

Amendment No. 13 - Proponent responses to submissions and EPA assessment

No.	Submitter	Key points	Proponent response
1.	Environmental Protection Authority	<ul style="list-style-type: none"> • The proposed scheme amendment should not be assessed. • Not necessary to provide advice or recommendations. • Impacts to nearby residents can be managed through scheme provisions and regulated under the <i>Environmental Protection (Noise) Regulations 1997</i>. 	<ul style="list-style-type: none"> • Noted and agree with the EPA assessment. • Impacts to nearby residents can be managed through scheme provisions and regulated under the <i>Environmental Protection (Noise) Regulations 1997</i>. • The Amendment proposes Light and Service Industry (low key and low impact uses) and not Industry (potential for higher impact uses) adjoining Residential zoned land. • The Amendment addresses the EPA Guideline 3 '<i>Guidelines for the Assessment of Environmental Factors No. 3 – Separation Distances between Industrial and Sensitive Land Uses</i>'.
2.	Adjoining resident (A second submission was also made - see submission No. 10)	<p>Noise - 10 metres between bedroom windows and neighbouring block where Duraquip wish to expand.</p> <p>Are already woken early on a daily basis from noise associated with Duraquip.</p> <p>Noise associated with Duraquip (trucks coming and going) regularly occurs until 10pm.</p> <p>The noise will be unbearable if Duraquip moves closer to the home.</p> <p>Safety. The expansion of Duraquip will increase traffic, including heavy traffic, to the current quiet residential street. Safety risk for children in the street.</p> <p>Resale/rental value. The rezoning of neighbouring lots will negatively impact the resale and rental value.</p>	<ul style="list-style-type: none"> • The Amendment proposes Light and Service Industry (low key and low impact uses) adjoining Residential zoned land. The planning system accepts light industry land adjoining residential land, as light industry uses are required to contain impacts on their own property. • Storage and related buildings on the Light and Service Industry land should assist to provide a buffer between land zoned Industry and land zoned Residential. • The Indicative Site Development Plan has been modified to include a notation that a minimum 3 metre setback is provided to the boundary adjoining residential properties, the provision of a suitable acoustic wall and no/minimal openings towards adjoining residential properties. <p>Duraquip currently have approval to operate 7.00am to 7.00pm Monday to Saturdays for full operations. Duraquip are permitted by the Shire to commence work prior to 7.00am provided it is for non-noisy activities. The existing and expanded operations are subject to the <i>Environmental Protection (Noise) Regulations 1997</i>.</p> <p>Trucks, on occasions, will access or leave the Duraquip site after 7.00pm. Nearly all trucks access or leave the Duraquip site between the hours of 7.00am and 7.00pm.</p> <p>Noise levels will be addressed by the above and other measures and as conditioned by the Shire.</p> <p>Trucks do not and will not use House, Aylmore or Formby Streets for on-going Duraquip operations, but are limited to accessing and leaving Duraquip via Cecil Street. This is addressed through modifications to the Indicative Site Development Plan.</p> <p>There is no evidence that approval of the Amendment will impact property or rental values.</p>

		The Duraquip yard is a mess and is an unpleasant view from the home. We do not want the "mess" closer to our home.	Duraquip are keen to clean up the property which will be facilitated by gaining approval for storage sheds to keep equipment under cover so equipment is not viewed by neighbours.
3.	Department Water and Environmental Regulation (A second submission was also made - see submission No. 11)	No comments as the proposal is not considered to have potential impacts for environment or water resources.	Noted and agree with DWER comments. Environmental and social impacts can be effectively controlled by the Shire via conditions of development approval.
4.	Adjoining landowner	Expansion should not be considered as there is more than ample industrial land available within the existing Gnowangerup Industrial Area.	There is limited industrial land in the south-west of the Gnowangerup townsite and none suitable to effectively coordinate with Duraquip's existing operations.
		Proposed zone changes will undermine current community planning and efforts to attract new people to the town.	No evidence has been provided to support the statement that it will undermine efforts to attract new people to Gnowangerup. A key part of attracting people to town is employment which this Amendment will support.
		Current property is used as a residence for farm workers. Being engulfed by industrial activity will have a detrimental impact on the ability to attract potential employees to reside in this residence.	<ul style="list-style-type: none"> The property is proposed to adjoin a Light and Service Industry zone with low key and low impact uses. There will be minimal impact on overshadowing given Duraquip is on the south or south-west side of the residential properties.
		Resale value will be reduced due to increased noise, lights, fumes, dust pollution and heavy traffic movements.	<ul style="list-style-type: none"> No evidence was provided regarding resale value. Noise and light impacts can be addressed at the Development Application stage through appropriate design of the buildings and lighting, through proposed acoustic measures and through the imposition of development conditions. The Amendment proposes Light and Service Industry (low key and low impact uses) adjoining Residential zoned land. Light and Service Industry does not enable uses that create off-site dust or fumes. Heavy traffic will not occur on House, Aylmore or Formby Streets, for on-going Duraquip operations, with access limited to Cecil Street.
		No faith in the generic acoustic report dated 23 June 2010. Measures that will be put in place to manage and minimise noise impact are noted for the wrong location.	<ul style="list-style-type: none"> The acoustic report from 2010 was associated with an Amendment seeking Industry zoning. In comparison, Amendment 13 proposes Light and Service Industry (low key and low impact uses) and not Industry (potential for higher impact uses) adjoining Residential zoned land. Noise impacts will be considerably lower for uses permitted in the Light and Service Industry zone.

			<ul style="list-style-type: none"> The EPA have considered there is land use compatibility and noise can be appropriately addressed.
		Changing the zoning will increase access to Duraquip from Formby and Aylmore Streets. Concerns that Formby St, which is currently an ungazetted cul-de-sac, could potentially be reopened as a thoroughfare.	Trucks do not and will not use House, Aylmore or Formby Streets, for on-going Duraquip operations, but are limited to accessing and leaving Duraquip via Cecil Street. This is addressed through the modified Indicative Site Development Plan.
		Rezoning comes with no guarantee that this is what the resulting use will be in either the short or long term.	Permissible uses are set by the Local Planning Scheme which is administered by the Shire.
		Who has the final say on what this use is actually defined as?	The Shire, as set by the Local Planning Scheme.
		Can a shed or large building be built on the boundary fence?	The Indicative Site Development Plan has been modified to include a notation that a minimum 3 metre setback is provided to the boundary adjoining residential properties, the provision of a suitable acoustic wall and no/minimal openings towards adjoining residential properties.
		How long until a further amendment application will be submitted asking for Lot 8 Formby St to be rezoned as Industry?	There are no plans.
		The Shire noted in a letter dated 29 April 2020, "The proposal is to rezone the land to facilitate the future development of portions for industrial activities."	Noted. The Amendment proposes to rezone some land to 'Industry' and some land to 'Light and Service Industry'.
		Rezoning will push out houses and people to make room for large gravel yards devoid of natural vegetation.	Existing houses have legal rights to remain and will not be 'pushed out'. Future development approvals will require the provision and maintenance of landscaping and the Shire will set an appropriate standard for parking areas.
		Industry is already adequately catered for within the existing Industrial Area.	There is limited industrial land in the south-west of the Gnowangerup townsite.
		Make better use of the land that is already zoned for this use.	The Amendment will support an efficient use of land to support a key local business.
		Rezoning could set an alarming precedent.	The Shire considers each Amendment request on its merits.
5.	Department of Health	<ul style="list-style-type: none"> The development is required to connect to scheme water and reticulated sewerage. The amendment is to acknowledge and incorporate appropriate separation distances in accordance with EPA Environmental Assessment Guideline 3. 	<ul style="list-style-type: none"> Noted and support the Department's comments. The Amendment acknowledges EPA Environmental Assessment Guideline 3. The EPA note impacts to nearby residents can be managed through scheme provisions and regulated under the <i>Environmental Protection (Noise) Regulations 1997</i>.
6.	Department of Mines, Industry Regulation and Safety (A second submission)	No objection with respect to mineral and petroleum resources, geothermal energy and basic raw materials.	Noted.

	was also made - see submission No. 12)		
7.	Department of Fire and Emergency Services	The property is not located within a designated bushfire prone area.	Noted.
8.	Local business	<ul style="list-style-type: none"> • Supportive of Duraquip expansion and rezoning. • Business expansion in Gnowangerup needs to be supported. • Conditions can be applied if needed. 	Noted and welcome the support.
9.	Local resident	<ul style="list-style-type: none"> • Supportive of the rezoning and supportive of Duraquip's proposed expansion. • Duraquip provide great service and support to other local businesses. • Duraquip are a large local employer. • Duraquip's expansion has added solid backing to the industry sector in Gnowangerup. 	Noted and welcome the support.
10.	Adjoining resident (Previous submission provided – refer to submission No. 2)	There has been an increase in early morning and late-night noise due to the laying of foundations. The noise starts at 5.00am and continues until 10.30pm. On 29 July 2020, the family went to the Duraquip premises at 10.30pm asking them to stop the noise from the grader and compactor.	<p>In relation to 29 July 2020, this was a one-off which involved the completion of concreting work. This is not relevant to the scheme amendment request.</p> <p>Duraquip currently have approval to operate 7.00am to 7.00pm Monday to Saturdays for full operations. Duraquip are permitted by the Shire to commence work prior to 7.00am provided it is for non-noisy activities. The existing and expanded operations are subject to the <i>Environmental Protection (Noise) Regulations 1997</i>.</p> <p>Trucks, on occasions, will access or leave the Duraquip site after 7.00pm. Nearly all trucks access or leave the Duraquip site between the hours of 7.00am and 7.00pm.</p>
		Increased noise from road trains accessing Duraquip from the new driveway in Aylmore Street rather than using the industrial area route.	Trucks recently used Aylmore Street for temporary non-Duraquip operations. The trucks were carting fill and pulled through the site onto Aylmore Street. This is not relevant to the scheme amendment request.
		Safety concerns for children with road trains accessing Duraquip from the new driveway in Aylmore Street rather than using the industrial area route.	Trucks do not and will not use House, Aylmore or Formby Streets, for on-going Duraquip operations, but are limited to accessing and leaving Duraquip via Cecil Street. This is addressed through modifications to the Indicative Site Development Plan.
11.	Department Water and Environmental Regulation (Previous submission	No further comments to make on the proposal.	Noted.

	provided – refer to submission No. 3)		
12.	Department of Mines, Industry Regulation and Safety (Previous submission provided – refer to submission No. 6)	No further comments.	Noted.
13.	Water Corporation	Reticulated water and sewerage services are currently available to the subject area to serve the lots.	Noted.
		The developer may be required to fund new works or the upgrading of existing works and protection of all works if Water Corporation assets are affected.	Noted.
		The proposed changes to the Scheme do not appear to impact on Water Corporation assets or operations.	Noted and agree.
		Any further development on the lots will require approval by Water Corporation Building Services section prior to the commencement of works.	Noted.
		Infrastructure contributions and fees may be required to be paid prior to approval being issued.	Noted.
14.	Local business	<ul style="list-style-type: none"> • Supportive of Amendment 13. • Understands the importance and challenges of trying to improve and expand a business. • Excited about the future of Duraquip, especially with the release of their new product: the "Seed Storm". Believes there will be strong demand for this product and wants to ensure the manufacturing of the "Seed Storm" remains in Gnowangerup. • The continued growth and development of local businesses such as Duraquip will benefit the Shire in many ways. • Duraquip are a strong supporter of the Gnowangerup community – providing employment and attracting wealth and skill to the community. • The community needs to work together so that more 	Noted and welcome the support. Agree with the points raised including the critical need for job creation and investment in Gnowangerup.

		<p>industrial land can be made available within Gnowangerup. It is challenging for small businesses to get established without the pressure of having nowhere to create their business premises.</p> <ul style="list-style-type: none">• We need to be thankful and supportive of the businesses we have and encourage forward thinking towards new and expanding businesses.	
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