



## **PGLOA ELECTED COMMITTEE 2014-15**

### **PGLOA Committee Chairman**

Steve O'Brien

### **Vice Committee Chairman**

Peter McLurg

### **Secretary**

Colleen Blundell

### **Treasurer**

Simon Denney

### **Committee**

Cheranne Morris    John Valentine

Kevin Strapp        Ross Scott

Neil Honey

## **NEWS BULLETIN**

An official news bulletin produced by the Port Geographe Landowners Association Committee  
November 2014 Issue.

### **OLD HOUSE SPINNAKER BOULEVARD**

**A last gasp response by the owner of the old house on Spinnaker Boulevard has seen some preliminary works commence on the rebuild. This change in circumstances occurred just a day after a build start timeline set by the City had expired.**

**Site works involving the laying of limestone blocks in a perimeter formation, coincidentally sprung into action a day after a meeting between two PGLOA committee members, our lawyer, Peter May and City administrators.**

At this meeting Peter May made it clear to the City that Supreme Court action is one way to

determine the fate of this old house should the chain be allowed to drag on much longer. In his legal opinion there was an ultra virus case against the initial planning approval decision.

The City has admitted the initial planning application could have been handled better.

They are sticking to their view that the City did not have to advise the PGLOA or local residents about what was proposed on the Spinnaker Boulevard lot. They inferred that the interpretation of a relocated building under the Town Planning Scheme was treated the same as a transportable home.

The initial planning approval for the old house has now been superseded with an amended version which has set milestones for the landowner to meet.

If site works had not commenced the City would have had to make a decision about the default.

One action they could have taken was to ask the owner to remove the house from the site.

The old house issue has been all consuming.

PGLOA committee members have spent countless hours prior to the AGM and have continued to pursue every avenue since this issue sparked a residents backlash. Not to mention the effort lawyer Peter May has put in for which we are most grateful. An expert witness also helped with examining the case in line with the City's Town Planning procedures.

## Changes to Planning Policy

**The Port Geographe Land Associations Committee has rejected the City planners first suggestions to change local planning policy to prevent transportable dwellings and old houses being transported onto vacant lots in the development.**

**The Association does not support the change suggested because it considers the suggested changes do not go far enough. According to the PGLOA committee the entire SAR catchment area for this development should be protected under the policy rather than a narrow strip of the development, namely Spinnaker Boulevard and Keel Retreat.**

Whilst the Association acknowledges that development areas not included with the proposed change have some protection through restrictive covenants it is unfair to rely solely on this safeguard.

What the Association believes is that an application to place a transportable home or an old house transported from elsewhere to the Port Geographe catchment should be stopped at the planning application stage. Thereby Port Geographe residents currently living next door to vacant lots have security against such an incident as the old house on Spinnaker Boulevard happening next to them.

It is clear that in several email responses on the old house from the Planning Directorate that the "City currently does not have the power to simply refuse a relocated dwelling in this location".

So what this means for the other sections of the Port Geographe catchment which are not included in this "idea" of change to the Urban Centre Policy is that the City can approve such a dwelling and then residents will have to fight in court using the restrictive covenant to stop it actually happening.

This defies basic common sense. Not only that, it has created a lack of confidence in the City's planning policy.

The PGLOA acknowledges that changes to the Town Planning Scheme is not the best option, as it means getting the agreement of the Western Australian Planning Commission and the signature of the Minister for Planning.

However the idea of minor changes at a local Council level via the City's 2<sup>nd</sup> tier Urban Centres Policy is the answer for selective areas of the development without extending to the entire area of Port Geographe is unreasonable.

The PGLOA believes that such a limited planning policy change is leaving the door open for the same event to happen again in other parts of Port Geographe. The Association does not want this and we are sure the Councillors will not

want it, let alone the impact it will have on the Planning Directorate should such an event happen again

If such changes are to be made to the Urban Centres Planning Policy then the PGLOA believes it should be fixed once and for all for the whole Port Geographe catchment thereby preventing future concerns for everyone.

## Lights On or Off - Spinnaker Boulevard

**The PGLOA are pushing for the lights to go on in Spinnaker Boulevard. While the City and Western Power have made contact with the PGLOA following this issue being raised at the AGM the status has not changed much since then.**

**A night inspection by the PGLOA recently has revealed that several globes on light poles down the street are still not working. An email has since be sent and acknowledged by the City so hopefully this will be rectified soon.**

In the meantime the City has contacted Western Power again and an order number for this work has now been passed onto to the PGLOA.

The PGLOA made contact with Western Power again on the 18<sup>th</sup> November and was issued with a further reference number which refers to incomplete work.

Until they are fixed we need a full moon every night.

## Port Geographe Waterways Reserve Fund.

The City of Busselton has advised that our request for input into spending this Reserve Fund (\$560,000) has met with a luke warm response from the City. Their reply letter which dealt also with irrelevant issues outlined that the Reserve Fund is at Council's discretion.

It stated that staff will be willing to share with the PGLOA the proposal for next year's expenditure from the fund prior to putting it before council.

The correspondent did not state that it would consult with the PGLOA before determining their wish list of how it would be spent. In other words the City appears to have the upper hand on deciding how to spend this money on our locality. It would appear consultation is a dirty word these days.

The PGLOA will follow this issue up with the Mayor and City administrators

## Port Geographe Coastal Reconfiguration - General Update (October)

The Department of Transport has provided the following update of the works on the beaches on the Western side and at Wonnerup.

- "As of Thursday (30/10/14) sand is being brought in from a local sand supply and seagrass wrack is being back-loaded into the sand supply trucks such that this seagrass wrack is being

completely removed from site (see the photos attached). These works started following the establishment of approvals and contract arrangements.

- In the interim re-profiling at the western end of the western beach has been also occurring. These works involve sourcing excess material from the near shore accreting sand bar and are being undertaken to ensure the entire western beach better aligns with the target beach design (UWA model) and low areas on the beach are raised. Sand excess to design has been moved up toward the breakwater.
- The sand recovery process at the western end of the beach will cease by the end of the day on 07/11/14 at the latest.
- CGC (as DoT's dredging contractor) are engaged to undertake these works and they are using VMS as a sub-contractor. All western beach works are being undertaken to further improve the bypass performance of the new rock structure.
- At the start of September 2014 it was estimated that there was approximately 50,000m<sup>3</sup> of seagrass wrack remaining on the western beach which has reduced naturally and through occasional pushing by dozers, down to approximately 15,000m<sup>3</sup>. This represents a major reduction in wrack volumes from previous years.
- Sand delivery to Wonnerup will commence on Monday 03/11/14. This sand will come from a local sand supply and will be used improve the beach profile to increase the total volume of sand on Wonnerup."

## Footpath Layman Road

A recommendation for a permanent solution to the section of the footpath between Keel Retreat and Starboard Road (boat ramp turnoff) is still going through the City's hierarchy.

The recommendation by the City's Operational Services Division is to go with a bitumen surface rather than concrete through this section as it offers more flexibility to cope with the tree roots. The recommendation retains the trees adjacent to the footpath.

However any permanent fix will not be performed until the 2015/16 year provided funds are forthcoming from that year's budget. Until then the footpath will be maintained and any further deterioration will see crushed limestone used as a temporary surface.

This City internal recommendation follows a PGLOA duty of care report in September 2013 which highlighted the decline in the footpath caused by tree roots uplifting the surface.

It also follows a more recent report from the PGLOA recommending that footpath be replaced with concrete, the original surface.

## Location Name

**Most people, and organizations call the area in which we live, Port Geographe. However the locality name applied by the authorities has seen this area referred to as Geographe.**

This change was made some time ago without any public consultation and covers a wider area taking in what was formerly known as Bayside and the Sandilands.

Current thinking is that Geographe is a name that is used in many areas. There is a sign on the Forrest Highway near the Waroona turnoff that says “Welcome to Geographe wine region”.

And there are many other examples of the use of this name which creates confusion amongst visitors, tourist and even “boaties.”

Furthermore the name of our area should be Port Geographe because it has a marina which makes it distinct from the other districts.

The Committee will pursue the possibility of changing the name back to its original name, Port Geographe.

## **New Face Chairs PGLOA Committee**

**Steve O’Brien was elected Chairman of the Port Geographe Landowners Association Committee at a recent Annual General Meeting of the landowners group.**

**He succeeds John Valentine who stood down for health reasons.**

O’Brien has a substantial knowledge base on the Port Geographe development. He recalls when the locality was bush before any roads, services, waterways were in place. He sold the

land for various owners over a sixteen year period.

Two new members elected to the Committee include Kevin Strapp who has a wealth of experience in State and Local Government. Ross Scott is a successful businessman. O’Brien, Strapp and Scott have lived in the development for many years

## **Membership**

**The committee has identified many issues that are in need of attention.**

**Current issues tackled or being researched in the last two committee meetings have centred around the stories in this News Bulletin but there are many more issues that need a focus.**

Landscaping, the discriminatory Special Area Rate, maintenance are just two.

The PGLOA Committee wants to grow the membership. And it plans to lift its profile through the local press on issues it feels are of vital interest to its community.

The annual membership fee is \$20.

## **Your Comments**

**Your input as a resident of Port Geographe is also welcomed. Any comments , feedback including other issues you want to raise is valuable to the committee.**

So if you want to let us know how you feel about things then send us an email to: [\*\*portgeographeloa@gmail.com\*\*](mailto:portgeographeloa@gmail.com)