

February 2020

Peel Region Scheme Amendment 044/41



Nambeelup (North)
Industrial Zone

Lots 89 and 109 Readheads Road,
Nambeelup

Report on Submissions and Hearings

Shire of Murray

Peel Region Scheme Amendment 044/41

**Nambeelup (North) Industrial Zone
Lots 89 & 109 Readheads Road, Nambeelup**

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Shire of Murray



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PRS Amendment No. 044/41 – Report on Submissions and Hearings
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An introduction to Peel Region Scheme major amendments

The Peel Region Scheme (PRS) sets out the broad pattern for the use and development of land in the Peel region. The PRS is constantly under review to best reflect regional planning needs.

The Western Australian Planning Commission (WAPC) is responsible for keeping the PRS under review and initiating changes where necessary.

A proposal to amend the PRS is regulated by the *Planning and Development Act 2005*. This legislation provides for public submissions to be made on proposed amendments.

For a substantial amendment, often referred to as a major amendment (made under section 41 of the Act), the WAPC considers all the submissions lodged and publishes its recommendations in a report on submissions. This report is presented to the Minister for Planning and to the Governor for approval. Both houses of Parliament must then scrutinise the amendment before it can take legal effect.

In each stage of the process for a substantial amendment to the PRS, information is published under the following titles:

Amendment Report

This document is available from the start of public advertising period for the proposed amendment. It sets out the purpose and scope of the proposal, explains why the amendment is being considered, and informs people on how they can comment through the submission process.

Environmental Review Report

The Environmental Protection Authority must consider the environmental impact of an amendment to the PRS before it can be advertised. If an amendment requires environmental assessment under Section 48A of the *Environmental Protection Act (1986)* an Environmental Review would be undertaken and made available for information and comment at the same time as the amendment report.

Report on Submissions

The Report on Submissions documents the submissions received when an amendment is advertised, the WAPC's determination of these submissions and the WAPC's recommendation to the Minister for Planning. This document also contains a reproduction of all written submissions received by the WAPC on the proposed amendment.

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Peel Region Scheme Amendment 044/41

Nambeelup (North) Industrial Zone

1 Introduction

At its meeting of 3 May 2018, the Western Australian Planning Commission (WAPC) resolved to prepare Amendment 044/41 to the Peel Region Scheme pursuant to section 41 of the *Planning and Development Act 2005*.

This report sets out the background to the amendment and discusses the submissions received in response to advertising of the amendment and matters raised during hearings.

2 Background

Land at Nambeelup (including Lots 89 and 109) has been identified for a major industrial area in strategic planning documents for more than 21 years. These include the *Inner Peel Region Structure Plan* (1997), the *Economic and Employment Lands Strategy* (2012) and the *South Metropolitan Peel Sub-regional Planning Framework* (2018).

An industrial area at Nambeelup has also been identified as a key transformational project in the *Peel Regional Investment Blueprint, Vision 2050* (2015). This envisages the Nambeelup industrial area as a project that will stimulate business and industrial development across the Peel region.

In December 2015, the WAPC finalised the *Nambeelup Industrial Area District Structure Plan* (NIADSP). Preparation of the structure plan involved more than 10 years of planning, environmental, drainage and infrastructure investigations and two phases of public consultation, in 2012 and 2014. The NIADSP provides guidance for the detailed planning and development of the Nambeelup Industrial Area (NIA) and addresses land requirements for regional roads, provision of open space and drainage requirements.

In April 2016, the NIADSP and an updated Nambeelup District Water Management Strategy were formally released. At the same time, the State government announced \$45.2 million in Royalties for Regions funding for infrastructure in Phase 1 of the NIA.

This amendment supplements Phase 1 of the NIA which covers 294 hectares (comprising 174 hectares zoned Industrial when the Peel Region Scheme first came into effect and a further 120 hectares rezoned to Industrial in August 2017).

3 The Proposed Amendment

The proposed amendment would transfer approximately 378 hectares from the Rural zone to the Industrial zone in the Peel Region Scheme. The site is bounded by:

- Readheads Road, to the south,
- Gull Road, to the west, and
- rural-zoned land to the north and east.

The proposed amendment is depicted in Figures 1 and 2.

4 Purpose

The purpose of the amendment is to provide land for industrial purposes in the Peel region that will be required for production, business and employment opportunities. Although the area identified as Phase 1 of the NIA is already zoned for this purpose, the WAPC considers the timely zoning of further land will ensure the region is capable of adapting to economic opportunities as these arise as well as ensuring the ongoing delivery of serviced industrial land in the longer term. This will also ensure the supply of industrial land is not confined to a limited pool of landholdings.

5 Environmental Protection Authority Advice

The proposed amendment was referred to the Environmental Protection Authority for advice on whether environmental assessment would be required.

In this respect, the Environmental Protection Authority advises that the proposed amendment does not require environmental assessment under the *Environmental Protection Act 1986*, and has not provided any advice or recommendations. A copy of the notice from the Environmental Protection Authority is included at Appendix A.

6 Call for Submissions

The amendment was first advertised in the Government Gazette on 13 November 2018 and remained open for public submissions until 27 February 2019 (a 105 day period). Notices advising of the amendment and the opportunity to make comment were also published in *The West Australian* and the *Sunday Times* on 13 and 18 November 2018.

The amendment was also available for public inspection at the following locations:

- the Perth office of the Western Australian Planning Commission.
- the Shire of Murray municipal offices.
- the City of Mandurah municipal offices.
- the J S Battye Library.

Also, the owners of land subject to, or in the vicinity of the land subject of the amendment were provided with a copy of the amendment report and advised in writing of the opportunity to lodge a submission in regard to the amendment.

Letters accompanied by copies of the amendment report were also sent to the local governments of the district, relevant public authorities and service providers, advising of the proposed amendment and inviting submissions.

7 Submissions

When advertising of the amendment closed, a total of eleven submissions had been received. Three further submissions were received after the close of submissions. A list of the parties who lodged a submission is attached at Appendix B.

Nine submissions are from government departments (one Commonwealth; eight State), and one is from the local government. Two are from service providers and one is from

the State's development arm (LandCorp) which is developing land near the amendment site. The other submission is from the landowner's consultants.

One submission raises no objection. Four state that no objection is raised and provide information/comment in regard to the amendment. Six provide advice on requirements to be met, or constraints to be addressed before the amendment is finalised or in subsequent stages of planning. One advises that it has no comment.

One submission (from the Shire of Murray) does not support the amendment and sets out its reasons. The remaining submission, from the landowner's consultants, addresses matters raised by the Shire and other matters relating to the amendment.

8 Issues Raised in Submissions

Submissions that provide advice on requirements to be met, or constraints to be addressed, raise the following considerations:

- a) ATCO Gas Australia draws attention to considerations relating to its adjacent gas pipeline to be taken into account at the local structure planning stage.
- b) The Department of Primary Industry and Regional Development (DPIRD) advocates that the main purpose of the Peel business park should be to support agriculture and agri-food industries. Also, DPIRD does not object to the amendment provided it will not adversely affect the operations of the three businesses on Lot 89.
- c) The Department of Transport requests that the landowner's representative be required to undertake a Transport Impact Assessment before local structure planning and subdivision proceed.
- d) The Department of Health recommends:
 - i. future development should be required to connect to scheme water and reticulated sewerage;
 - ii. matters set out in a scoping tool provided (for public health issues) should be addressed and incorporated in the proposed industrial estate;
 - iii. separation distances for sensitive land uses should be consistent with *EPA Environmental Assessment Guideline 3: Guidance for the Assessment of Environmental Factors No. 3 – Separation Distances between Industrial and Sensitive Land Uses*; and
 - iv. infrastructure such as culverts, drainage systems should be designed and constructed so not to afford habitats for mosquito breeding.
- e) The Department of Water and Environmental Regulation advises that:
 - i. the local structure plan will need to be supported by a local water management strategy that considers wetlands, buffers and native vegetation; and
 - ii. the Water Corporation should be engaged in regard to the availability and timing for services to the site.
- f) The Civil Aviation Safety Authority recommends that:
 - i. a process should be developed for assessing and approving land use development specific to the Murrayfield aerodrome, along with ongoing obstacle/hazard assessment protocols with the aerodrome operator;
 - ii. all development should require submission of a development plan for approval and that stakeholders be included in the notification and approval process; and
 - iii. adoption of the National Airports Safeguarding Framework

- g) The Department of Mines, Industry Regulation and Safety advises that a titanium–zircon resource occurs to the north-east of Lot 89 and may overlap its north-eastern corner. However, it states that the resource is poorly-defined and most industrial activities are likely to be compatible with mining nearby.
- h) The Water Corporation advises as follows:
 - i. It has prepared long-term conceptual water and wastewater servicing planning for the NIA;
 - ii. A limited portion of the holding may be serviceable by mains extensions off the LandCorp water and sewerage network, once established.
 - iii. However, much of the amendment land is topographically above the limits of supply for the initial water reticulation.
 - iv. Servicing the remainder of the land will require further detailed planning and significant capital expenditure on temporary developer-funded infrastructure as well as headworks infrastructure.
- i) The Department of Fire and Emergency Services advises that:
 - i. Issues arising from the bushfire hazard have been identified and considered in terms of how compliance with bushfire protection can be achieved at subsequent planning stages; and
 - ii. minor modifications to the bushfire management plan will be necessary to ensure it accurately identifies the bushfire risk – to be undertaken at subsequent stages of the planning process.
- j) LandCorp advises that extension of the two feeders to the south-west corner of the amendment site will not be approved by Western Power and, if constructed, will not be taken over as there is no demonstration of short term power requirements to this part of the industrial area to justify energisation.

The Shire of Murray raises the following matters in its submission (summarised):

- The NIA comprises a large amount of land that will take several decades to be developed; and prudent sequencing of development will be important.
- The land subject of the amendment is not within the Phase 1 of the NIA.
- The 290 ha first phase will provide industrial land supply for many years.
- Phase 1 comprises lots logically clustered around Lakes Road, providing potential for concurrent development of multiple estates, thereby stimulating market competition, efficient servicing and cohesive development.
- The amendment site is well-removed from Lakes Road. The rezoning is premature and will likely result in ad hoc development outcomes.
- The need for further industrial land in Nambeelup has not been demonstrated. The proponent does not appear to be meeting any industrial need that cannot otherwise be met within Phase 1.
- Servicing considerations have not been adequately addressed.
- Ad hoc industrial development, well-removed from the development front is likely to dilute economic activity in the overall industrial area.
- Even if additional industrial land was needed in Nambeelup in the short to medium term, there are more-appropriately located parts of the industrial area that should be considered.
- While the eventual need for rezoning of this land is recognised, a sequencing strategy to stage development of the overall area in an orderly manner should be prepared ahead of any further rezoning proposals at Nambeelup.

The submission received from the landowner's consultant addresses matters raised by the Shire. In this respect, it raises the following matters:

- a) The landowner agrees with the position stated in the WAPC in the report for initiation of the amendment, i.e. –
... there is a need for the region scheme to be prepared in advance of market conditions, having regard for the considerable lead times for amending the local planning scheme, preparation and approval of a local structure plan, subdivision and development.
- b) Estimates are provided on the earliest date land within the amendment site could be ready for development together with information on commitments that further extend the development timeframe.
- c) Population forecasts are provided together with projected industrial land requirements forecast in the *Economic and Employment Land Use Strategy: Non-Heavy Industrial – Perth Metropolitan and Peel Regions* (EELS) published by the WAPC in 2012.
- d) The submission states that there is no certainty that all land within Phase 1 of the NIA will be brought to market and that sole reliance on this area is not considered appropriate.
- e) In regard to servicing, the submission:
 - i. notes that no objections have been raised by servicing authorities;
 - ii. states that the servicing report provided with the amendment request demonstrates the land can be serviced;
 - iii. states that a sewer pump station located 'mid-block' along the western extent of Lot 600 is not remote from the amendment site;
 - iv. contends that government-funded infrastructure being provided for the NIA should not be sterilised for use only by landowners in Phase 1; and that services should be available on a 'first come, first served' basis;
 - v. notes that the Shire is intending to progress a developer contribution scheme in the near future;
 - vi. states that it is expected that road upgrades will be undertaken on a 'need and nexus' basis – and, otherwise, alternative funding methods can be explored such as Special Rate Areas (as used in the Hazelmere Enterprise Area Structure Plan);
- f) The submission draws attention to the fact that the landowner is a significant international company employing over 100,000 people in 46 countries whose revenue was 15.6 billion pounds in 2018. It states that the landowner has recently developed the UDIA award winning Eliza Ponds in the City of Cockburn, thus demonstrating its ability to deliver large-scale land development projects.

The submission also requests a further assessment of the regional road reserve widths in conjunction with the Department of Planning Lands and Heritage and Main Roads WA (consistent with the amendment report published by the WAPC upon initiation of the amendment).

9 Hearing

Section 46 of the *Planning and Development Act 2005* provides that each person who makes a submission is to be offered the opportunity of being heard by a committee formed by the WAPC for that purpose.

All parties who made submissions were invited to present their submissions to a hearings committee. The WAPC considered a hearing requested by the landowner's planning and engineering consultants which took place on 24 July 2019. The main matters raised at the hearing included industrial land supply, population growth, future industrial land requirements, planned road upgrading and the scope to provide the service infrastructure required for the future development of the land.

10 Determinations

Matters raised in submissions are discussed in the following section. Further detail is available in the Schedule of Submissions contained in Appendix C.

Purpose of the Nambeelup Business Park

One submission recommends that the main purpose of the Peel Business Park should be to support agriculture and agri-food industries. Although support industries for agriculture and agri-food industries are planned to be a key element of the business park, the premise on which the amendment has been initiated is that its purpose is to accommodate a cross-section of industries and include flexibility to respond to evolving economic conditions, and that there is no presumption that agriculture and accommodating agri-food industries are its main purpose.

Staging of Development at Nambeelup

The submission received from the Shire of Murray considers the amendment is premature, primarily because a large amount of land is available for industrial purposes at Nambeelup, and because it considers the rezoning would lead to less-cohesive development, less-efficient servicing and would detract from economic outcomes, and because it believes servicing considerations have not been adequately addressed.

In regard to these matters, the WAPC initiated the amendment on the basis that there is need for the region scheme to be prepared in advance of market conditions, having regard for the considerable lead times for amending the local planning scheme, preparation and approval of a local structure plan, subdivision and development. The proposed amendment would also make more industrial land available in the long term.

Although the pace of industrial development in the Peel region has slowed, coinciding with recent events in the world economy, it is important that preceding shortages of industrial land in the region are not overlooked and that a resumption of higher demand is to be expected in due course. In this respect, the timely zoning of further land will ensure the region is capable of adapting to economic opportunities as these arise as well as ensuring the ongoing delivery of serviced industrial land in the longer term. It will also ensure the supply of industrial land is not confined to a limited pool of landholdings.

In regard to the supply of industrial land, the landowner's submission correctly states that there is no certainty that all land within Phase 1 of the NIA will be brought to market in the near future and that sole reliance on this area would be inappropriate. Also, it is desirable to avoid placing a constraint on the potential benefits of market forces. Accordingly, a greater reserve of potential industrial land is desirable.

Moreover, in considering the supply of industrial land, the larger size of industrial lots means that the gross available land area needs to be greater. This is accentuated by the higher proportion of land required for drainage, environmental purposes and services in the Nambeelup industrial park.

In regard to achieving servicing efficiencies and cohesive development clustered around Lakes Road, the encouragement of such a node of development would be beneficial during early stages of the transition to a substantially developed industrial park. However, the larger size of industrial lots means the front of development moves at a greater pace than residential development. This is illustrated by the fact that the first stage of LandCorp's development on Lot 600 is currently being developed to 480 metres north of Lakes Road, and thus closer to the amendment site.

Servicing of Development

As mentioned above, the Shire of Murray considers the amendment is premature because, among other things (addressed above), it believes servicing considerations have not been adequately addressed.

Water Supply and Sewerage

In regard to water supply and sewerage, the Water Corporation submission advises that it has prepared conceptual long term water and wastewater servicing planning for the Nambeelup business park. This has been described and applied in the NIADSP. Although the Water Corporation has advised that subdivision and development of land outside a Lot 600 Gull Road will require further detailed planning and significant capital expenditure on developer-funded infrastructure, it has advised that wastewater and water servicing is not seen as an impediment to rezoning the land to Industrial and raises no objection to the amendment.

Electricity Supply

Western Power has confirmed that it has no objections to the amendment. Although a submission from LandCorp advises that it is extending power supply feeders from the Pinjarra Zone Substation only as far as the south-east corner of Lot 600, this does not prevent the owner of Lots 89 and 109 from extending feeders to the south-west corner of the holding. It is standard practice that Western Power does not take over developer-funded/constructed infrastructure until there is a demand for power within the relevant stage of development. This not an obstacle to rezoning of the land.

Gas Supply

ATCO Gas Australia confirms that a major gas pipeline extends along Readheads Road. It advises that a pressure reduction station will be necessary to serve the NIA but it may be possible to service development within the amendment site from the same pressure reducing station as the LandCorp development on Lot 600 Gull Road without detriment to the provision of gas services for Phase 1. If not, a second station would still be feasible.

Matters to be Addressed in Subsequent Planning

The following matters raised in submissions can be addressed during subsequent stages of the planning process, i.e. during the local planning scheme amendment process, preparation and adoption of a local structure plan and when applications for subdivision and development approvals are determined:

- Detail considerations relating to the ATCO gas pipeline.
- Transport Impact Assessment.
- Matters set out in the scoping tool provided by the Department of Health.
- Separation distances for sensitive land uses.
- Design of infrastructure so not to afford habitats for mosquito breeding.
- Local water management strategy.
- A process for assessing land use and development with proximity to Murrayfield aerodrome.
- Implementing relevant parts of the National Airports Safeguarding Framework.
- Minor modifications to the bushfire management plan.

11 Modifications to the Amendment

After considering the submissions received in respect of the amendment and those matters raised during the hearing, the WAPC recommended the amendment be approved and finalised without modification.

12 Coordination of Regional and Local Planning Scheme Amendments

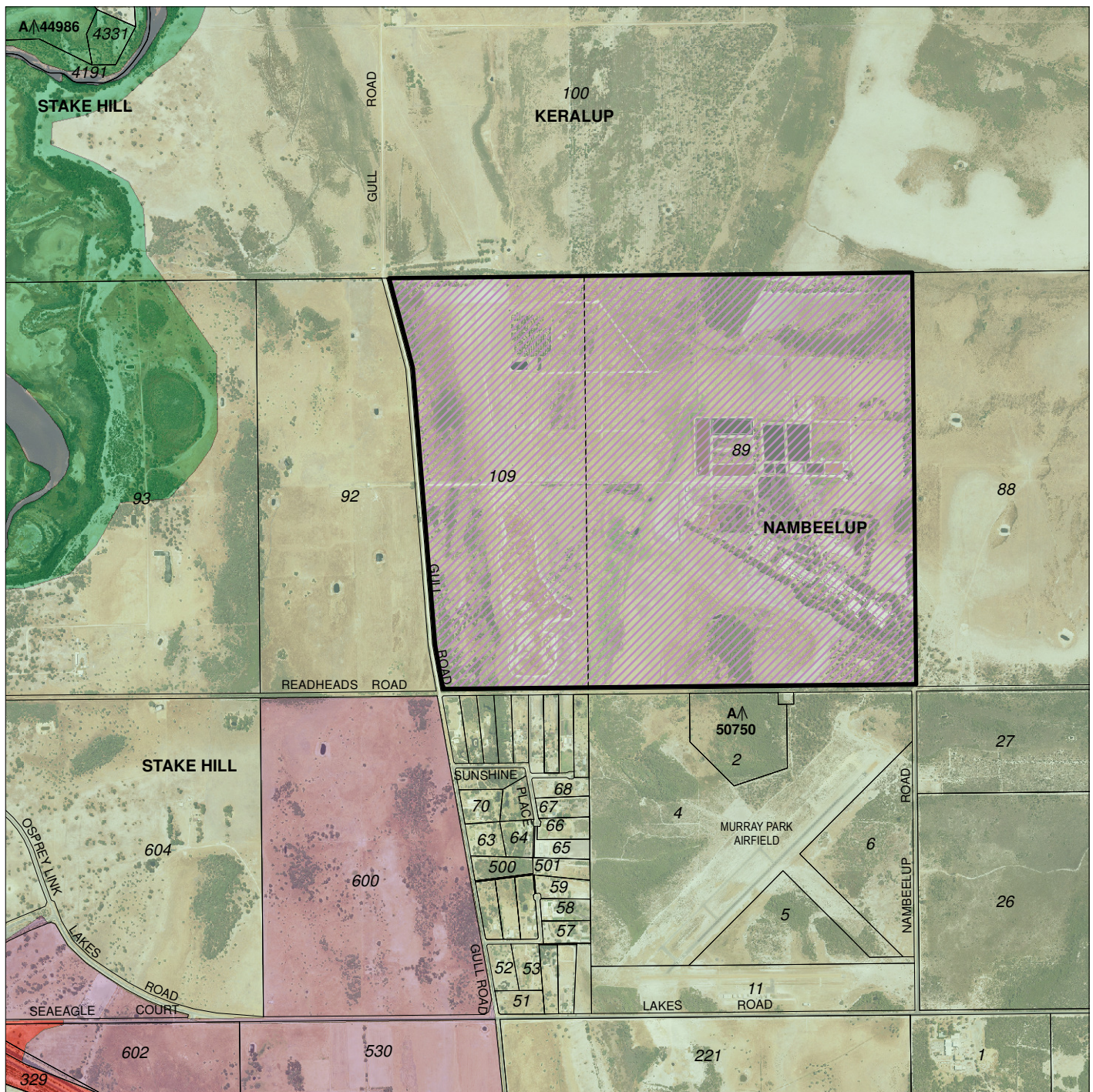
In some circumstances, section 126 of the *Planning and Development Act 2005* allows for the automatic amendment of local planning schemes when an amendment to a region scheme amendment becomes legally effective. However, this does not apply where land is rezoned to Industrial in a region planning scheme.

As mentioned in this report, there are matters that will need to be addressed in a local structure plan and implemented through the local planning scheme. For this to occur, the land subject of this amendment will need to be rezoned to Industrial Development in the Shire of Murray Town Planning Scheme No. 4. This would require a separate amendment to the local planning scheme. It would also involve a separate process for consultation, consideration and adoption of a local structure plan.

13 Conclusion and Recommendation

This report summarises the background and reasoning for Amendment 044/41 to the Peel Region Scheme, and examines the submissions received. The Western Australian Planning Commission thanks those who made submissions.

After considering the submissions received, the Western Australian Planning Commission is satisfied the amendment should be finalised, and has recommended that the Minister of Planning present the amendment to His Excellency the Governor for his consideration and approval and subsequently commend the amendment to both Houses of Parliament.








Peel Region Scheme Amendment 044/41 : Lots 89 & 109 Readheads Road, Nambeelup Proposed Major Amendment

Proposed Amendment:

 Industrial zone

Existing Region Scheme:

 Industrial
 Primary regional roads
 Regional open space
 Rural
 Waterways

Oracle reference no: 2953

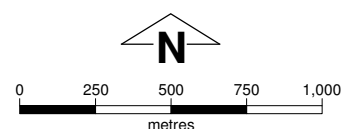
File number: RLS/0684

Version number: 1

Figure 2



Date: 9/04/2018
Produced by Geospatial Research and Modelling, Department of Planning, Lands and Heritage, Perth WA
Base information supplied by Western Australian Land Information Authority LI 944-2017-1



Appendix A

Notice of Environmental Assessment

Department of Planning, Lands and Heritage	
Received	
Scanned	14 JUN 2018
Attachments	<input type="checkbox"/>
Scan QA	<input type="checkbox"/>
Doc No.	<input type="checkbox"/>
File No.	RL5/0684

The Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001

Our Ref: CMS17076
Enquiries: Angela Coletti, 6364 7600
Email: Angela.Coletti@dwer.wa.gov.au

Dear Sir/Madam

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

SCHEME:	Peel Region Scheme Amendment 044/41
LOCATION:	Lot 89 & 109 Redheads Road, Nambeelup
RESPONSIBLE AUTHORITY:	Western Australian Planning Commission
DECISION:	Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed Under Part IV of EP Act. No Advice Given. (Not Appealable)

Thank you for referring the above scheme to the Environmental Protection Authority (EPA).

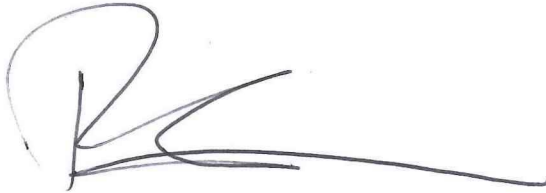
After consideration of the information provided by you, the EPA considers that the proposed scheme should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act) and that it is not necessary to provide any advice or recommendations.

Please note the following:

- 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 to not assess the scheme.

Yours sincerely

A handwritten signature in dark ink, consisting of a large, stylized 'P' followed by a long, horizontal stroke that tapers off to the right.

Patrick Seares
Delegate of the Environmental Protection Authority
Executive Director EPA Strategic and Guidance

11 June 2018

Appendix B

List of Submissions

List of Submissions

Number	Name
1	ATCO Gas Australia
2	Main Roads Western Australia
3	Department of Jobs, Tourism, Science and Innovation
4	Department of Primary Industries and Regional Development
5	Department of Transport
6	Department of Health
7	Department of Water and Environmental Regulation
8	Civil Aviation Authority
9	Department of Mines, Industry Regulation and Safety
10	Element Advisory Pty Ltd
11	Water Corporation
12	Shire of Murray
13	LandCorp
14	Department of Fire and Emergency Services

Appendix C

Summary of Submissions and Determinations

Summary of Submissions and Determinations

Peel Region Scheme Amendment 044/41

Nambeelup (North) Industrial Zone - Lots 89 & 109 Readheads Road, Nambeelup

Submission	1
Submitted by	ATCO Gas Australia (ATCO)
Nature of Interest	Service provider
Affected Land	Readheads Road (road reserve); Lot 3 Readheads Road
Summary of Submission	<p>ATCO has a high-pressure gas pipeline in the Readheads Road road reserve. East of the pressure reduction station on Lot 3 Readheads Road, the pipeline is on the southern side of the reserve. West of the pressure reduction station, it is on the northern side of the reserve and within 3 metres of the south boundary of Lots 89 and 109.</p> <p>ATCO has no objection to the rezoning subject to the following:</p> <ul style="list-style-type: none">a) ATCO must be notified of works within 15 metres of its gas infrastructure before these commence. Also, anyone proposing to carry out works must contact 'Dial Before You Dig' to determine the location of gas infrastructure.b) Portions of Lots 89 and 109 fall within the trigger distance specified in WAPC Draft Development Control (DC) 4.3 - Planning for High Pressure Gas Pipelines. Development within this distance requires consultation with ATCO before preliminary designs are finalised.c) Please consider the principles of the WAPC draft Development Control DC4.3 and the site.
Planning Comment	<p>Non-objection noted.</p> <p>Considerations relating to the alignment of the ATCO gas pipeline and WAPC Draft DC Policy 4.3 can be taken into account at the local structure planning stage.</p>
Determination	Noted

Submission	2
Submitted by	Main Roads Western Australia (MRWA)
Nature of Interest	Government agency
Affected Land	Regional road system
Summary of Submission	MRWA has no objection to the amendment
Planning Comment	Noted
Determination	Noted
<hr/>	
Submission	3
Submitted by	Department of Jobs, Tourism, Science and Innovation
Nature of Interest	Government agency
Affected Land	General
Summary of Submission	The Department has no comment to provide.
Planning Comment	Noted
Determination	Noted
<hr/>	
Submission	4
Submitted by	Department of Primary Industries and Regional Development (DPIRD)
Nature of Interest	Government agency
Affected Land	General
Summary of Submission	<p>The DPIRD does not object to the amendment provided it will not adversely affect the operations of the three businesses on Lot 89.</p> <p>DPIRD understands these will become non-conforming uses once the land is rezoned.</p> <p>DPIRD strongly advocates that the main purpose of the Peel Business Park is to support agriculture and agri-food industries.</p>

Planning Comment	<p>Conditional non-objection noted.</p> <p>Rezoning of the land would not adversely affect the three businesses on Lot 89 except that the piggery and the mushroom farm would become non-conforming uses under the PRS. Any decisions that may be made by the landowner following rezoning are outside the responsibility of the WAPC.</p> <p>Although support industries for agriculture and agri-food industries are planned to be a key element of the Peel Business Park, the premise on which the amendment has been initiated is that the business park is to accommodate a cross-section of industries and include flexibility to respond to evolving economic conditions - and that there is no presumption that agriculture and accommodating agri-food industries are its main purpose.</p>
Determination	Noted
Submission	5
Submitted by	Department of Transport (DoT)
Nature of Interest	Government Department
Affected Land	General
Summary of Submission	The DoT understands that a Transport Impact Assessment was not undertaken when the Nambeelup Industrial Structure Plan was prepared. It requests that the landowner's representative be required to undertake this assessment before local structure planning and subdivision proceeds; and that this be referred to the DoT.
Planning Comment	<p>Traffic assessment was undertaken as part of the preparation of the preparation for the <i>Nambeelup Industrial Area District Structure Plan</i> (NIADSP). Also, a strategic transport review accompanied the request for amendment of the PRS.</p> <p>A Traffic Impact Assessment (TIA) will be required as part of the local structure planning process. This is acknowledged by the applicant.</p>
Determination	Noted
Submission	6
Submitted by	Department of Health

Nature of Interest	Government department
Affected Land	General
Summary of Submission	<p>The Department of Health provides the following comment:</p> <ol style="list-style-type: none"> 1 Water Supply and Wastewater Disposal <p>Future development should be required to connect to scheme water, reticulated sewerage and be consistent with the Country Sewerage Policy.</p> 2 Public Health Impacts <ol style="list-style-type: none"> a) A scoping tool is enclosed that highlights public health issues that should be addressed and incorporated into the proposed industrial estate. <p><i>Scoping Tool:</i></p> <p><i>Factors covered in the scoping tool that influence public health, to be considered by assessors and proponents include but are not limited to air quality, light, noise, water quality, hazard management, radiation safety, climate change and traffic</i></p> <p><i>Features of industrial neighbourhoods that affect the health and safety of employees, visitors and neighbouring communities include:</i></p> <ul style="list-style-type: none"> ○ <i>Disaster preparedness and emergency management</i> ○ <i>Built environment and workforce wellbeing</i> ○ <i>Community consultation</i> b) The amendment is to acknowledge and incorporate separation distances in accordance with <i>EPA Environmental Assessment Guideline 3: Guidance for the Assessment of Environmental Factors No. 3 - Separation Distances between Industrial and Sensitive Land Uses</i> (EPA Guidance No.3) c) The land is within 2km of wetlands where mosquito breeding is evident. Infrastructure such as culverts, road drainage systems etc. should be designed and constructed so not to afford habitats suitable for mosquito breeding.

Planning Comment	1	Development within the Nambeelup Business Park will be required to be connected to reticulated water supply and reticulated deep sewerage.
	2	Public Health Impacts
	a)	The considerations referred to in the scoping tool are best addressed at the local structure planning and local scheme amendment stage where the level of detail regarding industrial development is defined with more certainty and the appropriate statutory controls can be implemented.
	b)	The nearest sensitive uses are residences associated with the Special Use Zone (Kennel) under the Shire of Murray Town Planning Scheme No. 4. This area is identified for future industrial development. Pending rezoning of this land for industrial purposes, development on the amendment site will need to have regard for EPA Guidance No. 3 and this is achievable through the local structure planning process.
	c)	The design of infrastructure to minimise creation of habitats suitable for mosquito breeding can be addressed at the local structure plan, local water management strategy and local scheme amendment stages.

Determination	Noted
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Submission	7
Submitted by	Department of Water and Environmental Regulation (DWER)
Nature of Interest	Government department
Affected Land	General
Summary of Submission	<p>The DWER has no objections to the proposal and provides the following advice:</p> <p><i>Better Urban Water Management -</i></p> <p>The DWER has previously endorsed the Nambeelup Industrial Area District Water Management Strategy which includes this site. Accordingly, the requirements of <i>State Planning Policy 2.9: Water Resources</i> (SPP 2.9) have been met.</p>

The future local structure plan will need to be supported by a local water management strategy that considers wetlands, their buffers and native vegetation. This may affect the site layout shown on the concept plan provided.

Water Servicing -

It is noted that the site is remote from sewer and potable water services. However, planning is being undertaken for the initial stages of the business park. It is recommended the Water Corporation be engaged in regard to the availability and timing for water services to this site.

Planning Comment

Non-objection noted.

Better Urban Water Management

Verification that the district water management strategy achieves the relevant requirements of SPP 2.9 is noted.

The requirement of a local water management strategy and its content are noted, as is the potential for these to affect the layout shown on the concept plan.

Water Servicing

Water servicing (and sewer) are discussed in further detail in regard to Submissions 10, 11 and 12.

Determination	Noted
<hr/>	
Submission	8
Submitted by	Civil Aviation Safety Authority (CASA)
Nature of Interest	Commonwealth government department
Affected Land	General/Murrayfield aerodrome
Summary of Submission	<p>CASA recommends the amendment includes following, as a minimum:</p> <ul style="list-style-type: none"> ○ A list of key stakeholders at the Murrayfield aerodrome and their roles. ○ Better-defined key land use/development risk features (i.e. objects, obstacles, dust, glare, gas discharge, creation of industrial hazards, land/roadworks that may affect operations).

- A process developed and outlined for assessing and approving land use development specific to the aerodrome, along with ongoing obstacle/hazard assessment protocols with the aerodrome operator.
- A condition that ensures all development will require submission of a development plan for approval and that the stakeholders will be included in the notification and approval process.

Adoption of the National Airports Safeguarding Framework would further assist in ensuring aviation safety requirements are recognised in land use planning decisions close to an airport. A copy can be found at:

<https://infrastructure.gov.au/aviation/environmental/airport-safeguarding/basf/nasf-principles-guidelines.aspx>

Planning Comment	Development of Lots 89 and 109 for industrial purposes would be capable of being compatible with these requirements. This can be addressed as part of the local structure planning which is the appropriate stage for dealing with these considerations.
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Determination	Noted
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Submission	9
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Submitted by	Department of Mines, Industry Regulation and Safety (DMIRS)
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Nature of Interest	Government Department
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Affected Land	General
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Summary of Submission	A Strategic Mineral Resource Protection Area (the Hopelands West titanium-zircon resource) occurs to the north-east of Lot 89 and may overlap about 10 ha of the north-eastern corner of Lot 89. However, the resource has been found to be poorly defined within the proposal area. Also, most industrial activities are likely to be compatible with mining nearby. Therefore, DMIRS has no objection to this rezoning.
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Planning Comment	The compatibility of most industrial uses with mining nearby and the DMIRS' non-objection are both noted.
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Determination	Noted
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Submission	10
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Submitted by	Element Advisory Pty Ltd
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Nature of Interest	Landowner's consultant
Affected Land	Lots 89 and 109 Readheads Road, Nambeelup (the land subject of the proposed amendment)

Summary of Submission *Shire of Murray Objection -*

The landowner agrees with the position stated in the Western Australian Planning Commission (WAPC) report for initiation of the amendment -

... there is a need for the region scheme to be prepared in advance of market conditions, having regard for the considerable lead times for amending the local planning scheme, preparation and approval of a local structure plan, subdivision and development.

From a timing perspective, the following statutory processes are required in order to prepare the land for subdivision/development:

1. Completion of PRS amendment Jan/Feb 2020
2. Completion of local scheme amendment March 2021
3. Completion of local structure plan March 2022
4. Subdivision/development application approval Jun 2022

From a statutory perspective, the earliest the land could be ready for development is late-2022.

Notwithstanding statutory processes, the existing piggery and associated sub-tenants will need to be relocated from the site. The landowner is required to give 3 years notice to the principal tenant. This further extends the development timeframe.

Demand -

The WAPC's *Economic and Employment Land Use Strategy: Non-Heavy Industrial - Perth Metropolitan and Peel Regions* (EELS) forecasts a 544ha shortfall of industrial land assuming business as usual scenario by 2031. Rezoning of the subject land will assist in meeting the potential shortfall of industrial land supply.

Also, EELS notes that Nambeelup is a 4 to 10 year medium term non-heavy industrial site as at 2012. The timeline for bringing the subject land to a development state - e.g. by 2022 - accords with the timeline envisaged in EELS.

Also, the City of Mandurah and Shire of Murray are expected to experience significant population growth (Mandurah - from 90,323 in 2019 to 119,877 in 2036; a 32% increase); (Murray - from 18,667 in 2019 to 80,787 by 2041; a 332% increase). Zoning of the land will ensure a supply to meet demand generated from population growth.

While the Shire prefers development to commence within the 294ha first phase of the business park, there is no certainty this land will be brought to market. Sole reliance on this area is not considered appropriate.

Servicing -

It is noted that no objections have been raised by servicing authorities and that the servicing report provided with the PRS amendment request demonstrated the land could be serviced.

We understand that a sewer pump station is likely to be located 'mid-block' along the western extent of Lot 600. This is not significantly distant from the amendment site.

State government funding has been provided to deliver initial service infrastructure to the business park. Our client believes initial infrastructure should not be sterilised, for use only by landowners in Phase 1. Services should be available on a 'first come, first served' basis.

It is noted that the Shire has concern in regard to infrastructure upgrades and funding. In this respect, it is noted that the Shire is intending to progress a developer contribution scheme in the near future.

The Shire has raised concern in regard to the suitability of the existing road network. It is expected that upgrades will be undertaken on a 'need and nexus' basis. Alternatively, other funding methods can be explored such as Special Rate Areas, as used in the Hazelmere Enterprise Area Structure Plan in the City of Swan.

Development Capabilities -

GWF is a wholly owned subsidiary of Associated British Foods (ABF), a diversified international food, ingredients and retail group employing over 100,000 people in 46 countries. ABF group revenue was 15.6 billion pounds in 2018.

Although not a property development business, GWF has rationalised and redeveloped land assets surplus to its requirements. In conjunction with MMJ Real Estate, GWF has

recently developed the UDIA award winning Eliza Ponds in the City of Cockburn. This demonstrates GWF ability to deliver large scale land development projects.

Road Reserve Widths -

The PRS amendment foreshadows the following increases in road reserve widths:

- Gull and Nambeelup Roads - widened to 39-42 metres along their western sides; and
- Readheads Road - widened to 46.5 to 49.5 metres on its northern side, where it abuts the land.

Shawmac Consulting Traffic and Civil Engineers, Risk Managers has reviewed the reserve requirements, concluding as follows:

- The cross-sections proposed in the Nambeelup industrial area are based on unkerbed carriageways with large verges separate from open drainage.
- The road hierarchy should be modified to include Nambeelup Road (north of Lakes Road) as an Integrator B road.
- Traffic volumes and road network suggest that Nambeelup Road and Readheads Road could be single carriageway roads with one lane in each direction, rather than divided carriageways.
- Cross-sections can be rationalised to 32.8m for Gull Road, 20.8/25.8 for Nambeelup Road and 25.8 for Readheads Road.
- The road reserve and road hierarchy outlined in the Nambeelup District Structure Plan (NIADSP) should be reviewed.

The PRS Amendment report states:

Final regional road requirements will be determined before a local structure plan for the land is finalised. On this basis, rezoning of the land for industrial purposes can take place while planning for regional road requirements is being finalised.

Having regard to this and the Shawmac review of reserve widths, a further assessment of the road reserve widths with the Department of Planning Lands and Heritage and Main Roads WA is requested.

Conclusion -

The PRS amendment is supported as it:

- assists in addressing a shortfall of industrial land envisaged in the EELS.
- will assist in providing industrial land to meet the needs of significant population growth in the sub-region.
- is consistent with the NIADSP and will facilitate further statutory processes to allow development of the land. This is consistent with the orderly and proper planning of the locality.
- The land is demonstrated to be capable of being serviced.
- There is demonstrated demand for industrial land, having regard for EELS and population projections for the sub-region.

Planning Comment

The following matters outlined in the consultant's submission are noted:

- Concurrence with the position stated by the WAPC in regard to initiating the amendment.
- Estimates of the earliest possible timeframe for development.
- References to the *Economic Employment Lands Strategy: non-heavy industrial* (WAPC, 2012) and current population forecasts.
- The view that there is no certainty all land in Phase 1 of the business park will be brought to market.
- That there have been no objections from service providers and that information supplied in the servicing report demonstrates that the land can be serviced.
- That trunk infrastructure provided through government funding should not be 'sterilised', for use only by landowners within Phase 1.
- That the Shire is intending to progress a developer contribution scheme in the near future.
- The capability of the landowner in relation to delivering large scale land development projects.

In conjunction with the fact that the land has been identified for industrial use in strategic planning over a period of more than 21 years and that its development for this purpose is consistent with the NIADSP, these matters favour rezoning of the land from Rural to Industrial.

Matters raised in the consultant's submission in regard to the width of regional road reserves are also noted. As mentioned in the amendment report published on initiation of the amendment, final regional road requirements will be determined before a local structure plan for the land is finalised.

This submission was supported by a hearing.

Determination	Noted
Submission	11
Submitted by	Water Corporation
Nature of Interest	Service provider
Affected Land	General
Summary of Submission	<p>The Water Corporation has prepared long-term conceptual water and wastewater servicing planning for the Nambeelup industrial area.</p> <p>The rezoning represents a large extension of the Industrial zone covering land with variable topography. A limited portion of the holding may be serviceable by mains extensions off the LandCorp water and sewerage network, once established.</p> <p>However, much of the amendment land is topographically above the limits of supply for the initial water reticulation main being constructed by LandCorp and outside the gravity catchment of the wastewater pump station that LandCorp will construct within Lot 600.</p> <p>Servicing the subdivision and development of the remainder of the land will require further detailed planning and significant capital expenditure on temporary developer-funded infrastructure as well as headworks infrastructure.</p>
Planning Comment	<p>The Water Corporation has advised that, in the long term, water supply with satisfactory pressure can be provided to land with topography up to 15 - 16 metres AHD. In the short term, this may be down to 12 metres AHD. Parts of the site above these elevations will require construction of headworks infrastructure, including a higher-level tank. This is compatible with the envisaged staging of development as much of the land is below 15 to 16 metres AHD.</p> <p>The initial sewer pump station within the NIADSP area is to be constructed along the eastern boundary of Lot 600 Gull Road. Connection of the amendment site to this infrastructure would require construction of a pump station and pressure main. The ability to connect to the Lot 600 pump station will depend on the capacity available at the time of development. In the initial stages of development, wastewater may be 'tankered' via agreement with the Water Corporation if wastewater flows are insufficient.</p>

Further dialogue with the Water Corporation indicates that satisfactory arrangements for water supply and sewerage will be possible.

Determination	Noted
Submission	12
Submitted by	Shire of Murray
Nature of Interest	Local government
Affected Land	Municipality of the Shire of Murray
Summary of Submission	<p>The Council does not support the amendment for the following reasons:</p> <ol style="list-style-type: none"> 1 The Nambeelup industrial area comprises a significant amount of land that will take several decades to be subdivided and developed. Prudent sequencing of development will be important to optimise outcomes and investment in the future. 2 State government funding for trunk infrastructure services is only for the 290 ha Phase 1. This comprises the land already zoned Industrial in the Peel Region Scheme. The land subject of the current proposal is not within the Phase 1. 3 It is estimated the 290 ha first phase will provide industrial land supply for many years, depending on the take-up rate for industrial land. 4 The 290ha first phase is split between several lots and logically clustered around Lakes Road. This provides potential for multiple estates to develop concurrently, thereby stimulating market competition, allowing efficient servicing and unified, cohesive development. 5 Lots 89 and 109 Readheads Road are well-removed (about 1.5 kilometres) from Lakes Road, where subdivision is proposed to commence. The rezoning is premature and will likely result in ad hoc development outcomes. 6 The need for further industrial land in Nambeelup - in addition to the 290 ha first phase, in either the short or

medium term - has not been demonstrated. There do not appear to be special circumstances to warrant rezoning at this time. In particular, the proponent does not appear to be meeting any industrial need that cannot otherwise be met within Phase 1.

- 7 Servicing considerations have not been adequately addressed. Arrangements do not appear to be in place for trunk infrastructure sufficient to service the additional land. Nor does it appear that agreement has been reached between the developers and service providers in regard to the staging and financing of services. As the land is well-removed from the planned development front, rezoning at this stage is likely to result in inefficient and costly provision, ongoing maintenance and renewal of road and public utility infrastructure.
- 8 Ad hoc industrial development, well-removed from the development front is likely to dilute economic activity in the overall industrial area and detract from the economic development imperatives for the area.
- 9 Even if additional industrial land was needed in Nambeelup in the short to medium term, there are more-appropriately located parts of the industrial area that should be considered ahead of Lots 89 and 109 and would likely result in preferable economic outcomes with more cost-effective servicing.
- 10 While the eventual need for rezoning of this land is recognised, a sequencing strategy to stage development of the overall area in an orderly manner, based on need and the imperative to optimise economic development outcomes and investment in infrastructure provision, ongoing maintenance and renewal should be prepared ahead of any further rezoning proposals at Nambeelup. The Shire is keen to discuss and assist in the preparation of such a sequencing strategy.

Planning Comment

- 1 The amendment has been initiated on the basis that there is need for the region scheme to be prepared in advance of market conditions, having regard for the considerable lead times for amending the local planning scheme, preparation and approval of a local structure plan, subdivision and development. The proposed amendment would also make more industrial land available in the long term.

Rezoning of the land will ensure there is no shortage of land for industrial purposes, as occurred in the Mandurah area before the recent drop in mining investment, and ensure land can be readily brought to market when required.

In this respect, the combined populations of the municipalities of Mandurah, Murray and Rockingham are forecast to grow by 42 per cent over the period from the 2016 census to 2031, a total of 96,000 people.

- 2 The landowner does not seek to utilise Government funding for the trunk infrastructure services and is aware that it will need to extend services to the land at its own cost to facilitate future development.
- 3 Development within the first phase of the Nambeelup industrial park will lead the provision of land to meet market requirements. However, it cannot be assumed that all land within Phase 1 will be developed in the short-to-medium term. Additionally, a substantial proportion of the 290ha within Phase 1 is required for purposes other than the creation of industrial lots, to meet larger requirements for drainage, environmental purposes and services.
- 4 Encouragement of a node of development clustered around Lakes Road would be beneficial in terms of cohesive development during early stages of the transition to a substantially developed industrial park. However, it is also important to provide conditions favourable to market competition, through an increased number of suppliers of land, to make industrial land available to end-users at lower cost.

Moreover (as mentioned above), rezoning of Lots 89 and 109 will provide the ability to meet future market demands in a timely manner.
- 5 The amendment site is 1,400 metres north of Lakes Road. Due to the greater area of industrial lots, Stage 1 on Lot 600 which is currently being developed, will extend 480 metres north of Lakes Road. See also 1, 3 and 4, above.
- 6 See 1, 3 and 4, above.
- 7 Formal agreement between service providers and landowners is not a prerequisite for rezoning.

In regard to water supply and sewerage, see Submission 11 (Water Corporation), above. In regard to these services, the Water Corporation has prepared conceptual long term water and wastewater servicing planning for the Nambeelup business park. This has been described and applied in the NIADSP. Although the Water Corporation has advised that subdivision and development of land outside a lot 600 Gull Road will require further detailed planning, it has advised that overall planning for water and wastewater servicing is not seen as an impediment to rezoning the land to Industrial and raises no objection to the amendment.

In regard to power supply, Western Power has confirmed that development on the subject land can be provided with electricity at the landowner's cost and that it has no objections to the amendment. See also Submission 13 (LandCorp), below.

ATCO confirms that a major gas pipeline extends along Readheads Road. It advises that a pressure reduction station will be necessary to serve the NIA but it may be possible to service development within the amendment site from the same pressure reducing station as the LandCorp development on Lot 600 Gull Road without detriment to the provision of gas services for Phase 1. If not, a second station would still be feasible.

In regard to road infrastructure, LandCorp has previously advised that the Gull Road carriageway will be upgraded from Lakes Road to Readheads Road as part of the development of Lot 600 Gull Road. This will provide the amendment site with direct access to an upgraded road.

In regard to the matter of proximity to the planned development front, the amendment site is 1,400 metres north of Lakes Road. Due to the greater area of industrial lots, Stage 1 on Lot 600 which is currently being developed, will extend 480 metres north of Lakes Road. In the context of providing land for longer term industrial purposes or ensuring land can be readily brought to market if required sooner, this proximity is satisfactory.

- 8 For the reasons mentioned directly above, the land subject of the amendment has satisfactory proximity to the front of development.

It is also important to provide conditions favourable to market competition, through an increased number of suppliers of land, to make industrial land available to end-users at lower cost.

- 9 See 8, above.
- 10 Preferably, a suitably detailed infrastructure servicing and staging plan would be prepared ahead of any region scheme amendment outside Phase 1 of the Nambeelup business park. However, the NIADSP recognises that the timing of industrial subdivision and development will be largely dependent on:
 - provision of key services to the area, or a particular industrial development stage;
 - ability and willingness of individual landowners to address any detailed road construction, environmental, drainage and water management issues; and
 - demand and development take-up rate for industrial land.

In relation to staging, detailed planning and completion of works for the first stage of development on Lot 600 Gull Road by LandCorp has been successful in launching the Nambeelup industrial park. However, the pace of pre-planning elsewhere within Phase 1 has been limited. Rezoning of Lots 89 and 109 will bring about the involvement of a well-funded corporation with successful experience in land development, thereby increasing the prospect of industrial land being delivered to the market.

This would meet the need to optimise economic outcomes and investment in infrastructure provision, ongoing maintenance and renewal.

Determination	Dismissed
Submission	13
Submitted by	LandCorp
Nature of Interest	State government land development agency
Affected Land	Lot 600 Gull Road, Nambeelup; and Nambeelup business park generally.

Summary of Submission	LandCorp is progressing with delivery of trunk infrastructure to enable development in the Nambeelup industrial area. Comments for servicing are mainly accurate.
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However, details regarding power supply and extension of feeders to the south-west corner of the amendment site have changed. As correctly stated, Western Power is progressing delivery of two feeders from the Pinjarra Zone Substation, to serve Phase 1 of the industrial area. Also, Western Power has approved servicing Phase 1 of the industrial area due to impending development and a subdivision approval for Lot 600 Lakes Road.

However, extension of the two feeders to the south-west corner of the amendment site will not be approved by Western Power. If constructed, these assets will not be taken over as there is no demonstration of short term power requirements to this part of the industrial area to justify energisation.

Planning Comment	Western Power confirms that extension of the two feeders to the south west corner of the amendment site does not prevent the owner of the amendment site from extending the feeders at its own cost.
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It also confirms that it is standard practice that it does not take over developer-funded/constructed infrastructure until there is a demand for power within the relevant stage of development.

Determination	Noted.
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Submission	14
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Submitted by	Department of Fire and Emergency Services
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Nature of Interest	Government department
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Affected Land	General
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Summary of Submission	The region scheme amendment and bushfire management plan (BMP) have adequately identified issues arising from the bushfire hazard level assessment and considered how compliance with bushfire protection criteria can be achieved at subsequent planning stages.
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However, the following minor modifications to the BMP will be necessary to ensure it accurately identifies the bushfire risk and necessary mitigation measures:

Issue	Assessment	Action
Bushfire Hazard Level (BHL) assessment	BHL rating discrepancies - Inconsistent BHL ratings applied to Class B Woodland in Figures 2 - 4 of the BMP	Modification required prior to subsequent planning stages

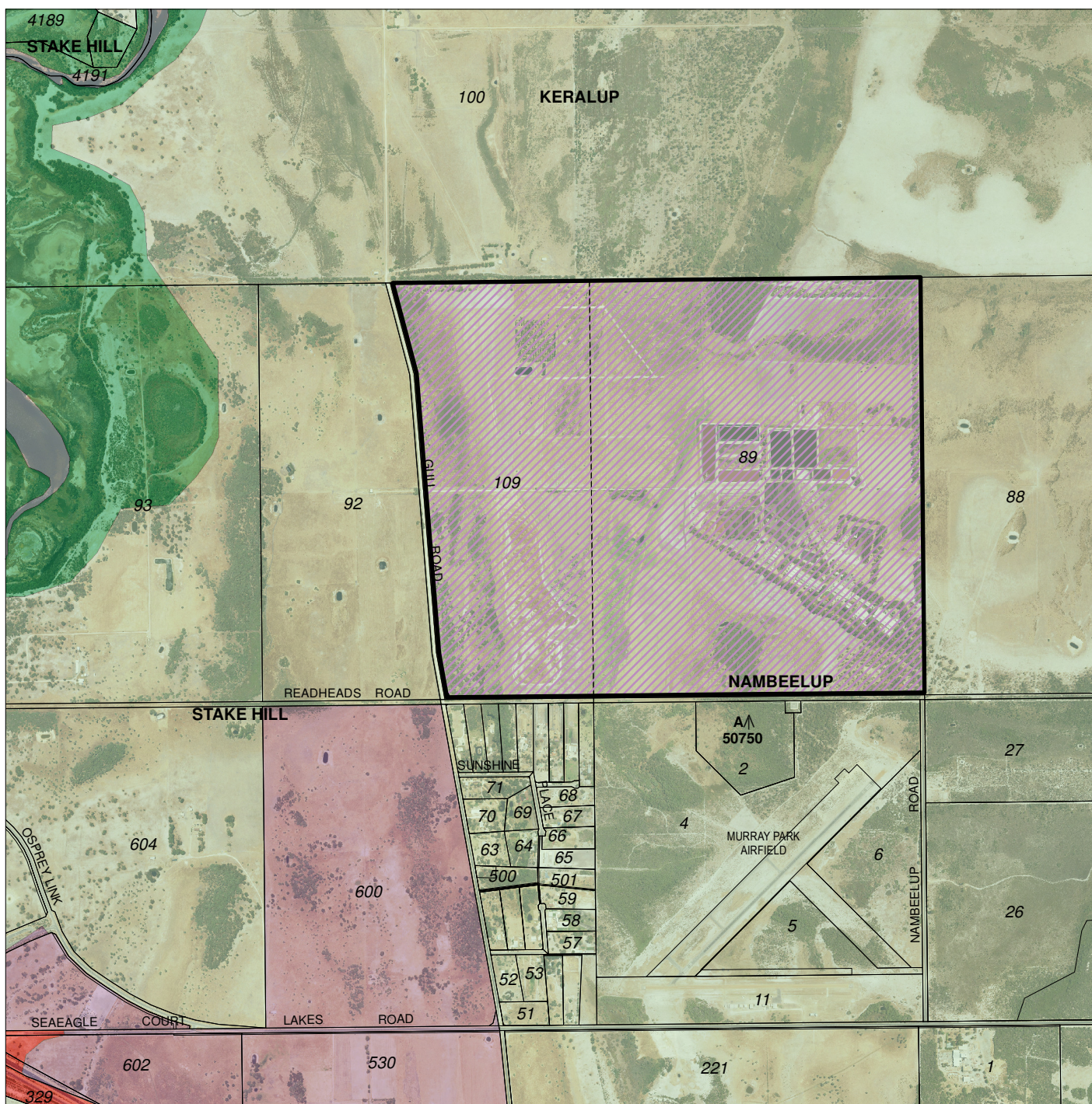
As these modifications to the BMP are minor and will not affect the region scheme amendment, these modifications can be undertaken to support subsequent stages of the planning process.

Planning Comment The need for minor modifications to the bushfire management plan at subsequent stages of planning is noted.

Determination Noted

Appendix D

Proposed Amendment as Advertised

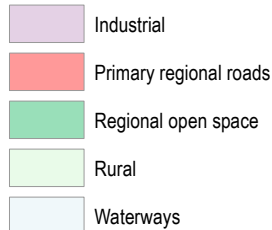


Peel Region Scheme Amendment 044/41 : Lots 89 & 109 Readheads Road, Nambeelup
Proposed Major Amendment
 for public comment

Proposed Amendment:



Existing Region Scheme:

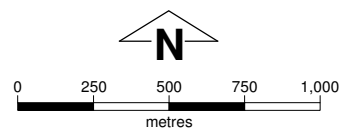


Oracle reference no: 2953
 File number: RLS/0684
 Version number: 1

Amendment as Advertised



Date: 18/09/2019
 Produced by Geospatial Research and Modelling, Department of Planning, Lands and Heritage, Perth WA
 Base information supplied by Western Australian Land Information Authority LI 944-2017-1



Appendix E

Submissions

Steven Radley

From: Snellin, Fiona <Fiona.Snellin@atco.com>
Sent: Tuesday, 27 November 2018 9:00 AM
To: prs
Subject: LM18512_Proposed Amendment 044/41 to the Peel Region Scheme_Nambeelup (North) Industrial Zone
Attachments: LM18512_Proposed Amendment Area 044_41 to the Peel Region Scheme_ATCO Gas Map.pdf
Follow Up Flag: Follow up
Flag Status: Flagged
Categories: Steve

For the attention of Mr John Pride

Good morning Peel Office of the WAPC,

RE: PROPOSED AMENDMENT 044/41 TO THE PEEL REGION SCHEME (RLS/0684)
Our Reference: LM18512

Thank you for your recent correspondence regarding the above mentioned Amendment to the Peel Region Scheme for the Nambeelup (North) Industrial Zone.

ATCO Gas Australia (ATCO) has **DN200ST HP 6900kPa (High Pressure)** gas main (**PL120**) located within the southern side of Readheads Road to a **Pressure Reduction Station (PRS015)** located within Lot 3, Readheads Road, Nambeelup.

ATCO also has a **DN250ST HP 1900kPa (High Pressure)** gas main (**PL129**) which then commences from the **PRS015** at this same side southern road reserve of Readheads Road being approximately 19 metres from the southern boundary of Lot 89, continuing west and then crossing immediately to the northern side of the Readheads Road road reserve to within 3 metres of the southern boundary of Lot 89 and also Lot 109, the Lots the subject of the proposed Amendment.

ATCO has no objection to the proposed Amendment to facilitate the rezoning of the Lots 89 and 109 from Rural zone to industrial zone, based on the information and plans made available with the application, subject to the following Advice Notes being included;

Advice Notes to Applicant :

1. *High Pressure ATCO gas pipelines, including aboveground infrastructure exist within Readheads Road, Nambeelup. ATCO must be notified of any works within 15 metres of this gas infrastructure before those works begin. Ph: ATCO on 9499 5272. Anyone proposing to carry out construction or excavation works must contact 'Dial Before You Dig' (Ph 1100) to determine the location of gas infrastructure.*
2. *Portions of both Lots 89 and 109 fall within the WAPC Draft Development Control (DC) 4.3 Trigger Distance for ATCO Gas gas mains and infrastructure. Any development within this Trigger Distance of a High Pressure Gas Pipeline requires consultation with ATCO prior to preliminary designs being finalised. This area applies to the proposed Lots 89 and 109.*
3. *Please consider the principles of the WAPC's draft Development Control DC43 and also the site; Plan WA relating to High Pressure and Transmission Gas Pipelines.*

<https://espatial.planning.wa.gov.au/mapviewer/Index.html?viewer=planwa&layerTheme=9&scale=9027.977411&layers=1H49Pf1YpBJG28uj0o2N7VYK3pBnCR3v8CPH38dgLp1bn%2BOW3PebSI251PVf3ndsSm38kIJS2YHkoD19sbhK1tt dMu1GF3QY1ZooCF2S1u631%2FOvNZ0fkvgg2K9J2Y1evB8u01G2k%2F2jCi8j0GTNYI3wKS%2BP3MLPcJ18SLXj2bTOWq 2FgRtO2BaH8g3sGpCn1OaAZx0nz3Fn3%2Bg3XY2IaYhV2zburEOA5kbu3HY5RW1D%2FNku21NYLx2leZP31KFUGJ23GZ G52xj6f13%2BEE9S0ZRI%2Bn3OvUgR1d8cwF0K6tQz0GSdHU2cJqY33r2NPp3maH3N1xVnpv2DjrotOoY7T92MgzZ23jOH J03NE8B20sbB2w1PmG962%2Fc4FO3rxg591QfxXB1nQwqd0%2FndFa1Nk%2F5T21Y%2BHf1gqEVf3mZbyv0gl%2Foo2 DDLam2Kajnp0iXqrp1rcaEp0D1hSG2FF6XV3FPK2I3aldtH0EITfd0LVY0d0JgnRZ15G109325SRQ1GE%2Fit1%2BwAOp1f 8H9c00TOj306QLv53PtJlB1ZgUAR2X1Ckz0B7O2g3rNI273QfX6G3rcYar29vyxQ1Hmary2CU1FZ3Ucl480lbWg42hsmYz0 16H450jX18t0SEjc01GuD3501ZFXn3%2BMv643ld1U63KAfZ934EhdL0qMD392gTMHA3qHYT01YLQTK1sjhmR1peAv63 F9QU63%2FG78a1RI1Y226AmKU0IMBNS36TPy11Yno7k3lrJr30Sv1%2BZ2R8gNS2lv8Bx0Yg2vu2LpUcV3%2FOq%2FT0 w2CUy2X1o9H2Hdt%2Bt33sfg%2B3JBeKO1w%2FGQC1Mafe03IRunN16aWez1IMExC1Mafe02262fU33sfg%2B3JBeK O2EoA380QdQAT2r2rm238dAnq0AD0w02BWAq73ggqCo1sytc113Kt961z3jFI3PEg7K3h5Ly61eXhe938PeVb0d6j463O at3t1C3JAD0STDdd2vCSZA2OUgZp3Z3G0B3agmid2n2mFi2sA9Mp3bXgzX3NMWQe2TWtiL1CG%2FnP1w7A1M3kgO9 p0STDdd3cF4Rq1mDROU2Hrox3duYbV24%2FcJu1C3JAD0STDdd2OUgZp21Ef5y3agmid2n2mFi1tsr5j1BFzHW2gSIAF 2ZyPts2pD6s60AZY0w3aQLXl1lwUWA1lvGYZ27bleM2TWtiL0u5oCl0rJTdH3bXgzX2CU1FZ3jka5Y0tW54V36mvpr3HgH Oj1hE1UE0BU5W52u51hF2zSztZ1mQfqF39pSYQ2ZQKRi1YO%2FT62Pdyaj3eQQhN1L%2FaAo2Mz%2Bhr1rw9t21rw9t 20WRLIb0bsUZq0bsUZq3%2BpQlu3qNeem36MjBu18dzPb1BB5Vh3OpqVu0Ma0n41nNbn82MSnAp3K59b%2B1YsJV2 2Xd0AA1igQqn0WNSJy12a6qe22yGYy1DRuMN005FfY¢er=12894620.947583111%2C-3828419.8890950163>

Should you have any queries regarding the information above, please contact us on 6163 5000 or engineering.services@atcogas.com.au.

Please accept this email as ATCO's response.

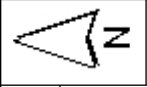
Kind regards

Fiona Snellin
Land Management Coordinator
Gas, Australia

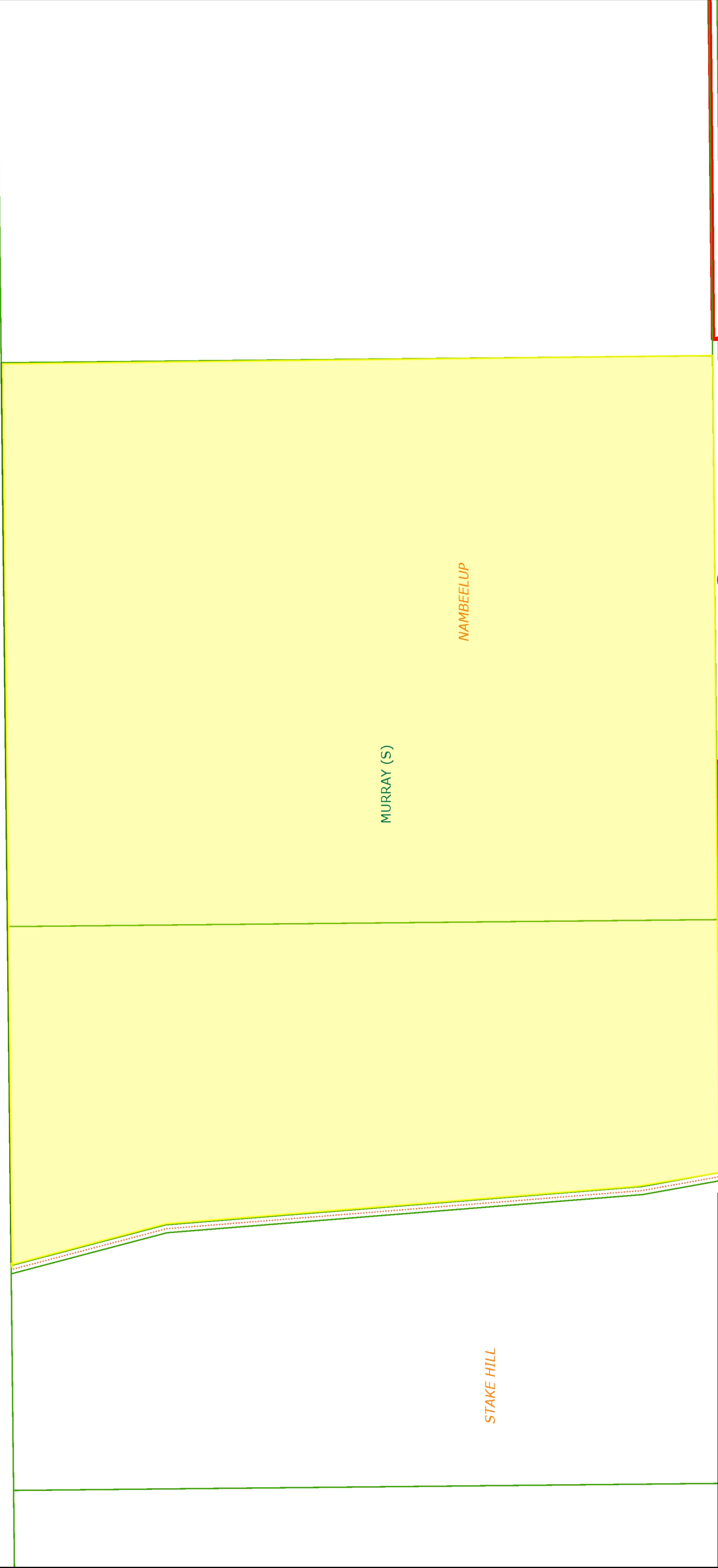
E. Fiona.Snellin@atco.com
T. +61 8 6163 5058 Mobile 0476 831 540
A. 81 Prinsep Road, Jandakot WA 6164
P. Locked Bag 2, Bibra Lake DC, WA, 6965
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KERALUP



Operator: ATCO\lsnellin Printed from GNIS at: Nov 27, 2018 8:25:33 AM

Scale = 1: 9,841

Map Centre: E: 390,241.615 N: 6,404,542.463 GDA94 MGA Zone 50

WARNING BEWARE

The location of pipes and services are approximate only, and show an indicative position at time of construction.

No guarantee can be given to the accuracy or completeness of information due to the age of some pipes and records.

Refer to "Occupational Safety & Health" and Utility Providers "Code of Practice" for further useful information.

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Refer to Cover Sheet for further information

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Steven Radley

From: DAVIES Paul (Con) <paul.davies@mainroads.wa.gov.au>
Sent: Wednesday, 21 November 2018 9:11 AM
To: Pride, John
Cc: NAUDE Daniel (RCPM)
Subject: proposed Amendment 044/41 to Peel Region Scheme Nambeelup North Industrial zone

Hi John

I refer to your correspondence of 12 November 2018 and advise that Main Roads has no objection to the proposed amendment.

If you have any queries please phone Daniel Naude

Regards Paul Davies

Daniel Naude

Road Corridor Planning Manager
Metropolitan and Southern Regions / South West
p: 08 9724 5724 | m: 0418931078
w: www.mainroads.wa.gov.au



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WESTERN AUSTRALIA



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Your ref: RLS/0684
Our ref: j0820/201701
Enquiries: simone.soliman@jtsi.wa.gov.au
Phone: 9222 0476

Ms Sam Fagan
Secretary
Western Australian Planning Commission
140 William Street
PERTH WA 6000

Dear Ms Sam Fagan

Thank you for providing the Department of Jobs, Tourism, Science and Innovation with the opportunity to comment on the Proposed Amendment 044/41 to the Peel Region Scheme - Nambeelup (North) Industrial Zone Lots 89 & 109 Readheads Road, Nambeelup.

The Department has reviewed the Amendment and has no comment to provide.

Should you have any queries, please contact Simone Soliman, Project Officer on 9222 0476.

Yours sincerely

Christine Ginbey
EXECUTIVE DIRECTOR
INFRASTRUCTURE AND LAND PLANNING

26 November 2018



Your reference: RLS/0684
Our reference: LUP 490
Enquiries: Rod Safstrom

Ms Sam Fagan
Secretary
Western Australian Planning Commission
Peel Office, Unit 2B, 11-13 Pinjarra Road, Mandurah WA 6210
corporate@wapc.wa.gov.au

Date 22 November 2018

Dear Ms. Fagan

**Proposed Amendment 044/41 to the Peel Region Scheme – Nambeelup (North)
Industrial Zone Lots 89 & 109 Readheads Road, Nambeelup**

Thank you for the opportunity to comment on the above Region Scheme Amendment.

The Department of Primary Industries and Regional Development (DPIRD) does not object to the above proposed Scheme Amendment on the basis that the rezoning will not adversely impact the legal operations of the three existing businesses on Lot 89.

DPIRD understands that once rezoned, existing businesses operating under leasehold arrangements will become non-conforming but will continue to operate provided they have valid works approvals and licences from the Department of Environment Regulation (DER).

DPIRD strongly advocates that the main purpose of the Peel Business Park is to support agriculture and agri-food industries.

For further information, contact Mr Rod Safstrom on 9368 3169 or rodney.safstrom@dpird.wa.gov.au.

Yours sincerely

Neil Guise
**DIRECTOR
BUSINESS DEVELOPMENT**

1 Verschuer Place, Bunbury WA 6230
PO Box 1231 Bunbury WA 6231

Telephone +61 (0)8 9780 6100 Facsimile +61 (0)8 9780 6136 enquiries@dpird.wa.gov.au

dpird.wa.gov.au

ABN: 18 951 343 745

From: Fogarty, Louise <Louise.Fogarty@transport.wa.gov.au>
Sent: Friday, 21 December 2018 9:25 AM
To: john.pride@dplh.wa.gov.au
Subject: Proposed Amendment 044/41 to the Peel Region Scheme Nambeelup (North) Industrial Zone Lots 89 and 109 Readheads Road Nambeelup

Your ref: RLS/0684
Our ref: DT/15/05082

Dear John,

**Proposed Amendment 044/41 to the Peel Region Scheme
Nambeelup (North) Industrial Zone
Lots 89 and 109 Readheads Road Nambeelup**

I refer to your letter dated 12 November 2018 regarding a request for comment on the above amendment.

The Department of Transport (DoT) has reviewed previous correspondence regarding the Nambeelup Industrial Area. It is our understanding that a Transport Impact Assessment was not undertaken when the District Structure Plan was prepared. We would ask that the applicant is required to undertake a Transport Impact Assessment before local structure planning and subdivision proceeds and that this be referred to the Department of Transport.

Thank you for the opportunity to comment on the proposal.

Regards,
Louise

Louise Fogarty
Senior Transport Planner | Integrated Transport Planning | Department of Transport
Level 8, 140 William Street, Perth WA 6000
Tel: (08) 6551 6840 | Fax: (08) 6551 6492
Email: Louise.Fogarty@transport.wa.gov.au | Web: www.transport.wa.gov.au



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Ms Sam Fagan
Secretary
Western Australian Planning Commission
Peel Office
Unit 2B, 11-13 Pinjarra Road,
MANDURAH WA 6210

Attention: John Pride

Dear Ms Fagan

**PEEL REGION SCHEME AMENDMENT 044/41 – NAMBEELUP (NORTH)
INDUSTRIAL ZONE – LOT 89 AND 109 READHEADS ROAD, NAMBEELUP**

Thank you for your letter of 12 November 2018 requesting comment from the Department of Health (DOH) on the above proposal. The DOH provides the following comment:

1. *Water Supply and Wastewater Disposal*

Future developments are required to connect to scheme water, reticulated sewerage and be in accordance with the draft *Country Sewerage Policy*.

2. *Public Health Impacts*

Industrial Estates and Precincts - Enclosed is a scoping tool that highlights public health issues that should be addressed and incorporated into the proposed industrial estate/precinct.

The amendment is to acknowledge and incorporate appropriate separation distances in accordance with the EPA Environmental Assessment Guideline (EAG) 3 '*Guidance for the Assessment of Environmental Factors No. 3 – Separation Distances between Industrial and Sensitive Land Uses*'. Available for download from:

http://epa.wa.gov.au/sites/default/files/Policies_and_Guidance/GS3-Separation-distances-270605.pdf

The proposal is located within 2km of wetlands where mosquito breeding is evident. Infrastructure such as culverts, road drainage systems, etc. should be so designed and constructed so not to afford suitable habitats for mosquito breeding.

Examples on mosquito management may be downloaded from:

http://ww2.health.wa.gov.au/Articles/J_M/Mosquito-management

Should you have queries or require further information please contact Vic Andrich on 9388 4999 or ehinfo@health.wa.gov.au

Yours sincerely

Jim Dodds
**EXECUTIVE DIRECTOR
ENVIRONMENTAL HEALTH DIRECTORATE**

24 December 2018
Att.

Factors that influence public health to be considered by assessors and proponents include (but not limited to).

- Air quality
- Noise
- Hazard management
- Climate change
- Light
- Water quality
- Radiation safety
- Traffic

Features of Industrial Neighbourhoods that affect the health and safety of employees, visitors and neighbouring communities:

- Disaster preparedness and emergency management
- community consultation
- Built Environment and workforce well being

Air quality

Local air quality can be affected by air pollutants emitted from industrial facilities in an industrial estate or precinct during both the construction stage and during normal operations.

Air pollutants may include odorous chemicals, gases, fumes and particulate matter (dust). Such pollutants, when not managed correctly, have been associated with health problems ranging from short lived reversible respiratory health effects to long term chronic cardiorespiratory health effects in exposed individuals. Air pollution has also been implicated in non-cardiorespiratory effects such as autoimmune disorders and low birth weight.

People who live near or adjacent to industrial estates do not expect industrial emissions to impact their health. They also expect a high standard of amenity. Two proven ways that impacts can be minimised is by providing a buffer between industry and sensitive land-uses and by ensuring industrial activities are regulated to minimise the impacts of noise, odour, dust and traffic.

A primary responsibility of State and local government planning authorities and is to preserve good air quality over residential areas both for purposes of health and amenity. To this end the planning authorities seek to ensure that air emissions from industrial facilities do not cause the air pollutants over residential areas to exceed health based air-quality standards/guidelines. The National Environmental Protection Measure (air NEPM) for ambient air quality prescribes ambient air quality standards for six key pollutants (PM₁₀, O₃, CO, NO₂, SO₂ and lead). Standards/guidelines for other pollutants are available from the Department of Environment Regulation (DER) or DOH. Standards/guidelines apply to residential areas and it is incumbent upon a proponent to determine that air pollutants emitted by their facility comply with the appropriate standard/guideline. To help ensure air quality standards/guidelines can be met in residential areas the DER regulates emissions for industrial facilities they licence and for facilities assessed by the Environmental Protection Authority (EPA) as requiring emission regulation.

The air-quality standards/guidelines apply to all sensitive receptors therefore industrial estates and residential areas should be strategically located to one another with due regard to factors that influence emission dispersal and dilution. Factors such as dominant wind direction and separation distance can reduce potential risks to communities. DOH also considers amenity important for health and wellbeing. Intermittent odour and dust emissions in particular degrade amenity and the potential for these to occur should be considered in the planning and approvals process. While the PM₁₀ air NEPM protects against the adverse health effects from dust, separate guidelines exist for dust levels that preserve amenity.

Air borne emissions are a feature of most industrial precincts whether from a fugitive source like a stockpile or from a point source like a stack. , Regardless of the source, a key question of the decision-making authority will be how the proposal or plan minimises amenity and health effects associated with air emissions? The following information from the proponent can assist answer this question

- A list of the potential contaminants of concern (their health effects and the recommended guideline for each contaminant may be required for high risk developments).
- Monitoring or modelling data of the contaminants of concern if available.
- A statement of intent to develop and implement an air quality monitoring and management plan or a statement justifying why such a plan is not required
- Evidence of adaptive, mitigation and management practices sufficiently flexible to respond proactively to conditions likely to generate unexpected emissions, and
- Evidence of strategies to engage with the community or to deal with community concerns if and when they arise.

This is not a complete list and if necessary a proponent may seek the advice of a suitably qualified and experienced environmental consultant to prepare a concise but detailed air-quality risk assessment or air-quality management plan. Where there is a potential risk for large scale industrial air borne emissions to impact air quality, a 'health risk assessment' may quantify those risks and enable appropriate management actions to be developed. The DER and DOH may also provide proposal assessing authorities and proponents with advice.

Noise

Noise pollution is a potential problem when residential estates encroach on industrial areas. Potential noise impacts to residents can occur from sources such as industrial equipment, trucks and machinery (e.g. pumps or refrigeration plants).

Noise above the health guideline can lead to significant health and nuisance concerns from residents and workers. To minimise health and nuisance impacts associated with noise, a proponent should develop a noise management plan and have it approved by the authorising authority. Such a plan should be proactive and consider both the impact on and from future neighbours as the case may be.

The DER regulates noise from licensed facilities while local government regulates noise from non-licensed facilities and residential areas.

Traffic

Increased traffic movements of trucks and machinery offsite through residential areas and local towns can cause concerns. It is important that where there is an increase in transit traffic appropriate planning and discussion with potentially affected communities is undertaken. A traffic management plan may be needed to manage traffic impacts on surrounding areas.

Light

Light pollution, characterised as excessive or obtrusive artificial light, may affect nearby communities.

Light pollution can be divided into two main types:

- 1) Annoying light that intrudes on an otherwise natural or low-light setting and
- 2) Excessive light that leads to discomfort and adverse health effects. Its sources include advertising lights, commercial properties, offices, factories, streetlights, other buildings and illuminated sporting venues.

It is important to consider any light obtrusive activities surrounding the proposed development to ensure they do not impact on neighbouring properties.

Water quality

Wastewater disposal

In most instances, industrial developments require reticulated sewerage to be delivered by a licensed supplier in accordance with the draft *Country Sewerage Policy* or the *Government Sewage Policy - Perth Metropolitan Region*.

http://www.public.health.wa.gov.au/3/1430/2/subdivisions_and_town_planning_approvals.pm

However, in some locations reticulated sewerage systems, particularly in regional and remote areas, is not provided or planned. Moreover, existing sewerage systems may not have the capacity to accommodate increases in connection rates without significant investment. Therefore, it should be noted that it can take several years from planning stage discussions before an upgrade is operational.

Where a reticulated sewerage system is not available, health and environmental concerns may arise if a site does not install and maintain an appropriate onsite wastewater system to service the workforce and the development.

In situations where on-site wastewater systems are proposed, such as septic tanks or aerobic treatment units, it is essential to conduct a Land Capability Assessment or a geotechnical report as per AS 1547 (2000) at the lot and subdivision level. In all cases, lot sizes will need to be able to accommodate the wastewater generated on-site within their boundaries.

To ensure the Department of Health is satisfied that there will be appropriate provision of wastewater disposal systems, a proponent is required to provide written evidence/details on the predicted occupant size, trade waste type/quantities and whether the development will be:

- Connected to a reticulated sewerage system. If so:
 - Detail what is the capacity of the local reticulated mains to handle the increase in generated wastewater volumes, and/or
 - Details of future proposals to upgrade the reticulated sewerage system or the wastewater treatment plant, or
- Connected to an onsite wastewater system. If so:
 - Provide a Land Capability Assessment at the lot and development levels, or a Geotechnical report as per AS 1547 (2000) at the lot and development level;
 - Provide groundwater levels and soil type;
 - Type of onsite wastewater system proposed e.g. septic tanks, aerobic treatment unit, etc.;
 - The location of the onsite wastewater disposal system in proximity to office/ traffic and parking/ accommodation and other facilities
 - Whether sufficient area is available to accommodate onsite wastewater treatment systems and the effluent disposal area required. Developers should note that some proposals have been constrained due to insufficient area for on-site effluent disposal.

Drinking water

A safe and potable supply of drinking water is essential for all. Detailed consideration needs to be given to how many people will need access to drinking water and how drinking water will be supplied during construction activities and ongoing operational phases. In situations where connection to a drinking water supply through a licensed provider (scheme water) is not available, consideration must be given to alternative drinking water systems. DOH approval is required for such systems.

To provide an alternative drinking water system, written evidence/details are to be provided on:

- Drinking water volumes required;
- How drinking water will be provided to the development;
- The commitment to comply with the *Australian Drinking Water Guidelines 2011* (2011 ADWG), as published by the National Health & Medical Research Council;
- The establishment of a Drinking Water Quality Plan including a drinking water quality monitoring program for chemical and microbiological analysis), and
- Routine evaluation of the 12 elements of the Drinking Water Quality Plan.

Where rainwater is proposed as the main source of potable water, consideration must be given to WA's decreasing rainfall patterns. In addition, depending on the proximity of the estate to agricultural and other industrial sites, there is the potential for roofs to act as a funnel and capture dust, chemicals and spray drift residues that may concentrate in the rainwater tank. Rainwater monitoring and other mitigation strategies will be required to ensure public health is not compromised.

Non-drinking water (recycled water or alternative water supplies)

The Department of Health supports non-drinking water schemes as a sustainable and beneficial option to manage water resources. However, serious health implications may result if non-drinking water systems (in particular recycled water) are not appropriately installed and managed.

Written evidence/details should be provided to the Department of Health on:

- The proposal/concept for a recycled water scheme, prior to implementation.
- The volumes of non-drinking water produced/required
- The treatment of the non-drinking water to a level that is fit for purpose
- The commitment to implementation of the relevant Australian Guidelines for Water Recycling (AGWR):
 - AGWR - Phase 1 (2006);
 - AGWR - Phase 2: Stormwater Harvesting and Reuse (2009), and
 - AGWR - Phase 3: Managed Aquifer Recharge (2009).
- The establishment of a Recycled/Alternate Water Quality Plan including the water quality monitoring program
- Routine evaluation of the 12 elements of the Recycled/Alternate Water Quality Plan.

DOH cannot support mandatory recycled water re-use for a development. Rigid sustainability targets may not recognise that some areas are just not suitable for garden or grey-water re-use, due to potential issues such as the height of the groundwater table, proximity to wetlands, small lots sizes for instance.

Hazard Management

Vector borne diseases (mosquito management)

Mosquito populations and the types of mosquito-borne diseases vary across WA. Existing habitats such as wetlands can support extensive mosquito populations and can cause serious nuisances to humans who may reside within these areas, as well as increase the chance of people contracting debilitating or potentially life threatening mosquito-borne diseases.

New industrial estates may be proposed in areas that are not suitable for humans to live. Re-contouring the land and installing infrastructure can create new habitats for mosquitoes to breed.

To minimise the risk of mosquito-borne disease and breeding sites, a proponent needs to provide written evidence of the following:

- Existing breeding locations within close proximity to the proposed development, and the extent of known mosquito-borne disease risk and nuisance levels from biting insects.
- Commitment to develop and implement a mosquito management plan that provides strategies for managing mosquito breeding sites during construction and ongoing operational phases of the development and for minimising the exposure of future occupants to adult mosquitoes.
- Commitment to locate, design and maintain any proposed man-made water bodies (e.g. constructed wetlands, vegetated swales and other stormwater infiltration infrastructure) in accordance with the Chironomid midge and mosquito risk assessment guide for constructed water bodies (Midge Research Group, 2007).

Nuisance insects (including stable fly)

Consideration needs to be given to other nuisance insects such as stable fly that may cause health concerns to future workers and occupants.

Stable fly can be a significant public health concern and is generally a problem surrounding rural activities such as agriculture, irrigated horticulture, animal industries, dairies and piggeries.

Consequently, incoming industrial occupants may be exposed to nuisance fly breeding and infestation that can be associated with surrounding activities.

Stable flies are an aggressive, biting, blood sucking fly that attacks livestock, domestic pets and humans in search of a blood meal. The primary host animals are cattle and horses which are normally 'accessible' to stable flies in a rural environment. The repeated biting attacks can cause considerable suffering and distress to animals and in some cases, cause death. Whilst this is not strictly a public health issue it can be a significant nuisance to residents and cause suffering and annoyance to livestock and domestic pets.

Stable fly breeding has been known to be a problem in the Shires of Harvey, Gingin, Murray, Serpentine/Jarrahdale, and in areas that have mixed agriculture and horticultural activities.

One of the main sources of breeding has been the use of poultry manure for vegetable production on the Swan Coastal Plain. It is also known that stable flies also breed prolifically in rotting vegetable material, other manures, animal bedding and feed (if left exposed to the elements).

To minimise health risks associated with nuisance insects it is recommended that the proponent undertakes land-use surveys within a 5-10 kilometre radius of the proposed estate to ascertain activities that may pose a risk from nuisance fly breeding, particularly if there are known stable fly problems in the area.

If any such activities are identified then effective management plans should be developed in consultation with the landowners on which the activities occur.

Pest management

All developments are likely to attract pests such as mosquitoes, cockroaches, rats and feral animals, which need to be controlled to prevent health concerns for the surrounding community.

Written evidence should be provided on the intention to develop and implement a pest management plan that appropriately controls pests and minimises any use of pesticides in the control of insect pests, weeds and feral animals where appropriate..

Pesticide use

There are general requirements for pests (weeds, weed pathogens, vermin, vectors, feral animals etc.) control on industrial estates and open areas in residential estates. Appropriate training and licenses are required in accordance with the *Health (Pesticides) Regulations 2011* to apply pesticides (insecticides and herbicides)

Written evidence should be provided on the intention to control pests by employing the use of contractors who are appropriately trained and hold a current Pest Management Technician Licence and be employed by a Registered Pest Management Business.

If a proponent wishes their own employees to apply pesticide(s) as part of their Pest Management Program, then the employees should be provided with sufficient knowledge, skills, training and the personal protective equipment to safely apply the pesticide(s). The pesticides available to non-licensed individuals may differ in formulation and strength which should be considered when developing a pest management plan.

Contaminated sites

Industrial estates may be proposed on land that is potentially contaminated from previous or existing land uses. Contamination may be of ground and surface waters and soil, and result from the release of hazardous substances associated with industrial and commercial activities, poor asbestos removal practices or dumping, or the distribution of acid sulphate soils.

If a site is suspected of or known to be contaminated it will need to be reported to the Department of Environment Regulation (DER) in accordance with the *Contaminated Sites Act 2003*.

DER will assess and classify the site if necessary, which may trigger a formal process of site investigation and/or clean-up. The aim of this work is to ensure that any contamination does not present an unacceptable risk to the environment or to people.

Acid sulfate soils

Acid sulfate soils (ASS) are naturally occurring soils and sediments containing iron sulfides, most commonly pyrite.

When ASS is exposed to air the iron sulfides in the soil react with oxygen and water to produce a variety of iron compounds and sulfuric acid. Initially a chemical reaction, the process is accelerated by soil bacteria. The resulting acid can release other substances, including heavy metals, from the soil into the surrounding environment.

The production of hydrogen sulphide gas from ASS is also a concern for public health.

Further queries on contaminated sites and ASS should be directed to the DER Contaminated Sites Branch. DER will request DOH advice on human health issues and public risk related to contaminated sites and ASS as required.

Radiation safety

Power lines, electromagnetic fields and health

The magnetic field from a power line can vary widely because the current in the wires depends on the amount of power consumed. On the other hand, the electric field from a power line varies very little because the voltage essentially remains constant.

Electric and magnetic fields are also different in the way they interact with our bodies. Electric fields have very little penetration, while magnetic fields can penetrate to our inner organs.

The strongest electromagnetic fields (EMFs) are found around those major transmission lines that carry the highest voltages and currents. EMFs are also present around suburban distribution systems that, although at much lower voltages, still carry large currents.

Each power line runs along a corridor of land called an easement. The width of the easement is determined by a number of factors, including the electrical load on the line. The widest easements,

naturally, are given to the lines with the highest loads e.g. an easement width of 60 metres is typical for 330kV lines.

Public access to an easement is permitted, but building and long-term occupation are not. At the edge of an easement, the EMFs are appreciably lower than they are in the centre. The World Health Organisation limits are not exceeded anywhere within easements; the EMFs outside easements are consequently well below these limits.

On this basis, there is no reason to discourage either Industrial development that borders power line easements, or short term recreational activity within easements.

The Radiation Safety Act and Regulations specify maximum exposure limits for non-ionising emissions from radiofrequency radiation, ultraviolet radiation and electromagnetic fields from power lines and electronic equipment. Where a potential hazard in this area may arise, the Radiation Health Unit can provide advice on determining compliance to the relevant standards or guidelines.

Climate change – health considerations

It is now known that our changing climate presents a significant and emerging threat to public health. While efforts to mitigate the effects of climate change are occurring on a global level some individual and communities will also need to adapt to changing environmental conditions to stay healthy. Emerging public health impacts of climate change include heat waves and other extreme weather events and a reduced water supply. Some relatively simple strategies that developers can employ to mitigate public health impact of climate change include.

Heat waves

- Reducing the effect of heat stress through industrial and residential design plans which retain natural vegetation and trees that help to cool industrial and urban environments.
- Considering building material with low albedo effects and
- Employing passive solar designs for buildings.

Extreme weather related health effects

- Developments should not be located in flood plains and should be designed to withstand extreme weather conditions.
- In bushfire prone areas, industrial and residential developments should comply with local planning authority requirements. Such requirements may prevent development in fire prone areas or may require developers to abide by particular building codes and occupants to develop fire protection plans.

Water consumption

- Consideration should be given to the supply and use of water, particularly in regional areas, and adopting approved methods to reduce water demand and reuse grey or waste water.

Features of Industrial Estates

Healthy built environments and Work force wellbeing

The Department of Health supports strategies that create an industrial estate that supports physical activity and healthy eating for workers and visitors.

Key principles in designing the built environment can contribute to the health and wellbeing of the industrial estate. There are a number of key principles that can be adopted or adapted to suit the level of industry; heavy industry may have different requirements compared with light industry.

- Mixed land-use integrated with transport.
- Accessible, convenient and safe active transport (walking, cycling and public transport).

- Well connected streets, pathways and walking/cycling routes.
- An attractive and welcoming industrial form.
- Safe and accessible places for all users.
- Parks and open space with a mix of formal and informal physical activity uses and gardens.
- Supporting infrastructure that encourages physical activity e.g. lighting, bike lockers and shade.
- Easy access to healthy food

Workforce wellbeing is the prerogative of the individual facilities and businesses within an industrial estate however planners and developers have an opportunity to promote health and wellbeing through land-use planning. When these design principles are integrated and applied correctly a range of health, social, economic and environmental benefits will follow. It can improve the wellbeing of the workforce and attract future investment.

The modern workforce is relatively more health conscious and selective in what they consume. Varied and nutritious food options for the workforce and visitors to an industrial estates to be encouraged. A proponent should consider:

- How food will be supplied and transported safely to the site.
- If the industrial estate/development is to incorporate a food business (lunch bar, etc.) then such businesses will need to comply with the *Food Act 2008*, associated standards, regulations and guidelines.

Disaster preparedness and emergency management

Industrial estates vary in size and complexity and it is a key requirement that an emergency plan is tailored to each facility within the estate. A less hazardous facility may require simple plan compared with a more hazardous facility.

Industrial activities/accidents can result in fires, blasts and other explosions that can cause emissions to air, water and soil to the surrounding areas. Industrial estates in close proximity to residential areas may require a different level of emergency medical response and disaster recovery compared with industrial estates that are located in isolated or remote areas.

Emergency medical response and emergency disaster recovery plans address not only internal emergencies (worksite accidents, etc.) but also external threats such as bush fire, cyclones, floods, etc. Access/egress to the industrial site or estate may be compromised during an emergency and/or disaster.

Safe Work Australia has developed a *Guide for Major Hazard Facilities: Emergency Plans*.

This guide is available for download from the Safe Work Australia website:

<http://www.safeworkaustralia.gov.au/sites/SWA/about/Publications/Documents/667/Emergency%20Plans.doc>

Community Consultation

DOH regards community consultation as an important component of activities undertaken during the planning stages for new development. Community consultation provides important opportunities to develop two-way relationships between industry and communities affected by planning decisions. DOH has developed a guide to assist proponents engage with communities.

Public Health consultation: a guide for developers.

http://www.public.health.wa.gov.au/2/1397/2/community_consultation.pm

Further information

The Public Health Division (Environmental Health Directorate) of the Department of Health of Western Australia has a range of health resources and experts who can provide advice on improving the health outcomes of Industrial estates, precincts and developments. For further information visit: www.health.wa.gov.au



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Your ref: RLS/0684
Our ref: PA22668, RF475-04
Enquiries: Jane Sturgess, Ph: 9550 4228

Western Australian Planning Commission
Unit 2B 11-13 Pinjarra Road
Mandurah WA 6210

Attention: John Pride

Dear John,

**Re: Proposed Amendment 044/41 to the Peel Region Scheme
Nambeelup (North) Industrial Zone
Lots 89 and 108 Readheads Road, Nambeelup**

Thank you for your referral regarding a proposed amendment to the Peel Region Scheme for Lots 89 and 109 Readheads Road, Nambeelup, received 14 November 2018. The Department wishes to advise it had no objections to the proposal, however wishes to provide the following advice.

Better Urban Water Management

Consistent with *Better Urban Water Management* (WAPC, 2008) and policy measures outlined in *State Planning Policy 2.9: Water Resources*, the proposed scheme amendment is required to be supported by a District Water Management Strategy to demonstrate that the subject area can support the proposed change in zoning with regard to water resources.

The Department has previously endorsed the *Nambeelup Industrial Area District Water Management Strategy* (JDA, March 2016), which includes this site, thus requirements under the aforementioned policy have been satisfied.

It should be noted that the future Local Structure Plan will be required to be supported by Local Water Management Strategy which will need to consider wetlands and their buffers and native vegetation which may impact upon the proposed site layout as provided within the concept plan provided.

Water Servicing

It is noted the site is currently remote from sewer and potable water services, however future planning is being undertaken for the initial stages of the Peel Business Park. It is recommended the Water Corporation is engaged regarding the ability and timing for essential water services to be provided to this site.

If you have any queries relating to the above matter, please contact Jane Sturgess at the Department's Mandurah office on 9550 4228.

Yours faithfully

A handwritten signature in black ink, appearing to read 'B. Dunn', with a long horizontal flourish extending to the right.

Brett Dunn
Program Manager – Land Use Planning
Peel Region

23 January 2019



Australian Government
Civil Aviation Safety Authority

Submission 8

STAKEHOLDER ENGAGEMENT DIVISION

CASA Ref: G118/969

February 2019

Ms Sam Fagan
Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001

Email: prs@planning.wa.gov.au

Dear Ms Fagan

Thank you for your letter of 12 November 2018 requesting comment from the Civil Aviation Safety Authority (CASA) on the proposed amendment (04/41) to the Peel Region Scheme – Nambeelup (North) Industrial Zone, Lot 89 and 109 Readheads Road, Nambeelup.

CASA has reviewed the information provided and I am advised that, due to the location of the proposed site being in close proximity to the Murray Field Aerodrome, CASA recommends the proposed amendment includes the following as a minimum:

- a list of key stakeholders at the aerodrome and their respective roles
- better defined key land use developmental risk items (i.e. objects, obstacles, dust, glare, gas discharge, creation of industrial hazards, land/road works which may affect operations)
- a process developed and outlined for assessing and approving land use development specific to the aerodrome, along with ongoing obstacle/hazard assessment protocols with the aerodrome operator
- a condition that ensures that all development(s) to such lands will require the submission of a development plan for approval and that the stakeholders will be included in the notification and approval process.

The adoption of the National Airports Safeguarding Framework (NASF) would further assist in ensuring aviation safety requirements are recognised in land use planning decisions in close proximity to an airport. A copy of the current NASF guidelines can be found at:
https://infrastructure.gov.au/aviation/environmental/airport_safeguarding/nasf/nasf_principles_guidelines.aspx

For more information or to discuss this matter further, please email anaa.corro@casa.gov.au.

I trust this information is of assistance.

Yours sincerely

Steve Neal
Section Manager
Government and Corporate Relations



Your ref RLS/0684

Our ref A0754/201801

Enquiries David Hamdorf
9222 3533

David.HAMDORF@dmirs.wa.gov.au

Mr John Pride

Western Australian Planning Commission
Unit 2B, 11 – 13 Pinjarra Road
Mandurah WA 6210

Dear Mr Pride

**LOTS 89 AND 109 READHEADS ROAD, NAMBEELUP – PROPOSED AMENDMENT
044/41 TO THE PEEL REGION SCHEME**

Thank you for your letter dated 12 November 2018 inviting public comment on the proposed transfer of the above properties from the Rural zone to the Industrial Zone.

The Department of Mines, Industry Regulation and Safety (DMIRS) has assessed this proposal with respect to mineral and petroleum resources, geothermal energy, and basic raw materials and makes the following comments.

A Strategic Mineral Resource Protection Area, the Hopelands West titanium – zircon resource, occurs to the north-east of Lot 89 and may overlap approximately 10 ha of the north-eastern corner of Lot 89. However, a review has found the resource to be relatively poorly defined within the proposal area.

Furthermore, we consider that most industrial activities would likely be compatible with mining nearby. Therefore, DMIRS has no objection to this rezoning proposal.

Yours sincerely

FOR Jeffrey Haworth
Executive Director Geological Survey and Resource Strategy
Geological Survey and Resource Strategy Division

19 February 2019

TURN OVER TO COMPLETE YOUR SUBMISSION

Hearing of Submissions

Anyone who has made a written submission on the amendment will also have the opportunity to personally present the basis of their submission to a sub-committee of the WAPC. **You do not have to attend a hearing.** The comments presented by you in this written submission will be considered in determining the recommendation for the proposed amendment.

For information about the submission and hearings process, please refer to the *Amendment Report* and in particular **Appendix D**, titled '**Preparing for your submission and hearing**'.

Please choose ONE of the following:

☐ **No**, I do not wish to speak at the hearings. (Please go to the bottom of the form and sign)

OR

☒ **Yes**, I wish to speak at the hearings. (Please complete the following details)

I will be represented by:

☐ MYSELF – My telephone number (business hours):

OR

☒ A SPOKESPERSON

Name of Spokesperson: Daron Lehman

Contact telephone number (business hours): 9289 8800

Postal address: 161 18/191 St Georges Rd Perth WA 6000

I would prefer my hearing to be conducted in:

☐ PUBLIC (members from the general public may attend your presentation)

OR

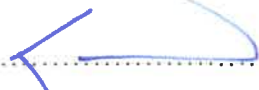
☒ PRIVATE (only the people nominated by you or the hearings committee will be permitted to attend)

You should be aware that:

- The Western Australian Planning Commission (WAPC) is subject to the *Freedom of Information Act 1992* (FOI Act) and as such, submissions made to the WAPC may be subject to applications for access under the FOI Act.
- In the course of the WAPC assessing submissions, or making its report on these submissions, copies of your submission or the substance of that submission, may be disclosed to third parties.
- All hearings are recorded and transcribed. The transcripts of all hearings, along with all written submissions, are presented to the Minister for Planning and Infrastructure and published as public records should the Minister approve the proposed amendment. The WAPC recommendations are similarly published in a *Report on Submissions*.

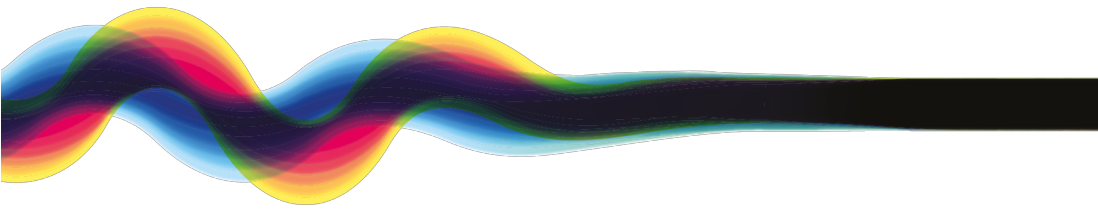
TO BE SIGNED BY PERSON(S) MAKING THE SUBMISSION

Signature



Date 26/2/19

NOTE: Submissions MUST be received by the advertised closing date, being close of business (5.00pm) on Wednesday 27 February 2019. Late submissions will NOT be considered.



element.

Our Ref: 018-348

26 February 2019

The Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001

Attention: Mr John Pride: Senior Planning Officer

Dear Sir

PEEL REGION SCHEME AMENDMENT 044/41: NAMBEELUP (NORTH) INDUSTRIAL ZONE

element acts on behalf of George Weston Foods (GWF) the owners of Lot 89 Readheads Road and Lot 109 Gull Road, Nambeelup in respect to a submission on the above-mentioned Peel Region Scheme (PRS) Amendment.

Background

By way of background GWF have been planning for the development of the land for industrial purposes since prior to the preparation of the Nambeelup Industrial Area District Structure Plan (NIADSP). The NIADSP itself took more than 10 years to resolve.

The advertising of the PRS amendment represents a significant step in progressing the development of the landholding.

Shire of Murray Objection

It is understood that the Shire of Murray (Shire) do not support rezoning of the land generally as per the Shire's initial submission on the proposal. It is understood that this is for various reasons. These reasons are stated on page 5 of the PRS Amendment Report.

The landowner agrees with the position of the Western Australian Planning Commission (WAPC) in respect to PRS Amendment as follows:

...there is need for the region scheme to be prepared in advance of market conditions, having regard for the considerable lead times for amending the local planning scheme, preparation and approval of a local structure plan, subdivision and development.

Notwithstanding, the above in order to discuss the concerns of the Shire, GWF representatives met with the Shire's Officers on 5 December 2018.

Further to the above, the following justification is provided in respect to the amendment.

From a timing perspective the following statutory processes are required in order to prepare the land for subdivision / development:

- | | |
|---|-------------------------|
| 1. Completion of PRS Amendment: | January / February 2020 |
| 2. Completion of Local Scheme Amendment: | March 2021 |
| 3. Completion of Local Structure Plan: | March 2022 |
| 4. Subdivision or Development Application Approval: | June 2022 |

As per the above, from a statutory perspective the earliest that the land could be ready for development is late 2022. The above timeframes assume that a Local Scheme Amendment and Local Structure Plan cannot occur concurrently with the PRS amendment as the Shire do not support the proposal.

Notwithstanding statutory processes the existing piggery and associated sub tenants will be required to be relocated from the subject site to facilitate development. The landowner is required to provide three years notice to the principle tenant that relocation is required. This further extends the development timeframe.

Demand

In terms of demand for industrial land the WAPC's Economic and Employment Land Use Strategy: Non Heavy Industrial Perth Metropolitan and Peel Regions (EELS) forecasts a 544ha shortfall of industrial land assuming a business as usual scenario by 2031. The rezoning of the subject site will assist in meeting the potential shortfall of industrial land supply.

Furthermore, EELS notes that Nambeelup is a 4 to 10 year medium term non-heavy industrial site as at 2012. The timeline for the bringing of the land to a development state e.g. by 2022 accords with the timeline envisaged in EELS.

Further to the above, the City of Mandurah and Shire of Murray are expected to experience significant population growth. For the City of Mandurah, the population is expected to increase from 90,323 in 2019 to 119,877 in 2036 an increase of 32%. For the Shire of Murray population is expected to increase from 18,667 in 2019 to 80,781 by 2041 an increase of 332%.

Zoning of the land therefore, will ensure that there is supply to accommodate demand generated by population growth.

Whilst it is noted that the Shire prefer development to first commence within 294ha first stage of the Nambeelup Business Park there is no certainty that this land will be brought to market. Therefore, reliance on this area solely to cater for future demand for industrial land is not considered appropriate.

Servicing

It is noted that servicing authorities did not raise any objections to the initiation of PRS Amendment and the servicing report provided with the PRS Amendment request demonstrated that the land could be adequately serviced.

We understand that final design of sewer services is progressing for LandCorp's landholding at Lot 600. We understand a sewer pump station is likely to be located 'mid block' along the western extent Lot 600. This is not significantly distant from the western extent of GWF's landholdings.

In respect to service provision we note that State Government funding has been provided to deliver initial service infrastructure to the Nambeelup Business Park. Our Client remains of the view that provision of initial service infrastructure should not be sterilised for use of only landowners within Phase 1 of the Nambeelup Business Park. Rather, services should be available on a 'first come, first served' basis.

It is further noted that the Shire are concerned in respect to infrastructure upgrades and funding. In that regard it is noted that the Shire are intending to progress a developer contribution scheme in the near future.

Finally, the Shire have raised concerns regarding the suitability of the existing road network. It is expected that road networks upgrades will be undertaken within Nambeelup on a 'need and nexus' basis. Alternatively, there are other funding methods open to exploration by the Shire such as Special Rate Areas which, for instance, have been utilised in the Hazelmere Enterprise Area Structure Plan within the City of Swan

Development Capabilities

GWF is a wholly owned subsidiary of Associated British Foods (ABF), a diversified international food, ingredients and retail group with operations across sugar, agriculture, retail, grocery and ingredients, employing over 100,000 people in 46 countries. ABF group revenue was 15.6 billion pounds in 2018.

Whilst, GWF is not a property development business, GWF has rationalised and redeveloped land assets surplus to its requirements. In conjunction with MMJ Real Estate, GWF has recently developed the UDIA award winning Eliza Ponds within the City of Cockburn. This demonstrates GWF ability to deliver large scale land development projects.

Road Reserve Widths

It is noted that the PRS Amendment documentation foreshadows the following increases in road reserve widths:

- *Gull and Nambeelup Roads will need to be widened to 39 - 42 metres, in both cases along their western side; and*
- *Readheads Road will need to be widened by 46.5 - 49.5 metres on its northern side, where it abuts the land.*

Shawmac Consulting Traffic & Civil Engineers, Risk Managers have reviewed the road reserve width requirements. The conclusions of Shawmac's review are as follows:

- *The cross sections proposed in the Nambeelup Industrial Area are based on unkerbed divided carriageways with large verges separate from the open drainage.*
- *The road hierarchy should be modified to include Nambeelup Road north of Lakes Road as an Integrator B Road.*
- *The traffic volumes and road network suggest that Nambeelup Road and Readheads Road could be single carriageway roads with one lane in each direction rather than divided carriageways.*
- *The cross sections can be rationalised to 32.8m for Gull Road, 20.8/25.8m for Nambeelup Road and 25.8m for Readheads Road.*
- *The Nambeelup District Structure Plan should review the current road reserve width and road hierarchy as outlined in this report.*

It is understood that in accordance with the PRS Amendment report:

Final regional road requirements will be determined before a local structure plan for the land is finalised. On this basis, rezoning of the land for industrial purposes can take place while planning for regional road requirements is being finalised.

Having regard to the above statement, and review of road reserve widths by Shawmac a further assessment of the road reserve widths with the Department of Planning, Lands and Heritage (DPLH) and Main Roads WA is requested.

Conclusion

GWF of the owners of the Lot 109 Gull Road and Lot 89 Readheads Road, Nambeelup. GWF are the only landowners affected by the proposed PRS Amendment.

GWF are supportive of the proposed zoning of the land to Industrial as it ultimately assists in facilitating the development of the land for industrial purposes. The PRS Amendment is supported as:

- It assists in addressing a shortfall of industrial land as envisaged in EELS.
- Will assist in providing industrial land to meet significant population growth with the Shire of Murray and City of Mandurah.
- Is consistent with the NIADSP, and will facilitate further statutory processes to allow for the development of the land. This is consistent with orderly and proper planning of the locality.
- The land is demonstrated to be capable of being serviced.
- There is a demonstrated demand for industrial land having regard to EELS and population projections for the City of Mandurah and Shire of Serpentine Jarrahdale

We trust this advice is of assistance and should you have any further queries please do not hesitate to contact the undersigned.

Yours sincerely
element



Aaron Lohman
Principal - Planning

CC: Client

Development
Services

629 Newcastle Street
Leederville WA 6007

PO Box 100
Leederville WA 6902

T (08) 9420 2099
F (08) 9420 3193



Your Ref: RLS/0684
Our Ref: JT1 2010 06282 V01 (RPS358012)
Enquiries: Brett Coombes
Direct Tel: 9420 3165
Fax: 9420 3193

27 February 2019

Secretary
Western Australian Planning Commission (Mandurah)
2B/11 Pinjarra Rd
MANDURAH WA 6210

Attention: Mr John Pride

**Proposed Peel Region Scheme Amendment 044/41
Nambeelup (North) Industrial Zone
Lots 89 & 109 Readheads Road, Nambeelup**

I refer to your letter received on 13 November 2018 inviting comments on the above amendment.

The Water Corporation has prepared conceptual long-term water and wastewater servicing planning for the proposed Nambeelup industrial area. This planning has been described and applied in the Nambeelup DSP and in the more detailed planning that is currently underway to support the subdivision and development of Landcorp's Lot 600 Gull Road.

The subject land represents a large extension of the Nambeelup industry zone covering land that varies topographically from north to south and west to east. A limited portion of the subject land may be serviceable by mains extensions off the Landcorp water and sewerage network once it has been established.

However, much of the amendment land is above the limits of supply of the initial water reticulation main being constructed by Landcorp and is located outside the gravity catchment of the wastewater pump station that Landcorp will construct within Lot 600. Servicing the subdivision and development of the remainder of the subject land will require further detailed planning and significant capital expenditure on temporary developer-funded infrastructure as well as headworks infrastructure.

If you have any queries or require further clarification on any of the above issues, please contact the enquiries officer.

A handwritten signature in black ink that reads "B. Coombes". The signature is written in a cursive, flowing style.

Brett Coombes
Senior Urban Planner
Development Services

Nambeelup (North) Industrial Zone
Lots 89 & 109 Readheads Road, Nambeelup

Or prs@planning.wa.gov.au

SUBMISSION NUMBER

Submission (Please attach additional pages if required. It is preferred that any additional information be loose rather than bound)

The Shire of Murray does not support the proposed Peel Region Scheme transfer of Lots 89 & 109 Readheads Road from Rural to Industrial zone.

Please see attached letter and report to Council on this matter.

TURN OVER TO COMPLETE YOUR SUBMISSION

Hearing of Submissions

Anyone who has made a written submission on the amendment will also have the opportunity to personally present the basis of their submission to a sub-committee of the WAPC. **You do not have to attend a hearing.** The comments presented by you in this written submission will be considered in determining the recommendation for the proposed amendment.

For information about the submission and hearings process, please refer to the *Amendment Report* and in particular **Appendix D**, titled '**Preparing for your submission and hearing**'.

Please choose ONE of the following:

☒ **No**, I do not wish to speak at the hearings. (Please go to the bottom of the form and sign)

OR

☐ **Yes**, I wish to speak at the hearings. (Please complete the following details)

I will be represented by:

☐ MYSELF – My telephone number (business hours):

OR

☐ A SPOKESPERSON

Name of Spokesperson:

Contact telephone number (business hours):

Postal address:

I would prefer my hearing to be conducted in:

☐ PUBLIC (members from the general public may attend your presentation)

OR

☐ PRIVATE (only the people nominated by you or the hearings committee will be permitted to attend)

You should be aware that:

- The Western Australian Planning Commission (WAPC) is subject to the *Freedom of Information Act 1992* (FOI Act) and as such, submissions made to the WAPC may be subject to applications for access under the FOI Act.
- In the course of the WAPC assessing submissions, or making its report on these submissions, copies of your submission or the substance of that submission, may be disclosed to third parties.
- All hearings are recorded and transcribed. The transcripts of all hearings, along with all written submissions, are presented to the Minister for Planning and Infrastructure and published as public records should the Minister approve the proposed amendment. The WAPC recommendations are similarly published in a *Report on Submissions*.

TO BE SIGNED BY PERSON(S) MAKING THE SUBMISSION

Signature  Date 5/3/19

NOTE: Submissions MUST be received by the advertised closing date, being close of business (5.00pm) on Wednesday 27 February 2019. Late submissions will NOT be considered.

Ref: GU02/109, D18/46625
Your Ref: 044/41
Enquiries: Cherryll Oldham (95317739)

5 March 2019

Department Planning Lands and Heritage
Attention: John Pride
Unit 2BG, 11-13 Pinjarra Road
Mandurah WA 6210

prs@planning.wa.gov.au

Dear John

Proposed Amendment 044/41 to the Peel Region Scheme - Nambeelup (North) Industrial Zone - Lot 89 & 109 Readheads Road, Nambeelup

Thank you for the opportunity to comment on the proposed Peel Region Scheme Amendment to transfer Lots 89 & 109 Readheads Road, Nambeelup from Rural to Industrial zone.

Council at its ordinary meeting on the 28th February 2019 resolved the following on this matter.

'That Council advises the Western Australian Planning Commission that it does not support the proposal to rezone Lots 109 and 89 Readheads Road, Nambeelup from Rural to Industrial under the peel Region Scheme for the following reasons:

- 1. The Nambeelup Industrial Area covers a significant area of future Industrial land that will take several decades to be subdivided and developed. Prudent sequencing of the land will be important to optimise economic outcomes and investment in infrastructure.*
- 2. The State government's Transform Peel initiative has provided funding to construct trunk infrastructure services only for the first stage 290ha of the Nambeelup Industrial Area. The first stage 290ha includes the land already zoned Industrial under the Peel Region Scheme (Lots 530 [112ha], Lot 602 [38ha] and portion Lot 604 [20ha]) as well as Lot 600 [120ha]. The land subject to the current proposal is not included within this first stage area.*
- 3. It is estimated that the 290Ha first stage will provide an industrial land supply for many years, dependent on take-up rate of industrial land.*

4. *This first stage land supply is split between several lots and is logically clustered around Lakes Road. This will provide the potential for multiple estates to develop simultaneously which to stimulate market competition and importantly will enable subdivision and development to be efficiently serviced and the overall industrial area to be developed in a unified and coherent manner.*
5. *Lot 109 Gull Road and Lot 89 Readheads Road are well-removed (approximately 1.5 kilometres) from Lakes Road, where subdivision and development is proposed to commence and rezoning at this time is therefore considered premature and will likely result in ad-hoc development outcomes.*
6. *The need for further industrial land in Nambeelup in addition to the first stage 290Ha in either the short or medium term has not been demonstrated. There does not appear to be any special circumstances that would warrant the rezoning of the land at this time and in particular the applicant does not appear to be proposing to fill any special or unusual industrial land need that cannot otherwise be provided for within the first stage 290Ha of the industrial area.*
7. *Servicing considerations have not been adequately addressed. There does not appear to be any arrangements in place for the provision of trunk infrastructure sufficient to service the additional industrial land (over and above the first stage 290Ha) nor does it appear that agreement has been reached between the developers and service providers with regard to the staging and financing of services. As the land is well removed from the development front, rezoning at this stage is likely to result in the inefficient and costly provision, ongoing maintenance and renewal of road and public utility infrastructure.*
8. *Rezoning of the land at this time is considered premature and will likely result in ad-hoc industrial development that is well removed from the planned industrial development front, which will likely dilute the economic activity in the overall industrial area and detract from the economic development imperatives for the area.*
9. *Even if it could be adequately demonstrated that additional industrial land was needed in Nambeelup in the short to medium term, there are more appropriately located parts of the industrial area that ought to be considered for development ahead of Lots 89 and 109 that would likely result in more preferable economic outcomes with more cost effective servicing.*
10. *Whilst the eventual need for this land to be rezoned for industrial purposes is recognised, given the multiple landholdings within the Nambeelup Industrial Area, a sequencing strategy which attempts to stage the development of the overall area in an orderly manner based on need and the imperative to optimise economic development outcomes and investment in infrastructure provision, ongoing maintenance and renewal should be prepared and agreed ahead of progressing any further rezoning proposals for the Nambeelup Industrial Area. The Shire is keen to further discuss and assist in the preparation of such a sequencing strategy'.*

Please find attached for your information, officers report that was presented to Council on this matter and the required Form 41 completed with details as required.

Should you require further information please contact Cherryll Oldham, Senior Planning Officer by telephone on 95317739 or via email at cherrylo@murray.wa.gov.au.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'R Peake', with a large, stylized 'P' and 'R'.

Rod Peake

Director Planning and Sustainability

att

11.2 Proposed Peel Region Scheme Amendment - Lots 89 & 109 Readheads Road, Nambeelup

File Ref: GU02/109

Author and Title: Cherryll Oldham, Senior Planning Officer

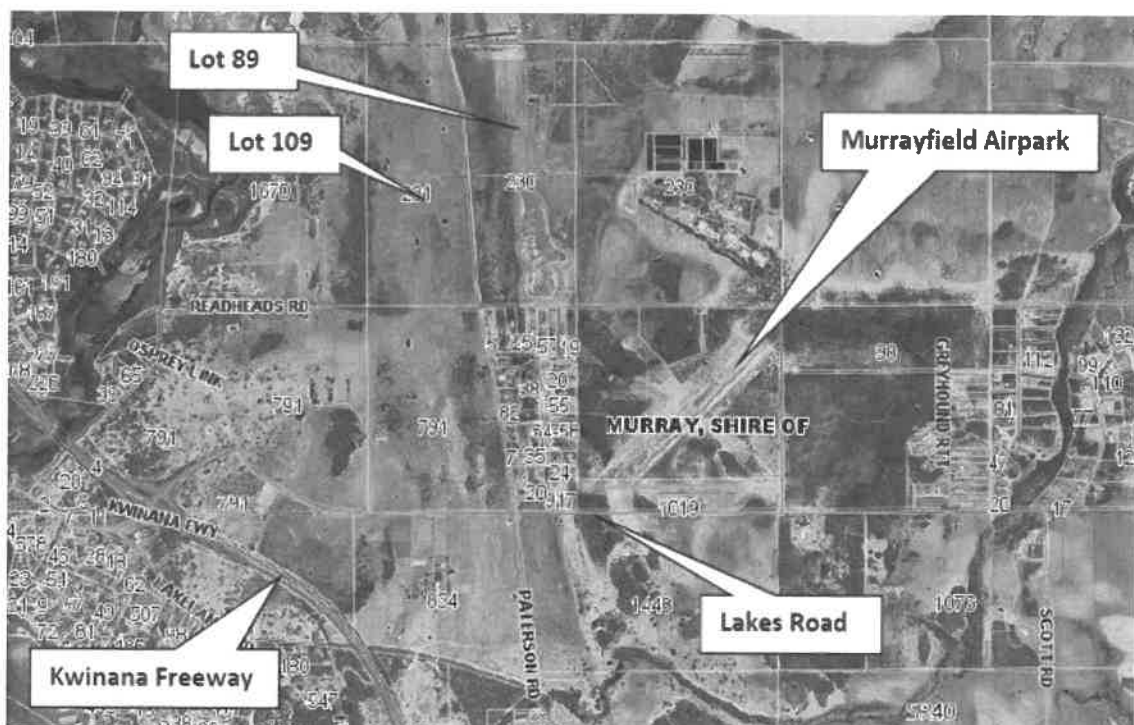
Appendices 5 and 6

Purpose

The Western Australian Planning Commission (WAPC) is currently advertising a proposed Peel Region Scheme Amendment to rezone Lots 109 & 89 Readheads Road, Nambeelup from Rural to Industrial. Council is requested to consider a submission on this proposal.

Background

A plan showing the location of Lots 89 and 109 is shown below and comprises an area of approximately 378Ha.



Land at Nambeelup (including Lots 89 and 109) has been identified for a major industrial area in strategic planning documents for more than 20 years. These include the Inner Peel Region Structure Plan (1997), the Economic and Employment Lands Strategy (2012) and the South Metropolitan Peel Sub-regional Planning Framework (2018).

An industrial area at Nambeelup has also been identified as a key transformational project in the Peel Regional Investment Blueprint, Vision 2050 (2015). This envisages the Nambeelup industrial area as a project that will stimulate business and industrial development across the Peel region.

In December 2015, the WAPC finalised the Nambeelup Industrial Area District Structure Plan (NIADSP). The NIADSP provides guidance for the detailed planning and development of the Nambeelup Industrial Area (NIA) and addresses land requirements for regional roads, provision of open space and drainage requirements.

In April 2016, the NIADSP and an updated Nambeelup District Water Management Strategy were formally released. At the same time, the State government announced \$45.3 million in Royalties for Regions funding for infrastructure in Phase 1 of the NIA.

In April 2017 the WAPC requested comments from the Shire in relation a PRS Amendment for Lots 109 & 89 Readheads Road. At that time the Shire did not support the rezoning for the following reasons:

- The Nambeelup Industrial Area covers a significant area of future Industrial land that will take several decades to be subdivided and developed. Prudent sequencing of the land will be important to optimise economic outcomes and investment in infrastructure.
- The State government's Transform Peel initiative has provided funding to construct trunk infrastructure services only for the first stage 290ha of the Nambeelup Industrial Area. The first stage 290ha includes the land originally zoned Industrial under the Peel Region Scheme (Lots 530 [112ha], Lot 602 [38ha] and portion Lot 604 [20ha]) as well as Lot 600 owned by LandCorp (120ha) which has recently been rezoned to Industrial. The land subject to the current proposal is not included within this first stage area.
- It is estimated that the 290Ha first stage area will provide an industrial land supply for many years, dependent on take-up rate of industrial land.
- This first stage land supply is split between several lots and is logically clustered around Lakes Road. This will provide the potential for multiple estates to develop simultaneously which will stimulate market competition and importantly will enable subdivision and development to be efficiently serviced and the overall industrial area to be developed in a unified and coherent manner.
- Lot 109 Gull Road and Lot 89 Readheads Road are well removed (approximately 1.5 kilometres) from Lakes Road, where subdivision and development is proposed to commence and rezoning at this time is therefore considered premature and will likely result in ad-hoc development outcomes.
- The need for further industrial land in Nambeelup in addition to the first stage 290Ha in either the short or medium term has not been demonstrated. There does not appear to be any special circumstances that would warrant the rezoning of the land at this time and in particular the applicant does not appear to be proposing to fill any special or unusual industrial land need that cannot otherwise be provided for within the first stage 290Ha of the industrial area.
- Servicing considerations have not been adequately addressed. There does not appear to be any arrangements in place for the provision of trunk infrastructure sufficient to service the additional industrial land (over and above the first stage 290Ha) nor does it appear that agreement has been reached between the developers and service providers with regard to the staging and financing of services. As the land is well removed from the development front, rezoning at this stage is likely to result in the inefficient and costly provision, ongoing maintenance and renewal of road and public utility infrastructure.
- Rezoning of the land at this time is considered premature and will likely result in ad-hoc industrial development that is well removed from the planned industrial development front, which will likely dilute the economic activity in the overall industrial area and detract from the economic development imperatives for the area.
- Even if it could be adequately demonstrated that additional industrial land was needed in Nambeelup in the short to medium term, there are more appropriately located parts of the industrial area that ought to be considered for development ahead of Lots 89 and 109 that would likely result in more preferable economic outcomes with more cost effective servicing.
- Whilst the eventual need for this land to be rezoned for industrial purposes is recognised, given the multiple landholdings within the Nambeelup Industrial Area, a sequencing

strategy which attempts to stage the development of the overall area in an orderly manner based on need and the imperative to optimise economic development outcomes and investment in infrastructure provision, ongoing maintenance and renewal should be prepared and agreed ahead of progressing any further rezoning proposals for the Nambeelup Industrial Area.

The PRS Amendment document advises:

'The WAPC considers amendment to be fully consistent with long term strategic planning for the region and with the NIADSP. Also, further investigations indicate the land can be provided with services. Additionally, no objections have been raised by Western Power, ATCO Gas, or the Water Corporation' and

'The current amendment has been initiated on the basis that there is need for the region scheme to be prepared in advance of market conditions, having regard for the considerable lead times for amending the local planning scheme, preparation and approval of a local structure plan, subdivision and development. The proposed amendment would also make more industrial land available in the long term' and

'Although the Peel Development Commission initially queried the timing of the amendment and advised that initial headworks infrastructure at Nambeelup would not be developed as described in the rezoning proposal, it has more-recently advised that it raises no objections'.

Proposal

To transfer 378 hectares of land from the Rural zone to the Industrial zone in the Peel Region Scheme, to allow development of the land for future industrial use.

A copy of the Amendment document is shown in **Appendix 6** and the response is shown in **Appendix 5**.

Murray 2025 Strategic Community Plan

Objective 2	A progressive and diverse economy that maximises employment and business opportunities.
Outcome 2.1	Increased opportunities for responsible commercial, agricultural, industrial and residential development investment.
Strategy 2.1.2	Facilitate the establishment of the Nambeelup Industrial Business Park as a key regional employment growth area.
Outcome 2.2	Growth of local businesses and agricultural pursuits are facilitated and supported.
Strategy 2.2.4	Promote the benefits of Murray as a place for business, investment and lifestyle opportunity.
Objective 4	Well planned, integrated and active places that embrace and respect our rural lifestyle, built and natural environment and heritage.
Outcome 4.1	Growth is managed in a sustainable and responsible way that protects our lifestyle and the natural environment.
Strategy 4.1.2	Establish a comprehensive and sustainable local planning framework to guide the growth of our Shire.

Murray 2018 - 2022 Corporate Business Plan

Action 2.1.1	Actively participate in facilitation the development of the Nambeelup Business Park.
Action 2.1.2	Advocate for the provisioning of Infrastructure to the Nambeelup Business Park.

Other Strategic Links

- Inner Peel Region Structure Plan (1997)
- Economic and Employment Lands Strategy (2012)
- Peel Regional Investment Blueprint (2015)
- Nambeelup Industrial Area District Structure Plan (2016)
- South Metropolitan Peel Sub-regional Planning Framework (2018)

Statutory Environment

- Planning and Development Act 2005
- Peel Region Scheme

Policy Implications

Nil

Sustainability & Risk Considerations*Economic - (Financial impact to the community)*

The Nambeelup Industrial Area which is expected to result in significant business investment and employment opportunities for the community.

Social - (Quality of life to community and/or affected landowners)

A PRS rezoning of the land is not expected to result in any negative social impacts on the community.

Environment – (Impact on environment's sustainability)

The Amendment report advises '*environmental consideration relating to regionally significant wetlands, declared rare flora, regionally significant vegetation, buffers and cockatoos have been addressed in preparation of the NIADSP. As a result, the structure plan classifies areas of environmental importance as 'Open Space' to protect these values. Also, a district water management strategy has been prepared in support of the proposed amendment and shows that the site is capable of industrial development without adverse effects. The Department of Water (now Department of Water and Environmental Regulation) has reviewed and endorsed this strategy. These measures meet the requirements appropriate for this region planning scheme amendment. Other more-detailed investigations and measures outlined above can be addressed at the local planning scheme amendment and local structure plan stages.*

Governance – (Policy implications)

Nil

Overall Risk Management Consideration

Rezoning of the land will not result in any significant negative impacts on adjacent landowners or the broader community.

Consultation

The Department Planning, Lands and Heritage are currently advertising the PRS amendment proposal. The closing date for submissions is 27 February 2019.

Resource Implications*Financial*

Nil

Workforce

Nil

Options

Council has the option of:

1. Not supporting the proposed PRS amendment for reasons set out in the recommendation, with or without modification.
2. Supporting the proposed PRS amendment.

Conclusion/Justification of Officer Recommendation

The South Metropolitan and Peel Sub-Regional Planning Framework (planning framework) identifies Lot 109 & 89 Readheads Road as Industrial Expansion which indicates the land should be considered for development in the short to medium term.

The planning framework also advises: *'In the short term, there is adequate industrial zoned land to meet forecast demand in the south-western and south-eastern sectors. Some additional land is being zoned for industrial purposes at Nambeelup to meet short/medium term demand in the Peel sector'*. Under the planning framework short term is to 2021 with medium term being from 2022 to 2031.

It is acknowledged that regional and local planning schemes should make provision for long term planning to ensure land is available for future development. There is, however 290ha of land already zoned industrial and industry under the Peel Region Scheme and Shire of Murray Town Planning Scheme No.4 respectively that has not yet been developed.

The Nambeelup Industrial Area District Structure Plan (NIADSP) was developed to ensure land is available for industrial purposes for the next 30 years. The NIADSP advises that it is expected that the Nambeelup Industrial Area will be developed in numerous stages over a 30 year time frame with initial development expected to occur in the south-western portion of the area within the already zoned industrial areas and development progressively moving to the eastern and northern areas. The NIADSP also advises the timing of industrial subdivision and development will largely depend upon the:

- Provision of key services to the area or a particular industrial development stage;
- Ability and willingness of individual landowners to address any detailed road construction, environmental, drainage and water management issues; and
- Demand and development take up rate for industrial land.

South-western Sector

The South Western Sector includes Lot 530 Lakes Road, Lots 602 Sea Eagle Court and Lot 604 Lakes Road as they are currently zoned Industrial Development under TPS4. Lot 600 Lakes Road has recently been rezoned Industrial.

Royalties for Regions funding has been provided sufficient to provide trunk services to this initial 290Ha of land.

With the rezoning of Lot 600 now complete, a Structure Plan has been approved, subdivision application lodged and planning for the commencement of works well underway. Subdivision and development is expected to commence in the south of the lot along Lakes Road.

With the progression of Lot 600 Lakes Road access to services and requirements of infrastructure have become clearer and more achievable for the development of other lots and as an extension, more achievable for Lots within the Nambeelup District Structure Plan area as a whole.

Lot 530 Lakes Road was granted structure plan approval in 2010 though it has not progressed. It is expected, however an application to update the structure plan will be submitted soon and once the modified structure plan has been approved it is likely this development will also progress to subdivision.

The Shire has also received enquiries in relation to the development of Lot 221 Lakes Road on the south eastern corner of Lakes Road and Paterson Roads. As this development is also located on Lakes Road and provision of services appear to be achievable the further development of this lot would be a logical extension of Nambeelup Business Park though this lot does not form part of the initial 290Ha. This development if rezoned would add an additional 184Ha of industrial zoned land to the 290ha first stage.

It should also be noted the land to the west and south west of Lot 600 Lakes Road, being Lot 602 Sea Eagle Court and the southern portion of Lot 604 Sea Eagle Court which currently accommodates the BCG concrete batching plant are currently zoned Industry Development under TPS4, and are also part of the Nambeelup Business Park. The next planning phase to progress closer to development for these lots is the local structure plan, however the Shire has not received any recent enquiries on the progression of a structure plan for these lots.

Lots 109 & 89 Readheads Road are shown within the Nambeelup Industrial Area District Structure Plan as having potential for industrial zoning. This land is the most north eastern portion of the NIADSP map and although adjacent to the north boundary of Lot 600 Lakes Road is generally isolated from the services and infrastructure being developed for the first stage of Lot 600 Lakes Road.

The WAPC suggest 'the proposed transfer from rural zone to industrial zone under the Peel Region Scheme for Lot 109 and 89 is fully consistent with long term strategic planning for the region and with the NIADSP'. The WAPC also advised 'the amendment has been initiated on the basis that there is need for the region scheme to be prepared in advance of market conditions, having regard for the considerable lead times for amending the local planning scheme, preparation and approval of a local structure plan, subdivision and development. The proposed amendment would also make more industrial land available in the long term'

It is considered that there is sufficient industrial land developed from existing industrial zoned land for cater for market requirements for many years.

Based on Landcorp's prediction for market sales of industrial land at 10ha per annum, Nambeelup Business Park at 290ha will last for 29 years.

Should Council support the PRS rezoning of Lots 109 & 89, the development will progress in isolation of the development along Lakes Road and could not be considered natural progression, but ad hoc development.

If rezoning of Lots 89 & 109 Readheads Road Nambeelup proceeds, once the PRS amendment is gazetted, the Shire will be required to progress a rezoning under Town

Planning Scheme No.4 as the Town Planning Scheme is required to reflect the zonings under the Peel Region Scheme

It is recommended that Council does not support the Peel Region Scheme rezoning and reiterates the Shire's previous comments to the WAPC.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION:

OCM19/011

Moved: Cr S Lee

Seconded: Cr C Rose

That Council advises the Western Australian Planning Commission that it does not support the proposal to rezone Lots 109 and 89 Readheads Road, Nambeelup from Rural to Industrial under the peel Region Scheme for the following reasons:

- 1. The Nambeelup Industrial Area covers a significant area of future Industrial land that will take several decades to be subdivided and developed. Prudent sequencing of the land will be important to optimise economic outcomes and investment in infrastructure.**
- 2. The State government's Transform Peel initiative has provided funding to construct trunk infrastructure services only for the first stage 290ha of the Nambeelup Industrial Area. The first stage 290ha includes the land already zoned Industrial under the Peel Region Scheme (Lots 530 [112ha], Lot 602 [38ha] and portion Lot 604 [20ha]) as well as Lot 600 [120ha]. The land subject to the current proposal is not included within this first stage area.**
- 3. It is estimated that the 290Ha first stage will provide an industrial land supply for many years, dependent on take-up rate of industrial land.**
- 4. This first stage land supply is split between several lots and is logically clustered around Lakes Road. This will provide the potential for multiple estates to develop simultaneously which to stimulate market competition and importantly will enable subdivision and development to be efficiently serviced and the overall industrial area to be developed in a unified and coherent manner.**
- 5. Lot 109 Gull Road and Lot 89 Readheads Road are well removed (approximately 1.5 kilometres) from Lakes Road, where subdivision and development is proposed to commence and rezoning at this time is therefore considered premature and will likely result in ad-hoc development outcomes.**
- 6. The need for further industrial land in Nambeelup in addition to the first stage 290Ha in either the short or medium term has not been demonstrated. There does not appear to be any special circumstances that would warrant the rezoning of the land at this time and in particular the applicant does not appear to be proposing to fill any special or unusual industrial land need that cannot otherwise be provided for within the first stage 290Ha of the industrial area.**
- 7. Servicing considerations have not been adequately addressed. There does not appear to be any arrangements in place for the provision of trunk infrastructure sufficient to service the additional industrial land (over and above the first stage 290Ha) nor does it appear that agreement has been reached between the developers and service providers with regard to the staging and financing of services. As the land is well removed from the development front, rezoning at this**

stage is likely to result in the inefficient and costly provision, ongoing maintenance and renewal of road and public utility infrastructure.

8. Rezoning of the land at this time is considered premature and will likely result in ad-hoc industrial development that is well removed from the planned industrial development front, which will likely dilute the economic activity in the overall industrial area and detract from the economic development imperatives for the area.
9. Even if it could be adequately demonstrated that additional industrial land was needed in Nambeelup in the short to medium term, there are more appropriately located parts of the industrial area that ought to be considered for development ahead of Lots 89 and 109 that would likely result in more preferable economic outcomes with more cost effective servicing.
10. Whilst the eventual need for this land to be rezoned for industrial purposes is recognised, given the multiple landholdings within the Nambeelup Industrial Area, a sequencing strategy which attempts to stage the development of the overall area in an orderly manner based on need and the imperative to optimise economic development outcomes and investment in infrastructure provision, ongoing maintenance and renewal should be prepared and agreed ahead of progressing any further rezoning proposals for the Nambeelup Industrial Area. The Shire is keen to further discuss and assist in the preparation of such a sequencing strategy.

CARRIED UNANIMOUSLY 7:0



LANDCORP

Our Ref: A1646909

Enquiries: Lydia Dwyer (08-9482 7862 or lydia.dwyer@landcorp.com.au)

Date: 21 February 2019

Submission 13

The Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001

Attention: John Pride

Dear John,

Submission: Peel Region Scheme Amendment 044/41 (Nembeelup North Industrial Zone)

Thank you for your letter dated 13 November 2018 inviting comments on the proposed amendment to the Peel Region Scheme for land in the Shire of Murray.

LandCorp has reviewed the Peel Region Scheme Amendment 044/41 report and would like to make comment on the servicing within the discussion section of the document.

LandCorp are progressing with the delivering of the trunk infrastructure to enable development on the Nembeelup Industrial Area. Comments for the services are mainly accurate. However, details in relation to the power supply and extension of two feeders to the south-west corner of the amendment site have changed due to LandCorp's dealings with Western Power. As correctly stated, LandCorp is progressing with the delivery of the two feeders to serve Phase 1 of the Nembeelup Industrial Area from the Pinjarra Zone Substation. Western Power has approved servicing Phase 1 of the Nembeelup Industrial Area due to pending development and a subdivision approval for Lot 600 Lakes Road. However, the extension of the two feeders to the south-west corner of the development site will not be approved by Western Power and, if constructed, the assets will not be taken over as there is no demonstration of short-term power requirements to this area of the Nembeelup Industrial Area to justify energisation.

Should you have any queries in regards to this matter, please do not hesitate to contact Lydia Dwyer on 9482 7862.

Yours sincerely

Kerry Fijac
Executive General Manager Business Development and Marketing



Our Ref: D01796
 Your Ref: RSL/0684

John Pride
 Department of Planning, Lands and Heritage
referrals@dplh.wa.gov.au

Dear Mr Pride

RE: PROPOSED PEEL REGION SCHEME AMENDMENT NO. 044/41 - LOTS 89 & 109 READHEADS ROAD, NAMBEELUP

I refer to your letter dated 12 November 2018 and email dated 6 March 2019 regarding the submission of a Bushfire Management Plan (BMP) (Version 3.1), prepared by Working on Bushfire dated 28 February 2018, for the above region scheme amendment.

It should be noted that these comments relate only to *State Planning Policy 3.7 Planning in Bushfire Prone Areas* (SPP 3.7) and the *Guidelines for Planning in Bushfire Prone Areas* (Guidelines). It is the responsibility of the proponent to ensure that the proposal complies with all other relevant planning policies and building regulations where necessary. This advice does not exempt the applicant/proponent from obtaining necessary approvals that may apply to the proposal including planning, building, health or any other approvals required by a relevant authority under other written laws.

Assessment

1. Policy Measure 6.3 a) (i) Preparation of Bushfire Hazard Level (BHL) Assessment

Issue	Assessment	Action
BHL assessment	<p>BHL Rating discrepancies</p> <p>DFES noted inconsistent BHL ratings applied to Class B Woodland in Figures 2 – 4 of BMP. The BHL should apply the appropriate methodology as set out in the Guidelines (Appendix 2, page 50-51).</p>	<p>Modification required prior to subsequent planning stages.</p>

Recommendation – supported subject to minor modifications

The region scheme amendment and BMP have adequately identified issues arising from the bushfire hazard level assessment and considered how compliance with the bushfire protection criteria can be achieved at subsequent planning stages. However minor modifications to the BMP will be necessary to ensure it accurately identifies the bushfire risk and necessary mitigation measures. These modifications are mentioned in the table(s) above.

As these modifications to the BMP are minor in nature and will not affect the region scheme amendment, these modifications can be undertaken to support subsequent stages of the planning process (structure plan, subdivision & development applications).

Should you require further information, please contact me on telephone number 6551 4031.

Yours sincerely



Richard Trinh
SENIOR LAND USE PLANNING OFFICER

12 March 2019