

Chief Executive Officer
Shire of Coolgardie
PO Box 138
KAMBALDA WA 6442

Our Ref 13-236320
Enquiries Angela Coletti
Phone 6145 0806

Attn: Phil Denniston

Dear Sir/Madam

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

SCHEME TITLE: Shire of Coolgardie Local Planning Scheme
No. 5
RESPONSIBLE AUTHORITY: Shire of Coolgardie
DECISION: Scheme Not Assessed – Advice Given (no
appeals)

Thank you for your letter referring the above scheme to the Environmental Protection Authority (EPA). The EPA has received advice from the Department of Planning and other relevant agencies in relation to environmental and planning issues.

After consideration of the likely environmental factors related to the above scheme and based on the information provided by you, the EPA considers that the scheme should not be assessed under Part IV of the *Environmental Protection Act 1986* but nevertheless provides the following advice and recommendations.

Advice and recommendations

The EPA notes that the scheme will allow for a range of potential uses within several zones (including new zones), which could lead to significant environmental impacts. Environmental issues will need to be assessed and considered, along with detailed planning, to ensure that there are no significant environmental impacts.

The EPA has reviewed these new zones and provides the following advice:

Rural/mining zone

The EPA notes that mining tenements exist in and around the town sites of the Shire of Coolgardie. If there are existing mining operations in close proximity to sensitive uses then an appropriate buffer should be incorporated into the scheme in accordance with EPA Guidance No.3 *Separation Distances between Industrial and Sensitive Land Uses*, 2005. The EPA recommends that generic separation distances are maintained unless adequate site-specific studies have been carried out that demonstrate that a lesser distance will not cause unacceptable impacts.

The EPA also recommends that any future mining proposals in close proximity to sensitive uses consider an appropriate buffer in accordance with EPA Guidance No.3 *Separation Distances between Industrial and Sensitive Land Uses*, 2005.

The EPA notes that some land parcels being rezoned to the rural/mining zone may contain Declared Rare or Priority Flora as listed in the Department of Parks and Wildlife (DPaW) Threatened (Declared Rare) Flora database. A field investigation of Declared Rare Flora and Fauna should be undertaken in conjunction with a search of the DPaW's database prior to any clearing. If identified on the property these species should be protected pursuant to the provisions of the *Wildlife Conservation Act 1950*. Any development adjacent to land managed by the DPaW will require consultation with DPaW in regard to this matter.

The EPA recommends the Shire of Coolgardie to consult with the DPaW in the preparation of relevant management plans as a condition of a Local Structure Plan, subdivision or a development application.

Airstrip

The EPA notes an airstrip (Shire of Coolgardie Assigned ID 125) is located approximately 1.4 kms from the town centre of Kambalda and is near the Kambalda Nature Reserve. Any development adjacent to land managed by the DPaW will require consultation with DPaW in regard to this matter.

Any future development adjacent to residential areas should be consistent with the EPA's Guidance Statement No. 3 *Separation Distances between Industrial and Sensitive Land Uses*, 2005 and in accordance with the *Environmental Protection (Noise) Regulations 1997*. The Department of Environmental Regulation (DER) can provide further advice concerning this matter.

The EPA notes further consultation and investigations are required in the preparation of relevant management plans as a condition of a Local Structure Plan, subdivision or a development application with DPaW, DER and other relevant agencies.

Rubbish disposal site

The EPA acknowledges a rubbish tip (Shire of Coolgardie Assigned ID 129) is to be rezoned from rural/mining to public purpose – rubbish tip which will reflect the vesting of the land. The EPA notes that the subject land is near an Aboriginal site (Kambalda Site) and recommends further consultation with the Department of Aboriginal Affairs.

Conservation Areas

The EPA supports the "new" Conservation zone regarding protection of remnant vegetation included in the Local Planning Scheme No.5 as outlined in your letter dated 9 April 2013.

The EPA understands that the Conservation zoned areas are classified as "Local Scheme Reserves" which fall under Part 3 of the Scheme Text. Advice received from the Department of Planning states that should any land classified as Local Scheme Reserve be proposed for any other use, at any time, the relevant authority the reserve is vested in would need to be consulted prior to any proposal being determined.

The EPA recommends that the Scheme documentation reflect that no development be approved in a Conservation zoned area.

General Advice

- 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 on the level of assessment of schemes.
- 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

2 December 2013