

**City of Greater Geraldton – Local Planning Scheme No. 1
Amendment No. 11 – Schedule of Submissions**

Number & Date	Submitter	Nature of Submission	Comment	Recommendation
1 (06-11-2020)	Private Landowner	Support. The Public Open Space opposite my property (the southern section of the corridor between Place and Eastward Road) is a great idea. Currently we have kids on motorbikes tearing up the gravel/dirt railway reserve on most weekend/weekdays which creates dust issues and noise pollution. Anything that would curb this behaviour is greatly appreciated. It would create a better buffer between residential area in Wonthella and industry areas to the east.	The rezoning and future development of the southern section of the corridor between Place and Edward Road to 'Public Open Space' will likely discourage antisocial behaviour. The City has already installed a number of bollards on the section of former railway corridor that sits between Flores Road and Bradford Street in order to control vehicle movements.	Note submission.
2 (06-11-2020)	Private Landowner	Support. Rezoning this portion of land (the northern section of the corridor between NWCH and Place Road) to light industry will allow us to develop and utilise the area. It will allow us to grow our business and employ more locals.		Note submission.
3 (06-11-2020)	Department of Communities	Communities' properties in the vicinity of Flores Road south of Place Road are considered likely to benefit from the proposed rezoning to Public Open Space and subsequent development at the liner open space provided is considered likely to improve the environment context and connectivity of the area. The amendment area provides an opportunity to continue the linear public open space north of Place Road rather than rezoning to Light Industrial as proposed. Extension of the public open space would provide further environmental linkages and potential walking/cycling connections with the southern part of the City for residential to the north. The opportunity to contribute to a legible, connected and safe movement network which improves connectivity for Communities' assets north of the Webberton industrial area. Communities would support extension of the Public Open Space northwards as it would improve walkability, providing for planned and incidental physical activity, including activity which supports	The City recognises that the northern portion of the rail corridor does present an opportunity to provide an additional pedestrian and cycle linkage from Wonthella through to the Beresford foreshore. This opportunity was explored by the City previously with a proposal to co-locate this linkage with a redevelopment of the adjacent CSBP site. The link would have tied in with a road network in order to address the community safety and business security concerns regarding developing the current corridor alignment. Unfortunately, the proposal did not progress. Given the interface concerns regarding the development of a path along this section of the alignment, and the alternative potential to develop the site with the adjacent 'Light Industry' land, on 22 March 2016 Council resolved to advise the Public Transport Authority it had no interest in the alignment.	Note submission.

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4 (16-11-2020)	Private Landowner	aging in place. Support. I support the rezoning of the former railway corridor (between NWCH and Place Road) to light industrial as it will enhance my business and developing it will be a positive thing for both the City of Greater Geraldton and ourselves. This piece of land is only accessible by ourselves as there is no road access to it.		Note submission.
5 (23-11-2020)	ATCO Gas	No objection to proposed Amendment 11 being formalised nor conditions to request for Section 1 being Lot 501 , the area between North West Coastal Highway and Place Road. ATCO requests that an Easement is provided at no charge to ATCO for gas pipeline purposes and registered against the proposed Reserve for Recreation over that area just north of Eastward Road (Section 2). A copy of the ATCO IBIS map for this area. Easements were not generally registered on government land by the State Energy Commission back when the High Pressure pipeline was installed and owned by the State of WA. Since the pipeline was privatised back in late 1999/2000, when changes in existing land tenure to State land are proposed by the State, the gas operator requests that an Easement is formalised to ensure ongoing access with any change in land use, that the land use change is compatible, and future owners/operators are aware of the High Pressure gas pipeline prior to development. The registration of an Easement highlights the existence of gas infrastructure and is in the best interests of community safety.	The applicant has been notified of the infrastructure within the site and of ATCO Gas comments. They have advised that appropriate easements would be required to allow for continued infrastructure servicing. This will be investigated during subsequent subdivision or amalgamation processes. All service requirements will be addressed at time of subdivision.	Note submission.
6	Private Landowner	Support.		Note submission.

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07-12-2020)		I fully support both rezoning as the former rail reserve is currently not being used and is neglected. Section 1 to Light Industry; supported as Council will be able to sell off; creates income for Council; businesses like ours would be able to purchase the adjoining land and expand our business and employ extra local staff. Section 2 to Distributor Road & Public Open Space; Supported as road traffic would flow better and families could use the open space.		
7 (15-12-2020)	Geraldton Mountain Bike Club (GMBC)	GMBC supports the rezoning of the area from Place Road to Eastward Road to District Distributor to Public Open Space as per the maps provided.		Note submission.
		GMBC does not support the rezoning of the 'Railways' local scheme reserve (Lot 501) from North West Coastal Highway (NWCH) to Place Rd to Light Industry zone. GMBC believes this parcel of land from NWCH to Eastward Rd would be best used as Public Open Space with some of the space developed as a Principal Shared Path (PSP) for walking and cycling. GMBC believes construction of a PSP through this area and with future connection through the railway land from NWCH to Chapman Rd would complement the recently constructed PSP along the Beresford waterfront development by allowing safe and convenient access to this infrastructure for people living in Wonthella, Rangeway, Strathalbyn, Woorree and other nearby areas and further activate this already popular attraction. GMBC champions and supports active, healthy lifestyles in the Midwest area and believes choosing active transport options such as walking and cycling is key in making exercise a daily part of people's lives.	The City recognises that the northern portion of the rail corridor does present an opportunity to provide an additional pedestrian and cycle linkage from Wonthella through to the Beresford foreshore. This opportunity was explored by the City previously with a proposal to co-locate this linkage with a redevelopment of the adjacent CSBP site. The link would have tied in with a road network in order to address the community safety and business security concerns regarding developing the current corridor alignment. Unfortunately, the proposal did not progress. Given the interface concerns regarding the development of a path along this section of the alignment, and the alternative potential to develop the site with the adjacent 'Light Industry' land, on 22 March 2016 Council resolved to advise the Public Transport Authority it had no interest in the alignment. As demonstrated in the City's Geraldton 2050 Cycling Strategy, east-west linkages do occur	Note submission.

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		Personal safety is a major reason people choose to take the car rather than engaging in an active transport option. The development of safe walking and cycling infrastructure in the City of Greater Geraldton will encourage more people to participate in active transport and leave the car at home. GMBC believes the rezoning of Lot 501 as Public Open Space will also encourage people's access to the Wonthella Eighth Street sports precinct via active transport means from surrounding suburbs. The City of Greater Geraldton will have the opportunity to rezone this unique piece of land for public open space only once. If this unique land is given over to private enterprise, the opportunity will be forever lost. The opportunity to further develop and nurture an active community. The opportunity to follow through on the City's commitment to becoming a Cycle City. The opportunity to promote an active, healthy lifestyle and all the community and health benefits that flow from that. The opportunity to do something really positive for Geraldton. GMBC urges the City to not rezone this unique parcel of land to Light Industry zone. We urge the City to open this land up for active use by the community.	through the area via the Place Road and Mark Street road alignments. There is also the added benefit of an intersection to allow NWCH to be crossed.	
8 (21-12-2021)	Department of Planning, Lands and Heritage (DPLH)	Thank you for your correspondence dated 3 November 2020 on City of Greater Geraldton Local Planning Scheme No. 1 Amendment No. 11 which was referred to the Heritage Council under the provisions of Section 79 of the Planning and Development Act 2005. The proposed Amendment has been considered for its potential impact on heritage places within the Scheme area and the following advice is given: 1. In July 2014 the Heritage Council supported the disposal of the subject land from State Government ownership and, the re-zoning of the land to 'light industry'. As part of this support, the	The PTA has had considerable prior consultation with the DPLH and the Heritage Council on the heritage implications of the site. The applicant has advised that they will continue to engage with the Heritage Council during the subdivision process to ensure future heritage interpretations of the rail corridor are addressed accordingly.	Note submission.

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		Heritage Council requested a set of guidelines to form part of the contract of sale be produced to guide the prospective owners wishing to acquire sections of the former railway corridor. The guidelines were to provide for visual connection and interpretation in the railway corridor. 2. In line with Heritage Council's previous advice, Design Guidelines and Interpretation Planning form part of the informing documentation prior to any further planning action being initiated. 3. The re-zoning of the portion of the subject land between Place Road (north) and Eastward/Horwood Road (south), Uta Karra, for the purposes of 'Public Open Space', is an encouraging response for heritage conservation as this space will provide opportunities for interpretation of the Geraldton to Walkaway Railway.		
9 (22-12-2021)	Holcim (Australia) Pty Ltd	Holcim operates a concrete plant (Holcim Australia – Geraldton) at 16 Flores Road, Uta Karra, which is an important and key supplier of concrete to Geraldton and the surrounding mid-west region. The proposed rezoning of the former railway corridor may affect the operation and continued supply of concrete from this site. The existing zoning of the site is currently Railway Reserve which Holcim understands would be rezoned to Public Open Space under the proposed amendment. Holcim's submission in regards to the proposed amendment is as follows in order of preference: 1. Object to the proposed rezoning	The City notes the objection raised by Holcim and understands that the proposal to rezone the portion of land from 'Railways' local scheme reserve to 'Public Open Space' may impact on the potential expansion of the business.	Note submission.
		2. Support the rezoning based on the following conditions of approval if the rezoning is passed by Council: 2a. Ability to operate and supply concrete by	In regards to Holcim's conditions on supporting the rezoning, the City can provide the following responses;	Note submission.

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		maintaining existing non-conforming use rights.	2a. Clause 3.19 of the City's Local Planning Scheme No. 1 does make provision for non-conforming uses and allows them to continue to operate. From a preliminary review, the Holcim development appears to comply with the requirements in order to be considered a non-conforming use.	
		2b. In the event that the land is transferred to the City of Greater Geraldton request that a lease be issued to Holcim for concrete batching.	2b. The PTA has not informed the City of any intention to transfer the leasehold land over and therefore the City is not in a position to make commitments in relation to this.	Dismiss submission.
		2c. Request that a Special Control Area – Concrete Batching is placed on the site.	2c. A special control area (SCA) is a statutory planning mechanism that can deal with specific issues by applying requirements on the development or use of land that overlaps zones, reserve and property boundaries. In some instances, an SCA is used to create buffers around certain uses i.e. waste water treatment plant. In this case, the landholdings which Holcim is sited upon are discrete land parcels. If the intention is to create a buffer around the site, more detail would need to be provided to ascertain a boundary. For these reasons, an SCA is not considered appropriate. It is likely that Holcim are requesting an 'additional use' to be placed over the proposed 'Public Open Space' local scheme reserve to enable the land use to continue unimpeded. The <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> model provisions allow for additional uses to be placed over local reserves along with conditions that apply to the land use.	Dismiss submission.

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			This portion of the former rail alignment is bounded by 'Public Open Space' local scheme reserve to the east and west, and has been designated as future 'Open Space' in the City's Local <i>Planning</i> Strategy. Given the surrounding land uses and the strategic intentions for the land, it is not considered appropriate to provide a statutory mechanism that supports long-term industrial land uses in the area.	
		2d. Request that future applications to replace or increase production to continue to supply concrete to Geraldton and the surrounding region are granted. The increase in production would be commensurate with a growing population/industry.	2d. As advised above, if the land is rezoned to 'Public Open Space' local scheme reserve the land use will likely be considered a 'non-conforming use'. All changes to 'non-conforming uses' are assessed in accordance with cl. 3.20 of Local Planning Scheme No. 1 which states: <i>A person must not, without development approval:</i> <i>a. alter or extend a non-conforming use of land; or</i> <i>b. erect, alter or extend a building used for, or in conjunction with, a non-conforming use; or</i> <i>c. repair, rebuild, alter or extend a building used for a non-conforming use that is destroyed to the extent of 75% or more of its value; or</i> <i>d. change the use of land from a non-conforming use to another use that is not permitted by the Scheme.</i> ... <i>A local government may only grant development approval for a change of use of land referred to in clause 3.20.1(d) if, in the opinion of the local government, the proposed use:</i>	Dismiss submission.

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			a. <i>is less detrimental to the amenity of the locality than the existing non-conforming use; and</i> b. <i>is closer to the intended purpose of the zone in which the land is situated.</i> The objective of the 'Public Open Space' local scheme reserve is to 'set aside areas of public open space and provide for a range of active and passive uses'. Considering the objectives of the local scheme reserve, it may be unlikely that the City would support intensification of the if it was considered to be more detrimental to the amenity and further from the intended purpose of the land. Given this, the City is unable to commit to Holcim's request to support future increase in production at t he site.	
		Holcim reiterates again that the site is an important and key supplier of concrete to Geraldton and the surrounding mid-west region. If the proposed rezoning affects the site's ability to operate, this may affect supply of concrete to City of Greater Geraldton's development strategy and the residential, commercial and industrial sectors.	The City notes the comments and concerns raised by Holcim and understands that the proposal to rezone the portion of land from 'Railways' local scheme reserve to 'Public Open Space' may impact on the potential expansion of the business.	Note submission.