

BULLETIN

INTRODUCTION

According to the Western Australian Regional Freight Network Plan (2013), the Western Australian (WA) freight task is expected to be more than double today's volumes by the year 2031. As noted in our previous Bulletins, the need to properly address the protection of port facilities, freight nodes and infrastructure corridors leading to and from all significant State seaports is evident.

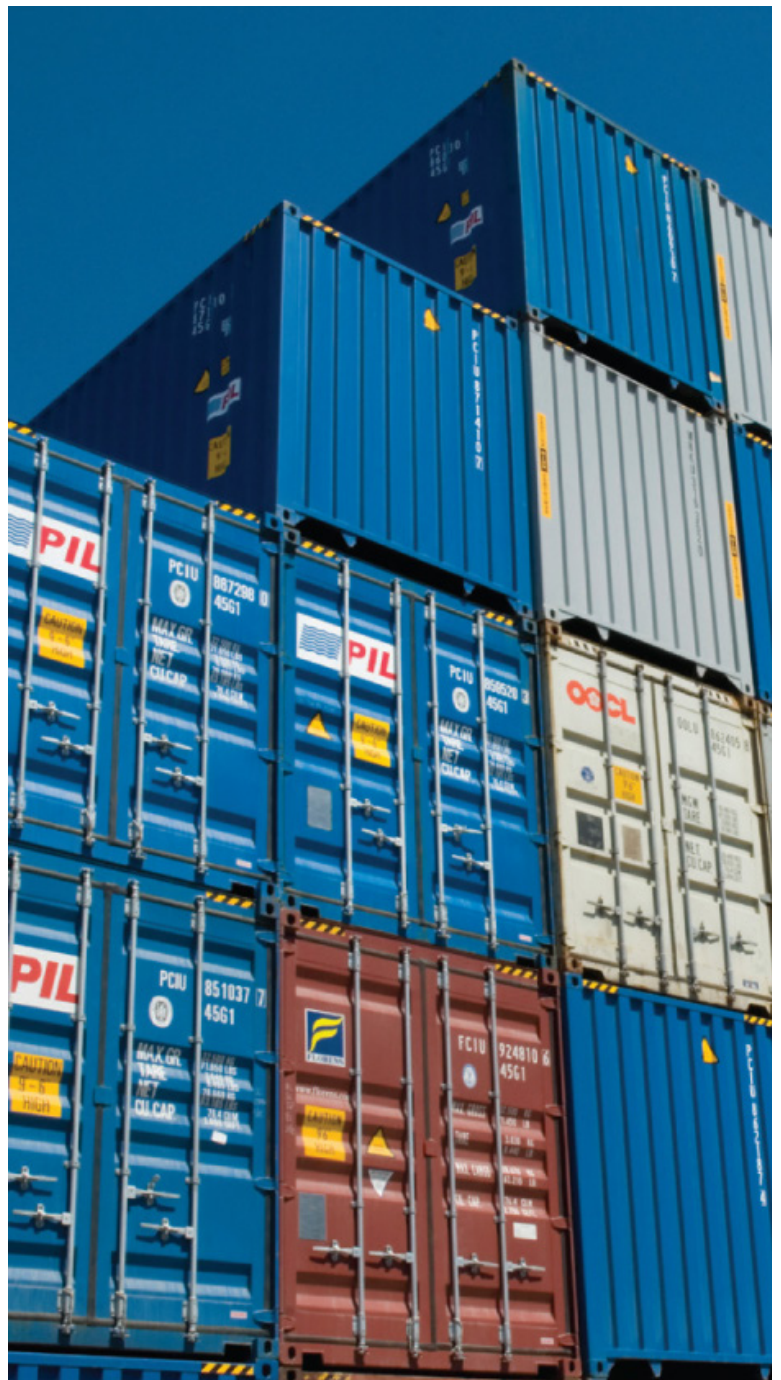
The Freight and Logistics Council of Western Australia (FLCWA) considers that the key to successful protection of WA's key port facilities, freight nodes and infrastructure corridors requires:

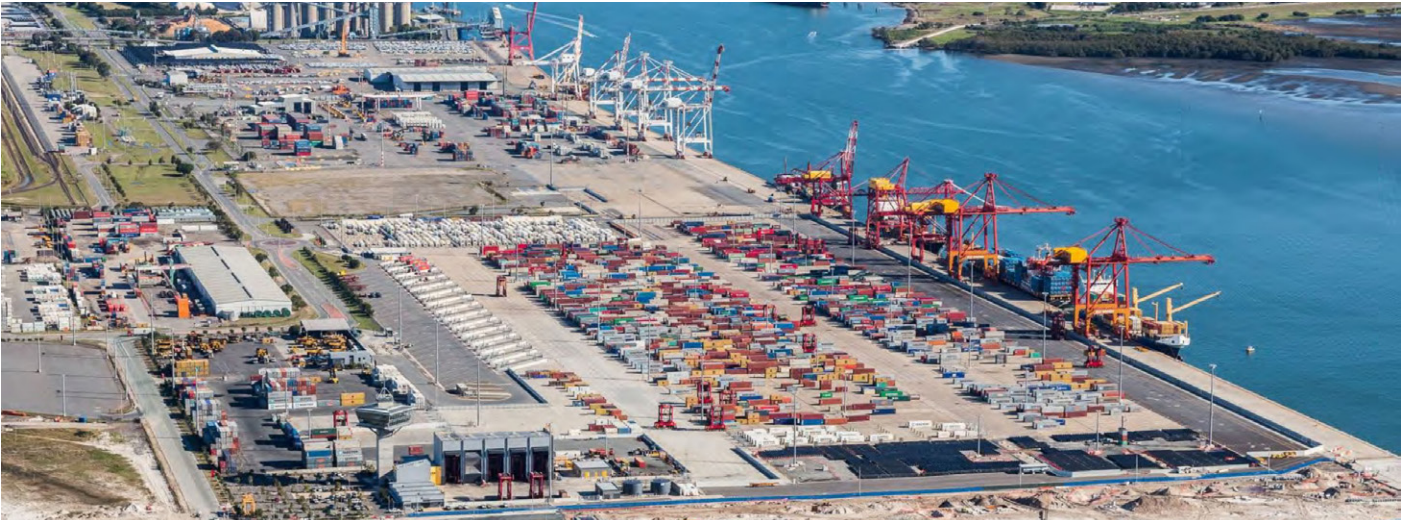
- comprehensive identification and preservation of new port facilities, freight nodes and infrastructure corridors (including pipelines), and
- an effective and aligned statutory framework which protects port facilities, freight hubs and infrastructure corridors from the encroachment of incompatible land uses (and conversely the protection of sensitive land uses including residential areas), from conflicts with passenger movements, and maintaining good accessibility to commercial areas.

Protection of port facilities, freight nodes and infrastructure corridors will be vital as the WA freight task continues to grow. There are several key issues which should be further explored by State Government in partnership with the FLCWA, Ports Western Australia and interested stakeholders. A key to this is developing alignment between policy and regulatory implementation.

AN EFFICIENT AND WELL-PROTECTED PORT AND FREIGHT NETWORK IS A FUNDAMENTAL PRECURSOR FOR ECONOMIC GROWTH AND GREATER PRODUCTIVITY.
(PORTS AUSTRALIA & SPROTT PLANNING & ENVIRONMENT, 2014)

POLICY & REGULATORY ALIGNMENT: RESEARCH INTO FREIGHT CORRIDOR AND PORT PROTECTION MECHANISMS





Brisbane Port - Source: Port of Brisbane Land Use Plan 2013

It is the FLCWA's view that development of new policy and regulatory settings could be facilitated by a partnership approach. The *Follow-Up Discussion and Workshop Paper* prepared by Sprott Planning ([link here](#)) identifies a number of key activities which could be further progressed in WA (refer to Table 1).

In our Bulletin No.2 ([link here](#)) a number of possible improvements (put forward by the FLCWA) aimed to better align the various planning policy documents and facilitate the implementation of these at State and local government levels. In this respect, further investigation of a stand-alone State Planning Policy (SPP) tailored to protect key State infrastructure (e.g. power lines, water pipelines, gas pipelines and freight corridors and nodes) could be considered.

In this Bulletin, we report more fully on the investigations undertaken by Sprott Planning & Environment regarding the overarching SPP introduced in Queensland, the port master planning initiatives being implemented at the Port of Melbourne, and land use transition solutions being implemented in Seattle.

	Regulatory considerations	Actions possible
1.	Strengthening the State Planning Policy framework as it applies to ports, freight nodes and corridors.	<ul style="list-style-type: none"> Further investigate an over-arching State Planning Policy regarding port, freight and corridor protection which has mandatory requirements for all planning schemes. Align Regional and Local Planning Schemes which articulate the 'state interest' at a more micro level than the State Planning Policy. Local government planning schemes which must demonstrate how the 'state interests' have been protected.
2.	Alignment of Regional and Sub-regional Freight Transport Network Plans - promoting 'line-of-sight' freight transport policy.	<ul style="list-style-type: none"> Consistent and aligned Regional & Sub-regional Freight Network Plans allowing declaration of key nodes and corridors as major freight facilities, which must be then be translated through all levels of the planning system.
3.	Enhanced Port Master Planning Requirements (including industrial/port nodes, surface transport linkages, pipelines), looking within and beyond traditional port boundaries.	<ul style="list-style-type: none"> Enhanced Port Master Planning requirements (including 'beyond the boundary' thinking) with strong forecasting intelligence so as to inform other planning instruments and frameworks.
4.	Stronger Working Partnerships - open and transparent approach.	<ul style="list-style-type: none"> Need to establish strong working partnerships between port, freight and government stakeholders to address cross boundary / interface issues. Inter-departmental relationships should also be examined to assist in coordinated outcomes.
5.	Improved education & training - improving overall understanding	<ul style="list-style-type: none"> Improved education and training on freight, logistics and 'nodal & corridor protection' in planning curricula at Universities; advancing 'industrial planning' as a key element of strategic planning amongst the Australian planning community. Transport planning has largely been focused on public transport and transit-orientated developments, however the critical need for improved freight and industrial planning at major activity centers and along relevant corridors has seldom been addressed.

Table 1: Proposed Key Investigation Areas

QUEENSLAND CASE STUDY

As part of the review of SPP's in Queensland, the State Government has introduced a single SPP to inform the preparation of new planning schemes by local governments. The SPP contains sixteen State interests under the five broad themes of Liveable Communities and Housing, Economic Growth, Environment & Heritage, Hazards & Safety and Infrastructure. For us, the most relevant State theme is 'Infrastructure' which includes the State's interest in:

- Energy & Water Supply;
- **State Transport Infrastructure;**
- Strategic Airports and aviation facilities; and
- **Strategic Ports.**

One major benefit of the new SPP is its direct commentary on ports, freight and corridor protection as a 'State Interest' ('Strategic Ports') – which must be supported by actual planning scheme provisions by local governments when submitting their new planning schemes for government approval.

The planning scheme is to appropriately integrate vital State interests by:

- *identifying strategic ports and associated strategic port land and core port land, and*
- *facilitating development surrounding strategic ports that is compatible with, depends upon or gains significant economic advantage from being in proximity to a strategic port, or supports the role of the strategic port as a freight and logistics hub, and*
- *protecting strategic ports from development which may adversely affect the safety, viability or efficiency of existing and future port operations, and*
- *ensuring sensitive development is appropriately sited and designed to mitigate adverse impacts on the development from environmental emissions generated by port operations, and*
- *identifying and protecting key transport corridors (including freight corridors) linking strategic ports to the broader transport network, and*
- *considering statutory land use plans for strategic ports and the findings of planning and environmental investigations undertaken in relation to strategic ports.*

Another benefit of the SPP is that it focuses on providing clear and connected 'line-of-sight' regulation from primary legislation through to local planning schemes. Figure 1 highlights the aim of 'line-of-sight' regulation. That is, from high level, strategic policy to 'on-the-ground' implementation.

Queensland's SPP was released in December 2013 and can be downloaded from [here](#).

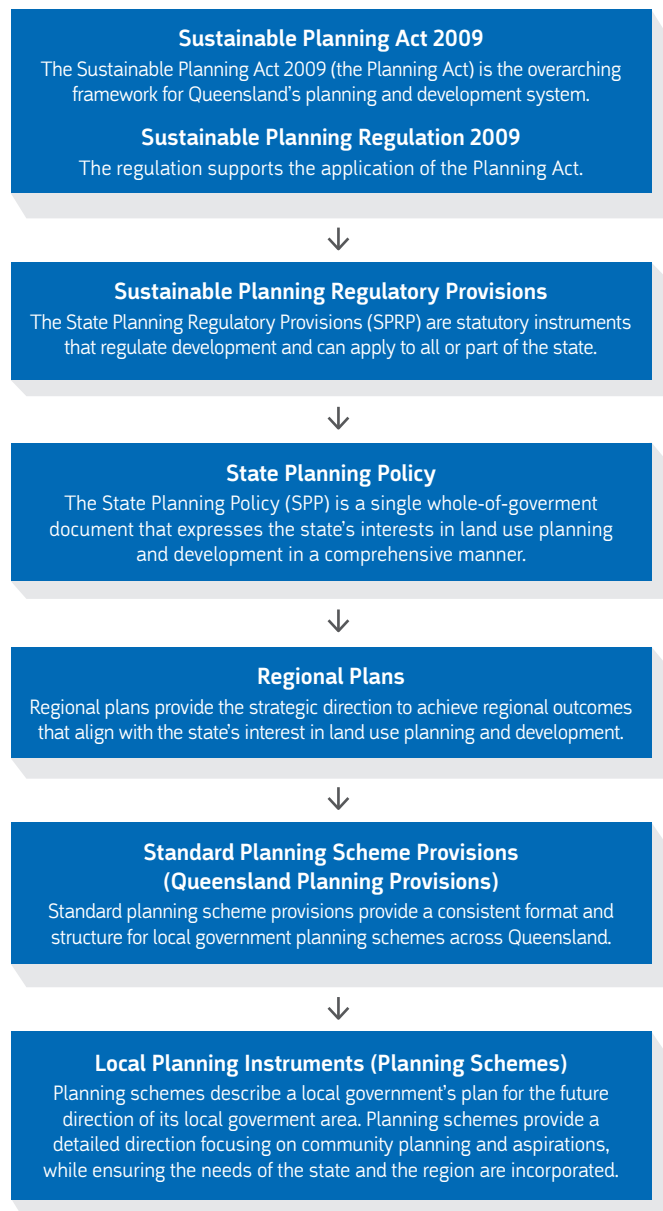


Figure 1: Queensland Government's New Planning Regulatory Framework

To properly capitalise on the State government policy intentions, local government planning schemes are required to demonstrate to the relevant body (e.g. the Western Australian Planning Commission) that protection of 'State Interests' has been appropriately captured in any new/amended planning scheme. A single SPP may assist in converting well-developed policy into achievable development assessment implementation.

PORT MASTER PLANNING

In addition to these new SPP measures, Queensland has released a new 'Queensland Port Strategy' which includes a mandatory requirement that master plans be prepared for Priority Port Development Areas (PPDAs).

As part of preparing a port master plan, corridor protection and 'beyond the port boundary' issues must be identified and addressed. This is aimed at ensuring heightened levels of alignment with external planning policy and regulations. Port master plans will help inform the practical implementation of the SPP and its protection of 'State Interests' relating to 'strategic ports' or 'strategic transport networks' (refer to Figure 2).



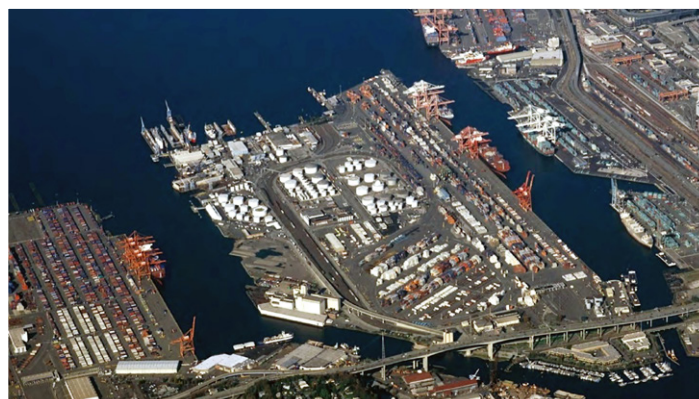
Figure 2: The Queensland Government has a mandatory requirement for the preparation of Port Master Plans which inform the SPP.

Port master plans must be prepared in accordance with a 'Statutory Master Planning Guideline' which is expected to be finalised in late 2014.

PORT OF MELBOURNE CASE STUDY: PORT ENVIRONS PLANNING FRAMEWORK

In May 2012 Victoria announced the introduction of new planning provisions to ensure Victoria's key ports (Melbourne, Hastings, Geelong and Portland) and surrounding environs are adequately protected to secure their ongoing productivity. These new planning protections acknowledge the key role of ports in supporting Victoria's economy and competitiveness.

These planning controls aim to better protect the operation and development of ports while protecting the amenity of residents and workers in adjoining communities. They also include (amongst a range of other statutory tools) 'transitional' land uses and particular zoning designations (an approach mirrored at the Port of Seattle). These controls respond to the dual pressures of greater development around ports and the growing freight task.



Port of Seattle: Source - Sprott Planning and Environment

The planning controls include:

- introduction of a new Port Zone, which emphasises the gateway role of trading ports;
- providing for Ministerial intervention to ensure that changes to planning schemes avoid sensitive land uses in locations impacted by ports;
- rezoning selected port environs sites in Footscray and Yarraville to avoid further sensitive developments occurring; applying an 'Environmental Significance Overlay' to selected precincts around ports, requiring that amenity considerations be assessed for development applications;
- revised State Planning Policy to acknowledge the significance of ports and clarify land use policy in the port environs; and
- a Planning Practice Note to provide guidance on land use planning around ports.

The significance of port zones and spatial areas is therefore recognised through the successive layers of the Victorian planning system. This will help elevate the importance of port areas and supporting infrastructure linkages when local planning schemes, structure plans and development applications are prepared and assessed.

APPROPRIATE LAND USES: SEATTLE CASE STUDY

The City of Seattle has taken a proactive approach to statutory land use planning in and around the Port of Seattle. A study was undertaken primarily in response to increasing economic prosperity and the need for resilience through improvements in the coordination of land use and transport planning systems.

Restricted floor area ratios for non-industrial activities have been introduced in and around the Port of Seattle to ensure 'a level of activity compatible with industrial activity'. These restrictions and the approach to land use planning in and around port/industrial areas are captured in a City Council publication Seattle's Industrial Zones ([link here](#)).

The intent of such restrictions is to reduce the impacts of non-port development and associated traffic in the immediate vicinity of the port, and to ensure better control on appropriate and compatible land uses close to operational port zones (both issues commonly faced at Australian ports).





Source: Fremantle Ports, July 2014

CREATING A DEDICATED SPP FOR WA

Based on the Queensland example, an SPP on protecting key State economic infrastructure could potentially be further investigated. The SPP could consolidate the existing policy and regulatory documents into one overarching policy, essentially uniting a range of criteria and guidance notes for developers and assessing officers. This could include guidance in the following areas:

- development assessment provisions;
- appropriate land uses, and the spatial distribution of these land uses, in local government planning schemes;
- the prevention and treatment of noise and vibration impacts;
- spatial identification of key sites and corridors;
- industrial separation buffers; and
- application of freight transport network plans.

A consolidated policy approach could assist in embedding the identification and protection of port and freight facilities within the regulatory framework, similar to the way this has been achieved in Queensland. The SPP envisaged here would be applied across the planning framework (refer to Figure 3)

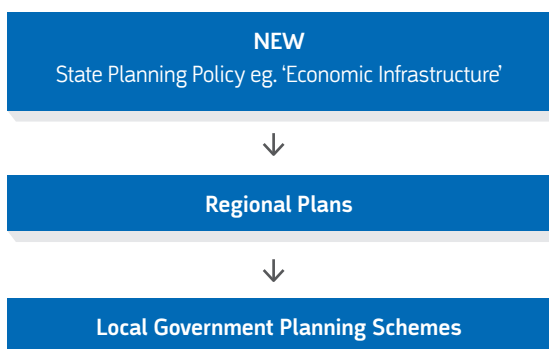


Figure 3: Suggested SPP relationship with Regional & Local Planning Schemes

The success of a dedicated SPP on protection of key State transport infrastructure would require rigor in corridor identification. The *Perth Freight Transport Network Plan* (anticipated for release later in 2014 by the Department of Transport) is expected to provide clear direction on transport planning, and on the need for strengthened protection of freight corridors and nodes. The FLCWA sees this document, as well as the revised *Implementation Guidelines for State Planning Policy 5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning* (presently being drafted by the Department of Planning), as critical input to any possible SPP on Economic Infrastructure.

The FLCWA understands the Infrastructure Coordinating Committee (ICC) of the WA Planning Commission (WAPC) has been examining whether existing policies and practices relating to the protection of corridors from encroachment and facilitating the establishment of multi-user infrastructure corridors need to be improved. The WAPC's *Infrastructure Corridors Issues Paper (April 2014)* ([link here](#)) recommends further investigation and evaluation of potential policy responses to the need to protect strategic corridors and sites.

Further information:

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REFERENCES:

Department of Transport, 2013. Western Australian Regional Freight Transport Network Plan.

Ports Australia & Sprott Planning & Environment, 2014. Leading Practice: Port & Supply Chain Protection...Current Practices & Future Opportunities

Ports Australia & Sprott Planning & Environment, June 2014. Leading Practice: Port & Supply Chain Protection: Follow-Up Discussion and Workshop