



Mr Neil Hartley
Chief Executive Officer
Shire of Ashburton
PO Box 567
TOM PRICE WA 6751

Our Ref 13-473769
Enquiries Stephen Pavey
Phone 6145 0837

Dear Mr Hartley

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

SCHEME AMENDMENT TITLE: Shire of Ashburton Local Planning Scheme 7
Amendment 26 - Rezoning the Wastewater
Treatment Plant site on Reserve 47957

RESPONSIBLE AUTHORITY: Shire of Ashburton

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

In considering the Amendment the EPA has not assessed the potential environmental impact of the disposal of solid or liquid wastes that may be produced by the operation of the WWTP. The EPA notes that future expansion of the Waste Water Treatment Plant (WWTP) is expected to take place in stages. The EPA takes this opportunity to remind the Shire of Ashburton that any proposal that may have a significant impact on the environment or a proposal of a prescribed class must be referred to the EPA under section 38 of the EP Act.

1. Environmental Issues

- Amenity

2. Advice and recommendations regarding Environmental Issues

A number of emissions can be generated by industrial activities and infrastructure, including WWTPs. These include noise and air emissions (gases and odours). The levels of emissions can at times potentially exceed amenity levels considered acceptable in residential areas and at other sensitive land uses. In line with the requirements of the EP Act, it is necessary for individual industrial developers to take all reasonable and practicable measures to prevent or minimise emissions from their premises. It is generally expected that, through appropriate site layout, design of facilities, and the implementation of engineering and process controls, emissions from an individual industrial land use can be prevented from causing an adverse environmental impact beyond the boundaries of the particular site or beyond the boundaries of an industrial estate.

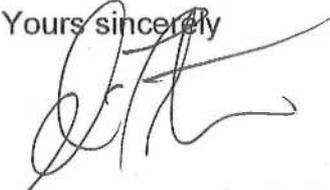
EPA Guidance Statement 3: Separation Distances between Industrial and Sensitive Land Uses provides guidance on what would be considered to be an appropriate buffer between particular industrial activities and sensitive land uses. In the case of a WWTP, the Guidance Statement indicates that the buffer distance should be determined on a case by case basis and informed by site specific studies. The EPA notes that the proponent has consulted and will continue to consult the Department of Environment Regulation (formally the Department of Environment and Conservation) with respect to modelling potential odour emissions. The EPA considers this to be appropriate as that agency possesses the technical expertise on these matters.

Finally, the EPA notes that while the Amendment provides for a 600 metre buffer, the nearest sensitive land use is well beyond that distance. Should site specific studies determine that a larger buffer is required, then the EPA would expect that any proposed rezoning to allow sensitive land uses in the general area of WWTP would only be initiated if development on that land was not impacted by WWTP odour and noise emissions.

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 sincerely



Darren Foster
Director
Strategic Policy and Planning Division

13 January 2014