



FREIGHT AND LOGISTICS COUNCIL OF WESTERN AUSTRALIA

Mr Jamie Brady
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Dear Jamie

Review of State Planning Policy 4.1 (SPP 4.1) – State Industrial Buffer Policy

Thank you for your recent presentation to the Council's Freight and Land Use Planning Working Group on the Review that you are currently conducting into SPP 4.1. The Council welcomes the opportunity to provide input into the Review as this is an important State planning policy that has the potential to deliver significant benefits to the freight and logistics industry across Western Australia.

Outlined below are some observations in relation to the information contained within your presentation and some more general comments on SPP 4.1 based on our experience with the land use planning and environmental frameworks designed to protect freight and logistics assets and infrastructure, and industrial land more generally, from urban encroachment.

Response to the Power Point Slides

- The Council strongly supports the purpose of the Review, particularly the need for clear and consistent guidance to provide certainty to existing industry and major infrastructure and better protect the State's investment.
- The Council recognises a number of the identified failings of SPP 4.1, in particular:
 - the EPA minimum separation distances between industrial and sensitive land uses provide little to no guidance on major infrastructure, such as ports, intermodal freight terminals and rail freight marshalling yards;
 - the absence of guidance on how technical studies and the metrics/assumptions to determine impacts and buffer distances are best undertaken;
 - the failure to differentiate and address different industrial land uses and infrastructure, particularly greenfield versus existing infrastructure (such as Fremantle Port Inner Harbour, Perth Freight Terminal and Forrestfield Marshalling Yard); and
 - the lack of long term security provided for State strategic assets (such as those listed above) by the Policy.
- Under the heading "Additional Case Studies" the Council suggests that the term "Ports" should encapsulate not only major shipping hubs, but also those for air, road and rail operations.
- The Council strongly supports the retention of Objectives 1 and 2 from the 1997 Policy.
- The Council would like to see the inclusion of "Railways" and "Port Installations" under the heading "Zones/Reserves" for the application of SPP 4.1.

- Careful consideration should be given to the wording relating to the exclusion of “road and rail transport noise”. Major freight terminals generate significant rail transport noise within the boundaries of those facilities as a result of general operations. A clear example is the Aurizon workshop site at the Forrestfield Marshalling Yards, where activities undertaken result in significant rail transport noise from the shunting of rolling-stock and other operations. The noise impacts result from the operation of the freight terminal and not from rail movements on the network, the latter being subject to SPP 5.4.
- Future growth forecasts for major industrial areas and infrastructure should be considered in addition to EPA separation distances.
- Under the heading “Working Group Input”, consideration should be given to mechanisms for implementing buffers/transitional land uses. The current SPP 4.1 provides for implementation through local planning schemes. However, this discussion should be expanded to consider implementation through region schemes, such as the examples in the GBRS and PRS and the environmental framework. The Council strongly supports the issue being addressed at the highest strategic level, as in our experience, such issues may not be comprehensively or adequately addressed at the local planning level.

General Comments

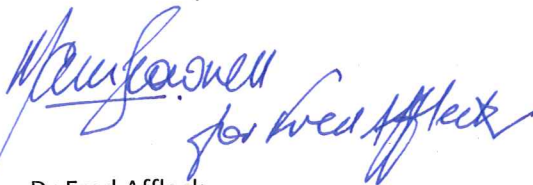
From your comments at the meeting, it is apparent that a number of issues have already been raised with you in respect of the SPP 4.1. It is not the intent of this note to revisit those particular issues, but rather to confirm the particular concerns identified at the meeting. In summary, these included:

- While the broad focus of SPP 4.1 is on industrial buffers and that of SPP 5.4 on corridors, there is some overlap between the two policies in terms of the types of infrastructure and activities covered. This is confusing and could lead to conflict between the two policies in some instances. The Review should include examination of SPP 5.4 to ensure that policy overlap is minimised and, that where it does occur, any potential for conflict is identified and removed. Noise and vibration are factors that are considered in the determination of land use buffers for major industrial areas and infrastructure under SPP 4.1. These considerations also inform land use planning decisions guided by SPP 5.4, but SPP 5.4 does not provide guidance on land use separation or buffers. Both policies need to be clear as to why road and rail transport noise is included/excluded and where the policy applies. For example, intermodal freight terminals are covered by both policies.
- Greater clarity in the definitions used in each policy would be helpful. There is a need to understand exactly what functions occur at various points in the logistics chain. Port operations, for example, should include related inland freight activities. Without such understanding being reflected in the Policy, inappropriate decisions can be taken to the detriment of industry. The definition of major freight terminals also requires further guidance.
- Experience has shown that a key problem with SPP 5.4 relates to where in the planning chain related decisions are taken. All too often, key strategic decisions that should be made within State Government planning structures are being delegated to Local Government levels. This is dangerous because Local Government may not be fully informed as to the broader strategic planning objectives at play and poor decisions contrary to wider State interests may be taken as a result. The Review of SPP 4.1 should be mindful of this danger.

- There is a need for greater consistency between SPP 4.1 and:
 - SPP 5.4
 - EPA's Guidance Statement No. 33
 - EPA's Separation Distances between Industrial and Sensitive Land Usesand in some cases, greater guidance and clarification in related policy and procedures (for example, the EPA's Separation Distances make reference to intermodal terminals at the front of the document, but do not list them in the relevant table).
- The Policy needs to clearly identify a hierarchy of assets, infrastructure and industrial land and adopt an objective opposing urban encroachment of them. Consideration should be given to industrial areas and infrastructure that have locational requirements and substantial government and private investment. This will provide greater certainty for both industry and related Government interests.
- The Council supports SPP 4.1 being implemented at the highest level of the State Government's planning hierarchy. State Government should take the lead on the identification and implementation of buffers for strategic and major industrial areas and infrastructure, particularly those that are essential to Western Australia's continued economic growth.

We hope that these brief observations may be of some use in the context of your review. We would be happy to elaborate on them as necessary.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Fred Affleck', with a long, sweeping underline that extends to the left.

Dr Fred Affleck

Chairman

09/06/2015