

1 July 2025

Our Ref: C2281-02

Chief Executive Officer  
Shire of Northam  
PO Box 613  
NORTHAM WA 6401

**Attention: Chadd Hunt – Executive Manager Development Services**

**RE: PROPOSED HYDROPONIC GROWING FACILITY (UNLISTED USE)  
LOT 881 (#239) YILGARN AVENUE, MALABAIN (SHIRE OF NORTHAM)**

Hidding Urban Planning acts for Procon Developments (Australia) Pty Ltd, owner of Lot 881 (#239) Yilgarn Avenue, Malabaine (Shire of Northam) in the matter of a proposed Hydroponic Growing Facility in the new AvonWest industrial estate being progressed on the subject land.

## 1.0 INTRODUCTION

Subdivision Approval was granted by the Western Australian Planning Commission (WAPC) on 15 November 2024 for a first stage super-lot subdivision for AvonWest that would initially enable earthworks, road construction and large lot areas that are intended for re-subdivision under future subdivision stages (WAPC Ref 200673).

AvonWest will be a premier 62-hectare logistics estate strategically positioned as one of the most well-connected centers outside of the Perth CBD. Designed to seamlessly integrate with both interstate rail freight networks and Restricted Access Vehicle (RAV7) road networks, AvonWest will be the gateway to efficient and expansive transportation solutions across Western Australia.

The AvonWest industrial project is expected to significantly contribute to the region's economic growth. By attracting large logistics and associated companies and facilitating increased commerce, the project will create thousands of jobs, both directly within the logistics facilities and indirectly through the supply chain and associated services.

Construction of the first stage super-lot subdivision has commenced, with earthworks occurring on the site.

A copy of the WAPC Subdivision Approval is included at **Annexure 1**.

As the development cost of the project is \$3m, this application is being submitted as an opt-in Development Assessment Panel (DAP) Application, to be determined by the Regional DAP.

Application Forms are attached to this application and are authorised by the landowner.

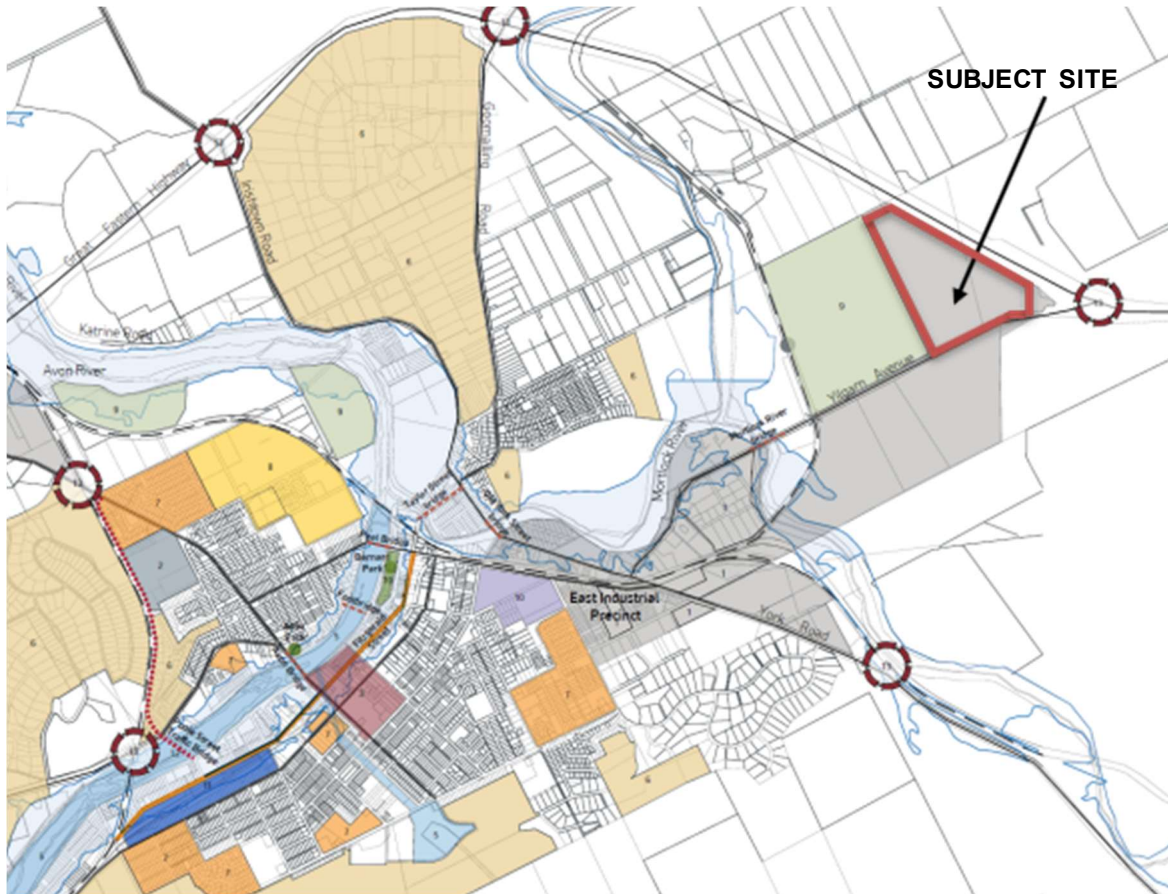
## 2.0 SITE DETAILS

The site at Lot 881 (#239) Yilgarn Avenue, Malabaine is a 62ha site which has been approved for an industrial subdivision for the AvonWest estate.

The land is located approximately 103 km northeast of Perth and has frontage to Great Eastern Highway on its north-eastern side and Yilgarn Avenue on its southern side.

The subject land is shown in **Figure 1** Location Plan below in the context of the Northam townsite.

Lot 881 is currently vacant but contains the existing Road Train Assembly facility which is currently leased to Main Roads WA (MRWA).



**Figure 1: Location Plan**

Lot 881 land rises from approximately 165-170m AHD along the western boundary of the site to approximately 200m AHD at the most eastern point of the site, adjacent to the existing Roadhouse on Lot 860. A small part of the site rises to 215m AHD (eastern part of the site). The contours of the land are being modified through the approved subdivision to create new industrial lots and roads.

An Aerial Photograph of the subject land and its surrounds is included at **Figure 2**, below.

A Certificate of Title for the subject land is included at **Annexure 2**.



**Figure 2: Aerial Photograph**

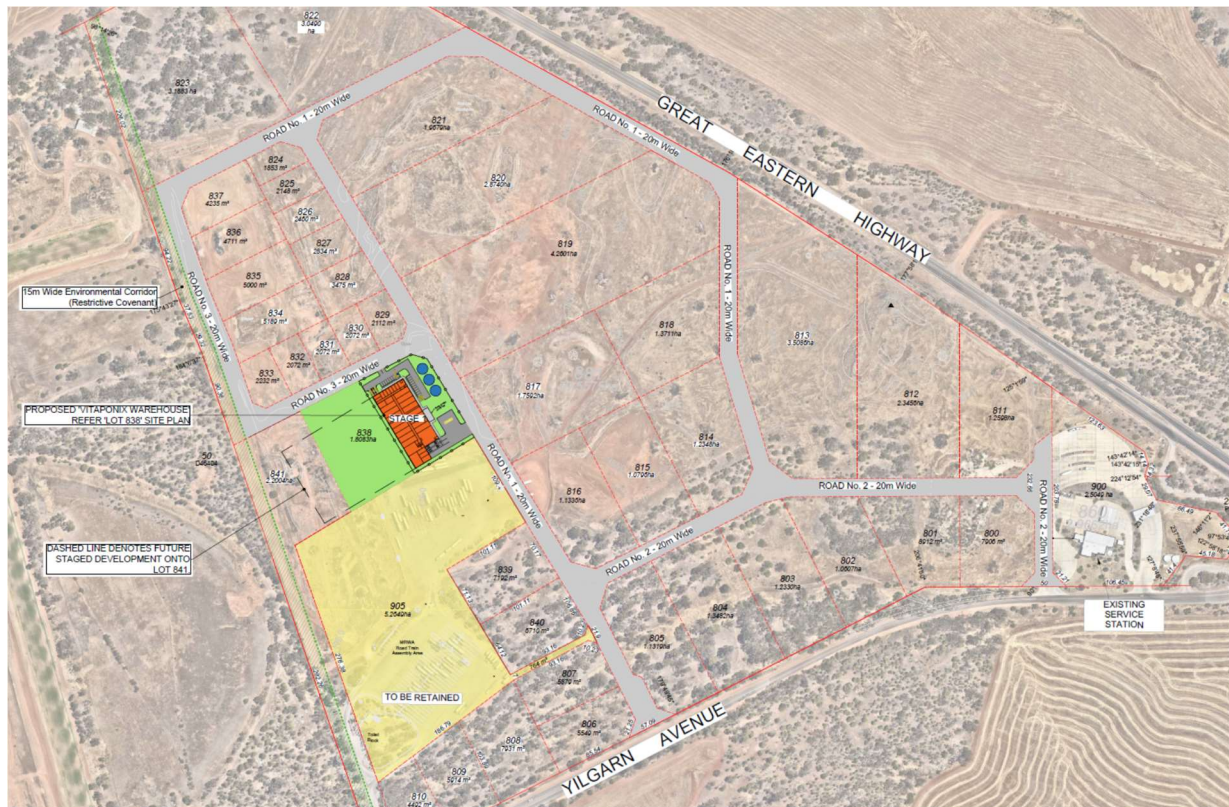


### 3.0 PROPOSED DEVELOPMENT

The proposal is for a Hydroponic Growing Facility to be operated by Vitaponix. Vitaponix grows and packages high quality nutrient products to provide to various industries and businesses. Vitaponix nutrients are used in various settings, from large-scale operations to smaller, more localised set-ups.

The proposed Hydroponic Growing Facility is proposed on future Lot 838 in the AvonWest estate which will be 1.8083ha in area and comprises a corner lot. The lot will be created through a soon-to-be-submitted subdivision application.

The location of future Lot 838 in relation to the AvonWest estate masterplan is captured below at **Figure 3**.



**Figure 3: Future Lot 838 in relation to AvonWest Masterplan**

The proposed Hydroponic Growing Facility will comprise a 3299m<sup>2</sup> building, loading docks and supporting car parking areas, water tanks and perimeter fencing, set in landscaped grounds.

Plans of the proposed facility are included at **Annexure 3**.

The building itself will comprise a series of growing rooms, drying rooms, storage area and warehouses for packaging. The facility will have loading docks for receipt of organic material for use in the facility, as well as dispatch of materials grown and packaged at the facility, for distribution elsewhere. An administration/office area will occur on the upper level, comprising a waiting room, a series of offices, boardroom, kitchen/dining area and toilets.

The building will be constructed using tilt up concrete panels, to a maximum height of 9.00m.

The main façade of the building facing north towards the future subdivisional road will comprise painted concrete panels, windows, timber cladding, signage areas and an expressed fascia around the main entry windows and doorway, as well as around the north facing roller door dock area.

The eastern elevation of the building facing the other subdivisional road will comprise concrete panels, with a painted texture finish pattern and signage areas.

3x 300,000L rainwater tanks are proposed in the eastern part of the site and will sit 2.90m above ground. The water will be used in the facility for growing purposes.

A staff and visitor car park is proposed on the northern and eastern sides of the building, with a total of 18 car parking bays available, which would exceed the intended parking need at present time, but enables future expansion plans to be accommodated (which would be subject to a separate application). The expansion of the facility is indicated on the Development Plans.

The entire facility will be security fenced using 2.40m high mid steel anti-climb fence, with gates to driveway and loading areas.

The facility will have a large setback of 19.57m to the future subdivisional road on the northern side of the site, and a 33.995m setback to the future subdivisional road on the eastern side. Large areas of landscaping are proposed in the setback areas and a Landscaping Plan has been prepared – refer **Annexure 4**.

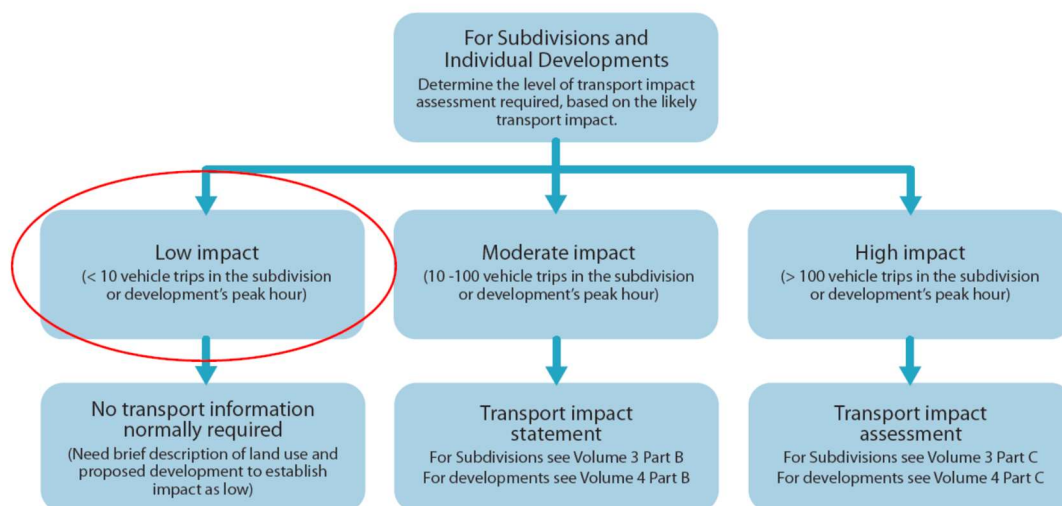
Approximately 90% of waste produced would be organic in nature and will be directed to the AvonWest estate's Waste Water Treatment Facility on future Lot 837 for processing. It should be noted that the Regional DAP recently approved the Waste Water Treatment Facility on future Lot 837 (DAP/25/02881 – approved on 1 July 2025). The remaining 10% of waste will be general waste, which will be taken off site by a private waste contractor as needed.

The site will have low staff attendance, with approximately 6 staff on site at any one time, with an occasional sub-contractor attending during the course of the day, however this is infrequent. The operating hours of the facility will generally be 9:00am to 5:00pm on normal business days.

The anticipated number of truck movements to the site for the purposes of delivering material for use in the facility will be low; approximately 2 deliveries per week by a 19.0m vehicle (semi). Similarly, the number of dispatch deliveries out from the facility will be low; approximately 7 dispatch movements per week from the facility by a dispatch van.

9m service vehicles and vans will be using the northern loading dock. Larger 19m vehicles will be using the larger loading dock at the southern end of the facility, with space on site for reversing manoeuvres.

Given the low number of staff and low number of vehicle/truck movements to the site, there is no requirement to prepare a Transport Impact Statement, as the proposal is considered 'Low Impact' in respect of the WAPC *Transport Impact Assessment Guidelines – Volume 4 Individual Developments*, as noted below (extract from the Guidelines).



Technical information, plans and relevant information for the proposed Hydroponic Growing Facility are attached as follows:

- **Annexure 3** – Development Plans
- **Annexure 4** – Landscaping Plan
- **Annexure 5** – Stormwater Management Plan
- **Annexure 6** – Bushfire Management Plan (prepared for the AvonWest subdivision)



## 4.0 PLANNING CONSIDERATIONS

### 4.1 Shire of Northam Local Planning Scheme No. 6

#### 4.1.1 Zoning

Lot 881 is zoned “Light & Service Industry” in the Shire of Northam Local Planning Scheme No. 6 (LPS 6).

The subject land has frontage to Great Eastern Highway which is a “Regional Road” Local Scheme Reserve under LPS6. The subject land has frontage to Yilgarn Avenue which is a “Major Road” Local Scheme Reserve under LPS6 (refer to Zoning Map below at **Figure 4**).



Figure 4: Zoning Map

#### 4.1.2 Zone Objectives

Objectives of the Zones are included at Clause 3.2 of LPS 6.

The Objectives of the “Light & Service Industry” zone are as follows:

- *Provide for a range of light and service industries, wholesale sales, warehouses, showrooms, trade and services which, by reason of their scale, character and operational or land requirements, are not generally appropriate in or cannot conveniently or economically be accommodated in the commercial or mixed use zones.*
- *Provide for light and service industrial activities and associated uses that are compatible and acceptable in close proximity to rivers and residential areas.*
- *Encourage and facilitate employment-generating development which will contribute to the economic and social well-being of the Shire.*

#### 4.1.3 Land Use

Having reviewed the land uses in the Shire of Northam planning scheme, it is clear to us that the proposed Hydroponic Growing Facility does not neatly fit within any of the defined use classes under LPS6.

Accordingly, the proposed Hydroponic Growing Facility should be considered specially as a Use Not Listed, which is able to be considered in the Light and Service Industry zone as an activity capable of approval.

Pursuant to Clause 3.4.2 of the scheme, “If a person proposed to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may –

- a) *Determine that the use is consistent with the objectives of the particular zone and is therefore permitted;*
- b) *Determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 64 of the deemed provisions in considering an application for development approval; or*
- c) *Determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted."*

In considering the above, it is our view that the use **IS** consistent with the objectives of the zone and is therefore permitted, or otherwise, at a minimum, **MAY BE** consistent with the objectives of the zone and can be considered following advertising of the application.

Either way, it is considered that the proposal is capable of approval in accordance with either part (a) or part (b) of Clause 3.4.2 of LPS6.

Responses against the three objectives, are set out below.

1. The proposed development is an industrial activity which is complementary to normal light and service industry uses able to be developed in the AvonWest estate and is considered to fully meet the first zone objective.
2. The proposed development provides an industrial activity that is compatible with AvonWest estate and is acceptable to be located on the site on which it is proposed. It will have no impact on residential areas or river environs and 90% of waste will be discharged to the approved Waste Water Treatment Facility. Accordingly, it is considered that the proposed development complies with the second zone objective.
3. The proposed development will contribute to the AvonWest industrial estate as a light industrial activity, offering further employment opportunities and providing nutrient products to the Northam region. This is considered to fully meet the third zone objective.

#### 4.1.4 Development Standards

Table 2 of Clause 4.5 of LPS6 sets out the site and development standards for all zones which may be varied by the local government at its discretion to suit any specific requirements.

Table 2 of LPS6 sets out the following standards:

Table 2 Provision	Proposed
7.5m front setback	19.57m main front setback to northern future Road No. 3  33.995m to secondary road (as per CI 4.18)
7.5m rear setback (not applicable, per CI 4.18)	n/a
4m side setbacks	4m side setback achieved
10% landscaping area	The future lot will be 1.8083ha in area. A 10% landscaping requirement is 1808.3m <sup>2</sup> .  The proposed landscaping area is 11780m <sup>2</sup> , however this area includes the future expansion area which will only be landscaped using hydroseeded native grass. The main landscaping areas around the proposed building will be comprehensively landscaped in accordance with the Landscaping Plan at Annexure 4.  In any event, the 10% landscaping area will be achieved.

Any of these standards are able to be varied in accordance with Clause 4.6 'Variations to Site and Development Standards and Requirements' of LPS6, however no variations are required.

A number of other relevant development standards are set out in subsequent parts under Part 4 of LPS6, including the following:

Other Provisions	Proposed
Two Storey Height or 9m to highest point	9m proposed height - complies
Car Parking for Use Not Listed As determined by local government after considering the parking needs generated by the use	The parking needs are essentially to accommodate staff, of which (presently) there will be only 6-7 people. 18 car parking bays are proposed to cater for staff and allowing future expansion to occur.
Cl 4.28.3 Minimum standard fence 1.8m high to a maximum of 2.4m high link mesh fence	Development site contained by 2.4m high link mesh fence and sliding automatic gates.

Clause 4.17 of LPS6 applies, which speaks to requirements for a development proposal fronting an unconstructed road. The proposed development will have access to a future subdivisional road, however a subdivision application to create this road has not yet been approved. Clause 4.17 provides the ability for the Shire to recommend a condition which could effectively restrict operation of the facility to the time when the proposed Subdivisional Road is constructed (being a possible arrangement to ensure permanent access, per the terms of cl 4.17(c)).

Clause 4.18 of LPS6 applies, which requires development on a lot with more than one street frontage to comply with a front setback requirement (7.5m) to all street frontages, and that the remaining boundaries should be treated as side boundaries for the purposes of the Table 2 setback requirements (being a 4m setback requirement). These are complied with.

Clause 4.28 of LPS6 applies which relates to development standards for the Light & Service Industry zone. Clause 4.28.2 states that, *"Where a comprehensive reticulated sewerage system is not available to a proposed development or use in the General Industry or Light & Service Industry zones, the local government may grant development approval which permits on-site effluent disposal provided such usage does not generate a daily volume of wastewater exceeding 540 litres per 2,000m<sup>2</sup> of lot size and site conditions are suitable for on-site effluent disposal."* Reticulated sewerage is not available to the AvonWest estate, however the Regional DAP has recently approved the use of a private Waste Water Treatment Facility to service the AvonWest estate, so the proposed development will be connected to that facility.

Clause 4.31 of LPS6 applies which relates to amenity of non-residential development. The provisions require the form and scale of development to be compatible with surrounding uses and to ensure quality materials are used. The proposed development has been designed using painted concrete panels, timber cladding features, expressed fascias, glazing areas and industrial roller doors, which will be similar in design to other industrial developments that are intended for the AvonWest estate. Accordingly, it is considered that the proposed development will be compatible with surrounding uses in terms of its design.

Clause 4.38 of LPS6 sets out Additional Requirements that apply to the subject land, as referenced in Table 4 of LPS6. The Additional Requirements sets out a need to prepare an Environmental Management Plan addressing the establishment of a 15m wide vegetation corridor adjacent to the full length of the western property boundary of Lot 881. As part of the Subdivision Application that was approved, this Environmental Management Plan was prepared and submitted to the Shire and was supported. It will be implemented during the course of the creation of the subdivision.

Further, a setback requirement of 22.5m from the western boundary of Lot 881 applies under Table 4. The proposed development is well outside of the 22.5m setback from the western property boundary of Lot 881.

## 4.2 Local Planning Policy 17 – Industrial Development

The proposed development has been designed generally in accordance with the requirements of the Shire's Local Planning Policy 17 – Industrial Development (**LPP17**) and aligns with the following general requirements:

- Part 1 of the policy has been considered, as follows:

- Development constructed using high quality materials, particularly those facing streets.
  - Secondary street facing façade design and constructed using similar architectural quality as the primary street façade.
  - Long windowless facades have been avoided where they face public streets, and where there are windowless areas, painted texture features and signage is proposed to break up the expanse of wall.
  - Use of different materials, colours, textures and features (such as expressed fascias) are proposed to provide additional interest and prominence.
  - Zincalume and reflective materials are not proposed.
  - Parapet walls are not proposed, so no consideration of parapet walls for this development is not applicable.
- There is no variation to building setbacks, so Part 2 of the policy is not applicable.
  - There is no caretaker's dwelling, so Part 3 of the policy is not applicable.
  - One crossover per street frontage is proposed, enabling efficient and safe vehicle movement, and separation of heavy vehicles from standard vehicles. All vehicles can enter the street in forward gear, in compliance with Part 4 of the policy.
  - Car parking is proposed in accordance with Part 5 of the policy.
  - Fencing is proposed in accordance with Part 6 of the policy.
  - No outdoor storage areas are proposed, in accordance with Part 7 of the policy.
  - A Landscaping Plan is included with our application, in accordance with Part 8 of the policy.
  - All effluent will be directed to the approved AvonWest Waste Water Treatment Facility, and this will comply with the requirements of Part 9 of the policy.
  - Use of second-hand materials is not being proposed, so Part 10 of the policy is not applicable.
  - A Stormwater Management Plan is included with our application, in accordance with Part 11 of the policy.
  - Advertising signage will be subject to a separate application, however nominal signage areas have been proposed. The separate signage application will address compliance with the Shire's Advertising Signage Policy, in accordance with Part 12 of the policy.
  - Part 13 of the policy (relating to the Avon Industrial Park) is not applicable.
  - All requirements of Part 14 of the policy relating to the Avon Logistics Hub (which is now called AvonWest) are complied with, including matters relating to parking and access.

Accordingly, the proposed development complies with the requirements of the Shire's Local Planning Policy 17 - Industrial Development and warrants approval accordingly.

#### 4.3 SPP3.7 Planning in Bushfire Prone Areas

Parts of Lot 881 is identified as being within a designated bushfire prone area on the Department of Fire and Emergency Services (DFES) *Map of Bush Fire Prone Areas 2019* (refer **Figure 5**).

A Bushfire Management Plan (BMP) was prepared by Bushfire Prone Planning in relation to the subdivision application and is included at **Annexure 6**.

It is expected the estate will be developed and managed to ensure a low bushfire threat state.

With the clearing of vegetation on the land now completed to enact the subdivision approval, the bushfire risk has reduced further.





**Figure 5: Map of Bushfire Prone Area (DFES)**

The development area associated with this application is actually located outside of the mapped Bushfire Prone Area, so no further bushfire reporting is required.

## **5.0 CONCLUSION**

This application proposes a Hydroponic Growing Facility, being a suitable light industrial activity to be located in the new AvonWest estate at 239 Yilgarn Avenue, Malabaine. The facility is proposed on future Lot 838 in the estate.

The proposed use, considered as a Use Not Listed, is appropriate for the site and is able to be considered in accordance with the provisions of Clause 3.4.2 of the Shire of Northam LPS6, as a compatible use in the Light & Service Industry zone.

The proposal complies with the Development Standards of LPS6 as well as the requirements of the Shire's Local Planning Policy 17 – Industrial Development.

We therefore respectfully seek the Shire's support and to recommend approval to the Regional Development Assessment Panel (DAP) with appropriate conditions.

Should you have any queries, please do not hesitate to contact Nik Hidding on 0424 651 513.

Yours Faithfully

A handwritten signature in black ink, appearing to read 'Nik Hidding', written in a cursive, flowing style.

Nik Hidding  
Director

**HIDDING URBAN PLANNING**