11.1.2.3 Proposed Amendment to the Town of Port Hedland Town Planning Scheme No. 5 to Facilitate the Creation and Implementation of the Wedgefield Industrial Estate Development Plan (File No.: 18/09/0031)

Officer Luke Cervi

Planning Officer

Date of Report 4 January 2010

Application Number 2009/756

Disclosure of Interest by Officer Nil

Summary

This report outlines the changes proposed to the Town of Port Hedland Town Planning Scheme No.5 (TPS5) to facilitate the creation and implementation of the Wedgefield Industrial Estate Development Plan (WIEDP) which has been prepared to coordinate the strategic expansion of Wedgefield for light and transport related industrial purposes. The proposed changes consist of the following:

- 1. Inserting the 'Wedgefield Industrial Estate Development Plan (WIEDP) into Appendix 5 of TPS5.
- 2. Modifying the 'Airport Development Plan Area' in Appendix 5 of TPS5 by excluding land to be included in the WIEDP
- 3. Creating a 'Light Industry' zone
- 4. Creating a 'Transport Industry' zone
- 5. Rezoning land in accordance with the WIEDP
- 6. Including additional definitions and/or changes to existing definitions

Background

The Land Use Master Plan (LUMP) was adopted by Council to guide the growth and development of the Town over the next 20-25 years. Section 3.2 of the LUMP identified a short supply of four types of industrial land within Port Hedland being noxious uses, transportation-related businesses, light industry and mixed businesses.

The LUMP established the following policies for industrial development:

2.4(a) Contain the spread of industrial uses in well planned, orderly precincts that are located to take advantage of existing infrastructure wherever possible, to support existing industrial development, and to avoid conflicts with adjacent land uses.

- 2.4(b) Identify appropriate locations for different types of industrial uses, promoting synergies among related businesses and avoiding conflicts between noxious and light industrial uses.
- 2.4(c) Establish high standards of design and construction quality and landscape development to protect the "view from the road" on Great Northern Highway and the entries to South Hedland, Wedgefield and the Port area.

Furthermore the LUMP made the following recommendation in regard to Wedgefield:

Rezone the Wedgefield Special Control Area to Light Industry, making noxious uses "non-conforming", and converting existing general industrial uses to "additional uses" for a period of ten years from the date that new land suitable for general industrial use is released for development. Following this 10-year period, all general industrial uses in Wedgefield also become non-conforming.

The WIEDP has been prepared to coordinate the strategic expansion of Wedgefield for light and transport related industrial purposes.

Consultation

Extensive consultation with LandCorp, Main Roads Western Australia, Port Hedland Port Authority, Department of Planning, Department of Environment and Conservation and Horizon Power has been undertaken in the preparation of the WIEDP. Public consultation will occur if Council decides to initiate the amendment.

Statutory Implications

The Planning and Development Act 2005 and the Town Planning Regulations 1967 provide Council the authority to amend its Local Planning Scheme and establish the procedure required to make this amendment.

Draft State Planning Policy 4.1 – State Industrial Buffer (amended) is also relevant to this proposal.

Policy Implications

Nil

Strategic Planning Implications

Key Result Area 4 – Economic Development Goal 4 – Land Development Projects Strategy 1 - Fast-track the release and development of commercial, industrial and residential land in a sustainable manner including:

- Pretty Pool Developments
- South Hedland New Living developments
- LandCorp's Various Industrial Land release programs.
- Moore St Development and West end Developments
- South Hedland CBD Developments
- Redevelopment of the Port Hedland Telstra/Water Corporation Site.

Key Result Area 4 – Economic Development
Goal 5 – Town Planning & Building
Strategy 1 - Work with key stakeholders to ensure that the Land
Use Master Plan is implemented.

Budget Implications

A fee of \$1,650 to initiate the Scheme Amendment has been received.

Officer's Comment

The LUMP identified a short supply of four types of industrial land within Port Hedland being:

- noxious uses including operations that generate excessive noise, odour, dust or other negative impacts;
- transportation-related businesses that operate over-sized equipment and need immediate access to various kinds of specialised services such as refueling and tyre replacement depots, truck washes or maintenance yards;
- light industry including construction yards, prefabricators and mechanical maintenance and repairs – similar to the array of small businesses that make up much of Wedgefield; and
- mixed businesses including showrooms, warehousing, car and boat sales yards – the type of large scale retail and service activities that are inappropriate in a town centre.

The new zones to be created are Light Industry and Transport Development. The intent of the Light Industry zone is to provide land for the purpose of generally small scale industrial development, which exhibit a high standard of design and environmental performance in terms of amenity, noise, emissions and generation of vehicular traffic. The purpose of the Transport Development zone is to accommodate the operation of over-sized equipment and services supporting the transport industry.

It is important to note that the proposed WIEDP has been developed to facilitate the expansion of Wedgefield for Light and Transport related industries in accordance with the LUMP. It will not provide for noxious uses and general industry uses.

It is acknowledged that there is pressure to release land for these purposes, however, this land is not appropriate for such purposes. Permitting noxious and general industry uses would conflict with policy 2.4(a) and 2.4(b) of the LUMP and the recommendation for Wedgefield, which are as follows:

- 2.4(a) Contain the spread of industrial uses in well planned, orderly precincts that are located to take advantage of existing infrastructure wherever possible, to support existing industrial development, and to avoid conflicts with adjacent land uses.
- 2.4(b) Identify appropriate locations for different types of industrial uses, promoting synergies among related businesses and avoiding conflicts between noxious and light industrial uses.
- Rezone the Wedgefield Special Control Area to Light Industry, making noxious uses "non-conforming", and converting existing general industrial uses to "additional uses" for a period of ten years from the date that new land suitable for general industrial use is released for development. Following this 10-year period, all general industrial uses in Wedgefield also become nonconforming.

It is further noted that caretaker dwellings will not be permitted within either of the new zones in the interim. Whilst it is intended to eventually allow caretakers dwellings as a SA (planning permit required) use, current land use conflicts relating to existing noxious and general industries in the area need to be resolved first. This is highlighted within the LUMP and is consistent with current controls under TPS5.

As new zones are being created, the zoning table will need to be changed to include the new zones. In doing this, it is also proposed to include some new/amended definitions (e.g. Container Park, Distribution Centre, Fuel Depot, etc) into TPS5 to assist in categorising and controlling land use. These new definitions will also need to be included in the zoning table for the existing zones.

Options

Council has the following options in dealing with the matter:

- 1. Initiate the Scheme Amendment.
- 2. Refuse to initiate the Scheme Amendment

Attachments

- 1. Proposed Zoning Plan TPS5. Wedgefield Industrial Estate
- 2. Land Use Master Plan (LUMP) Wedgefield Industrial Estate

- 3. Indicative Power Supply Plan Wedgefield Industrial Estate
- 4. Wedgefield Industrial Estate Development Plan
- 5. Proposed Development Plan Areas
- 6. Scheme Amendment Map indicating Existing and Proposed Zonings

200910/225 Council Decision/Officer's Recommendation

Moved: Cr A A Carter **Seconded:** Cr M Dziombak

That Council Initiate a Town Planning Scheme Amendment to the Town of Port Hedland Town Planning Scheme No. 5 by:

- 1. Rezoning Lots 300, 301, 5871 and 5872 Schillaman Street currently zoned "Transient Workforce Accommodation R20" and Lot 5858 Schillaman Street reserved "Parks and Recreation" to "Industry" zone as depicted on the amendment map;
- 2. Rezoning the land generally bound by Great Northern Highway, Pinga Street, and the boundary of the Port Hedland Port Authority land currently reserved for "Other Purpose Infrastructure", "Parks and Recreation" and "Local Road" and "State and Regional Road" and "Transient Workforce Accommodation R20" to "Transport Development" zone as depicted on the amendment map;
- 3. Rezoning the land generally bound by Wallwork Road, The Port Hedland Golds worthy Railway, Cajarina Road and Great Northern Highway currently reserved for "Other Purpose Infrastructure" and "State and Regional Road" to "Light Industry" zone as depicted on the amendment map; and
- 4. Amending the Scheme text by:
 - i) Inserting section "3.1 (c) iv. Transport Development"
 - ii) Inserting section "3.1 (c) v. Light Industry"
 - iii) Amending section 3.2.3 to read "Notwithstanding the provisions of 3.2.2, development may only be permitted within the Urban Development, Industrial Development or <u>Transport Development</u> zones where:
 - (a) A Development Plan has been adopted for the subject land and the development is in accordance with the plan: or
 - (b) Council has resolved that a Development Plan is not required."

- iv) Inserting section "5.2.1 (g) Transport Development zone"
- v) Inserting section "5.2.1 (h) Light Industry zone"
- vi) Amending section 6.7.1 to read "In determining applications for planning approval within the Strategic Industry, Industry, Industrial Development, Transport Development and Light Industry zones, Council shall have regard to any relevant Council Policy Statement adopted under Part V of the Scheme."
- vii) Amending section 6.7.2 to read "In considering planning applications within the Strategic Industry, Industry, Industrial Development, <u>Transport Development</u> and <u>Light Industry</u> zones, Council shall have regard for the:
 - (a) compatibility of uses,
 - (b) potential impact of the proposal on the efficient and effective operations of the existing and planning industry, infrastructure or public purpose, and
 - (c) risks, hazards, health and amenity associated with the proposed use being located in proximity to existing and planned industry, infrastructure or public purpose or any other use."
- viii) Amending section 6.7.8 to read "When considering applications for planning approval in the Industry, Industrial Development, <u>Transport Development</u> and <u>Light Industry</u> zones Council shall require <u>any</u> buildings to:
 - (a) Be set back a minimum of six metres from the front boundary,
 - (b) Cover no more than fifty percent of the lot,
 - (c) Include building facades comprised of materials to Council's satisfaction.
 - (d) Include on-site car parking, wholly or partly within the setback area, with a minimum of one car parking bay for each person employed or normally engaged on the site plus three visitor bays, unless otherwise stipulated in Appendix 7 or section 6.13,
 - (e) Provide for the storage or materials not within the front setback unless for a temporary period as determined by Council, and
 - (f) Have regard for any other development standard contained in the Policy Manual."

ix) Inserting as section 6.7:

"Transport Development Zone

- 6.7.15 The purpose of the Transport Development zone is to accommodate the operation of over-sized equipment and services supporting the transport industry.
- 6.7.16 When considering applications within the Transport Development zone, in addition to the requirements of 4.5, Council must have regard to the following:
 - (a) the purpose of the zone;
 - (b) consideration to the size of vehicles, with a preference for larger vehicles;
 - (c) preference to industries supporting the transport and heavy vehicle industry.
- 6.7.17 All development requirements related to the Industry zone also apply to the Transport Development zone.
- 6.7.18 Council may prepare, or require to be prepared, a Development Plan for land within the Transport Development zone. The provisions of sub-clauses 5.2.2 to 5.2.11 of the Scheme shall apply in relation to the adoption. approval, modification and implementation of any such plan. Although subdivision and development may take place prior to the Scheme maps being amended to reflect the details of Development Plans; the Scheme maps should be amended as soon as practicable following the creation of lots and Crown reserves.
- 6.7.19 The Development Plan shall address the matters outlined in Appendix 6.

Light Industry Zone

6.7.20 The purpose of the Light Industry zone is to accommodate for a range of generally small scale industrial development, which exhibit a relatively high standard of design and environmental performance in terms of amenity, noise, emissions and generation of vehicular traffic.

- 6.7.21 All development requirements related to the Industry zone also apply to the Light Industry zone.
- 6.7.22 Council may prepare, or require to be prepared, a Development Plan for land within the Light Industry zone. The provisions of subclauses 5.2.2 to 5.2.11 of the Scheme shall apply in relation to the adoption, approval, modification and implementation of any such plan.
- 6.7.23 The Development Plan shall address the matters outlined in Appendix 6."
- Amending section 6.14.5 to read "Within the Industry, Industrial Development, Transport Development and Light Industry zones, any outside area which Council considers may become untidy or is currently untidy when visible from the street shall be screened by a wall, fence or planting, including gates where access is required, to the satisfaction of Council."
- xi) Renumbering the subsequent sections accordingly;
- xii) Inserting the following rows and columns in the Zoning Table and renumbering the Use Classes accordingly:

	ZONING TABLE	Transport	Light Industry	
Resi	dential			
1	Aged or Dependent Persons Dwelling	~	~	
2	Ancillary Accommodation	~	~	
3	Caretaker's Dwelling	~	~	
4	Grouped Dwelling	~	~	
5	Holiday Accommodation	~	~	
6	Home Occupation	~	~	
7	Hotel	~	~	
8	Motel	~	~	
9	Movable Dwelling	~	~	
10	Multiple Dwelling	~	~	
11	Residential Building	~	~	
12	Rural Settlement	~	~	
13	Single House	~	~	
14	Transient Workforce Accommodation	~	~	
Industry				
15	Abattoir	~	~	

16	Agricultura		1
16 17	Agriculture	~	~
	Arts and Crafts Centre	~	~
18	Intensive Agriculture	~	~
19	Fuel Depot	AA	~
20	Harbour Installation	AA	~
21	Hire Service (Industrial)	Р	AA
22	Industry – Cottage	~	Р
23	Industry – Extractive	~	~
24	Industry – General	~	~
25	Industry – Light	~	Р
26	Industry – Noxious	~	~
27	Industry – Rural	SA	~
28	Industry – Service	~	AA
29	Industry – Resource Processing	~	~
30	Industry - Transport	AA	~
31	Infrastructure	AA	AA
32	Stockyard	~	~
33	Storage Facility/Depot/Laydown Area	SA	~
34	Container Park	Р	~
35	Distribution Centre	Р	AA
36	Transport Depot	Р	~
37	Truck Stop	SA	~
Con	nmerce		
38	Aerodrome	~	~
39	Display Home Centre	~	AA
40	Dry Cleaning	~	Р
41	Market	~	AA
42	Motor Vehicle and/or Marine Repair	AA	AA
43	Motor Vehicle and/or Marine Sales or	SA	AA
	Hire		
44	Motor Vehicle and/or Marine Service	AA	SA
	Station		
45	Motor Vehicle and/or Marine Wrecking	~	~
46	Motor Vehicle Wash	AA	AA
47	Office	IP	IP
48	On-site Canteen	IP	IP
49	Outdoor Display	IP	IP
50	Reception Centre	~	~
51	Restaurant (includes café)	~	~
52	Restricted Premises	~	AA
53	Shop	~	~
54	Showroom	~	AA
55	Take-away Food Outlet	~	SA
56	Warehouse	AA	Р
	Ith, Welfare & Community Services		
57	Carpark	Р	AA
58	Child Care Service	~	~
59	Community Use	~	~
60	Consulting Rooms	~	~
61	Education Establishment	~	AA
		L	1 , ,, ,

62	Emergency Services	~	AA	
63	Funeral Parlour	~	AA	
64	Hospital	~	~	
65	Juvenile Detention Centre	~	١.	
66	Medical Centre	~	٠	
67	Nursing Home	~	~	
68	Place of Animal Care	~	SA	
69	Place of Public Meeting, Assembly or	~	١.	
	Worship			
70	Prison	~	~	
71	Public Mall	~	~	
72	Public Utility	Р	Р	
Entertainment, Recreation & Culture				
73	Equestrian Centre	~	~	
74	Entertainment Venue	~	SA	
75	Private Recreation	~	AA	
76	Public Recreation	~	AA	

The symbols used in the zoning table have the following meanings:

- P The development is permitted by the Scheme
- AA The development is not permitted unless the Council has granted planning approval
- SA The development is not permitted unless the Council has granted planning approval after giving notice in accordance with clause 4.3
- IP The development is not permitted unless the use to which it is put is incidental to the predominant use as decided by Council
- ~ A development that is not permitted by the Scheme
- xiii) Inserting the following definitions in Appendix 1 Definitions

"container park" means land, including outbuildings, used for the receiving, interim storage and forwarding of containers used for the transporting of equipment, goods and products, materials or similar either by sea, road or rail transport.

"distribution centre" means regional premises, building and land, used for the receival and wholesale distribution of retail goods and products by air, sea, road or rail to retail, showroom and warehouse outlets.

"fuel depot" means premises used for the storage and sale in bulk of solid or liquid or gaseous fuel, but does not include a service station and specifically excludes the sale by retail. "industry – transport" means an industry which involves road, rail, air or sea freight transportation and includes supporting transport related industries providing services including fabrication and/or engineering of parts and components to the transport industry.

"transport depot" means land and buildings used or intended to be used for the transfer of goods or persons from one motor vehicle to another motor vehicle for hire or reward, or for the storage of goods delivered by road transport, and includes the maintenance, repair, garaging, parking or storage of such vehicles.

"truck stop" means land used for the parking of motor vehicles used for carrying goods, and may include facilities for ancillary accommodation of drivers and the retail sale of petroleum products and convenience goods, but excludes the garaging, management, and repair of any motor vehicle.

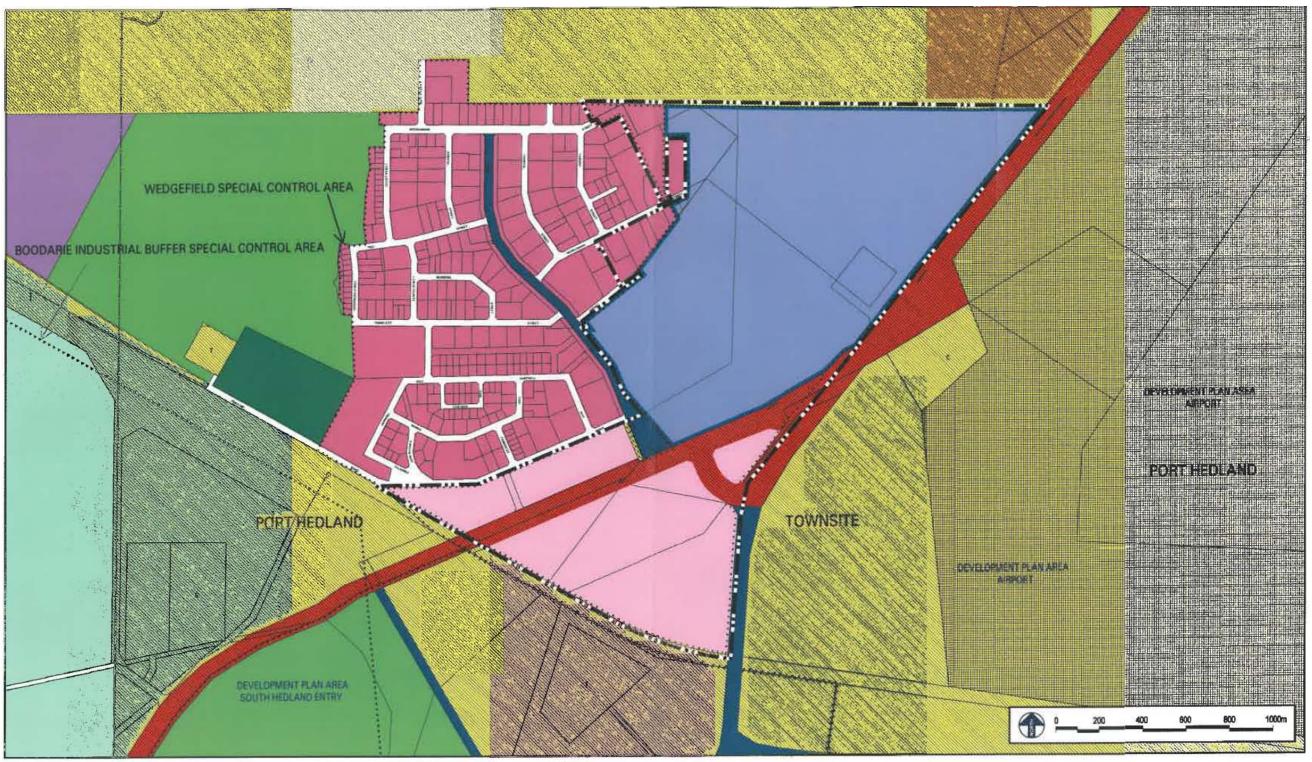
xiv) Amending the "storage facility/depot/laydown area" definition in Appendix 1 - Definitions to read:

"storage facility/depot/laydown area" — any land, buildings or other structures used for the storage and transfer of goods including salvaged items, the assembling of prefabricated components of products and includes milk depots, earthworks contracting yards and salvage yards.

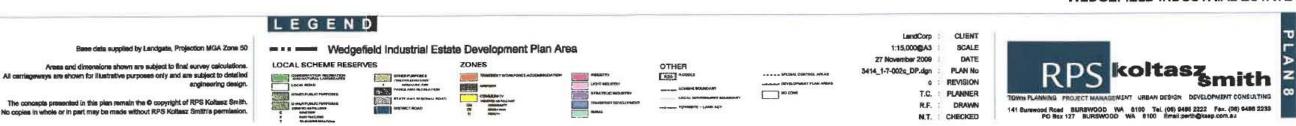
- xv) Amending Appendix 5 Development Plan Areas to show the "Wedgefield Industrial Estate" as per the modified Appendix 5 – Development Plan Areas plan; and
- xvi) Amending the Scheme Maps accordingly.

CARRIED 8/0

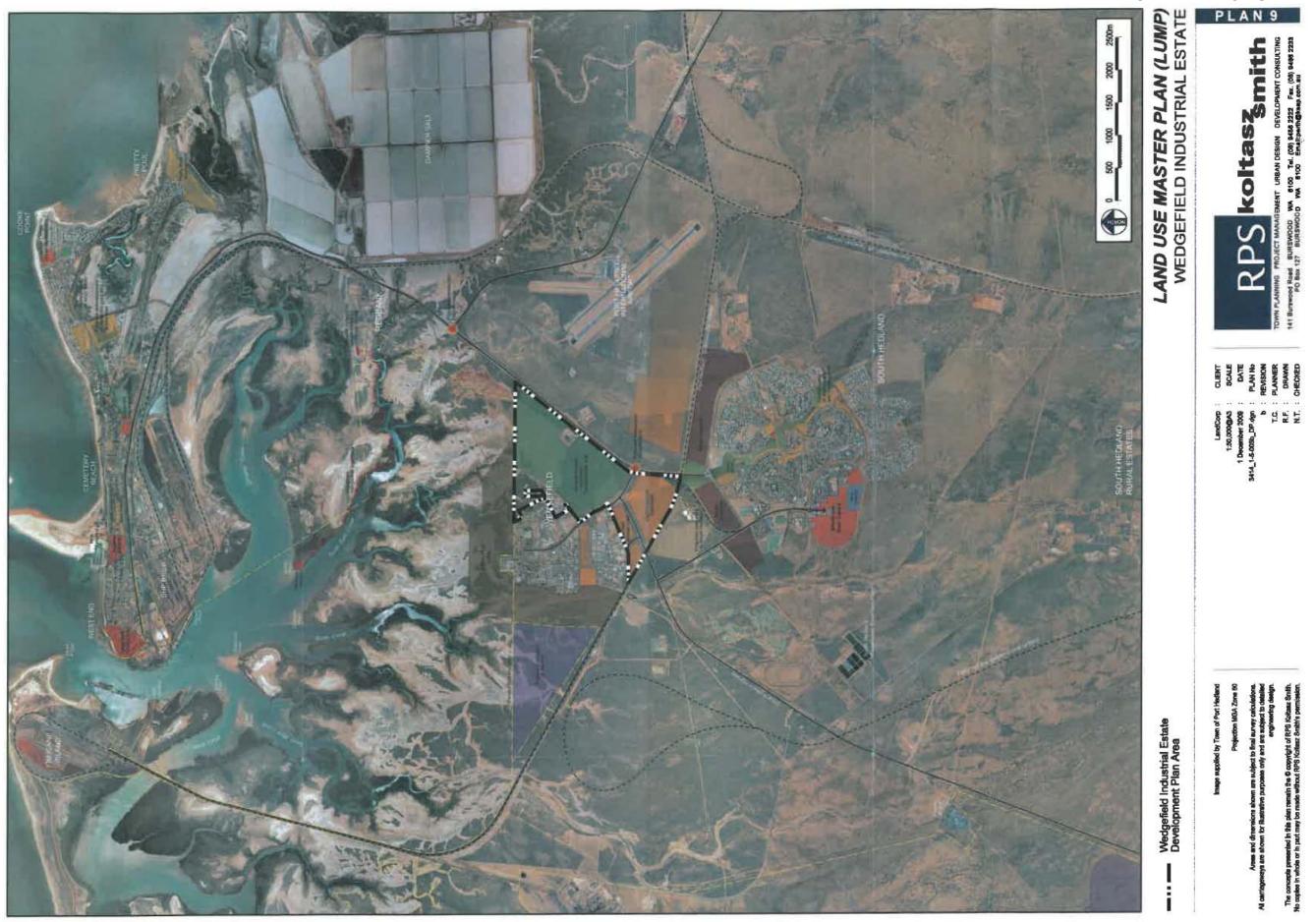
ATTACHMENT 1 TO AGENDA ITEM 11.1.2.3



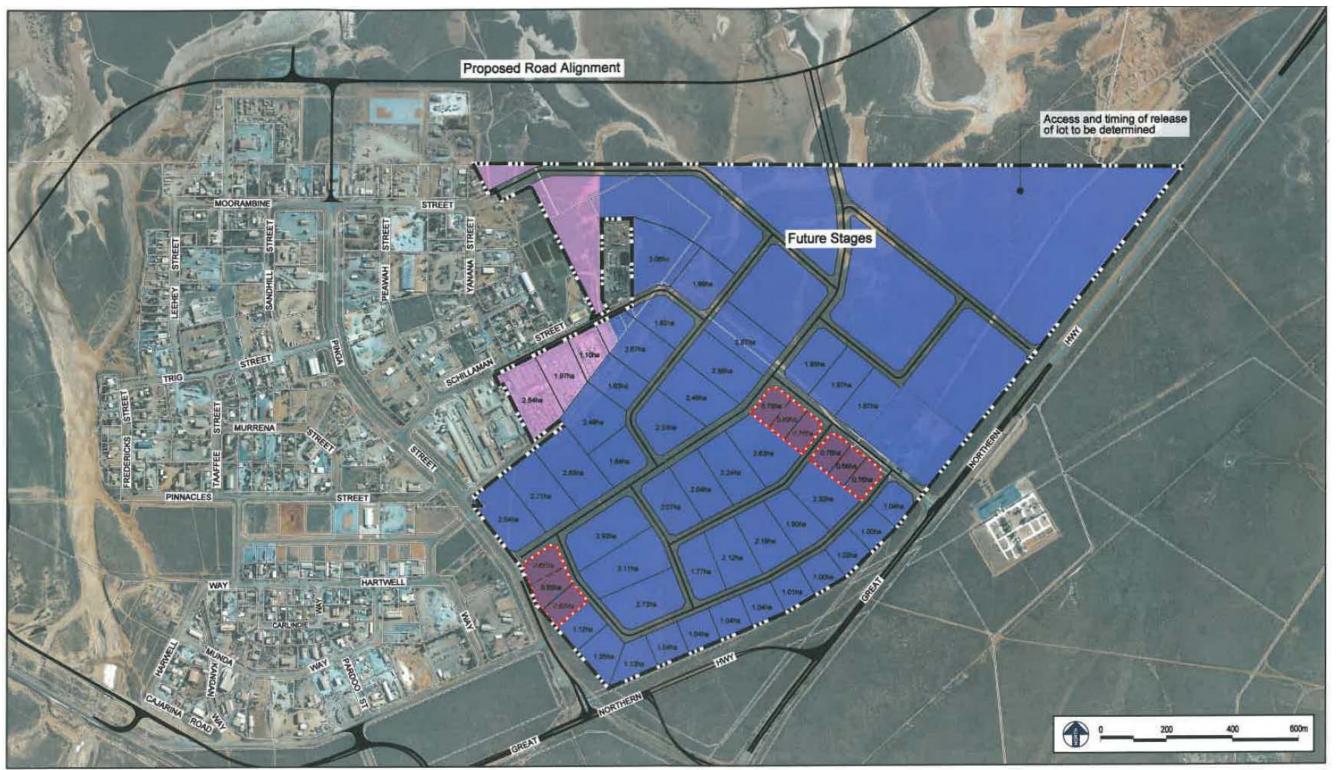
PROPOSED ZONING PLAN - TPS 5 WEDGEFIELD INDUSTRIAL ESTATE



ATTACHMENT 2 TO AGENDA ITEM 11.1.2.3



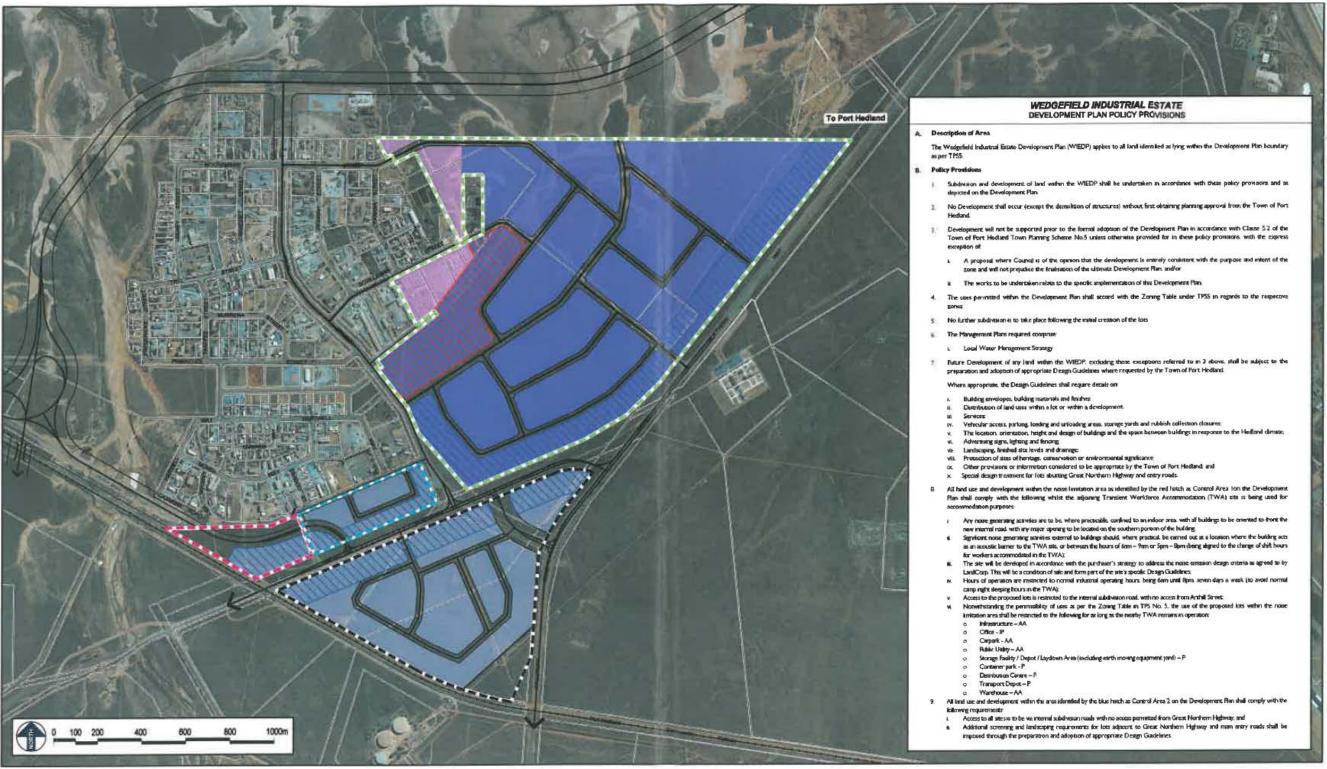
ATTACHMENT 3 TO AGENDA ITEM 11.1.2.3



INDICATIVE POWER SUPPLY PLAN
WEDGEFIELD INDUSTRIAL ESTATE



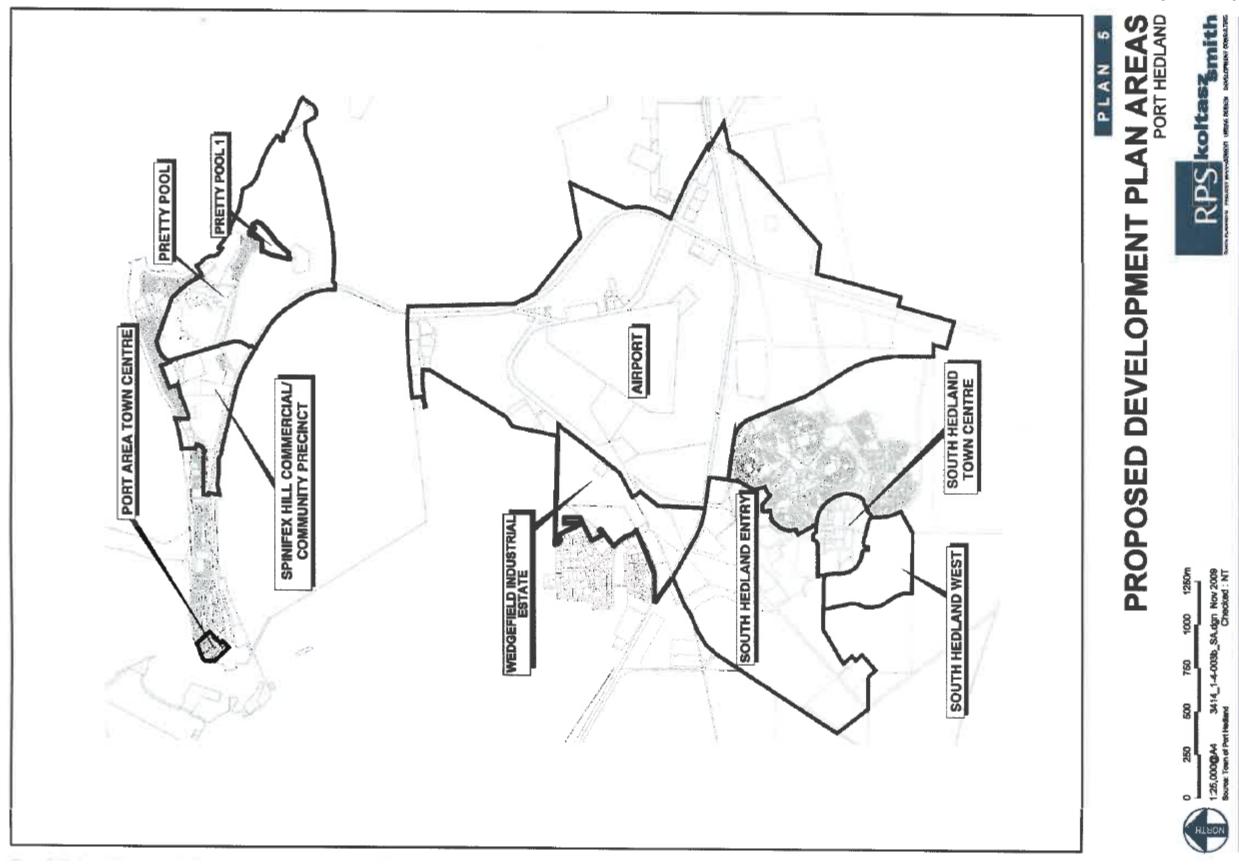
ATTACHMENT 4 TO AGENDA ITEM 11.1.2.3



WEDGEFIELD INDUSTRIAL ESTATE DEVELOPMENT PLAN WEDGEFIELD INDUSTRIAL ESTATE



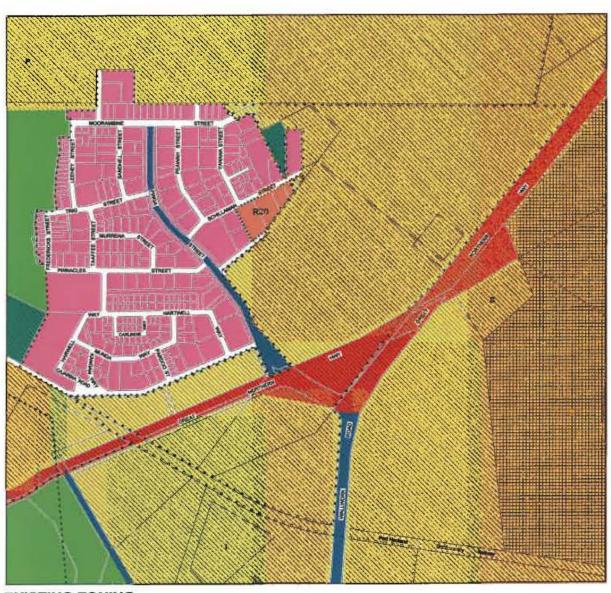
ATTACHMENT 5 TO AGENDA ITEM 11.1.2.3

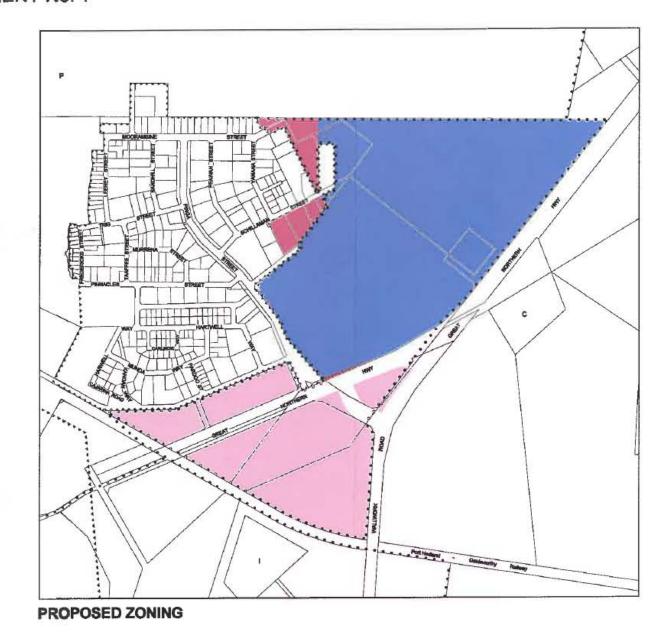


ATTACHMENT 6 TO AGENDA ITEM 11.1.2.3

SCHEME AMENDMENT MAP

TOWN OF PORT HEDLAND TOWN PLANNING SCHEME No.5 AMENDMENT No. ?





EXISTING ZONING

LEGEND

