



PGLOA ELECTED COMMITTEE 2015-16

PGLOA Committee Chairman

Steve O'Brien

Vice Committee Chairman

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Treasurer

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Committee

John Valentine

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Graeme Edwards

NEWS BULLETIN

An official news bulletin produced by the Port Geographe Landowners Association Committee

August 2016 Issue.

Its Bloody Hard Work

Your PGLOA management committee has had a hard working year trying to ensure the quality lifestyle and standards we all enjoy within the development are maintained.

A planning change to Town Planning Scheme 21 which the PGLOA worked tirelessly with the City's Planning Directorate and was ratified by Council last year has gone through a long process of scrutiny via the Western Australian Planning Commission (WAPC).

These changes were driven by the PGLOA following the old house saga on Spinnaker Boulevard. The PGLOA has also been told that there were another two similar applications before the City for such buildings on lots within the development.

The upshot from the WAPC's latest input has resulted in recent alternative amendments from the Minister for Planning to that passed through Council last year.

These Minister's amendments are not to allow:

- Repurposed dwelling which are buildings or structures not previously

used as a single house, which has been repurposed for use as a dwelling.

- Second-hand dwelling which is defined as a dwelling that has been in a different location and has been dismantled and transported to another location, but does not include a new modular or transportable building.

The Minister's direction was passed through the City of Busselton Council meeting recently.

However it is considered by the PGLOA and the City's Planning Directorate that there is a loop hole which needs tightening and that is to allow new modular and transportable buildings.

It is believed the building industry is lobbying hard for these types of building.

Port Geographe is gazetted a Special Control Area and it is under this category that the PGLOA will be lobbying the new Minister for Planning, Donna Faraqher when she comes to Busselton. The intent is to ban new modular and transportable homes from such areas.

Comment: It is not easy to bring about change. The PGLOA has been persistently at this issue for over two years. It's Management

Committee have held a steely resolve from Day One in an effort to maintain a standard of housing that will lead to increase property values within the Port Geographe development.

It is also important that the effort put in voluntarily by the Management Committee is backed up with help and a strong membership list.

Your \$25 membership is a small fee for the hours of work put in during each week by key management committee members which require lobbying Councillors, Members of Parliament, City of Busselton Directorate personnel as well as attend twelve management meetings per year.

The management committee has worked without a Secretary for the last few months after the appointed Secretary resigned. This has thrown extra work load on members of the committee reducing its effectiveness.

The current Chairman of the PGLOA Management Committee will not be standing after the October 2016 AGM.

When is a Planning Change Not a Planning Change?

It is interesting to see how planning staff in the City of Busselton get around planning changes voted in twice by Council 9 zip.

In 2015 the PGLOA was successful in getting the then Mayor of Busselton to move a late motion to a 2nd Local Government policy called the Urban Centre Policy - 4B Port Geographe area.

This Urban Centre Policy was a standard, set for Port Geographe, and directly taken from an architect's guideline which was prepared for the previous developer of PG. These guidelines were the basis of restrictive covenants which were applied by the developer, Tallwood Nominees.

At the height of the recent old house in Spinnaker Boulevard issue it was suggested by City planning personnel that a change to this policy would be another way of tightening planning regulations.

There was a loophole in this suggested change. The PGLOA wanted this closed.

It lobbied the then Mayor of Busselton and a late motion which ensured that the restrictive covenant imposed by the previous developer were included in this Urban Centre Policy change. This late motion required future house builds in Port Geographe to be built of masonry on the ground floor and had the flexibility for other materials if desired to be used on the second floor to enable flair in housing design.

But it would appear that the tail is wagging the dog.

While there are some that would prefer to use other material on the ground floor that is not the point.

When Council passes a planning change twice, (a difficult step in the first place), and after going out for public comment, and then it is not heeded by the planning directorate then it appears that directorate is playing God over Council decisions. This begs the question what is the point of Council. It also leads to another question. Is Council a rubber stamp for the bureaucracy?

Furthermore Councillors who voted for the planning policy change seem to do nothing when this is brought to their attention.

The planning directorate's defence is that they believe, on the weight of historical evidence, that an appeal to the State Administration Tribunal (SAT) would lead to an appellant getting the nod over Council policy. And when they talk about transparency do not believe it. The PGLOA is the last to know when a house build does not conform to the planning policy.

What the PGLOA has wanted all along is to maintain the conditions of the restrictive covenants. With limited number of blocks left in the existing titles area of the development this is not a very big ask.

Trees Layman Road

The Casuarina trees on the western side of Layman Road between Keel Retreat and Starboard Road have been removed because the roots system were lifting the adjacent footpath.

The City's plan is to gradually remove all the Casuarina trees along this stretch in stages.

The PGLOA has been lobbying Councillors to replace these trees with an avenue of "dress circle" or ornamental trees on the basis that Layman Road is the second entry to town at this eastern end and is part of the tourist drive through the tuart forest. And Layman Road is the first impression tourists have when driving to Busselton CBD via this route.

One councillor has also wondered why a native planting policy is in place citing the fire danger around housing, particularly in view of the recent Yarloop fire.

At least the footpath has been replaced after this was brought to the City's attention two years ago.

The PGLOA has suggested to Councillors that a committee comprising PGLOA, City and new developer representation should thrash the matter out.

It will be interesting to see what develops hereon in.

SLOW Progress

We are still awaiting a report from DOT on the interference with the canal rip rap wall issue which occurred last year and has gone on for far too long. The circumstance surrounding this issue was jetty poles were installed by the contractor using a huge mining size excavator.

Not only did this operation crack a footpath but interfered with the rip rap wall and fabric membrane which is an important part of the engineering integrity of the canal walls.

DoT sent correspondence to the four owners of the properties in question advising of recommendations/actions for the repairs to the damage to the riprap wall.

They have confirmed receiving correspondence from one owner who has provided a proposed method of remediation which DoT has accepted

A DoT jetty inspector met onsite earlier this year with the owners/representatives of the four jetties. Also in attendance was their engineer engaged to assess the rip rap damage and construction issues.

It is DoT's understanding the engineer identified and created a scope of works for the owners to address the construction and rip rap wall issues.

As part of the process the engineer was to dive at all four jetties to ensure the scope of works have been satisfactorily completed. The final sign off on the works should have been completed.

Some canal landowners were very nervous about the interference to this rip rap wall in January 2015. This is because the limestone canal wall above the rip rap wall is within the title area of their canal house lots.

They need some assurance that the rip rap wall in the sections that were interfered with are in good order and as such has not had any impact on the integrity of the continuous canal wall.

Footpath Promised

Continued pressure on the City to construct a concrete footpath between Sensations Café and the beach on the western side has paid off. This was first identified by the PGLOA when works on the groyne reconfiguration work first began.

The footpath is included in the City 2016/17 budget.

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Response to Environmental Management and Monitoring Programme

The PGLOA has written a response to DoT's invitation to comment on the Draft

Environmental Management and Monitoring Programme. It has recommended that:

- No sand-by-passing from the western Beach to Wonnerup.
- Sand replenishment for Wonnerup should be explored from a sand bar out in Geographe Bay which has developed from artificial seaweed dumping over the last decade and from the mouth of the Vasse River to the east.
- Government pressure needs to be applied by the State Government on the City of Busselton to bring about a more equitable system in relation to the payment of coastal and waterways management at Port Geographe and not have just one community group contributing just because they live in the development, many of whom do not live on the waterways.
- It is also the PGLOA's view that maintenance work for the Western Beach and Wonnerup should be a State Government responsibility, as it historically was, prior to the Port Geographe development.
- Furthermore it is our view the State Government should not be a sub-contractor to the City of Busselton which the new management deed requires of which parts we understand still require legislation change.

A Change of Mind Restores Sanity

It was included in our report to the City which focussed on reserves, footpaths etc that needed attention. We asked for the green belt which separates Burgee Close and Ransonnet Drive to

the end of the cul-de-sac, Hamelin Retreat, on the western side of Port Geographe to be reticulated. Just like the western section to Marine Terrace which was reticulated by the Developer.

Up until then this section of couch grass was mowed and cared for by Activ Industries. And a City road tanker watered the peppermint trees.

The response to our request from the City was to rip up the grass and place coarse woodchips which resembled the bottom of the woodpile after all the wood logs had been chopped up. From the top of the footbridge it looked a complete rubble.

And the Director of Engineering and Works Services when he met some of our Management Committee on site defended the action taken.

We reported it and showed the mess to two Councillors during a regular coffee session with them.

Sanity eventually prevailed. The Chief of the City took a drive and the end result was:

Removal of the woodchip.

- Formative pruning of the Peppermints and other trees.
- Removal of some wattle in poor health.
- Applying some Kikuyu seed to help re-establish the grassed area.
- Mowing, when required, by the City.

It hasn't been reticulated but at least it has returned to the status it was before we made the request. This is an example of how the City used ratepayer's money to no avail.

AGM

PGLOA's Annual General Meeting will be on Monday 17th October 2016 at the Sea Rescue Facility, Geographe Bay Road, Busselton starting at 7pm. The PGLOA will approach the new developer Aigle Royal to attend as a guest to bring landowners up to speed with their development plans on the south side of the development.

At the AGM a motion will be required to sanction some minor amendments which will be put to bring the PGLOA Constitution up in line with the requirements of the new Association's Act 2015 which came into effect on July 1 2016.

Have you Got Time

If you have some experience in management then the PGLOA is looking for a new Chairman to replace Steve O'Brien who is standing down from this role after two years at the helm. The PGLOA is also seeking a Secretary whose role will be to record minutes of monthly meetings and other communication duties.

We also need to introduce new blood to the PGLOA committee so that new ideas and energy is actively working for the betterment of the community. While the role is voluntary it can also be very rewarding. So come to the AGM and out your hand up.
