



Statutory Planning Committee

Agenda Attachments

Tuesday 8 November 2016



ITEM 9.1

Proposed Subdivision Lot 64 Vernon Place, Padbury

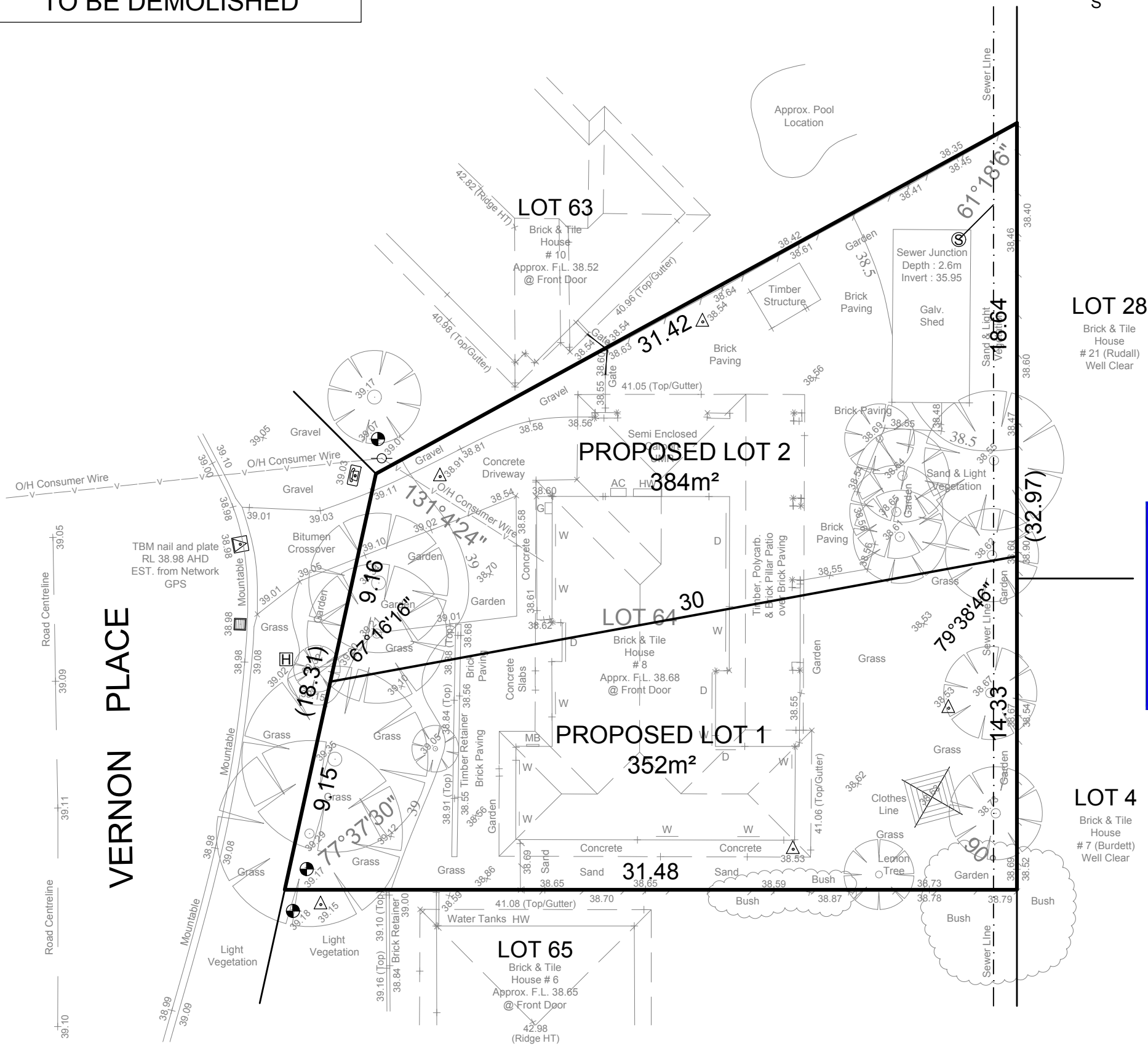
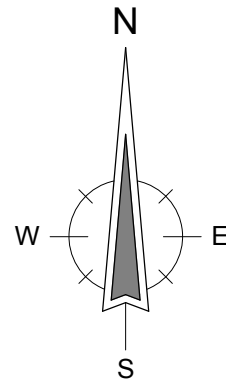
PROPOSED TWO (2) LOT GREEN TITLE SUBDIVISION Op1

CLIENT: DARRYN JONES

SUBJECT TO
WAPC CONDITIONS.
SEE FINAL STRATA-PLAN
OR DEPOSITED PLAN

TOTAL SITE CLEARANCE

ALL EXISTING STRUCTURES
TO BE DEMOLISHED



| DATE | FILE |
|------------|--------|
| 16/05/2016 | 153672 |

I,
the client/s of Vision Surveys recognise this plan as the proposal to be
submitted to the department of planning and infrastructure for a . . . Lot
Survey Strata / Built Strata / Green Title subdivision and agree to the
terms and conditions of this plan's use.

Client Signature/s
Date

RCODE ZONING: R20/R40

TOTAL AREA: 736m²

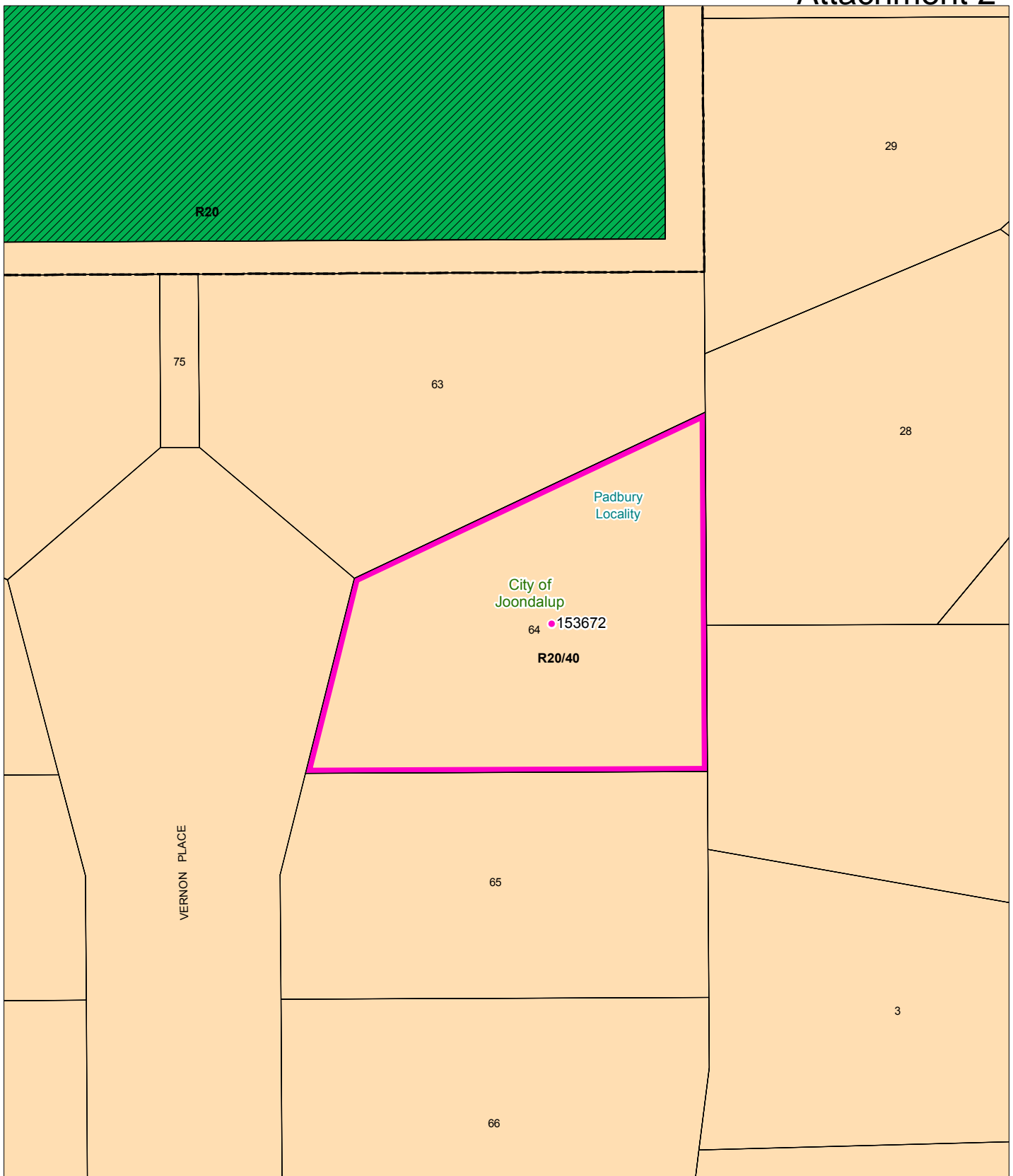
Licensed & Engineering
Surveyors
Land Development
Consultants
Project Managers

Title
Proposal to the WAPC for the creation of
TWO (2) GREEN TITLE LOTS AT
LOT 64 (8) VERNON PLACE
PADBURY

TEL (08) 6144 0000 FAX (08) 6144 0099
59 SCARBOROUGH BEACH RD,
SCARBOROUGH WA 6019
Email: info@visionsurveys.com.au

| | |
|--------------|-----------------------|
| Level Datum | AHD(Approx.) |
| Scale | 1:200 |
| Date | 14/04/2016 |
| Dwg Ref | Vernon Pl 8 Padbury P |
| Surveyor | Stuart Colam |
| Drafter | Taylah-beth Smith |
| Job # | 5263 |
| Sheet 1 of 1 | A3 |

- BOUNDARY POSITION CANNOT BE VERIFIED DUE TO LACK OF SURVEY MARKS/PEGS. ALL BUILDING DIMENSIONS & FEATURES ARE APPROX. ONLY. BOUNDARY POSITIONS HAVE BEEN TAKEN FROM BUILDINGS, FENCING, RETAINING WALLS AND OTHER TYPICAL FEATURES LOCATED ON THE BOUNDARY WHICH MAY NOT BE ON THE CORRECT ALIGNMENT AND ARE TO BE VERIFIED WHEN REPEGGED.
- BEFORE ANY WORK IS STARTED ON SITE OR PLANS ARE PRODUCED BY DESIGNERS/ARCHITECTS, THE BOUNDARIES MUST BE REPEGGED AND EXACT OFFSETS MEASURED TO EXISTING STRUCTURES AND FENCING.
- VISIONS SURVEYS ACCEPTS NO RESPONSIBILITY FOR ANY CHANGES TO THE PARCEL OR PORTION OF THE PARCEL OF LAND SHOWN ON THIS SURVEY INCLUDING BUT NOT LIMITED TO ANY ADJOINING NEIGHBOURS LEVELS AND FEATURES THAT HAVE OCCURRED AFTER THE DATE ON THIS SURVEY.
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Location Plan for: Subdivision Application

This data is to be used only for the processing of a
Subdivision Application

Application Number: **153672**




Decision: **Outstanding**

Printed: **16/05/2016**

Application Status

 Outstanding



Existing LPS Zones and Reserves

 R Code boundaries
 Parks and recreation
 Residential

Easements and Referrals

Region Scheme Reserves

Localities & Local Government Boundaries

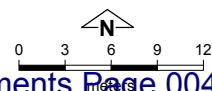
 Local government boundary
 Locality



Department of
Planning



Western
Australian
Planning
Commission



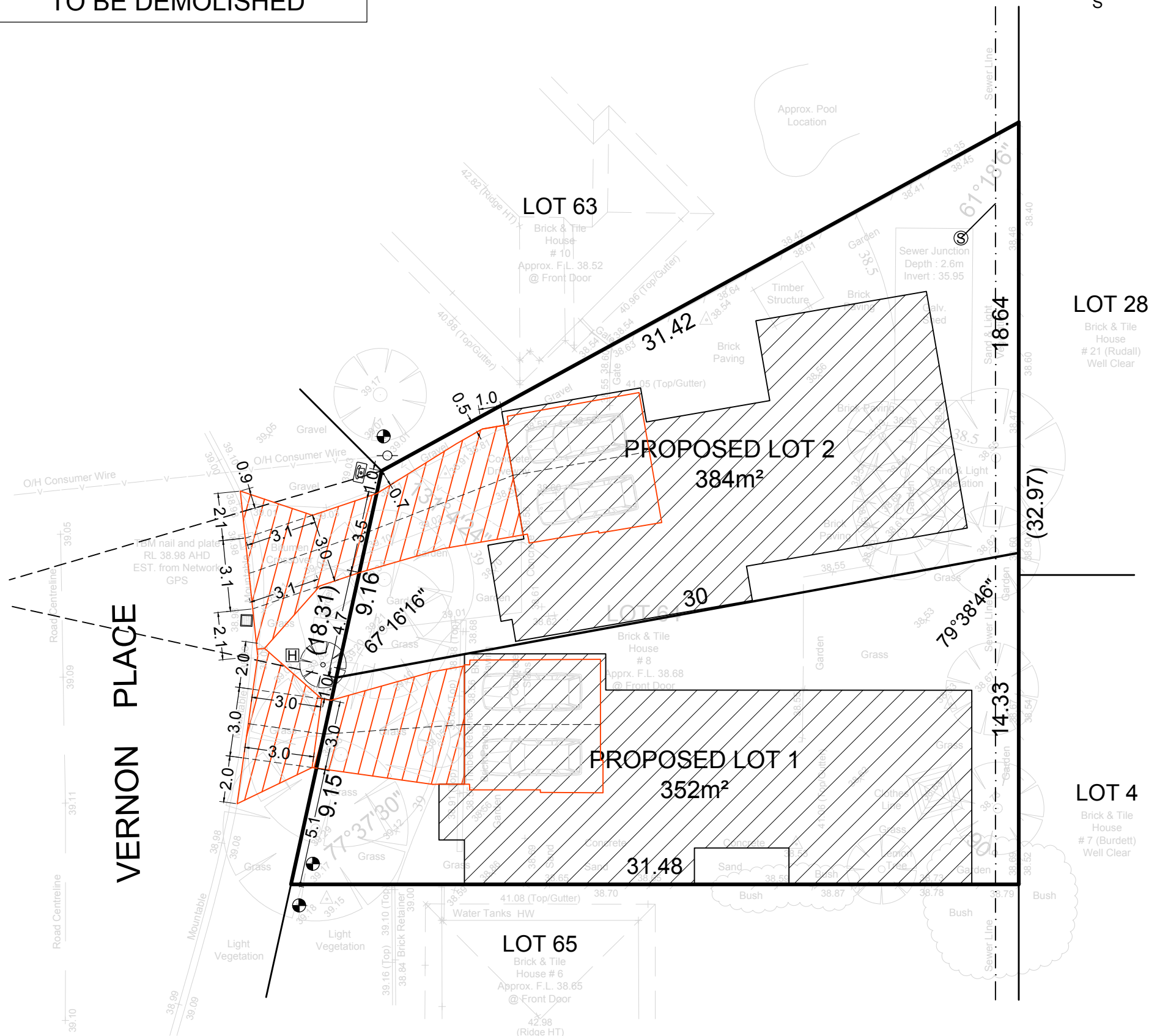
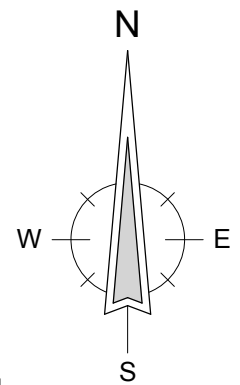
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ITEM 9.2

**Structure Plan – Lots 512, 1444 1732 and portion of Lot 556
Athol Street, Port Hedland – Request for Final Approval**



LEGEND

STRUCTURE PLAN
BOUNDARY

LOCAL SCHEME RESERVES

OTHER PUBLIC PURPOSES
WDT WASTE DISPOSAL AND TREATMENT

PARKS AND RECREATION

ZONES

RESIDENTIAL

COMMERCIAL

OTHER

R20 R CODES

NEIGHBOURHOOD
CONNECTOR

STRATEGIC DRAINAGE
ROUTES

Plan 1: Structure Plan



Figure 6: Masterplan



Figure 2: Location Plan



Figure 3: TPS5 Zoning Plan

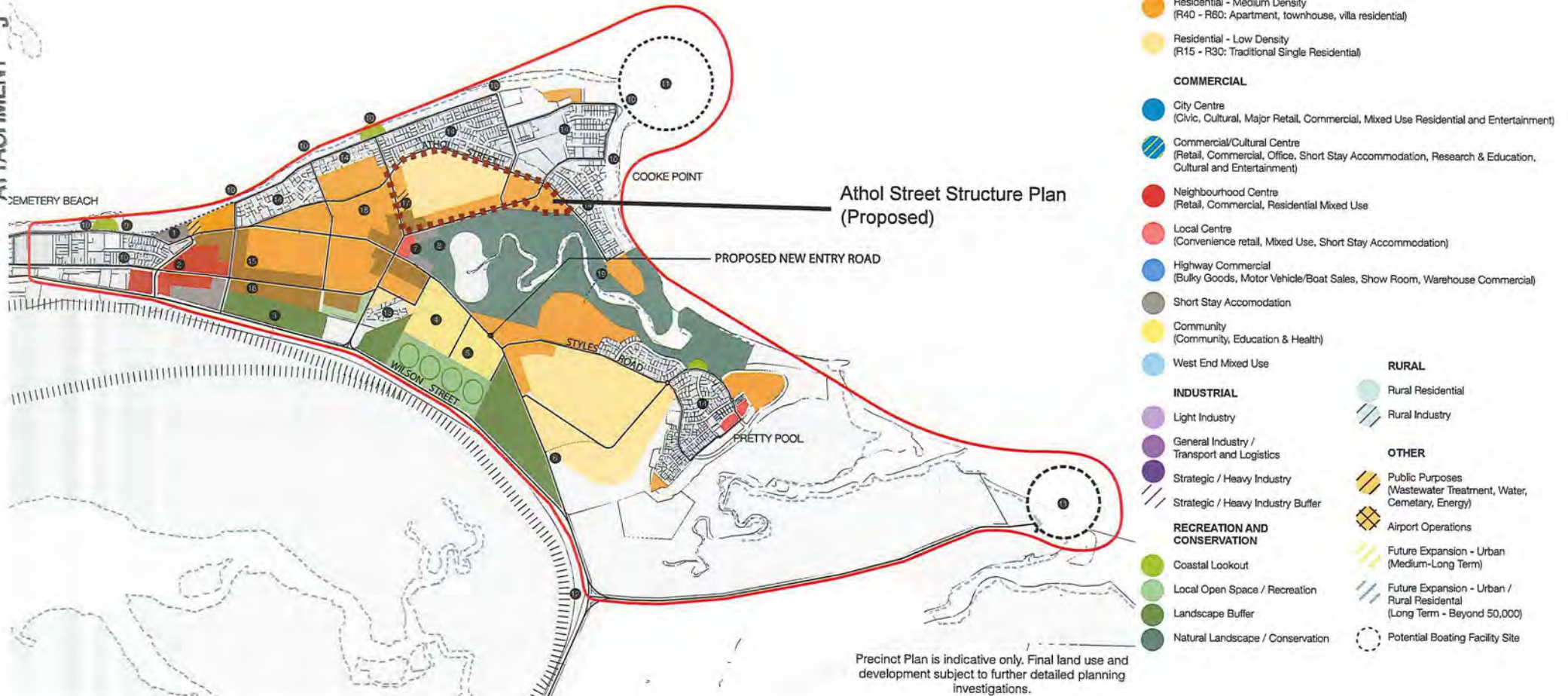
Precinct Highlights

1. Mixed use/short stay iconic development site.
2. Neighbourhood centre providing primary Port Hedland mixed use/retail opportunities.
3. Setback to rail corridor subject to detail investigation, incorporating district recreation.
4. High School.
5. Primary School.
6. New entry road with direct connection to coastal drive.
7. Local convenience shopping/cafe/restaurant with 'mangrove experience'.
8. Short-stay accommodation next to mangrove environs.
9. Coastal drive (slow speed environment).
10. Coast park/lookout.
11. East End coastal access opportunities (subject to detailed investigations of public safety and impacts on coastal environment, in consultation with industry, environmental agencies and local stakeholders).
12. Upgraded access to/from Wilson Street.
13. Existing community retained and integrated with surrounding residential development.
14. Opportunities for density increases.

15. Development to recognise historic past through links to racecourse and former airfield.
16. Future relocation of racecourse to facilitate development.
17. Future waste water pumping station site.
18. Existing Waste Water Treatment (WWTP) site to be decommissioned (no residential occupation within 500m until decommissioned).
19. Potential pedestrian/cycle link

5

ATTACHMENT 5



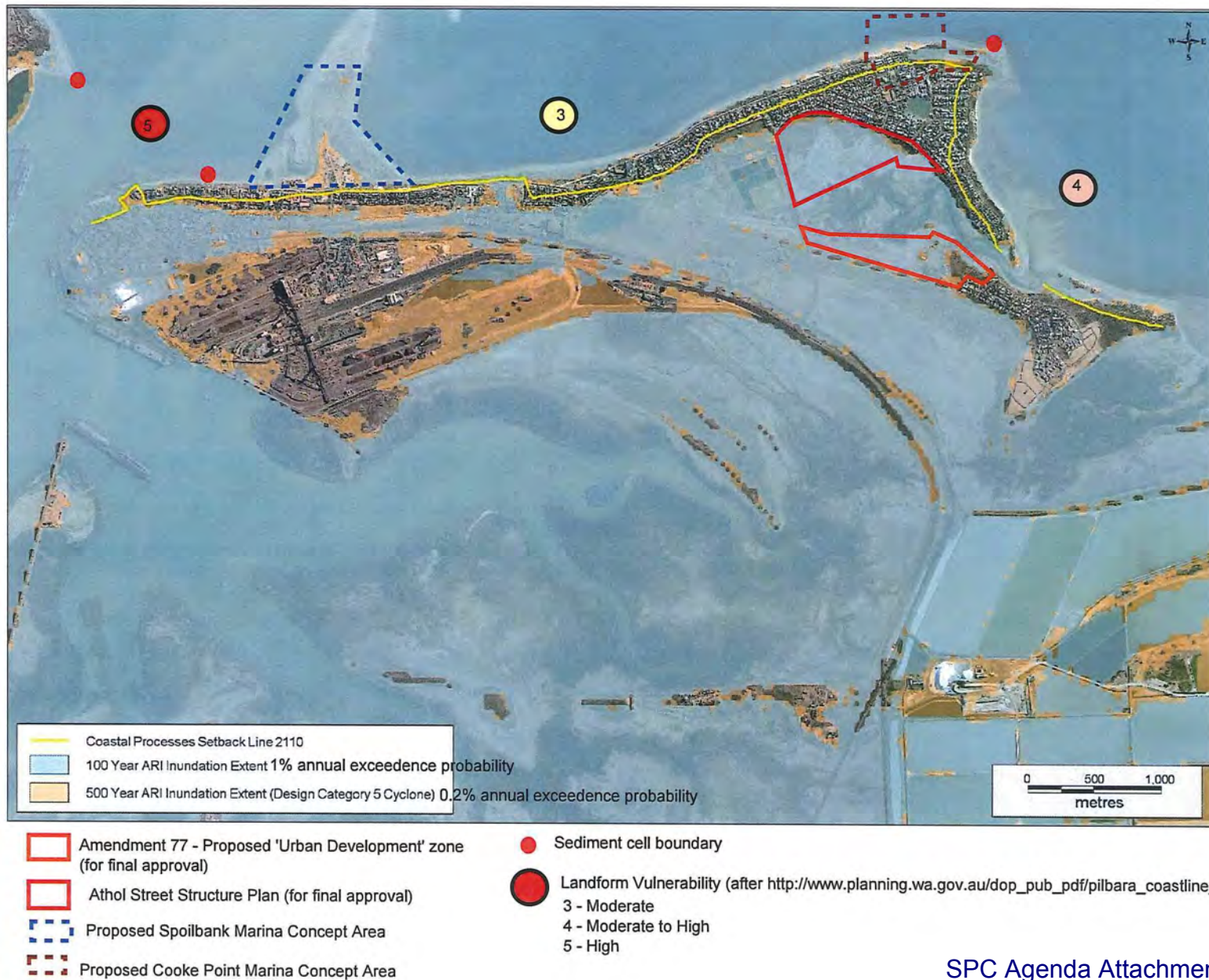
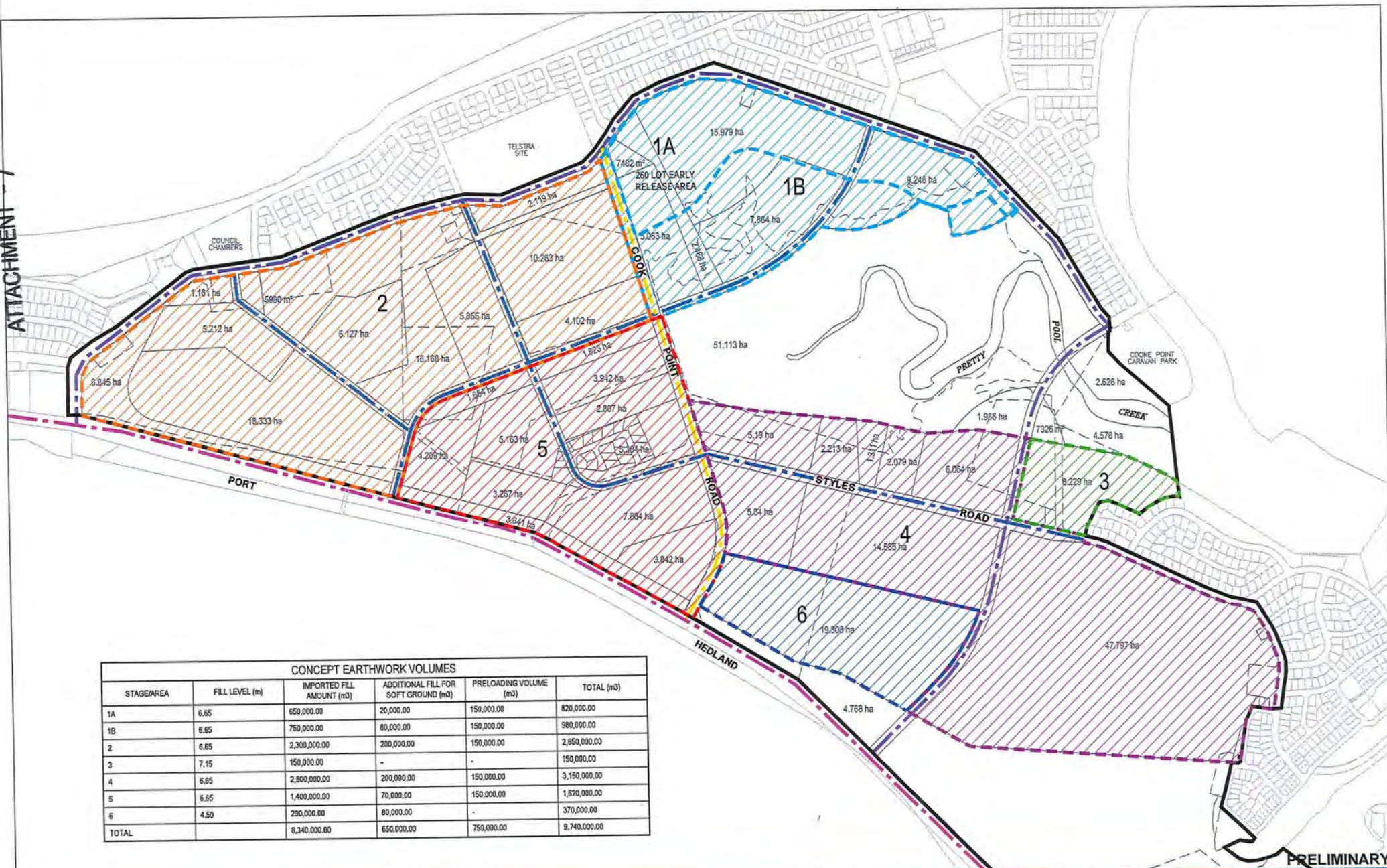


Figure D.6.3: Port Hedland Coastal Processes Setback - 100 year Planning Horizon (2110).



| CONCEPT EARTHWORK VOLUMES | | | | | |
|---------------------------|----------------|---------------------------|--------------------------------------|------------------------|--------------|
| STAGE/AREA | FILL LEVEL (m) | IMPORTED FILL AMOUNT (m³) | ADDITIONAL FILL FOR SOFT GROUND (m³) | PRELOADING VOLUME (m³) | TOTAL (m³) |
| 1A | 6.65 | 650,000.00 | 20,000.00 | 150,000.00 | 820,000.00 |
| 1B | 6.65 | 750,000.00 | 80,000.00 | 150,000.00 | 980,000.00 |
| 2 | 6.65 | 2,300,000.00 | 200,000.00 | 150,000.00 | 2,650,000.00 |
| 3 | 7.15 | 150,000.00 | - | - | 150,000.00 |
| 4 | 6.65 | 2,800,000.00 | 200,000.00 | 150,000.00 | 3,150,000.00 |
| 5 | 6.65 | 1,400,000.00 | 70,000.00 | 150,000.00 | 1,620,000.00 |
| 6 | 4.50 | 290,000.00 | 80,000.00 | - | 370,000.00 |
| TOTAL | | 8,340,000.00 | 650,000.00 | 750,000.00 | 9,740,000.00 |

| ISSUED FOR COMMENT | | | |
|--------------------|----------|------|---|
| No | Revision | Make | Indicates signatures on original issue of drawing or last revision of drawing |
| 1 | | | |
| 2 | | | |
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| SL | Job Manager | Project Director | Date |
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GHD CLIENTS | PEOPLE | PERFORMANCE

GHD House, 238 Adelaide Tce Perth WA 6004
 PO Box 13109 Perth WA 6822 Australia
 T 61 8 9222 5222 F 61 8 9222 8535
 E perth@ghd.com.au W www.ghd.com

DO NOT SCALE

Drawn: S LI MAR 12
 Designer: S LI MAR 12
 Drafting Check: Design Check
 Approved (Project Director):
 Date: 15/0000

Conditions of Use:
 This document may only be used by GHD's client (and any other person who GHD has agreed can use this document) for the purpose for which it was prepared and must not be used by any other person or for any other purpose.

LANDCORP
 EAST PORT HEDLAND FEASIBILITY STUDY
 MEDIUM DENSITY CONCEPT EARTHWORKS

Client: LANDCORP
 Project: EAST PORT HEDLAND FEASIBILITY STUDY
 Title: MEDIUM DENSITY CONCEPT EARTHWORKS

Original Size: A1
 Drawing No: 61-27353-SK004
 Rev: A

**Schedule of Submissions - Town of Port Hedland TPS No.5
Athol Street Structure Plan**

| Date Received | Name | Comments Provided | Applicant's Response | Town of Port Hedland Recommendation | Department of Planning Recommendation |
|---------------|-----------------|--|---|--|--|
| 17/02/16 | Dept. of Health | No objection. The following comments were provided: 1. Water supply and wastewater Disposal For the densities proposed, all developments are to be connected to scheme water and reticulated sewerage in order to comply with the draft Country Sewerage Policy. Any water management plans including the utilisation of any waste water recycling is to comply with DOH guidelines and requirements. | Noted. | All separation distances in accordance with the EPA Environmental Assessment Guideline (EAG) 3 'Guidance for the Assessment of Environmental Factors No. 3 - Separation Distances between Industrial and Sensitive Land Uses' have been complied with. | The Department notes and supports the recommendation made by the Town. |
| | | 2. Potential Public Health Impacts DOH has a document on 'Evidence supporting the creation of environments that encourage healthy active living' which may assist you with planning elements related to this structure plan. The structure plan is to acknowledge and incorporate appropriate separation distances in accordance with the EPA Environmental Assessment Guideline (EAG) 3 'Guidance for the Assessment of Environmental Factors No. 3 - Separation Distances between Industrial and Sensitive Land Uses'. This is particularly relevant in regards to the waste water treatment facility. The Town of Port Hedland (the Town) should also use this opportunity to minimise potential negative impacts of the increased density development such as noise, odour, light and other lifestyle activities. Public health impacts draw attention to those issues and they should be appropriately and adequately addressed at this stage. To minimise adverse impacts on the residential component, the Town could consider incorporation of additional sound proofing/insulation, double glazing on windows, or design aspects related to location of air conditioning units and other appropriate building/construction measures. | Noted. The former adjoining waste water treatment plant has been removed and no longer poses any restriction to development of the site in accordance with EAG3. The wastewater facility identified within the structure plan area is a pump station only, whose buffers are contained entirely within its own site. | The waste water treatment facility has been decommissioned. The remainder of concerns will be addressed at the subdivision stage. | |
| | | 3. Medical Entomology Mosquito surveillance in the vicinity of Pretty Pool in the Town has demonstrated this locality experiences severe mosquito problems under certain environmental conditions with up to 4500 mosquitoes collected per trap. The primary mosquito | Noted. | | |

| Date Received | Name | Comments Provided | Applicant's Response | Town of Port Hedland Recommendation | Department of Planning Recommendation |
|---------------|------|---|----------------------|-------------------------------------|---------------------------------------|
| | | <p>species collected were Culex annulirostris, a known vector of Ross River virus (RRV) and the potentially fatal Murray Valley encephalitis (MVE), and Aedes vigilax which is a major nuisance species and also an RRV vector.</p> <p>Furthermore, considerable numbers of human cases of RRV disease have been reported from the region in some years (e.g. 55 cases in 2008/09 and 42 cases in 2013/14 from the Town) in addition to MVE cases occurring in Port Hedland in 2009 and 2011, indicating that mosquito activity is of public health concern in the region under certain environmental conditions.</p> <p>The proposed structure plan is within mosquito dispersal distance from extensive low lying areas that can become productive mosquito breeding habitats when inundated by wet season flooding and some high tide conditions. The species of mosquito that breed in these sites are capable of dispersing several kilometres from the breeding sites and pose both nuisance and health risks to future residents as discussed above.</p> <p>DOH notes that the environmental assessment summary states on page viii that 'A Mosquito Management Plan in consultation with the Town of Port Hedland and the Department of Health will be prepared and implemented.' And that the report acknowledges that there is a severe mosquito issue at this locality.</p> <p>The Town must also ensure that sufficient resources are also available for the significant mosquito control activities that will be required if the scheme amendment is approved.</p> | | | |

| Date Received | Name | Comments Provided | Applicant's Response | Town of Port Hedland Recommendation | Department of Planning Recommendation |
|---------------|----------------|---|--|-------------------------------------|---|
| | | <p><u>Recommendations:</u></p> <ul style="list-style-type: none"> • An integrated mosquito management plan to manage mosquitoes and other nuisance insects to reduce the risk of exposure for future residents be implemented. This should comprise, but not necessarily be limited to, the following: <ul style="list-style-type: none"> ○ Appropriate location, design and maintenance of project infrastructure to prevent mosquito breeding (e.g. wastewater, stormwater infrastructure) ○ Source reduction (removal or modification of mosquito breeding habitat) ○ Monitoring of larval and adult mosquitoes in and around the proposed infrastructure to inform the location and timing of control measures ○ Control (chemical, physical, biological and/or cultural) of larval and adult mosquitoes in man-made and natural breeding sites in close proximity to residential areas ○ Ensuring mosquito management strategies comply with all Federal and State legislative requirements ○ Provision of advice and seasonal warnings to protect residents including dissemination of information on: <ul style="list-style-type: none"> • Insect screening of accommodation and enclosed workspaces • Personal repellents • Appropriate advice to reduce their exposure to biting insects. • New residents be warned of the risk of mosquito-borne disease and the potential for nuisance mosquitoes via an appropriately worded notification on any newly created property titles. • The Town ensures they have sufficient resources for mosquito management to protect future residents from mosquito-borne diseases. | <p>Agreed</p> <p>The final detail of the management plan can be determined as a condition of subdivision approval.</p> <p>Agreed</p> <p>A requirement for Memorials on Titles is anticipated as a subsequent condition of subdivision approval.</p> | | |
| 17/02/16 | Telstra | No objection. | Noted. | Noted. | Noted. |
| 17/02/16 | Dept. of Water | Consistent with Better Urban Water Management (BUWM) (WAPC, 2008) and policy measures outlined in State Planning Policy 2.9, the proposed Structure Plan (SP) should be supported by an approved Local Water Management Strategy | Acknowledged. The proponent is accepting of the need to update the LWMS to address the requirements of | | Noted. It is recommended that the LWMS be amended to address the concerns from the |

| Date Received | Name | Comments Provided | Applicant's Response | Town of Port Hedland Recommendation | Department of Planning Recommendation |
|---------------|------|--|--|---|---|
| | | <p>(LWMS) prior to finalising and supporting the SP.</p> <p>The DoW has reviewed the Athol Street Cooke Point, Port Hedland Local Water Management Strategy (RPS, 2015) and amendments are required. It is recommended that the SP should not be finalised in the absence of a LWMS approved by the Town of Port Hedland and the Department. DoW is yet to receive an amended LWMS and the appendix to the SP on the Town's website does not contain a revised strategy.</p> | <p>DoW, but was awaiting input from the Town's Engineers to ensure the document is updated in a comprehensive manner to the satisfaction of both agencies.</p> | | <p>Department of Water with regard to the post-development monitoring program for Pretty Pool Creek and other matters (i.e. erosion control and cross section of the drains).</p> |
| | | <p>The DoW has reviewed the Local Water Management Strategy (LWMS) and offers the following comments.</p> <ul style="list-style-type: none"> The Pretty Pool Creek is an environmental asset located at the downstream end of the proposed development site. The DoW recommends an appropriate post-development monitoring program is undertaken for the creek. The monitoring program should include: <ul style="list-style-type: none"> visual inspections and regular maintenance of the stormwater management infrastructure during or immediately after the rainfall events; surface water quality monitoring during small to medium rainfall events; and visual inspection of the foreshore of Pretty Pool Creek for maintaining its post development environmental values. | <p>The post-development monitoring program requirements are acknowledged, accepted and will be itemised in the updated LWMS</p> | <p>It is recommended that the Structure Plan is modified prior to approval.</p> | <p>Investigation and preparation of an Acid Sulphate Risk Management Plan will be required as part of the subdivision process.</p> |
| | | <ul style="list-style-type: none"> Please be advised that proposed monitoring program should be conducted consistent with the DoW's Water monitoring guidelines for better urban water management strategies and plans October 2012 (page ii). The monitoring programme should identify any excessive sediments from the development area (including pollutants) to the Pretty Pool Creek receiving environment. The LWMS should include evidence from the Water Service provider (Water Corporation) that a potable water supply, as well as wastewater servicing will be available for the proposed development area. The LWMS discusses potential use of treated wastewater from the Water Corporation's Waste Water Treatment Plant | <p><u>Not Supported</u></p> <p>The Water Corporation have previously advised that the necessary services can be advanced to accommodate the development of this site, and have not objected to the proposal on this basis.</p> <p>Confirmation has been received from the Corporation</p> | <p>The remainder of concerns will be addressed at the subdivision stage.</p> | <p>The flooding issue will be further reviewed as part of the future coastal hazard risk management and adaptation planning (CHRMAP).</p> |

| Date Received | Name | Comments Provided | Applicant's Response | Town of Port Hedland Recommendation | Department of Planning Recommendation |
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| | | <p>(WWTP) for non-potable (irrigation) use. If this is the case, at the LWMS stage, evidence of correspondence between the proponent and service provider should be included with the LWMS.</p> <ul style="list-style-type: none"> It appears that the southern portion of the proposed development area has a high to moderate risk of acid sulphate soils. Appropriate investigation and preparation of an Acid Sulphate Risk Management Plan is required pending investigations. (Figure 6). It is advised that appropriate erosion control measures (such as rock protection works or rock chutes) are designed for each drain outfall location (Appendix 3, figure 3-5). The design should ensure that first flush resulting from the small events is lost within the drainage system and overland flow path, and not directly discharged to the Pretty Pool Creek. Conceptual designs of these features should be included in the LWMS. | <p>and has been forwarded to the Town for its information. A copy will be attached to the updated LWMS.</p> <p>Acknowledged.</p> <p>The amended LWMS will provide more conceptual designs of the drainage outfalls and will include structures such as rock chutes and rock armouring over which the discharging water will cascade. It is anticipated that the first flush event will be lost within the drainage system and overland flow path to the Pretty Pool Creek.</p> | | |
| | | <ul style="list-style-type: none"> While the L-section of the various drains are provided, the LWMS should also include cross-sections at critical locations showing, 1 and 100 year ARI event flood levels, discharges and velocities (Appendix 3). | <p>Additional cross-sections can be provided and will be included as appendices to the amended LWMS.</p> | | |
| | | <p>Flooding</p> <ul style="list-style-type: none"> The LWMS proposes to provide up to 3.5m fill to protect the proposed development area from major flood event (terrestrial) combined with coastal storm surges. This might cause increase in the flood level to adjacent lands. The general modelling approach of the hydrodynamic study undertaken for the Athol Street Precinct DWMS was previously considered acceptable by the DoW, however it was recommended that the Athol Precinct development needs to be considered within the broader East Port Hedland Development. Currently the only modelling of the entire East Port Hedland area which DoW are aware of is part of the Port Hedland Coastal Vulnerability Study (PHCVS). This modelling was based on the conservative assumption that the entire East | <p><u>Not Supported</u></p> <p>Sufficient modelling was included in the Cardno Report - Port Hedland Coastal Vulnerability Study (PHCVS) that was included in and supported the pre-ceding TPS Amendment.</p> | | |

| Date Received | Name | Comments Provided | Applicant's Response | Town of Port Hedland Recommendation | Department of Planning Recommendation |
|---------------|--------------------|--|--|--|--|
| | | Port Hedland area is filled. | | | |
| | | <ul style="list-style-type: none"> Based on the PHCVS modelling, an afflux (increase in flood level) of approximately 0.4m is expected to the south-east of the development area. This modelling also showed an afflux of 1.1m in the mouth of Pretty Pool Creek. These affluxes are greater than our normal recommended maximum allowable afflux. Consequently, further modelling of the entire East Port Hedland Development with a more realistic final development filling scenario may be required to better assess its impact on flood levels in the area. | The LSP is based on a lesser amount of fill being brought in to the site, meaning that the impact of water displacement will be less than that previously accepted through the conservative modelling included in the preceding TPS Amendment process. | | |
| 17/02/16 | Dept. of Education | No objection. The following comments were provided: <ul style="list-style-type: none"> The proposed development is anticipated to generate approximately 111 students which currently would be accommodated at the nearest local primary school. The Department had been liaising with Landcorp in 2008 regarding the Pretty Pool development. The Department has interest in identifying an additional education site for a school in Port Hedland. It is understood that as planning develops in the area development in the Styles Road vicinity may incorporate a future education site. | Noted. | Noted. | Noted. |
| 17/02/16 | Water Corporation | No objection. The following comments were provided: <ul style="list-style-type: none"> The Water Corporation has included the subject area in its adopted long term water and wastewater planning. At a time closer to development of the land, the proponent should contact the Water Corporation so that the area is included in a future review of infrastructure planning that reflects any changes to land use planning. As mentioned in the 'Summary of Issues & Opportunities' of the structure plan, determining the appropriate interface with the existing sewer pump station for odour buffer purposes will be required. | Noted. | The required buffer sewer pump station is 50m and is contained within the pump station boundary. | The Department notes and supports the recommendation made by the Town. |
| 17/02/16 | Planning Solutions | No objection. The following comments were provided: We consider the southwestern-most portion of the subject site may be affected by noise resulting from major industrial transport routes, including BHP Billiton's Nelson Point Railway and Wilson Street. Whilst our client does not oppose the proposed development of the subject site, we recommended that design | Not Supported BHP has recently prepared a detailed Acoustic Report which deals with ultimate capacity. We are not aware of any factors that would give rise to | | The Department notes the recommendation made by the Town. |

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|---------------|------|--|---|--|---------------------------------------|
| | | controls be introduced over any residential development on the affected land so that residents are not disturbed by noise Specifically, Part One - Implementation of the Structure Plan should be modified to make specific reference to consideration of the disturbance impact of single bypass noise on future residents in the subject site. | conditions changing that would necessitate a review of the earlier Herring Storer work. | | |
| | | INTRODUCTION The subject site comprises land the land generally bound by Athol Street (north and east), Cooke Point Drive (west) and Pretty Pool Creek (south). The Structure Plan will facilitate the development of the subject site predominately for low to medium density residential, with limited commercial/mixed use opportunities in limited locations. The subject site is located in close proximity to a number of major industrial transport routes, including BHP Billiton Iron Ore's Nelson Point Railway located approximately 800-1000m southwest, and Wilson Street located approximately 700-900m southwest of the subject site. The Railway is used to transport ore on heavy haulage trains comprising 268 ore cars and four diesel locomotives between BHP Billiton's inland mines and its Nelson Point port operations at Port Hedland. At current production levels almost 40 train movements occur over a 24 hour period along the Nelson Point Railway (on average). Train movements are expected to further increase as the Company seeks to increase system capacity to 290 million tonnes per annum over time. In addition, Wilson Street functions as a major transport and haulage road servicing the Port Hedland port and West End business district. | Noted. | A noise assessment was carried out by Herring Storer Acoustics in 2011 to determine the extent of impacts Wilson Street, train movements and salt harvesters. The assessment determined noise within the site will not exceed the appropriate noise target outlined in State Planning Policy 5.4: Road and Rail Transport Noise and Freight Considerations in Land Use Planning, therefore no further analysis is required. | |
| | | STATE PLANNING POLICY 5.4 State Planning Policy 5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning (SPP5.4) introduces this issue in relation to noise from railways: Road and rail transport corridors play a vital role in moving people and goods safely, efficiently and effectively, and they provide wide-ranging economic and social benefits to the community. Growing volumes of general traffic and freight, and a greater community awareness of amenity and quality of life issues, have led to transport noise becoming an increasingly important consideration in land use planning. Excessive noise has the potential to affect the health and amenity of a community as a whole, as well as the wellbeing of | Noted. | | |

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| | | <p>an individual. Sleep, relaxation and conversation can all be adversely affected by high levels of noise. There is also documented evidence that long-term exposure to high levels of noise may cause serious health, learning and development problems. Attitudes to noise exposure vary widely. Some people are more sensitive to noise than others, and tolerance to noise can vary depending on the time of day or the day of the week. Community expectations of what is an acceptable noise environment can also vary depending on the locality.</p> | | | |
| | | <p>AMENITY CONSIDERATIONS</p> <p>Protection of the lifestyle and amenity and residents is an important consideration in land use planning. This is reflected in the general objectives of TPS5 which includes at clause 1.5 an objective to:</p> <ul style="list-style-type: none"> (a) encourage an appropriate balance between economic and social development, conservation of the natural environment, and improvements in lifestyle and amenity, (b) Any Structure Plan should demonstrate that the general objectives of TPS5 are met. In other words, a Structure Plan should not be approved unless the above-quoted objective is met. | Noted. | | |
| | | <p>NOISE DISTURBANCE FROM SINGLE BYPASS</p> <p>Noise received from a single bypass can be significantly higher than the average noise level taken over an eight hour period. Such noise can cause some people to wake, disturbing sleep patterns and resulting in the loss of lifestyle and amenity.</p> <p>The impact of single bypass noise is a relevant consideration for the subject site having regard to its proximity to BHP Billiton's Railway and Wilson Street, and the expected increase in the volume of traffic along these routes over time.</p> <p>Single bypass noise was not considered in the preliminary noise assessment prepared by Herring Storer Acoustics in 2011; we also understand no further detailed noise investigations have been undertaken for the Structure Plan.</p> <p>We recommend Part One – Implementation of the Structure Plan is modified to require the preparation of a noise assessment taking into consideration the impact of single bypass rail noise and the most recent transport volume assumptions prior to applying for subdivision, with resultant mitigation requirements implemented via a Local Development Plan for all of the affected lots.</p> | <p><u>Not Supported</u></p> <p>If warranted through changes to infrastructure or traffic volumes further studies can be undertaken at the subdivision stage of development without the need for this matter to be acknowledged in the Part One section of the Structure Plan.</p> | | |

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| 17/02/16 | | <p>Objection. The following comments were provided:</p> <p>As the owner of two properties in Port Hedland that have gone into negative gearing with increased rates I strongly oppose the Athol Street Structure Plan and will take, with other rate payers, Legal Class Action against the Shire / Planners if this goes ahead as the assumptions are wrong based on population increases, etc. and additional property sites may cause wide spread bankruptcies for home owners like what occurred in Newman, Karratha, and some in Port/South Hedland.</p> <p>I really care about our Shire and people of Port Hedland as my children were born and raised in Port Hedland. There should be a moratorium on development until our properties can all be rented as too many empty properties in the market are causing rents to fall below loan repayments causing depression, bankruptcies, etc.</p> | <p>The land is already zoned for urban development, with a requirement of this zoning being the need to prepare a Structure Plan. Approval to a Structure Plan does not mean development will immediately occur. The Structure Plan is being prepared to provide the flexibility to be able to respond to population growth and demographic change and therefore meet market demands as required.</p> | <p>The market value of a property or the state of the housing market is not a valid planning concern that can be taken into consideration when determining Structure Plans</p> <p>The proposed Structure Plan seeks only to rezone the site to 'Urban Development' in accordance with the Growth Plan and is not proposing any development at this stage.</p> | <p>The Department notes and generally supports the recommendation made by the Town.</p> <p>However, the Town's statement that "the proposed Structure Plan seeks only to rezone the site to 'Urban Development' ..." is of concern as the structure plan does not propose to rezone the land, but to guide the future subdivision and development of the land.</p> |
| 17/02/16 | | <p>Objection. The following comments were provided:</p> <p>As a long-time resident of Port Hedland I wish to voice my strong opposition for the development of this area. My husband and I have lived here 42 years and brought up 5 children in this town, all of whom love this town and the freedom it offers.</p> <p>Walking along Athol Street and looking out over the mud flats is just a wonderful experience, the scene changes daily as the tide and weather change and even if it is flooding tides, full tides or mud flats the view is amazing. From Athol Street you can see the salt at Rio, South Hedland water tower, trains coming and going from the Port and some days you can even see the hills way off in the distance. It really gives the perspective of the Pilbara, vast, pristine, open and untouched. I have always thought how fortunate we are to have this right in the middle of our town, just as the people trying to save Kings Park in Perth when the developers wanted to get their hands on that area must have felt.</p> <p>When it was proposed to develop it as a recreation area I did not object as I think that would have been wonderful. Our children played in that area a lot as they were growing up along with many other children and it was a safe natural environment for them away from traffic. Much fun was had there over the years and I feel children need more safe environments to have the freedom to enjoy themselves in and just be children.</p> <p>Over the years developers have shown interest in this area but</p> | <p>Not Supported</p> <p>Urbanisation of this land is consistent with the objectives of the Pilbara City's Growth Plan which was further reinforced through the recent rezoning of the site via Amendment No. 58 to Urban Development.</p> <p>The subject land represents one of a limited number of areas within Port Hedland suitable for residential development and unconstrained by the impact of the Port and its operations, as supported by the Port Hedland Dust Management Taskforce "to improve housing availability in desirable locations in the eastern end of Port Hedland".</p> <p>The Structure Plan is being prepared to provide the flexibility to be able to respond to population growth and demographic change and therefore meet market</p> | <p>The applicant has prepared an Environmental Summary Report (ESR) in support of the Structure Plan. The ESR notes there are no occurrences of threatened Flora species or threatened ecological communities in or immediately surrounding the site.</p> <p>The proposed development is consistent with the State and Local Planning Statutory and Strategic Framework.</p> | <p>The Department notes and partially supports the recommendation made by the Town.</p> <p>The Structure Plan, in its current format, is considered premature pending a CHRMAP being undertaken to support urban expansion into the coastal hazard-affected areas of Port Hedland.</p> <p>Where CHRMAP identifies a level of coastal hazard risk that is unacceptable to the community or proposed development, then the preferred policy position of SPP 2.6 is to 'avoid' the presence of new development in such areas.</p> |

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| | | when studies were done it was shown to be not suitable for housing. I'm not sure what has changed since then. There are so many vacant properties and vacant blocks both in Port and South Hedland I cannot understand why you would want to ruin such a beautiful, natural environment. Once it is gone you will never get it back and I look on it as a natural heritage for our descendants. Our town is certainly unique in the Pilbara and it is having untouched areas like this in the middle of an urban area as well as the turtles coming in which make us stand out | demands as required. | | |
| 17/02/16 | | <p>Objection. The following comments were provided:</p> <p>I have spoken up on several occasions when similar Athol Street presentations have for urban development, been presents to ToPH council.</p> <p>I am opposed to the Athol street development for a number of reasons.</p> <p>Athol street Greenbelt and wetlands and tidal inlet have a unique eco-system and our community are wanting this pristine area to remain "as is" for future generations to enjoy.</p> <p>Rising tides have shown over the past 20 years that the creek and wet lands areas are now filling much higher than in previous years. The eco-system should not be disturbed or for the eco-system to become unbalanced.</p> <p>The green belt area is a unique eco-system with many bird nestlings, especially sea birds and the frog and reptile animals use this area for their haven and habitat use.</p> <p>I have often spoken up about speed limits along Athol Street to be lowered, due to the native bungarra lizards who are constantly run over along Athol Street (they cross from the green belt areas) and many birds swooping there are killed by passing vehicles. My speed limit requests have always been dismissed. Athol Street is a main bus pickup for school children and speed could be lowered to 50 kph at least.</p> <p>Housing development along Athol Street green belt would mean many meters of soil infill at the expense of the land owners and again unbalance the eco-system, but also means that to purchase a property in this area would be way over the budget of the general public. A very highly priced piece of property way out of the reach of many people.</p> <p>Over the years, construction companies have performed surveys of land and soils in the Athol street wetlands area and results have soon that the area is unsuitable for housing. Disturbing the</p> | <p><u>Not Supported</u></p> <p>Amendment No. 58 was the subject of assessment by the EPA which resulted in the preparation of a Environmental Assessment Report (EAR) that included the following technical studies:</p> <ul style="list-style-type: none"> • Fatal flaws of the preliminary concept plan boundary within East Port Hedland based on hydronamic modelling • Review of the impacts on the Pretty Pool Mangroves based on the hydronamic modelling • The Cardno hydromanic modelling and mangrove assessment was independently peer reviewed | Refer to previous comments on environmental concerns. | <p>The Department notes and partially supports the recommendation made by the Town.</p> <p>The Structure Plan, in its current format, is considered premature pending a CHRMAP being undertaken to support urban expansion into the coastal hazard-affected areas of Port Hedland.</p> <p>Where CHRMAP identifies a level of coastal hazard risk that is unacceptable to the community or proposed development, then the preferred policy position of SPP 2.6 is to 'avoid' the presence of new development in such areas.</p> |

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| | | under soil could result in leaching acids into the eco-system and into the creek areas. | | | |
| | | <p>I have spoken up over my 30 years of residence in port Hedland, before becoming a town councillor and spoken up to this present day. There is still plenty of land in other parts of Port and South Hedland to prepare for more urban development for the later years to come.</p> <p>I do not wish the people of port Hedland to lose their only "Kings Park" of Port Hedland.</p> <p>I am opposed to re-zoning to urban development in the Athol Street structural plan.</p> | <ul style="list-style-type: none"> • Site survey with mangrove and mudflat vegetation mapping was completed in 2010 • Bamford Consulting Ecologists survey of waterbirds in the Pretty Pool Creek area • Preliminary Noise Assessment by Herring Storer (2011) • District Water Management Statement • Review of State & Commonwealth nature based database. <p>The necessary management plans as recommended by DPaW have either now been prepared, or their subsequent requirement suitably acknowledged in the Structure Plan.</p> | | |
| 17/02/16 | | <p>Objection. The following comments were provided:</p> <p>On Behalf of the Port Hedland Ratepayers Association we wish to lodge this letter as an objection to the Application 2016/004 - Athol Street Structure Plan.</p> <p>The members at our meeting on Tuesday 16th February expressed concern over this development proposal for the following reasons:</p> <ul style="list-style-type: none"> • They are concerned about the environmental impact this proposed development will have on flora and fauna in the area • They like the natural habitat of the salt flats and the tidal creek and it is uniqueness to have this so close to a population and would like to see it stay | <p><u>Not Supported</u></p> <p>Please refer to commentary on environmental concerns above.</p> <p>The Structure Plan is being prepared to ensure proper planning is in place to enable timely housing delivery as and when the next resource boom occurs.</p> <p>Actual development of the land is unlikely to proceed until such time as there is sufficient market demand for additional</p> | Refer to previous comments on environmental and financial concerns. | <p>The Department notes and partially supports the recommendation made by the Town.</p> <p>The Structure Plan, in its current format, is considered premature pending a CHRMAP being undertaken to support urban expansion into the coastal hazard-affected areas of Port Hedland.</p> <p>Where CHRMAP identifies a level of coastal hazard risk that is unacceptable to the community or proposed development, then the preferred policy position of SPP 2.6 is to 'avoid' the presence of new development in</p> |

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| | | <ul style="list-style-type: none"> This is an unnecessary need for extra housing to be built in Port or South Hedland This development will have financial implications to ratepayers at this stage to agree to further housing developments, with Hedland's current market flooded with empty houses | <p>dwellings.</p> | | <p>such areas.</p> |
| 17/02/16 | | <p>Objection. The following comments were provided:</p> <p>Although this proposed development does not affect me directly, I am compelled to provide feedback to support the owners and tenants of housing along Athol St. I feel this opportunity for development completely disregards the wellbeing and interests of occupants and will be looked down upon by the community if progressed. Many people come to Port Hedland to live not just for work but also for the lifestyle and opportunities to live in housing that simply is impossible in larger cities. I feel the council is discounting the wetlands of Cooke Point as desirable and beautiful surroundings. If the council really wishes to proceed with such a development, I would expect no less than compensation of some kind be considered for these residents; otherwise it's no more than a big 'kick-in-the-face'!</p> <p>Secondly, these are wetlands. As I read through the environmental impacts that could occur as a result of this development I also feel this location is the worst to be considered in the town in respect to the impact it will have on the environment. We have just celebrated international wetlands day and we should be considering the many years of migratory animals and the habitat they depend on suddenly being destroyed.</p> | <p>Not Supported</p> <p>Please refer to commentary on environmental concerns and likely development timing above.</p> | <p>Refer to previous comments on environmental concerns.</p> | <p>The Department notes and partially supports the recommendation made by the Town.</p> <p>The Structure Plan, in its current format, is considered premature pending a CHRMAP being undertaken to support urban expansion into the coastal hazard-affected areas of Port Hedland.</p> <p>Where CHRMAP identifies a level of coastal hazard risk that is unacceptable to the community or proposed development, then the preferred policy position of SPP 2.6 is to 'avoid' the presence of new development in such areas.</p> |
| | | <p>The magnificent efforts of the turtle volunteers is going to be greatly affected by this change also. We as humans do not understand the potential of impact this will have – until it is too late.</p> <p>I do hope the Council considers this plan more thoroughly; more housing doesn't sound like the right solution for this area or the town. Our infrastructure needs supporting a lot more first!</p> | | | |
| 17/02/16 | | <p>Objection. The following comments were provided:</p> <p>As a Native Title Registered Applicant on the Kariyarra Native Title Claim I want to lodge an official objection against the proposed development in Athol Street, Port Hedland for the following reasons.</p> | <p>Noted.</p> <p>Native Title has been previously extinguished for Lot 556.</p> <p>An application for</p> | <p>Native Title has been extinguished on Lot 556, the remainder of the site will be subject to the Native Title process prior</p> | <p>The Department notes the recommendation made by the Town.</p> |

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| | | <p>1) I or my family was not involved in any discussions with either the Port Hedland Town Council, Yamatji Land and Sea Council (The Representative Body) or Landcorp in compliance with the Native Title Act 1993.</p> <p>2) The proposed site is vacant Crown Land and according to the National Native Title Tribunal document "Working with Native Title" - Linking native title and Local Government process it clearly state that:</p> <p>An application for a determination of Native Title can only be made in areas where native title has not been extinguished (not recognised) Native Title May exist on:</p> <ul style="list-style-type: none"> I. Unallocated (vacant) crown land II. Some state forests, national parks and public reserves depending on the affect of state or territory legislation establish those parks and reserves. III. Beaches, oceans, seas, reefs, lakes, rivers, creeks, swamps and other inland waters that are not privately owned. IV. Some leases, such as non-exclusive pastoral and agriculture leases, depending on the state or territory Legislation they were issued under, and V. Some land held by or for Aboriginal people or Torres Strait Islanders. VI. The Council has not complied with the procedural process in respect to Compliance to Local Government Act 1993 into Risk Assessment and obtaining Legal Advice from the Attorney Generals Department in respect to the proposed extinguishment of these lands. VII. I am seeking my own legal advice to present to Council when the matter goes to before the Council. | determination of Native Title will be progressed for the portion of Lot 340 covered by this LSP if and when the land is deemed required for residential development. | to any development occurring. | |
| 17/02/16 | | <p>Objection. The following comments were provided:</p> <p>As one of the Elected Community Members on the Audit Risk & Governance Committee endorsed by the Port Hedland Town Council I am objecting to this proposal because of the following facts.</p> <p>1. This proposal was not presented to the Audit committee to assess the following issues in compliance with the role of the Audit Committee which includes five functions which is the roles and responsibilities of our Committee under the Local</p> | <p>No Comment.</p> <p>This is a matter for the Town to consider and advise on, noting its obligations to proceed in accordance with the planning processes and timeframes outlined in the Local Planning Scheme Regulations (2015).</p> | <p>The Audit, Risk and Governance Committee has been established in accordance with Part 7 of the <i>Local government Act 1995</i>. The function of the committee is to liaise with Auditors to assist Council in carrying out functions in relation to financial auditing.</p> | <p>The Department notes the recommendation made by the Town.</p> |

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| | | <p>Government Act 1995.</p> <ul style="list-style-type: none"> i. Financial Management ii. Risk Management iii. Internal Controls iv. Legislative Compliance v. Internal and External Audit Planning and Reporting. | | <p>The planning process has nothing to do with the Audit, Risk and Governance Committee.</p> | |
| | | <p>2. Financial Management.</p> <p>It's stated in the proposal that the land needs to be back filled to allow the housing development to proceed. The Audit Committee need to complete an assessment of the proposal including development, cost of filling the block and providing the infrastructure to the block and make recommendation to council in respect to the financial impact on the Council.</p> <p>3. Risk Management.</p> <p>The Land identified in the proposal is identified as Crown Land and in the Document produced by the National Native Title Tribunal "Linking Native Title and Local Government Processes</p> <ul style="list-style-type: none"> i. Because it is often difficult to tell whether native title exists into relation to particular land and waters, a council will have to do a risk assessment in relation to this issue. ii. Council Officers need to understand if and when compliance processes are triggered and which procedure applies. iii. I have reviewed the minutes of the last meetings of the Audit, Risk and Compliance Committee meetings and there is no record of any Risk Assessment being completed and/or recorded in the minutes! <p>4. Legislative Compliance.</p> <ul style="list-style-type: none"> i. There is no reference to Native Title Legal Advice in respect to this Proposal. ii. It is my view that the Local Government have not complied with the Federal Native Title Act. iii. In the Native Title Checklist for CEO's and GM's Provided (Attached) it clearly states where Native Title Exist. <ul style="list-style-type: none"> a) Unallocated Crown Land b) State Forests, national parks, public reserves and certain land reserved for particular purposes or | | | |

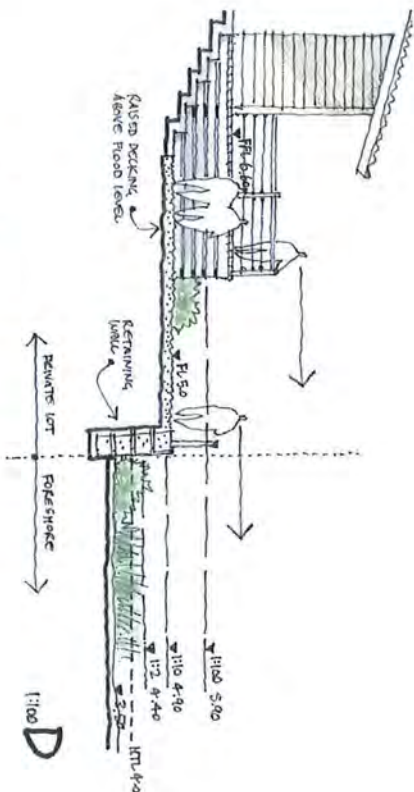
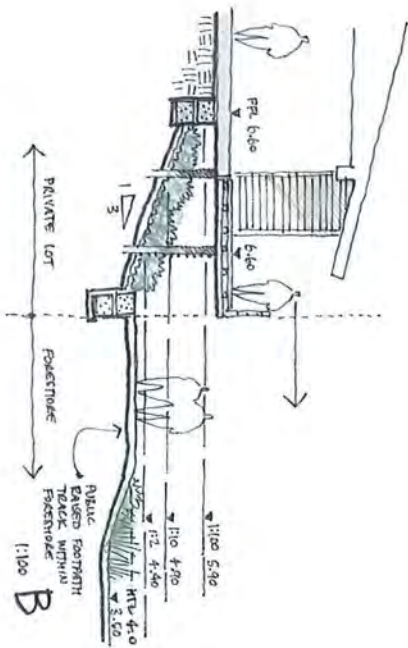
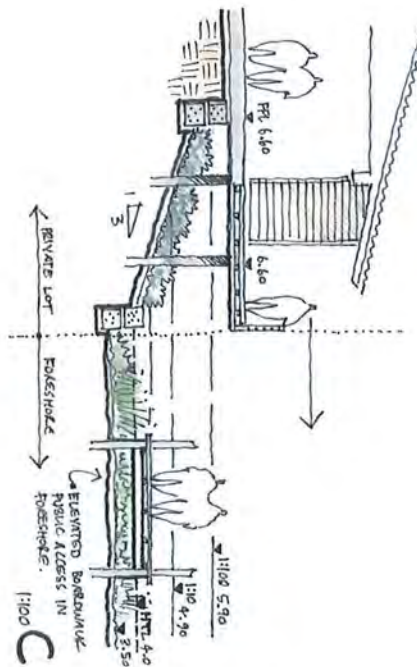
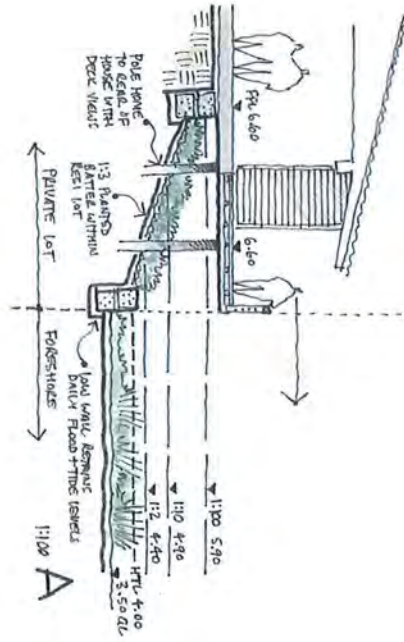
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| | | <p>use.</p> <p>c) Land set aside for the benefit of or granted to Aboriginal & Torres Strait Islanders</p> <p>d) Oceans, seas, reefs, lakes and inland waters</p> <p>e) Some leases, such as non-exclusive pastoral and agriculture lease depending on the State/Territory legislation under which they were issued.</p> <p>5. Internal and External Audit Planning and Report.</p> <p>i. A review of the last Port Hedland Regional Plan does not identify any Plans relating to Native Title and/or Aboriginal people.</p> <p>ii. A review of the Audit does not indicate an allocation of funds to deal with either Aboriginal and/or Native Title funds to deal with those respective issues' it states the following.'</p> | | | |
| 17/02/16 | | <p>Objection. The following comments were provided:</p> <p>As the owners of 4 properties on Athol St, we strongly object to the proposed Structure Plan being implemented given the current market conditions and economic climate and in our view, the release of additional lots for sale in this area will result in adverse material impacts to the adjoining property owners.</p> <p>The Port Hedland property market is struggling enough at the moment due to the decline in mining activities in the area and to approve and release more lots onto the market, will only make things worse. We also do not see a need for more lots to be released at this current point in time.</p> | <p><u>Not Supported</u></p> <p>Please refer to commentary on environmental concerns and likely development timing above.</p> | Refer to previous comments on financial concerns | The Department notes and supports the recommendation made by the Town. |

| SPP 2.6 Policy Measure | Athol Street Structure Plan |
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| <p>5.2 Development and settlement</p> <p>(vi) Avoid significant and permanent negative impacts on the environment, either on or off site.</p> | <p>The Structure Plan proposal has not been evaluated at a sediment cell level to take into consideration the future protection requirements of these surrounding areas.</p> |
| <p>5.3 Water resources and management</p> <p>(iv) There is a general presumption against the use of coastal foreshore reserves for the management of wastewater or to accommodate any portion of infrastructure or site works used for wastewater management.</p> | <p>Post development maintenance of the drainage swales surrounding the site will be required to ensure the erosion and scouring measures are functioning as intended. The future management actions will be the responsibility of the Town of Port Hedland.</p> |
| <p>5.5 Coastal hazard risk management and adaptation planning</p> <p>(i) Adequate coastal hazard risk management and adaptation planning should be undertaken by the responsible management authority and/or proponent where existing or proposed development or landholders are in an area at risk of being affected by coastal hazards over the planning timeframe.</p> <p>(iii) Where risk assessments identify a level of risk that is unacceptable to the affected community or proposed development, adaptation measures need to be prepared to reduce those risks down to acceptable or tolerable levels. Adaptation measures should be sought from the following coastal hazard risk management and adaptation planning hierarchy on a sequential and preferential basis—</p> <p>(1) Avoid; ...(2) Planned or Managed Retreat; ...(3) Accommodation adaptation measures;(4) Protection works.</p> | <p>No CHARMAP undertaken to support the proposed Structure Plan.</p> <p>The discussion on the key elements of the Stormwater management strategy does not mention the flood mitigation plan and risk management in light of the SPP 2.6 requirements.</p> |

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| <p>5.7 Coastal protection works</p> <p>(i) New coastal protection works are not permitted, except where such works are considered only after all other options for avoiding and adapting to coastal hazards have been fully explored, as part of a comprehensive coastal hazard risk management process.</p> <p>(iii) Coastal protection works should only be supported—</p> <ul style="list-style-type: none"> (a) where it is demonstrated there are no significant negative impacts on the adjacent environment within the sediment cell; and (b) in conjunction with appropriate funding arrangements for the construction and ongoing care, control and maintenance being put in place. <p>(iv) Coastal protection works, where necessary and justified should be—</p> <ul style="list-style-type: none"> (a) adequately considered and planned as part of making decisions about land use, subdivision and development within the coastal zone; (b) primarily proposed in the public interest to ensure they maintain a coastal foreshore reserve, public access, public amenity and public safety as well as to protect high value property and infrastructure that is not expendable; and (c) evaluated at a sediment cell level and take into consideration the future protection requirements of adjoining development. | <p>No CHRMAP undertaken to support the proposed amendment.</p> <p>The Structure Plan proposal has not been evaluated at a sediment cell level to take into consideration the future protection requirements of adjoining development.</p> <p>The Structure plan proposes the combination of filling and retaining the land and elevated housing design to address the flooding issue.</p> <p>The structure plan report is insufficient to undertake a full assessment of the proposed protection works including engineering design requirements, funding, ownership and ongoing management.</p> <p>The structure plan needs to provide an implementable adaptation plan, one that is technically sound, financially viable with management responsibilities identified and accepted.</p> |
| <p>5.9 Coastal foreshore reserve</p> <p>(i) Coastal foreshore reserves are required to accommodate a range of functions and</p> | <p>Although “foreshore reserve” was referenced in various sections in the structure plan report, the structure plan does not include a foreshore reserve. The structure plan proposes residential</p> |

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| <p>values. While local and site specific considerations will vary, the delineation of a coastal foreshore reserve will include the consideration of, and protection for, significant natural features such as coastal habitats and, for their biodiversity, archaeological, ethnographic, geological, geomorphological, visual or wilderness, biodiversity and ecosystem integrity, heritage, landscape, seascape, and visual landscape values; likely impacts of coastal hazards; and opportunities for public access, public recreation needs and safety to lives and property. Schedule One provides guidance on how to estimate the potential impacts of coastal hazards, however, this is only one input into the determination of a coastal foreshore reserve, which will be required to demonstrate that the values, functions and uses prescribed are available at the end of the planning timeframe.</p> <p>NOTE:</p> <p>‘coastal foreshore reserve’ is the area of land on the coast set aside in public ownership to allow for likely impacts of coastal hazards and provide protection of public access, recreation and safety, biodiversity and ecosystem integrity, landscape, visual landscape, indigenous and cultural heritage.</p> <p>‘coastal hazard’ means the consequence of coastal processes that affect the environment and safety of people. Potential coastal hazards include erosion, accretion and inundation.</p> | <p>development directly abutting the Pretty Pool foreshore and indicates a number of foreshore interface options, which involves filling, retaining and elevated housing design on the privately owned land.</p> <p>The proposition that individual landowners would be responsible for the construction of sufficient coastal protection works (revetment wall or the like) and maintain such works into perpetuity is unacceptable. Management obligations in isolation have the potential to undermine adjoining properties and the system may ultimately fail. This outcome is contrary to the policy objectives and clauses to provide a publicly owned coastal foreshore reserve, to ensure that development appropriately takes into account coastal processes and provides for sustainable use and development of the coast.</p> |
| <p>5.10 Coastal strategies and management plans</p> <p>(i) Ensure that at rezoning, structure planning, subdivision, strata subdivision or development— whichever arises first and is appropriate in scale, a coastal planning strategy or coastal foreshore management plan is prepared and implemented, by the local government and/or proponent, for the coastal foreshore reserve and any abutting freehold land with conservation values of the subject land.</p> <p>(ii) Any structure plan, zoning, subdivision, strata subdivision or development proposal for public purposes, residential, industrial, commercial, tourist, special rural and similar uses on the coast is only approved based on or in conjunction with a current detailed coastal planning strategy or foreshore management plan (whichever is appropriate for the stage and scale of development).</p> | <p>No coastal planning strategy or foreshore management plan contemplated to support the Structure Plan proposal.</p> |

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| <p>(iii) Ensure that the coastal planning strategy or foreshore management plan is developed in consultation with the broad community and relevant public authorities, and achieve the approval of the local land manager and the WAPC if appropriate.</p> <p>(iv) The proponent should be responsible for the implementation of the foreshore management plan as well as funding, maintenance, monitoring and management of foreshore works for a period not less than five years commencing from completion of all foreshore works.</p> | |
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ATHOL ST FORESHORE INTERFACE OPTIONS
EMERLICK ASSOCIATES, 3 QUAY 15, CN

ATHOL ST FORESHORE INTERFACE OPTIONS
EMERLICK ASSOCIATES, 3 QUAY 15, CN



Figure 14: Indicative Staging Plan

Taylor Burrell Barnett Town Planning & Design

107 Roberts Road, Subiaco PO Box 8186 Subiaco East Western Australia 6008

Telephone: (08) 9382 2311 Facsimile: (08) 9382 4595 admin@tbcplanning.com.au

Toddville Prospecting Pty Ltd ABN 74 831 437 925

Our Ref: 13/011 DR:

4 October 2016

Attention: Patrick McClure

Western Australian Planning Commission
Locked Bag 2506
GPO PERTH WA 6001

Dear Patrick,

ATHOL STREET STRUCTURE PLAN, PORT HEDLAND

In response to your email request dated 27th September, in which you offer us the opportunity to provide input into your reporting of the above Structure Plan to the Statutory Planning Committee on the 25th October, we offer the following information.

Coastal Hazard and Risk Management Planning Considerations

To date our discussions have focused on responding to identified coastal impacts through appropriate risk management and adaption planning, in particular the appropriateness of developing land known to be affected by coastal inundation, verses application of the 'principal of avoidance'.

Whilst a formal Coastal Hazard and Risk Management Plan (CHRMAP) has not yet been provided, it is our view that a large portion of this process has already occurred through preparation and adoption of the Pilbara Port City Growth Plan, with the development proposal suitably responding to the considerations outlined in State Planning Policy 2.6 and its supporting guidelines.

Local conditions in Port Hedland were given due consideration during preparation of the Port City Growth Plan, along with a number of other relatively unique issues affecting future planning to accommodate the State's adopted 50,000 population objective under the Pilbara Cities vision.

We note specifically that the State Cabinet endorsed a position in the Port Hedland Air Quality and Noise Management Plan (2010) which outlined a desire to promote "future residential development predominantly in eastern Port Hedland" in response to the ongoing conflict between port operations and the residential population. This Cabinet resolution is even more relevant now given the publication of the Port Hedland Health Risk Assessment which effectively recommends a 'managed retreat' from the West End of Port Hedland in order to create suitable industry buffers and manage the risk on the local population's health from elevated dust levels.

The Port City Growth Plan considered three scenarios for the development of Port/South Hedland to address population growth into the long-term. Options considered included the majority of growth occurring in South Hedland; the majority of growth occurring in Port Hedland; or balanced growth between the two centres. The third option was chosen on balance to be the preferred option by major stakeholders and the broader community, following consideration of relevant social, environmental and economic values.

As such, managed growth and development within the East End of Port Hedland was determined as necessary, despite coastal inundation being clearly recognised as a notable issue, following thorough consideration of the alternative development options available to meet Port Hedland's long-term population targets. Based on this, it is our considered view that the principal of avoidance can be reasonably set aside in the context of Port Hedland, given the unique local conditions and the extensive consideration of alternative development scenarios for population growth that has already occurred.



Through the subsequent Amendment process consideration was then given to the full range of environmental issues including the need for an appropriate foreshore reserve to be identified and protected, which effectively defined the edge of the development area. A minimum fill level was also derived to permanently limit the impact of coastal inundation on both infrastructure and people having regard for the outcomes of the Coastal Vulnerability Study, as supplemented by a detailed hydrological assessment of the impact of filling the entirety of both Pretty Pool project areas to the level required, which determined the external impacts of the both developments to be negligible.

On this basis, we feel that due consideration has been given to the policy provisions of SPP2.6 in the preparation of the Structure Plan, albeit that it hasn't been presented in the form of a detailed CHRMAP.

CHRMAP PROGRESS

Since we last met with the Department on the 17th August, the Athol Street and Stables Project Teams have been making steady progress towards understanding the issues at play and scoping the necessary work required to complete the identified gaps in available information.

Please find below an outline of the advice we have received from our Coastal Processes consultant (MP Rogers & Associates) regarding the most appropriate way forward, which has been prepared in consultation with the Town of Port Hedland.

Scope Outline

- First and foremost it is important to note that all the necessary technical information is readily available, in effect the information simply needs to be re-interpreted and consolidated into a locality specific CHRMAP.
- Furthermore, a significant amount of community engagement and consultation has already occurred through the preceding Port City Growth Plan, TPS Amendment and Structure Plan processes over a collective 5 year period, with development of the East End Village representing a core component of the community's preferred growth outcome.
- In anticipation of a favourable outcome the background analysis stage (based on the latest SPP 2.6 Guidelines) is underway, with a meeting arranged with DoP Coastal to confirm the suitability of the scope on 10th October.

Technical reasons why Scope can and should be limited to "Pretty Pool"

- A key consideration is that the planning process for both project areas has been underway for several years, with the project history predating the requirement for a CHRMAP to be prepared.
- Whilst it is understood that a CHRMAP is now required to support the proposal, it should not be incumbent on the developer to complete, or wait for the completion, of a Town wide CHRMAP, with the preparation of a locality or project specific CHRMAP being a well established process for complying with the requirements of SPP 2.6.
- The requirements for a Town wide CHRMAP will be very different to that required to support both Pretty Pool proposals, as the Town wide assessment will face significant challenges associated with adaption planning for existing at-risk development.
- The CHRMAP that is being prepared in support of the proposal will incorporate the results of the regional scale coastal vulnerability study that has been completed for Port Hedland. In this regard, the broader context of the potential regional coastal hazards will be appropriately considered.

.../4



To enable sufficient time to accommodate completion of the above technical study, the proponent is willing to enter into an agreement with the WAPC to defer determination of the Structure Plan for a period of **6 months**, in accordance with part (5) of the same clause (refer relevant extract below):

- (5) The Commission is to be taken to have refused to approve a structure plan if the Commission has not made a decision under subclause (1) within —
- (a) 120 days of the day on which the local government provides the report to the Commission, excluding any period between the Commission requiring modifications to the structure plan and the resubmission of the modified plan; or
 - (b) a longer period agreed in writing between the Commission and the person who prepared the proposed structure plan.

CONCLUSION

Whilst we acknowledge the work both the Department and Town are putting into obtaining funding and organising the preparation of a town-wide CHRMAP, in the absence of confirmed funding and a defined time period by which this far more complex process will be complete, it is our intention to proceed with a Developer funded, Pretty Pool locality specific CHRMAP, the scope of which will be refined and confirmed at our forthcoming meeting with the Department's Coastal Branch.

With the above in mind we respectfully request that the WAPC defer consideration of the Structure Plan for a period of 6 months, with the proponent willing to extend its deemed refusal rights via mutual agreement as afforded under the Regulations.

Please do not hesitate to contact the undersigned on 9382 2911 should you have any queries or wish to discuss any aspect of this proposal through in further detail.

Yours faithfully
TAYLOR BURRELL BARNETT

David Reynolds
ASSOCIATE

Cc: Sandy Biagioni: PINDAN



- The proposed methodology has been discussed with and is broadly supported by the Town of Port Hedland, whom have provided the attached letter of support to this approach (*refer Appendix A*). Moreover, the Town has expressed a willingness to contribute and will continue to be consulted throughout the CHRMAP and subsequent development process.
- Progression of the Structure Plan is important to local community confidence to demonstrate that land can be made readily available when needed to respond to rapid growth periods, and avoid the critical land and housing shortages experienced between 2008 and 2012 which resulted in an unparalleled housing affordability crisis.
- There is a reasonable likelihood that the CHRMAP results will not require substantive change to either proposal. The existing designs were prepared on a highly considered basis having regard for Cardno's work on the Port Hedland Coastal Vulnerability Report plus additional hydrological studies undertaken during the preceding TPS Amendment process that sought to investigate fatal flaws with future development of both East End Urban Village development areas.
- To refuse the Structure Plan while there is a prospect that substantive change will not be required, would amount to wasting considerable government investment in the project to date, by forcing the proponent and Town to restart the entire LSP process.

Likely Timeframe

- Pending the outcome of the scope meeting on the 10th October, it is our belief that a Pretty Pool specific CHRMAP can be completed within a much shorter timeframe than has been previously suggested, inclusive of an allowance for DoP to review and confirm the suitability of the CHRMAP prior to the Structure Plan being formally determined by the WAPC.

LPS REGULATIONS

Having regard for the above we respectfully request that the WAPC utilise **Clause 23** of the *2015 Planning and Development (Local Planning Scheme) Regulations* to hold determination of the application pending the receipt of the above technical information (relevant extract appears below):

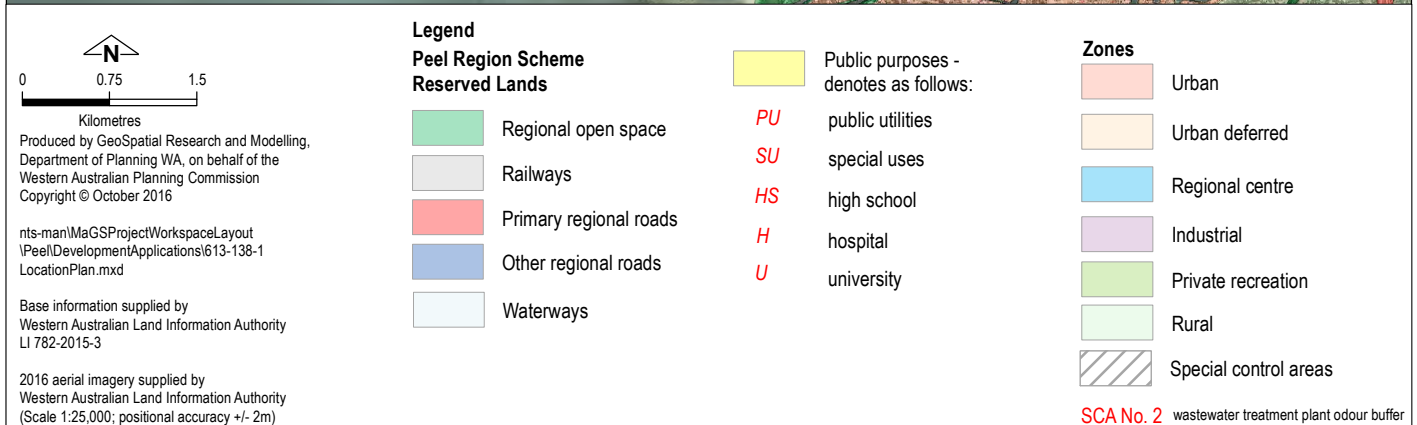
23. Further services or information from local government

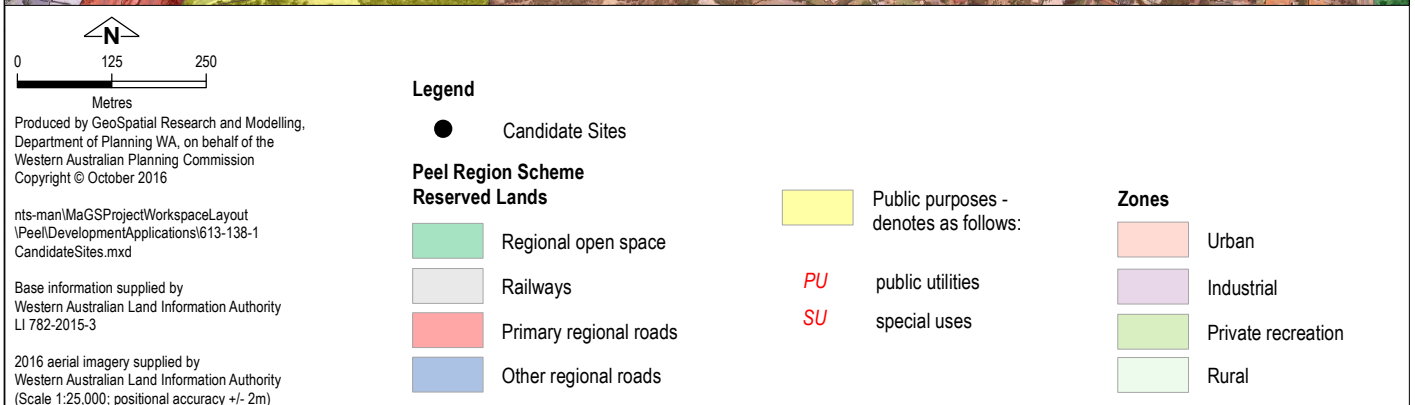
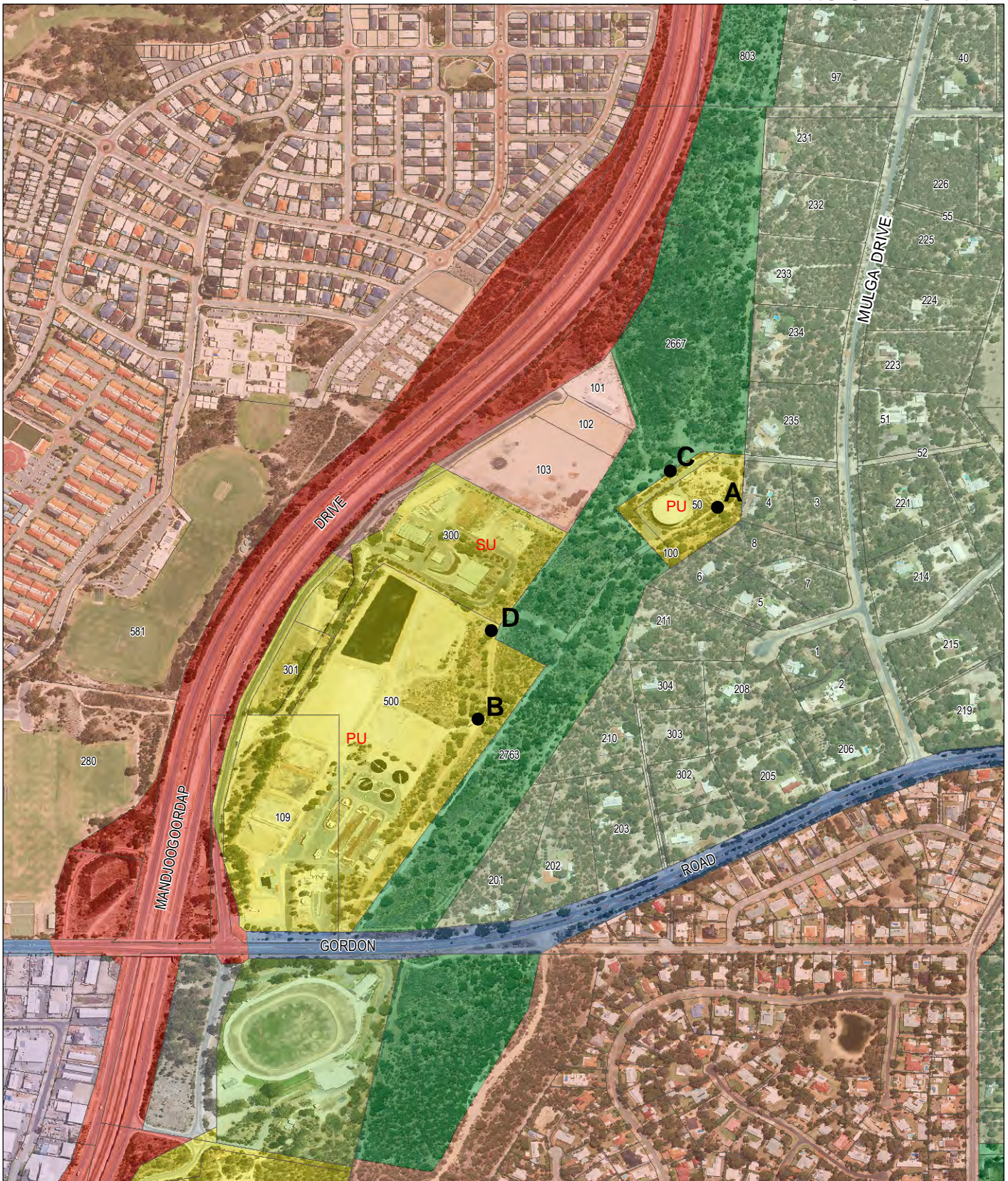
- (1) The Commission may direct the local government to give to the Commission technical advice and assistance or further information in writing in connection with the application if —
 - (a) the local government does not provide a report on a structure plan within the timeframe referred to in clause 20(1); or
 - (b) the local government provides a report on a structure plan that does not contain sufficient information for the Commission to make its decision on whether or not to approve the structure plan.
- (2) The direction must be in writing and must specify —
 - (a) the services or information required; and
 - (b) the time within which the local government must comply with the direction.



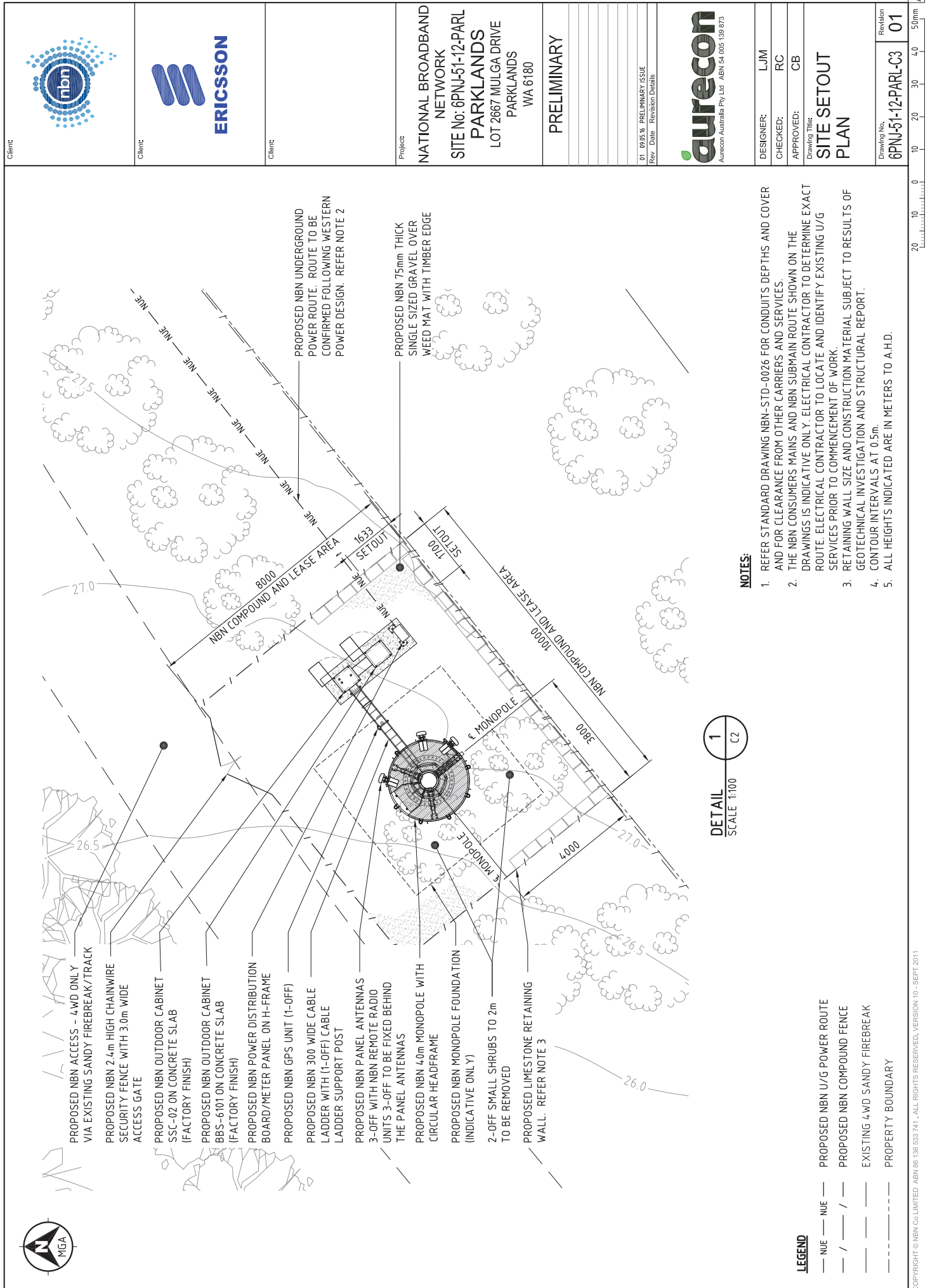
ITEM 9.3

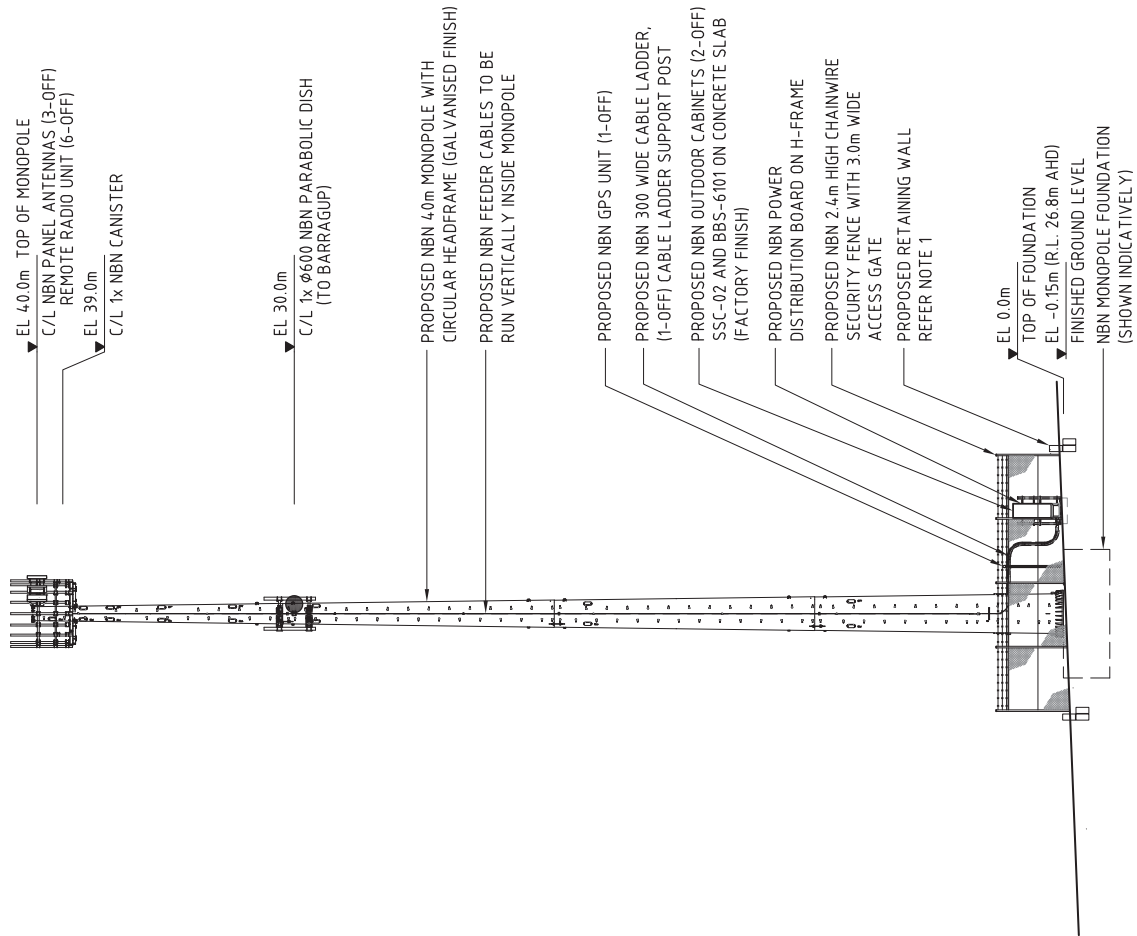
**Proposed Telecommunications Infrastructure Lot 2667
Mulga Drive, Parklands**











NOTE:

1. RETAINING WALL SIZE AND CONSTRUCTION MATERIAL SUBJECT TO RESULTS OF GEOTECHNICAL INVESTIGATION AND STRUCTURAL REPORT.

SOUTH EAST ELEVATION

SCALE 1:200

| | |
|--------------------|----------|
| Drawing No. | Revision |
| 6PNJ-51-12-PARL-C4 | 01 |

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ITEM 9.4

**Proposed Two Lot Subdivision, Lot 500 (22) Corbel Street,
Shelley**

14

15

203

R20

City of
Canning

Shelley
Locality

500

645-16

89

501

CORBEL STREET

R25

1550-14

**Location Plan for:
Survey Strata Application**

This data is to be used only for the processing of a
Survey Strata Application

Application Number: **645-16**
Decision: **Outstanding**
Printed: **23/06/2016**

Application Status

- Approved
- Outstanding

Existing LPS Zones and Reserves

- R Code boundaries
- Residential

Easements and Referrals

Region Scheme Reserves

Localities & Local Government Boundaries

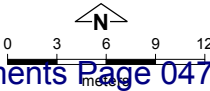
- Local government boundary
- Locality



Department of
Planning



Western
Australian
Planning
Commission



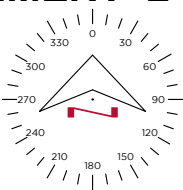
DEPARTMENT OF PLANNING

DATE

23/06/2016

FILE

645-16



203
D 37805

15
D 3214

501
D 38364

89
D 98204

1
439m²

2
402m²

500
842m²

Vacant lot
sand & grass

Vacant lot
sand & grass

LEGEND

- TBM
- Nat Surface Pt
- Telecom Pit
- Consumer Pole
- Power Pole
- Sewer Manhole

LINE TYPES

- Bottom of Kerb
- Driveway Edge
- Brick Wall
- Fence
- Boundary
- Sewer Line
- Power Cable

Subsurface Utility Information

| Present on this drawing? | Method of Location | Classification of Subsurface Utility Information AS 5488-2013 | Potential Risk of Utility Damage |
|--------------------------|---|---|----------------------------------|
| | DBYD plans or unknown source | Quality "D" H & V Unknown | High |
| ✓ | Visual utility identification (Visible pits surveyed) | Quality "C" H+500mm V+500mm | High |
| | Utilities located and marked (Electro/GPR) or potholed only | Quality "B" H+300mm V+500mm | Medium |
| | Utilities potholed and traced/sighted or surveyed at installation | Quality "A" H+500mm V+500mm | Low |

Note:
This drawing does not show all subsurface utilities. Current Dial Before You Dig (DBYD) information should be obtained and due diligence exercised before commencing any excavation works.

Note:
The boundaries shown on this plan were not re-established as part of this survey. Prior to any structure or feature modification, the boundaries should be verified by a boundary re-establishment survey.

Note:
Dimensions shown are subject to final survey.

Note:
AHD datum based on sewer manhole 8585.

CORBEL

STREET

TBM
RL : 2.96
(Nail in bitumen)



PHONE: 08 9457 7900 EMAIL: INFO@RMSURVEYS.COM.AU WEBSITE: RMSURVEYS.COM.AU

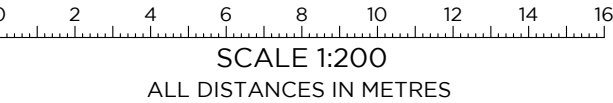


Client
Peter Morris

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PAPER
SIZE
A3

Surveyor SS
Survey Date 24/05/16
Vertical Datum AHD
Horizontal Datum LOCAL



| Rev | Description | Drawn | Chkd | Appvd | Date |
|-----|---------------|-------|------|-------|----------|
| 0 | Initial Issue | AC | SS | BB | 24/05/16 |

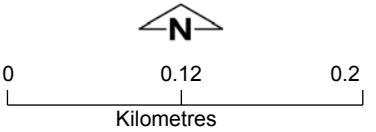
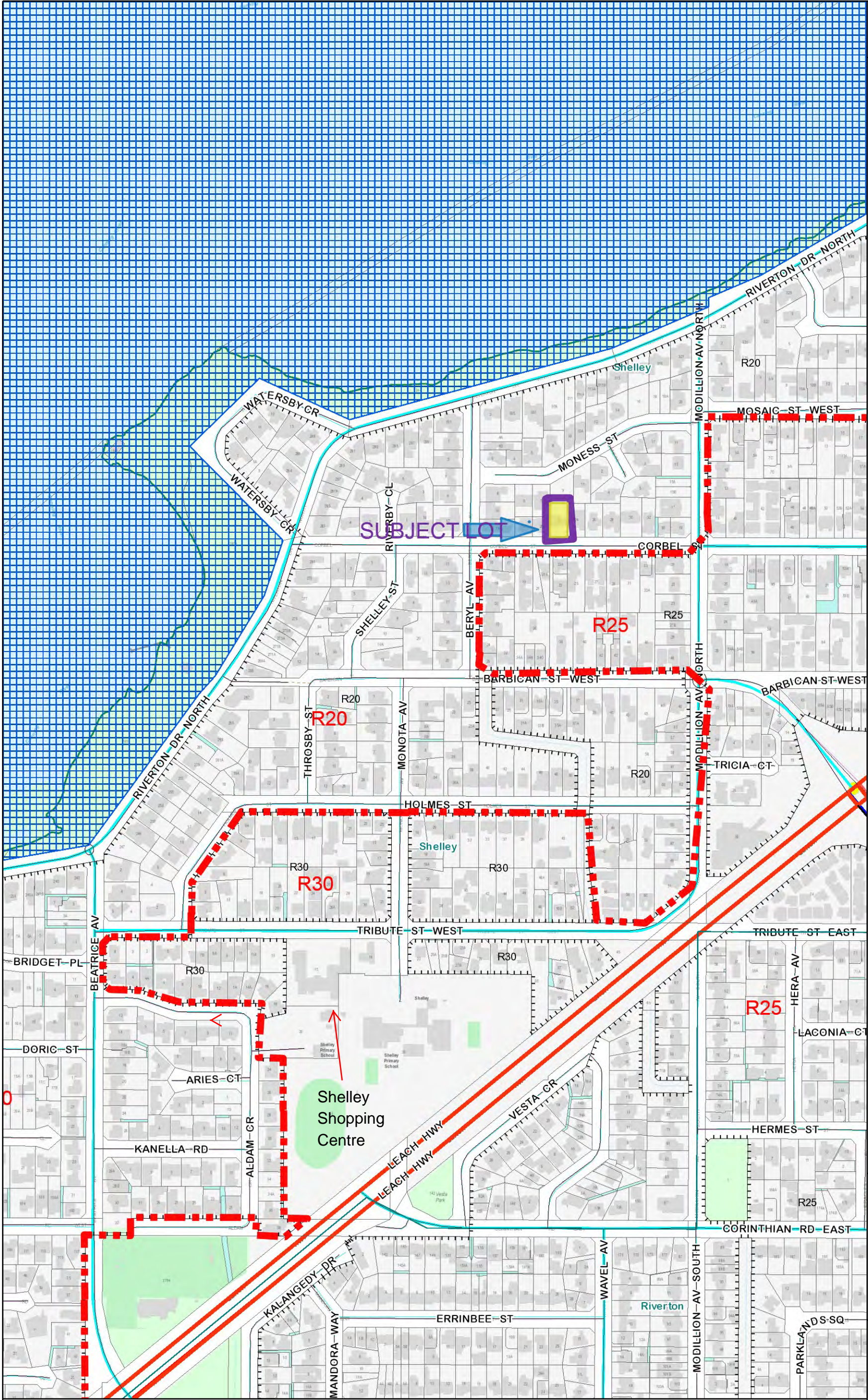
APPLICATION FOR SURVEY STRATA
Lot 500 (#22) Corbel Street, Shelley
City of Canning
C/T Vol 320 Fol 88A

| Job No. | Drawing No. | Revision |
|-------------|----------------|----------|
| MORRIS-CORB | MORRIS-CORB-01 | 0 |



Legend

- Swan River Trust Development C
- Localities
- Local Government Area
- Cadastre (View 1)
- Easements
- Roads
 - National Highway
 - Main
 - Minor
 - Not Applicable
- Main Roads Road Hierarchy
 - Primary Distributor
 - District Distributor (A)
 - Local Distributor/Industrial
 - Access Road
- R-Code Boundary

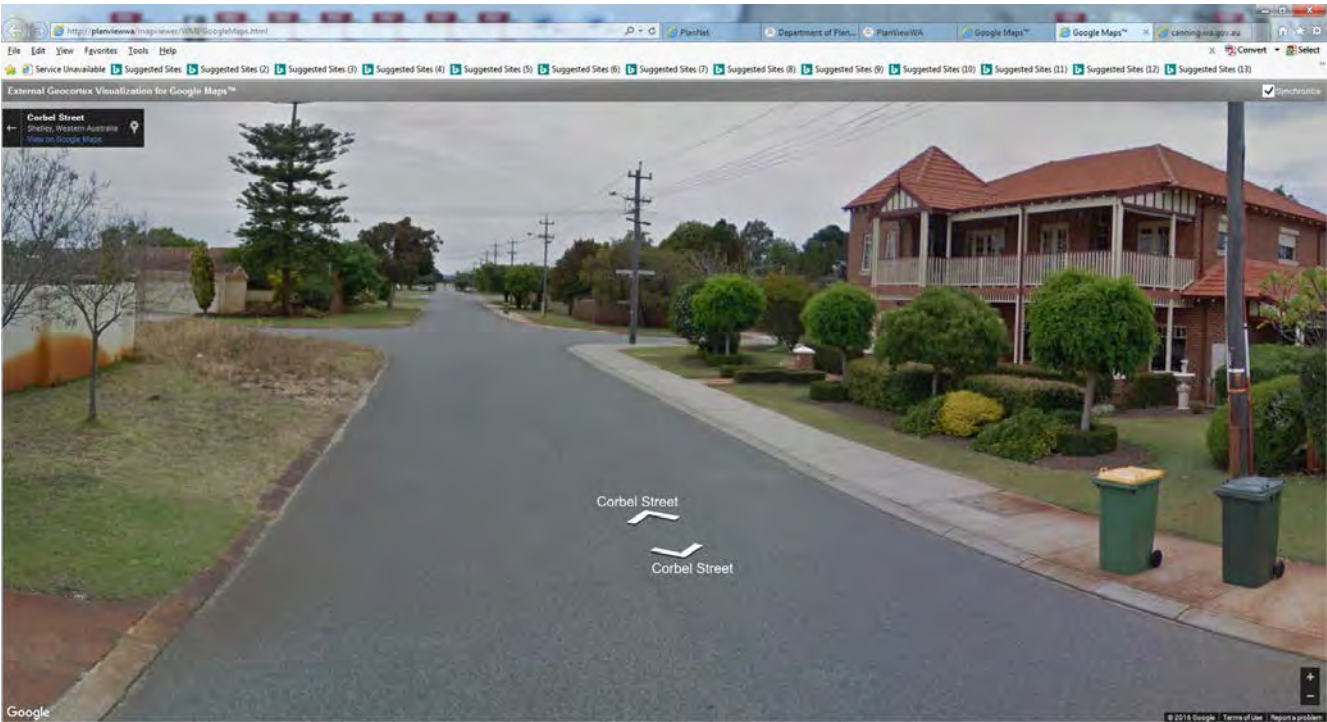


Projection:
WGS 1984 Web Mercator Auxiliary Sphe

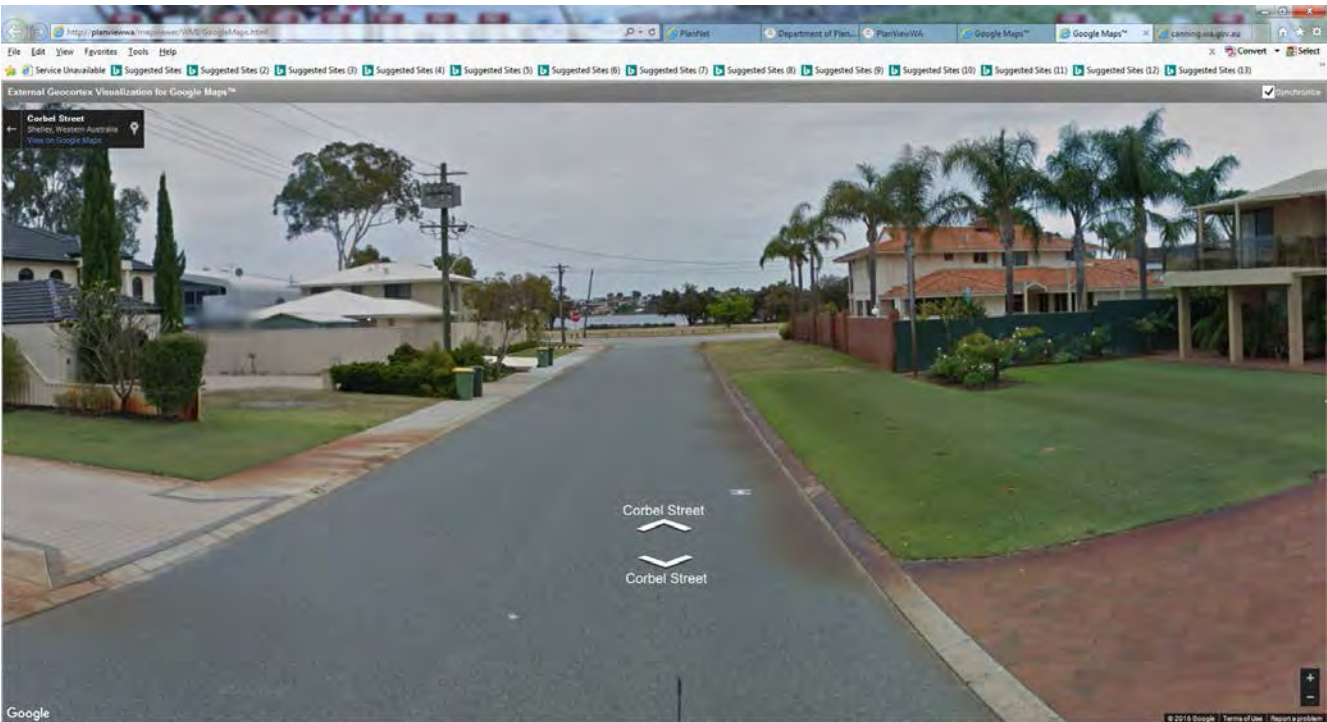
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Map was produced using DoP's PlanViewWA.

Produced by: **FUNCTIONALITY TO COME**

Date produced: 17-Oct-2016



Character of Locality 1: Corbel Street looking east



Character of Locality 2: Corbel Street looking west

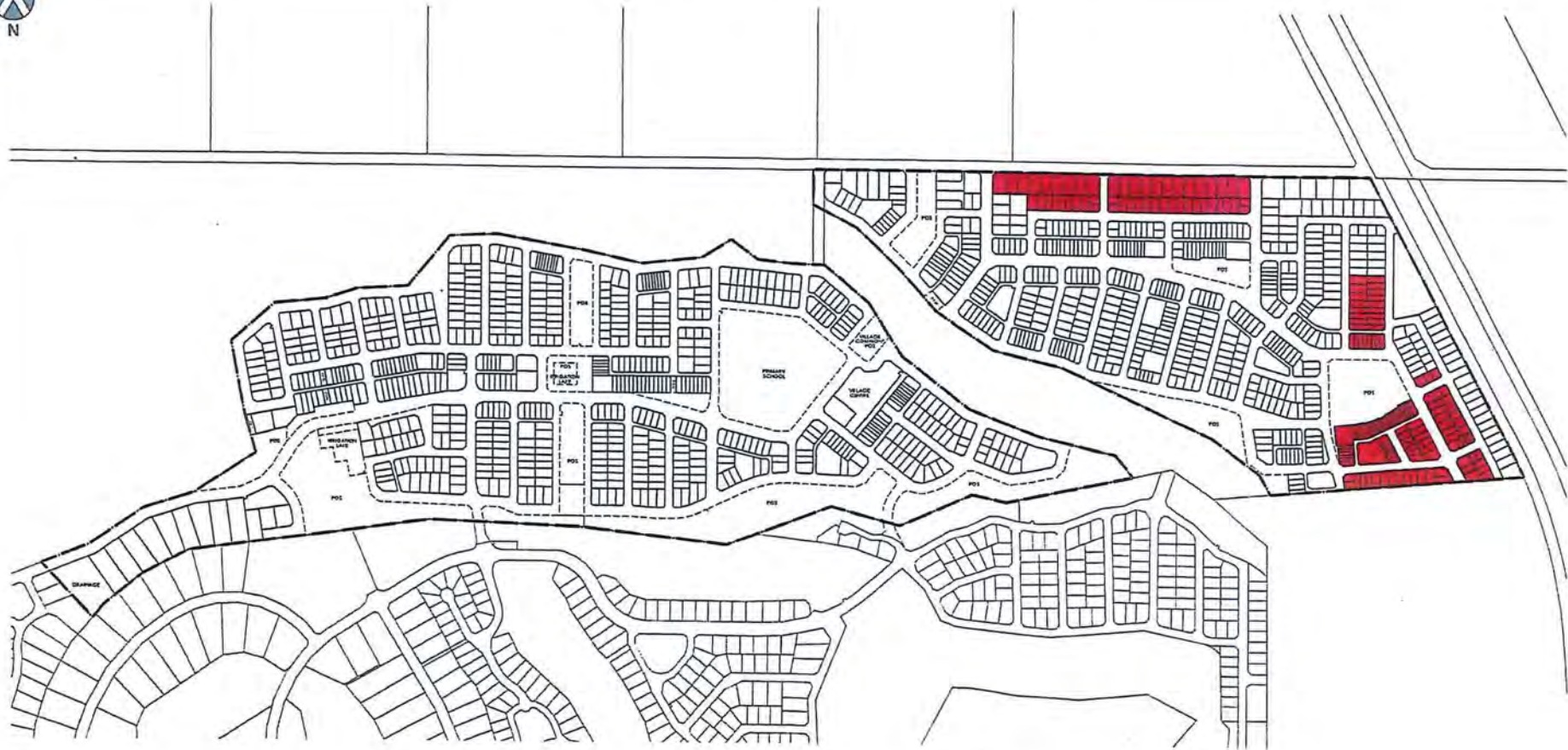


ITEM 9.5

**Structure Plan Modification – Ellenbrook Village 8 – Lot
9308 Maralla Road, Ellenbrook**

Areas of Modification

ATTACHMENT 1



LEGEND

Area of Modification



robertsday.com.au planning-design-place

SIZE A3
1:7500
0 metres 7 150 225 300 450

AERIAL PHOTOGRAPHY
SOURCE: NA
TIMMOD: NA
CADASTRAL INFORMATION
SOURCE: WHELAN & RO
TIMMOD: 141212
DWD RD: VARIOUS PLANS
PROJECTION: PCG54

A UPDATED DESIGN
REV DESCRIPTION

140914 REAL EJ
TIMMOD DRAWN APPD

AREA OF MODIFICATION
Village 8, Ellenbrook
City of Swan

REF NO. DRAW NO. REV.
EJV VL7B RD1 025 A

DISCLAIMER: ISSUED FOR DESIGN INTENT ONLY. ALL AREAS AND DIMENSIONS ARE SUBJECT TO DETAIL DESIGN AND SURVEY



— Structure Plan Boundary

- | | |
|-------|------------------------------------|
| R5 | R30 |
| R10 | R35 |
| 12.5 | R40 |
| R17.5 | R50 |
| R20 | R60 |
| R25 | R60 Narrow Lot Innovation Precinct |

Development is to be in accordance with the R60 provisions of the Residential Design Codes unless otherwise varied by a council approved Detailed Area Plan.



robertsday.com.au planning-design-place

SIZE A3
1:7500
0 75 150 225 300 400

AERIAL PHOTOGRAPHY
SOURCE: NA
YIMMOD: NA
CADASTRAL INFORMATION
SOURCE: WHELANS & IO
YIMMOD: 141212
DVG REF: VARIOUS PLANS
PROJECTION: PC084

| | | | | |
|-----|--------------------------|--------|-------|--------|
| M | UPDATED DESIGN | 151002 | HH | EJ |
| L | UPDATED DESIGN | 150817 | RF | ED |
| K | R CODE CHANGES | 150403 | RF | EJ |
| J | OVERALL PRECAL UPDATED | 140104 | SB | EJ |
| I | PRECAL EAST UPDATED | 141205 | SB | EJ |
| H | ADDITION OF R5 TO LEGEND | 140925 | SB | TT |
| G | R-CODE CHANGES | 140823 | HH | TT |
| F | R CODE CHANGES | 140224 | RF | AS |
| REV | DESCRIPTION | YIMMOD | DRAWN | APPROD |

RESIDENTIAL DENSITIES
Village 8, Ellenbrook
City of Swan

REF NO. DRAW NO. REV.
EJV VL7B RD1 202 M

DISCLAIMER: ISSUED FOR DESIGN INTENT ONLY. ALL AREAS AND DIMENSIONS ARE SUBJECT TO DETAIL DESIGN AND SURVEY

Amended Density Plan

ATTACHMENT 3



— Structure Plan Boundary

- | | |
|-------|------------------------------------|
| R5 | R30 |
| R10 | R35 |
| R12.5 | R40 |
| R17.5 | R45 |
| R20 | R50 |
| R25 | R60 |
| | R60 Narrow Lot Innovation Precinct |

Development is to be in accordance with the R60 provisions of the Residential Design Codes unless otherwise varied by a council approved Detailed Area Plan.



robertsday.com.au planning-design-place

SIZE A3
1:7500
0 7.5 15 22.5 30 400
metres

AERIAL PHOTOGRAPHY
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YTMWDO: NA
CADASTRAL INFORMATION
SOURCE: WHELAN & CO
YTMWDO: 141032
DWG REF: VARIOUS PLANS
PROJECTION: PCGS4

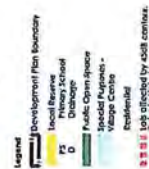
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M: UPDATED DESIGN
L: UPDATED DESIGN
K: R CODE CHANGES
J: OVERALL PRELIMINARY
REV: DESCRIPTION

| | | |
|--------|-------|-------|
| 140314 | REAL | EJ |
| 131002 | 104 | EJ |
| 130017 | RF | RD |
| 130423 | RF | EJ |
| 141036 | DS | EJ |
| YTMWDO | DRAPH | APPRD |

RESIDENTIAL DENSITIES
Village 8, Ellenbrook
City of Swan

| | | |
|----------|----------|------|
| REF NO. | DRAW NO. | REV. |
| EJV VL7B | RD1 202 | N |

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1. A study conducted within the 48th section, as delineated by the Department of the Interior, Bureau of Land Management, Attachment I of Appendix C of the Nevada State Reclamation Project Act of 1960, shall be required to provide notification on the following proposed purchases of the property of the National Bureau of Geology and the National Bureau of Economic Geology, the Environmental Protection Agency, the National Park Service, and the National Forest Service.
2. The study to be developed from the information above and to be submitted during the subdivision stage, and the design to be submitted during the subdivision stage.
3. The stage referred to the proposed connection to Interstate City Freeway Lane will be conditioned on the location of the parcel within Nevada No. 48271 for the purpose of the provision of a road, and
4. Subdivision of the north-eastern stage of the development plan being conditioned on the creation of a road within the 48th section, as delineated by Nevada No. 48272 for the purpose of the provision of a road.

- | Building Management | Notes to Builders Management Plan, Two Cost Services, April 2012 |
|---------------------|--|
| ★ | Builder should have 18 (thirteen) meet comply with section 4.3.1 of the Building Management Plan |
| ★ | Builder should have 12.5 (thirteen) meet comply with section 4.3.2 of the Building Management Plan |
| | "Notwithstanding any statement to the contrary within AS3291-2007, (or relevant equivalent) any Class 1, 2 or 3 building is a Class 4 fire building or district associated with a Class 4 fire building or district, and shall comply with the 125 measures of fire risk management identified in the 'extreme' or 'moderate' building risk event as identified in Table 3 – Fire Management Risk, of Appendix A, and comply with the implementation of AS3291-2007, or equivalent Australian standards" |

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4000 5000



Allenbrook



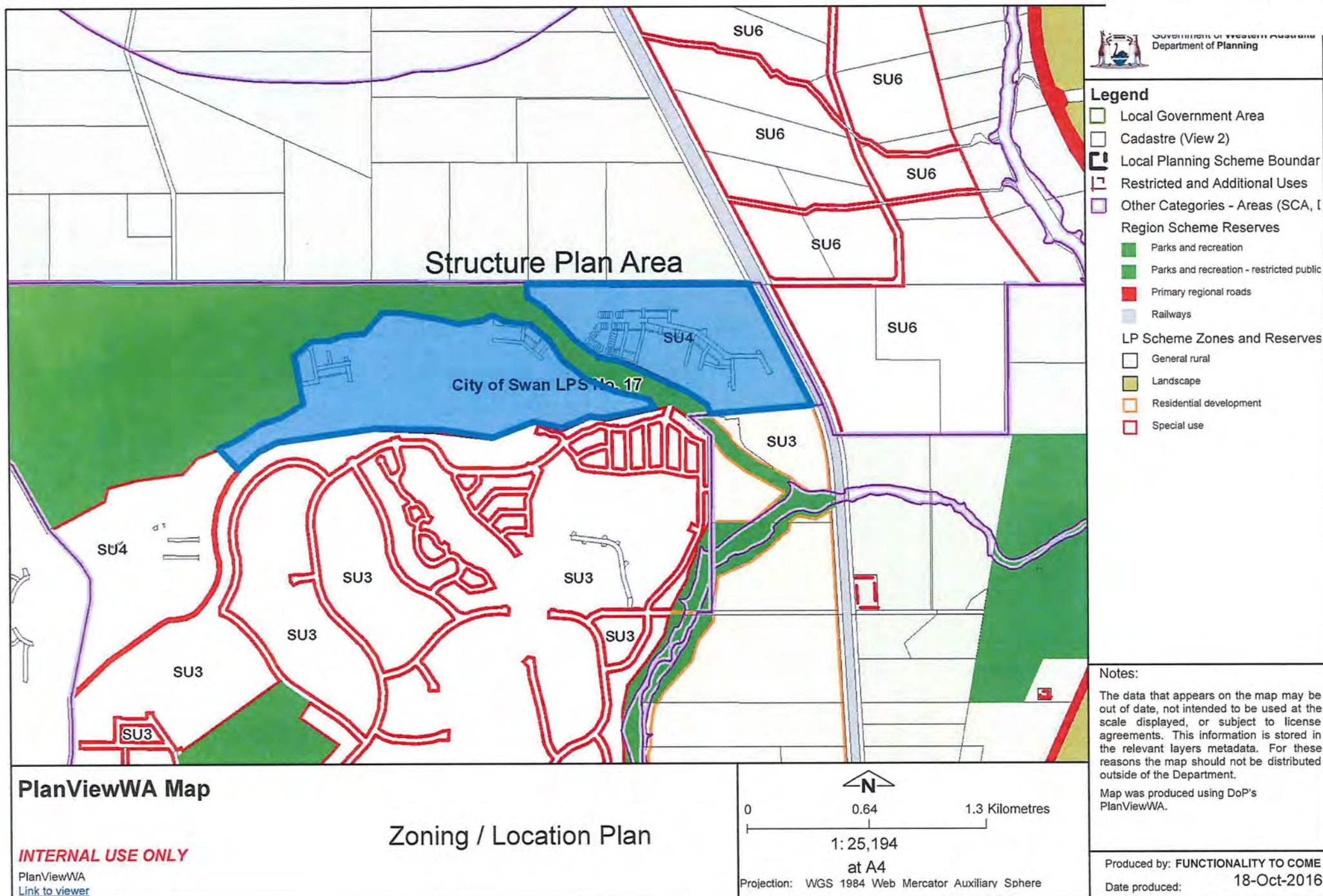
ROHM

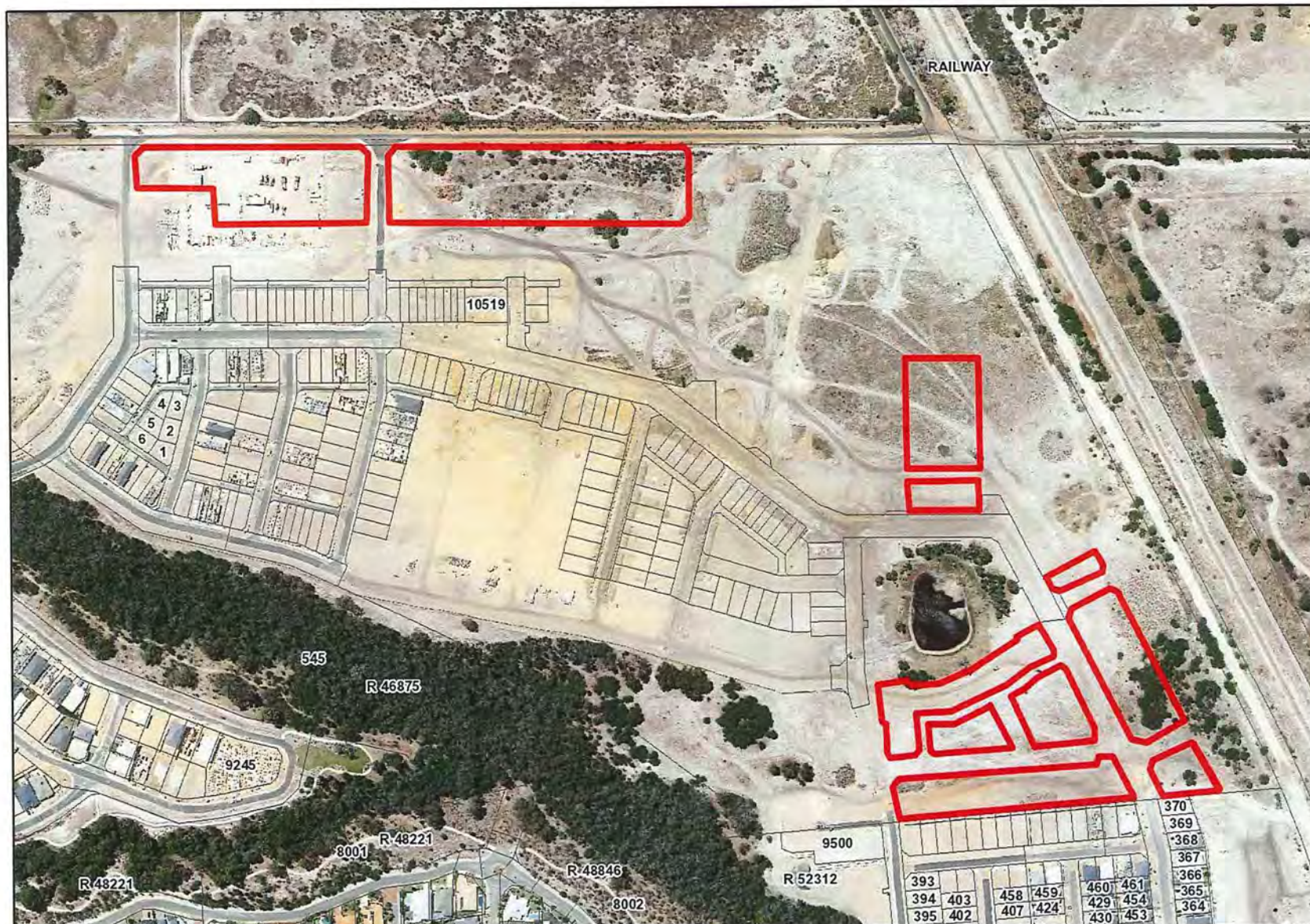
| | | | |
|--|---------------------|---------------------|-----------|
| DEVELOPMENT PLAN Services Lending - Village 7B City of Salem | INT NO 211 14378 | DESIG NO 101 203 | REV. M |
|--|---------------------|---------------------|-----------|

Zoning Classification



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Department of Planning

Legend

- Local Government Area
- Cadastre (View 1)

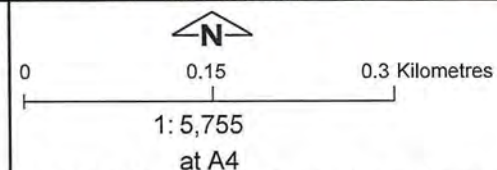
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Map was produced using DoP's PlanViewWA.

PlanViewWA Map**Aerial View - Amendment Area****INTERNAL USE ONLY**

PlanViewWA
[Link to viewer](#)



Projection: WGS 1984 Web Mercator Auxiliary Sphere

Produced by: FUNCTIONALITY TO COME

Date produced: 20-Oct-2016