



# **Tims Thicket Septage Disposal Site Upgrade Amendment Proposal**

**Submission by Bouvard Coastcare Group Apr 2019**



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## **Introduction**

The Bouvard Coastcare Group (BCCG) is very grateful for the opportunity provided by DWER to comment on the City of Mandurah (COM) submission of Section 43A of Feb 2019.

The purpose of this document is to provide BCCG the opportunity to address some of the misinformation supplied in the current Talis proposal amendment document dated Feb 2019 as submitted to EPA/DWER prior to 20 Mar 2019. This includes documents referred to, in that amendment proposal. It will address a number of aspects included in the amendment proposal itself and relevant further relevant site information discovered since 2017 by BCCG including:

1. Failures by COM, to abide by its agreements with BCCG
2. Misinformation supplied in the supporting document and referred documents.
3. Changes to Ministerial Statement 375
4. Aspects of the proposal now requiring EPBC Act notification.
5. Interference by COM with the DWER mandated groundwater investigation.
6. Evident damage to vegetation affecting endangered fauna now observed in Yalgorup National Park and the “weed pit” wetland, both adjacent the septage site.
7. Issues with the revised application proposal

The contents of submissions made in Appendix B contain in part information protected by the Privacy Act, and **are confidential**, and remain the property of Bouvard Coastcare Group, and may not to be transmitted, reproduced or copied without prior written permission of BCCG. They are intended for submission in support of this document to the DWER and EPA of Western Australia only, and must not to be communicated to any third party.

## **1. Failures by COM, to abide by its agreements with BCCG**

In Sep and Dec 2017, members of Bouvard Coastcare Group (BCCG) met with senior officers and the Mayor of the City of Mandurah (COM) to work through the differences of view over the Tims Thicket Septage proposal as then proposed. At the conclusion of that meeting there were agreed actions placing onus on both parties which are contained as a table in the minutes of that meeting, (attached as Appendix A), such as maintaining open communication, publishing relevant groundwater quality data on the city website, involving BCCG in the submission of the amended proposal, consulting BCCG on the amended proposal prior to submission.

As of the 30 Mar **2019** the COM has **failed to deliver on a single obligation**. BCCG had completed its obligations by Mar **2018**. Only as a result of an email from the DWER on **28 Mar 2019**, BCCG became aware of a proposal amendment submitted by COM to the EPA for the Tims Thicket Septage proposal prior to 20 Mar 2019.

- COM failed to discuss the proposal with BCCG prior to its submission as agreed.
- COM failed to put the proposal through Mandurah Environmental Advisory Group (MEAG)
- COM failed to provide water monitor reporting as agreed
- COM failed to send replies from TALIS regarding the 32 errors and omissions on the initial application of March 2017 as agreed
- COM added a green waste transfer station which it stated was going to be a separate application
- COM failed to request any community consultation on the green waste transfer station
- COM failed to include any detail on the green waste transfer station or to include any fire hazard mitigation as agreed

On Monday 1 Apr 2019, BCCG met with the Mayor of Mandurah, in his chambers, who offered his apologies on that outcome. He immediately met some of the aforementioned agreed obligations of the COM by providing recreational water quality testing data from **2018**, and groundwater bore (**MB1-9 only**) testing results for **2018**. **The Mayor and Councilors were unaware of the COM submission.**

**While BCCG members are disappointed not to have been notified regarding this submission, they are not surprised. What is surprising, and concerning, is that a directive from the Mayor of Mandurah has been so blatantly ignored.** Of further concern is that bipartisan written agreement of actions can be unilaterally ignored in as little as 14 months by COM officers. **That does not portend well for future legislated directives issued by the Regulating Authorities.**

**This situation and the information contained in this BCCG submission points to the COM Waste Department, under the directorship of Mr Alan Claydon, as having its own agenda.**

Being provided with the 90 page technical Talis report of 2015 the day before this submission by BCCG is due, means that only a partial rebuttal is possible. However it is noted that the language chosen in the report is intended to minimize any discredit on the proponent. The term “exceedances” is used to describe data readings that breach “trigger values”. These semantics are intended to minimize harm caused by COM inactions.

When a proponent is required to “monitor groundwater quality”, the civil expectation is that there is some data reading level where action is required on behalf of the monitor, else why bother? The term “trigger value” denotes



“some action”. Apparently in COM waste department that action is non existent as the Director states in Sep **2017** “no breaches have occurred” preferring the euphemism “exceedances” despite the report of **2015** by Talis.

Previously the COM have claimed there are no standards that apply to septage wastewater. That was **not** true even in **1996** when this facility first opened, having had standards published in **1992** (ISO 5667-10:1992) and of course always working to improve these conditions, we have additional standards published in **1998** (AS/NZS 5667.10:1998) **and 2000** National Water Quality Management Strategy No. 7 AUSTRALIAN GUIDELINES FOR WATER QUALITY MONITORING AND REPORTING October 2000 as examples. These early standards are refined as information and science improved and have been replaced now, but unless ANY standards are actually used the point is moot. As late as Sep 2017 the proponent was still requesting notifications of standards apparently having none of their own despite Talis using standards published in 2015. The consultant prior to 2015 advised council in their briefing report standards which they used, despite these standards being inappropriate for septage wastewater and ruled out for that purpose in the WQPN 22 standard document scope.

## 2. Misinformation supplied in the supporting document and referred documents

The current Section 43a amendment application supporting document is breathtaking in its ability to doublespeak, and borders on a deliberate intent to mislead government authorities.

- This application seeks to minimise the actions by COM in pursuance of an objective that has been resoundingly rejected by a large number of Mandurah residents (see Appendix B).
- This application amendment is a further attempt to coverup the incompetent COM management of this facility, and its inability to conform to the basic Ministerial requirements of its founding vestiture.
- In pursuance of this septage upgrade objective, COM Officers and the Consultant have provided factually incorrect information to the Councilors and the Mayor. ([See COM-Mins-21-Jul-15-TTPresentation.pdf presentation here](#)) relating to location of adjacent bores, and applicable Water Quality standards.
- BCCG notes at this point, that none of the application documentation provided to the EPA/DWER has been signed by any executive officer of the City of Mandurah preventing future legal action to be initiated should it be appropriate to do so.

### Specific examples of misinformation in Section 43A

The COM officers *modus operandi*, has been to deny, divert, obfuscate, and then seek forgiveness not permission from regulating authorities, for example.

*The City currently holds DWER Licence L6860/1995/11 for 'Category 63 - Class I inert landfill' and a Category 13 (crushing of building material). In 2016, the City submitted documentation to the DWER to amend the Licence to also include 'Category 61 - liquid waste facility' to this licence. A referral of the project to the Environmental Protection Authority (EPA) pursuant to Section 38 of the Environmental Protection Act 1986 (EP Act) for environmental impact assessment (EIA) was also made in March 2017.*

(TE18105\_Tims\_Thicket\_S43A\_supportingdoc.1c February 2019 | Page ii)

- No mention is made in this above paragraph of the loss of the class61 licence due to the licensees "past and ongoing breach of its class61 licence conditions" (Marko Pasolich, DWER).
- No mention is made of the COM lack of class13 licence while it stockpiled material for crushing for 7 years in breach of its class63 license.
- No mention of the fact that it then operated a crushing plant without appropriate licence, before receiving its Class13.

This above introduction is not dissimilar to the previously supplied misinformation used in a Talis document of 2015 quoted in the amended application documents:

*The Site has been operating as a Class I (inert) landfill (Category 63) and a liquid waste facility (Category 61) since 1995. The integrity of the liner system within the liquid waste treatment ponds had been compromised in recent years, which has resulted in leaching of the liquid waste into groundwater which has resulted in elevated concentrations of nutrients being detected during recent groundwater monitoring events.*

*As a result, Transpacific Industries (TPI) (the Site operator) decided on 1 November 2014 to cease the acceptance of liquid waste at the Site. The Department of Environment Regulation (DER) subsequently decided to remove Category 61 from the Operating Licence for the Site until the issues are rectified and*

appropriate investigations are undertaken. An amendment to the Operating Licence was issued by the DER on 4 June 2015 (Licence Number L6860/1995/11, DER 2015).

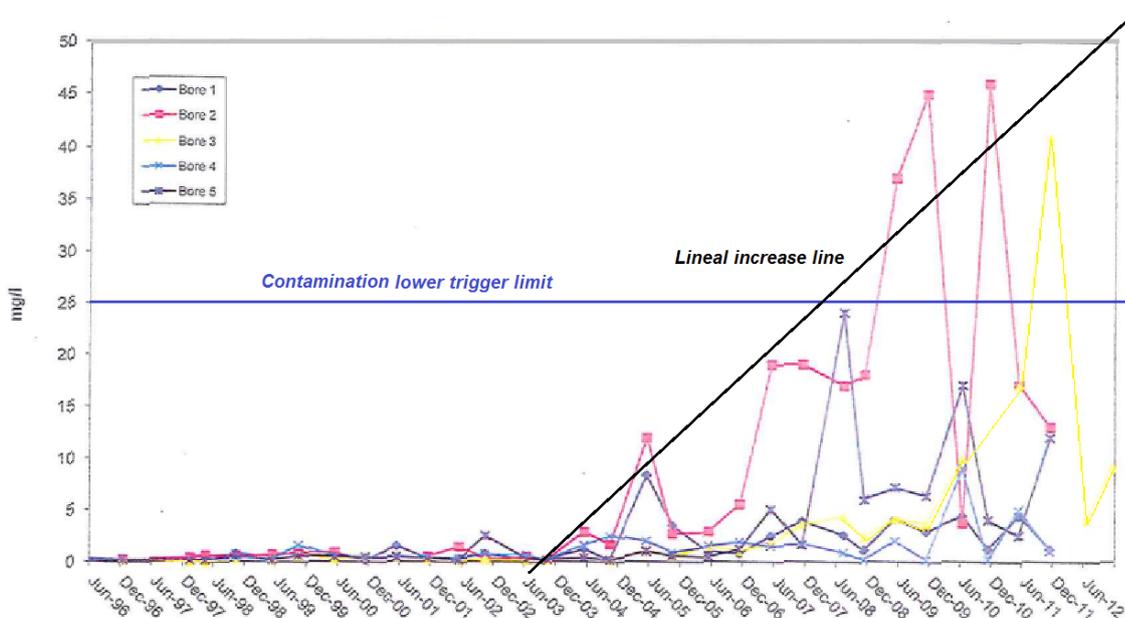
As per the amended Licence, the DER requires the “Licensee to investigate the potential extent of pond leakages that have occurred and the nature and extent of any contamination which has resulted from those leaks” (DER, 2015).

The City requested a phased approach to groundwater investigations and as such, Talis was engaged by the City to undertake a desktop review of historical groundwater data in addition to conducting one round of groundwater sampling of all existing groundwater wells located at the Site to determine the risk to both the environment and human health.

(TE15028\_Tims\_Thicket\_Groundwater\_Investigation.1c October 2015 | Page 1)

- The damage was done to the liners **not** in recent years, but in approximately **2002** at the time of initial desludging - Annotated graph below taken from Annual Monitoring Report 2012 – see full report [here](#).

**Septage Monitoring Bores - Total Kjeldahl Nitrogen**



- The site continued to operate despite the obvious indications provided by monitoring bores as the above graph shows.
- Talis claims, the operator Trans Pacific Industries, (TPI) “As a result” made a decision to cease operations in Nov 2014. In fact, they **were forced** to cease operations because they **had reached their licence volume limit** for the year, and could not get an approval for extension of the volumes as DWER had earlier commenced an investigation into the septage facility in **Jun 2014** and the operator (TPI) was already on notice of imminent licence cancellation.
- The COM’s approach during all this time was to ignore all water quality monitoring, deny any responsibility to the process, brush off public questions, and seek to cover up all actions. See COM council minutes of that period. (<https://www.bouvardcoastcare.org.au/wp/wp-content/uploads/2017/09/GI-minutes-may-2014.pdf> and Council-Meeting-Agenda-July-28 2015 - Part-2) The COM approach to the recommended **appropriate**

investigations took on a **minimalist** approach as evidenced by “the phased approach” and “one round of groundwater sampling”.

Again, in **2017**, the attention of both Talis and the COM was directed to MS375 by the citizens of Mandurah. The second sentence below is more obscure, what is being suggested by the “footprint for a wider suite of operations”?

*Talis was made aware that there is an active Ministerial Statement that covers the operations (MS375) which includes provision for a septage disposal site. **This Statement also incorporates a footprint for a wider suite of operations and includes a number of proponents.***

(TE18105\_Tims\_Thicket\_S43A\_supportingdoc.1c February 2019 | Page ii)

- The COM operations were strictly limited by the Ministerial Statement 375 to “mining limestone, inert disposal backfill, and a septage facility” **and nothing more!**
- The class 13 crushing licence became necessary to dispose of accumulated inert waste material which was supposed to be buried in accordance with its class63 licence conditions.
- From 1994 to this date – the COM **has not conformed** with the Ministerial Statement 375 requirement to vest reserves in the land swap for “passive recreation” in accordance with **the COM** commitment proposal which they are obliged by MS375 to implement.

The COM initially failed to complete their responsibilities in relation to conforming with timelines for management plans for the reserves. That inaction by the COM has largely determined some of the outcomes here, particularly in relation to the knowledge of registered wetlands. Any modicum of investigation of the area with respect to its future management would have identified the relevant wetlands as they are **visible on all air photos**.



**Photo 1.** Wetlands and Damplands locations within 500m but not identified in COM septage proposal.

- The proponent has operated on the view that if it does not see, it does not exist. After BCCG intervention, the COM has now acknowledged the largest wetland in the locality but not addressed those wetlands **that lie within 200m to the septage site**, i.e. across the road in Yalgorup Park itself.
- Ignoring the wetlands does not make them go away. They still get used by local fauna and flora. **The genesis or “registration”** of the wetlands is equally unimportant to the flora and fauna that use them.

**This deliberate blindness is nowhere more evident than the denial of contradictory facts contained in the COM’s OWN reports. Despite what this current proposal amendment asserts, the COM was aware of fecal contamination which exceeded recreational use limits, on the beaches immediately west and north west of the septage plant in 2014.**

- This information was published in the **COM’s own report** [“Recreational Water Monitoring Program Health Services Report | 2010 – 2014”](#). The City’s immediate response was to **cancel sampling at those two beach sites in 2014**.
- This deliberate omission has been reported before to the proponents and consultants, yet **after 5 years** one must conclude this knowledge has still not managed to penetrate the minds of this amendment proposals authors, or that the following statement therefore is **deliberately misleading**.

#### 3.2.1.2 Consultation

*Given that the site has been **operating since 1995 with no known incidents or detrimental impacts to marine environmental quality in the surrounding area** and that the Project will likely result in substantial improvements to the operations on the site, **no additional environmental impacts or unacceptable risks to marine environmental quality were determined to exist**.*

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However, this is **not a singular instance** in the amendment proposal, and the misleading effect is permeated through the amendment document:

#### 3.3.1.2 Consultation

*The Site has been operating in some capacity since 1995, primarily through regulation under Part V of the EP Act. **In that time, no significant complaints have been made from the surrounding land users.***

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#### 3.3.1.3 Receiving Environment

*As detailed above, the City operated the liquid waste facility for ~21 years with **no significant complaints received from the surrounding households**.*

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#### 3.3.1.5 Mitigation

*As detailed above, **to date the Site has not received any significant complaints since it began operating in 1995**, this is likely due to the isolated nature of the facility.*

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- All of the above excerpts from the amendment document are **misleading** because there have been multiple complaints from multiple residents over multiple issues over the years, (Mr R Glasson, Mr D Keane, Mr P Becker, Mr M Greene, Mr B Posetti, as examples previously cited (COM minutes G&I GI2/9/14 Mr D Keane )
- The fact that the Officers have “**responded**” to the residents’ questions does not mean that the residents’ questions have been adequately answered or addressed. ( <https://www.bouvardcoastcare.org.au/wp/wp-content/uploads/2017/09/GI-minutes-may-2014.pdf>, page 6 ,Q16 + Q17 as examples)
- **For an estimation of residents’ feelings**, and to prove that the complaints are not the banter of one person as claimed by the proponent in “City of Mandurah Response to Public Comment 9 and 10, (See City of Mandurah Response to OEPA’s Notice Requiring Further Information May 2017) **See Appendix B.**
- The extent of these complaints was communicated to COM in **Dec 2017** and then presumably to Talis by COM. See Appendix A.

The other method used by the proponent is that of omission. In dealing with toxicity assessment the only comparative environment receptor that is used is the marine environment. Nothing is done to compare vegetation or ecosystems. See section below

#### 6.6 Toxicity Assessment

*Based on the results of the investigation, sulphate at one location only (MB7) and chloride at all locations with the exception of MB2 and MB4 were reported at concentrations that exceeded DER 2014 NPUG assessment criteria. These elevated concentrations are considered to relate to the saline nature of the area. Further to this, no known health impacts have been recorded from excessive contact in the nonpotable setting from these analytes.*

*The metals, copper and zinc, were reported above DER 2014 Fresh Waters and DER 2014 Marine Waters guidelines **and are toxic to flora and fauna in excessive quantities.** The elevated levels of metals are considered to relate to the naturally crystalline geology in the area and it is likely that any receiving environment will have the ability to buffer out the marginally elevated concentrations.*

Through their investigation of 2014, Talis 2015, have stated “Concentrations of copper and zinc at all groundwater well locations with the exception of MB3 (zinc) **exceeded both DER 2014 Marine Waters** (0.0013 mg/L for copper and 0.015 mg/L for zinc) **and Fresh Waters** (0.0014 mg/L for copper and 0.008 mg/L for zinc).” They then concluded “Elevated concentrations of copper and zinc identified all well locations **were considered to be associated with naturally high occurring** concentrations in the area” **without any substantiation or evidence** of what those levels or process reactions are. It is also known that available zinc is limited in soils of increasing carbonate levels. This may be better expressed by Małeckı *et al*( 2016):

*Zinc and copper are elements that accurately document the effects of industrial and municipal pollution. Their widespread occurrence in groundwater and diverse mobility in the environment make these metals sensitive indicators of freshwater pollution. **Therefore, the identification of processes and reactions determining the variability of Cu and Zn concentrations in the zone of shallow groundwater circulation is extremely important** in assessing the condition of the environment and in forecasting its transformation (Appelo and Postma 1999; Fetter 1999).*

(Małeckı, J.J., Kadzikiewicz-Schoeneich, M. & Szostakiewicz-Hołownia, M. Environ Earth Sci (2016) 75: 24.  
<https://doi.org/10.1007/s12665-015-4789-5>)

### 3. Changes to Ministerial Statement 375

The COM has indicated that it requires changes to the Ministerial Statement 375 which is the Ministers determination of the original land swap agreement which itself was the result of a Consultative Environmental Review.

#### *Changes to MS375*

The City considers the changes that are required to **MS375 should include:**

☐ **A revision of the development envelope;** and ☐ **A restructuring of MS375** to rationalise the proponents (MS375 is currently held in the names of the Department of Conservation and Land Management, the Water Authority of Western Australia and the City of Mandurah).

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#### 3.3.2 Other factors

The addition of the **Evaporation Pond will require some land clearing.**

The original assessment by HGM (1994) allowed for an area of 3 ha for the septage disposal facility **and the area required will not be greater than 3 ha.**

(TE18105\_Tims\_Thicket\_S43A\_supportingdoc.1c February 2019 | Page 17)

- The fact that this Statement was the culmination of a protracted consultation between two government agencies, a local government authority, and the public, should require a renegotiation of terms **on that same consultative basis**. In particular it should be allowed to address the expansive role Mandurah City has obtained with a vesting for “Municipal Facility” over these reserves as per the current management orders. This was not permitted under MS375.
- Having a “Municipal Depot” is not conducive with the requirement for sympathetic national park management, and is unnecessary considering the council already has a southern depot at Caddadup reserve just south of the Dawesville channel, some 5km north of this site.
- It is noted that the current management order dated Dec 2016 contains the term “Municipal Depot” – **What process allowed this variation from the proponent commitments of the CER and did those process legally conform to the imposed change obligations contained in Section 7.1 of MS375?**
- It has to be asked at this point whether any past approvals sought for such a licence were submitted in accordance with the MS375 which mandates that approving authorities are to be provided with a copy of the MS375 **at the time of any application**.
- The COM should be compelled to meet its original obligation with respect **to limiting reserve vesting** as per the Ministerial Statement 375 objectives, which compel management of the surrounding reserves to be **complementary** to the management of the Yalgorup National Park. BCCG has previously written to the CEO of COM on this matter in Dec 2017, but to this date have received no reply. ( See Appendix D)
- **As there is no longer a requirement for the vetiver grass outflow on reserve 24198, there is no longer a requirement for a development envelope change.** The proponent themselves admit above that the proposed infrastructure can be accommodated **in the existing 3 ha** site and the access road will not change.
- The land clearing mentioned above along with other issues to be dealt with below is significant to the following section.

#### 4. Aspects of the proposal which now require EPBC Act notification

In its consideration of the environment the proponent has failed to acknowledge that this proposal, whilst on first pass is an update of an existing facility, **the redesigned proposal has resulted in a complete demolition of the existing facility and construction of a new piece of infrastructure.**

Previously, and on this most recent application, the proponent has claimed that this proposal does not require EPBC Act approval. This point is now contested as this proposal **falls under the prescribed actions of the EPBC Act.** In determining this point the following apply:

*What is an action?*

*'Action' is defined broadly in the EPBC Act and includes: a project, a development, an undertaking, **an activity or a series of activities, or an alteration of any of these things.***

*Actions include, but are not limited to: **construction, expansion, alteration or demolition** of buildings, structures, **infrastructure or facilities**; industrial processes; mineral and petroleum resource exploration and extraction; storage or transport of hazardous materials; **waste disposal; earthworks**; impoundment, extraction and diversion of water; agricultural activities; aquaculture; research activities; **vegetation clearance**; culling of animals; and **dealings with land.***

*Actions encompass site preparation and construction, operation and maintenance, and closure and completion stages of a project, **as well as alterations or modifications to existing infrastructure.***

***An action may have both beneficial and adverse impacts on the environment, however only adverse impacts on matters of national environmental significance are relevant when determining whether approval is required under the EPBC Act.***

(Matters of National Environmental Significance-Significant impact guidelines 1.1 Environment Protection and Biodiversity Conservation Act 1999  
Page 2)

#### **In determining whether EPBC Act applies in this case:**

*The matters of national environmental significance include:*

- **wetlands of international importance (often called 'Ramsar' wetlands after the international treaty under which such wetlands are listed)**
- **nationally threatened species and ecological communities**

(Matters of National Environmental Significance-Significant impact guidelines 1.1 Environment Protection and Biodiversity Conservation Act 1999  
Page 2)

**Both of these above sections of NES apply as there are numerous threatened species involved in this proposal and while the boundary of the Ramsar wetlands is in Yalgorup National Park, not enough is yet determined about the groundwater hydrology to rule out adverse impacts.**

**In determining the significance of this proposal:**

*A 'significant impact' is an impact which is important, notable, or of consequence, having regard to its context or intensity. Whether or not an action is likely to have a significant impact depends upon the sensitivity, value, and quality of the environment which is impacted, and upon the intensity, duration, magnitude and geographic extent of the impacts.*

(Matters of National Environmental Significance-Significant impact guidelines 1.1 Environment Protection and Biodiversity Conservation Act 1999  
Page 2)

**In assessing the likelihood of this impact the proponent has failed to assuage doubt, simply based on the lack of sufficient assessment of groundwater hydrology with respect to the likelihood of detrimental impacts on Yalgorup National Park, and the lack of sufficient assessment of damage to matters of national environmental significance (see further discussion on vegetation damage below).**

*To be 'likely', it is not necessary for a significant impact to have a greater than 50% chance of happening; it is sufficient if a significant impact on the environment is a real or not remote chance or possibility.*

*If there is scientific uncertainty about the impacts of your action and potential impacts are serious or irreversible, the precautionary principle is applicable. Accordingly, a lack of scientific certainty about the potential impacts of an action will not itself justify a decision that the action is not likely to have a significant impact on the environment.*

(Matters of National Environmental Significance-Significant impact guidelines 1.1 Environment Protection and Biodiversity Conservation Act 1999  
Page 3)

**In the amended proposal the proponent has failed to tick the box to declare NES impacts as claimed in the initial Application Part C:**

*Given the suite of existing statutory processes regulated by various Decision Making Authorities (DMAs) and the likely impacts associated with the Project, a preliminary assessment of the risks suggests that there are no impacts that are unacceptable or cannot readily be managed appropriately via existing regulatory mechanisms, requirements specified under an amended DWER Licence and the City's internal controls.*

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**By their own admission their assessment is only "preliminary" and neither comprehensive nor exhaustive, and hence not conclusive**, and interestingly, the COM Environmental department have recently carried out detailed fauna & flora surveys of all reserves south of the Dawesville Cut **with the exception of reserves 24198 & 43301** (the section beyond the 30.86 hectare development envelope). If they don't see it they don't manage it.

Their reliance on the **"City's internal controls"** is a moot point given the history of damage caused by the COM'S inability to properly maintain and administer this site from day one in 1994.

The suggestion that impacts can all be **"readily managed"** is also delusional given the site's history and the COM'S capacity to ignore written or legislated agreements and the results of its own monitoring bores. Indeed, relying on the COM'S capacity for control is the nexus of the current situation and what has landed this whole proposal on the table in the first place! The current behavior displayed by COM officers only portends for further irresponsible management.

**All of the risks have not been comprehensively diminished by the proposal. For instance:**

- Armouring up the pond liners does not eliminate the risk of a tear occurring during desludging, only the extent of that tear, once made.
- Further pollution to groundwater risks damage to **listed** threatened ecosystems, namely “Banksia Woodlands” and “Sedgeland of halocene dunelines”, both occurring within approximately 300m of the septage site. Further to this Tuart woodlands are currently nominated to be named as a threatened ecosystem. **Evidence of vegetation damage** has already occurred immediately south of the septage site. (See discussion further below)
- Finfish and shellfish are taken from the beach west of the septage facility. It is also a place of active water recreation, and there is no proponent options addressing this risk outcome against human health. Contrary to the proponent claims – there is no 4WD access directly west of the septage site, only south of it.
- In clearing vegetation, no management options have been expressed to minimize risk to priority flora and threatened critically endangered fauna located in the area (*Pseudocheirus occidentalis* - ring tailed possums, *Marutus flavus*, a peacock spider, recently discovered and listed as only found between Melros and Tims Thicket) and listed threatened ecosystems on site.
- The risks to birdlife are not addressed by this proposal. The site is habitat for all three species of black cockatoo (carnaby, baudins, and red tailed) The first two mentioned are listed endangered, and the last is listed threatened and all exist in the immediate area. No management options for birdlife are addressed by the proposal. **The ponds present a health hazard to avian wildlife and other fauna which are drawn to water sources.**

*These guidelines apply to Carnaby's cockatoo (*Calyptorhynchus latirostris*), Baudin's cockatoo (*Calyptorhynchus baudinii*) and the forest red-tailed black cockatoo (*Calyptorhynchus banksii naso*), collectively referred to here as black cockatoos, **anywhere they may occur** in Western Australia. These species are listed as threatened under the EPBC Act as follows: • Carnaby's cockatoo: endangered. • Baudin's cockatoo: ~~vulnerable~~ endangered. • Forest red-tailed black cockatoo: vulnerable. **Listed threatened species and ecological communities are matters of national environmental significance under the EPBC Act.***

<http://www.environment.gov.au/system/files/resources/895d4094-af63-4dd3-8dff-ad2b9b943312/files/referral-guidelines-wa-black-cockatoo.pdf>

- Risks of damage to the liner have been reduced by implementing thicker liners and leak detectors **but not** eliminated. The physical nature of the desludging process of the ponds is that it still presents a real risk of physical damage to the liners and hence damage to the groundwater environment.
- Risks to groundwater that present via earthworks and deconstruction of the existing infrastructure have not been addressed.

## 5. Interference with groundwater study by proponent COM

The proponent has sought to interfere with the DWER mandated groundwater monitoring investigation at the septage site.

The DWER required of the proponent as part of Improvement Reference 2 (IR2):

*“The Licensee shall submit to the CEO an Assessment Report which includes but is not limited to:*

*(a) A Groundwater Assessment for the Premises which is to include but not be limited to:*

- (i) Details of the topography, surface drainage, surface geology and aquifer characteristics both beneath the premises and the surrounding area;*
- (ii) An assessment of groundwater depth and direction and rate of groundwater flow beneath the site;*
- (iii) An assessment of groundwater quality characteristics, including temperature, specific conductance, oxidation reduction potential (eH), dissolved oxygen, pH, and alkalinity;*
- (iv) An assessment of the current groundwater monitoring network, including whether the existing groundwater monitoring bores are strategically located to capture potential impacts arising from the site activities for comparison with the up-gradient groundwater quality;*
- (v) Groundwater contamination status and assessment of the risk to the environment and human health arising from potential contamination, which is to be completed in accordance with the “National Environmental Protection (Assessment of Site Contamination) Measure 1999”; and*
- (vi) Submission of an on-going groundwater monitoring and reporting program, based on the findings of (i) to (v) above.”*

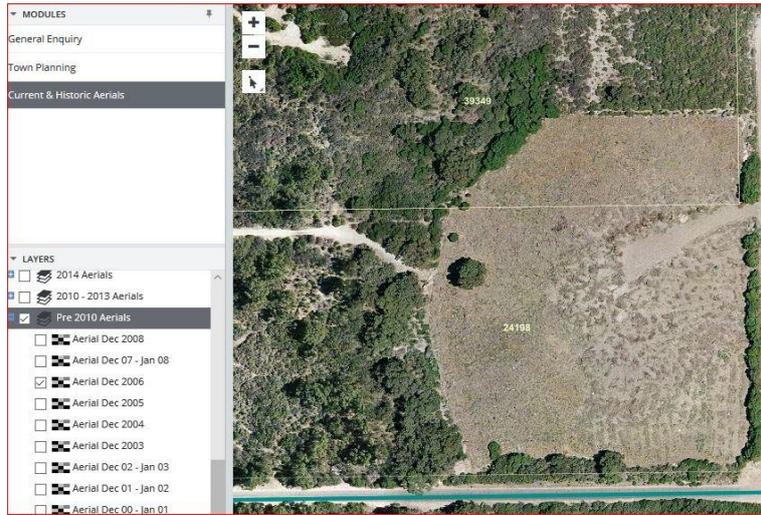
The COM has employed a civil engineering technique of sand bunding to alter the groundwater hydrology and therefore impact the results obtained from the additional monitoring bore on the west side of the septage facility.

This bund is measured at 12.9m ASL, 2.9m higher than the previous soil profile of 10m ASL and covering an area of approximately 4000m<sup>2</sup>. This is in the immediate vicinity west of the septage site, on Reserve 24198.

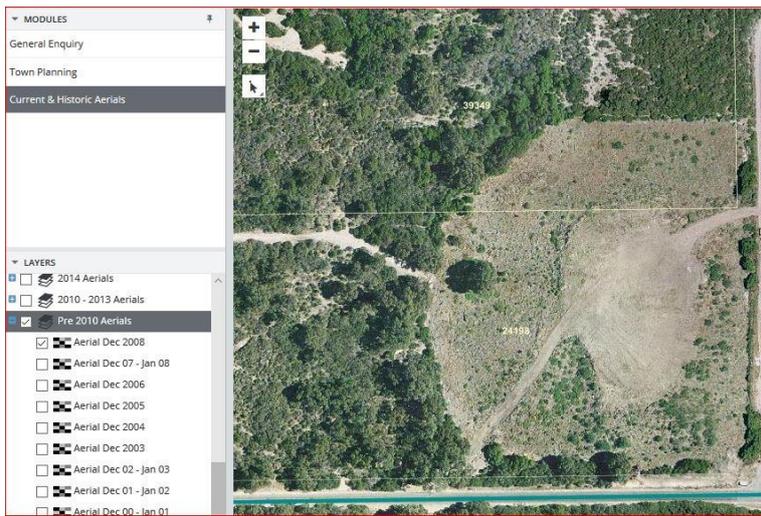
That site was shaped and battered with topsoil cover and completed by **2006**. In **2008** it had the wind generators installed.

In mid **2018** COM commenced to build a sand bund between the septage site and the new piezometer installed at GR 370533 6386328 GDA94 MDA zone 50.

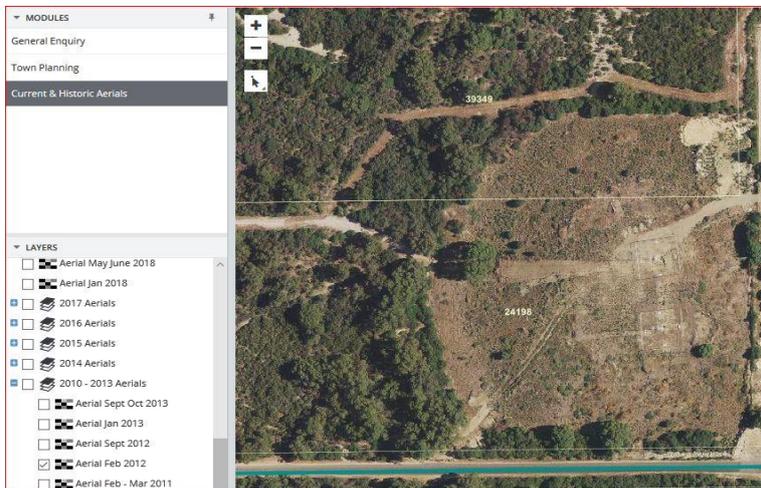
**Dec 2006 battering complete on Res 24198**



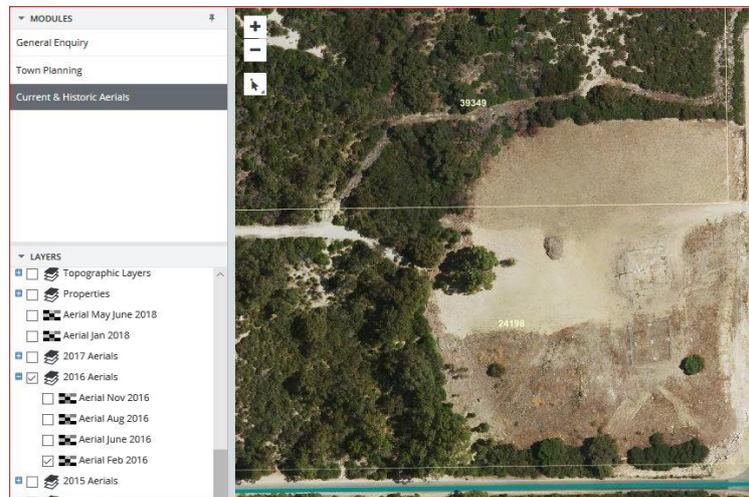
**Dec 2008 earthworks for wind turbine location.**



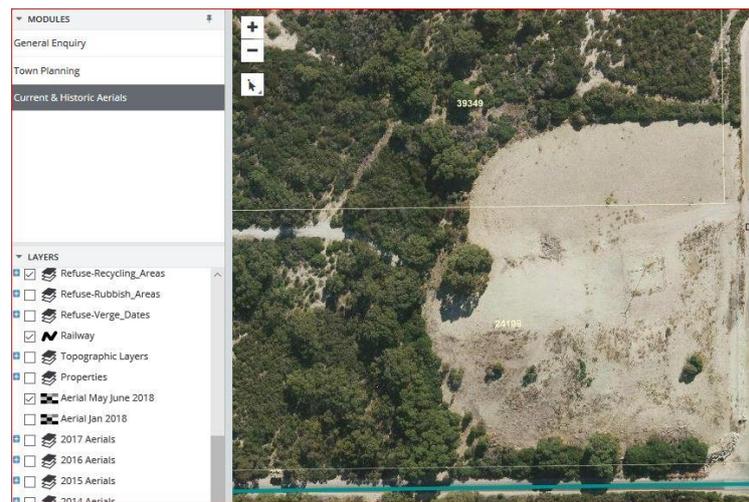
**Feb 2012 wind turbines installed**

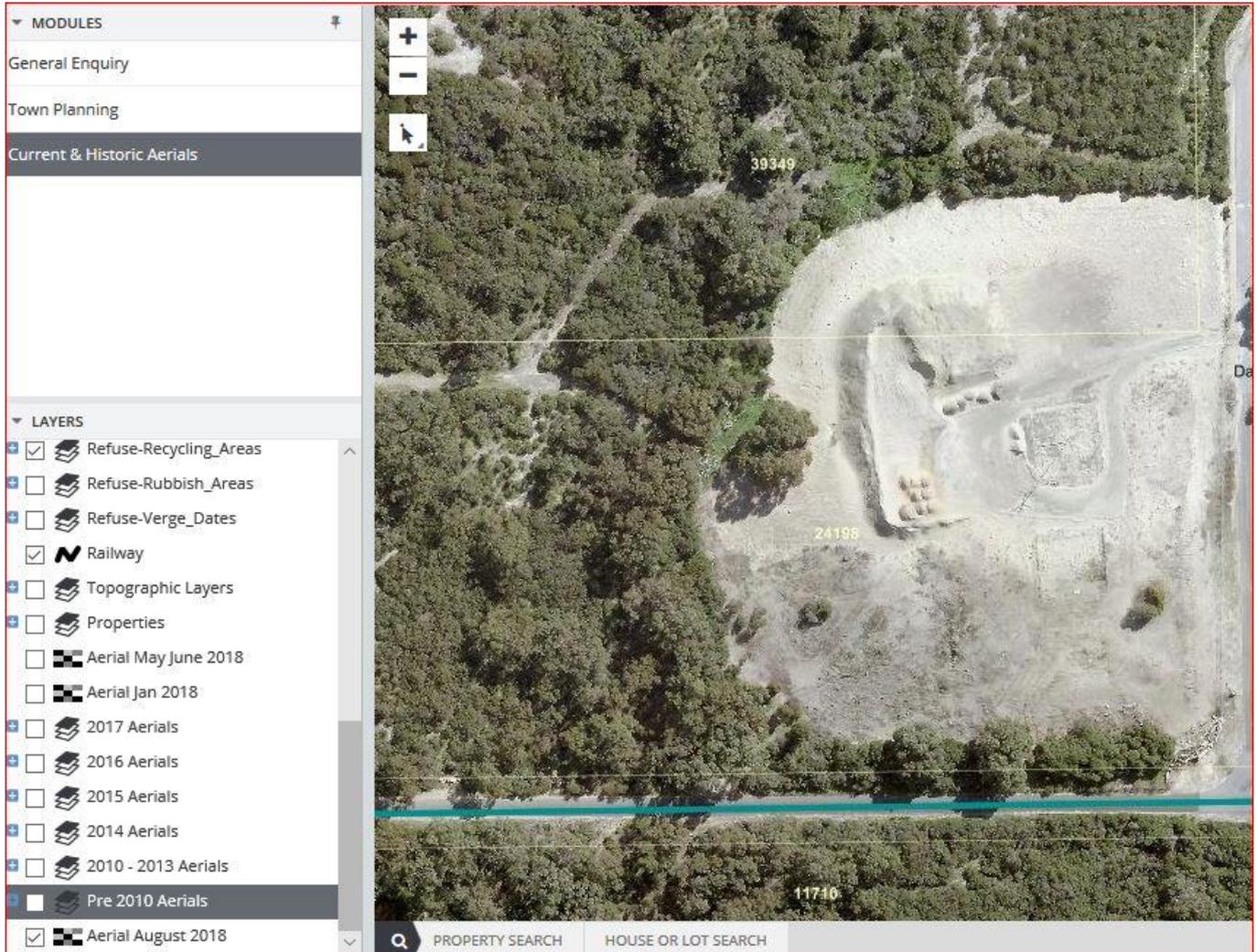


Feb 2016 Res 39349 section cleared.



Jun 2018 No earth works commenced.





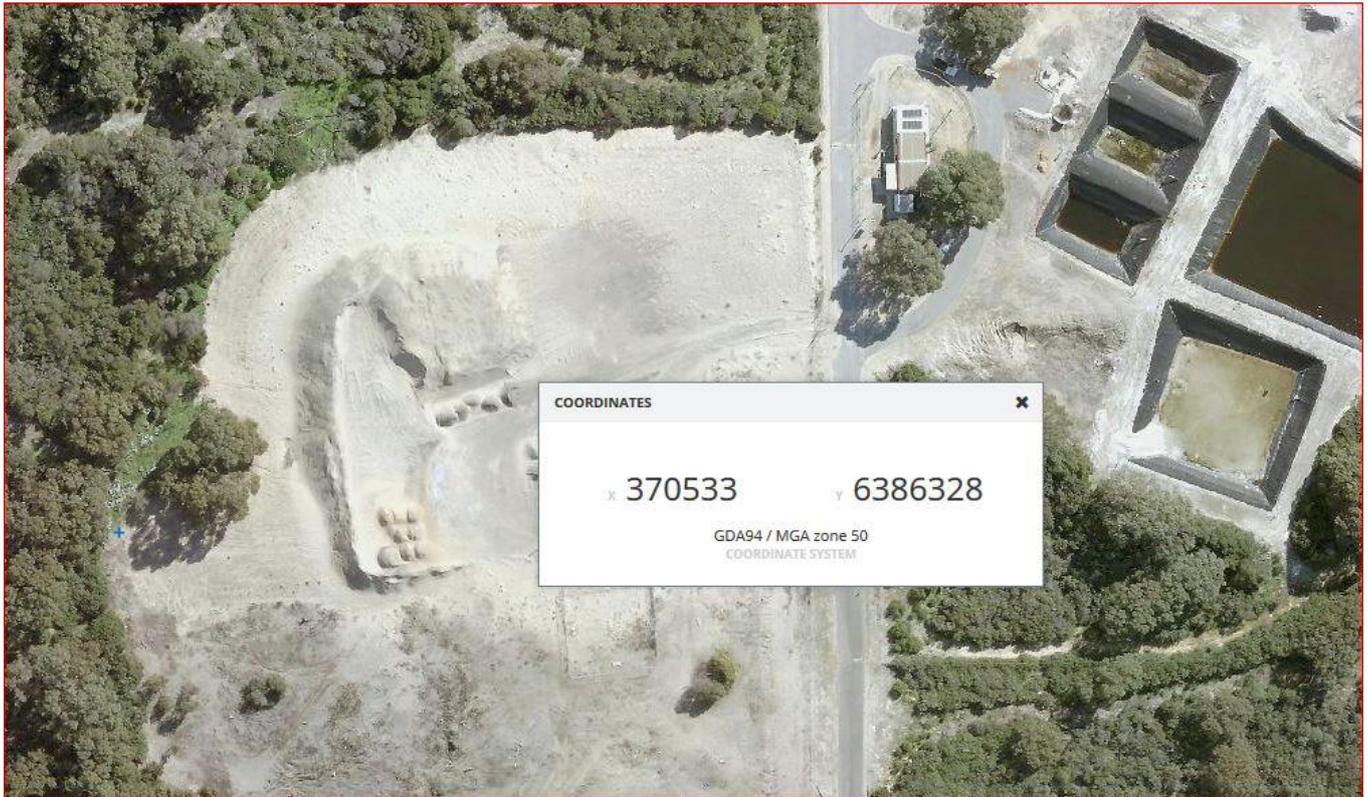
Between Jun 2018 and Aug 2018 sand dumping commenced on Res **24198** between the **septage pits** and the additional **pieziometer** located at approximately GR 370533 6386328 GDA94 MDA zone 50. From its completion in **2006** until the present, this site on reserve 24198 has been relatively undisturbed.

As the COM;

- **has no licence for disposal of soil on this reserve**, and
- decided in Dec 2017, it no longer intends to build a Vetiver grass soak on Res 24198, and
- it has 78ha of inert fill site immediately NE, then ,

the sand bunds **only function must be to alter groundwater hydrology** in the immediate vicinity of the pieziometer. This civil engineering practice has been well utilized in other development locations in COM, most notably in the Mariners Cove development on Creery Wetlands, so this civil engineering practice is well known to COM.

The approximate location coordinates of the pieziometer are shown below, and the actual location of the pieziometer by the blue cross on left of frame below, and the yellow post in next image:



**Piezimeter is the short yellow post center right of frame looking south. This panorama is centered on East and the northern edge of the sand bund can be seen NE in the left of frame.**

Current water quality information supplied to BCCG contains no sampling information on the additional piezometers installed at this location shown above, nor at two recently installed similar piezimeter at GR371313 6386480, or GR371551 6386938. No enhanced groundwater quality information was made available to the group for the limited response time since notification of the amendment application.

#### **Reference to Halpern Glick and Maunsell, 1994**

The purpose in part for the DWER groundwater investigation is to determine flow directions of the groundwater at the site. The proponent has referred to Halpern, Glick, and Maunsell (1994) (HGM1994) as the last investigation of

note into groundwater of the locality. It has already been pointed out to the COM that HGM1994 investigations occurred **PRIOR** to the opening of the Dawesville channel and were completed on the known **PRIOR** tidal regime at that time.

It is understood from that investigation that the tidal regime of the Harvey estuary is pivotal in understanding the flow direction latency. It is further understood that in these tamala limestone formations, tidal influence on the groundwater table level can be measured at distances of 1000m from the ocean. (Smith *et al*, CSIRO. 2011) That tidal regime is of course now vastly different from prior to the channel opening thus rendering HGM1994 groundwater flow direction prediction results currently **redundant** as to direction and duration.

Any reference to the HGM results is therefore speculation and already demonstrated as such by COM "Tims Thicket Waste Management Facility -Groundwater Monitoring Results 2018" (attached at Appendix C), showing results for groundwater direction being given as being **SouthWest** across the site but **NorthEast** between MB1 and MB9. That point was also prior noted to the COM in Appendix A.

This information should also serve to inform the timings of the current investigation with respect to seasonal sampling aspects and the fact that twice yearly will **not** be adequate to understand the directional aspects of groundwater flow at this site. **To determine seasonal timings and flow direction the groundwater study should be completed monthly for a minimal period of 12 months.**

### Site sampling Issues

In the conceptual site model used in the Talis 2015 study the proponent failed to acknowledge the general waste disposed at Res 24198 as part of the contamination sources.

#### 6.1 Contamination Sources

*The Site has operated as a Class I inert landfill and waste water treatment facility since at least the mid 1990's. The primary source of contamination at the Site has been identified to be the wastewater effluent within the leaky wastewater treatment ponds located within the south-eastern portion of the Site. Further to this, an oxidative pond exists to the immediate south of the treatment ponds which is known to overflow during the winter months. This pond overflows into a weir then subsequently into a dual leach drain system for dispersal*

##### 6.1.1 Primary sources of contamination

*The primary source of contamination was identified to be the wastewater effluent due to the structural integrity of the treatment ponds. Further to this, the overflow of the oxidation ponds were a primary source of contamination.*

##### 6.1.2 Secondary sources of contamination

***Impacted soil beneath the wastewater treatment ponds are considered to be the secondary sources of contamination with nutrients leaching from the soil into groundwater***

(TE15028\_Tims\_Thicket\_Groundwater\_Investigation.1c October 2015, pg 20)

So while the soil may be secondary it does not acknowledge the metallic waste products disposed in adjacent soil on res 24198 which may be subject to groundwater mounding under the septage site which will serve to mobilise heavy

metals associated with that waste. Other potential sources of pollutants are materials dumped into the inert fill site that are non-compliant with its licence, previously advised with photographs to DWER.

This site's groundwater flow direction has already been reported by the proponent as being; **East, West, Southwest,** and **Northwest.**

- The proponent has already indicated the difficulty with establishing  $K$  given the high porosity of the substrate although this is a predictable outcome for Tamala limestone investigations of this type, (Smith *et al.* CSIRO. 2011) (TE15028\_Tims\_Thicket\_Groundwater\_Investigation.1c October 2015) so **a more comprehensive study is needed** to give greater certainty to these required outcomes of IR2.
- Whilst discussing this prior referenced document, (TE15028\_Tims\_Thicket\_Groundwater\_Investigation.1c October 2015) it is perhaps relevant to notice that the "Certificate of Calibration" "Appendix A" is nothing more than a check sheet for **cleaning** a peristaltic pump, it confers **no calibration certification.**
- Appendix C refers to "Field protocols for **soil sampling**" which is irrelevant and would be more appropriate to have shown protocols for **groundwater sampling.**
- Furthermore, the results shown in the tabulated form in Appendix D of the 2015 document do not accurately reflect the collection data obtained on the field sheets of Appendix B Field Recording Forms.
- In the 9 Sep round, supplied in Appendix B, data is collected on two consecutive days 9<sup>th</sup> and 10<sup>th</sup> Sep. The "Groundwater Gauging data form" field sheets show that MB1,2,3,4,5,6,7,8,9 to have been sampled on 9 Sep under sunny conditions. **The actual** "Groundwater field recording" sheets shown that MB1,2,3,4,5, and 8 were all gathered on the 10<sup>th</sup> Sep under sunny conditions, while MB6,7, and 9 were gathered on the 9<sup>th</sup> Sep under wet conditions.
- Of import here is that all bore caps were reported missing on the field sheets for all MB's except MB2 and the samples were not handed to assay before the 11<sup>th</sup> Sep. No mention is made of sample storage other than ice. The samples collected on the 9 Sep where not handed into the testing lab until the 11 Sep so estimates of N may be affected if the samples of the 9<sup>th</sup> were not frozen overnight between field collection times prior to assay. See TE15028\_Tims\_Thicket\_Groundwater\_Investigation.1c October 2015. Appendix B, D, and E.

## 6. Detrimental Effects Noticed on Nearby Vegetation

The other most noted method for misinformation used by the proponent is that of omission. In dealing with toxicity assessment the only comparative environment receptor that is used is the marine environment. Nothing is done by the proponent to compare vegetation ecosystems even though they are listed threatened systems.

### 6.6 Toxicity Assessment

*Based on the results of the investigation, sulphate at one location only (MB7) and chloride at all locations with the exception of MB2 and MB4 were reported at concentrations that exceeded DER 2014 NPUG assessment criteria. These elevated concentrations are considered to relate to the saline nature of the area. Further to this, **no known health impacts have been recorded** from excessive contact in the nonpotable setting from these analytes.*

***The metals, copper and zinc, were reported above DER 2014 Fresh Waters and DER 2014 Marine Waters guidelines and are toxic to flora and fauna in excessive quantities.** The elevated levels of metals are considered to relate to the naturally crystalline geology in the area and it is likely that any receiving environment will have the ability to buffer out the marginally elevated concentrations.*

TE15028\_Tims\_Thicket\_Groundwater\_Investigation.1c October 2015 | Page 21

In a tamala formation the *K* values are so high and the time taken between assessments so separated that pulses of contaminants from septage operations may be simply missed by groundwater sampling under the current regime, thus those traces remaining have been attributed to “naturally crystalline geology”. The source of these metals is in dispute given their likely origin may lie in the discarded waste in Reserve 24198 which would indicate that this waste is now a “wet site” rather than a dry infill (a probability not considered by the proponent). An alternative probability is that they have already been bioaccumulated in the surrounding deep rooted vegetation, **so we now turn to that vegetation environment.**

### North end of Yalgorup National Park

If there is any doubt that the site is having a detrimental effect on the surrounding location it is worthwhile looking at the vegetation immediately south of the site in Yalgorup National Park. In the below photograph can be seen the **dead** tops of mature trees immediately southwest of the septage site. In the left of frame silhouetted on the horizon can be seen the wind generator located at the septage site. The evident health of the rest of the vegetation both in the immediate foreground and on the distant ridge should be self-explanatory. This was prime black cockatoo habitat. Both Endangered species *C. Baubinii* and *C. Latirostris* (Baudins and Carnaby Black Cockatoo) were known to roost and feed in this location. **No mention of this damage is made in the proponent submissions, because they don't look for it.**



**Above - Damage to vegetation immediately south of the septage site, November 2017.** A comparison to similar vegetation associations health at White Hills Rd (November 2017) can be made in the photo below.



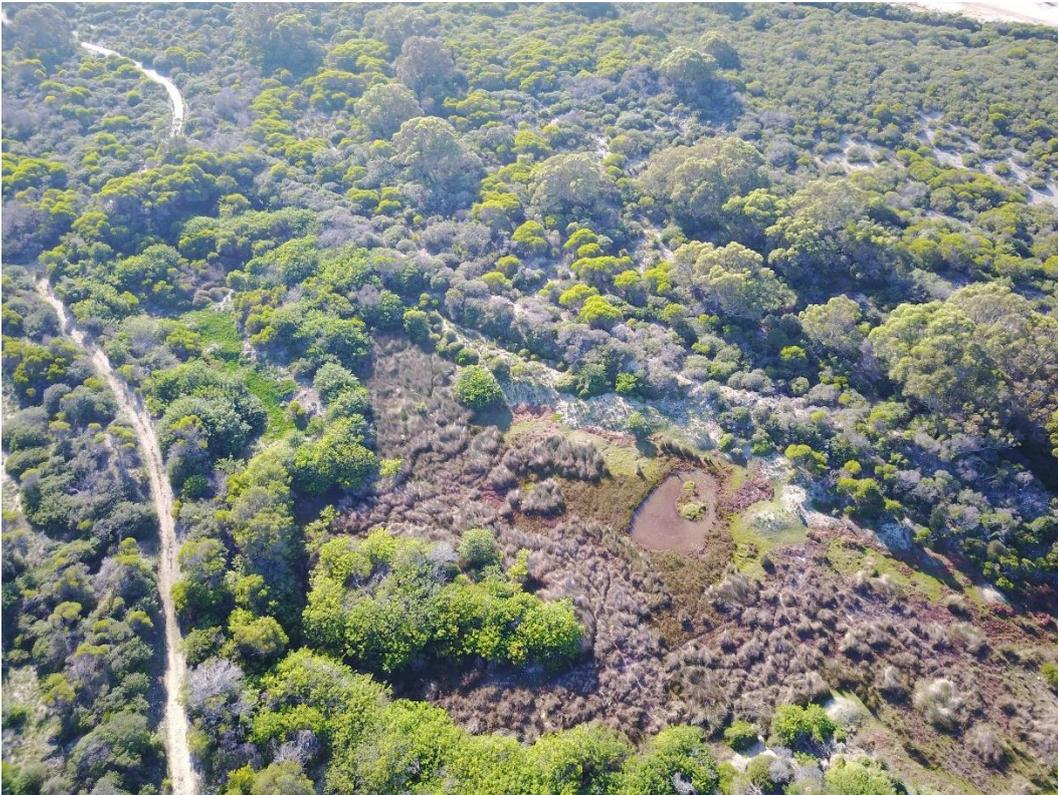
#### **Weed pit water source and damp land area**

Environmental damage is also visible in the vicinity of the large “weed pit” waterhole & damp land area within 200m northwest of the septage ponds, where native rushes have senesced and have been outcompeted by Brazilian Pepper (*Schinus terebinthifolius*) trees which have flourished and spread.

It is proven that Brazilian Pepper trees take up large quantities of nitrogen, phosphorus, potassium and calcium which is then returned to the soil in its leaf litter, and does better in pre-farmed soil (high in super phosphates). ([See report from USA Dept of Agriculture \(p18\) here](#))

The dropping of green waste containing Brazilian Pepper tree cuttings in 2000, and high readings of both nitrogen and phosphorus in the water monitoring reports of 2012 at Bore 5, in a direct line from the ponds to the “weed pit” water hole, have very likely resulted in the explosion of Brazilian Pepper trees in and around this location.

**BCCG completed an eradication program in 2017-18, at a grant cost of over \$25,000, in and around the weed pit water ponds.**



Date Jun '17 (winter) shows the vibrant bright green Brazilian Peppers with senescing native grasses directly around the waterhole.

**The COM Environmental Department is aware of this area of damage and indeed contributed to the grant for eradication, however it is once again not mentioned in the proposal submissions by the COM Waste Department.**

## 7. Issues with the revised application proposal

### General Issues

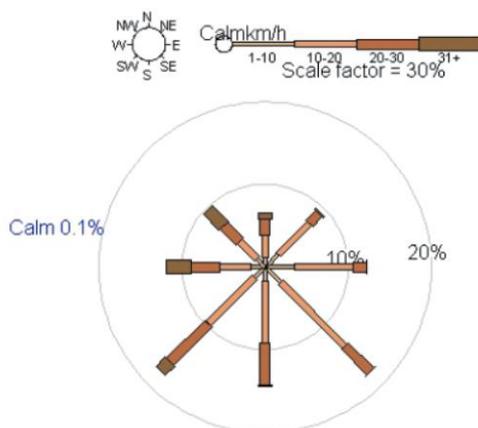
#### There are still significant issues with the proposal to upgrade the septage facility at Tims Thicket

- None of the documentation provided by the proponent in support of this proposal contains any management or control details. Given the atrocious proven past failures at this site, a full management plan with detailed control specifications should be required prior to proposal consideration.
- No environmental studies have been carried out on the surrounding reserves or the north end of Yalgorup National Park. Given this area is home to no less that 5 species of endangered and critically endangered fauna, both a baseline and regular ongoing environmental studies should be required prior to proposal consideration.
- No alternative options have been proposed or discussed, such as upgrading the existing sewerage processing site at Caddadup or the connection of the remaining septic system areas of Mandurah City to the Water Corporation deep sewerage, or the translocation of this proposals facility to the proposed Nambeelup Industrial site.
- A full community consultation and consideration survey should be carried out and should be attained and submitted prior to going forward, given the strength of feeling expressed by residents in 2017 in Appendix B.
- No risk mitigation calculations have been provided for heavy winter rains or flooding of the ponds.
- The Conceptional Site model used in Talis 2015 study is flawed and inadequate because it ignores some receptors and sources of contamination (potentially 4 sources).

### Noise and Odour Problems

#### The existing EPA draft separation guidelines do not take into account the coastal location of the Tims Thicket site.

- Even though the Tims Thicket septage site meets the draft EPA separation guidelines, the coast wind factor causes both noise and odors to be transmitted further afield, more quickly, as the wind chart for William St, Melros Beach shows. (See full wind chart [here](#))



**The average daily wind speed at the site is 15kph. The wind comes from the south west, south & south east for 60% of the year.**

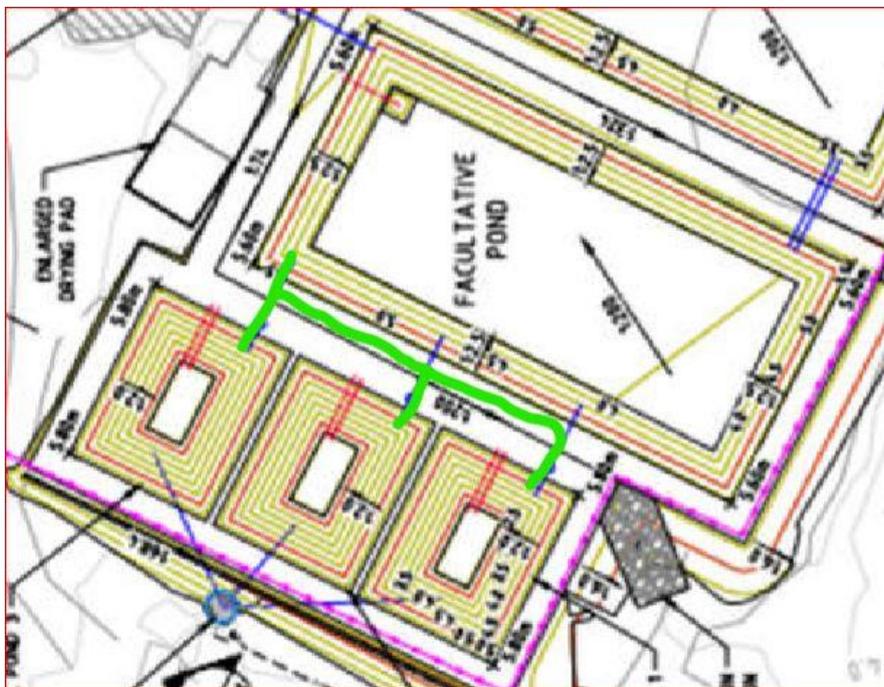
- This wind chart shows that noise and odours from the Tims Thicket waste site will reach the main population of Melros Beach in 6 minutes.

- There have already been complaints to the COM of noise pollution from residents in William St. The subject of this complaint was not only the noise of reversing beepers of the plant in the inert fill site, but the early morning (out of operating hours) aspect of when it occurred.
- **Odours from untreated ponds, containing air pollutants, will reach fauna in Yalgorup National Park in <1 minute for 30% of the year and residents of Melros Beach in 6 minutes for 60% of the year.**

### **Septage Ponds Engineering**

Both the move to increase the thickness of the liners, and to create a closed evaporative system is welcomed, however there are some design error points to note which are amazing given this stage of the proposal:

The acceptance ponds do not have equal transit times through the facultative pond because their exit pipes into the facultative pond are varied distances from the entry pipe to the oxidative pond. All three acceptance pond exit pipes, should be joined and enter the facultative pond at a single entry pipe as far as possible from the facultative exit pipe. This is shown below in lime green.



It is unclear from this plan how the facultative pond and oxidative ponds differ in purpose other than their transit time duration from acceptance. No engineering solution is provided or explained i.e. a floating aerator, spray boom etc.?

### **Greenwaste Transfer Station.**

**The addition of the Greenwaste Transfer Station can not be included in this proposal as it has not been passed through the correct process as follows:**

- A Greenwaste Transfer Station application submission has not been approved by Council.
- There has been no public notification or consultation.
- The inclusion of a green waste transfer station envelope on this application is outside the vesting conditions of this reserve. Ministerial Statement 375, allows only a limestone mining, inert fill and a septage facility on this

reserve site. The introduction of a putrescible waste transfer site is beyond the scope of this amendment proposal and beyond the approval of the MS375.

- There are no details whatsoever of how this transfer station is to be constructed.
- There is no risk mitigation management for fire hazard management information in the proposal. This is significant as the city currently has failed to maintain site firebreaks in the northern part of the inert fill site in accordance with its existing license.
- There is no risk mitigation management for the prevention of disease or weed dispersal into inert fill site or beyond into the dunal system and Yalgorup National Park in the proposal. Weeds are already an issue on this site and access road as little evidence is available to show management of this problem, despite being the subject of previous complaints. See previous BCCG submission of Sep 2017. A management issue past identified in the referral process but yet to be managed by COM.

The CEO of DWER having withdrawn the licence for disposal of controlled waste may refuse to renew the licence under Regulation 10(2A):

***ENVIRONMENTAL PROTECTION (CONTROLLED WASTE) REGULATIONS 2004 - REG 10***

***10. Cancellation or suspension of, refusal to renew, licence***

*(1) Subject to this regulation, the CEO may cancel, suspend for a fixed period, or refuse to renew a licence if—*

*(a) the holder has been convicted of an offence against the Act, these regulations, or any other offence that relates to the transportation, storage or disposal of a controlled waste; or*

*(b) there has been a breach of a condition to which the licence is subject; or*

*(c) the CEO has reasonable grounds to suspect that the licence was obtained by fraud or misrepresentation; or*

*(d) the holder's interstate licence has been cancelled, revoked, withdrawn or suspended or a renewal of that licence has been refused.*

*(2A) Without limiting subregulation (1), if the CEO has reasonable grounds to suspect that the holder of a licence, or if the holder of the licence is a body corporate, an individual concerned with the control and management of the body corporate, is not of good character and repute and fit to be involved in the business in respect of which the licence is held, the CEO may cancel, suspend for a fixed period, or refuse to renew the licence.*

**Given the COM officers inability to take direction from the Mayor it is suggested this power be exercised until such times as this issue be resolved by COM.**

## **Conclusion**

The proponent has failed to deliver on agreed public consultation with BCCG and has also failed to deliver on its commitment to open and honest communication with BCCG by submission of this amendment proposal without the agreed prior consultation. This tactic either deliberate or not means that BCCG are responding to this submission without knowledge of the current groundwater hydrology that would be expanded on using the additional piezometers known in the area. The COM has deliberately refused access to these bores for additional independent testing.

The consultant has delivered a misleading supporting statement which ignores the legal onus upon it to indicate **specified actions** which **mandate** referral by the EPBC Act. COM state they consider this is a refurbishment of an existing facility, that planning permission is not required, when this is **legislatively** and patently not the case. This proposal is in conflict with the WA Strategic Policy document “Perth and Peel Green Growth Plan for 3.5 million” of the State Planning Commission.

To determine seasonal timings and flow direction the groundwater study sampling rounds should be completed monthly for a minimal period of 12 months.

Engineering plans for the septage facility need correction to provide equal transit times regardless of acceptance pond entry used. All ponds should be concrete lined to prevent HDPE damage from physical desludging and future groundwater pollution, provided this does not invalidate the HDPE liner warranty on installation.

**The proponent has sought to undermine the results of the groundwater study mandated by DWER** by using civil earthworks intended to alter the groundwater hydrology.

**Environmental damage has been noted** in the vegetation south and west of the site, this has been ignored by the proponent in their submission. The proponent has also ignored past pollution of the marine environment already detected and [reported by themselves](#) in **2014**, west of the facility.

The proponent has not carried out any environmental surveys of the surrounding reserve areas, so COM is incapable of making informed assertions about existing conditions and hence unknown risks.

The proponent has not adequately mitigated the noise and odour pollution, to residents and its health effects, due to the prevailing coastal winds.

The COM need publically reportable managerial conditions to be imposed to provide public confidence and transparency in its ability to manage this facility in the future.

It is the opinion of BCCG that the project is no longer a refurbishment of existing infrastructure, but is now of a scale that means it is a **specified action** reportable under the EPBC Act.

It is the opinion of BCCG that this amendment variation should be rejected, and the project denied based on the amendment proposals:

- failure to **fully investigate** the geohydrological environment, thus not sufficiently diminishing **risk**,
- failure to acknowledge visible damage to the surrounding environment,
- failure to acknowledge its responsibilities to EPBC Act requirements, and
- proven historical inability of the proponent to functionally manage this facility, thus **ensuring ongoing future risk** to Ecosystems and Endangered Species of National Environmental Significance.



## References:

BCCG submission to the DWER of Sep 2017.

Halpern Glick Maunsell (HGM), Consultative Environmental Review for – Proposed Change to Yalgorup National Park Boundary, Septage, Limestone Quarry and Wastewater Treatment Plant, 1994.

<http://www.environment.gov.au/system/files/resources/895d4094-af63-4dd3-8dff-ad2b9b943312/files/referral-guidelines-wa-black-cockatoo.pdf> accessed on 1 Apr 2019

Matters of National Environmental Significance-Significant impact guidelines 1.1 Environment Protection and Biodiversity Conservation Act 1999

Małeckki, J.J., Kadzikiewicz-Schoeneich, M. & Szostakiewicz-Hołownia, M. Environ Earth Sci (2016) 75: 24.  
<https://link.springer.com/article/10.1007%2Fs12665-015-4789-5>

Smith AJ, Massuel S and Pollock DW (2011) Geohydrology of the Tamala Limestone Formation in the Perth region: Origin and role of secondary porosity. CSIRO: Water for a Healthy Country National Research Flagship. 63 pp

TE18105\_Tims\_Thicket\_S43A\_supportingdoc.1c February 2019, Talis Consultants.

TE15028\_Tims\_Thicket\_Groundwater\_Investigation.1c October 2015. Talis Consultants.

Tims Thicket Waste Management Facility -Groundwater Monitoring Results 2018. COM. 2018

## Appendices

Appendix A Minutes of meeting with COM and BCCG 4 Dec 2017 including outcomes.

Appendix B Residents feelings. Comments for BCCG from Community members.

Appendix C Tims Thicket Waste Management Facility -Groundwater Monitoring Results 2018

Appendix D BCCG letter to COM CEO Mark Newman dated 3 Dec 2017. (As yet unresponded)

Appendix A

Minutes of meeting with COM and BCCG 4 Dec 2017 including outcomes in Table.

(\*NOTE - BCCG Annotations added in blue.)

## Tims Thicket Septage Ponds Discussions Minutes of Meeting

**Date:** 4 December 2017 at 4.00pm

**Venue:** City of Mandurah - Works and Services Meeting Room 1

**In Attendance:**

Mayor Rhys Williams

Hon. Cr Fred Riebeling

Mark Newman, CEO City of Mandurah

Allan Claydon, Director Works and Services (DWS)

Mel Horton, Chairperson Bouvard Coast Care Group (BCCG)

Ron Glasson, Member BCCG

Barry Posetti, Member BCCG

Angela Bickerstaffe, Executive Assistant Works and Services

**Apologies:**

Cr Caroline Knight

*Mayor Rhys Williams opened the meeting by advising attendees that he would be attending future meetings of this group and requested an update of proceedings emphasising he could not assist in fixing things which had occurred in the past but is committed to focusing on the present moment moving forward.*

*Allan Claydon updated the group on the current status of the Tims Thicket Septage Facility Upgrade as follows:*

*Following the City's commitment at the original meeting with BCCG to relocate the irrigation field contact was made with the Office of EPA to inquire as to what information (and process) was required to make this amendment to our EPA referral application.*

*The EPA suggested a meeting to discuss the septage facility upgrade proposal and what process was required to amend the referral application. The EPA would also invite officers of the DWER to the meeting as they would be consulted as part of the EPA referral process and would ultimately make the decision on whether a Licence Amendment would be issued to the site*

Officers attended the offices of Department of Water and Environment Regulation (which now combined the EPA and DER) on 18 October 2017 to discuss the septage facility upgrade and the City's proposal to relocate the irrigation field. The meeting was attended by officers of the EPA, DWER (Licensing and Contaminated Sites Branch) and Talis Consultants.

The City needs to lodge a Section 43A Application with the EPA to modify the location of the irrigation field. The EPA and DWER are preparing an email that will be sent to the City outlining the additional information that will need to be addressed in the Section 43A application – which also includes a number of information gaps that was apparent with the original application.

It has now been 6 ½ weeks and the City is yet to receive this email. A senior officer of the DWER (Licensing Section) – Christine Haas was contacted last week who advised that the letter was currently with DWER Senior Management awaiting approval, and she hoped that it would be issued within the next couple of weeks.

Talis Consultants have commenced the preparation of the Section 43A application, however we need to know the information that is contained within the email before the application can be finalised. The City may have to undertake some additional field work.

BCCG voiced concern that the previous Section 43A submission/application prepared by Talis contained 32 errors of statement and requested the opportunity to review the new application prior to submitting to DWER. The City agreed to this request and sought from BCCG the purported 32 errors of statement from the previous submission. This information to be forwarded to Talis for their comment and response. BCCG will be contacted when response from Talis has been received.

If the septage upgrade application is approved, a report will be prepared for Council for consideration. The report will consider the triple-bottom line philosophy of social, economic and sustainable impacts.

The City agreed that future groundwater quality sampling would be carried out quarterly and results uploaded onto the City's website. It was agreed to do this for the first two years and if the readings were of a consistent value then reporting would revert back to twice a year (six months as a minimum). This is the standard reporting requirements required by DWER.

BCCG requested detailed groundwater quality sampling results from 2002 to 2017 be made available to establish a base line for moving forward. Allan Claydon agreed to provide these on the City's website. It was pointed out that DWER do not have any trigger levels or base line standards to benchmark against.

BCCG agreed to provide the City with standards they are aware of.

BCCG put forward a proposition for the City to use Bush Buy Back funding to acquire land closer to Old Coast Road for the proposed future southern transfer station. This would enable the return of the land set aside for this purpose to revert back to conservation and passive recreation land.

Cr Riebeling advised Council would not consider utilising Bush Buy Back funding for this purpose.

**It was confirmed that officers are currently preparing a report to Council which proposes a green waste facility at Tims Thicket. This would be subject to a separate licence application.**



BCCG requested that fire hazard and mulch contamination risks be considered as part of the report including proposed operating hours of the facility. The CEO advised the same triple bottom line philosophy would be incorporated into the report.

An advice note from the Department of Water is included with these minutes as it relates to the requirements for storage and recycling of organic material on site. This is provided for information.

Allan Claydon handed out copies of the City's responses to the BCCG 'An Inconvenient Truth' – Tims Thicket Site History Timeline.

**Next meeting:**

To be advised.

Meeting closed at 4.45pm.



## Bouvard Coastcare Submission regarding City of Mandurah Section 43A of Feb 2019

### Actions from meeting (updated 4 December 2017)

Action	Action By	Status
1a The City to lodge a Section 43A application with the EPA and to include additional information which will be provided by DWER.	City of Mandurah & Talis Consulting	In Progress - awaiting additional information advice from DWER
1b BCCG to review Section 43A application prior to submission.	City of Mandurah – Waste Management & BCCG	Agreed to action
1c BCCG to provide details of 32 errors of statement from previous application and [COM] to forward on to Talis for comment and response.	City of Mandurah – Waste Management & BCCG	Agreed to action BCCG Completed 7/3/17
2. Nambeelup Industrial Area - what forecasting of future sewerage operations have been undertaken.	CEO to raise at next meeting of the Transform Peel Reference Group Meeting.	In Progress
3. The City to investigate “contamination” breaches from inspection of 9 Jun 2014 onwards, and improvement conditions from the issue of Amendment to Licence issued 4 June 2015 and provide a report to BCCG or publish the results online.	City of Mandurah – Waste Management	Complete (see previous minutes)
4a The City agreed to groundwater quality sampling from all monitoring bores quarterly for the first two years and if the readings were of a consistent value then reporting would revert back to twice a year (noting the licence requires 6 months as a minimum) and publish the water monitoring results on the City’s website.	City of Mandurah – Waste Management	Agreed to action
4b BCCG requested detailed groundwater quality sampling results from 2002 to 2017 be made available to establish a base line NOTE – BCCG requested reports from 1995 – 2017 for baseline.	City of Mandurah – Waste Management	Agreed to action



**Bouvard Coastcare Submission regarding City of Mandurah Section 43A of Feb 2019**

4c	BCCG to provide base line standards for benchmarking purposes	BCCG	Agreed to action
5.	BCCG request the City undertake consultation with nearby residents on future plans/proposals for major issues concerning the Tims Thicket site to avoid community unease and refer such future proposal to the MEAG..	City of Mandurah – Waste Management	Agreed to action
6a	The City agreed to reinstate recreational water monitoring on Melros and Tims Thicket Beach	City of Mandurah – Environmental Health	Noted
6b	The Mayor agreed to formally write to the City seeking approval for this request.	Mayor Rhys Williams	Agreed to action
7.	BCCG to formally seek permission to monitor bores located outside of the waste facility area on council reserves.	BCCG to make a formal request to the City	In Progress
8.	Land use change of Reserve 24198 to “Conservation and Passive Recreation”	BCCG to make a formal request to the City	In Progress BCCG Completed 4/12/17



**Appendix B - PRIVACY NOTICE - THE CONTENTS OF THIS APPENDIX ARE CONFIDENTIAL**  
**Residents Feelings - Response to Bouvard Coast Care from local residents.**

08-09-2017 17:19:46

[REDACTED]

08/09/2017

this area must be closed completely. the damage to our fragile system has already been taken to an unhealthy level for both the local environment and the people living in this area. close it up . do nothing more. for our health..... safety first.. remember?

---

08-09-2017 20:14:35

[REDACTED]

08/09/2017

It is important that this facility is closed now as the Council has failed for obvious reasons to keep the rate payers in the loop, so it appears that the cover-up has a reason.

---

08-09-2017 22:04:31

[REDACTED]

08/09/2017

This should be seen as an opportunity to innovate Mandurah's waste into something that we can re-use or re-cycle in a much more sensible location as Tim's Thicket is too environmentally sensitive an area.

---

08-09-2017 22:11:34

[REDACTED]

08/09/2017

This site should be closed - water table contamination is too important to risk.

---

09-09-2017 06:58:21

[REDACTED]

09/09/2017

Can't believe the council is allowing this to happen!

---

09-09-2017 16:18:52

[REDACTED]



## Bouvard Coastcare Submission regarding City of Mandurah Section 43A of Feb 2019

---

[REDACTED]  
[REDACTED]  
[REDACTED]  
09/09/2017

---

09-09-2017 21:59:13

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
09/09/2017

As a rate payer who lives in the Melrose area I DO NOT support the plan for a Liquid Waste Disposal plant in Tim's Thicket. I have seen NO public consultation process.

---

10-09-2017 17:41:10

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
10/09/2017

How on earth does this happen! Time for us all to stand up and say NO find another solution!

---

11-09-2017 08:40:47

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
11/09/2017

This proposal should be stopped immediately and never should have been considered in the first place nor for this area.

---

11-09-2017 08:59:14

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
11/09/2017

We do not want this anywhere near our suburb. It should not be happening.

---

11-09-2017 12:38:56

[REDACTED]  
[REDACTED]  
[REDACTED]  
11/09/2017

We have just moved into the area, from Perth, for a sea change. We have a bore and the last thing we want is to be exposed to toxic, contaminated water!

---

11-09-2017 12:45:15



## Bouvard Coastcare Submission regarding City of Mandurah Section 43A of Feb 2019

---

[REDACTED]

[REDACTED]

[REDACTED]

11/09/2017

Surely there is more suitable, safer location to dispose of this toxic sewage water, far away from the community, and where it won't affect flora and fauna?

---

11-09-2017 13:15:42

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

11/09/2017

I cannot understand "WHY" the council thinks the public would allow this! It is outrageous! Lets stop it now!

---

11-09-2017 16:12:56

[REDACTED]

[REDACTED]

[REDACTED]

11/09/2017

If they have not been honest and transparent and have failed to meet any or all of its obligations regarding the environment then it should be stopped until and impact study has been completed and residents advised. It looks like Erin Brokovich all over again

---

11-09-2017 17:46:51

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

11/09/2017

11-09-2017 17:49:54

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

11/09/2017

WA is a big place. There is NO NEED to use Dawesville as Mandurah's rubbish dump. Concerned residents are doing all they can to protect wildlife and natural bushland and I am appalled that Mandurah Council are undermining their good work.

---

11-09-2017 18:26:09

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

11/09/2017



## Bouvard Coastcare Submission regarding City of Mandurah Section 43A of Feb 2019

---

This is not acceptable. There is a definite risk of leaching into the water that we, our children, our pets, drink and wash in on a daily basis. How dare the planners try to put this into place. Would they do it if they lived in the affected area? I don't think so. Disgusting!!

---

11-09-2017 19:21:20

[REDACTED]  
[REDACTED]  
[REDACTED]

11/09/2017

Nothing surprises me about the council and its attitude to ratepayers. From memory there is a session on the local radio 116AM in the afternoon where the Mayor can be questioned. May be good to get as many people as possible to bring this matter up..

---

11-09-2017 19:34:07

[REDACTED]  
[REDACTED]  
[REDACTED]

11/09/2017

As a local resident, I have serious concerns that the project proposed at Tim's Thicket facility will have a serious detrimental impact on the health and well being of my family, and residents who are unable to voice their concerns.

---

11-09-2017 20:24:40

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

11/09/2017

11-09-2017 21:20:25

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

11/09/2017

Should we not plan for the future of "Generations" to come and the "Now", and learn from other Countries mistakes? To place this hidden away and short gain facility in a prestige environmental sensitive area – between a beautiful Ocean and Estuary! Other International countries would preserve these areas for Public – Tourism and future Generations – NOT A DUMP! PLEASE NOTE; you will not be able to reverse the effects on nature and People settled around this area – for a short term solution and gain for some organisations! Please stop – before it is too late and the decision makers are sorry to have devastated our water resources and damaged this natural environment and its wildlife, forever! Regards [REDACTED] for 20 years!

---

11-09-2017 21:29:19

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]



## Bouvard Coastcare Submission regarding City of Mandurah Section 43A of Feb 2019

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11/09/2017

11-09-2017 22:45:45

[REDACTED]

11/09/2017

The Tim's Thicket Septage Proposal is completely absurd and the consequences of such project would be irreversible. Growing up right next to Yalgorup National Park has allowed me to see first hand the natural beauty and importance of such a pristine area. It disgusts me to think that such a project could be even considered. The environmental impact of such a project on the aquifer would be devastating.

12-09-2017 06:35:12

[REDACTED]

12/09/2017

Due to the lack of transparency over the monitoring and management of this facility I believe this facility needs to be closed and for new and improved options to be looked into in order to better protect the environment it's affecting

12-09-2017 09:28:14

[REDACTED]

12/09/2017

This proposal is preposterous and needs to be stopped!

12-09-2017 10:33:35

[REDACTED]

12/09/2017

this has been going on for years, and needs to be exposed and in this day and age old school methodology for this type of project is null and void.

12-09-2017 10:44:23

[REDACTED]

12/09/2017

12-09-2017 11:05:35

[REDACTED]



## Bouvard Coastcare Submission regarding City of Mandurah Section 43A of Feb 2019

---

[REDACTED]  
[REDACTED]

12/09/2017

The environmental implications have not been properly considered in the proposal of the liquid waste disposal site in Tims Thicket. If they wish to develop this site maybe they should dig up and remove all of the contaminants beforehand. I find the sneakiness of this proposal the most concerning, as it shows a clear attempt to push through something that would not go ahead had people been aware.

---

12-09-2017 11:39:50

[REDACTED]  
[REDACTED]  
[REDACTED]

12/09/2017

12-09-2017 12:50:12

[REDACTED]  
[REDACTED]  
[REDACTED]

12/09/2017

12-09-2017 15:38:54

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

12/09/2017

The contamination risk for this decision is far too high and could result in serious illness to locals living in the area. The Council could then be sued by locals and cost Mandurah millions of dollars in compensation.

---

12-09-2017 17:42:13

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

12/09/2017

12-09-2017 19:15:19

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

12/09/2017

I am completely against further contamination of our precious aquifer. There is already enough waste products in that area causing further damage to our environment.

---

12-09-2017 20:23:05

[REDACTED]  
[REDACTED]



## Bouvard Coastcare Submission regarding City of Mandurah Section 43A of Feb 2019

---

[REDACTED]

[REDACTED]

12/09/2017

Terrible!!

---

13-09-2017 13:47:52

[REDACTED]

[REDACTED]

[REDACTED]

13/09/2017

Hope this is stopped!

---

13-09-2017 19:50:17

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

13/09/2017

This is an unacceptable concept and every measure should be taken to bring it to a halt.

---

14-09-2017 17:24:46

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

14/09/2017

As a concerned resident of melros. I object to the Mandurah shires non testing of my beach. My fishing waters , and my bore water . They don't respect us, They must close this site to all tip wast and septage treatment. And don't steal our recreation land for anything other than its designated use.

---

14-09-2017 17:43:07

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

14/09/2017

This situation is becoming increasingly disturbing as local residents are being left out of the loop and misled as to what is intended to go on at Tim's Thicket. Stop polluting our water ways and back yards.

---

14-09-2017 18:26:57

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

14/09/2017



## Bouvard Coastcare Submission regarding City of Mandurah Section 43A of Feb 2019

---

My concern is about the covering up of evidence in the hope that it would go away. When water quality exceeded its trigger values, the sampling was stopped. When staff were shown photos of the rubbish in the old tip site, the photos were returned unviewed. I support this group and their actions as they live here and are directly affected.

---

14-09-2017 18:48:52

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

14/09/2017

---

14-09-2017 18:50:21

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

14/09/2017

This proposal is an insult to the environment and local residents and can be built into the new commercial zone now underway at Nambeelup.

---

14-09-2017 18:56:44

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

14/09/2017

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14-09-2017 19:38:46

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

14/09/2017

No

---

14-09-2017 19:39:30

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

14/09/2017

No

---

14-09-2017 20:01:46

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]



## Bouvard Coastcare Submission regarding City of Mandurah Section 43A of Feb 2019

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14/09/2017

As a resident of Tims Thicket Road since the early 1990's, I vote for closure to the Waste facility. When it was originally set up residents were assured its impact on the environment would be contained within the designated area. Clearly this is now not the case.

---

14-09-2017 20:23:12

[REDACTED]  
[REDACTED]  
[REDACTED]

14/09/2017

15-09-2017 08:55:18

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

I hate to see this sort of waste dumped anywhere, but especially in an area that could cause an on going problem. Especially as my family lives nearby. And there is a lot of limestone to leach through in the area, that supplies water to their vegetable gardens.

---

15-09-2017 10:40:40

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

15/09/2017

I do not think this is an appropriate place to have a waste disposal area . It would impact dramatically on our health, our fauna and flora and more importantly affect our whole water system and environmentally sensitive environment Please look elsewhere

---

15-09-2017 10:51:42

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

15/09/2017

Scientific evidence shows clearly this is a totally inappropriate site being on a Tamala limestone site which allows the site contaminates to enter the water table and surrounding wet areas

---

15-09-2017 13:44:28

[REDACTED]  
[REDACTED]  
[REDACTED]

15/09/2017

I vote for closure.

---

15-09-2017 17:36:28

[REDACTED]



## Bouvard Coastcare Submission regarding City of Mandurah Section 43A of Feb 2019

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[REDACTED]  
[REDACTED]  
[REDACTED]

15/09/2017

Please think again. It's too late once our water and ocean are contaminated. We have had much enjoyment from the ocean as we live in Melros and would be devastated if the fishing and swimming was affected.

---

15-09-2017 19:01:45

[REDACTED]  
[REDACTED]  
[REDACTED]

14/09/2017

The proposal of the City of Mandurah to take treated waste water from the existing sewage treatment ponds, and spray it over a spray field to allow it to soak away into the ground; is a environmental catastrophe.

Mandurah Waste Facilities department have been irresponsible in their management plans due to some of the following issues -

- The waste facility is built over highly porous Tamala limestone.
- This waste facility is located adjacent to or in close proximity to environmentally sensitive areas - including the Sea, Peel Inlet, Yalgorup National Park & Lake Clifton.
- They have Failed to be open and transparent with the public and residents when applying for licences.
- Failed to acknowledge or accept concerns and complaints from the residents unless forced to do so by the regulators.
- Failed to manage the facility to even the minimum level required by the regulatory authorities resulting in license suspension by the DER.

This facility should be Closed completely Now - not wait until a environmental catastrophe happens.

Please consider the future of this area for All sentient beings and the environment Thank you.

---

15-09-2017 20:11:41

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

15/09/2017

This is the first time I have been informed about the City of Mandurah proposal for this site. I am astounded that there has been virtually no public consultation on this matter. I applaud the Bouvard Coastcare Group for bringing it to our attention. I am definately against this proposal.

---

16-09-2017 10:02:57

[REDACTED]  
[REDACTED]  
[REDACTED]

16/09/2017

I've lived in Mandurah most of my life, been fishing, swimming, surfing at Tims Thickett for 30 years. I now own a property on Ridgewood dr (just off Tims Thickett rd). This is a concern to all of us and it must be stopped..

---

16-09-2017 11:12:59

[REDACTED]  
[REDACTED]  
[REDACTED]



## Bouvard Coastcare Submission regarding City of Mandurah Section 43A of Feb 2019

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[REDACTED]  
16/09/2017

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16-09-2017 11:16:24

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

16/09/2017

Disgraceful, SHUT IT DOWN, this has to stop !!

---

16-09-2017 12:36:29

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

16/09/2017

this proposal has to be stopped, the area should not be allowed to be used for rubbish/effluent disposal so close to the beach there must be alternate sites available elsewhere

---

16-09-2017 13:14:45

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

16/09/2017

This is outrageous, should not happen in our beautiful environment.

---

16-09-2017 13:22:01

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

16/09/2017

I do not believe this proposal is the best solution and will be damaging to the environment, schemes like this have proved over time to be the wrong choice of waste disposal, but by then its to late.

---

16-09-2017 13:25:46

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

16/09/2017

Not a good choice considering the local environment will be affected

---

16-09-2017 23:29:11

[REDACTED]  
[REDACTED]



## Bouvard Coastcare Submission regarding City of Mandurah Section 43A of Feb 2019

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[REDACTED]  
16/09/2017

Local council should be totally transparent to the public with in depth studies on the long term environmental impacts made available through local media .Look after our fragile coastline and our childrens future !

---

17-09-2017 10:57:51

[REDACTED]  
[REDACTED]  
[REDACTED]  
17/09/2017

One can only wonder why the Council has been so secretive about this proposal which leads us to believe it knew it would lead to much opposition from local residents and others because of lack of transparency.

---

17-09-2017 11:33:50

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
17/09/2017

The problem according to Mr Dick Smith is if we let the Migrant intake stay at its present level of 2.7% of per capita in Australia, The drinking water shortage will make life untenable by 2030. this silly water recycling project at Tims Thicket has the potential to move that expiry date even closer.

---

17-09-2017 14:00:10

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
17/09/2017

The council needs to take responsibility for this environmental problem they are creating

---

17-09-2017 14:59:17

[REDACTED]  
[REDACTED]  
[REDACTED]  
17/09/2017

There is such a large volume of evidence about the pollution here that I am surprised that this is even being considered

---

17-09-2017 15:23:41

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
17/09/2017

17-09-2017 16:55:50



## Bouvard Coastcare Submission regarding City of Mandurah Section 43A of Feb 2019

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[REDACTED]  
[REDACTED]

17/09/2017

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17-09-2017 18:55:56

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

17/09/2017

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18-09-2017 12:03:19

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

18/09/2017

We are amazed and disappointed that we have not heard directly from Council about this matter. It suggest all the worst fears many of us have about Governments - lack of transparency and afraid to openly communicate with ratepayers on difficult topics. Where is the EPA approval for this project?

---

18-09-2017 18:52:44

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

18/09/2017

This tip needs to be closed NOW Absolutely NO faith in MCC due to previous cover ups and outright lies!

---

18-09-2017 21:44:17

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

18/09/2017

This cannot be allowed to proceed. I vote for CLOSURE!

---

19-09-2017 10:30:22

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

19/09/2017

Well done, Mel. Thank you very much.

---

19-09-2017 10:32:35

[REDACTED]  
[REDACTED]



## Bouvard Coastcare Submission regarding City of Mandurah Section 43A of Feb 2019

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[REDACTED]  
[REDACTED]

19/09/2017

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19-09-2017 14:43:34

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

19/09/2017

Thank you, Mel.

---

19-09-2017 17:18:52

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

19/09/2017

It is hard to believe in this day and age people are making such bad decisions. It seems Dawesville is going to be treated as a dumping ground. Dumping ground for waste and undesirable people.

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19-09-2017 20:58:46

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

19/09/2017

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19-09-2017 21:02:11

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

19/09/2017

This is being done secretly....why?

---

19-09-2017 21:48:51

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

19/09/2017

I have sent this information to our committee at a Timbers Edge to inform them if just what is happening, I definitely wasn't aware of any of this , until I read the Mandurah mail, what can I do to help with this...

---

19-09-2017 22:21:02

[REDACTED]  
[REDACTED]



## Bouvard Coastcare Submission regarding City of Mandurah Section 43A of Feb 2019

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[REDACTED]  
19/09/2017

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20-09-2017 03:14:48

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
20/09/2017

This is a disgrace I don't want this facility anywhere near this most pristine habitat environments plus risk any of the leaching effects going anywhere near one our most favourite surfing beaches Melros, Tims Thicket and near the lovely camping grounds, there are plenty of other spots they can use which will be safer and have much less impact!

---

20-09-2017 05:15:41

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
20/09/2017

Save our wetlands  
Voting for closure of waste site

---

20-09-2017 06:33:16

[REDACTED]  
[REDACTED]  
[REDACTED]  
20/09/2017

Think of the future and stop poisoning us.

---

20-09-2017 10:37:29

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
20/09/2017

20-09-2017 10:52:52

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
20/09/2017

Mandurah city corruption!!! Transpacific corruption!!!! I knew I'd hit the nail on the head when after making noise about this issue I had A Police (drug raid on my home) very low move Mandurah city and the Federal member involved...the truth always comes out...

---

20-09-2017 13:47:07

[REDACTED]



**Bouvard Coastcare Submission regarding City of Mandurah Section 43A of Feb 2019**

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[REDACTED]  
[REDACTED]

20/09/2017

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21-09-2017 08:16:18

[REDACTED]  
[REDACTED]  
[REDACTED]

21/09/2017

Stop it now b3fore its to late

---

21-09-2017 09:58:54

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

21/09/2017

---

21-09-2017 14:25:25

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

21/09/2017

---

21-09-2017 17:26:13

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

21/09/2017

I am a new resident to Dawesville and i am only 3 houses from Tim's Thicket. The waste water treatment should definitely not go ahead due to the dumping grounds of hazardous materials! If this goes ahead the aquifer will be contaminated.

---

21-09-2017 17:34:47

[REDACTED]  
[REDACTED]  
[REDACTED]

21/09/2017

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21-09-2017 19:02:28

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

21/09/2017

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21-09-2017 22:10:08



## Bouvard Coastcare Submission regarding City of Mandurah Section 43A of Feb 2019

---

[REDACTED]

[REDACTED]

[REDACTED]

21/09/2017

There are better was to do things. Engineer around our irreplaceable natural environment!

---

23-09-2017 19:03:27

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

23/09/2017

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24-09-2017 06:32:42

[REDACTED]

[REDACTED]

[REDACTED]

24/09/2017

Please find a new site to store waste.

---

24-09-2017 22:37:17

[REDACTED]

[REDACTED]

[REDACTED]

24/09/2017

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25-09-2017 07:02:29

[REDACTED]

[REDACTED]

[REDACTED]

25/09/2017

---

25-09-2017 19:55:12

[REDACTED]

[REDACTED]

[REDACTED]

25/09/2017

---

26-09-2017 08:12:03

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

26/09/2017

This site needs to be closed completely to preserve the Ocean , Estuary and National parks for the future of Western Australia. More consultation is required URGENTLY.

---

26-09-2017 09:28:39

[REDACTED]



## Bouvard Coastcare Submission regarding City of Mandurah Section 43A of Feb 2019

---

[REDACTED]  
[REDACTED]  
[REDACTED]  
26/09/2017

I don't want the proposal to dump wastewater in the Tims Thicket area to go ahead.

---

26-09-2017 09:30:25

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
26/09/2017

Please don't go ahead with the proposal to dump wastewater in the Tims Thicket area

---

29-09-2017 06:44:20

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
29/09/2017

We are currently building our family home on one of the old blocks in Ayrton Street were we intend on spending the rest of our life here because we Love this area so much. We recently had a baby boy which will bring up in our new family home & I hope our new home will be past through generations & generations. I was very disappointed when I herd that there was a sewage water spray field was going to be on my back door.

---

02-10-2017 12:02:33

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
02/10/2017

02-10-2017 23:32:17

[REDACTED]  
[REDACTED]  
[REDACTED]  
Individual

Good work...

---

17-10-2017 09:41:48

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
17/10/2017

after reading how you have had very little response from a sitting councillor,i honestly think we need to replace a lot off the existing councillors.If you are elected i hope you will also be scrutinising councils expenditure.I have spoken



## Bouvard Coastcare Submission regarding City of Mandurah Section 43A of Feb 2019

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Rhys Williams and i think he is keen to have more controll by elected councillors in the expenditure of ratepayers money. Regards [REDACTED]

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18-10-2017 11:20:24

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

18/10/2017

As has been shown in previous locations where waste including hazardous materials have been allowed to leach into ground water, it is very difficult and extremely expensive to remedy afterwards. Has a proper environmental assessment of this been done? Has the Mandurah Council stated that they are ready to pay all costs of properly remedying any problem which arises from their actions - this would include providing affected persons with clean water to use to replace their contaminated water, as well as removing the hazardous material from the environment?

---

19-10-2017 17:27:16

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

19/10/2017

We are moving to this beautiful area in December from Melbourne and do not want our dream move ruining by this idiotic proposal.

---

20-10-2017 09:19:02

[REDACTED]  
[REDACTED]  
[REDACTED]

20/10/2017

20-10-2017 09:20:09

[REDACTED]  
[REDACTED]  
[REDACTED]

20/10/2017

24-12-2017 20:57:01

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

24/12/2017

Stop wrecking the living environment!  
I do not want this in my backyard

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Appendix C

[Groundwater monitoring result analysis - page 21-22](#)



**TIMS THICKET WASTE  
MANAGEMENT FACILITY**

**GROUNDWATER MONITORING  
RESULTS 2018**

**Monitoring Bore 9 Results (continued)**

BTEX	Units	April 2018	October 2018
Benzene	mg/L	<0.001	<0.001
Ethylbenzene	mg/L	<0.001	<0.001
Toluene	mg/L	<0.001	<0.001
M+p-Xylene	mg/L	<0.002	<0.002
o-Xylene	mg/L	<0.001	<0.001
<b>Solvents</b>			
MTBE	mg/kg	<0.001	<0.001
<b>TRH Fractions</b>			
TRH C6-C9	ug/L	<10	<10
TRH C10-C14	ug/L	<50	<50
TRH C15-C28	ug/L	<100	<100
TRH C29-C36	ug/L	<100	<100
TRH C6-C10	mg/L	<0.01	<0.01
TRH C6-C10 LESS BTEX (F1)	mg/L	<0.01	<0.01
TRH C10-C16	mg/L	<0.05	<0.05

**Bore Monitoring Results Analysis**

Based on groundwater investigation undertaken in October 2018 the following conclusions can be made:

- Groundwater was shown to be generally flowing in a south westerly direction towards the Indian Ocean across the Site. Groundwater flow between MB1 and MB9 was however reversed, flowing in a northeasterly direction
- Field Parameters identified:
  - Groundwater to be generally neutral across the site
  - High Dissolved Oxygen levels were recorded; and
  - Groundwater was also shown to be generally an oxidising agent (with positive ORPs) and reducing agent at a single location (MB8).
- Laboratory analysis undertaken identified:
  - TRH, BTEX, MTBE and PAH to be below the laboratory PQLs at all sampling locations
  - Metals concentrations were reported below the adopted assessment criteria, with the exception of the following:
    - Copper in exceedance of the DER, 2014 Marine Waters (0.0013 mg/L) assessment criteria at all locations. Concentrations ranged between <0.001 mg/L (MB5 triplicate) and 0.03 mg/L (MB3);
    - Zinc in exceedance of the DER, 2014 Marine Waters (0.015 mg/L) assessment criteria at MB1 (0.028mg/L), MB2 (0.019 mg/L), MB3A (0.045 mg/L), MB6 (0.016 mg/L) and MB8 (0.019 mg/L).
  - Nutrient concentrations including nitrite, total nitrogen and total phosphorous were reported below the adopted assessment criteria; and
  - Groundwater was shown to be fresh to saline, with TDS concentrations ranging between 550 mg/L (MB1) and 10,000 mg/L (MB8).
- Microbiological analysis did not detect any faecal contamination within groundwater;
- Highest nutrient concentrations were reported within the vicinity of the wastewater ponds;



- Comparison to the previous monitoring rounds, in regards to nutrients, total nitrogen concentrations have shown an overall increasing trend-however concentrations have slightly decreased between the April 2018 and October 2018 monitoring rounds. Ammonia has remained below the adopted assessment across all locations.
- Due to ongoing issues with the ability to sample MB3, a new monitoring bore was installed (within 2 metres of the existing bore) in early May 2018. The bore was sampled in mid May 2018 and the results are included in the above table.



## Bouvard Coastcare Submission regarding City of Mandurah Section 43A of Feb 2019

### Appendix D

BCCG letter to COM CEO Mark Newman dated 3 Dec 2017.



Bouvard Coastcare  
PO Box 5969  
Falcon  
WA 6210  
Ph: 0478 278 888

Mark Newman  
CEO  
City of Mandurah  
PO Box 210  
Mandurah WA 6210

3/12/17

Dear Mark,

Further to our meeting of 29<sup>th</sup> September 2017, and Bouvard Coast Care Group's (BCCG) subsequent committee meeting motion, BCCG formerly requests the City of Mandurah to change the Vestiture Purpose of reserve 24198 from its current designation of "Camping and Recreation" to "Conservation and Passive Recreation", to afford the reserve the extra protections required given its location immediately behind the dunal system of the Bouvard coastline.

This request is in accordance with the City of Mandurah's original responsibility in accordance with the documentation relating to the 1994 land swap with Department of Conservation & Land Management (CALM).

The relating documentation includes Bulletin 751, Ministerial Statement 375 and the Consultative Environmental review by Halpern/Glick/Mansell of March 1994 which state the following:

Ministerial determination 375 of 29 Nov1994 in paragraph 2-1 states:

"Subject to these conditions, the manner of detailed implementation of the proposal **shall conform in substance** with that set out in any **designs, specifications, plans or other technical material submitted by the proponent to the EPA** with the proposal."

And in the Proponent's section 1.1 which states:

"In implementing the proposal, **the proponent shall fulfil the commitments made in the Consultative Environmental Review...**"

The Consultative Environmental Review submission to the EPA made on behalf of the three proponents including the City of Mandurah and compiled by Halpern Glick and Mansell, states on Page 14:

"The balance of the excised portion of the reserve 21271, the balance of **reserve 24198**, and Reserve 33139 **will be retained in its natural state and managed by the City for Conservation and Passive Recreation** under a management plan which will be developed in consultation with CALM and The NPNC. This plan will be consistent with System 6 Recommendation C54."

We look forward to receiving your confirmation that the City of Mandurah will enact this change of use as required by the Ministerial direction.

Kind regards,

Mel Horton  
Chairperson Bouvard Coastcare Group

Cc Rhys Williams (Mayor)