

10.2.2.3 Revised Pretty Pool Development Plan (Applicant Koltasz Smith on behalf of Landcorp, Application Number 2005/98, File No. PLN-109)

Officer Simon Bain
Relief Principal Town
Planner
and
Chris Adams
Chief Executive Officer

Date of Report 16 September 2005

Disclosure of Interest by Officer

Relief Principal Town Planner periodically undertakes consultancy work for Landcorp.

Background

Council is in receipt of a request from Koltasz Smith, acting on behalf of Landcorp, to initiate an amendment to the Town of Port Hedland Town Planning Scheme No. 5 to rezone an area of land in Pretty Pool from "Rural" and "Urban Development R20" to "Urban Development". In so doing, the submission seeks support to an accompanying 'Revised Pretty Pool Development Plan' (RPPDP).

The proposed rezoning and RPPDP is intended to provide the framework for the subsequent subdivision and development of in excess of 350 lots to meet the current and forecasted demand for residential land.

The subject site consists of approximately 40ha of undeveloped land, immediately east of the existing Pretty Pool residential neighbourhood, and approximately 3.3 kilometres east of the Port Hedland townsite. The land is currently vacant, abutting coastal foreshore to the north and east.

The subject site consists of:

- . Lot 5876 comprising 11.2 hectares;
- . Lot 5877 comprising 8.3 hectares; and
- . additional Crown Land at the north-eastern and south-western extents comprising a further 16.99ha.

Statutory and Strategic Considerations

Town of Port Hedland Town Planning Scheme No. 5

The subject land is contained within the Town of Port Hedland Town Planning Scheme No. 5. The subject land is identified within the Scheme as follows:

- . Lot 5876 is zoned 'Urban Development R20';
- . Lot 5877 is zoned 'Rural';
- . the area of additional Crown Land is zoned 'Rural'; and
- . the entire subject area is contained within the 'Pretty Pool Development Plan Precinct'.

Port Hedland Enquiry By Design Workshop and Report 2004

In October 2004 the Western Australian Planning Commission undertook an Enquiry by Design Workshop with members of the Port Hedland community to develop plans for the future growth and development of the town.

The participants identified a number of broader objectives for the development of the town including the creation of a sustainable, vibrant and safe community that remains prosperous to provide for the future of our children and to protect the natural environment and coastline and the cultural heritage of the town.

The Report identified the desire of the Workshop participants to find a balance between the provision of residential land and housing between Port Hedland and South Hedland, but acknowledged the capacity of Pretty Pool as being vital in meeting the town's short to medium-term housing needs.

Port Hedland Area Planning Study 2003

The Port Hedland Area Planning Study (PHAPS), published by the Western Australian Planning Commission in September 2003, was prepared in recognition of the need to strategically plan for the projected growth of Port Hedland and immediate surrounds in response to the significant growth in industrial development being experienced.

The PHAPS states that:

"Extensive tidal/sand flats in Pretty Pool provide scope for major new coastal residential development subject to Environmental Impact Assessment. This may assist the viability of coastal commercial activity. This is demonstrated by current proposals for the area, although there is the potential for development costs to be very high."

PHAPS further recognises the opportunities that exist at Pretty Pool for the development of a major recreation/tourist node. The proposal to rezone the subject land is consistent with the recommendations of PHAPS and is also based on the findings of more recent investigations by the project engineers into the impact of storm surge and flooding on the subject land.

Environmental and Servicing Considerations

Consultants prepared the Revised Pretty Pool Development Plan (RPPDP) and supporting report. Key findings of the report are outlined below.

Flora/Vegetation - an environmental assessment concluded that the site does not contain a diverse range of plant species and that no Endangered or Priority Flora were recorded.

Fauna Habitat - the subject land is located within close proximity to two areas known to be turtle breeding and nesting area for the Flatback Turtle. The impact of the development on these areas can be appropriately managed through the preparation, adoption and implementation of a Management Plan.

Native Title/Aboriginal Heritage - the Minister for Planning and Infrastructure has reached an in-principle agreement with the Kariyarra people to allow for the development of the land at Pretty Pool.

Coastal Development Setback and Management - the area of land proposed for rezoning is identified as being suitable for residential development in the Greater Port Hedland Storm Surge Study.

The RPPDP was delineated on the basis of investigations into coastal processes including storm surge, local flooding, Policy requirements, site impact analysis and mapping provided by the project engineers.

The development of the subject land will formalise public access to the coastal foreshore by restricting vehicle access and the provision of a linear coastal park.

Soil Contamination - a portion of the southern extent of the site appears to have been used for the disposal of refuse and will require further investigation and remediation.

Earthworks and Drainage - some portions of the site will be filled to achieve a minimum clearance and minimise the risk of damage from storm surge. Stormwater drainage will be directed, via the road network, to discharge into areas of public open space.

Services - reticulated water and sewerage, underground power and telecommunications can be readily extended to service the subject land.

Proposed Rezoning and RPPDP

It is proposed that the subject land be zoned from 'Rural' and 'Urban Development R20' to 'Urban Development' to facilitate and guide the progressive subdivision and development of the subject land and is supported by the RPPDP, which illustrates the proposed road network and land use.

The aim of the PPRDP is to provide residential development that will meet demand, but in so doing, respond to the desire for housing choice and lifestyle opportunity. The Enquiry By Design discussions highlighted residents' desires to have a sense of place; recreation opportunities that reflect the local climate; an ability to enjoy an urban lifestyle (while recognising and drawing on the land's unique location); and a need to provide for new visitors/tourists.

The RPPDP aims to capitalise on the opportunities afforded by the areas unique environmental character and locational advantages including:

- . Northern coastal beachfront with elevated land provides excellent views;
- . Eastern 'peninsular' provides commanding views to north, east and south;
- . Adjoining dense area of mangroves to the south east provides an alternate 'experience' to coastal views;
- . Existing road network which can be readily extended to 'circulate' the development area, providing both public and private interfaces to beachfront/mangrove experiences; and
- . Adjoining pretty pool recreation beach and parking.

The RPPDP identifies the future zoning and proposed use of the land for residential, (limited) commercial, tourism and recreation development and is reflective of the current zones in the Scheme and those uses permitted in each zone, including:

- . Residential
- . Commercial
- . Community
- . Tourism
- . Public Open Space

The key elements of the RPPDP are:

Road Network - The RPPDP provides for an extension of key entry roads into the project area, coupled with a 'spine' road running through the site and linking all minor level roads. The road network has been design to provide a predominantly public interface to the surrounding areas of open space and mangroves to appropriately define the public/private realm, while also providing for the casual surveillance of recreation areas.

Residential - A range of residential housing lots are proposed within the plan ranging from traditional larger homesites to smaller residential R30 townhouse sites and R40 multiple dwellings (restricted to those sites zoned for 'Tourism').

Tourism - Four tourism sites are identified within the RPPDP and are each intended to provide for different development outcomes. It is intended that these sites be approved within the RPPDP as 'Tourism' and therefore be able to be developed for those uses permissible within this zone under Council's Scheme.

The tourism sites would be able to be developed for uses including: Holiday Accommodation, Hotels, Motels, Restaurants (includes Café), public and private recreation, multiple dwellings and ancillary reception centre.

Commercial/Community - The community/commercial site is proposed as a 3500m² site that will support a limited local convenience retail role, together with the provision of community facilities. The introduction of 450+ dwellings into Pretty Pool generates the need to provide a local convenience retail store from which basic goods such as bread and milk can be purchased and in addition, there is the need to provide residents with community facilities. The development of a convenience store would also complement future tourism development.

Public Open Space - The distribution of public open space throughout the subject land is based broadly on the principle of providing an area of open space within proximity of every residential dwelling but has also been designed to incorporate opportunity provided by the coastal foreshore and mangroves. Strong surveillance of open space areas has been provided for through the interface of residential, tourism and open space areas.

The size of the proposed public open space areas will comprise 10.2% of the subdivisible area, being approximately 3.875 hectares, with the intention of providing for both passive and active recreational pursuits.

Built Form Design Guidelines - It is intended that the RPPDP will be accompanied by built form design guidelines to guide developers and Council on the appropriate form of both tourism and residential buildings in response to climatic conditions, sustainability and contribution to streetscape.

The proposed rezoning and adoption of the RPPDP will facilitate the progressive subdivision and development of the subject land to form an extension of the existing Pretty Pool residential neighbourhood, whilst capitalising on the lands unique environmental attributes through the provision of open space areas and tourism development.

Consultation

The RPPDP was circulated to relevant statutory staff within the Town. While no objection was received regarding the initiation of the proposed amendment, the following issues were raised as matters that may need to be considered either in the Amendment adoption, through the subdivision process or through the development of style/design guidelines.

- . Road Layout - The development plan indicates limited road access to foreshore/beach areas to the north. Access to some of the open space areas to the west is also limited due to the proposed development of cul-de-sacs.
If the development is to occur as planned, appropriate urban design will need to be undertaken to ensure that the privatisation of public open space (either actual or perceptual) does not occur.
- . Open Space Location - Open space within the development consists of one central parkland area and the development of linear open space along the foreshore area to the north and mangrove areas to the west. Consideration should be given to increasing the amount of open space that is located adjacent to the foreshore area as this area is likely to be the most attractive site for residents and visitors.
- . Active Open Space - While in excess of 10% of the developable area has been identified for open space, no specific identification of active open space has been listed. The development will potentially create 567 dwellings/units housing in excess of 1,000 people. Consideration needs to be given to the provision for the development of sporting facilities such as hardcourts and/or sports fields.
- . Commercial Site - While the centralisation of the proposed commercial site has merit, there is also a case for the site to potentially be located adjacent to the foreshore area.
- . Tourism Sites - While four tourism sites have been identified, the individual sites are relatively small in nature which potentially restricts the nature and type of tourism related developments that could occur. While zoned for tourism, it would seem that the sites are predominantly designed for the development of multi-unit dwellings rather than the construction of a hotel/motel. Consideration needs to be given to either increasing the size of one or more of the tourism sites or consolidating the proposed tourism sites into 2 or 3 larger sites.
- . Permeability - The design includes the proposed development of three cul-de-sacs. While not a significant amount, these sites potentially create issues for rubbish collection and limit bus route options. Consideration should be given to making these cul-de-sacs loop roads.

- . Schools, Health Services and Other Government Services: No comment has been made on the access that residents would have to schools, hospitals, health services and other Government related services. An assessment should be undertaken to ensure that access to these necessary services is available to future residents.
- . Turtle Impact - As indicated in the Development Plan, the design of the development plan will need to consider impacts on nesting behaviour of Flat back turtles. Setbacks, lighting, pedestrian and vehicle access and other relevant issues will need to be considered.
- . Stormwater Management - Stormwater collection and storage needs to be considered in accordance with eco-design. Systems will also need to consider design to minimise potential mosquito breeding areas.
- . Landfill site - The proposed developments within close proximity to a disused landfill site. The development needs to consider how it will manage this interface.
- . Streetscape - Appropriate streetscape treatments will need to be determined and developed.
- . Fire Services - Advice should be sought from FESA regarding to the installation and location of fire hydrants etc.

Statutory Implications

Requires a formal amendment to the Town of Port Hedland Town Planning Scheme No. 5 in accordance with the *Town Planning and Development Act 1928*.

Policy Implications Nil

Strategic Planning Implications

Landcorp is seeking Council's approval to initiate an amendment to the Port Hedland Town Planning Scheme. Should Council approve this request, a statutory advertising process will be undertaken, inviting public submissions.

Once the submission period closed, Council is then obliged to consider all submissions and either:

- . adopt the amendment;
- . adopt the amendment (with modifications); or
- . not adopt the amendment.

Budget Implications

The applicant is required to pay application fees for the rezoning as set out in Council's adopted 2005/06 Schedule of Fees and Charges.

Officer's Comment

The process for a scheme amendment and adoption of the RPPDP involves advertising, which provides for input and comments by the community, interested parties and relevant government departments. Any submissions made on the proposal require consideration by Council, prior to the proposal being finalised.

The scheme amendment is referred to the Department of Environment (DOE) as the first step in the process.

DOE assesses all environmental impacts prior to granting advertising permission for the proposal. This assessment ensures the proposal will be environmentally acceptable.

While there is a number of issues that require further clarification/justification, and it is recommended that Council initiate this Town Planning Scheme amendment and address those issues through the consultation process.

Officer's Recommendation

That Council resolve to:

- a) initiate an amendment to Town Planning Scheme No. 5 to rezone an area of land from 'Rural' and 'Urban Development R20' to 'Urban Development' to facilitate the subdivision and development of the land in accordance with the Revised Pretty Pool Development Plan;
- b) advise the applicant accordingly and request that the applicant prepare the formal amendment documentation to enable referral to the Environmental Protection Authority;
- c) adopt the Revised Pretty Pool Development Plan for the purpose of public advertising in conjunction with the associated Town Planning Scheme No.5 Scheme Amendment; and
- d) invite Landcorp to a meeting with Council to address the issues of
 - . permeability/road layout;
 - . open space window;
 - . alienation of public land;
 - . commercial and tourism site locations; and
 - . management planning to reduce impacts on flatback turtle populations.

200506/101 Council Decision

Moved: Cr D R Pike

Seconded: Cr J M Gillingham

That Council resolve to:

- a) **initiate an amendment to Town Planning Scheme No. 5 to rezone an area of land from ‘Rural’ and ‘Urban Development R20’ to ‘Urban Development’ to facilitate the subdivision and development of the land in accordance with the Revised Pretty Pool Development Plan;**
- b) **advise the applicant accordingly and request that the applicant prepare the formal amendment documentation to enable referral to the Environmental Protection Authority;**
- c) **receive the Revised Pretty Pool Development Plan for the purpose of public advertising in conjunction with the associated Town Planning Scheme No.5 Scheme Amendment;**
- d) **invite Landcorp to a meeting with Council to address the issues of**
 - . **permeability/road layout;**
 - . **open space window;**
 - . **alienation of public land;**
 - . **commercial and tourism site locations; and**
 - . **management planning to reduce impacts on flatback turtle populations; and**
- e) **the final plans be returned to Council for consideration after the public consultation period and prior commencement of the project, in accordance with the Local Government Act 1995 and association regulations.**

CARRIED 5/2

NOTE: Councillor T M Young requested the votes be recorded.

Record of Vote

FOR	AGAINST
Cr A A Carter	Cr G D Bussell
Cr G J Daccache	Cr A A Gear
Cr J M Gillingham	
Cr D R Pike	
Cr T M Young	

REASON: Council wanted to ensure that it had the opportunity to consider community views from consultations, prior to the commencement of the project.