

Amendment No. X - Boodarie Strategic Industrial Area

Town of Port Hedland Town Planning Scheme No. 5

March 2014

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PLANNING AND DEVELOPMENT ACT 2005

RESOLUTION DECIDING TO AMEND TOWN PLANNING SCHEME

TOWN OF PORT HEDLAND

TOWN PLANNING SCHEME NO. 5

AMENDMENT NO. XX

RESOLVED that the Council, in pursuance of Section 75 of the Planning and Development Act 2005 amend the above Local Planning Scheme by:

1. Amending clause 3.2.3 to read as follows:

“Notwithstanding the provisions of 3.2.2, development may only be permitted within the Urban Development, Industrial Development, Transport Development or Strategic Industry 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.”*

2. Inserting a new sub-clause (i) into clause 5.2.1 as follows:

“(i) Strategic Industry Zone”.

3. Inserting a new clause as clause 3.5.8 as follows:

“Strategic Industry Zone

- a. Establish synergies and clustering of co-located industries, transport infrastructure, including port related and upstream industrial activities;*
- b. Give priority to strategic resource processing industrial development comprising downstream processing such as iron ore processing, petro and gas processing, non-ferrous processing, noxious and port dependent processing, and other strategic industries;*
- c. Promote proponent initiated industrial subdivision and development to facilitate strategic downstream resource processing;*
- d. Enable support industries provided they are complimentary to and offer goods and services that directly support and are compatible to downstream resource processing and other strategic industries;*
- e. Facilitate local employment and economic growth opportunities through downstream resource processing and strategic industrial development.”*

4. In relation to section 7.2 Boodarie Industrial Buffer Special Control Area:

- a. Amending clause 7.2.1 to read as follows:

“Sensitive land uses shall not be permitted in the Boodarie Industrial Buffer Special Control Area. Sensitive land uses include, but are not limited to:

- Single House;*

- Residential Building;
- Rural Settlement;
- Grouped Dwelling;
- Moveable Dwelling;
- Ancillary Accommodation;
- Caretakers Dwelling;
- Juvenile detention;
- Holiday Accommodation;
- Hotel;
- Motel;
- Aged Persons Dwelling;
- Transient Workers Accommodation;
- Restaurant;
- Consulting Rooms;
- Take-away Food Outlet;
- Entertainment Venue;
- Arts and Crafts Centre;
- Child Care Service;
- Place of Public Meeting;
- Assembly or Worship;
- Private Recreation;
- Public Recreation;
- Place of Animal Care;
- Equestrian Centre;
- Abattoir
- Agriculture;
- Intensive Agriculture;
- Industry-Rural;
- Stockyard; and
- Industry-Cottage.

And any other use not listed above that may be considered a sensitive use as determined by the Department of State Development.

- b. Amending clause 7.2.2 to read as follows:

“When considering applications for planning approval within the Boodarie Industrial Buffer Special Control Area, Council shall have regard to:

- (a) The Boodarie Strategic Industrial Area Development Plan;*
- (b) Whether the proposal is compatible with any existing or proposed future use or development within the Strategic Industry Zone;*
- (c) The existing, proposed or likely risks, hazards and nuisance (including but not limited to noise, odour and light) associated with the Strategic Industry Zone;*
- (d) The potential impacts of the proposal on the efficient development of the Boodarie Strategic Industrial Area; and*
- (e) Any other issue Council deems relevant”*

- c. Insert a new clause as clause 7.2.3 as follows:

“When considering an application for planning approval with respect to land wholly or partly within the Boodarie Industrial Buffer Special Control Area, the Council shall refer the proposal to the Department of State Development and LandCorp for comment.”

- d. Insert a new clause as clause 7.2.4 as follows:

“Prior to granting planning approval for development, including extraction, on land to which this clause applies the local government must consider:

- (a) *The likelihood of the proposed development adversely affecting the efficiency and capacity of the Turner River and surrounding landscape to safely carry and discharge floodwaters, including any backwater flows; and*
 - (b) *The likelihood of the proposed development adversely affecting the safety of land zoned 'Strategic Industry' during flood events*
- 5. Rezoning portion of Lot 203 (Vol & Folio LR3128 641) on Deposited Plan 220594 from 'Rural' to reserve for 'Other Public Purpose: Infrastructure'
- 6. Amend Appendix 5 to identify the Strategic Industry zone as a Development Plan Area.
- 7. Amending Appendix 6 by inserting a new heading under 'Development plans in specific zones should also address the following matters', as follows:

"Strategic Industry Zone:

- i. on-site and off-site buffers required to separate uses within industrial precincts and the Special Control Area from adjacent incompatible industrial or sensitive uses;*
 - ii. Implementation of the Boodarie Strategic Industrial Area District Water Management Strategy and in accordance with the water management guidance issued by the Department of Water;*
 - iii. coordination of proponent provided infrastructure including road access, means of effluent disposal, water supply, power supply and other key infrastructure services;*
 - iv. identification of Shared Infrastructure Corridors."*
- 8. Amend the Scheme Map accordingly.

Dated this day of..... 2014

CHIEF EXECUTIVE OFFICER

1 Introduction

The Town of Port Hedland seeks the support of the Western Australian Planning Commission (WAPC) and the approval of the Hon. Minister for Planning to the proposed Scheme Amendment.

1.1 OVERVIEW OF PROPOSAL

The proposed Scheme Amendment No. X seeks to:

1. Insert new Precinct Objectives for the 'Strategic Industry' zone to identify the preferred land use and development and provide additional guidance for future development;
2. Identify the Boodarie Strategic Industrial Area as a Development Plan Area under Appendix 5 ;
3. Insert additional matters to be addressed by Development Plans for the 'Strategic Industry' zone;
4. Modify Section 7.2 relating to the 'Boodarie Industrial Buffer Special Control Area'; and
5. Rezoning a portion of Lot 203 from 'Rural' to reserve for 'Other Purposes: Infrastructure, as indicated on the Scheme Amendment Map.

1.2 CONTEXT

The Boodarie Strategic Industrial Area (BSIA) is situated in the Pilbara region, in the north-west of Western Australia. LandCorp in conjunction with the Department of State Development has been overseeing the progression of planning for what will become a major strategic industrial area. The most detailed planning undertaken for the area to date is the BSIA Development Plan.

The BSIA Development Plan will coordinate the detailed land use and development , including the provision of proponent funded services and infrastructure. This Development Plan was commissioned under the Heavy Use Industrial Lands Strategy (HUILS) to guide heavy industrial development in Boodarie, Port Hedland.

The Development Plan ensures that the State and National drive for diversified industry has been maintained, while balancing the needs of industrial users and sustainability of the local community.

To facilitate the incorporation of the BSIA Development Plan into the local planning framework, LandCorp has requested the Town of Port Hedland to initiate an Amendment to Town Planning Scheme No. 5 (TPS 5) to make several structural changes to the scheme text and rezone a portion of land from 'Rural' to reserve for 'Other Purposes: Infrastructure'.

These changes will provide for the adoption of the BSIA Development Plan by the Town of Port Hedland and provide for increased protection of industrial land from sensitive land uses. Further, the reservation of land as 'Other Purposes: Infrastructure' will provide for the future establishment of important infrastructure corridors central to the development of the BSIA.

2 Site Description

2.1 LOCATION

Located within the Town of Port Hedland, the BSIA is situated four kilometres west of the South Hedland town site and approximately 12 kilometres south of the Port Hedland town site, as detailed in *Figure 1*.

The BSIA Development Plan comprises and applies to a Strategic Industry Zone adjacent the Great Northern Highway. The area is separated from sensitive uses in the Planning Scheme by a Special Control Area (SCA) buffer. The BSIA Development Plan Area includes Infrastructure Corridors that provide connections to the Port of Port Hedland.

2.2 AREA AND LAND USE

The BSIA consists of approximately 4,190 hectares of largely undeveloped land with small scale land uses in operation. These include sand extraction, mineral storage leases and power generation facilities. The site is bisected by a number of regional service mains, comprising the main infrastructure servicing the gas fired power station.

2.3 LEGAL DESCRIPTION AND OWNERSHIP

There are many leasehold land tenure arrangements within the Estate. An extensive land tenure ordinance report undertaken by Whelans - *Current Land Use and Interests Report* is attached as Appendix A.

In summary, the majority of the land is currently held by the Crown and is the subject of the "Boodarie" Pastoral lease held by BHP Billiton (BHPB), the De Grey- Mullewa stock yard route, a Stock holding Reserve vested in the Town of Port Hedland and a number of General Purpose and Mining Leases for Infrastructure and sand extraction purposes (Refer Appendix A).

The land is subject to numerous power, gas and water easements.

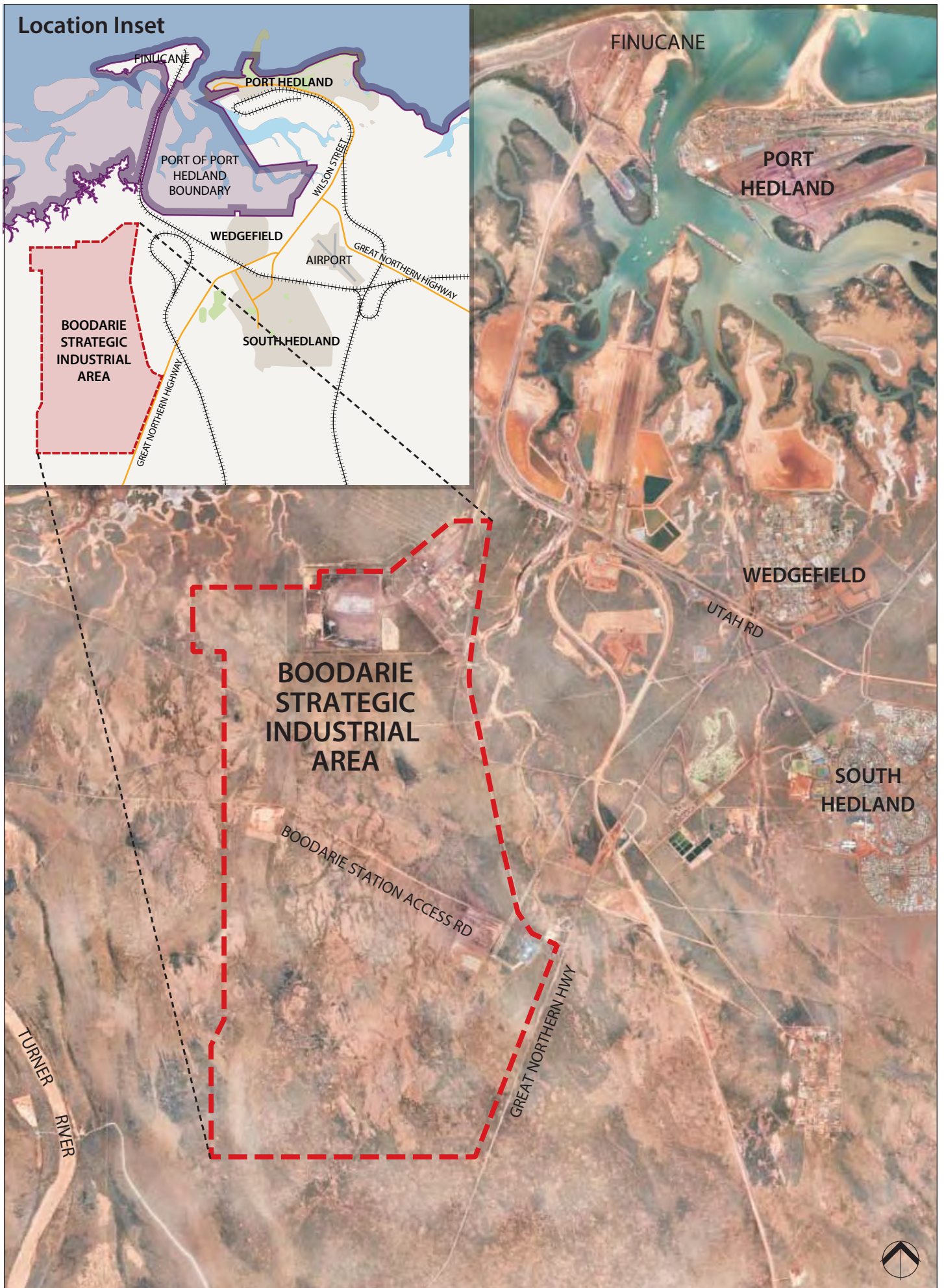


Figure 1 - Location Plan
 BOODARIE STRATEGIC INDUSTRIAL AREA

DATE 20.03.2014

DWG NO 001

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 Perth, WA 6000 Australia

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3 Proposal

3.1 STRATEGIC INDUSTRY ZONE

To enable the orderly and proper planning of the BSIA a Development Plan has been formulated to guide the future subdivision and development of the area. To ensure that the Development Plan is integrated into TPS 5, a range of modifications to the scheme are required, including:

- Amending clause 3.2.3 to include the 'Strategic Industry' zone;
- Inserting a new sub-clause under section 5.2 'Development Plans' to include the 'Strategic Industry' zone;
- Inserting a new clause under section 5.3 'Precinct Objectives' to set out the precinct objectives for the 'Strategic Industry' zone;
- Amending Appendix 5 to identify the 'Strategic Industry' zone as a Development Plan Area; and
- Amending Appendix 6 to insert additional matters to be addressed by Development Plans under a new heading being 'Strategic Industry' zone.

Clause 3.2.3 sets out the requirement for the adoption of a Development Plan for certain zones. The inclusion of the 'Strategic Industry' zone under this clause is required to ensure that no development may be permitted prior to the adoption of a Development Plan. This will ensure a coordinated approach is taken for the comprehensive planning of the BSIA.

Under the existing clause 5.2.1 of TPS 5, the Development Plan area must be identified in Appendix 5 of the scheme. The existing provisions do not list the 'Strategic Industry' zone as an area requiring a Development Plan. Further, it is considered that clause 5.2.1 should be consistent with the modifications proposed for clause 3.2.3, as set out in the above paragraph. To enable the integration of the future Development Plan for the BSIA into TPS 5, the proposal seeks to amend clause 5.2.1 to insert the 'Strategic Industry' zone.

Section 5.3 sets out precinct objectives for each of the Development Plan areas identified in Appendix 5. Generally, the purpose of the precinct objectives is to indicate the preferred land use and development within the Development Plan areas and provide additional guidance of Council when determining applications for planning approval. To reflect the previous amendments to clauses 3.2.3 and 5.2.1 outlined above, a new clause is required to be inserted as clause 5.3.8 to identify objectives for the 'Strategic Industry' zone.

Appendix 5 of TPS 5 spatially identifies the Development Plan areas pursuant to clause 5.2.1. To ensure consistency with the amended and new clauses outlined above, the 'Strategic Industry' zone shall be identified as a Development Plan Area in Appendix 5. The proposed amendment to Appendix 5 is depicted in Figure 2.

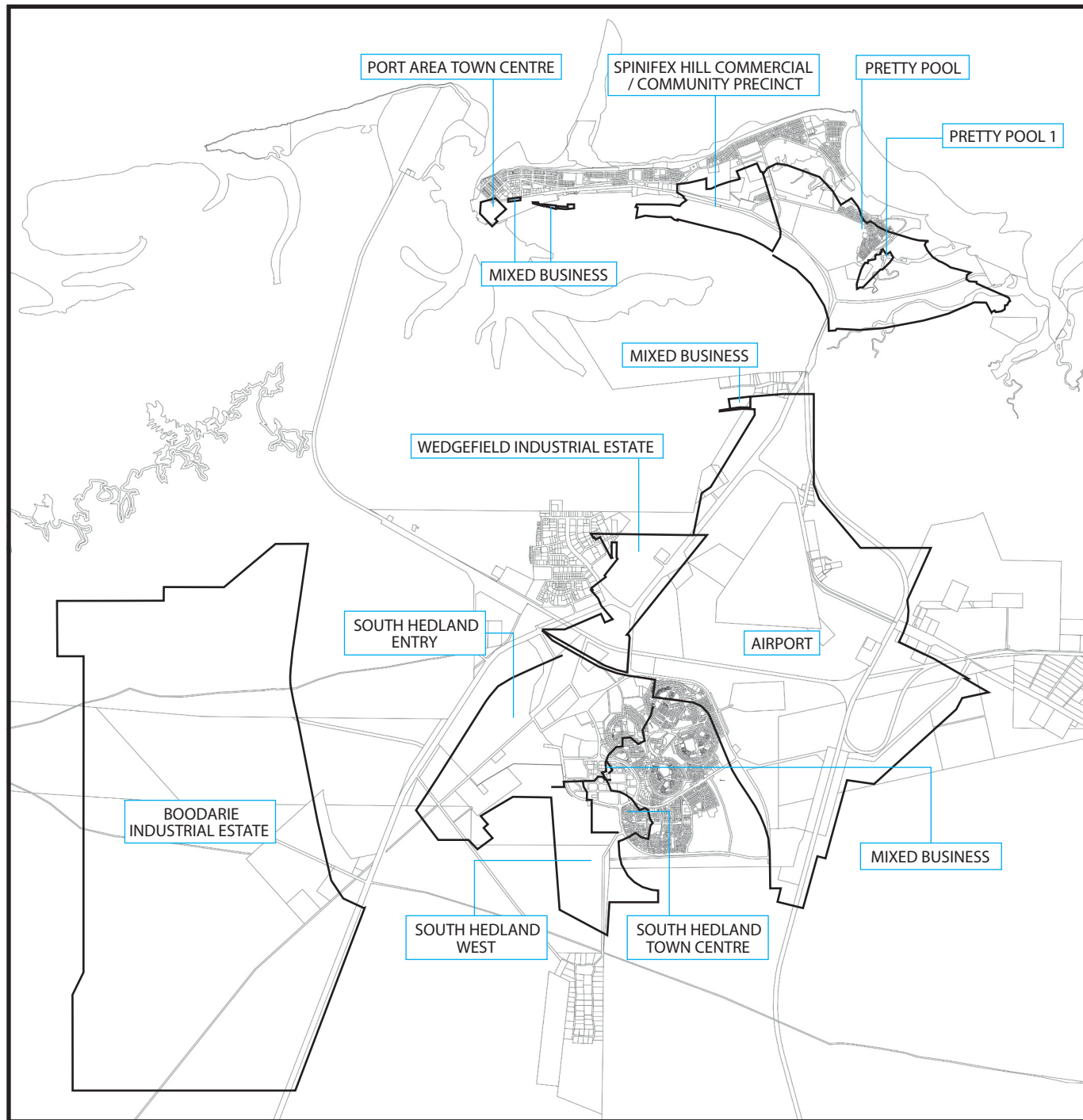


Figure 2 - Proposed Appendix 5
 BOODARIE STRATEGIC INDUSTRIAL AREA

DATE 26.11.2013

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urban design
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Appendix 6 of TPS 5 sets out the general matters to be addressed by Development Plans and additional matters to be address for Development Plans within particular zones. These matters include site specific requirements and matters which relate to land uses permissible within the subject zone. The 'Strategic Industry' zone is subject to unique site characteristics and allows for a broad range of industrial land uses. Therefore any Development Plan must address these aspects to ensure that the 'Strategic Industry' zone is developed in an orderly and proper manner. To this effect, the amendment proposes the insertion of additional matters to be addressed under Appendix 6 in regard to the 'Strategic Industry' zone.

The proposals outlined above will provide more certainty for Council and the proponents of the BSIA about the requirements for subdivision and development of the area.

3.2 BOODARIE INDUSTRIAL BUFFER SPECIAL CONTROL AREA

The 'Background' section of this report outlines existing land use controls in TPS 5 under the zoning tables and section 7.2, which relate to the Boodarie Industrial Buffer SCA. Notwithstanding these controls, the development of sensitive uses in proximity to the 'Strategic Industry' zone, which may compromise operations in the future, remains a significant risk.

Investigations undertaken as part of the BSIA Development Plan have indicated potential for increased flood risk as a result of future activities. The investigations found that the modification of the levels of the Turner River East Bank and a significant sand ridge straddling the western boundary of the 'Strategic Industry' zone may result in significantly increased flood risk for the BSIA.

Amendment No. X to TPS 5 proposes to provide clear land use controls for the Boodarie Industrial Buffer SCA and are outlined below:

- Amending clause 7.2.1 to prohibit sensitive land uses from being developed within the Boodarie Industrial Buffer SCA;
- Amending clause 7.2.2 to introduce additional considerations when determining a planning application within the Boodarie Industrial Buffer SCA;
- Inserting a new clause 7.2.3 to require the referral of planning applications within the Boodarie Industrial Buffer SCA to the Department of State Development and LandCorp for comment; and
- Inserting a new clause 7.2.4 to require further investigation of flood risk for any development, including extraction, within the Boodarie Industrial Buffer SCA.

3.2.1 LAND USE CONTROL

The BSIA comprises a significant investment precinct for future proponents and the integrity of industrial land must be maintained to ensure the areas success. The zoning table under TPS 5 ensures the 'Strategic Industrial' zone is adequately protected from uses that may compromise the development of the land for industrial purposes. However, the land included in the Boodarie Industrial Buffer SCA is zoned 'Rural' and currently lacks specific land use controls under section 7.2.

There are a number of sensitive land uses that may be developed in proximity to the 'Strategic Industry' zone. Therefore it is necessary to provide a higher level of control in regard to land use permissibility within the Boodarie Industrial Buffer SCA. The control of sensitive land uses involves amending clause 7.2.1 and clause 7.2.2, and inserting a new clause 7.2.3.

Amending clause 7.2.1 will set out a range of uses considered to be sensitive to industrial development that shall not be permitted within the Boodarie Industrial Buffer SCA. The prohibition of sensitive uses within the area will ensure that the integrity of industrial land is not compromised.

To supplement the change above, clause 7.2.2 will be amended to set out revised matters to be given regard when considering an application for planning approval. This amendment will ensure that the determination of a planning application involves the careful consideration of the effect it may have on the 'Strategic Industry' zone.

The insertion of new clause 7.2.3 will require that all applications for planning approval for land within the Boodarie Industrial Buffer SCA be referred to the Department of State Development and LandCorp for comment. This will ensure that all of the potential impacts of any proposed development will be identified and appropriately considered.

3.2.2 TURNER RIVER

GHD undertook a study on Hydrologic and Hydraulic Analysis of the Turner River Catchment, west of the 'Strategic Industry' zone, to assess implications for the Development Plan. The results of this are summarised below, with the full report attached at Appendix B. This study conducted hydraulic modelling of the Turner River to estimate the peak 100 year water levels and to subsequently highlight constraints on the 'Strategic Industry' zone.

The study highlighted:

- Flood levels associated with the Turner River and potential effects and risks.
- Options for future sand mining around the Turner River.

The 'Strategic Industry' zone is currently afforded flood protection by the sand ridge adjacent to the Turner River. The 100 year ARI flood levels are contained within the low lying valley between Turner River flood plain east bank and the sand ridge.

In order to ensure this level of protection remains and the operations of the future BSIA are not compromised by further sand mining operations, the recommendations include:

- Provide for mining of the sand ridge subject to BSIA drainage levels. This is on the proviso that levels remain above the 100 year peak flood level (plus 500mm freeboard).
- Construct a levee between the two ridges to eliminate flood water within the low lying valley. This would provide for mining in line with the BSIA drainage levels.
- Provide for mining of the sand ridge to an extent which maintains a bund at a height consistent with the peak flood level and 500mm freeboard.

The Turner River East Bank contains flooding from the Turner River for a 1:100 event. Similarly, the sand ridge described above provides the 'Strategic Industry' zone with protection from the flood levels resulting from a backwater from the Turner River during such events.

The investigations undertaken indicate that the future development, including sand extraction, may result in the decrease of the levels of these natural barriers. The alteration of levels has been found to potentially compromise the ability for these barriers to provide adequate protection to the 'Strategic Industry' zone from significant flood events. To this effect the amendment proposes the insertion of a new clause 7.2.4 to ensure that potential flooding from the Turner River is appropriately considered when determining applications for planning approval.

3.3 PROPOSED RESERVATION OF LAND

The BSIA is completely contained within the 'Strategic Industrial' zone; however, infrastructure corridors required for the integration of the BSIA with the Port will be located partly on land currently zoned 'Rural' on Lot 203. The infrastructure corridors are crucial to the successful development and operation of the BSIA and require protection from the potential development of other land uses.

The development of this land in accordance with its current zoning could compromise the construction of the corridors and therefore it is considered appropriate to reserve the land under TPS 5 to protect it in perpetuity.

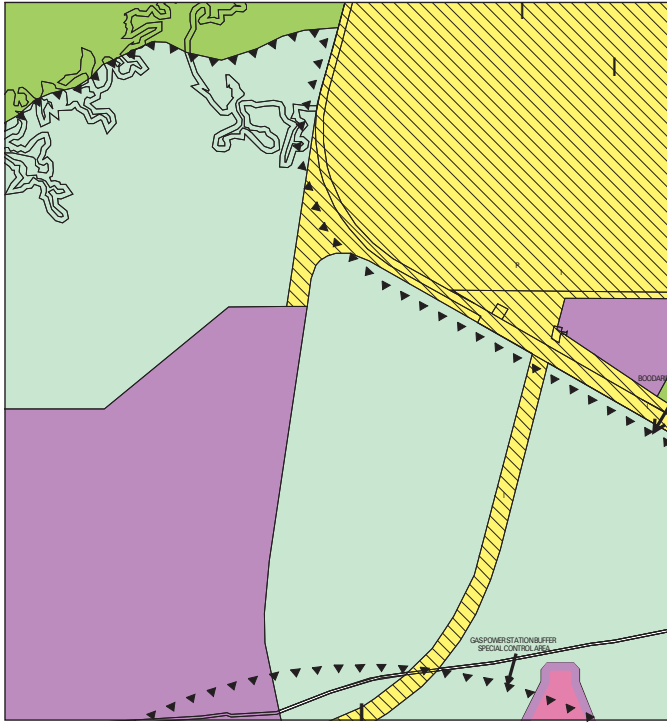
Part II of TPS 5 sets out the specific provisions relating to reserves. Clause 2.1 outlines the various categories of reserves that may be made under TPS 5. The category applied to a reserve must reflect the intended use or development of the reserved land. In this case the most appropriate reserve to protect in perpetuity, land required for the future development of infrastructure corridors associated with the BSIA is 'Other Purposes: Infrastructure'.

The reservation of the subject land as 'Other Purposes: Infrastructure' will provide controls under clause 2.2 and 2.3 of TPS 5. Clause 2.2 outlines the requirement for Council approval prior to any development within a reserve; and clause 2.3 outlines the matters to be considered by Council in determining an application for planning approval for land reserved under TPS 5. Importantly, these considerations include:

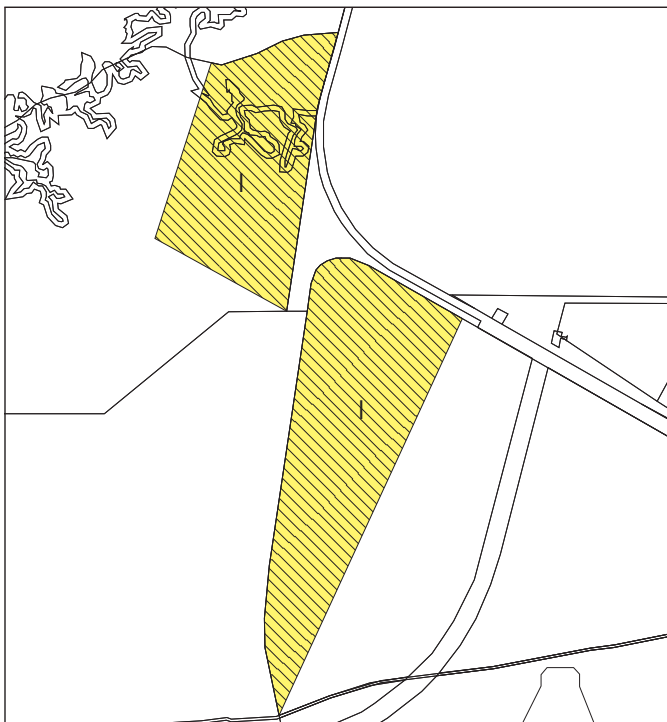
- (a) having regard to the ultimate purpose intended for the reservation,
- (b) having regard for the intentions of agencies with responsibility for managing and developing the reservation, and
- (c) conferring with the organisations it considers relevant to the reservation and the proposed use or development.

It is considered that the reservation of the subject land as 'Other Purposes: Infrastructure' is appropriate and necessary for the ongoing protection of land required for infrastructure corridors associated with the BSIA. The amendment proposes rezoning portion of Lot 203 from 'Rural' to 'Other Purposes: Infrastructure' as depicted in the Scheme Amendment Map in Figure 3.

TOWN OF PORT HEDLAND LOCAL PLANNING SCHEME NO.5 AMENDMENT NO. XX





EXISTING ZONING






PROPOSED ZONING

LEGEND

LOCAL SCHEME RESERVES

-  CONSERVATION RECREATION AND NATURAL LANDSCAPES
-  OTHER PUBLIC PURPOSES
DENOTED AS FOLLOWS:
 - P PORT FACILITIES
 - I INFRASTRUCTURE

ZONES

-  INDUSTRIAL DEVELOPMENT
-  STRATEGIC INDUSTRY
-  RURAL

OTHER

- ▲▲▲▲ SPECIAL CONTROL AREAS



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4 Planning Framework

4.1 STRATEGIC PLANNING FRAMEWORK

4.1.1 DRAFT STATE PLANNING STRATEGY

The Western Australian Planning Commission (WAPC) released the Draft State Planning Strategy for public comment in December 2012. The strategy provides a collaborative approach to planning within Western Australia, reflecting the need to inform the planning framework in light of the growth and change occurring within the various sectors.

Key strategic directions are set out to influence the development of Western Australia. The strategic directions and objectives relevant to the development of the BSIA can be summarised as:

- Facilitating coordinated and sustainable economic development through innovation and diversity in development and investment in infrastructure.
- Facilitating a sustainable supply of affordable land for future development, particularly in regional hotspots.

The Draft State Planning Strategy identifies the North West Sector as a key contributor to Australia's GDP. This is primarily driven by the expansion in the resources sector and ever increasing demands. The Strategy outlines the opportunities for growth within both the economic and social sector, identifying the key interdependencies between economic and population growth.

Diversification of economic developments and business operations is encouraged in order to secure a sustainable economic future for the North West Sector.

The approaches set out within the Strategy to achieve the relevant objectives include:

- Ensure an appropriate and unconstrained land supply is available.
- Ensure the required infrastructure is in place to support growth and development.
- Provide opportunities for diversification in the economy.
- Promote Industrial Ecology and clustering of ancillary industries.
- Ensure appropriate accessibility is provided through movement networks and connections within Western Australia, nationally and internationally.
- Encourage development to occur in defined precincts to avoid incompatible uses restricting development.

The development of the BSIA is in line with the objectives of the Draft State Planning Strategy. Amendment No. X facilitates the development of strategic industrial land which provides additional support industries to the existing economic drivers within Port Hedland.

4.1.2 PILBARA PLANNING AND INFRASTRUCTURE FRAMEWORK

Prepared by the WAPC, the Pilbara Planning and Infrastructure Framework (2012) sets the strategic framework for the Pilbara region to 2035.

The Framework acknowledges that an increase in population within the region will need to be supported by a robust, diverse and sustainable economy. The initial diversification is to stem from the industry supply chain and downstream resource processing. Future diversity is seen to come from an increase in knowledge based industries and increased export capacity.

A well connected transport network is highlighted as a key component in the expansion of economic activity within the Pilbara. Providing for accessibility and connectivity through individual transport networks and between various modes of transportation is required. Facilitating locally, regionally, nationally and internationally connected networks which can be utilised in all weather conditions is paramount in the ongoing viability of development within the region.

The need to supply significant amounts of industrial land to support the expansion of existing projects and facilitate future development is acknowledged. The unique drivers for land are recognised, as are the requirements for large areas of land to meet operational requirements. Strategic Industrial Areas, including the BSIA will provide for much of the demand as outlined within the HUILS.

4.1.3 HEAVY USE INDUSTRIAL LAND STRATEGY

HUILS identified key new industrial estates for the development of heavy industry within Western Australia. It aimed to facilitate the initial stages of these estates to reach project ready status and allow significant industrial developments to be established. DSD is responsible for implementing the strategy and funding has been allocated to enable this.

The BSIA was identified as a priority estate by DSD on the basis of its significant potential to support downstream processing in Port Hedland. DSD has progressed the initial planning phase, leading to the preparation of this scheme amendment in facilitating the integration of a future Development Plan into TPS 5.

4.1.4 PORT HEDLAND AREA PLANNING STRATEGY

The Port Hedland Area Planning Study (2003) (PHAPS) provides a framework to guide State decision-making and detailed planning at the local level for a planning horizon of 20 to 25 years.

The PHAPS identified the potential for downstream resource processing associated with the resource extraction project which were at the time, being established in the locality.

The need to provide land and infrastructure to provide for the diversifying economy was acknowledged. The Strategy aims to provide for the indicative planning needs, land uses, expansion areas, and future infrastructure within Port Hedland in order to avoid land use conflicts and promote development.

The establishment of the BSIA is a pro-active approach in order to provide land and infrastructure in a suitable location for strategic industry. The Strategy envisages the BSIA as having a heavy industry core surrounded by support industry, with linkages to the port of Port Hedland.

4.1.5 PILBARA'S PORT CITY GROWTH PLAN

This Town of Port Hedland document provides high level, strategic guidance for the future development of South Hedland, Port Hedland and surrounding areas. The Town of Port Hedland and WAPC endorsed the Pilbara's Port City Growth Plan in December 2012 as the Town's Local Planning Strategy, replacing the Land Use Master Plan 2008.

The growth plan seeks to deliver sustained and diversified economic growth, population growth and to enhance community and environmental opportunities through the revitalisation of the Town of Port Hedland locality.

Industrial growth within Port Hedland is to allow for the orderly release of industrial land to allow for economic growth across a range of industries. Land within planned industrial areas such as BSIA is to be released in order to facilitate the movement of heavier/noxious industry from the

existing industrial areas, and allow for the expansion of additional heavy/strategic industry.

The growth plan allows for flexibility in planning areas through the use of precincts. This allows local level planning to occur in a manner which responds to the opportunities and challenges that occur as the Port Hedland locality grows.

4.2 STATUTORY PLANNING FRAMEWORK

4.2.1 TOWN OF PORT HEDLAND TOWN PLANNING SCHEME NO. 5

The BSIA is zoned Strategic Industry under the Town of Port Hedland TPS 5 (Refer *Figure X*). In addition, TPS 5 identifies the BSIA as being contained within the boundary of the Boodarie Industrial Buffer Special Control Area.

Parts V to VII of TPS 5 require comprehensive planning to be undertaken prior to strategic industrial development occurring on land within the Strategic Industry zone.

Under TPS 5 the intent of the Strategic Industry Zone is to accommodate strategic industrial development, and restrict development which may obstruct the operation of such activities.

When considering development within the Strategic Industry Zone the Council is required to ensure:

- The optimal effectiveness of the zone as a strategic industrial area, which utilises major infrastructure, synergies between other industries and enables downstream resource processing;
- Development is economically significant at either a regional or national level;
- Development will directly provide goods and services to support or complement existing industry; or
- It will not generate significant effects on the infrastructure, economy or community of the local area.

In order to assist in protecting the development and operation of the BSIA, additional controls are applied under TPS 5 for the Boodarie Industrial Buffer Special Control Area (SCA), within which the BSIA is located.

All applications for development under TPS 5 will be assessed and determined by Council including consultation with relevant State departments and other relevant authorities to ensure the proposal does not conflict with intentions for industry and infrastructure development in the zone.

Land Use Permissibility is outlined within the Zoning Table of TPS 5. Table 1 of the Scheme outlines the uses which can be established within the Strategic Industry Zone:

5 Conclusion

The proposed Scheme Amendment will facilitate the priority development industrial land within Port Hedland, responding to current and future demand within the town. On this basis, LandCorp has prioritised planning for the Boodarie Strategic industrial Area, which is supported by the State strategic planning framework and the Town's planning instruments.

It is therefore respectfully requested that the Town of Port Hedland initiate Scheme Amendment No.X to enable referral to the Environmental Protection Authority and public advertising.

Planning and Development Act 2005

TOWN OF PORT HEDLAND

TOWN PLANNING SCHEME NO. 5

AMENDMENT NO.

AS ADVERTISED

The Town of Port Hedland under and by virtue of the powers confirmed upon it in that behalf by the *Planning and Development Act 2005* hereby amends the above Town Planning Scheme by:

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“Notwithstanding the provisions of 3.2.2, development may only be permitted within the Urban Development, Industrial Development, Transport Development or Strategic Industry zones where:

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- (b) Council has resolved that a Development Plan is not required.”.*

2. Inserting a new sub-clause (i) into clause 5.2.1 as follows:

“(i) Strategic Industry Zone”.

3. Inserting a new clause as clause 3.5.8 as follows:

“Strategic Industry Zone

- a. Establish synergies and clustering of co-located industries, transport infrastructure, including port related and upstream industrial activities;*
- b. Give priority to strategic resource processing industrial development comprising downstream processing such as iron ore processing, petro and gas processing, non-ferrous processing, noxious and port dependent processing, and other strategic industries;*
- c. Promote proponent initiated industrial subdivision and development to facilitate strategic downstream resource processing;*
- d. Enable support industries provided they are complimentary to and offer goods and services that directly support and are compatible to downstream resource processing and other strategic industries;*
- e. Facilitate local employment and economic growth opportunities through downstream resource processing and strategic industrial development.”*

4. In relation to section 7.2 Boodarie Industrial Buffer Special Control Area:

- a. Amending clause 7.2.1 to read as follows:

“Sensitive land uses shall not be permitted in the Boodarie Industrial Buffer Special Control Area. Sensitive land uses include, but are not limited to:

- *Single House;*
- *Residential Building;*
- *Rural Settlement;*
- *Grouped Dwelling;*
- *Moveable Dwelling;*
- *Ancillary Accommodation;*
- *Caretakers Dwelling;*
- *Juvenile detention;*
- *Holiday Accommodation;*
- *Hotel;*
- *Motel;*
- *Aged Persons Dwelling;*
- *Transient Workers Accommodation;*
- *Restaurant;*
- *Consulting Rooms;*
- *Take-away Food Outlet;*
- *Entertainment Venue;*
- *Arts and Crafts Centre;*
- *Child Care Service;*
- *Place of Public Meeting;*
- *Assembly or Worship;*
- *Private Recreation;*
- *Public Recreation;*
- *Place of Animal Care;*
- *Equestrian Centre;*
- *Abattoir*
- *Agriculture;*
- *Intensive Agriculture;*
- *Industry-Rural;*
- *Stockyard; and*
- *Industry-Cottage.*

And any other use not listed above that may be considered a sensitive use as determined by the Department of State Development.

- b. Amending clause 7.2.2 to read as follows:

“When considering applications for planning approval within the Boodarie Industrial Buffer Special Control Area, Council shall have regard to:

- (a) The Boodarie Strategic Industrial Area Development Plan;*
- (b) Whether the proposal is compatible with any existing or proposed future use or development within the Strategic Industry Zone;*
- (c) The existing, proposed or likely risks, hazards and nuisance (including but not limited to noise, odour and light) associated with the Strategic Industry Zone;*
- (d) The potential impacts of the proposal on the efficient development of the Boodarie Strategic Industrial Area; and*
- (e) Any other issue Council deems relevant”*

- c. Insert a new clause as clause 7.2.3 as follows:

“When considering an application for planning approval with respect to land wholly or partly within the Boodarie Industrial Buffer Special Control Area, the Council shall refer the proposal to the Department of State Development and LandCorp for comment.”

- d. Insert a new clause as clause 7.2.4 as follows:

“Prior to granting planning approval for development, including extraction, on land to which this clause applies the local government must consider:

- (a) The likelihood of the proposed development adversely affecting the efficiency and capacity of the Turner River and surrounding landscape to safely carry and discharge floodwaters, including any backwater flows; and*
- (b) The likelihood of the proposed development adversely affecting the safety of land zoned ‘Strategic Industry’ during flood events*

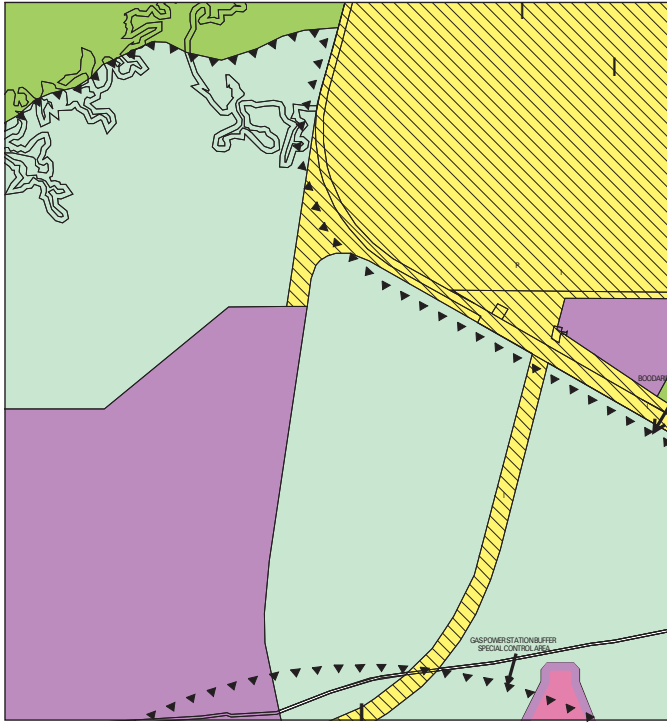
5. Rezoning portion of Lot 203 (Vol & Folio LR3128 641) on Deposited Plan 220594 from ‘Rural’ to reserve for ‘Other Public Purpose: Infrastructure’
6. Amend Appendix 5 to identify the Strategic Industry zone as a Development Plan Area.
7. Amending Appendix 6 by inserting a new heading under ‘Development plans in specific zones should also address the following matters’, as follows:

“Strategic Industry Zone:

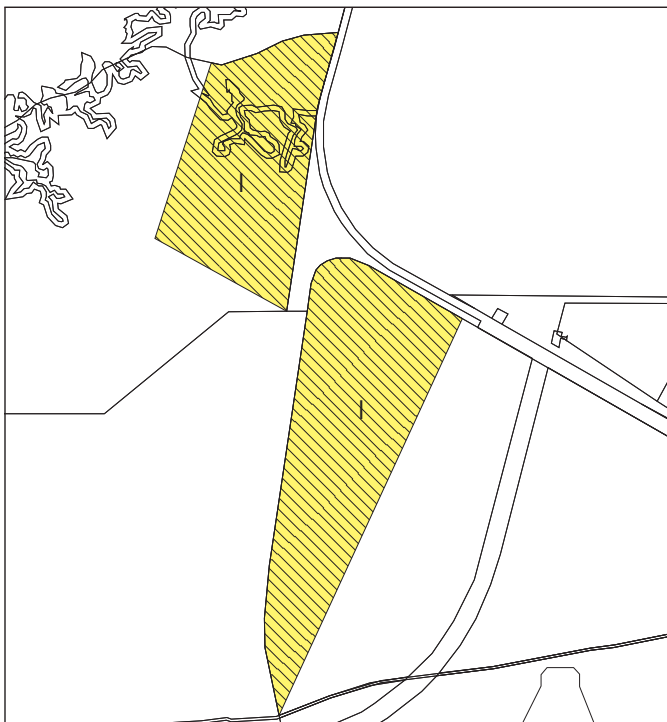
- i. on-site and off-site buffers required to separate uses within industrial precincts and the Special Control Area from adjacent incompatible industrial or sensitive uses;*
- ii. Implementation of the Boodarie Strategic Industrial Area District Water Management Strategy and in accordance with the water management guidance issued by the Department of Water;*
- iii. coordination of proponent provided infrastructure including road access, means of effluent disposal, water supply, power supply and other key infrastructure services;*
- iv. identification of Shared Infrastructure Corridors.”*

8. Amend the Scheme Map accordingly.

TOWN OF PORT HEDLAND LOCAL PLANNING SCHEME NO.5 AMENDMENT NO. XX





EXISTING ZONING






PROPOSED ZONING

LEGEND

LOCAL SCHEME RESERVES

-  CONSERVATION RECREATION AND NATURAL LANDSCAPES
-  OTHER PUBLIC PURPOSES
DENOTED AS FOLLOWS:
 - P PORT FACILITIES
 - I INFRASTRUCTURE

ZONES

-  INDUSTRIAL DEVELOPMENT
-  STRATEGIC INDUSTRY
-  RURAL

OTHER

- ▲▲▲▲ SPECIAL CONTROL AREAS



0  2.5 Km

Initiate Scheme Amendment

Adopted by resolution of the Council of the Town of Port Hedland at the Ordinary Meeting of the Council held on _____ 20_____.

PRESIDENT

CHIEF EXECUTIVE OFFICER

Final Approval

Adopted for final approval by resolution of the Town of Port Hedland at the Ordinary Meeting of the Council held on _____ 20_____.

The Common Seal of the Town of Port Hedland was hereunto affixed by authority of a resolution of the Council in the presence of:

MAYOR

CHIEF EXECUTIVE OFFICER

RECOMMENDED/SUBMITTED
FOR FINAL APPROVAL

DELEGATED UNDER S.16 OF THE
PLANNING AND DEVELOPMENT ACT
2005

DATE

FINAL APPROVAL GRANTED

MINISTER FOR PLANNING

DRAFT

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