Climate Change Adaptation & Sustainability Committee Meeting

Wednesday 26 February 2020

MINUTES
<table>
<thead>
<tr>
<th>1</th>
<th>DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS</th>
<th>2</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>RECORD OF ATTENDANCE AND APOLOGIES</td>
<td>2</td>
</tr>
<tr>
<td>3</td>
<td>APPOINTMENT OF COMMITTEE CHAIR AND DEPUTY</td>
<td>2</td>
</tr>
<tr>
<td>4</td>
<td>DECLARATIONS OF INTEREST</td>
<td>2</td>
</tr>
<tr>
<td>5</td>
<td>CONFIRMATION OF MINUTES</td>
<td>3</td>
</tr>
<tr>
<td>6</td>
<td>REPORTS</td>
<td>4</td>
</tr>
<tr>
<td>6.1</td>
<td>Climate Change Adaptation and Sustainability Committee – Terms of Reference</td>
<td>4</td>
</tr>
<tr>
<td>6.2</td>
<td>Shire of Capel Coastal Hazard Risk Management and Adaptation Plan</td>
<td>8</td>
</tr>
<tr>
<td>6.3</td>
<td>Contaminated Sites Risk Profile</td>
<td>16</td>
</tr>
<tr>
<td>7</td>
<td>GENERAL BUSINESS</td>
<td>29</td>
</tr>
<tr>
<td>8</td>
<td>NEXT MEETING</td>
<td>29</td>
</tr>
<tr>
<td>9</td>
<td>CLOSURE</td>
<td>29</td>
</tr>
</tbody>
</table>
1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Director of Engineering and Infrastructure Jason Gick opened the meeting at 2.30pm as the first order of business to appoint the Chair and Deputy Chair.

2 RECORD OF ATTENDANCE AND APOLOGIES

PRESENT: Chair and Councillor D Kitchen
Deputy and Councillor K Noonan
Councillor R Mogg
Councillor (Guest) D Clews
Director Engineering & Development Services J Gick
Manager Planning Services K Muste
Manager Operations J Sleer
Managers Building and Health Services R Greive
Engineering Environment Officer R McPherson
Sustainability and Waste Officer J Kain
Strategic Planning Officer M Wansborough
Principal Environmental Health Officer M Chadwick

APOLOGY: Councillor S Schiano
Chief Executive Officer I McCabe

3 APPOINTMENT OF COMMITTEE CHAIR AND DEPUTY

The Director Infrastructure and Development Services called for nominations of the position of Chair and Deputy of the Committee.

Two nominations were received from Cr Kitchen nominating himself for Chair and Cr Noonan nominating himself for the Chair.

After consideration by members, it was voted that the Chair be Cr Kitchen, with Cr Noonan as Deputy Chair.

The Director Engineering & Infrastructure declared Cr Kitchen elected as Chair of the Climate Change Adaptation and Sustainability Committee and Cr Noonan Deputy until October 2021.

The Director Engineering and Infrastructure handed over to the Chair.

4 DECLARATIONS OF INTEREST

Nil
5 CONFIRMATION OF MINUTES

5.1 Climate Change Adaptation and Sustainability Committee Meeting – 22 May 2019.

The Motion was Moved Cr Kitchen, Seconded Cr Mogg

CC01/2020 - COUNCIL DECISION

That the Minutes of the Climate Change Adaptation and Sustainability Committee Meeting – 22 May 2019.

Carried 3/0
IN BRIEF

To consider draft Terms of Reference for the Shire of Capel Climate Change Adaptation and Sustainability Committee and recommend their adoption by Council.

RECOMMENDATION

That the Committee recommend to Council that:

1. The Terms of Reference for the Shire of Capel Climate Change Adaptation and Sustainability Committee, as attached to the agenda, be adopted; and
2. Cr __________ be nominated as a member of the Climate Change Adaptation and Sustainability Committee.

BACKGROUND / PROPOSAL

Background

The Shire of Capel establishes, from time to time, Committees to assist Council in the performance of its duties. When establishing a Committee, Council should provide the Committee with Terms of Reference to ensure that the Committee fulfils the role asked of it by Council.

Although the Shire’s Climate Change Adaptation and Sustainability Committee has operated and provided advice to Council for many years, there does not appear to be any record of formal Terms of Reference for the Committee.

Terms of Reference for the Climate Change Adaptation and Sustainability will also be beneficial for the Committee functions to reflect the aspirations of Council and the community.

21 October 2019 – Cr’s Kitchen, Mogg, Noonan and Schiano were nominated and appointed to the Climate Change Adaptation and Sustainability Committee.

23 October 2019 (188/2019) – Councillor appointments to Committees were endorsed by the adoption of the 21 October 2019 Special Meeting of Council minutes.

Proposal

The Terms of Reference for the Shire of Capel Climate Change Adapt, as attached to the agenda, be adopted.
STATUTORY ENVIRONMENT

Local Government Act 1995

2.7 Role of council
   (1) The council –
       (a) governs the local government’s affairs; and
       (b) is responsible for the performance of the local government’s functions
   (2) Without limiting subsection (1), the council is to –
       (a) oversee the allocation of the local government’s finances and resources; and
       (b) determine the local government’s policies.

Section 2 of the Local Government Act 1995 describes the establishment and function of committees of Council.

POLICY IMPLICATIONS

Policy 2.25 – Climate Change Adaptation & Sustainability, applies.

RISK IMPLICATIONS

There is a risk that not having Terms of Reference will be viewed as inadequate governance of the Committee. Establishing Terms of Reference allays that concern.

FINANCIAL IMPLICATIONS

Budget

There are no financial implications relevant to this matter.

Long Term

There are no long term financial implications relevant to this matter.

SUSTAINABILITY IMPLICATIONS

One of the primary functions of the Climate Change Adaptation and Sustainability Committee is to embed principles of sustainability in Council decision making and organisational procedure. The establishment of Terms of Reference for the Committee strengthens this function.

STRATEGIC IMPLICATIONS

Shire of Capel Strategic Community Plan 2018-28

The Leadership Experience, ‘Open, transparent, and effective good governance.’

Community Objectives:
1.1 Community works collaboratively to achieve a positive future, by maintaining and strengthening its ‘network of networks’.

1.2 Respond to key challenges, global factors and local impacts together.

1.4 Building a culture of collaboration and a stronger, safer and happier community.
The Community Experience, ‘Facilities and services that accommodate the diverse needs of the community and providing a safe place to live, work and visit.’

Community Objectives:

2.1 Council works in partnership with the community in providing appropriate services and facilities.

2.4 Community safety is recognised as paramount.

The Environmental Experience, ‘Preserve and enhance the natural and built environment.’

Community Objective:

4.3 As a community we come together to respond to environmental challenges and risks.

4.4 Council provides leadership and a responsive plan to manage our drying climate and increasing storm and fire risk.

CONSULTATION

Consultation has taken place between the Executive and Governance officers.

COMMENT

The draft Terms of Reference, attached to this agenda, have been developed to provide direction to the Committee on the role required of it, by Council.

The Terms of Reference are also consistent with objectives of the Leadership Experience, ‘Open, transparent, and effective good governance’ of the Shire of Capel Strategic Community Plan 2018-28.

The provision for the meetings to be open to the public is not a requirement of Section 5.23 of the Local Government Act 1995, as the Committee has no delegated authority. Given the role of the Committee to provide advice to Council, it is however, considered an important part of the transparency of the Council decision making process.

The Terms of Reference makes provision for five elected members with voting rights. The current assignment of only four elected members means the committee under represents the Council and creates an unusual situation where decisions may be unnecessarily subject to the casting vote of the chair, should there be need.

The formal adoption of the Terms of Reference provides opportunity for a fifth elected member to be nominated to participate on the Committee, ensuring the committee is represented by a majority of Councillors.

VOTING REQUIREMENTS

Simple majority

OFFICER’S RECOMMENDATION – 6.1

That the Committee recommend to Council that:

1. The Terms of Reference for the Shire of Capel Climate Change Adaptation and Sustainability Committee, as attached to the agenda, be adopted; and
2. Cr ______ be nominated as a member of the Climate Change Adaptation and Sustainability Committee.
The recommendation was Moved Cr Mogg, Seconded Cr Kitcheb

**CC02/2020 COMMITTEE DECISION – 6.1**

That the Committee recommend to Council that:

1. The Terms of Reference for the Shire of Capel Climate Change Adaptation and Sustainability Committee, as attached to the agenda, be adopted.

Carried 3/0

Governance Note: Officer recommendation No. 2 was not discussed until 7.1 General Business.
6.2 Shire of Capel Coastal Hazard Risk Management and Adaptation Plan

<table>
<thead>
<tr>
<th>Location:</th>
<th>Coastal Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant:</td>
<td>Shire of Capel</td>
</tr>
<tr>
<td>File Reference:</td>
<td>EM.PL.1</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Nil</td>
</tr>
<tr>
<td>Date:</td>
<td>30.01.20</td>
</tr>
<tr>
<td>Author:</td>
<td>Senior Planning Officer (Strategic), M Wansborough</td>
</tr>
<tr>
<td>Senior Officer:</td>
<td>Director Infrastructure and Development, J Gick</td>
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<tr>
<td>Attachments:</td>
<td>Nil</td>
</tr>
</tbody>
</table>

IN BRIEF

The Shire of Capel has an attractive and popular coastal environment comprising about 27 kilometres of continuous sandy beaches. This coast is at risk from natural processes such as erosion, inundation and sea level rise, which are exacerbated by climate change.

The Shire has a responsibility to manage a number of public assets, land and property in its coastal zone and to help the community adapt and become more resilient to climate change as it affects the coast.

The production of a Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) is proposed to enable the Shire to identify coastal hazards, risks and adaptation measures for Capel, so that it can plan for the management of assets and meet its responsibilities to the community over the next 100 years.

RECOMMENDATION

That the Climate Change Adaptation and Sustainability Committee:

1. Recommends Council to agree to participate in a joint Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) managed by the Peron-Naturaliste Partnership with the City of Bunbury, the Shires of Dardanup and Harvey, Southern Ports Authority and Department of Biodiversity, Conservation and Attractions, to include the entirety of the Capel Coastal Zone; and

2. Recommends Council to consider budgeting for the joint CHRMAP, an amount of $35,000 in 2020/21.

BACKGROUND / PROPOSAL

The Shire of Capel has an attractive and popular coastal environment comprising about 27 kilometres of continuous sandy beaches. The Capel coast is predominantly sand overlying and abutting various relict geological features, principally Tamala limestone formations.

Coastal hazards can result in property damage, loss of life and/or environmental degradation. The impacts are generally greatest where the shoreline has been modified and developed for infrastructure or settlements. The most significant hazards include:

- Erosion – occurs when winds, waves and coastal currents act to shift sediments away from an area of the shore, often during a storm. In most locations this is a short-term process and the shore gradually regains sediment;

- Inundation – during a storm, low atmospheric pressure and onshore winds can cause storm surge and extreme wave heights along the coast. When these coincide with high tide, inundation may result; and
Landform mobility (dunes and estuary entrance) – is influenced by a range of factors including stress due to vehicles or pedestrians (through damage to vegetation), coastal erosion, drought, bushfires and man-made activities, disturbances and modifications to dunes and estuary entrances.

There are numerous and significant potential coastal impacts and risks associated with climate change, such as:

- Under a high-emissions scenario, a sea-level rise of up to a metre or more by the end of the century is plausible;
- Sea-level rise will not stabilise by 2100. Regardless of reductions in greenhouse gas emissions, sea level will continue to rise for centuries; an eventual rise of several metres is possible. This has implications for decisions taken now on the ‘footprint’ of our cities;
- Rising sea levels combined with storm surge is likely to cause accelerated erosion and increased risk of inundation. For settlements and infrastructure this is likely to result in damage to and loss of infrastructure. For ecosystems, sea level rise may lead to loss of habitat and salinization of soils may cause changes to the distribution of plants and animals;
- The switch from generally accreting beaches to a receding coastline is a key threshold for coastal management and is not well understood;
- Changes in movement of sand will potentially have impacts on the natural and built environment;
- Reduction in annual and seasonal rainfall will impact the natural environment, including decline in fresh water entering estuarine systems; and
- More intense rainfall events will increase flood risk and have potential emergency management implications.

These impacts and risks will affect Capel’s natural and built environments and may have further consequences on the community, which could include:

- temporary coastal flooding;
- permanent marine inundation;
- increased heat-related health issues;
- changes in mosquito activity; and
- subsequent impact on residents and economic impacts on those industries which rely on our waterways and coast, such as tourism and accommodation businesses and commercial fishing.

The vulnerability of assets within the Shire of Capel coastal zone to coastal hazards such as erosion and inundation is expected to increase in the future. The risk arising from vulnerability of assets is influenced by the level of preparedness and response of the community and its recovery capacity.

While the scientific community has established that human-created climate change is occurring, uncertainty remains about the magnitude and extent of the impacts from these processes and changes. Despite the uncertainty, early consideration of coastal hazards and the management of appropriate planning responses is essential in order to provide economic, environmental and social benefits.

National and international coastal planning practices are increasingly adopting a risk management approach to deal with uncertainty associated with the potential adverse impacts and their timeframes, arising from coastal hazards. This ensures that risks arising from coastal
hazards are appropriately factored into decision-making processes for sustainable land use and development in the coastal zone.

Local government, on behalf of the community, is primarily responsible for managing risk to public goods and public assets which it owns and manages.

Therefore, local governments should seek to:

- develop local policies and regulations consistent with State risk management approaches;
- facilitate building resilience and adaptive capacity within the local community, including providing information about relevant known coastal hazards like erosion and inundation; and
- work in partnership with the community to identify and manage risks.

The State Government’s coastal planning policy State Planning Policy 2.6 Coastal Planning Policy (SPP 2.6) requires a risk management approach and provides the framework for undertaking risk management planning for risks arising from coastal hazards in Western Australia.

In particular, SPP 2.6 requires that all local governments prepare a Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) in order to demonstrate that these risks are being managed.

Therefore, this report is recommending to the Committee that Council should initiate the production of a CHRMAP for the Shire of Capel.

**STATUTORY ENVIRONMENT**

- Land Administration Act 1997
- Planning and Development Act 2005
- Greater Bunbury Region Scheme
- Shire of Capel Town Planning Scheme No.7

Throughout Australia, AS ISO 31000:2018 is commonly used in risk management. This standard provides a set of internationally endorsed principles and guidance on how decision-makers can integrate decisions about risk and responses into their existing management and decision-making processes.

In 2013, Standards Australia published AS 5334:2013 Climate change adaptation for settlements and infrastructure - A risk based approach, which was adapted from the ISO 31000:2009 to target the potential impacts of climate change on settlements and infrastructure.

**POLICY IMPLICATIONS**

The following Western Australian Government strategies, policies and guidelines are relevant:

- State Planning Strategy 2050;
- WA Coastal Zone Strategy (August 2017);
- State Planning Policy No.1 (SPP1) – State Planning Framework (2014);
- State Planning Policy No.2 (SPP2.0) – Environment and Natural Resources (2003);
- State Planning Policy No.2.6 (SPP2.6) – State Coastal Planning (July 2013);
- State Coastal Planning Policy Guidelines (December 2012);
- Coastal Hazard Risk Management and Adaptation Planning Guidelines (July 2019);
- South West Region Planning and Infrastructure Framework (2015);
- Greater Bunbury Strategy (2013); and
State Development Control Policy No.4.2 (DCP4.2) - Planning for Hazards and Safety (1991)

The following Council policies apply:

- Capel Shire Coastal Strategy (2005);
- Policy 2.25 – Climate Change Adaptation and Sustainability;
- Policy 2.28 – Risk Management Framework;
- Policy 2.33 – Asset Management;
- Policy 2.35 – Legislative Compliance;
- Policy 6.6 - Capel Shire Land Use Strategy (1999);
- Policy 6.21 - Peppermint Grove Beach Land Use Strategy (2013); and
- Dalyellup Beach Estate Local Structure Plan (2015).

**RISK IMPLICATIONS**

Medium.

Future coastal erosion, inundation and sea level rise will potentially present a significant risk to Shire, State and private assets, land and property within the Shire of Capel.

**FINANCIAL IMPLICATIONS**

**Budget**

Potentially significant implications for 2020/21 budget and subsequent years, related to the cost of production of a CHRMAP for the Shire and the short to medium term management of coastal land, property and assets. Further details on potential costs are provided in the Comments section below.

**Long Term**

Potentially very significant due to potential loss and replacement of assets, maintenance of assets, cost of protecting the coastal zone or managed retreat, etc.

**SUSTAINABILITY IMPLICATIONS**

Very significant environmental, economic and social sustainability implications due to the potential loss of land and property to the sea.

**Environmental:**
- Loss of landforms;
- Biodiversity;
- Waste disposal and facilities;
- Natural resources;
- Wetlands and estuarine environments

**Economic:**
- Business operations;
- Insurance premiums;
- Property development;
- Strategic minerals and basic raw materials;
- Tourism;
- Commercial fishing;

**Social:**
- Loss of communities and public assets;
- Emergency and crisis management;
- Recreational use of coastal areas;
- Public health;
STRATEGIC IMPLICATIONS

Shire of Capel Strategic Community Plan 2018 – 2028

The Leadership Experience: ‘Open, transparent and effective good governance.’

Community Objectives:
1.2 Respond to key challenges, global factors and local impacts together;
1.4 Building a culture of collaboration and a stronger, safer and happier community;
1.6 Council is effective and efficient in the financial management stewardship of community assets.

The Community Experience: ‘Facilities and services that accommodate the diverse needs of the community and providing a safe place to live, work and visit.’

Community Objectives:
2.1 Council works in partnership with the community in providing appropriate services and facilities;
2.4 Community safety is recognised as paramount.

The Economic Experience: ‘Responsible and progressive local economic development’

Community Objective:
3.1 The community capitalises on its unique attributes and location.

The Environmental Experience: ‘Preserve and enhance the natural and built environment.’

Community Objectives:
4.1 The Shire of Capel becomes known as a clean and green place to live and do business.
4.2 Our unique bush, forests, rivers and beaches are valued and protected to preserve the natural environment.
4.3 As a community we come together to respond to environmental challenges and risks.
4.4 Council provides leadership and a responsive plan to manage our drying climate and increasing storm and fire risk.

The Infrastructure Experience: ‘To ensure safe, sustainable and efficient infrastructure and transport networks.’

Community Objectives:
5.1 Urban development to be sustainably integrated to our unique natural environment, heritage and character.
5.2 As a community, we work to ensure our ongoing enjoyment of our quality of life.
5.3 Working together to meet the needs of changing infrastructure requirements.

CONSULTATION

Collaboration with the community is an essential element in the production of a CHRMAP with the community, residents, businesses and users of the Shire of Capel coastal zone having input into the process in different ways and at different times. Further details are provided in the Comments section below.

COMMENT

Purpose

The purpose of a CHRMAP is to outline key directions for coastal adaptation in response to a predicted sea level rise of 0.9m over the next 100 years and prioritise management works over the next 10 years. It will therefore, help the Shire meet its responsibilities, as outlined above, to manage affected public assets and support the community (residents, businesses and
property-owners) to adapt to the specific coastal hazards that the Shire will face over the next 100 years.

A CHRMAP will systematically identify risk, help the community understand coastal hazard impacts, and support controls (being a measure that modifies risk) to manage (adapt to and/or mitigate) consequences and risk level in association with the affected community and stakeholders.

Ultimately, a CHRMAP can be used to inform any review of the following Shire strategies and plans:

- Strategic Community Plan;
- Long Term Financial Plan;
- Asset Management Strategy / Plans;
- Capel Coastal Strategy; and
- Local Planning Strategy and Local Planning Scheme 8 (once adopted);

For the purpose of the CHRMAP, assets are defined as:

- natural features such as beaches and natural vegetation;
- buildings and other structures (houses and commercial buildings);
- infrastructure relating to drainage, water and sewerage;
- roads, paths and walkways; and
- coastal structures, such as jetties, boat ramps, seawalls and groynes.

As defined in the Australian Standard for Climate Change Adaptation for Settlements and Infrastructure – A Risk-based Approach (AS 5334-2013), an asset’s value can be tangible or intangible, financial or non-financial. Examples of non-tangible assets include ecological function and coastal views.

The value of an asset also includes consideration of risks and liabilities, and can be positive or negative at different stages of the asset’s life. Values in the context of the CHRMAP further encompass the economic, social (including heritage) and environmental values of the coastal area.

**Process and Cost**

A summary of the stages involved in the production of a CHRMAP is set out in Figure 1 below.

Essentially it involves assessing potential hazards, risk and adaptation options through several rounds of community input and discussion.

Due to the technical nature of the hazard assessment in particular, which requires the dynamics of the coastal environment (sediment cells, tides, currents, erosion rates, geomorphology, etc.) to be modelled, it is necessary that the CHRMAP be produced by an expert consultant, as the Shire does not have the capability, expertise and resource to complete a CHRMAP in-house.

Based on experience from other local governments such as Busselton and Harvey, an indicative cost of producing a CHRMAP for Capel would be in the region of $150,000.

Grant funding is potentially available, to assist local governments with the production of a CHRMAP, usually on a matched-funding basis. In particular, the Coastal Management Plan Assistance Program (CMPAP) administered by the WAPC and Coastal Adaptation and Protection
(CAP) grants administered by the Department of Transport, are available to support the production of a CHRMAP for the Shire of Capel.

Through the Shire’s membership of the Peron-Naturaliste Partnership, an opportunity has arisen for Capel to undertake a joint CHRMAP with the City of Bunbury, the Shires of Dardanup and Harvey, Southern Ports Authority and the Department of Biodiversity, Conservation and Attractions.

Initial discussions with PNP officers, the local governments and other organisations are still ongoing with a proposed CHRMAP to cover the coast from Forrest Beach in Capel, through McKenna Point, Koombana Bay, Leschenault Inlet, the tide-affected areas of the Preston, Ferguson, Collie, Brunswick rivers and Millars Creek, the Leschenault Estuary and eastern side of the Leschenault Peninsula. The CHRMAP project would also have input from DPLH, DWER, DoT, DBCA and Southern Ports Authority.

It is anticipated that this would reduce the cost of the production of a CHRMAP for all parties by ‘spreading the load’ whilst still ensuring that a robust and useful plan is produced which can identify the risk and provide appropriate measures for the Shire and the community to adapt to changes in the coastal zone over the next 100 years.

It is estimated that a joint, comprehensive CHRMAP could cost up to $250,000 with each local government’s contribution being proportional to its length of coastline and/or income and around half of the cost being met by grants. The PNP would be able to add value though having responsibility for managing the project.

A final cost figure would only be obtained following a number of quotations being received from qualified consultants, through standard procurement procedures. The intention is to commence and largely complete the CHRMAP in the 2020/21 financial year.

It is estimated that the Shire’s contribution to this joint CHRMAP would be between $15,000 and $35,000, given the extensive length of coastline in the Shire and it is recommended that Council give consideration to budgeting for the higher amount ($35,000) over the next financial year.

The production of a CHRMAP just for the Shire would likely be significantly greater than this amount (up to $75,000), even with the necessary grant funding.

**OPTIONS**

**Option 1 –** Undertake joint CHRMAP managed by the PNP with the City of Bunbury, the Shires of Dardanup and Harvey, Southern Ports Authority and DBCA;
As per the officer recommendation.

**Option 2 –** undertake sole CHRMAP for the Shire of Capel
This would have some advantages in potentially resulting in a more focused and useful document for the Shire, that can be produced to the Shire’s specification and timescale alone. However, this is likely to be significantly more expensive than a joint CHRMAP as outlined in Option 1.

**Option 3 –** do nothing
This would involve maintaining existing assets in line with current budgets and Long Term Financial Plan. However, there is significant risk that without a CHRMAP in place, Shire and private assets, land and property will be lost unnecessarily, communities displaced and money wasted. Without suitable forward planning and adaptation measures in place, the Shire may also not be able to meet its statutory responsibilities to the community and ratepayers.
VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION - 6.2

That the Climate Change Adaptation and Sustainability Committee:

1. Recommends Council to agree to participate in a joint Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) managed by the Peron-Naturaliste Partnership with the City of Bunbury, the Shires of Dardanup and Harvey, Southern Ports Authority and Department of Biodiversity, Conservation and Attractions, to include the entirety of the Capel Coastal Zone; and

2. Recommends Council to consider budgeting for the joint CHRMAP, an amount of $35,000 in 2020/21.

The recommendation was Moved Cr Noonan, Seconded Cr Kitchen

CC03/2020 COMMITTEE DECISION – 6.2

That the Climate Change Adaptation and Sustainability Committee:

1. Recommends Council to agree to participate in a joint Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) managed by the Peron-Naturaliste Partnership with the City of Bunbury, the Shires of Dardanup and Harvey, Southern Ports Authority and Department of Biodiversity, Conservation and Attractions, to include the entirety of the Capel Coastal Zone; and

2. Recommends Council to consider budgeting for the joint CHRMAP, an amount of $35,000 in 2020/21.

Carried 3/0
6.3 Contaminated Sites Risk Profile

Location: Whole of Shire  
Applicant: Shire of Capel  
File Reference: PH.PO.1  
Disclosure of Interest: Nil  
Date: 21.01.20  
Author: Principal EHO, M Chadwick  
Senior Officer: Director Infrastructure and Development  

IN BRIEF

The Shire of Capel has management responsibility of several reserves that have a statutory ‘contaminated site’ classification. These pose risk liability to the Shire and have been identified in a Review of Risk Management, Legislative Compliance and Internal Controls (Moore Stephens, October 2018) as needing a risk assessment.

Thirteen contaminated sites were listed in the Shire of Capel 2017/18 Financial Report as Contingent Liabilities, with the value and timing of remediation being uncertain.

Council Policy 2.25 – Climate Change Adaptation and Sustainability identifies the management of contaminated sites to mitigate risk to humans and environment as a climate change adaptation and sustainability priority focus area.

This report is a review of the previously adopted recommends the adoption of a risk profile for Shire controlled contaminated sites for subsequent consideration of budget allocations for inclusion in future Long Term Financial Plans.

RECOMMENDATION

That the Committee recommend the following for Council adoption;

1. That the risk profile for R14054 Prowse Road, Capel – Shire Depot be upgraded from ‘moderate’ to ‘high’;
2. That the Council review the closed road status of Parcel 22757 – Fennel Road in early 2020/21;
3. That the Council consider assigning $120,000 in 2022/23 in the LTFP to undertake an investigation of R21929 Weld Road to determine future rehabilitation needs;
4. That Council consider assigning $60,000 in the 2020/21 budget to undertake an investigation of R14054 Prowse Road, Capel (Shire Depot) to determine future rehabilitation needs and in order to meet timeframe specified under ‘action required’ of the current classification within the DWER correspondence to the Shire;
5. That Council consider assigning $150,000 in 2021/22 in the LTFP for drainage works at the Shire Depot to mitigate erosion and community exposure to asbestos fragments and comply with the Shires adopted Asbestos Management Plan;
6. That the Council consider assigning $850,000 in a future year of the LTFP for the hard sealing of the Shire Depot to mitigate ongoing exposure to asbestos cement material and address the risk to staff working at the site as per the Asbestos Management Plan;
7. That Council consider assigning $15,000 in the 2029/30 in the LTFP for a post closure management plan for R24100 Gray Road, Boyanup;
8. That Council consider assigning $100,000 in 2028/29 for a Detailed Site Investigation in the LTFP for R31012 Harewoods Road, Dalyellup to determine future rehabilitation needs; and

9. That Council endorses the updated risk profile for Shire controlled contaminated sites incorporating a summary of indicative costing and scheduling of future proposed investigations and management works in the attachment to this agenda report.

BACKGROUND / PROPOSAL

Background

The third Regulation 17 Audit conducted in September 2018, noted that the current lack of procedures and systems to identify and manage contaminated sites on Shire controlled land posed a risk to Council. This report follows Councils decision made on 26 June 2019 as follows;

<table>
<thead>
<tr>
<th>Site</th>
<th>Risk Profile</th>
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<tbody>
<tr>
<td>R15634 and R51545, Goodwood Road, Capel – Capel recreation Ground</td>
<td>Low</td>
</tr>
<tr>
<td>Parcel 22757 – Fennell Road</td>
<td>Mod</td>
</tr>
<tr>
<td>DOLA Pin 513117 – Range Road – Unmade road reserve</td>
<td>Low</td>
</tr>
<tr>
<td>Parcel 33196 – Anderson Road</td>
<td>Low</td>
</tr>
<tr>
<td>R27193 and R27194 Knott Road, Boyanup – Boyanup Sale Yards</td>
<td>Low</td>
</tr>
<tr>
<td>R21929 Weld Road, Capel (Cnr East Road)</td>
<td>Mod</td>
</tr>
<tr>
<td>R14054 Prowse Road, Capel – Shire Depot</td>
<td>Mod</td>
</tr>
<tr>
<td>R24100 Gray Road, Boyanup – Old tip site</td>
<td>Mod</td>
</tr>
<tr>
<td>R24529 Range Road, Capel – Waste Transfer Station</td>
<td>Low</td>
</tr>
<tr>
<td>R31012 Harewoods Road, Dalyellup – Old tip site</td>
<td>Mod</td>
</tr>
</tbody>
</table>

Carried 9/0

Proposal

This report recommends the adoption of a reviewed risk profile for Shire controlled contaminated sites and provides indicative costing’s for the proposed activities associated with investigating and mitigating risks, for Councils consideration of budget allocations for inclusion in future Long Term Financial Plans. Any changes are provided to reflect any changing circumstances in relation to assessing the criteria for the risk level over time.

STATUTORY ENVIRONMENT

Local Government Act 1995

2.7 Role of council

(1) The council –
   (a) governs the local government’s affairs; and
   (b) is responsible for the performance of the local government’s functions

(2) Without limiting subsection (1), the council is to –
   (a) oversee the allocation of the local government’s finances and resources; and
   (b) determine the local government’s policies.
Section 2 of the Local Government Act 1995 describes the establishment and function of committees of Council.

17. CEO to review certain systems and procedures
(1) The CEO is to review the appropriateness and effectiveness of a local government’s systems and procedures in relation to —
   (a) risk management; and
   (b) internal control; and
   (c) legislative compliance.
(2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.
(3) The CEO is to report to the audit committee the results of that review.

Contaminated Sites Act 2003

The Contaminated Sites Act provides for the identification, recording, management and remediation of contaminated sites, and to amend certain other Acts and for related purposes.

8. Object and principles of Act

The object of this Act is to protect human health, the environment and environmental values by providing for the identification, recording, management and remediation of contaminated sites in the State...

The Act also provides:

Part 2 Reporting, classifying and recording sites;
Part 3 Remediation of contaminated sites;
Part 4 Investigation, clean up and hazard abatement notices;
Part 5 Provisions relating to remediation and notices;
Part 6 Certificates of contamination audit, exemption certificates and disclosure statements;
Part 7 Contaminated sites auditors;
Part 8 Appeals;
Part 9 Enforcement; and
Part 10 General provisions, including delegation, interactions with the Environmental Protection Act, and establishment of Regulations (s98).

Contaminated Sites Regulations 2006

The Contaminated Sites Regulations extend provisions of the Act including reporting provisions and the establishment of the Contaminated Sites Committee.

POLICY IMPLICATIONS

The following Council policies apply:

Policy 2.25 – Climate Change Adaptation and Sustainability;
Policy 2.28 – Risk Management Framework;
Policy 2.33 – Asset Management;
Policy 2.35 – Legislative Compliance; and
Policy 5.9 – Public Health Plan Priorities.

RISK IMPLICATIONS

The Review of the Risk Management, Legislative Compliance and Internal Controls (Moore Stephens, October 2018) conducted to meet the requirements of Regulation 17 identifies contaminated sites on Shire controlled land as a potential corporate risk that needs to be determined. The extent of contamination and associated risk is not clearly understood and there
are a number of studies, plans and management strategies that need to be undertaken to better quantify the scale of these risks.

The Shire of Capel 2017/18 Financial Report has identified thirteen contaminated sites that are noted as Contingent Liabilities. At this time, these are required to be reported as liabilities for the future, but it is conceivable that the financial cost of these will need to be reported as future liabilities.

The recommendation of this report is for the Committee to recommend to the Council the adoption of a reviewed risk profile for Shire managed contaminated sites combined with indicative costing’s and scheduling for future investigations and mitigation activities, for consideration in future Long Term Financial Plans.

Council Policy 2.28 – Risk Management Framework, specifies four risk levels (low, moderate, high and extreme) and describes the criteria that define them. The risk level of each site is documented against the criteria from Policy 2.28 based on some suggested assessment criteria from the Department of Water and Environmental Regulation’s Identification, reporting and classification of contaminated sites in Western Australia - Contaminated Sites Guidelines (June 2017).

**FINANCIAL IMPLICATIONS**

**Budget**

There are no implications to the 2019/2020 Budget.

**Long Term**

There are potentially significant financial implications to the adoption of a risk profile for identified contaminated sites. An estimate of possible costs to commence site investigations and mitigation activities has not been prepared. Each investigation and mitigation activity can identify further tasks required to address the contamination and further work is required.

Longer term, upgrading the proposed use of any site can also generate future costs to mitigate risk to human health. For example, converting the old Boyanup landfill site to an active public open space could require a significant investment to reduce risk to acceptable levels. In this regard, each site will need a management plan that specifies its intended use into the future.

**SUSTAINABILITY IMPLICATIONS**

This report is prepared to assess and comment on the sustainable management of contaminated sites into the future. Assigning a risk profile to each Shire managed contaminated site addresses environmental, economic and social sustainability concerns.

**Environmental:**
- Address environmental contamination risk;
- Recognise potential impact on ground water, soil and remnant vegetation; and
- Identify opportunity for rehabilitation.

**Economic:**
- Identify financial burden for rehabilitation;
- Consider ongoing management costs; and
- Acknowledge potential economic impacts on adjoining land.

**Social:**
- Address human health risk issues;
- Recognise opportunities for use of managed sites; and
- Reducing burden on future generations.
STRATEGIC IMPLICATIONS

Shire of Capel Strategic Community Plan 2018 – 2028

The Leadership Experience: ‘Open, transparent and effective good governance.’

Community Objectives:
1.2 Respond to key challenges, global factors and local impacts together.
1.6 Council is effective and efficient in the financial management stewardship of community assets.

The Community Experience: ‘Facilities and services that accommodate the diverse needs of the community and providing a safe place to live, work and visit.’

Community Objectives:
2.1 Council works in partnership with the community in providing appropriate services and facilities.
2.4 Community safety is recognised as paramount.

The Environmental Experience: ‘Preserve and enhance the natural and built environment.’

Community Objectives:
4.1 The Shire of Capel becomes known as a clean and green place to live and do business.
4.2 Our unique bush, forests, rivers and beaches are valued and protected to preserve the natural environment.
4.3 As a community we come together to respond to environmental challenges and risks.
4.4 Council provides leadership and a responsive plan to manage our drying climate and increasing storm and fire risk.

The Infrastructure Experience: ‘To ensure safe, sustainable and efficient infrastructure and transport networks.’

Community Objectives:
5.1 Urban development to be sustainably integrated to our unique natural environment, heritage and character.
5.2 As a community, we work to ensure our ongoing enjoyment of our quality of life.
5.3 Working together to meet the needs of changing infrastructure requirements.

CONSULTATION

Since Councils decision on 26 June 2019, Shire officers have completed a detailed site investigation at the Boyanup tip site and received quotes for investigation of the Shire Depot, Weld Road and Dalyellup tip sites.

Further consultation has occurred with relevant Shire Managers providing input into the preparation of this agenda paper on 16 January 2020.

COMMENT

The Shire of Capel maintains a register of Shire ‘owned’ contaminated sites, in accordance with good governance best practice. The purpose of the register to record the sites, DWER classification, ownership and any notes. The 2018 Regulation 17 audit has formally identified contaminated sites as a risk to the Council, and the 2017/18 Financial Report has included thirteen sites as contingent liabilities. This recent development has caused the Shire to review the status of Shire owned contaminated sites.

At the 27 February 2019 Committee Workshop, thirteen sites identified in the 2017/18 Financial Report were considered.
The register has recently been updated to reflect changes in status, including sites that no longer need to be included. The register now also includes provision for documentation of ‘risk’ and ‘status’ based on activities being undertaken to manage the sites. This will assist in developing a strategy to deal with contaminated sites in the future, including allocation of funds for investigations, studies, remediation activities and management plans.

Recommendation of the contaminated sites risk profile followed the following methodology:

1. Review of existing contaminated sites register;
2. Preparation of Committee workshop documentation;
3. Committee workshop (including request for risk assessment criteria);
4. Risk assessment;
5. Contaminated Sites Register update; and
6. Recommendation to Committee.

The following risk assessment methodology has been employed, considering Table 18 and Table 19 of the Department of Water and Environmental Regulation's *Identification, reporting and classification of contaminated sites in Western Australia - Contaminated Sites Guidelines* (June 2017). The scoring is ranked 0 to 3 to reflect the risk profiles (Low / Moderate / High / Extreme) tabled in Policy 2.28.

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Description</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>DWER Classification</strong></td>
<td>contaminated – remediation required</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>contaminated – restricted use</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>remediated for restricted use</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>possibly contaminated – investigation required; or suspected</td>
<td>0</td>
</tr>
<tr>
<td><strong>Sensitivity to human health</strong></td>
<td>Documented health risks present</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>Suspected health risks documented but not verified</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Possible health risks not quantified</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>No known or suspected health risks</td>
<td>0</td>
</tr>
<tr>
<td><strong>Sensitivity to ecological systems</strong></td>
<td>Documented ecological impacts present</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>Suspected ecological impacts but not verified</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Possible ecological impacts not quantified</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>No known or suspected ecological impacts</td>
<td>0</td>
</tr>
<tr>
<td><strong>Sensitivity to existing / proposed land uses</strong></td>
<td>Land use cannot be utilised due to contamination</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>Land use compromised by contamination</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Land use impact unknown</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Land use not affected</td>
<td>0</td>
</tr>
<tr>
<td><strong>Potential for migration off site</strong></td>
<td>Documented records of contamination mobility</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>Suspected contamination mobility but not verified</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Contamination mobility not quantified</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Contamination is fixed to site</td>
<td>0</td>
</tr>
<tr>
<td><strong>Level of community concern</strong></td>
<td>A broad representation of the community is highly concerned / interested</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>A broad representation of the community is somewhat concerned / interested or a group of the community is highly concerned / interested</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Community stakeholders are somewhat concerned / interested</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>The is little community concern / interest</td>
<td>0</td>
</tr>
<tr>
<td><strong>Confidence in data / information</strong></td>
<td>There is no or very little information on the site</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>Documentation meets statutory obligations only</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>The site has additional documentation contributing to mitigation management</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>The site has comprehensive management plans</td>
<td>0</td>
</tr>
<tr>
<td><strong>Mitigation management</strong></td>
<td>The site has no intervention treatments</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>The site is maintained to basic service levels</td>
<td>2</td>
</tr>
</tbody>
</table>
Based on this scoring system of eight assessment criteria, total score thresholds attract the following risk profile:

- 0 to 6 points – Low risk;
- 7 to 12 points – Moderate risk;
- 13 to 18 points – High risk; and
- 19 to 24 points – Extreme risk.

The following table summarises the risk profile of Shire ‘owned’ contaminated sites, based on a review conducted using the above assessment criteria analysis:

<table>
<thead>
<tr>
<th>Site</th>
<th>Risk Criteria</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>0</th>
<th>1</th>
<th>0</th>
<th>2</th>
<th>1</th>
<th>Risk Profile</th>
</tr>
</thead>
<tbody>
<tr>
<td>R15634 and R51545, Goodwood Road, Capel – Capel recreation Ground</td>
<td>0 1 0 0 1 1 1 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Low (5pts)</td>
</tr>
<tr>
<td>Parcel 22757 Fennell Road</td>
<td>1 2 1 3 1 0 2 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Mod (11pts)</td>
</tr>
<tr>
<td>Range Road – Unmade road reserve</td>
<td>0 1 0 0 1 0 2 3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Low (7pts)</td>
</tr>
<tr>
<td>Parcel 33196 – Anderson Road</td>
<td>1 1 1 0 1 0 2 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Low (7pts)</td>
</tr>
<tr>
<td>R27193 and R27194 Knott Road, Boyanup – Boyanup Sale Yards</td>
<td>0 1 1 0 1 0 2 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Low (6pts)</td>
</tr>
<tr>
<td>R21929 Weld Road, Capel (Cnr East Road)</td>
<td>1 1 1 2 1 1 3 2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Mod (12pts)</td>
</tr>
<tr>
<td>R14054 Prowse Road, Capel – Shire Depot</td>
<td>3 3 0 3 1 1 2 2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>High (15pts)</td>
</tr>
<tr>
<td>R24100 Gray Road, Boyanup – Old tip site</td>
<td>2 1 1 2 2 0 1 2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Mod (11pts)</td>
</tr>
<tr>
<td>R24529 Range Road, Capel - WTS</td>
<td>0 1 0 0 3 1 0 0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Low (5pts)</td>
</tr>
</tbody>
</table>
It is worthwhile checking the risk assessment scores against the risk appetite acceptance criteria, as described in Policy 2.28 – Risk Management Framework. This allows a reconciliation of the assessment analysis and existing management practices.

The table below provides an overview of the reviewed risk management arrangements for each Shire owned contaminated site.

<table>
<thead>
<tr>
<th>Site Description</th>
<th>Risk Profile</th>
<th>Management Arrangements</th>
</tr>
</thead>
<tbody>
<tr>
<td>R15634 and R51545, Goodwood Road, Capel – Capel Recreation Ground</td>
<td>Low</td>
<td>Site Management Plan is completed for operational procedures. SoC OHS procedures to be prepared. Construction Environmental Management Plan is completed and is to be used for any future capital works.</td>
</tr>
<tr>
<td>Parcel 22757 Fennell Road</td>
<td>Moderate</td>
<td>Iluka accepts responsibility for remediation and is working towards a remediation plan with the regulator. Council has agreed (OC0908) to approve the closure of Fennell Road for a period of 3 years from 28 September, 2017 to 28 September, 2020 for the purpose of remediation of the road reserve by Iluka Resources subject to conditions. A new report to Council will need to be considered in early 2020/21.</td>
</tr>
<tr>
<td>Range Road – Unmade road reserve</td>
<td>Low</td>
<td>Iluka accepts remediation responsibility. Access to the site is restricted by a controlled gate.</td>
</tr>
<tr>
<td>Parcel 33196 – Anderson Road</td>
<td>Low</td>
<td>Iluka accepts remediation responsibility. Normal road maintenance arrangements.</td>
</tr>
<tr>
<td>R27193 and R27194 Knott Road, Boyanup – Boyanup Sale Yards</td>
<td>Low</td>
<td>Lease renewed by Council in 2017 (OC0802) includes provision for contamination of the site to be remediated by the Lessee. Maintenance of the site is the responsibility of the Lessee.</td>
</tr>
<tr>
<td>R21929 Weld Road, Capel (Cnr East Road)</td>
<td>Moderate</td>
<td>Draft Reserve Management Plan has been prepared. Incremental improvements to site to be undertaken, including removal of asbestos, levelling, fence repairs and improved fire break access. Approved Dog Exercise Area. Possible rare flora exists.</td>
</tr>
<tr>
<td>R14054 Prowse Road, Capel – Shire Depot</td>
<td>High</td>
<td>Review of the site development for future residential purposes. Address asbestos risk and dust. Address proximity to adjoining dwellings. DWER has reclassified with high urgency to complete DSI by 2021.</td>
</tr>
<tr>
<td>R24100 Gray Road, Boyanup – Old tip site</td>
<td>Moderate</td>
<td>Post Closure Management Plan completed. Detailed Site Investigation completed. Ground water monitoring ongoing. Public access and inappropriate use, including dumping waste, remain a problem. Trigger for further investigation for adjacent subdivision imminent. Low costs associated with ongoing maintenance of illegal dumping and low level of use.</td>
</tr>
<tr>
<td>R24529 Range Road, Capel - WTS</td>
<td>Low</td>
<td>Managed as a licenced Waste Transfer Station with regular auditing. Ongoing environmental monitoring and regular reporting. Landfill Gas Risk Site Management Plan completed.</td>
</tr>
</tbody>
</table>
### VOTING REQUIREMENTS

Simple majority

### OFFICER’S RECOMMENDATION – 6.3

That the Committee recommend the following for Council adoption;

1. That the risk profile for R14054 Prowse Road, Capel – Shire Depot be upgraded from ‘moderate’ to ‘high’;
2. That the Council review the closed road status of Parcel 22757 – Fennel Road in early 2020/21;
3. That the Council consider assigning $120,000 in 2022/23 in the LTFP to undertake an investigation of R21929 Weld Road to determine future rehabilitation needs;
4. That Council consider assigning $60,000 in the 2020/21 budget to undertake an investigation of R14054 Prowse Road, Capel (Shire Depot) to determine future rehabilitation needs and in order to meet timeframe specified under ‘action required’ of the current classification within the DWER correspondence to the Shire;
5. That Council consider assigning $150,000 in 2021/22 in the LTFP for drainage works at the Shire Depot to mitigate erosion and community exposure to asbestos fragments and comply with the Shires adopted Asbestos Management Plan;
6. That the Council consider assigning $850,000 in a future year of the LTFP for the surface treatment of the Shire Depot to mitigate ongoing exposure to asbestos cement material and address the risk to staff working at the site as per the Asbestos Management Plan;
7. That Council consider assigning $15,000 in the 2029/30 in the LTFP for a post closure management plan for R24100 Gray Road, Boyanup;
8. That Council consider assigning $100,000 in 2028/29 for a Detailed Site Investigation in the LTFP for R31012 Harewoods Road, Dalyellup to determine future rehabilitation needs; and
9. That Council endorses the updated risk profile for Shire controlled contaminated sites incorporating a summary of indicative costing and scheduling of future proposed investigations and management works in the attachment to this agenda report.
The recommendation was Moved Cr Kitchen, Seconded Cr Noonan

**CC04/2020 COMMITTEE DECISION – 6.3**

That the Committee recommend the following for Council adoption;

1. That the risk profile for R14054 Prowse Road, Capel – Shire Depot be upgraded from ‘moderate’ to ‘high’;
2. That the Council review the closed road status of Parcel 22757 – Fennel Road in early 2020/21;
3. That the Council consider assigning $120,000 in 2022/23 in the LTFP to undertake an investigation of R21929 Weld Road to determine future rehabilitation needs;
4. That Council consider assigning $60,000 in the 2020/21 budget to undertake an investigation of R14054 Prowse Road, Capel (Shire Depot) to determine future rehabilitation needs and in order to meet timeframe specified under ‘action required’ of the current classification within the DWER correspondence to the Shire;
5. That Council consider assigning $150,000 in 2021/22 in the LTFP for drainage works at the Shire Depot to mitigate erosion and community exposure to asbestos fragments and comply with the Shire’s adopted Asbestos Management Plan;
6. That the Council consider assigning $850,000 in a future year of the LTFP for the surface treatment of the Shire Depot to mitigate ongoing exposure to asbestos cement material and address the risk to staff working at the site as per the Asbestos Management Plan;
7. That Council consider assigning $15,000 in the 2029/30 in the LTFP for a post closure management plan for R24100 Gray Road, Boyanup;
8. That Council consider assigning $100,000 in 2028/29 for a Detailed Site Investigation in the LTFP for R31012 Harewoods Road, Dalyellup to determine future rehabilitation needs; and
9. That Council endorses the updated risk profile for Shire controlled contaminated sites incorporating a summary of indicative costing and scheduling of future proposed investigations and management works in the attachment to this agenda report.

Carried 3/0

Location: Dalyellup
Applicant: Shire of Capel
File Reference: RC.PE.1
Disclosure of Interest: Nil
Date: 10.02.2020
Author: Waste and Sustainability Officer, J Kain
Senior Officer: Director Infrastructure and Development, J Gick
Attachments: Discussion Paper

IN BRIEF

A discussion paper titled “Water security for Dalyellup Public Open Spaces” was prepared to provide background on the Shire of Capel’s ability to provide water security for POS.

RECOMMENDATION

That the Committee note the “Water Security for Dalyellup Public Open Space” discussion paper.

STATUTORY ENVIRONMENT

Local Government Act 1995
Part 3 Functions of local governments
Division 3 Executive functions of local governments
  s. 3.54 Reserves under control of local government
  s. 5.56 Planning for the future
Water Service Act 2012

POLICY IMPLICATIONS

The following Council policies are applicable:

- Policy 2.25 – Climate Change Adaptation and Sustainability; and
- Policy 2.28 – Risk Management Framework.
- Policy 2.33 – Asset Management

RISK IMPLICATIONS

Change creates risks for systems that are created to operate in an unchanging environment. The following risks to POS maintenance result from the following anticipated changing conditions.

A predicted reduction in rainfall and consequent aquifer recharge will result in changes to the amount of water available from the superficial aquifer. The present scenario is low risk. The worse case prediction sees a reduction in aquifer recharge of 15% by 2040. This risk will increase as more POS is added to the current irrigation system in Dalyellup.

Predicted increases in sea levels, lack of aquifer recharge and overuse can potentially make the aquifer saline. Presently this would be considered low risk as available data shows low salinity on coastal plain. To be more comfortable with this designated risk level data needs to be more current. It could be anticipated that there is higher risk for future POS.

There is a risk associated with failure to take into account that water availability in the superficial aquifer is reducing, as a result of climate change and population increases, when planning irrigation for future POS. This is considered a medium risk and future planned POS needs to give high priority to water security.
The risk that the Water Corporation doesn’t renew extraction licences in 2023 is a low risk as Water Corporation have stated licences will continue as long as there is a need. However this is not a perpetual entitlement, and further investigations with Water Corporation need to be instigated prior to the scheduled end of the current licences.

The risk that current irrigation infrastructure may fail such that water supply becomes interrupted is a high risk, as irrigation infrastructure is over 20 years old and is currently requiring and undergoing repairs and renewal.

The risk that the expense of recycled water is prohibitive and the resulting water has negative environmental impacts is considered a low risk as reuse water is not presently available.

**FINANCIAL IMPLICATIONS**

**Budget**

Of the Recommendations made in the discussion paper the following are likely to have Budgetary implications.

- Possibly Reducing Areas to be irrigated;
- Monitoring Salinity and other water quality indicators in irrigation lakes and turf areas; and
- Optimising the efficiency and effectiveness of irrigation systems.

**Long Term**

Asset renewal of the irrigation system supplying current POS in Dalyellup will be necessary, but cost’s for this are not yet available. If treated water becomes a viable option there will likely be a cost to the supply of this service.

**SUSTAINABILITY IMPLICATIONS**

Changes in water availability due to climate change and population increase need to be taken into account to make future development of POS sustainable, and may have financial impacts on providing irrigation to existing POS.

**STRATEGIC IMPLICATIONS**

Strategic Community Plan 2018 - 2018

The Leadership Experience, ‘Open, transparent, and effective good governance.’

Community Objectives:
1.2 Respond to key challenges, global factors and local impacts together.
1.5 Council keeps in regular communication with residents, workers and stakeholders.
1.6 Council is effective and efficient in the financial management stewardship of community assets.

People, the community experience: Aspiration: Facilities and services that accommodate the diverse needs of the community and provide a safe place to live, work and visit.

Community Objective:
2.1 Council works in partnership with the community in providing appropriate services and facilities.
2.3 The special characteristics of the Town Centres are fostered.
The Economic Experience, ‘Responsible and progressive local economic development.’

Community Objective:
3.3 Each town centre and it’s facilities meet the needs of residents and visitors and are presented to a welcoming standard.

The Environmental Experience, ‘Preserve and enhance the natural and built environment.’

Community Objectives:
4.1 The Shire of Capel becomes known as a clean and green place to live and do business.
4.2 Our unique bush, forests, rivers and beaches are valued and protected to preserve the natural environment.
4.3 As a community we come together to respond to environmental challenges and risks.
4.4 Council provides leadership and a responsive plan to manage our drying climate and increasing storm and fire risk.

The Infrastructure Experience, ‘To ensure safe, sustainable and efficient infrastructure and transport networks.’

Community Objective:
5.1 Urban development to be sustainably integrated to our unique natural environment, heritage and character.
5.2 As a community, we work to ensure our ongoing enjoyment of our quality of life.
5.3 Working together to meet the needs of changing infrastructure requirements.

CONSULTATION

In the preparation of the discussion paper Shire of Capel officers and external sources have been consulted.

Internally consultation has been with the Director Infrastructure and Development, Manager Operations, Natural Resource Management Officer, Senior Planning Officer - Strategic, Supervisor Parks, Engineering- Administration Officer and the Principal Environmental Health Officer.

Externally consultation took place with the Water Corporation regarding water licencing renewal in Dalyellup and Aqwest regarding the potential for reuse water availability. Consultation with the contractor for irrigation services in Dalyellup regarding how water is supplied and how the irrigation system is maintained, also occurred.

COMMENT

The Discussion paper outlines anticipated changes in water availability that need to be considered to ensure that longer term water security concerns are taken into account in the future development of and current provision of POS. By using available reference material from reliable data based sources including the CSIRO, the Bureau of Meteorology and the Department of Water and Environmental Regulation, the discussion paper provides an insight into what future water availability may look like, and what options are available to the Shire of Capel to ensure that this resource is managed sustainably.

VOTING REQUIREMENTS

Simple majority

OFFICER’S RECOMMENDATION – 6.4

That the Committee note the “Water Security for Dalyellup Public Open Space” discussion paper.
The recommendation was Moved Cr Kitchen, Seconded Cr Noonan

**CC05/20 – COMMITTEE DECISION**

That the Committee note the “Water Security for Dalyellup Public Open Space” discussion paper.

Carried 3/0

7 GENERAL BUSINESS

7.1 Cr Clews be nominated as a member of the Climate Change Adaptation and Sustainability Committee in accordance with the recommendation of item 6.1.

Moved Cr Mogg, Seconded Cr Cr Kitchen

**CC06/2020 – COMMITTEE DECISION**

Cr Clews be nominated as a member of the Climate Change Adaptation and Sustainability Committee in accordance with the recommendation of item 6.1.

Carried 3/0

7.2 That the Council Decision 219/2019 at the Ordinary Council Meeting of the 18 December 2019 - Gelorup Basalt raw material resource be technically reviewed and a report made to the next Climate Change Adaptation and Sustainability Committee meeting.

Moved, Cr Noonan, Seconded Cr Mogg

**CC07/2020 – COMMITTEE DECISION**

That the Council Decision 219/2019 at the Ordinary Council Meeting of the 18 December 2019 - Gelorup Basalt raw material resource be technically reviewed and a report made to the next Climate Change Adaptation and Sustainability Committee meeting.

Carried 3/0

8 NEXT MEETING

The next meeting of the Climate Change Adaptation and Sustainability Committee is to be determined for a time between September – December 2020.

9 CLOSURE

There being no further business, the meeting was declared closed at 3.10pm.
These Minutes were confirmed at the Climate Change Adaptation and Sustainability Committee meeting on ________________.

Signed:

Presiding Person at the meeting at which time the minutes were confirmed.

Date: