker is kept full of fuel to avoid the spitting and escape of lit embers;
- the smoker is not placed on combustible material such as dry grass when in use;
- all fire bans are adhered to and respected;
- in the event of an emergency, e.g. to remove an apiary due to an imposing threat from bush fire, the local fire authorities should be notified first before attempting to do so;
- extreme care should be exercised when working hives with a smoker when the environment is dry and the conditions are windy;
- suitable fire fighting equipment is carried at all times and maintained in working order;
- a smoker is properly extinguished using water or placed in an airtight container when not in use.

ELEMENT 15:

**Proactive environmentalists**

It is in beekeepers' best interest for society to value and retain large areas of native flora. It is also in the industry's long-term best interest



to see floral species replanted in degraded areas and other suitable sites that are reliable producers of nectar and pollen. Therefore, beekeepers should:

- actively pursue a tree planting program on their own properties, selecting suitable species for the long-term prospects of providing a resource for honey bees and other nectivores;
- associate or become involved in the local Landcare group, assisting in planting and revegetation projects; emphasis should be placed on encouraging known high value nectar and pollen plants;
- whenever the opportunity arises, address or pass on to interested parties information on the value of various floral species as a resource for nectar and pollen.

### ELEMENT 16:

#### Apiary site position

Locating an apiary may cause problems for people and livestock. The following should be adhered to.

- Place large apiaries away from houses.
- Keep numbers of hives in urban areas to a minimum. Depending on the size of the block, the following is a suggested recommendation as sufficient permanent hives close to an urban interface:
  - small block – 2 hives
  - average block (up to 1000 m<sup>2</sup>) – 4 hives
  - roomy block (up to 2000 m<sup>2</sup>) – 8 hives.
- Place apiaries away from gates, stock yards and public traffic areas.
- Wherever possible, position out of sight of public thoroughfares.
- Apiary site positions are to be checked with and approved by the land manager/owner prior to hives being unloaded.

### ELEMENT 17:

#### Keep floral records

Beekeepers, by the very nature of their chosen profession, have to develop a high awareness of the environment in which they work. Successful beekeeping requires the timely movement of



apiaries from the completion of one flowering event to the beginning of another flowering event. Most commercial beekeeping operations on mainland Australia can be best described as nomadic. The locations and flowering events to which apiaries are moved will vary significantly from year to year. In many cases, beekeepers probably hold the most detailed knowledge on the flowering patterns of specific flora in given regions. Therefore, beekeepers should record:

- the floral species on which the apiaries are placed;
- the duration of flowering, climatic influence on flowering, nectar and pollen yields and any other specific information on the floral species;
- any peculiarities in relation to dieback and significantly reduced yields;
- changes over time in various areas or to the health and production of the flora.

This information should be in a form to assist scientific endeavour to identify trends over time associated with flowering patterns and the general health of the vegetation. The information collected can also be used in Element 15 to assist in providing advice on the suitability of various floral species and their relative worth of a nectar or pollen producing plants.

Beekeepers have been responsible for passing on observations on the declining health of specific vegetation and the demise of floral communities, triggering major research endeavours. Any significant observations regarding the decline in the health of the vegetation within the areas which beekeepers frequent should be passed on to the relevant authorities. Communication with such parties should be recorded for future reference.



ELEMENT 18:

**Energy saving**

Beekeeping in the Australian context is mainly focused on the production of honey. Honey combs are required to be extracted in a purpose built factory on a regular basis. Energy savings are possible during the extraction and storage of combs. Beekeepers should consider:

- turning off appliances when not in use;
- turning off cool rooms and hot rooms when not in use; use of cool rooms to prevent damage to stored combs from wax moth and small hive beetle may not be necessary during the winter period;
- where possible, full honey combs should be stored to allow a sufficient number of honey boxes to be accumulated for each extraction to cut down the number of times an extracting plant is required to be cleaned.

ELEMENT 19:

**Responsible use of chemicals**

The use of chemicals in the beekeeping industry is minimal compared to most primary industries. Even so, beekeepers have a responsibility to:

- consult land owners/managers before applying pesticides (herbicides);
- obtain the necessary qualifications to use chemicals in an agricultural business;
- follow the directions on the label;
- only use a product for the purpose it is permitted/registered;
- discard used containers and residues in an approved manner;
- retain and refer to the material safety data sheets for each substance being used;
- store chemicals in a safe and secure location;
- observe the withholding periods printed on the chemical label;
- notify any purchaser of honey of the use of any chemicals associated with obtaining the honey crop;
- keep up to date on the correct use of chemicals.





(Appendix ORD: 12.6C)



# **DRAFT Urban Beekeeping Code, to be recommended by the Western Australian Apiarist Society (WAAS), for all Local Government areas in WA**

## **1. Introduction**

*Beekeeping is becoming increasingly popular in cities, towns and suburbs. The number of new hobby beekeepers has increased dramatically with the invention of the 'Flow Hive'. This document applies equally to the keeping of bees in conventional hives and to the keeping of bees using the Flow Hive.*

*Beekeeping provides honey for home consumption, enjoyment in watching bees and learning all about them and the opportunity to join an amateur beekeeping group. In general, the term beekeeping refers to the keeping of European Honey bees (*apis mellifera*). This Code is written referring only to that species of bee. WAAS does not purport to have any expertise or knowledge about any of the native Australian bee species.*

*European honey bees can and will sting when threatened or under duress. Stings are painful and can cause distress to the recipient of the sting. It is intended that this Code forms the prescription for harmonious cooperation between beekeepers and other land occupiers. The proper and responsible management of bees will ensure there is no undue impact on the community. In that way bees can be kept by hobby beekeepers without the need for any control other than registration with the state agricultural authority. Compliance with the Code will ensure that the keeping of honey bees does not have a negative impact on people, property, domestic animals or native fauna.*

*In Western Australia there are fewer serious incidents caused by bee stings per year than there are serious incidents caused by dog bites.*

*The purpose of this document is to form a reference and standard for the management of amateur beekeeping in Western Australian urban and suburban areas. Its intended uses include:*

- giving the community confidence in the safety of beekeeping activities;*
- helping local government and regulatory bodies to establish uniform controls;*
- providing a standard against which any complaints can be resolved; and*
- providing a standard with which beekeepers should comply.*

*In preparing this document, we have reviewed the Codes of Practice published by the relevant authorities in QLD, NSW, ACT and VIC and a Code of Practice produced by the Southern Beekeepers Association Inc of Tasmania. We have also referred to research by the City of Subiaco (its Beekeeping Local Laws Summary 2016) and a submission by Alan Langridge to the City of Wanneroo also in 2016.*

## **2. Definitions**

### **Apiarist / Beekeeper -**

a person keeping bees.

### **Honeycomb-**

removable frames containing wax cells which house honey, pollen, and/ or brood (eggs, larvae, pupae).



**Apiary-**

a place where honey bees are kept in hives.

**Apiculture / Beekeeping-**

the management of beehives.

**Beehive / Hive-**

modular framed housing for a honey bee colony, which normally contains either a nucleus colony or a standard size colony.

**Bee sting-**

injury sustained and inflicted by the venom from a honey bee worker.

**Colony-**

a family of bees: workers, a queen and drones

**Feral bee colony-**

a colony of bees which has its nest in a place other than a beehive, e.g. a hollow tree

**Flight path-**

the distinct route taken by many bees leaving from or returning to their hive.

**Foraging bees-**

bees seeking out supply of water or feed; bees naturally forage flowers for nectar and pollen supplies.

**Honey flow-**

the gathering of nectar from flora by honey bees.

**Honey extraction-**

the removal of honey from combs.

**Honey super-**

a super which is full of honey

**Pollination-**

the transfer of pollen by honey bees from anthers to stigmas of flowers for the purpose of plant fertilisation.

**Robber bees-**

bees attempting to access stored or spilt honey, or honey in another hive.

**Sticky super-**

A super from which most of the honey has been extracted, and which contains honey residue

**Super-**

box containing frames, placed above the bottom or brood box of a hive.

**Swarm-**

cluster or flying mass of honey bees

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### 3. Requirement to Register

All beekeepers in Western Australia are required to register with the Department of Agriculture and Food (DAFWA). That requirement exists for amateurs with one or more conventional hives or Flow Hives, just as it exists for professional beekeepers. The registration process is inexpensive and registration forms are available on the department's web site ([www.agric.wa.gov.au](http://www.agric.wa.gov.au)). Upon registration the beekeeper is issued with a unique identifying brand with which they are obliged to mark every hive. Registration must be renewed annually for as long as the beekeeper keeps bees.

## 4. Applicable Legislation

In WA, beekeeping must be carried out in accordance with the Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations. This is legislation which applies state-wide.

In addition, most local authorities have by-laws which cover beekeeping locally; these are available from individual councils, but are generally not uniform.

One of the goals of this Beekeeping Code is to encourage uniformity across all local authorities in the by-laws governing beekeeping. Very few Local Authorities employ inspectors or decision-makers with beekeeping expertise. This Code establishes the principal criteria which all beekeepers should follow, thereby relieving Local Authorities of the need to have in-house expertise.

## 5. Beekeeping Groups

In WA, the peak beekeeping body is the Bee Industry Council of Western Australia (BICWA). Its members are the various professional beekeeping associations plus the Western Australian Apiarists Society (WAAS).

WAAS has a membership of mainly amateur and hobby beekeepers with a few commercial beekeepers. Urban beekeepers are strongly encouraged to join the WAAS in order to benefit from its educational events promoting good beekeeping practices (consistent with this Code). The society holds many events plus beekeeping courses, field days and monthly meetings with opportunities to learn from visiting speakers and to socialize with other beekeepers (both experienced and novice).

## 6. Swarms and Bee Enquiries

Swarming is a natural occurrence, primarily in spring and early summer. Members of the public concerned about a swarm of bees usually contact the local authority, many of which keep a list of beekeepers willing to capture and remove swarms.

The WAAS web site also lists names and contact details of beekeepers who are available for swarm collection ([www.waas.org.au](http://www.waas.org.au)).

Some individuals nominate a charge for this service.

Refer to the item below for notes on the control of swarming.

## 7. Urban Considerations

### 7.1 Hive Densities

One of the primary controls to minimize the potential conflict between people and bees is to manage the density, or concentration, of hives in urban and suburban areas. The table below gives the recommended numbers of hives per allotment, assuming that the beekeeper, is registered and also observes the other

## (Appendix ORD: 12.6D)

recommendations in this Code such as heights of barriers at boundaries, working hives in fair weather, etc.

This table complies with the National Best Management Practice for Beekeeping in the Australian Environment (from the Australian Honey bee Council) with reduced numbers for small allotments to further reduce the chance of nuisance complaints in higher density urban areas.

Allotment area	Maximum Number of Hives
up to 400 m <sup>2</sup>	1
400-1000 m <sup>2</sup>	4
1000-2000 m <sup>2</sup>	8
2000-4000 m <sup>2</sup>	16
>4000 m <sup>2</sup> , if urban zoned	Seek advice from WAAS
For hives on rooftops:	Seek advice from WAAS

At certain times of the year, e.g. when splitting hives, some additional hives should be permitted for short periods.

It should be noted that these are recommended maximum hive numbers; the configuration of surrounding dwellings and their surroundings, including gradients of terrain, will influence the actual suitable maximum number of hives on a particular block of land. The flight path to and from hives will also need consideration.

### 7.2 Hive Placement & Barriers

Correct placement of hives is a most important consideration for responsible beekeeping in urban situations. The hives must be in a dry, quiet area of the allotment, out of sight from roads and footpaths. That normally will mean in rear gardens and not in front gardens. Position the hive so that it is approached from the side or rear and will be maintained from the side or rear.

Hives should not be placed within 3m of a neighbouring property, unless a solid fence or impenetrable plant barrier, not less than two metres high, forms the property boundary. Note that most local authorities in Western Australia require specific approval be obtained for fences more than 1.8m high.

Separate hives similarly from roads and footpaths and outdoor eating areas on the allotment, doors and openable windows of buildings.

Face the entrance of the hives in such a direction that bees fly across your property before crossing a boundary. If this cannot readily be done, consider placing barriers along the boundary. These can be in the form of hedges or shrubs, or instant barriers consisting of shade cloth fixed to a trellis, high enough to ensure that bees crossing the boundary are well above head height. Bees will then fly up and over these structures and should not worry neighbours.

## (Appendix ORD: 12.6D)

Hives are best positioned with the hive entry facing North-East and will need ample winter sunshine (full sun if possible) to minimize the risks of diseases such as Nosema and Chalkbrood. Shading during summer can be provided using shade cloth structures or similar.

Position hives with adequate space for their maintenance. A space of a minimum 1m wide will be needed along one side of the hive and a minimum of 60cm wide along the opposite side. A space approximately 1.5m wide is needed behind the hive and the bees will need at least 30cm clear (preferably 50cm) in front of the hive entry. In total these dimensions mean that the hive and the working area around it will total about 2.5m by 2.1m.

Avoid placing bee hives within paddocks used by horses, cattle and other large animals, unless the hives are in a fenced off area. This is to avoid the hives being knocked over if used as scratching posts by the animals.

### **7.3 Swarming**

Swarming is a natural behaviour of honey bees and occurs chiefly in spring to early summer. Swarms should be collected when in the cluster stage to prevent them flying to nearby properties and establishing in houses, trees or similar sites, thus becoming a nuisance.

Honey bee colonies should be managed to prevent or minimise swarming.

The most effective measure in the prevention of swarming is the replacement of old or failing queen bees with new ones, preferably ones with a low genetic disposition to swarm.

The splitting of a colony of honey bees into two or more units by the beekeeper will also reduce its population and its likelihood to swarm.

Other measures include the provision of additional supers for brood rearing and honey storage. It is critical that the queen has adequate space for the rearing of brood, especially when queen excluders are used to restrict her to the brood chamber. To that end the beekeeper needs to have in place a management process to replace old brood comb with frames of fresh foundation in the brood chamber.

### **7.4 Capturing and Hiving Swarms**

Beekeepers should take responsibility for a swarm that has issued from one of their hives, and capture and hive it as soon as possible after it has formed into a cluster.

### **7.5 Provision of Water**

Beekeepers are required to provide water close to their hives (maximum 10m distant, preferably within 5m). Bees prefer water from a sunny place with capillary moisture, for example wet sand or gravel, the edge of a concrete pond, or floating water weeds. If you establish these sources, there is much less chance of bees visiting swimming pools. In hot weather, bees use a large amount of water to maintain temperature and humidity within the hive.

### 7.6 Pesticides and Herbicides

Do not use pesticides and herbicides when bees are foraging. For bees to forage the air temperature needs to be 15C or more

### 7.7 Docile Bees

Honey bee colonies managed in urban areas should be maintained with healthy queens of a docile strain. Docility is one of the main selection criteria in queen bee breeding programs. There are a number of queen breeders in Western Australia most of whom sell through the retail beekeeping outlets. Queens can occasionally also be acquired through WAAS from hobbyists.

Where a hive's behavior is consistently aggressive despite good beekeeping practice, the queen should be replaced with a new queen from a reputable breeder.

Younger queens tend to be more vigorous which helps maintain the health and strength of the colony as a whole.

### 7.8 Robber Bees

When nectar is scarce, honey bees may rob honey from any source they can find outside their own hive. Exposure of honey (including sticky honeycombs) to honey bees in the open will encourage robbing. This is poor beekeeping practice as it can increase the risk of disease spread and can increase the risk of neighbours being stung.

When the beekeeper notices robbing starting to occur after opening a hive, the hive should be re-assembled and closed as quickly as possible. Robbing can escalate quickly to a frenzy, resulting in real nuisance for the beekeeper.

### 7.9 Disease Control

Despite Western Australia being largely disease-free, there are a few honey bee diseases here, of which American Foulbrood (AFB) is the most serious. Beekeepers should be cautious about mixing hive equipment, or purchasing hives unless from known AFB free apiaries.

Some bee diseases are 'notifiable', and urban beekeepers should be familiar with the Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations.

A good information source for diseases and pests to which bees are at risk is the series of leaflets issued by DAFWA and available on their website ([www.agric.wa.gov.au](http://www.agric.wa.gov.au)).

### 7.10 Flight Paths

Beekeepers must manage their hives to minimize the risk of interference with neighbours and the general public, particularly in those areas used intensively for public access or recreation. An important element of this is the location of hives, so that the bees' flight paths to and from the hives, when on their foraging

flights, are consistently at least 3m above public footpaths or recreation areas.

### 7.11 Robbing (Harvesting) and Working Hives

Avoid working or robbing hives in cold, windy or wet conditions. In such conditions bees become aggressive, and the potential for trouble increases.

Beekeepers should cooperate with their neighbours when they need to work bees and ensure their neighbours are not working or relaxing outdoors at the time. Try to make hive manipulations as quick as possible so there is minimal disturbance to the bees.

Domestic animals should be kept indoors when bees are being worked, and until the bees have settled down afterwards.

Use clearer boards (sometimes called escape boards) to prepare honey supers for harvest. This is much less disruptive to the bee colony than the shaking, brushing or blowing methods. Boards are available from beekeeping suppliers.

### 7.12 Lights

On warm nights, bees are attracted to house lights, particularly fluorescent ones. If the windows are not screened, problems can occur. Beekeepers should place physical barriers between their hive entrances and neighbours' lights.

### 7.13 'Bee Poo'

Bees sometimes defecate when in flight and this can have an adverse effect on neighbours' properties, e.g. windows, cars, clothes on washing lines. This is most noticeable when a hive is affected by the disease Nosema. Keeping bees healthy and disease-free helps remove the problem (siting the hive to receive plenty of winter sun is important). Additionally this problem can be mitigated by siting hives where the bees' flight paths will cause least 'bee poo' problems.

## 8. General Considerations

### 8.1 Transportation of Hives

Beekeepers must take appropriate care when transporting hives of honey bees. All loads of hives and supers of honey must be secured in accordance with the Road Regulations. The beekeeper needs to take all precautions to avoid losses of bees en route

The stopping off at fuel stations or travel through built up areas with bright street lighting and traffic lights could cause loss of stock and not be in the public's best interest. Travel routes, refuelling and breaks should be carefully planned prior to departure.

Ideally, beehives should be transported by the Closed entrance method.

Points about this method include:

this method allows an owner to shift bees a short distance and unload without being stung, by blocking the hive entrance with a foam strip or similar;

hives must be fitted with adequate ventilation so bees don't suffocate;

bees can be shifted in a conventional station wagon vehicle as well as on a truck;

hives can be closed at night after the bees, clustered at the entrance, are smoked and driven inside the hive; and

shifting should be done at night when all bees are at home and when temperatures are coolest.

### **8.2 Use of Smoke in Hive Management**

Smoke is used by beekeepers as a management aid to subdue honey bees when opening hives.

Smoke the entrance of hives before mowing or using weed slashers close to your hive/s. These machines, along with the smell of cut grass, upset bees, and operators or people passing by may be stung.

The use of the bee smoker is controlled by fire regulations. On days of total fire ban it is prohibited to light and use a smoker.

On all other occasions, when a smoker can be used, the following rules must be followed:

- light the smoker in an area devoid of combustible material;
- do not set the smoker down on combustible material whilst in use. Many beekeepers keep their lit smoker in a metal bucket at all times;
- do not place the smoker on neighbouring hives or in a position where it can be dislodged by wind or easily knocked over;
- extinguish the smoker completely when finished; and
- water (at least 5 litres) must be readily available at the site.

### **8.3 Protective Clothing**

When opening a hive, it is strongly recommended to protect the head and face with a hat and veil, or with a bee suit. If a full-length suit is not worn, it is good practice to wear long-sleeved shirts and long trousers of a light colour when working bees. Gloves are a useful addition to protective clothing to reduce the number of stings received by the beekeeper, especially when manipulating the brood.

### **8.4 Honey Sheds**

Honey houses/extraction rooms should be bee proof. The return from the field of honey supers and the

## (Appendix ORD: 12.6D)

extraction process itself will invariably invite robber bees. Sticky frames (post extraction) are equally highly attractive to robber bees.

Under no circumstances should sticky frames/supers be left out in the open to be cleaned up by foraging bees. This is not only a bee disease hazard but increases the risk to community members of bee stings.

### **8.5 Removal of Un-managed Hives**

Colonies of bees in hives need to be actively managed. If a landowner has a hive on their land which, for whatever reason, is not being actively managed by a beekeeper, it is recommended that they arrange for a registered beekeeper to remove it, or to start actively managing it on their behalf.

### **8.6 Notification of Neighbours**

Beekeepers are advised to notify their neighbours of their beekeeping activities and should re-assure them that they will always comply with this Code. A gift of a bottle of honey at harvest time almost always helps maintain a positive relationship with neighbours.

## **9. Acknowledgements**

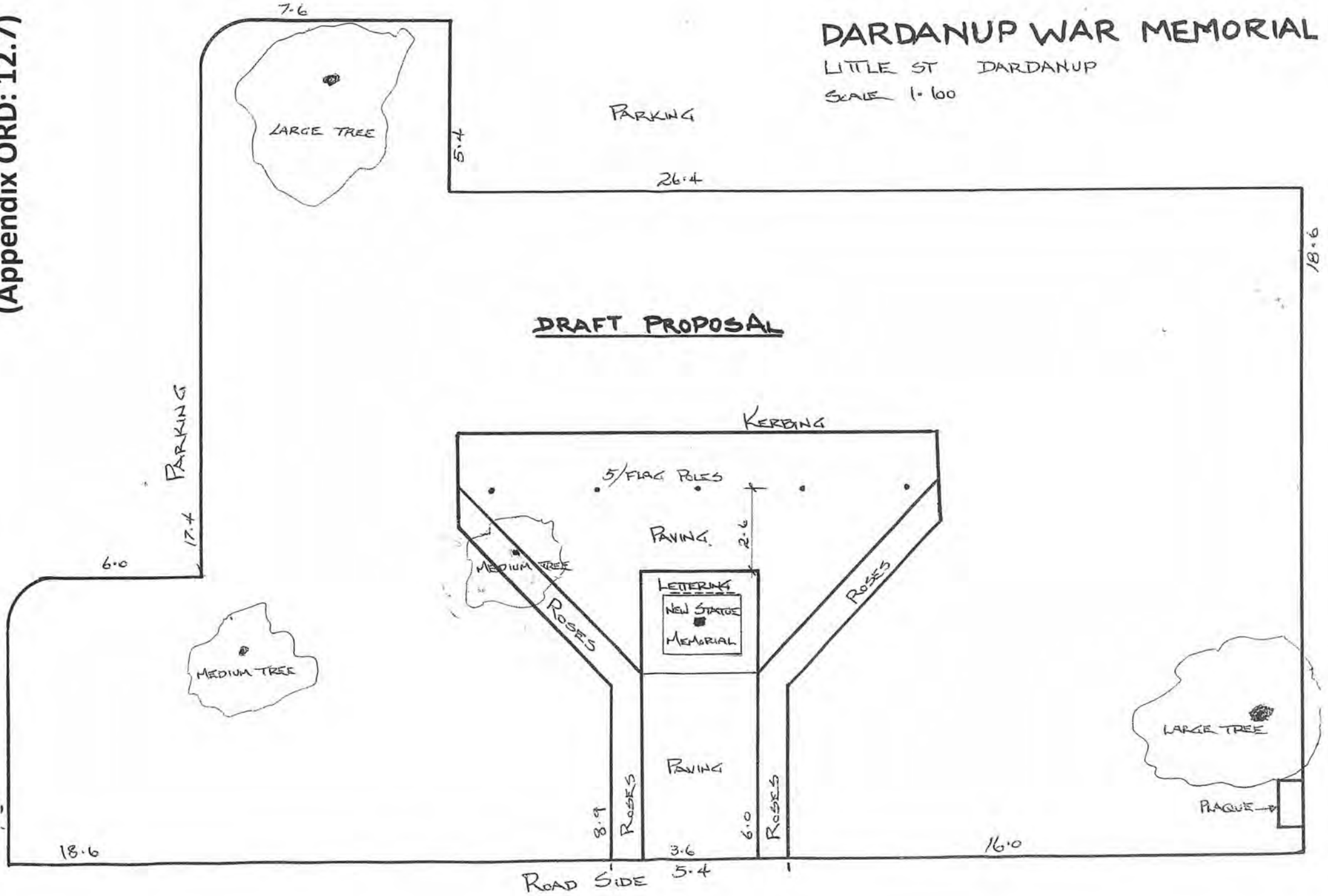
The reference material used in preparing this document included the draft Code of Practice for Urban Beekeeping in Southern Tasmania (the Southern Beekeepers Association of Tasmania), the Beekeeping Code of Practice for NSW (Doug Somerville), the Guidelines for keeping bees in Queensland (Queensland Government), the Code of Practice for Beekeeping in Residential Areas of the ACT (Territory and Municipal Services), Victoria's Apiary Code of Practice, published by the Victorian Department of Planning and Community Development and the National Best Management Practice for Beekeeping in the Australian Environment (The Australian Honey Bee Industry Council).



# DARDANUP WAR MEMORIAL

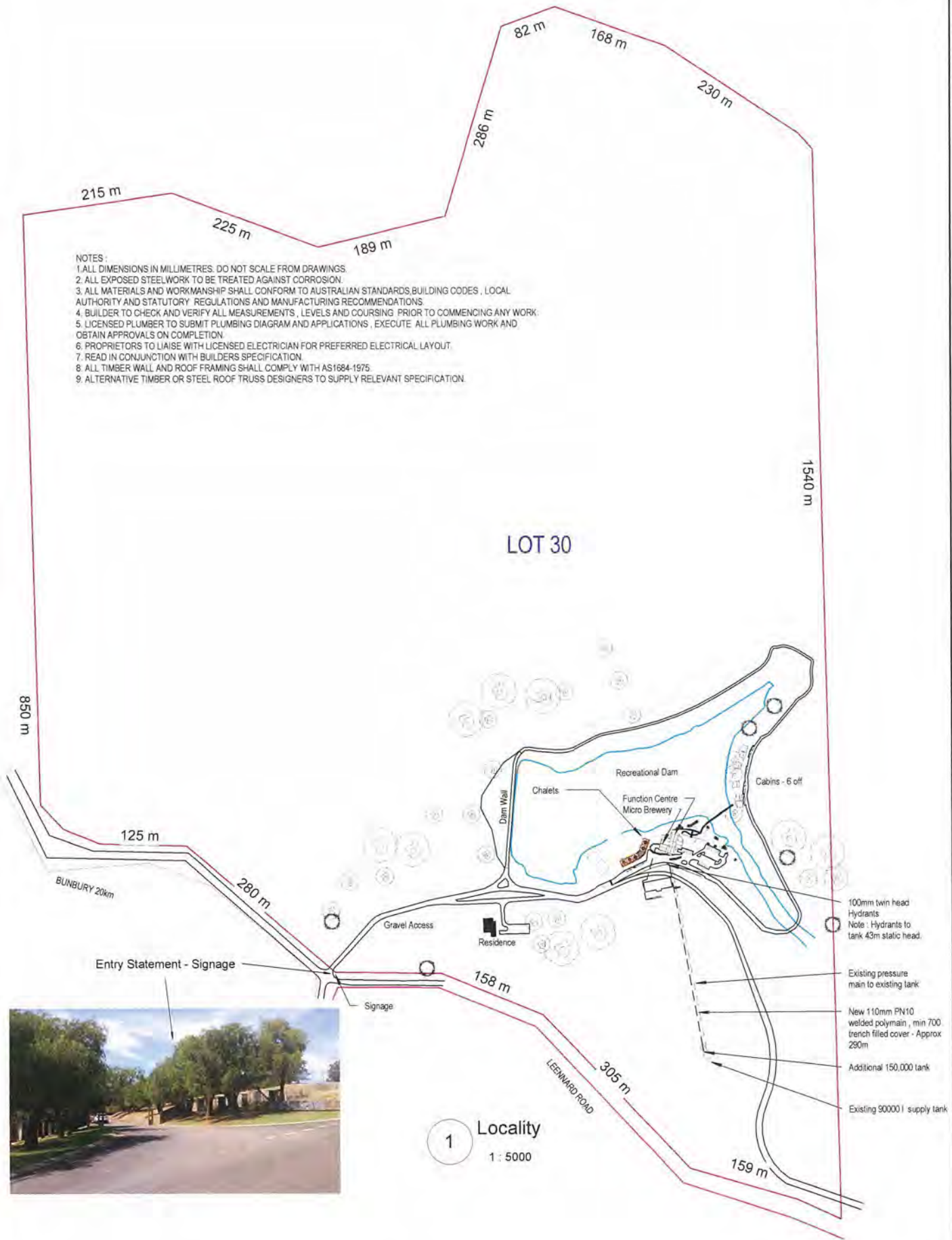
LITTLE ST DARDANUP

SCALE 1:100



- NOTES:
1. ALL DIMENSIONS IN MILLIMETRES. DO NOT SCALE FROM DRAWINGS.
  2. ALL EXPOSED STEELWORK TO BE TREATED AGAINST CORROSION.
  3. ALL MATERIALS AND WORKMANSHIP SHALL CONFORM TO AUSTRALIAN STANDARDS, BUILDING CODES, LOCAL AUTHORITY AND STATUTORY REGULATIONS AND MANUFACTURING RECOMMENDATIONS.
  4. BUILDER TO CHECK AND VERIFY ALL MEASUREMENTS, LEVELS AND COURSING PRIOR TO COMMENCING ANY WORK.
  5. LICENSED PLUMBER TO SUBMIT PLUMBING DIAGRAM AND APPLICATIONS, EXECUTE ALL PLUMBING WORK AND OBTAIN APPROVALS ON COMPLETION.
  6. PROPRIETORS TO LIAISE WITH LICENSED ELECTRICIAN FOR PREFERRED ELECTRICAL LAYOUT.
  7. READ IN CONJUNCTION WITH BUILDERS SPECIFICATION.
  8. ALL TIMBER WALL AND ROOF FRAMING SHALL COMPLY WITH AS1684-1975.
  9. ALTERNATIVE TIMBER OR STEEL ROOF TRUSS DESIGNERS TO SUPPLY RELEVANT SPECIFICATION.

LOT 30



1 Locality  
1 : 5000

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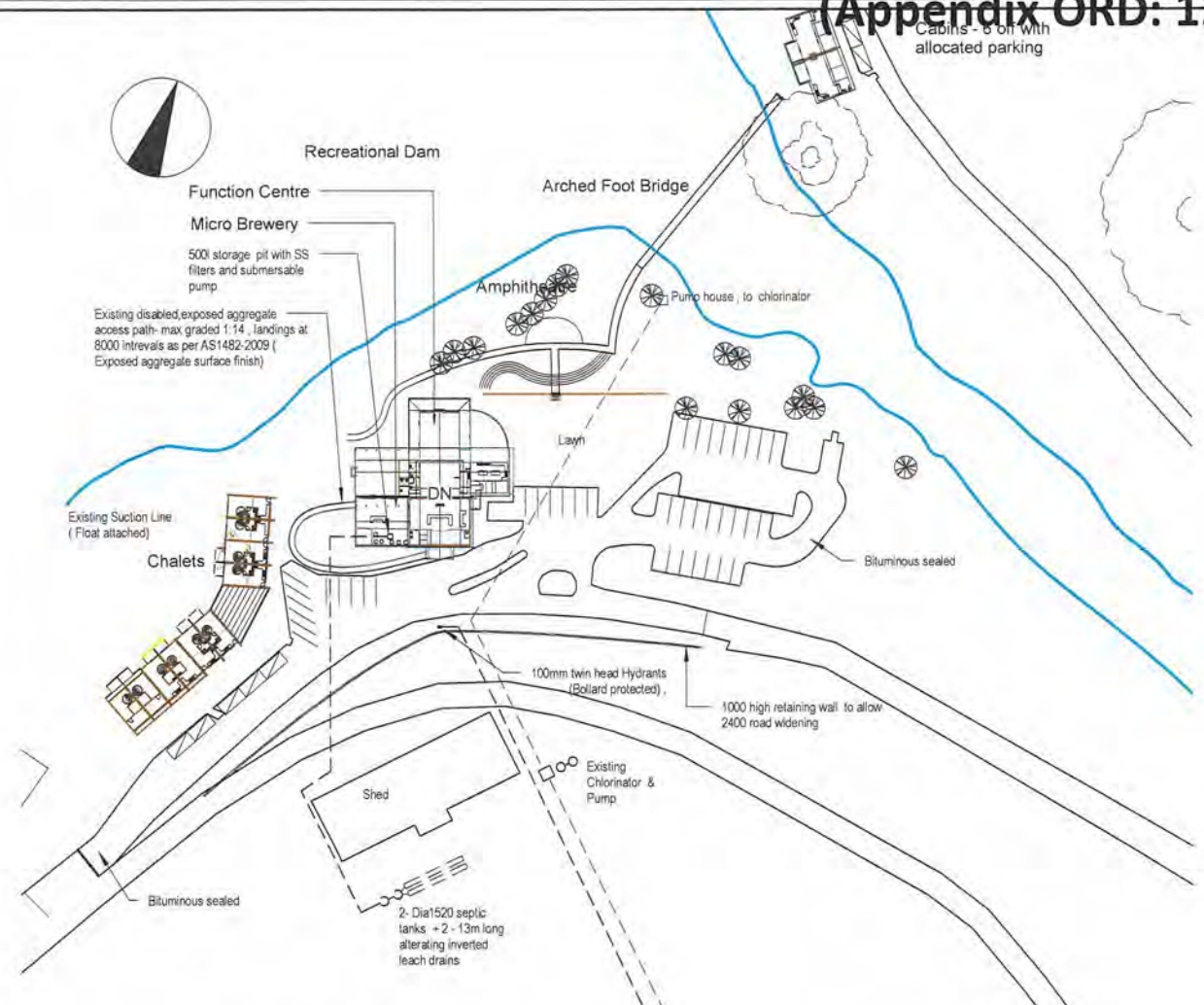
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Evedon Park Bush Resort**

**Micro Brewery Addition  
Lot 30 Lennard Rd Burekup**

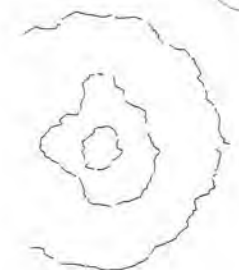
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SCALE: AS NOTED

DWG No:  
**1A**



1 Site Plan  
1 : 1000  
See Sheet 9 for DFES fire system



New 110mm PN10 welded polymain, min 700  
See Sheet 10 for Fire system details

Existing pressure main to existing tank (Approx 26m head)



3 Entry Level (Upper)  
1 : 500

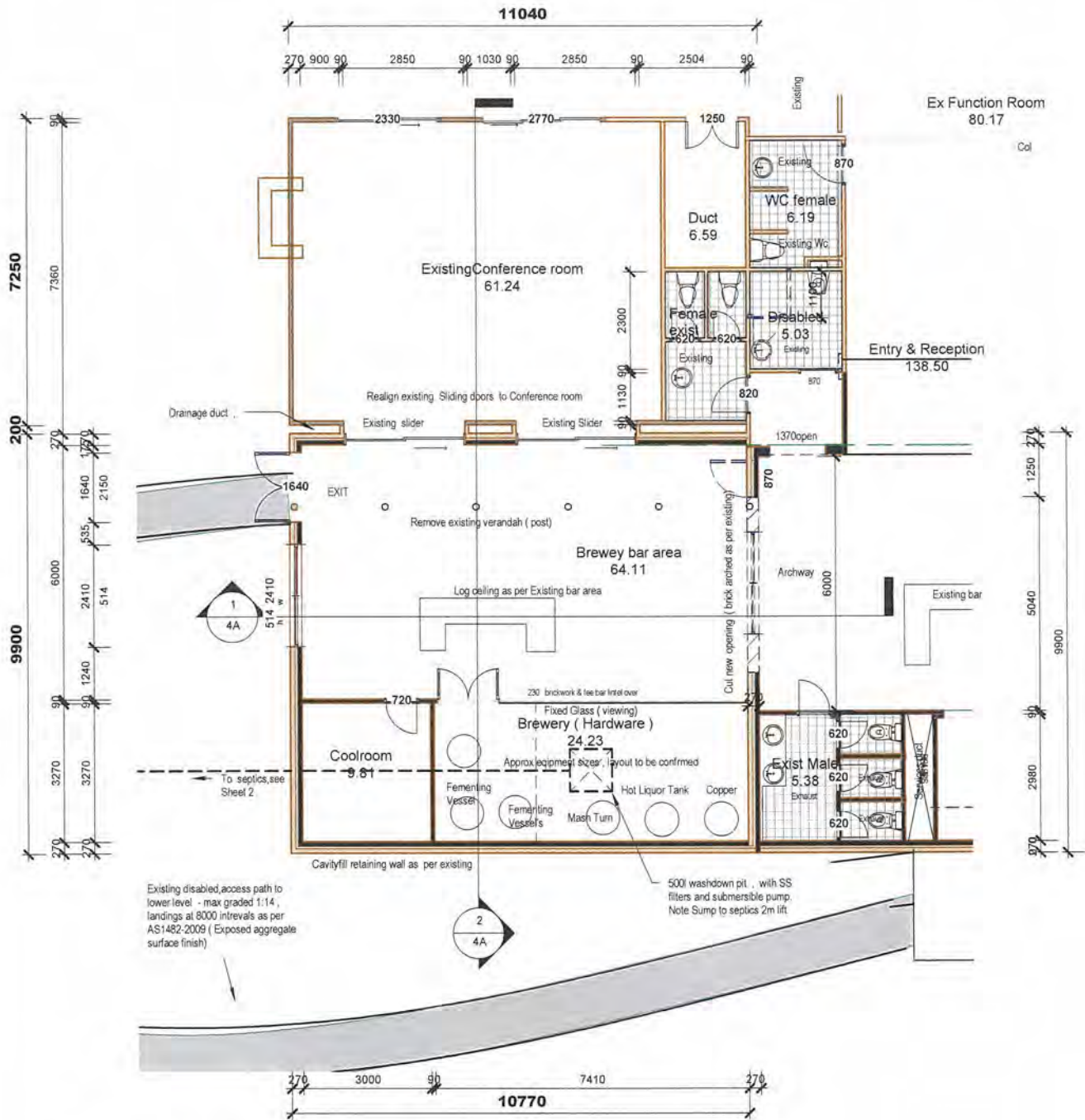


2 Areas  
1 : 500

Additional 150,000 tank to facilitate fire hydrants. Tanks connected

Existing 90000 l supply tank to existing Resort building and accommodation units

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1 Micro Brewery  
1 : 100

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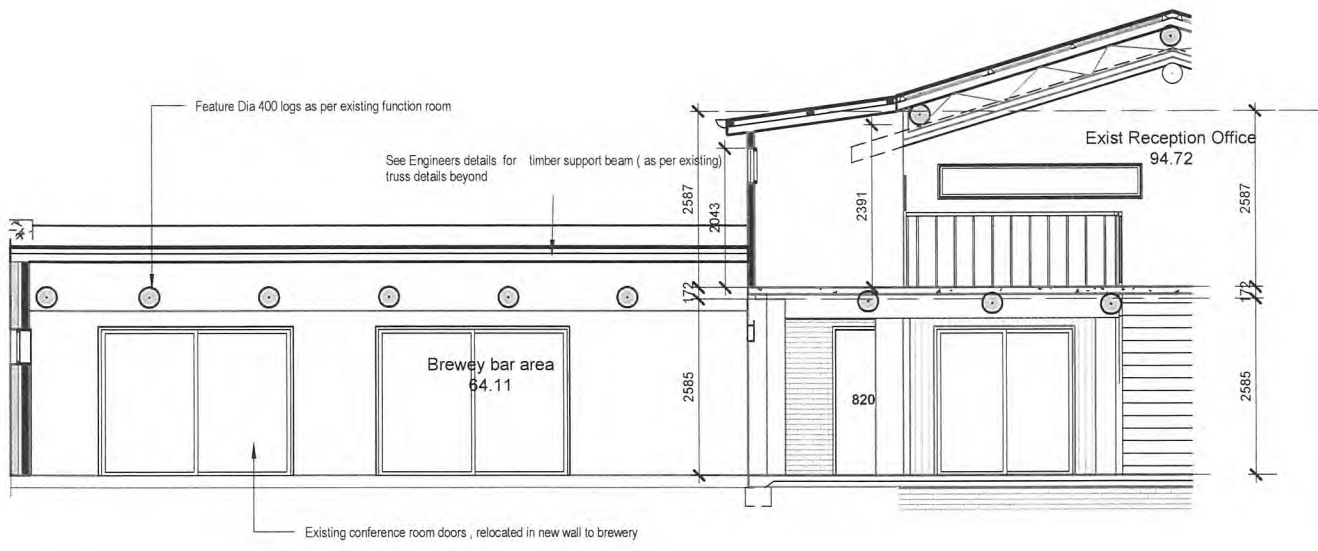
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Evedon Park Bush Resort**

**Micro Brewery Addition  
Lot 30 Lennard Rd Burekup**

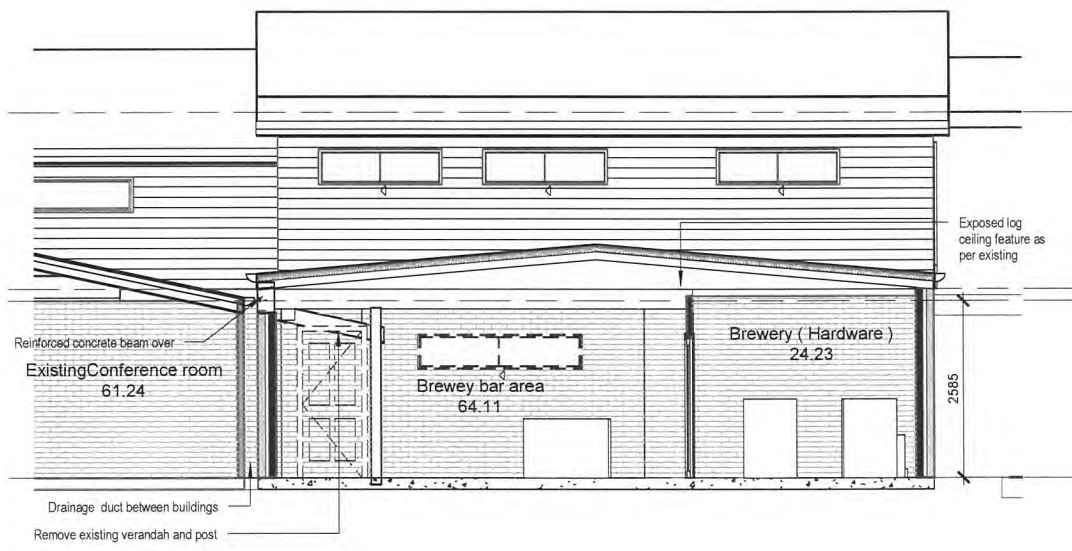
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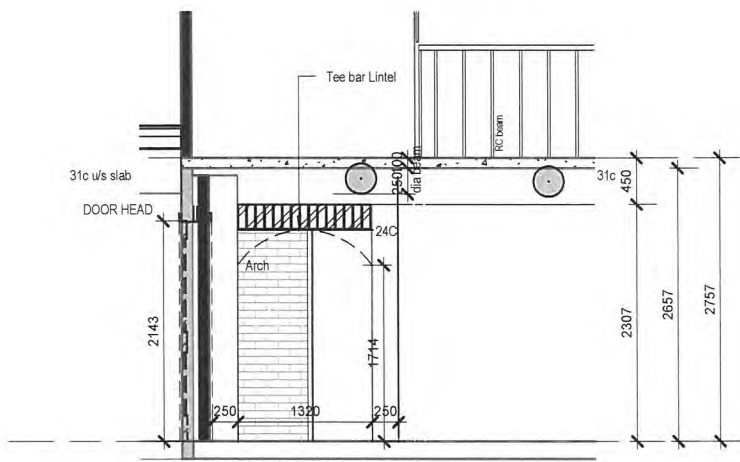
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**3A**



1 Section 1  
1 : 75



2 Section 2  
1 : 75



3 Section 3  
1 : 50

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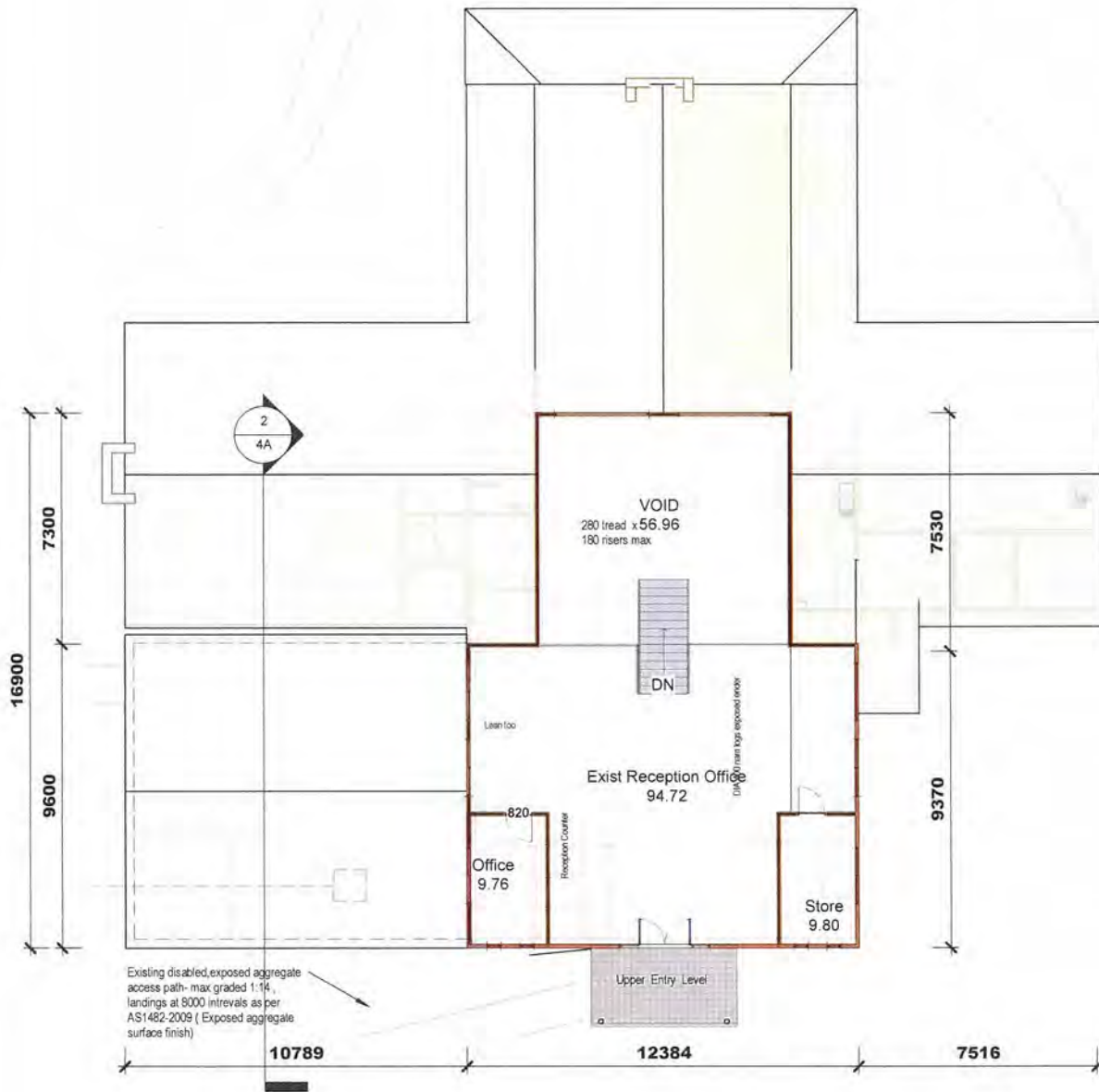
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Evedon Park Bush Resort**

**Micro Brewery Addition  
Lot 30 Lennard Rd Burekup**

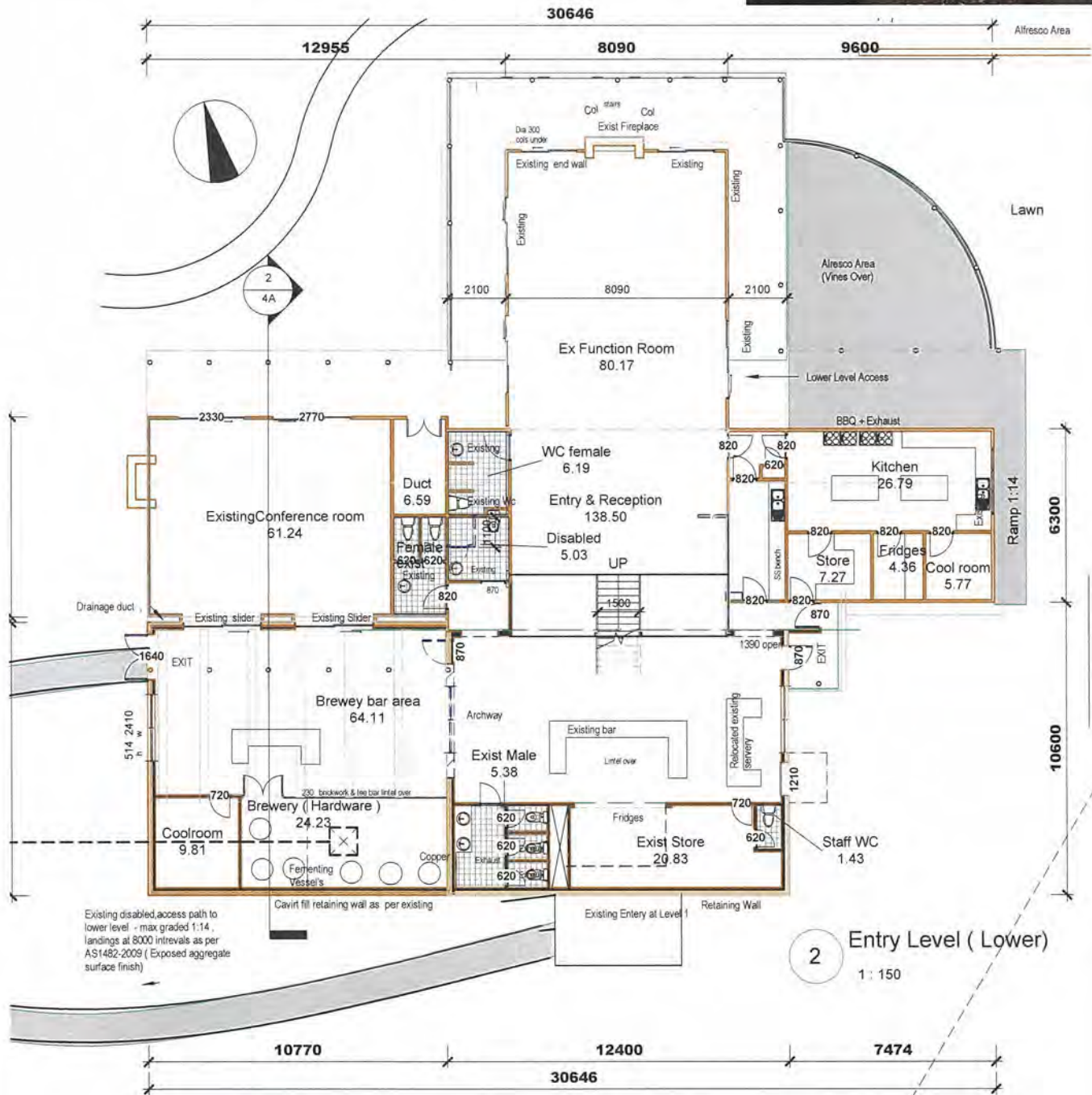
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SCALE: AS NOTED

DWG No:  
**4A**



1 Entry Level (Upper)  
1 : 150



View to upper Level



Existing Bar Area

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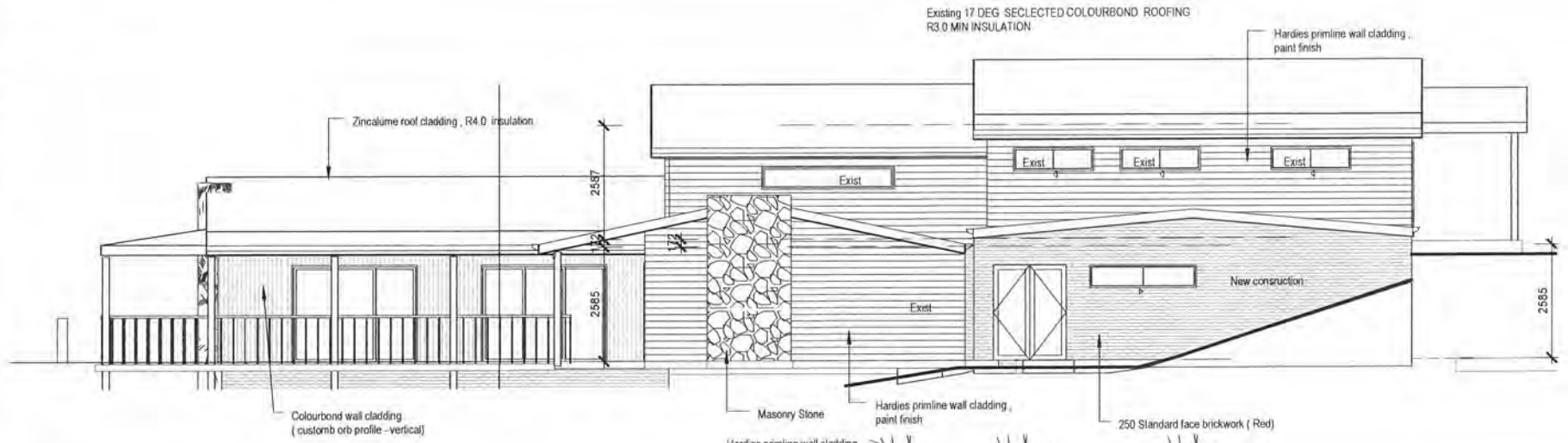
**Proposed Extension for :**  
**Redon Park Bush Resort**

**Micro Brewery Addition**  
**Lot 30 Lennard Rd Burekup**

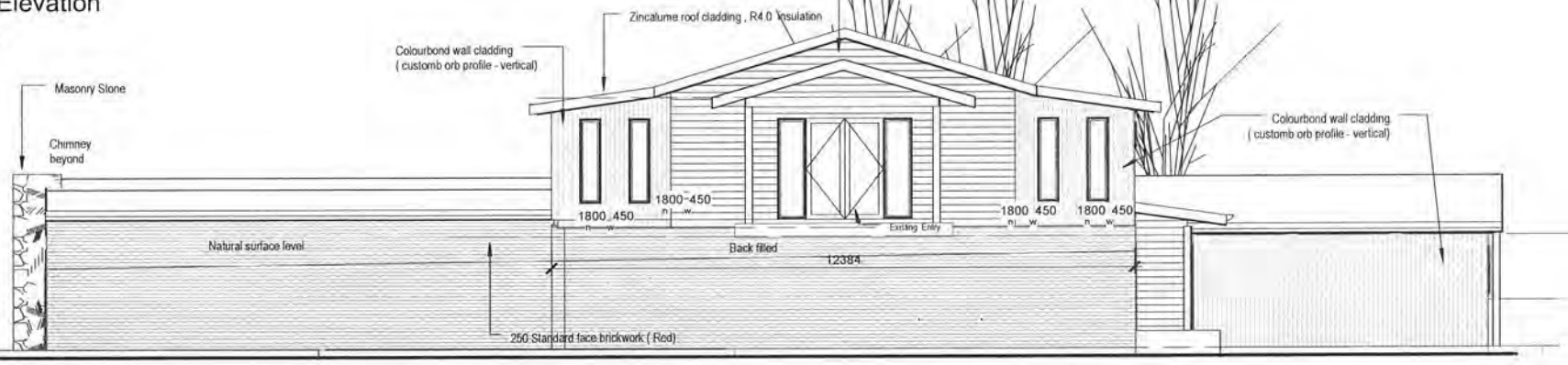
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SCALE: AS NOTED

DWG No:  
**5A**

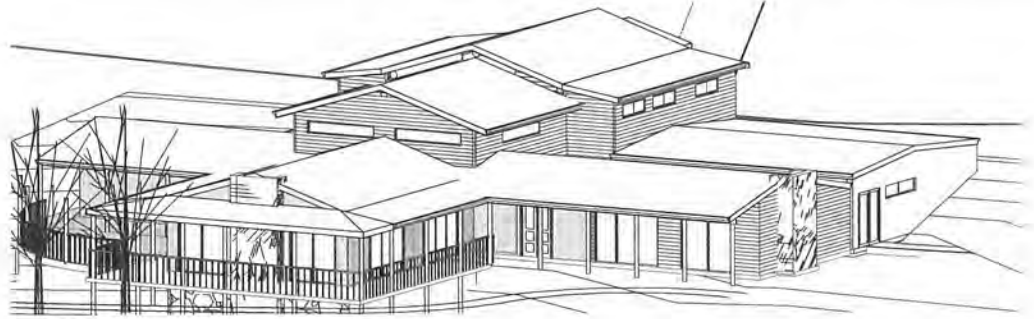


2 West Elevation  
1 : 100



1 South Elevation (front)  
1 : 100

4 REAR



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DWG No

FILE :

SCALE: AS NOTED

Micro Brewery Addition

Lot 30 Lennard Rd Burekup

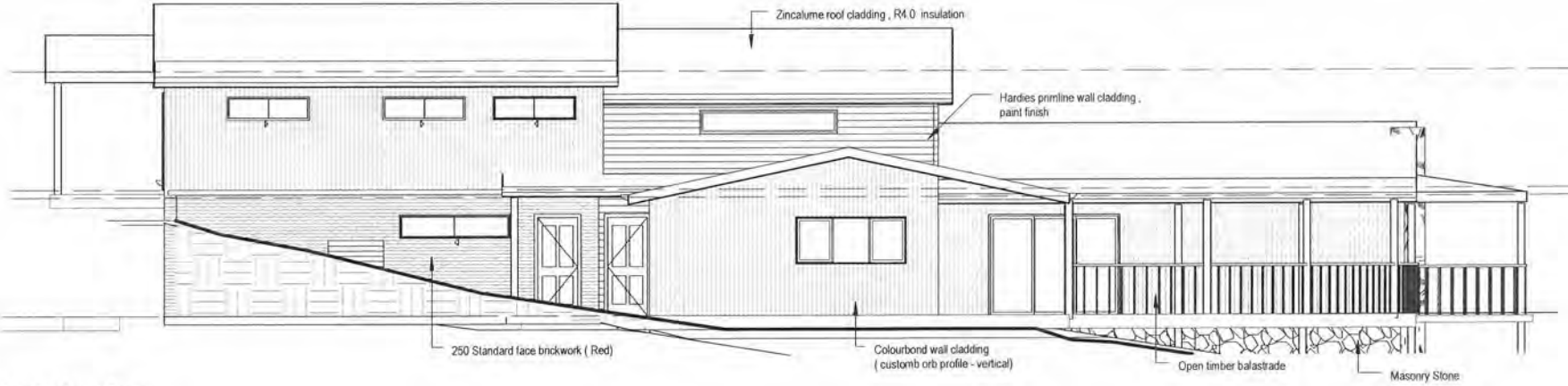
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Proposed Extension for :

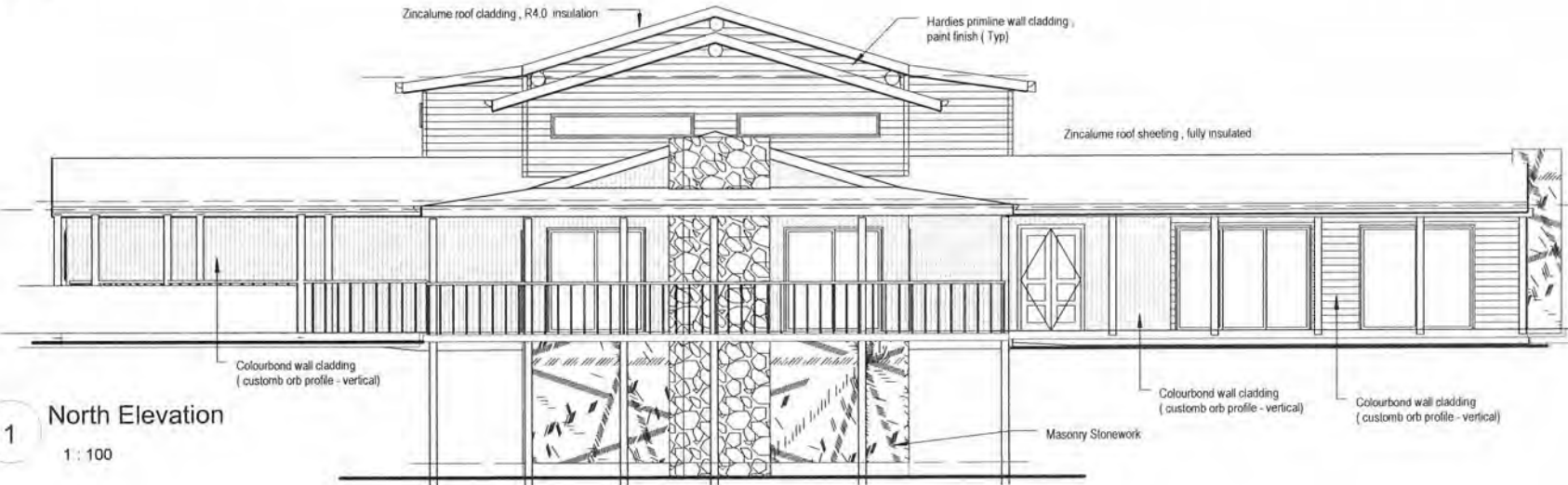
Evedon Park Bush Resort

8A

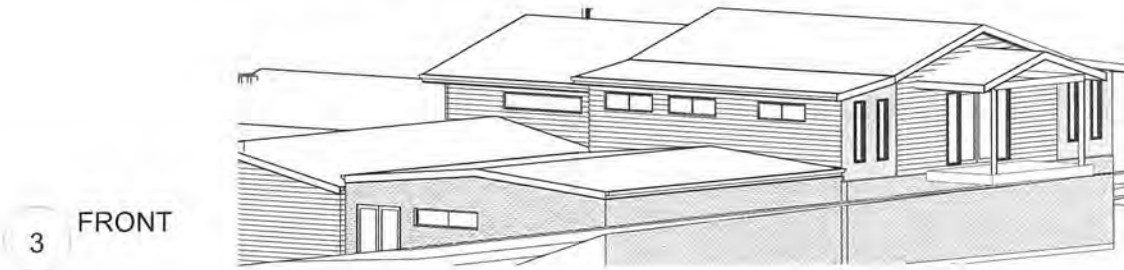




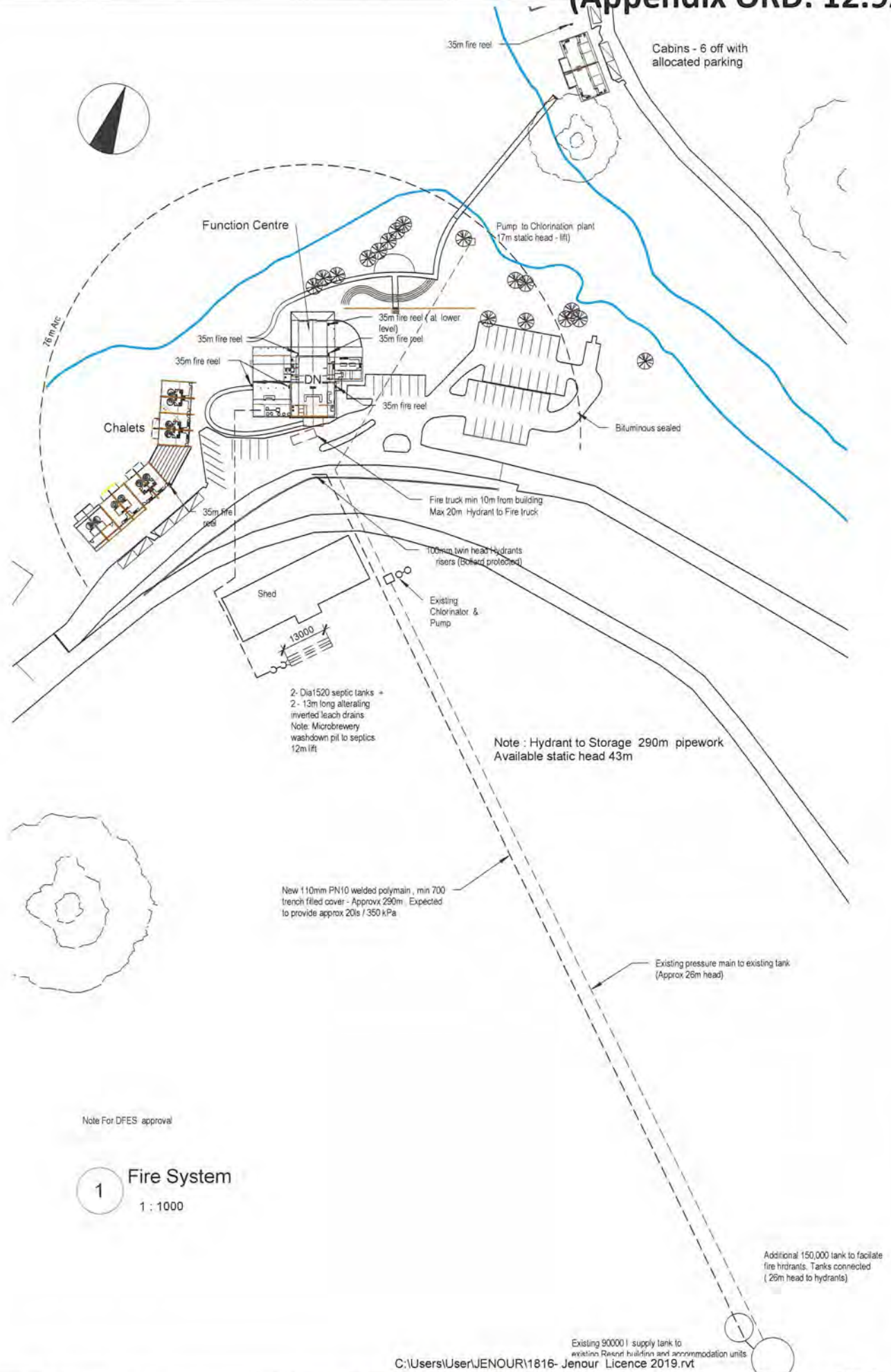
2 East elevation  
1 : 100



1 North Elevation  
1 : 100



3 FRONT



Note For DFES approval

1 Fire System  
1 : 1000

2- Dia1520 septic tanks +  
2- 13m long alternating  
inverted leach drains  
Note: Microbrewery  
washdown pit to septics  
12m lift

Note : Hydrant to Storage 290m pipework  
Available static head 43m

New 110mm PN10 welded polymain , min 700  
trench filled cover - Approx 290m. Expected  
to provide approx 20s / 350 kPa

Existing pressure main to existing tank  
(Approx 26m head)

Additional 150,000 tank to facilitate  
fire hydrants. Tanks connected  
( 26m head to hydrants)

Existing 90000 l supply tank to  
existing Resort building and accommodation units

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# Shire of Dardanup

Administration Centre Eaton  
P.O. Box 7016 - 1 Council Drive  
EATON WA 6232  
Tel: 9724 0000 Fax: 9724 0091  
www.dardanup.wa.gov.au  
ABN: 57 305 829 653

Our Ref: P24/11  
A7033

O-11-82232  
Enquiries: 9724 0087  
elizabeth@ardanup.wa.gov.au

4 April 2011

CA Jenour  
Post Office  
BUREKUP WA 6227

Dear Sir

**RE: PLANNING CONSENT APPLICATION - 205 LENNARD RD BUREKUP 6227  
EXTENSION TO EXISTING RESTUARANT**

Thank you for the above development application. I am pleased to advise that the application is approved subject to the conditions itemised on the attached Planning Approval notice.

This decision was made by a Shire Officer acting under delegated authority. Should you be aggrieved by any aspect of this decision, you may request to have the decision reviewed by Council. If after consideration by Council, the decision or any of the conditions imposed are still unacceptable, you are advised that you have the right to apply for a review of Council's decision by the State Administration Tribunal. Such an application for review should be lodged with the State Administration Tribunal within twenty eight (28) days of the date of Council's determination. The necessary forms are available from State Administration GPO Box U1991, Perth 6845 (☎ 9219 3111).

If you have any further queries please do not hesitate to contact Elizabeth Edwards on 9724 0087.

Yours faithfully

**MR ROBERT QUINN**  
Manager Planning Services

Att.



Development Application: P24/11  
Assessment No: A7033

**PLANNING AND DEVELOPMENT ACT 2005 (AS AMENDED)**  
**SHIRE OF DARDANUP**  
**DECISION ON APPLICATION FOR PLANNING APPROVAL**  
**TOWN PLANNING SCHEME NO. 3**

The Council having considered the application

**Dated:** 29/03/2011  
**Submitted by:** CHARLES ANTHONY JENOUR  
**On behalf of:** CHARLES ANTHONY JENOUR  
**Type of Development:** EXTENSION TO EXISTING RESTAURANT  
**Use Class:** RESTAURANT  
**Location:** 205 LENNARD RD BUREKUP 6227

hereby advise that it has decided to

**GRANT PLANNING APPROVAL**

subject to the following conditions:

1. All development being generally in accordance with the approved development plans which form part of this Development Approval.
2. The development approved is to be substantially commenced within 2 years, or such other period as is specified in the approval, after the date of the determination. The approval lapses if the development has not substantially commenced before the expiration of the period (2 years).
3. The hereby approved development shall not prejudicially affect the amenity of the neighbourhood due to the emission of light, noise, vibration, electrical interference, odour, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or waste products.

Notes:

1. A written request may be made for an extension of the term of planning approval at any time prior to the expiry of the approval period (2 years).



2. The local government may, on written application from the owner of land in respect of which planning approval has been granted, revoke or amend the planning approval, prior to the commencement of the use or development subject of the planning approval.
3. The landowner is advised that future intensification of the existing land use will need to be justified and supported by an amendment to the Town Planning Scheme to rezone the land to Tourist.

.....  
**MR ROBERT QUINN**  
*Manager Planning Services*  
*For and on behalf of the Shire of Dardanup*  
04.04.11

LIQUOR LICENSING ACT 1988  
(Section 40)


CERTIFICATE OF LOCAL PLANNING AUTHORITY


I, (full name).....**Mark Chester** .....  
Being\*.....**Chief Executive Officer**.....  
for the.....**Shire of Dardanup** .....Local Planning Authority  
**hereby certify** that the premises known as... **Evedon Park**  
and situated at ...**205 Lennard Road, Burekup** Post Code...**6227**


(a) will comply with all relevant planning laws, namely;

The approved land use of "Chalet – Short Stay Accommodation with Function Centre/Restaurant" under the Shire of Dardanup's Town Planning Scheme No. 3.

OR

 (b) ~~would comply with all relevant planning laws if consent were to be given by the following authority:~~

 \* (i) ~~it is not known whether the authority will give that consent.~~

 \*\* (ii) ~~it is known that the authority will give that consent subject to the following probable conditions / restrictions;~~

OR

 (c) ~~will not comply with relevant planning laws for the following reasons:~~

Dated at ~~SATO~~ <sup>LEU</sup> this.....day of .....**April 2011**.

  
.....

Signature  
**MARK L. CHESTER**  
**CHIEF EXECUTIVE OFFICER**

\* Town Clerk, Shire Clerk or Planning Officer

SHIRE OF DARDANUP  
PLANNING DEPARTMENT

Planning Approval Granted

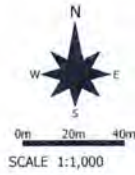
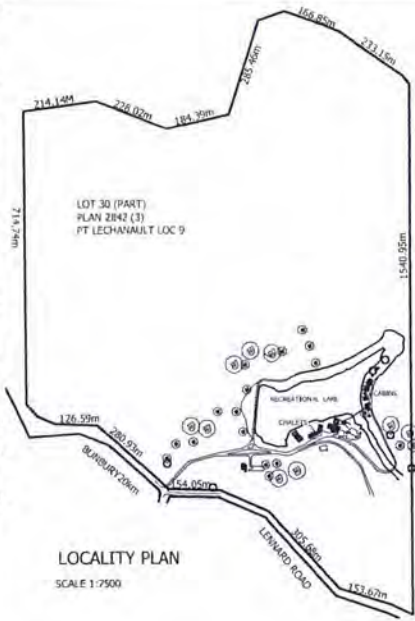
Date 4 June 2011

Signed [Signature]  
Planning Officer

6/6



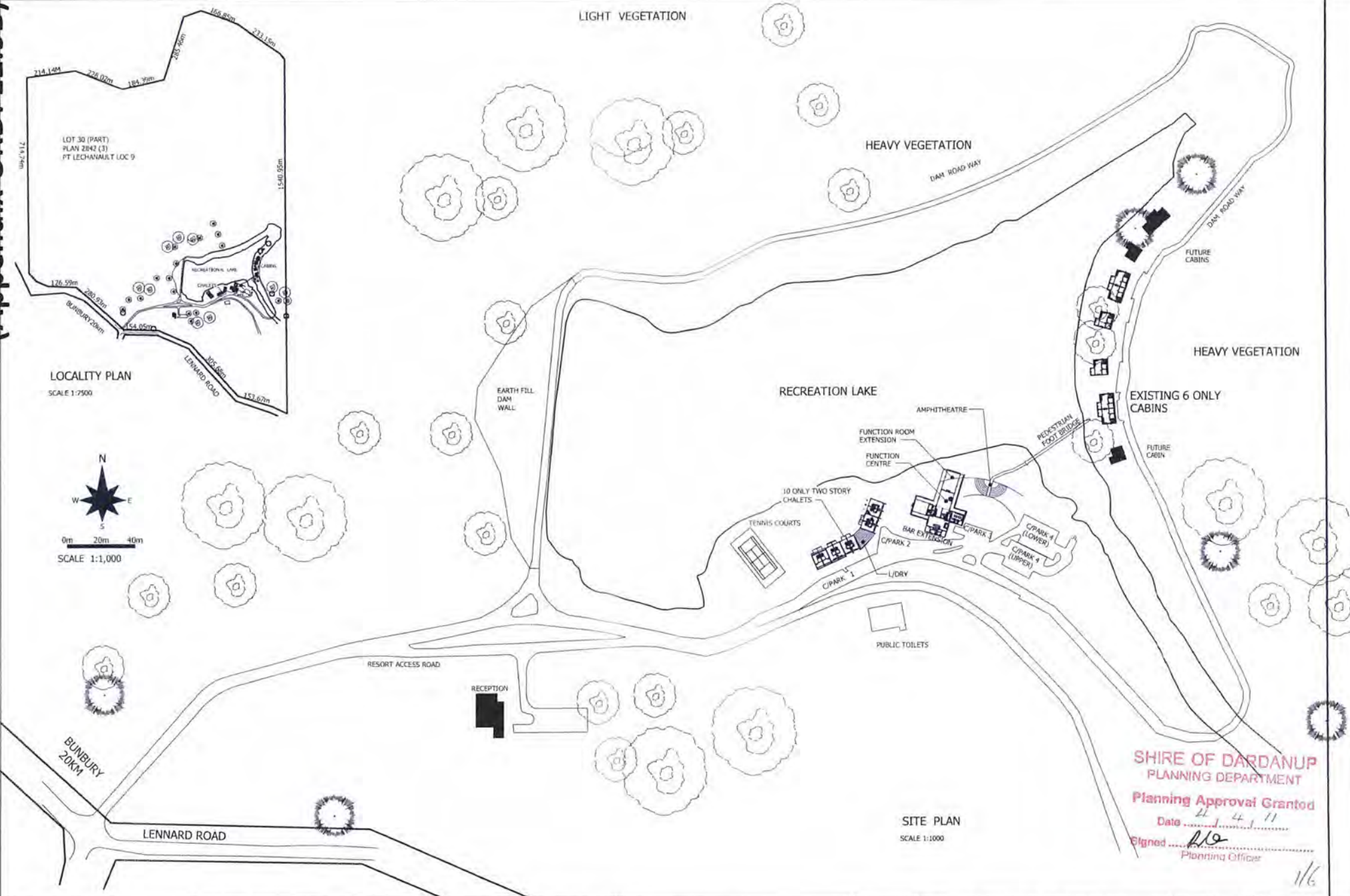
**(Appendix ORD: 12.9B)**



LIGHT VEGETATION

HEAVY VEGETATION

RECREATION LAKE

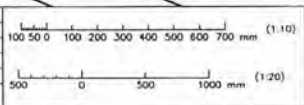


SITE PLAN  
SCALE 1:1000

**SHIRE OF DARDANUP**  
PLANNING DEPARTMENT  
**Planning Approval Granted**  
Date 21/4/11  
Signed [Signature]  
Planning Officer

DRAWN BY: **J.A. WESTON & ASSOCIATES**  
LUMPHIN STREET  
BURBURY WA 6330  
PH 0815 27 8811  
"COMPUTER AIDED DESIGN & DRAFTING"

JOB No	Date	Issue / Amendment

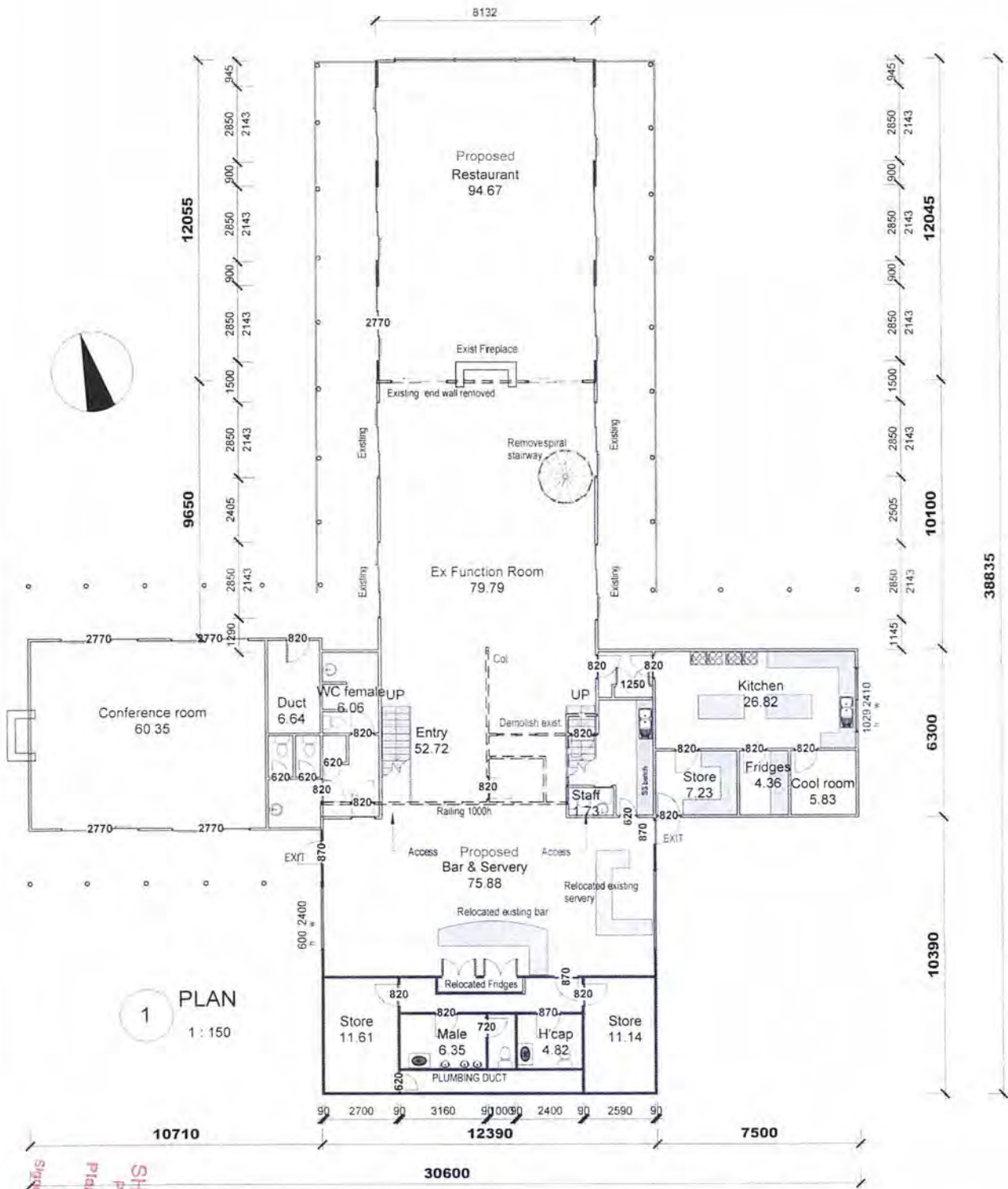


Drawing Title	<b>EVEDON PARK BUSH RESORT SITE PLAN LOT 30 (205) LENNARD RD, BUREKUP FUNCTION ROOM &amp; BAR EXTENSION</b>
Drawing Number	AS 1100
Scale	DO NOT SCALE

Drawn	J.W	Scale	AS NOTED
Date	MARCH 2011	Drawing No.	2011-1-1
Approved	T.J		
Sheet No.	1 OF 3		


1/6





1 PLAN  
1:150

SHIRE OF DARDANUP  
PLANNING DEPARTMENT  
Planning Approval Grantor  
Date: 14/03/11  
Signed: [Signature]  
Planning Officer

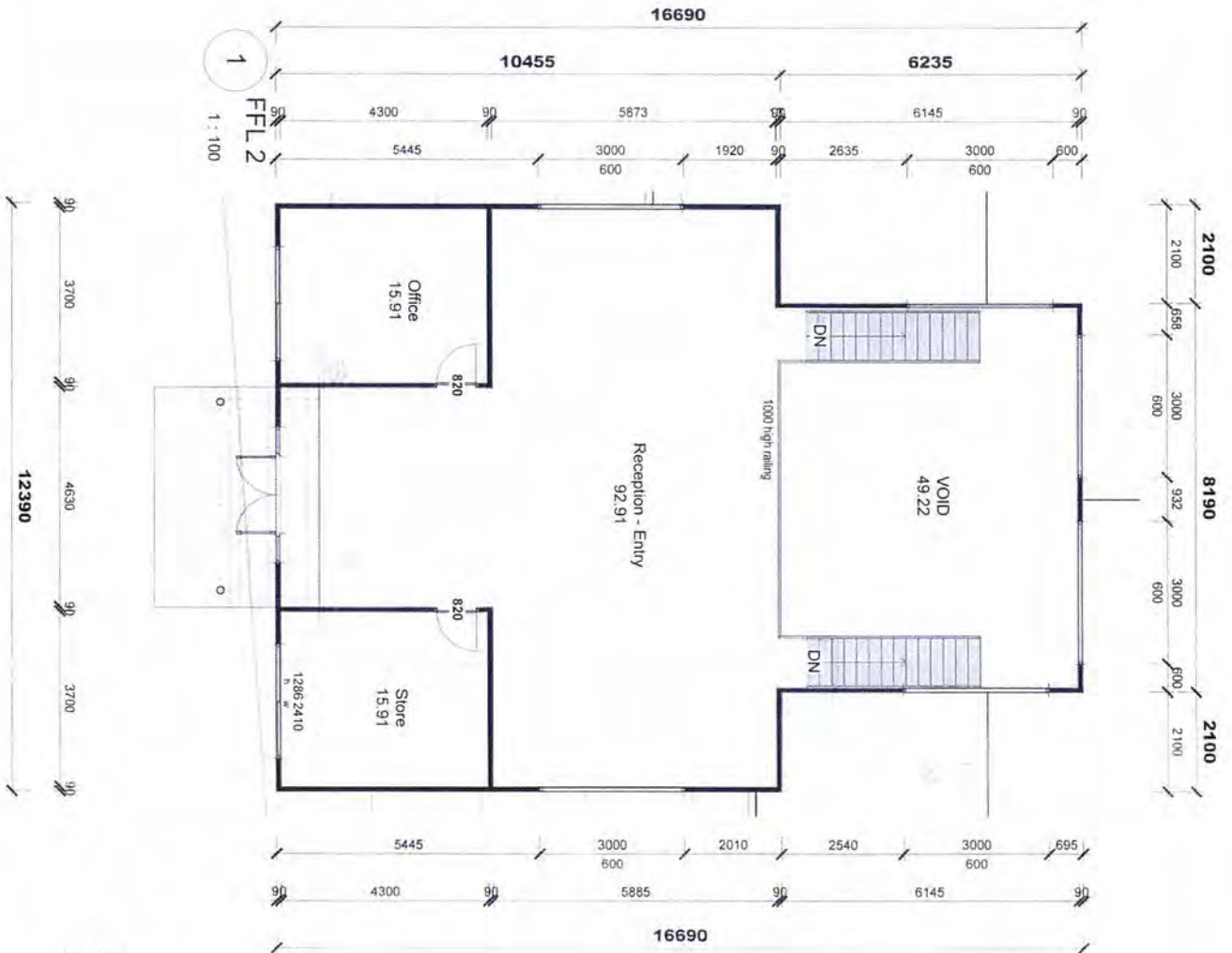
Proposed Extension for :  
Evedon Park Bush Resort

Function Room & Bar Extension  
Lot 30 Lennard Rd Burekup

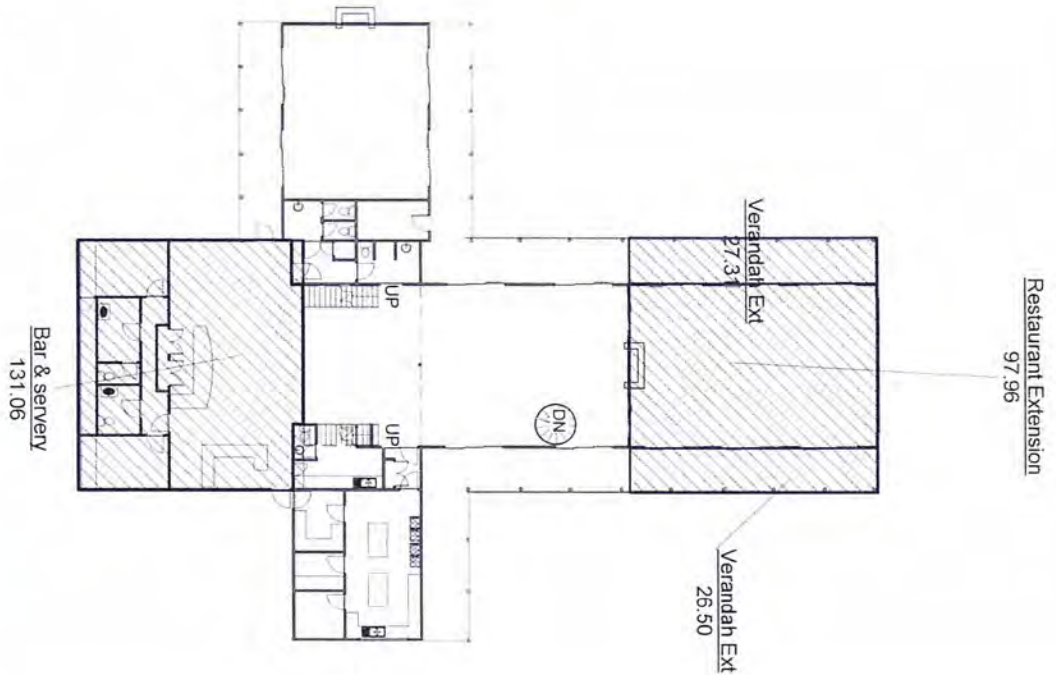
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Jenour Restaurant  
SCAL\extension-2011.rvt

DWG No:  
2



**2**  
Areas  
1 : 250

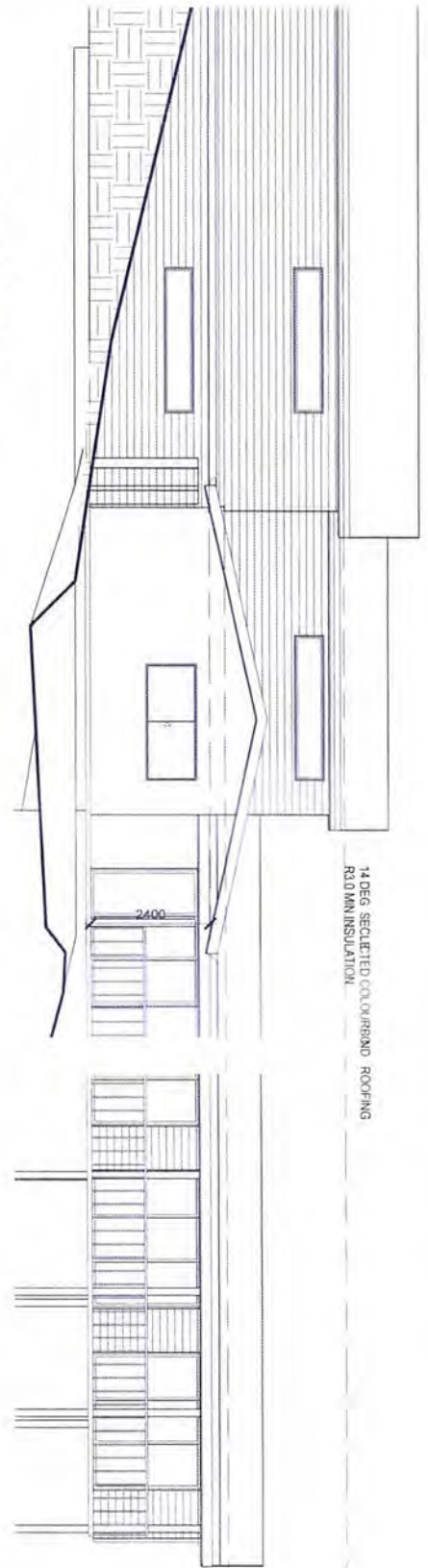


**SHIRE OF DARDANUP**  
PLANNING DEPARTMENT  
Planning Approval Granted  
Date 21/4/11  
Signed [Signature] Planning Officer

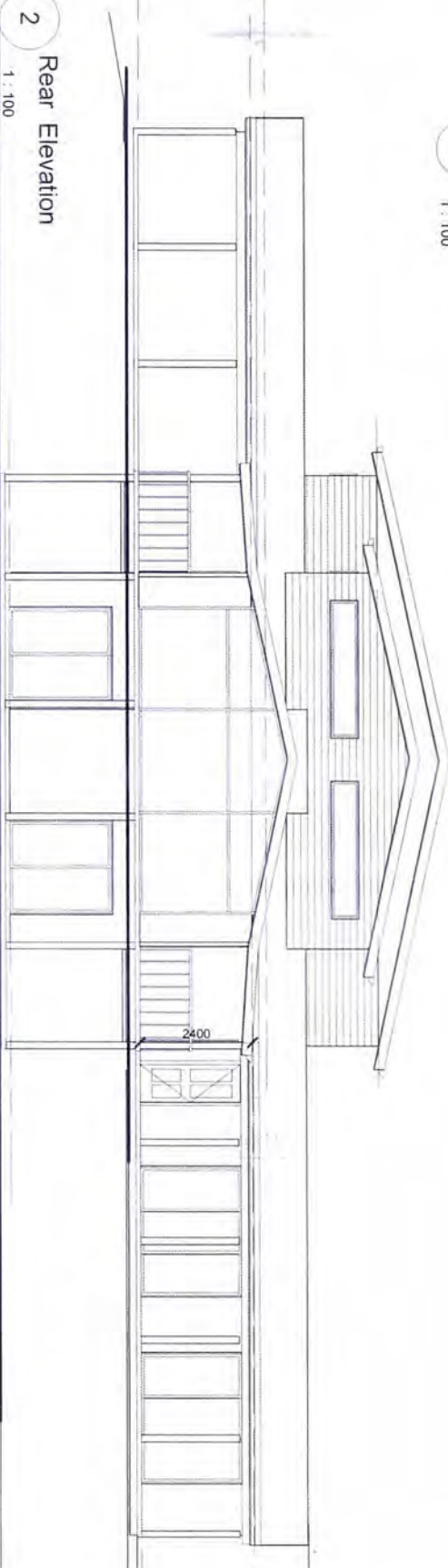
**J.A. WESTON & ASSOCIATES**  
1 LUMPER STREET  
BUNBURY W.A. 6230  
(097) 213804  
\*COMPUTER AIDED DESIGN & DRAFTING\*  
PROJECT NUMBER 1100

**Proposed Extension for :**  
**Evedon Park Bush Resort**  
Function Room & Bar Extension  
Lot 30 Lennard Rd Burekup

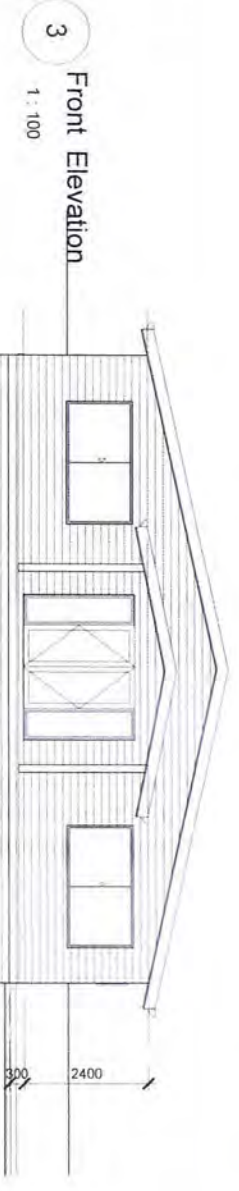
DATE : 28/03/2011 14:45:36	DWG No:
FILE : C:\Data\DWG-Jenour\1165-Jenour Restaurant extension-2011.rvt	2-1
SCALE: AS NOTED	
DRAWN : Author	REV



1 Right Elevation  
1 : 100



2 Rear Elevation  
1 : 100



3 Front Elevation  
1 : 100

NEW ENTRY AT LEVEL ONE

SHIRE OF DARDANUP  
PLANNING DEPARTMENT  
Planning Approval Granted  
Date 14/6/11  
Signed [Signature]  
Planning Officer

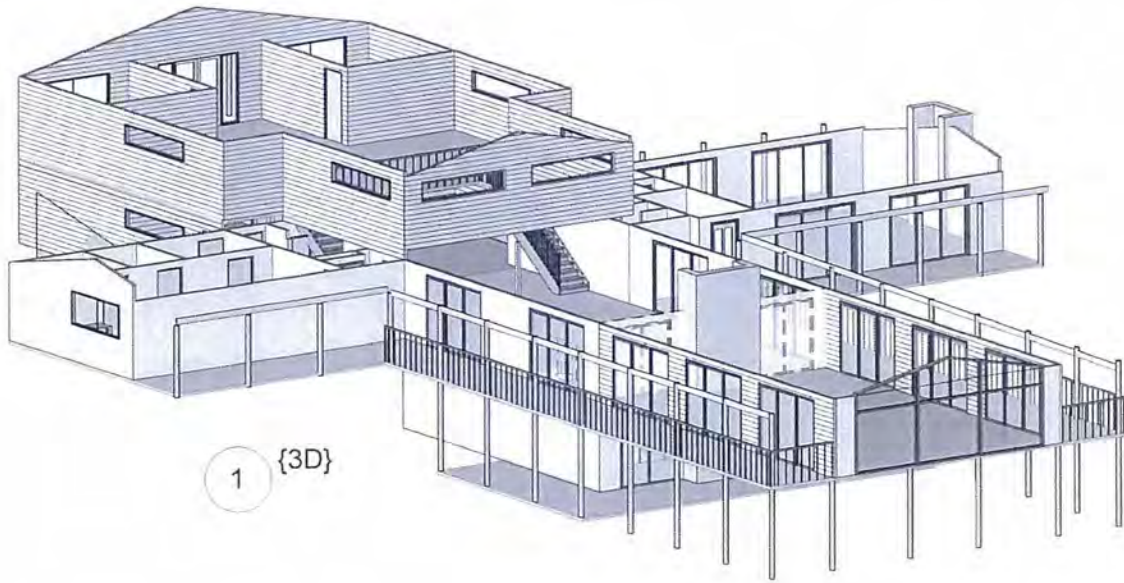
H/6

J.A. WESTON & ASSOCIATES  
1 LUMPER STREET  
BUNBURY W.A. 6230  
(097) 213804  
\*COMPUTER AIDED DESIGN & DRAFTING\*

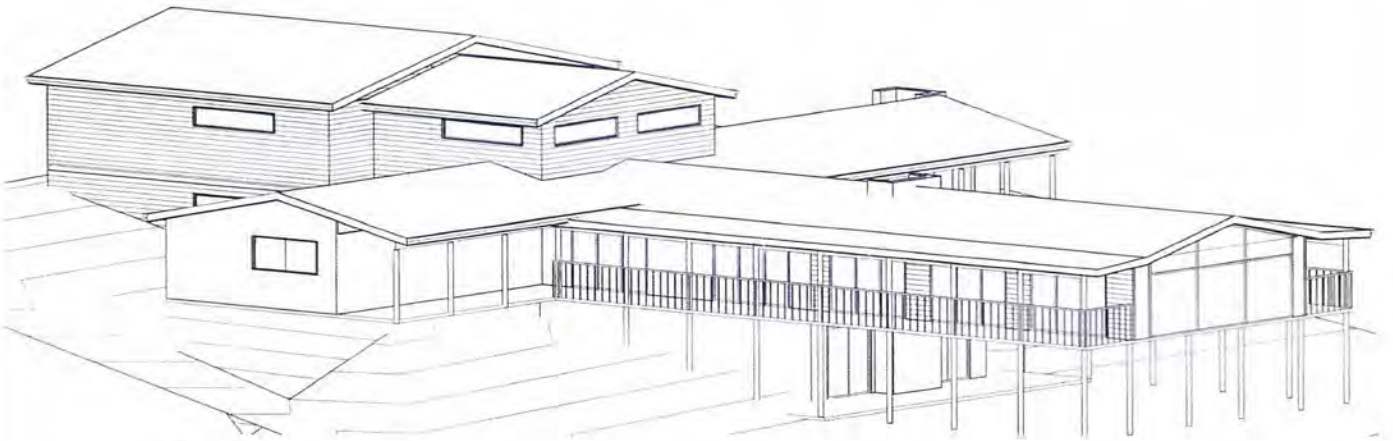
PROJECT NUMBER 1100

**Proposed Extension for :**  
**Evedon Park Bush Resort**  
Function Room & Bar Extension  
Lot 30 Lennard Rd Burekup

DATE : 28/03/2011 14:45:48	
FILE : C:\Data\DWG-Jenour\1165-Jenour Restaurant extension-2011.rvt	DWG No:
SCALE: AS NOTED	3
DRAWN : JW	REV



1 {3D}



2 REAR

Date: 4/1/11  
 Signed: [Signature]  
 Planning Approval Granted  
 LOCAL GOVERNMENT  
 SHIRE OF DARCUMU

14 DEG SELECTED COLOURBOND ROOFING  
R3.0 MIN INSULATION

New construction shown hatched

BREAK IN ELEVATION



3 Left Elevation

1 : 100



J.A. WESTON & ASSOCIATES  
1 LUMPER STREET  
BUNBURY W.A. 6230  
(097) 213804

\*COMPUTER AIDED DESIGN & DRAFTING\*

PROJECT NUMBER 1100

**Proposed Extension for :**  
**Evedon Park Bush Resort**  
Function Room & Bar Extension  
Lot 30 Lennard Rd Burekup

DATE : 28/03/2011 14:46:02

FILE : C:\Data\DWG-Jenour\1165-  
Jenour Restaurant  
extension-2011.rvt

SCALE : AS NOTED

DWG No:

DRAWN : Author

REV

4



Our ref: CHW:DXM:1162003  
Contact: Craig Wallace  
Direct Line: (08) 9288 6828  
Email: craig.wallace@lavan.com.au

The Quadrant, 1 William Street  
Perth Western Australia 6000

Tel +61 8 9288 6000  
Fax +61 8 9288 6001

lavan.com.au

3 April 2019

Ms Cecilia Muller  
Principal Planning Officer  
Shire of Dardanup  
1 Council Drive  
PO Box 7016  
EATON WA 6232



By Email: [cecilia.muller@dardanup.wa.gov.au](mailto:cecilia.muller@dardanup.wa.gov.au)

Dear Ms Muller

**Evedon Lakeside Retreat**

- 1 I confirm Lavan acts for Tony Jenour, the owner and operator of Evedon Lakeside Retreat.
- 2 Further to our telephone conversation on 22 March 2019 regarding the potential development of a microbrewery at Evedon Lakeside Retreat, this letter sets out how such a development may be classified from a land use perspective.
- 3 As you are aware, Evedon Lakeside Retreat currently operates as a short stay accommodation facility with a restaurant and function centre capability. The premises are licensed under the *Liquor Control Act 1988 (WA)* as a hotel restricted venue.
- 4 The Shire previously approved this usage and issued an unconditional section 40 certificate for a hotel restricted licence on the basis that the land usage was not listed in the Town Planning Scheme.
- 5 The proposed development of the microbrewery at the premises would authorise tourists, visitors and those staying at Evedon Lakeside Retreat to consume liquor onsite as well as purchase packaged liquor for takeaway. The microbrewery would be designed to attract tourists and day trippers to come to Evedon Lakeside Retreat to try the craft beer produced onsite as part of their holiday experience. Boutique or craft breweries have become a popular tourist attractions across Western Australia and perhaps most notably in the South West, particularly through the Dunsborough and Margaret River area. For example, there is now a dedicated tour operator in

**A full service Western Australian firm:**

Asian Investment  
Banking & Finance  
Construction & Infrastructure  
Corporate, Commercial & Tax

Employment & Safety  
Family Law  
Insolvency & Reconstruction  
Intellectual Property

Liquor Licensing  
Litigation & Dispute Resolution  
Media & Defamation  
Planning & Environment

Private Wealth  
Property & Leasing  
Wills & Estates

**Our values:**

Commitment  
Integrity



Margaret River which only attends breweries.<sup>1</sup> Further, the best craft breweries in the region are already marketed directly on Tourism Australia's website.<sup>2</sup>

6 The proposed development of the microbrewery at Evedon Lakeside Retreat would ensure that the facility would attract significant visitation from the public, such as day trippers, rather than the premises relying solely on those persons staying at the Retreat.

7 In order for the microbrewery to attract custom from tourists, visitors and day trippers to the area, it is necessary for those people to be able to purchase the craft beer for takeaway as well. The craft beer experience is all about visiting the brewery, learning about how the particular beer is made, trying the different varieties produced and then taking some of those beers away with you for consumption at home. The takeaway component is a key part of the experience and allows people to reminisce about their experience.

8 As you will appreciate from our discussion, the land use definition for this type of facility to incorporate the existing uses and the proposed additional uses, is not defined in the relevant local planning scheme.

9 To assist in the ability for you to consider the proposal, I note from my research that this kind of facility and its tourism offering is often referred to as Agritourism. Agritourism has been defined as the act of going to a region to visit a farm or food-related business (including restaurants, markets, produce outlets or natural attractions) for enjoyment, education, or to participate in activities and events.<sup>3</sup> A recent Deloitte article stated that Agritourism is "becoming an increasingly important sector of the Australian economy, providing direct and indirect benefits to Australian agribusinesses and regional economies."<sup>4</sup> The article went on to state that key agribusiness products prominent in agritourism include "...wine, craft beer and spirits, gourmet foods..."

10 In our view the, Evedon Lakeside Retreat already operates as an agritourism business. The approval of the microbrewery will allow the applicant to enhance its agritourism offering and the microbrewery has been specifically selected for its ability to attract tourists, visitors and day trippers to the Retreat. If approved, the microbrewery would benefit other tourism related businesses nearby as visitors would likely seek out other places to attending in addition to visiting the microbrewery.

11 In light of the above, the applicant proposes to make the development application on the basis that the microbrewery constitutes an agritourism land usage. This usage is not listed in the Town Planning Scheme. The applicant would request that the Shire exercise its discretion to approve the development application.

12 Following on from the development application, the applicant would need to apply to the licensing authority for a new category of licence because a hotel restricted licence does permit the sale of packaged liquor (except for lodgers). For a variety of important reasons, it is appropriate for the entire Evedon Lakeside Retreat to

<sup>1</sup> <https://www.margaretriverbrewerytours.com/>

<sup>2</sup> <https://www.australia.com/en/places/perth-and-surrounds/best-craft-breweries-of-margaret-river.html>

<sup>3</sup> Ecker S, et al, Drivers of regional agritourism and food tourism in Australia (2010)

<sup>4</sup> <https://www2.deloitte.com/au/en/pages/consumer-industrial-products/articles/agritourism.html#>



operate under a single licence. Indeed, the microbrewery has been specifically designed to seamlessly fit in with the existing operations at the site. A hotel licence is the only type of licence that will allow the applicant to operate the Evedon Lakeside Retreat in the manner proposed.

13 As you would be aware, a liquor licence application is required to be accompanied by an unconditional section 40 certificate from the local government confirming that the proposed usage complies with the local planning scheme. With respect to this application, the land on which the microbrewery is proposed to be situated is zoned as General Farming. Regrettably, a hotel usage is not permitted on land zoned as General Farming.

14 However, the applicant is seeking to have agritourism as the approved usage for the site. The grant of a hotel licence will not alter the proposed usage. The premises will not operate as a hotel in the traditional sense, however, a hotel liquor licence is required in order to operate the facility in the manner proposed.

**Summary**

15 The applicant seeks the Shire's comment as the proposed way forward, namely:

15.1 that a development application be submitted listing agritourism as the proposed land usage;

15.2 the Shire's willingness to exercise its discretion to approve this usage and the construction of the microbrewery at the Evedon Lakeside Retreat;

15.3 the Shire's willingness to exercise its discretion and issue an unconditional section 40 certificate confirming that a hotel licence may be granted for the Evedon Lakeside Retreat.

16 I look forward to hearing from you.

17 Please do not hesitate to contact me if you have any queries regarding the above.

Kind regards

A handwritten signature in black ink, appearing to read "Craig Wallace".

Craig Wallace  
Partner

---

Please notify us if this communication has been sent to you by mistake. If it has been, any privilege between solicitor and client is not waived or lost and you are not entitled to use it in any way.

---



LISH FIRE & PLANNING  
3 Paterson Road  
PINJARRA WA 6208

ABN 71 392 678 548  
0418 954878

Our Ref 18-073

Mr T Jenour  
Evedon Park Bush Resort Pty Ltd  
205 Lennard Road  
Burekup WA 6227

Dear Sir

**Re Microbrewery - Evedon Park**

I refer to your inquiry regarding the need for a Bushfire Attack Level (BAL) Assessment for the proposed microbrewery at Evedon Park resort.

The requirement for this is contained in Schedule 2 Part 10A of the Planning and Development (Local Planning Schemes) Regulations 2015. Planning Bulletin 111/2016 Planning in Bushfire Prone Areas also gives guidance to the interpretation and implementation of the provisions.

It is noted that the proposal

- A 106 sqm addition to the existing function centre; and
- The development is subject to Liquor Licence 6050123555 which provides for a maximum of 200 patrons on the site. There will not be any increase in the number of patrons for the microbrewery.

The proposed development site is also partially designated as being bushfire prone as shown on the attached plan.

Clause 78D of the Regulations requires that a developer must prepare a bushfire attack level assessment for the development site if the development site is in a bushfire prone area.

Clause 78B relates to the application of Part 10A to development. It states that this Part does not apply to development unless the development is:

- (b) the construction or use, or construction and use, of a habitable building.

A "habitable building" means a permanent or temporary structure on land that —

- (a) is fully or partially enclosed; and
- (b) has at least one wall of solid material and a roof of solid material; and
- (c) is used for a purpose that involves the use of the interior of the structure by people for living, working, studying or being **entertained**.

On the basis that the development site is bushfire prone and the proposed development can be defined as being a habitable building; a BAL Assessment would be required.

However please note that Clause 78B specifically refers to "construction" which is separately defined in Part 10A as including the erection, assembly or placement of a building **but does not include** the renovation, alteration, **extension**, improvement or repair of a building.



As the proposed microbrewery is an extension of the existing building, then BAL Assessment is required under Part 10A of the Regulations.

I also provide the following comments to support this view.

### **Purpose of the BAL Assessment**

Clause 78D(3) requires that where the development site has BAL - 40 or BAL - Flame Zone rating then a development approval is to be obtained.

When the BAL Assessment is undertaken on undeveloped land with existing vegetation, then the site is likely to have a BAL - 40 or BAL - Flame Zone rating. The important issue is the extent of the proposed clearing and the BAL rating for the final development.

If a development application is already being lodged then the initial BAL Assessment does not serve any purpose.

### **Intensification of the Land Use**

As the proposal is maintaining the current limit on the number of patrons at the facility it can be argued that there is no intensification of the land use. Planning Bulletin 111/2016 states that if the proposal does not result in the intensification of development (or land use), does not result in an increase of residents or employees; or does not involve the occupation of employees on site for any considerable amount of time, then there may not be any practicable reason to require a BAL Assessment.

### **AS3959 Construction Standards**

The primary purpose of a BAL Assessment is to assign the BAL rating for the construction of the building. The applicable construction standards are provided for in AS3959 Construction of Buildings in Bushfire Prone Areas. AS3959 provides measures for improving the ability of buildings to withstand burning debris, radiant heat and flame contact during a bush fire.

The National Construction Code (Building Regulations 2012) only applies the AS3959 Construction Standards to Class 1, 2 or 3 buildings or associated Class 10a buildings i.e. dwellings and outbuildings. There is no ability through the building permit process to impose these standards to other building classes.

As the proposed microbrewery is not a Class 1, 2 or 3 building then the AS3959 construction standards are not applicable.

### **Existing Bushfire Management Plan**

It is noted that a bushfire management plan has been prepared for the existing development and this includes a requirement for all buildings to have a 20m wide building protection zone.

### **State Planning Policy SPP3.7 Planning in Bushfire Prone Areas**

SPP3.7 Planning in Bushfire Prone Areas has four key objectives and Council is required to have "due regard" to these when considering any development application.

The objectives of the policy are to:

- 5.1 Avoid any increase in the threat of bushfire to people, property and infrastructure. The preservation of life and the management of bushfire impact are paramount.

As indicated the land use is not intensifying as there is no increase in the number of patrons. The overarching policy intent for Planning in Bushfire Prone Areas is to avoid development with a BAL-40/FZ rating. As shown on the attached aerial plan the access driveway and car parking area above the development site already provide a de facto asset protection zone. A BAL-29 rating for Class A Forest vegetation upslope from the development is achieved with a 21m setback while downslope it is 27m.

- 5.2 Reduce vulnerability to bushfire through the identification and consideration of bushfire risks in decision-making at all stages of the planning and development process.  
The bushfire risks have been documented in the existing bushfire management plan. As there is no intensification of the land use the level of risk is not increasing.
- 5.3 Ensure that higher order strategic planning documents, strategic planning proposals, subdivision and development applications take into account bushfire protection requirements and include specified bushfire protection measures.  
This has already occurred through the preparation of the existing bushfire management plan.
- 5.4 Achieve an appropriate balance between bushfire risk management measures and, biodiversity conservation values, environmental protection and biodiversity management and landscape amenity, with consideration of the potential impacts of climate change.  
The development site is already cleared and the only impact would be the possible removal or pruning of trees within the 20m asset protection zone.

**Conclusion**

The proposed microbrewery is an extension to the existing building and no BAL Assessment is required for this under the Local Planning Schemes Regulations 2015. In considering the development application, the Shire may request that a bushfire assessment be undertaken. Any such assessment should contain a level of detail appropriate to the nature and scale of the proposal recognising that:

- There is no intensification of the land use; and
- There is an existing bushfire management plan for the development.

If it is considered necessary to update the existing bushfire management plan or to prepare an emergency evacuation plan, then this should be as a condition of development approval.

If you have any queries regarding this matter, please do not hesitate to contact me on 0418954873 or email [geoffrey@lushfire.com.au](mailto:geoffrey@lushfire.com.au)

Yours faithfully



**Geoffrey Lush**

17 January 2019





Proposed Development Site



Proposed Development Site



Bushfire Prone Land 2018



Mark Chester  
Chief Executive Officer  
Shire of Dardanup  
1 Council Drive  
**Eaton WA 6232**

Dear Mark

**Eaton Family Centre at Lot 589 Charterhouse Street, Eaton.**

I am pleased to advise that the State Government will continue to provide accommodation support for the Eaton Family Centre (Eaton). This support includes ongoing building maintenance, building insurance and assistance with urgent capital works.

The lease between the Shire and the Department for the Eaton centre will expire on 26 June 2019. Part of the Lease provision, requires six months notice to exercise the 10 year option term. The Department is requesting for a variation to the Lease to a reflect the current occupancy period associated with Department funding.

Eaton will continue receiving accommodation support for the current Community Neighbourhood Development Service (CNDS) funding period, which is now extended to 30 June 2020. The CNDS funding period may then align with the Empowering Communities (EC) funding program from the second half of 2020.

Eaton's occupancy is dependent upon the Shire's approval to enter into a new lease with the Department. An initial term of 12 months is requested, commencing from 27 June 2019 and also requests to incorporate four, two year option periods.

Hopefully this arrangement is satisfactory to the Shire and will assist in the future provision of services offered by Eaton.

Should you have any further queries in relation to this matter, please contact myself via [mark.murphy@communities.wa.gov.au](mailto:mark.murphy@communities.wa.gov.au) or on (08) 6552 4231.

Yours Sincerely and have a happy Christmas,

Mark Murphy  
Project Manager Assets  
Corporate Operations

24 December 2018

**SHIRE OF DARDANUP****MINUTES OF THE SHIRE OF DARDANUP OCCUPATIONAL SAFETY & HEALTH COMMITTEE MEETING HELD ON MONDAY 10 JUNE 2019, AT SHIRE OF DARDANUP – EATON ADMINISTRATION CENTRE, COMMENCING AT 10.00AM.****1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

Chairperson Cr. M T Bennett, declared the meeting open at 10.00am, welcomed those in attendance and referred to the Acknowledgement of Country, Emergency Procedures and the Affirmation of Civic Duty and Responsibility on behalf of Councillors and Officers:

*Acknowledgement of Country*

*The Shire of Dardanup wishes to acknowledge that this meeting is being held on the traditional lands of the Noongar people. In doing this, we recognise and respect their continuing culture and the contribution they make to the life of this region by recognising the strength, resilience and capacity of Wardandi people in this land.*

*Affirmation of Civic Duty and Responsibility*

*Councillors and Officers of the Shire of Dardanup collectively declare that we will duly, faithfully, honestly and with integrity fulfil the duties of our respective office and positions for all the people in the district according to the best of our judgement and ability. We will observe the Shire's Code of Conduct and Standing Orders to ensure efficient, effective and orderly decision making within this forum.*

*Committee members acknowledge that only the Chief Executive Officer or a member of the Shire of Dardanup staff appointed by the Chief Executive Officer is to have contact with consultants and suppliers that are appointed under contract to undertake the development and implementation of projects.*

*The exception to this Policy is when there is a meeting of the committee or working group with the consultant and the Chief Executive Officer or the Chief Executive Officer's representative is present.*

*Members of committees acknowledge that a breach of this Policy may result in a request to Council to have them removed from the committee.*

*Emergency Procedure*

*In the event of an emergency, please follow the instructions of the Chairperson who will direct you to the safest exit route. Once outside, please proceed to the muster point located at the front of the building where we will meet (and complete a roll call).*

**2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED****2.1 Attendance**

Cr. M T Bennett	-	Shire President
Mr André Schönfeldt	-	Chief Executive Officer [in 10:04am]
Ms Cathy Lee	-	Manager Governance & HR
Mr Anton Manning	-	Senior OSH Coordinator

Mr Adam Herbert	-	Dardanup Outside Works Representative
Mr Darren Hare	-	Parks & Gardens Representative
Mrs Helen Ammon	-	Eaton Library Representative
Ms Wills Pomare	-	Eaton Recreation Centre Representative
Mrs Kathleen Hoult	-	Eaton Administration Representative
Miss Jasmine Sillifant	-	Executive Governance Officer

Observer

Mr Phil Anastasakis	-	Director Corporate & Community Services
Mr Barry Cox	-	Works Supervisor
Mr Nigel Lyon	-	Principal Parks & Environment Supervisor [in 10:02am]

2.2 Apologies

Cr. J Lee	-	Elected Member
Mrs Andrea McDougall	-	Eaton Administration OSH Representative

<b>3. PETITIONS/DEPUTATIONS/PRESENTATIONS</b>
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None.

<b>4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING</b>
---

4.1 Occupational Safety & Health Committee Meeting Held 23 January 2019

**OFFICER RECOMMENDED RESOLUTION &  
OSH COMMITTEE RESOLUTION**

OSH 05-19 MOVED - Ms C Lee                                      SECONDED - Mr A Herbert

**THAT the Minutes of the Occupational Safety & Health Committee Meeting held on 23 January 2019, be confirmed as true and correct subject to no corrections.**

CARRIED

<b>5. ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED</b>
--

None.

**6. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

None.

**7. DECLARATION OF INTEREST**

*Discussion:*

Chairperson, Cr. M T Bennett asked those present if there were any Declarations of Interest to be made.

There were no Declarations of Interest made.

**8. REPORTS OF OFFICERS AND COMMITTEES**

8.1 Title: Workplace Inspections – OSH Representatives

Reporting Department: Executive – HR/OSH

Reporting Officer: Mr Anton Manning - Senior OSH Coordinator

Legislation: Occupational Safety and Health Act 1984

Background

Each Safety and Health Representative is to undertake Workplace Inspections on a minimum of a quarterly basis. Most areas have formal inspections undertaken on a monthly basis.

Legal Implications - None.

Strategic Community Plan

Strategy 1.1.3 - Maintain best practice governance systems and practices.  
(Service Priority: Moderate)

Environment - None.

Precedents - None.

Budget Implications - None.

Risk Assessment - Low.





8.2 Title: OSH Dashboard and OSH Hazard Reporting

Reporting Department: Executive – HR/OSH

Reporting Officer: Mr Anton Manning – Senior OSH Coordinator

Legislation: Occupational Safety and Health Act 1984

Background

The OSH Dashboard is a one page overview/snapshot of what has been happening across the organisation regarding OSH activities.

The OSH Hazard Report is a spreadsheet of hazards that have been identified by staff and actioned for the quarter.

Legal Implications - None.

Strategic Community Plan

Strategy 1.1.3 - Maintain best practice governance systems and practices.  
(Service Priority: Moderate)

Environment - None.

Precedents - None.

Budget Implications - None.

Risk Assessment - Low.

Officer Comment

See attached OSH Dashboard for Jan – May (Appendix OSH: 8.2A). This shows a one page overview/snapshot of what has been happening across the organisation regarding OSH activities.

See attached Workplace OSH Hazard Report for Jan – May (Confidential Appendix OSH: 8.2B). This list shows all hazards identified via staff using Hazard Card, Toolbox Hazard Advice, Loss Prevention Inspection [LPI] Checklists and general reporting. These are in addition to the Workplace Inspections undertaken by the OSH Representatives.

**OFFICER RECOMMENDED RESOLUTION &  
OSH COMMITTEE RESOLUTION**

OSH 07-19 MOVED - Mrs H Ammon SECONDED - Mrs K Hoult

**THAT the Occupational Safety and Health Committee receive the OSH Dashboard (Appendix OSH: 8.2A) and Workplace OSH Hazard Report (Confidential Appendix OSH: 8.2B) for January to May 2019.**

CARRIED

8.3            Title: OSH Incident/Accident Quarterly Report

Reporting Department: Executive – HR/OSH

Reporting Officer:        Mr Anton Manning – Senior OSH Coordinator

Background

The quarterly report is presented at each OSH meeting to keep the Committee updated on the incidents and/or accidents that have occurred since the last reporting round.

Legal Implications        -        None.

Strategic Community Plan

Strategy 1.1.3 -        Maintain best practice governance systems and practices.  
(Service Priority: Moderate)

Environment            -        None.

Precedents              -        None.

Budget Implications    -        None.

Risk Assessment        -        Low.

Officer Comment

As the meeting in May was postponed, this report includes the months of April and May in addition to the first quarter.

See attached (Confidential Appendix OSH: 8.3) for the OSH Incident Report.

**OFFICER RECOMMENDED RESOLUTION &  
OSH COMMITTEE RESOLUTION**

OSH 08-19    MOVED -    Mr A Herbert                      SECONDED -    Mr A Manning

**THAT the Occupational Safety and Health Committee receive the Confidential OSH Accident/Incident Report (Confidential Appendix OSH: 8.3) for the period ending May 2019.**

CARRIED

8.4 Title: Updates / Internal OSHMS Compliance Audit 2019

Reporting Department: Executive – HR/OSH

Reporting Officer: Mr Anton Manning - Senior OSH Coordinator

Legislation: Occupational Safety and Health Act 1984

Background

The previous OSH compliance audit (utilising AS/NZ Standard 4801:2001), was undertaken on 23 and 24 of October 2017 by NSCO Consulting. Recommendation seven of the audit document details implementing an internal audit schedule. Clause 4.5.4 of AS/NZS4801:2001:2001 states:

*The organization shall establish, implement and maintain an audit program and procedures for periodic OHSMS audits to be carried out by a competent person.*

Legal Implications - None.Strategic Community Plan

Strategy 1.1.3 - Maintain best practice governance systems and practices.  
(Service Priority: Moderate)

Environment - None.Precedents - None.Budget Implications - None.Risk Assessment - Low.Officer Comment

A monthly audit schedule encompassing the following is provided to the committee.

- January - Element 1: OSH Planning
- February - Element 2: Consultation and Communication
- March - Element 3: Risk and Hazard Management
- April – Element 4: Accident and Incident Investigations

The elements of the monthly audit schedule are provided at (Confidential Appendix OSH: 8.4).

**OFFICER RECOMMENDED RESOLUTION &  
OSH COMMITTEE RESOLUTION**

OSH 09-19 MOVED - Mrs H Ammon SECONDED - Ms W Pomare

**THAT the Occupational Safety and Health Committee receive the Confidential OSH Accident/Incident Report (Confidential Appendix OSH: 8.4) for the period ending April 2019.**

CARRIED

**8.5**            Title: Skin Screens for Skin Cancer

*Reporting Department:* Executive – HR/OSH

*Reporting Officer:* Mr Anton Manning - Senior OSH Coordinator

*Legislation:* Occupational Safety and Health Act 1984

Background

Following the skin cancer screening provided by the Shire of Dardanup in partnership with LGIS in 2015, 2017 and 2018, LGIS were contacted to initiate the process of skin screens.

The three previous skin screenings that have been provided to Shire staff, have uncovered the following;

- employees have lesions suspicious of Basal Cell Carcinoma
- employees have lesions suspicious of Melanoma
- employees have lesions suspicious of Squamous Cell Carcinoma
- employees have Moderate to severe sun damage
- urgent appointments booked for Melanoma follow up
- melanoma's removed

Legal Implications            -            None.

Strategic Community Plan            -            None.

Environment            -            None.

Precedents

Skin Screens provided November 2015- January 2017 - April 2018.

Budget Implications            -            None.

Budget – Whole of Life Cost            -            None.

Council Policy Compliance            -            None.

Risk Assessment            -            Low.

Officer Comment

A process was initiated with LGIS to initiate quotes for organisations to provide skin checks for skin cancer. LGIS advised that tenders would be sought to provide skin cancer screening to Shire of Dardanup employees.

LGIS sourced the quotes to provide the skin screen service. After an evaluation process of the quotes provided, SMG Health have been awarded the service tender. SMG Health was selected as the organisation to provide the most detailed analysis for the individual having the skin screen. Further detail of the findings and analysis by SMG Health, will be provided at the Shire of Dardanup OSH committee meeting to be held on the 10 July 2019.

SMG Health provides a local doctor for the skin screens, leading to a reduction in the costs associated with the screening. SMG Health also provides a summary report of the findings of the skin screens at no additional cost. Other organisations that provided quotes for the screens appear to have similar costs to SMG Health but the extra associated costs include, travel from Perth, overnight accommodation, overnight meal fees and additional costs for summary reports.

The cost of the screening will be partially covered by the allotted Health and Wellbeing funding as advised by LGIS. The Shire of Dardanup has \$4,950 allocated in the Health Wellbeing account for 2018/2019.

The residual cost for the 2018 screening was allocated from the Shire of Dardanup OSH budget. The residual amount for 2018 was estimated to be \$1,400, this figure allowed for 80 staff members to be screened. The cost of the residual amount for 2018 was five hundred and ninety four dollars.

The cost for approximately 120 Shire employees to be screened by SMG Health is \$9,804 as per the original quote. This will lead to a shortfall of approximately four thousand, eight hundred and fifty four dollars. This approximation of the deficit will be sourced from the Shire of Dardanup OSH budget.

Discussion:

*The Committee discussed the skin and health checks offered by the Shire and provided positive feedback on how the checks were conducted.*

8.6 Title: Damage to Tractor Lifting Arm Subframe

*Reporting Department: Executive – HR/OSH*

*Reporting Officer: Mr Anton Manning - Senior OSH Coordinator*

*Legislation: Occupational Safety and Health Act 1984*

Background

At the Shire of Dardanup OSH Committee meeting held on the 23 January 2019 the Senior OSH Coordinator provided information regarding an incident of damage to a tractor lifting arm. A section of the supporting arm of the subframe of the works tractor had sheered whilst in operation.

The tractor has been utilised by the Shire works crew for a period of six years since purchase. The tractor has been utilised for road construction work and road side maintenance such as slashing and mowing. It has also been used as a forklift and a lifting apparatus with a jib attachment to move concrete pipes and liners, and for lifting of branches with a grab, moving soil and stone with a bucket attachment and as a road broom.

Metal fatigue has resulted in the sheering of the subframe support arm whilst the tractor was in operation. An image of the damage is provided (Appendix OSH: 8.6A).

The information detailed in officer comment is a summary of the incident investigation completed by the Shire of Dardanup OSH department.

Legal Implications

Ensure legislative compliance to the WA OSH Act 1984.

Future legislation applicable to this agenda - WH&S Legislation Reasonable Practability - weighing up the cost against the risk.

Strategic Community Plan

Environment - None.

Precedents - None.

Budget Implications - None.

Risk Assessment - Medium.

Officer Comment

The Senior OSH Coordinator has completed an investigation into the possible cause of the metal fatigue which resulted in the sheer failure.

Agents for New Holland and the supplier of the tractor were contacted and a consultation process took place regarding the machine. The discussion centered on metal fatigue and the operation of the machine. The agents advised that the tractor was purchased as an Agricultural Tractor with front End Loader for roadside slashing and general maintenance work. It has been observed over its time doing heavy clearing work and work designed for an industrial Machine. It was suggested

that the Shire would have been better placed purchasing an Industrial Loader Tractor

The incident investigation report was completed and provided to all relevant stakeholders. Mr Luke Botica, Director of Engineering & Development Services, made comment on the incident report questioning if this is a defect with the plant and if it should be checked.

Asset inspectors in Bunbury were contacted to enquire if testing of the defect was possible to determine if any deficiencies or irregularities were present within the metal of the subframe. In particular the area of separation in the images supplied as per (Appendix OSH: 8.6B).

The asset inspectors advised that the shearing was likely as a result fatigue issues that could have been there for some time. This is apparent by the corrosion rust staining on the crack (LHS) and the staining of the fatigue (beach marks) (RHS). It appears that the failure has started on the RHS and is so old that it has oxidised brown and slowly worked its way along. It was further advised that when it goes too far, a brittle (sudden) fracture occurs, exposing the grainy insides of the metal. In the asset inspector's opinion they do not believe the metal would have been flawed, but rather just started off as a small crack, that went undetected until catastrophic failure.

Cr. M T Bennett, Shire President and shire officers queried whether this type of incident had occurred before to a tractor subframe.

The vendor/manufacturers of the L3600 loader and subframe were contacted to ascertain if the metal fatigue with the subframe had occurred previously with this model combination.

The manufacturer advised that there were no recorded sub-frame failure issues for the model combination of the New Holland Cab model T5060 tractor fitted with a Challenge L3600 loader.

The information provided by all three organisations, can be summarised in the following points.

- The tractor is designed for agricultural type operation and not industrial operation.
- The Shire of Dardanup employees that operate the tractor utilise the tractor for works associated with road construction activity.
- The metal fatigue had occurred sometime previously and was not picked up by the organisations completing the servicing or mechanical repairs of the tractor.
- Although the asset inspector did not test the subframe, they advised the subframe damage was caused due to operational use.
- Asset inspectors undertake inspections on mine machinery on a constant rotational basis and provided the information from exposure to testing of operational machinery indicating metal fatigue.
- The manufacturer advised there have been no recorded sub-frame failure issues for this particular model combination.





8.7 Title: OSH Annual Plan – 2018 Reporting

*Reporting Department:* Executive – HR/OSH

*Reporting Officer:* Mr Anton Manning - Senior OSH Coordinator

*Legislation:* Occupational Safety and Health Act 1984

Background

The OSH Annual Plan outlines the strategies for minimising the risks associated with the Shire of Dardanup's core business processes.

The OSH Annual Plan provides the Shire of Dardanup with a clear program of improvement to achieve our safety objectives, based on the risk profile of the organisation. The plan is endorsed by the senior leadership; they are committed to the development of a resilient safety culture and encourage all employees to assume responsibility and commit to help achieve our safety vision and objectives. The plan will be reviewed annually and spans a 3 year period.

Legal Implications

Ensure legislative compliance to the WA OSH Act 1984.

Strategic Community Plan - None.

Environment - None.

Precedents - None.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment

Reporting on the process and activities of the plan were provided to the Shire of Dardanup OSH Committee meeting held 18 April 2018 for the 2017 reporting year. The Annual Plan has been reviewed and aligned to the Shire of Dardanup Occupational Safety and Health Management System in the first quarter of 2019, for the 2018 reporting year.

Information from the review of the OSH Annual Plan is provided to the Committee (Appendix OSH: 8.7).

RECEIVED

**9. ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

None.

**10. NEW BUSINESS OF AN URGENT NATURE**

None.

**11. MATTERS BEHIND CLOSED DOORS**

None.

**12. CLOSURE OF MEETING**

The next meeting of the Occupational Safety & Health Committee will be held on Wednesday, 11 September 2019 at 10.00am.

There being no further business the Chairperson declared the meeting closed at 10.21am.