

Mr Graeme Fardon
Chief Executive Officer
Shire of Quairading
PO Box 38
QUAIRADING WA 6383

Our Ref: CMS17532
Enquiries: Gerard O'Brien, 6364 7600
Email: Gerard.Obrien@dwer.wa.gov.au

Dear Mr Fardon

**DECISION UNDER SECTION 48A(1)(a)
*Environmental Protection Act 1986***

SCHEME:	Shire of Quairading Local Planning Scheme 3
LOCATION:	Whole of scheme area
RESPONSIBLE AUTHORITY:	Shire of Quairading
DECISION:	Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed Under Part IV of EP Act. Advice Given. (Not Appealable)

Thank you for referring the above scheme to the Environmental Protection Authority (EPA).

After consideration of the information provided by you, the EPA considers that the proposed scheme should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act) but nevertheless provides the attached advice and recommendations.

Please note the following:

- For the purposes of Part IV of the EP Act, the scheme is defined as an assessed scheme. In relation to the implementation of the scheme, please note the requirements of Part IV Division 4 of the EP Act.

- There is no appeal right in respect of the EPA's decision to not assess the scheme.

A copy of this letter and the attached advice and recommendations will be made available to the public via the EPA website.

Yours sincerely



Anthony Sutton
Delegate of the Environmental Protection Authority
Executive Director
EPA Services

4 February 2019

Encl. Scheme Advice and Recommendations

**ADVICE UNDER SECTION 48A(1)(a)
ENVIRONMENTAL PROTECTION ACT 1986**

Shire of Quairading Local Planning Scheme 3

Location: Shire of Quairading

Determination: Scheme **Not Assessed** – Advice Given (not appealable)

Determination Published: 4 February 2019

Summary

The Shire of Quairading has initiated Local Planning Scheme 3 (LPS 3) to replace the existing LPS 2.

The Environmental Protection Authority (EPA) has considered the scheme in accordance with the requirements of the *Environmental Protection Act 1986* (EP Act). The EPA considers that the scheme amendment is unlikely to have a significant effect on the environment and does not warrant formal assessment under Part IV of the EP Act. The EPA has based its decision on the documentation provided by the Shire of Quairading (the Shire). The EPA's assessment focused on the zoning changes. Proposals outside of these areas and/or proposals raising new environmental issues which are likely to have a significant effect on the environment should still be referred to the EPA pursuant to Section 38 of the EP Act. Having considered this matter the following advice is provided.

Environmental Factors

The EPA has identified the following preliminary environmental factors relevant to this scheme amendment:

- Air Quality; and
- Social Surroundings.

Advice and Recommendations regarding Environmental Factors

Air Quality and Social Surroundings

LPS 3 proposes to rezone land to general industry and industrial development zones. Subsequently, the EPA would expect that some future proposals within these zones may lead to environmental impacts to the above factors due to associated noise, dust and odour issues, especially any expansion to the existing Co-operative Bulk Handling (CBH) Group facility. As sufficient information in relation to the range of environmental impacts associated with proposals which may be allowable under these zones is not available to the EPA in considering the LPS, the EPA has not been able to undertake an assessment of the relevant environmental issues. The Shire should refer future significant proposals to the EPA pursuant to Part IV of the EP Act. This approach would also apply to proposals within the existing zones included within the LPS, which have been transferred from the previous scheme.

LPS 3 requires that structure planning be undertaken within the proposed industrial development zones, to guide subdivision and development. Structure planning should take into consideration potential impacts to the environment, especially social surroundings. EPA

Guidance Statement 3 *Separation Distances between Industrial and Sensitive Land Uses* should be considered in this regard.

Conclusion

The EPA concludes that implementation of the scheme can be managed to meet the EPA's environmental objectives for the above factors through existing development controls within the scheme. Future structure planning and proposals should also further identify, manage and protect the above environmental factors. The Shire should refer future significant proposals to the EPA pursuant to Part IV of the EP Act.