

Mr Tim Clynch
Chief Executive Officer
Shire of Bridgetown-Greenbushes
1 Steere Street
BRIDGETOWN WA 6255

Our Ref: APP-0000207
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Dear Mr Clynch

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

SCHEME	Shire of Bridgetown-Greenbushes Town Planning Scheme 4 Amendment 71
LOCATION	Lot 48 (No. 37) Jephson Street, Greenbushes
RESPONSIBLE AUTHORITY	Shire of Bridgetown-Greenbushes
DECISION	Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed Under Part IV of the 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 the EPA's Determination is attached and, together with the advice and recommendations, will be made available to the public via the EPA website.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'MAT TONTS', followed by a long horizontal flourish.

Prof. Matthew Tonts
Chair of the Environmental Protection Authority

31 January 2023

Encl. EPA Determination
Scheme Advice and Recommendations

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

Shire of Bridgetown-Greenbushes Town Planning Scheme 4 Amendment 71

Location: Lot 48 (No. 37) Jephson Street, Greenbushes

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

Determination Published: 6 February 2023

Summary

Amendment 71 proposes to insert Additional Use No. 7 (A7) to provide for a 'Motor Vehicle Repair Station' as a discretionary ('D') land use at Lot 48 Jephson Street, Greenbushes.

The Environmental Protection Authority (EPA) has considered the scheme amendment 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 original referral documentation and additional information provided by the Shire of Bridgetown-Greenbushes (the Shire) to this amendment. Having considered this matter, the following advice is provided.

Environmental Factors

Having regard to the EPA's *Statement of Environmental Principles, Factors, Objectives and aims of Environmental Impact Assessment (EIA)*, the EPA has identified the following preliminary environmental factor relevant to this scheme amendment:

- Social Surroundings

Advice and Recommendations regarding the Environmental Factor

The amendment area is located over a developed Lot within the Greenbushes townsite. Lands to the northwest, northeast, and southeast of the amendment area are zoned 'Residential', whilst lands to the southwest are zoned 'Commercial'. Several dwellings are located within close proximity to the amendment area.

The referral document states that the proposed amendment would provide for numerous activities including vehicle maintenance and repair, servicing, part replacements, and wheel alignments. However, the EPA notes that the definition of 'Motor Vehicle Repair Station' within the Town Planning Scheme 4 (TPS 4) may provide for additional activities to those included in the referral document, including panel beating.

'Motor Vehicle Repair Station - means land and building used for the mechanical repair and overhaul of motor vehicles including tyre recapping, re-treading, panel beating, spray painting and chassis reshaping.'

The EPA notes that [Guidance Statement 3: Separation Distances Between Industrial and Sensitive Land Uses](#) (EPA, 2005) recommends a buffer distance of 200 metres from a motor body works industry (including panel beaters) to sensitive sites. The Guidance Statement also identifies potential impacts from a motor body works industry including noise, dust and odour

emissions. If appropriate, an assessment (noise, dust, odour) may be required to determine a site specific buffer requirement.

The EPA notes that additional information provided by the Shire stated that it is not the intent of Council to permit panel beating activities at the site, should the amendment be implemented. The EPA supports the Council's position, and recommends the insertion of additional text to A7 at Schedule 4 of the Scheme to further support the mitigation and management of potential impacts from emissions (particularly noise) to nearby sensitive land uses.

Further additional scheme text may be considered to require:

- Noise attenuation through design or engineering (e.g. soundproofing of boundary fences/walls, planting screening vegetation).
- Restrictions on the hours of operation.
- Restrictions on the number of vehicles on site.
- Prohibition of panel beating activities.
- Future conditions (as part of subsequent approvals processes) regarding the proper storage and disposal of chemicals and wastewater on/from the amendment area.

The EPA also notes that future development and use of the proposal site for a 'Motor Vehicle Repair Station' will be required to demonstrate consistency with the *Environmental Protection (Noise) Regulations 1997*. The requirements of the regulations may assist in further mitigation and management of potential noise emissions from the amendment area.

Conclusion

The EPA concludes that the amendment can be managed to meet the EPA's environmental objectives for the above factor through existing planning scheme controls and the proposed Amendment 71 text. Future planning requirements, further modifications to the proposed Amendment 71 text and other statutory processes (such as development applications) are also able to manage potential impacts. The EPA recommends its advice is implemented to further mitigate potential impacts to the above factor.