

Chief Executive Officer
Shire of Gnowangerup
28 Yougenup Road
GNOWANGERUP WA 6335

Your Ref File 31.1.2
Our Ref 13-321543
Enquiries Gerard O'Brien
Phone 6145 0814

Attn: Craig Pursey

Dear Sir/Madam

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

SCHEME AMENDMENT TITLE: Shire of Gnowangerup Local Planning Scheme
2 Amendment 6 - Rezoning
LOCATION: Lot 426 (Reserve 12911) Garnett Road & Lots
183, 184 & 185 (Reserve 27370) Whitehead
Road
LOCALITY: Gnowangerup
RESPONSIBLE AUTHORITY: Shire of Gnowangerup
DECISION: Scheme Amendment Not Assessed – Advice
Given (no appeals)

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

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

ADVICE AND RECOMMENDATIONS

1. Environmental Issues

- Flora and vegetation
- Amenity

2. Advice and recommendations regarding Environmental Issues

Flora and vegetation

The EPA supports the 'Recreation' reserve between the grain facility and the proposed 'Special Use' and 'Structure Plan Area' zones with the intention that the vegetation will be retained within this 'Recreation' reserve.

The EPA has assessed the potential impacts of the amendment as referred. Should clearing of the remnant vegetation within the area proposed for 'Recreation' be proposed, a clearing permit must be obtained from the Department of Environment and Regulation, unless it is of a kind that is exempt in accordance with Schedule 6 or Regulation 5 (Clearing of Native Vegetation Regulation) of the EP Act.

Amenity

Amendment 6 proposes to include land nearby to a CBH grain facility within the 'Special Use' and 'Structure Plan Area' zones. The EPA's Guidance Statement No.3 *Separation Distances between Industrial and Sensitive Land Uses* (June 2005) recommends a buffer distance for grain cleaning and a grain elevator of 300-500m and 500m respectively. The factors are noise, dust, odour and risk.

Whilst the recommended minimum buffer distance of 300m appears to be met, the EPA advises that future expansion of the grain facility may be restricted due its proximity to residential development within the 'Structure Plan Area' zone.

3. General Advice

- For the purposes of Part IV of the EP Act, the scheme amendment is defined as an assessed scheme amendment. In relation to the implementation of the scheme amendment, 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 on the level of assessment of scheme amendments.
- A copy of this advice will be sent to relevant authorities and made available to the public on request.

Yours faithfully



Anthony Sutton
Director
Assessment and Compliance Division

21 October 2013