

Port Geographe Landowners Association Inc

PGLOA Office Bearers 2018-19



Chairman	Dennis Gee	dennis.gee@bigpond.com
Secretary	Peter Brinsden	pb@pbdesigns.com.au
Treasurer	Simon Denney	simon.denney@westnet.com.au
Committee	Kevin Strapp Michelle Reilly Ron McDavitt Ross Scott Emma Dickson	
Website	www.portgeographe.com.au	
General email	portgeographeloa@gmail.com	

News Bulletin of the Port Geographe Landowners Association – December 2018

***Waters Edge* goes to members and landowners via an expanding mailing list. This issue is devoted to rezoning proposals, and the issues and consequences that arise.**

BCC has now publicised the structure plans for four lots in the immediate vicinity of Port Geographe Marina, and has called for public comment before 24 April 2019. The schedule is tight, but PGLOA will make a submission.

These proposals will result in rezoning of the last undeveloped portions of land around the marina. They will significantly change the existing zonation from mixed commercial with tourist accommodation, in favour of medium to high density residential. PGLOA has previously distributed the proposals and noted some concerns.

The Structure Plans have been submitted by Consultants CLE on behalf of the respective landowners – in this case Heath Developments and Qube Properties. Current and proposed zonations are summarised in the table on Page 2.

The proposals have the general support of BCC, as evidenced by Amendment 28 of the Local

Planning Scheme 21 issued in April 2018. BCC agrees with the proponents that the commercial situation has changed since the last plan adopted in 2005. Basically the change is driven by the rise of short-stay rentals (eg Air NnB) which has reduced demand for conventional tourist accommodation.

In the case of Lot 612, the groyne re-configurations of 2015 have removed the immediately adjacent beach amenity, which detracts from the values of a tourist-focused hotel complex.

Critically, the new structure plans should conform to *SPP 2.6 – Coastal Planning*, This requires *greenfields* developments (as distinct from *infill* developments) to take account of a one-in-500 year inundation event (which amounts to 2.9m AHD), and predicted sea-level rise in 100 years (taken as 0.9m). This amounts to finished floor levels (FFL) of 3.8m above present mean sea level.

Lot	Current Zonation	Owner	Proposed Zonation	Effect	Current Elevation
590	Tourist and low-density residential	Heath	R30, R40, R60 with small cafe precinct.	30 – 40 medium density residences	3.2 – 3.5m AHD
612	Hotel complex	Heath	R30 and R40 residential	45- 55 medium density residences	3.2 – 3.6 m AHD
Lot 585	Shops, visitor car park, tourist facility	BCC	R30 – R60. Potential sale to Qube	60 – 75 medium to high-density residences.	2.2 – 2.4 m AHD
Lot 9501b	Mixed business and R60 residential	Qube Property JV	30 mixed R30 and R60 , with 12 R60 along marina frontage	No commercial activity. Loss of canal frontage boardwalk.	Loss of prime community lot.
Lot 9501c	Mixed business and R60 residential	Qube Property JV	Approx 17 R30 blocks, in part with boat pens		
Lot 9501d	Tourist accommodation and residential	Qube Property JV	Approx 18 R30 blocks, 2-3 story townhouses, all with boat pens.		



The two southern blocks of 9501 are locally called the 'bridges' or the 'islands'. Collectively Lots 585 and the noted parts of Lot 9510 have been called the *Village Precinct Centre*. This concept is now abandoned in favour of total residential, although there is provision for a small community building or ground space. Also there is the loss of a proposed boardwalk around the 'islands' which would no longer be possible under the new zoning. We want to see this preserved where possible.

Port Lane Lots

The proposals do not address the two small Port Lane residential lots outlined in mauve on the figure, and owned by Qube Properties. These lots have been approved for R30 – R60 two-story townhouses. However we understand Qube will not proceed because of the threatened prescription for FFL at 3.8m AHD, despite the fact the lots are clearly *in-fill* in nature.

It seems strange that BCC should seek to rezone its own public space as residential, with the intention to sell the rezoned Lot 585 to a developer. We understand that Qube Property will not entertain such a purchase while the issue of the Port Lane lots is un-resolved. We further understand the fill material of this area may not conform to the necessary geotechnical specifications for residential use.

The 3.8m AHD Issue

Mandating 3.8m AHD for FFLs remains a major issue for Port Geographe. Heath Developments seem more relaxed on this issue, doubtless because current elevations adjacent to the redeveloped sea walls are at 3.2 – 3.5m AHD. But it is a major issue for Qube lots, which are currently at 2.2 – 2.4m AHD. We also know this is a major issue for Aigle at Newport.

The CLE submission on behalf of Qube in respect of Lot 9501 strongly argues that the 3.8m FFL should not apply. The reasons given are: (i) the lots are "infill", (ii) none of the blocks at Port Geographe or the entire Busselton Townsite are at 3.8m, (iii) it is not commercially viable, and (iv) canal walls will be at risk.

Included in the Qube submission is a technical memorandum from highly respected GGC geotechnical consultants which opines that the existing canal walls are inadequate to support the increased loads. A build-up of an extra 1.4-1.6m could induce canal-wall instability, settlement creep, and require increased horizontal set-backs for buildings of 15metres.

PGLOA has in a formal submission to BCC in December 2018 has argued that the 3.8m AHD prescription is not based on observable evidence, is inconsistent with measurable trends, and is erroneously applied to full 5000km of the WA coastline. The prescription of a 3.8m AHD for future residences in Port Geographe will likely disrupt current and future development plans in the precinct, tarnish the image of Port Geographe and destroy landowner wealth, for no beneficial outcomes.

Loss of community amenity

PGLOA sees the mooted sale of Lot 585 by the Busselton City Council for residential development as a loss of a community amenity. Although we appreciate the concept of a shopping centre is not viable, this prime land should be preserved for some form of future community use. Also we want to see the boardwalk retained where possible.

Potential short-stay nuisance

PGLOA notes the encouragement of both residential and short-term accommodation. We are aware of many instances of noisy occupancy and anti-social behaviour at short-stay accommodations. We urge that some form of capping be imposed on such provision. It should be up to BCC to determine how best to do this.

We wish you a pleasant and safe Easter

With compliments of the Chair of PGLOA.



Dennis Gee

19 April 2019