



FREIGHT AND LOGISTICS COUNCIL OF WESTERN AUSTRALIA

Mr David Saunders
Chairman - Kwinana Buffer Review Committee
Western Australian Planning Commission
Albert Facey House
469 Wellington Street
Perth WA 6000

Dear Mr Saunders,

PROPOSED REZONING OF LAND ROCKINGHAM REGIONAL CENTRE

The Freight and Logistics Council wrote to you on 6 October regarding the City of Rockingham's proposal to rezone part of the Rockingham Light Industrial Area to 'City Centre' zoning under the Metropolitan Region Scheme as part of the planning for the Rockingham Regional Centre.

This amendment is of particular interest to the Council due to the land's close proximity to the Rockingham Industrial Zone, port facilities in Cockburn Sound (Kwinana Grain Jetty and the Kwinana Bulk Terminal) and the freight rail line that services these facilities. The Rockingham Light Industrial area acts as a buffer between general industrial areas of the Rockingham Industrial Zone and sensitive land uses to the south, such as residential. The Council's previous correspondence highlighted concern that urban encroachment could have an impact on the industrial and port uses to the north of Rockingham.

Recently meetings have occurred with Rockingham Council officers where further information has been provided. It is now understood that the City's intent is that the industrial area at the northern end of the proposed amendment area (bordering the freight rail loop) is to be a mix of commercial, office and light industrial uses, without any residential use. On this basis, the Council is more accepting of the proposal.

However, the Council's acceptance of the proposal is on the proviso that any form of accommodation or residential use is not permitted and is not to be contemplated for the area. To minimise the risk that subsequent amendments to either the Local Planning Scheme or Metropolitan Region Scheme could lead to residential uses, the Council is willing to consider the City's proposal on the basis that:

- The certificates of titles of all lots within the subject area have a requirement placed on them that precludes any residential uses, including permanent, aged persons, short stay or temporary accommodation of any description. This could be by way of caveat, notification or memorial registered on the certificate of title.

- There be a Local Planning Scheme amendment for this area that makes permanent, aged persons, short stay or temporary accommodation of any description an X or 'not permitted' use.
- The MRS amendment for the subject site be Special Industrial and not Urban or Central City area. This will clearly indicate that dwellings are not acceptable. While it can be argued that Urban or Central City Area can still be used to achieve the same objective, that is commercial and office uses, the difference is that Urban or Central City Area lends itself to a Local Planning Scheme Amendment that allows dwellings. Special Industrial under the MRS makes it more difficult to permit a Local Scheme Amendment to allow residential and that in turn gives industry greater certainty, while at the same time permitting the desired uses of commercial, office and other compatible activities.
- Given the freight rail loop and industrial uses adjoining the area, it should be made clear that any urban development further to the south that adjoins the subject site, in particular dwellings, would have to comply with the WAPC State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning. This policy would apply to any introduced noise-sensitive development, such as dwellings, age care facilities or child care facilities. The policy does not apply to noise from existing railways or major roads. An objective of the policy is specifically to protect major transport corridors and freight operations from incompatible urban encroachment.

To assist in achieving the best planning outcome for the area, I would request that the Council remain involved with the City of Rockingham and the WAPC as the planning process continues.

Yours sincerely



Dr Fred Affleck
Chairman

8 December 2010