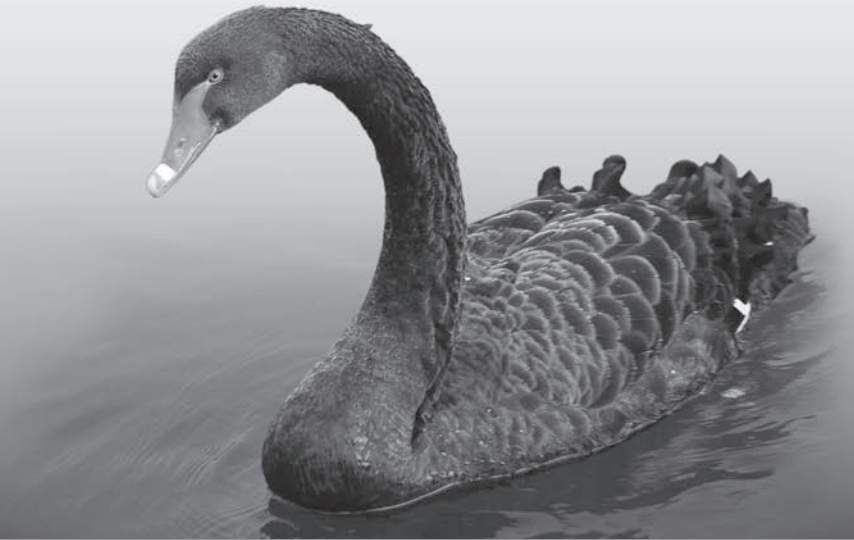




*We're working for  
Western Australia.*

October 2019

# Metropolitan Region Scheme Amendment 1270/41



## Ocean Reef Marina Redevelopment

Transcript of Hearings

City of Joondalup

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# **Metropolitan Region Scheme Amendment 1270/41**

## **Ocean Reef Marina Redevelopment**

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### **Transcript of Hearings**

**City of Joondalup**



October 2019

The Western Australian Planning Commission acknowledges the traditional owners and custodians of this land. We pay our respect to Elders past and present, their descendants who are with us today, and those who will follow in their footsteps.

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This document is available in alternative formats on application to the Department of Planning, Lands and Heritage Communications Branch.

## Introduction to Metropolitan Region Scheme major amendments

The Western Australian Planning Commission (WAPC) is responsible for keeping the Metropolitan Region Scheme (MRS) under review and initiating changes where they are seen as necessary.

The MRS sets out the broad pattern of land use for the whole Perth metropolitan region. The MRS is constantly under review to best reflect regional planning and development needs.

A proposal to change land use reservations and zones in the MRS is regulated by the *Planning and Development Act 2005*. That legislation provides for public submissions to be made on proposed amendments.

For a substantial amendment, often referred to as a major amendment (made under section 41 of the Act), the WAPC considers all the submissions lodged, and publishes its recommendations in a report on submissions. This report is presented to the Minister for Planning and to the Governor for approval. Both Houses of Parliament must then scrutinise the amendment before it can take legal effect.

In the process of making a substantial amendment to the MRS, information is published as a public record under the following titles:

### **Amendment report**

This document is available from the start of the public advertising period of the proposed amendment. It sets out the purpose and scope of the proposal, explains why the amendment is considered necessary, and informs people how they can comment through the submission process.

### **Environmental review report**

The Environmental Protection Authority must consider the environmental impact of an amendment to the MRS before it can be advertised. Should it require formal assessment, an environmental review is undertaken and made available for information and comment at the same time as the amendment report.

### **Report on submissions**

The planning rationale, determination of submissions and the recommendations of the WAPC for final approval of the amendment, with or without modification, is documented in this report.

### **Submissions**

This document contains a reproduction of all written submissions received by the WAPC on the proposed amendment.

### **Transcript of hearings**

A person who has made a written submission may also choose to appear before a hearings committee to express their views. The hearings proceedings may be recorded and transcribed, and the minutes of all hearings will be published and made available.

# Transcript of Hearings

### **Recording and Transcription**

This transcript is produced from live audio recordings. Whilst every care is taken in its preparation absolute accuracy cannot be guaranteed. No changes are made to grammar and syntax.

**Transcript of Hearings**

**Tuesday 28 August 2018**



## Western Australian Planning Commission

### Minutes

Special Meeting - Ocean Reef Marina Redevelopment Hearing  
Tuesday, 28 August, 2018

- Members:
- Mr David Caddy - Chairman WAPC
  - Mr Fred Chaney - Professions Representative
  - Cr Veronica Fleay - Local government representative – non-metropolitan
  - Ms Gail McGowan - Director General, Department of Planning, Lands and Heritage
  - Dr Garry Middle - Coastal planning and management representative
  - Mr Mike Rowe - Director General, Department of Water and Environmental Regulation
- Apologies:
- Mr Ralph Addis - Director General, Department of Primary Industries and Regional Development (Associate member)
  - Ms Jane Bennett - Professions Representative
  - Mr Joe Ostojich - A/Director General, Department of Jobs, Tourism, Science and Innovation
  - Mr Grahame Searle - Director General, Department of Communities
  - Mr Richard Sellers - Director General, Department of Transport
  - Mr Ross Thornton - Nominee of the Minister for Regional Development
  - Mr Clinton Wolf - Community Representative
  - Mayor Henry Zelones - Local Government Representative - Metropolitan
- Others Present
- Mr Greg Cash - (Observer) Assistant Director General Commercial Operations, Department of Communities
  - Ms Sam Fagan - Commission Support Manager
  - Mr Hans Jacob - Manager, Infrastructure Assessment, Department of Water and Environmental Regulations
  - Mr Anthony Muscara - Principal Planning Officer, Schemes and Amendments
  - Ms Irene Obales - Commission Support Officer
  - Ms Kathryn Schell - Principal Environmental Officer, EPA Services, Department of Water and Environmental Regulations



Mr Mathew Selby - Planning Director, Metropolitan Planning North

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**1. Declaration of opening**

The Chairman declared the meeting open at 1:07 pm, acknowledged the traditional owners and custodians of the land on which the meeting is taking place and welcomed members.

**2. Apologies**

Mr Ralph Addis - Director General, Department of Primary Industries and Regional Development (Associate member)

Ms Jane Bennett - Professions Representative

Mr Joe Ostoich - A/Director General, Department of Jobs, Tourism, Science and Innovation

Mr Graham Searle - Director General, Department of Communities

Mr Richard Sellers - Director General, Department of Transport

Mr Ross Thornton - Nominee of the Minister for Regional Development

Mr Clinton Wolf - Community Representative

Mr Henry Zelones - Local Government Representative - Metropolitan

**3. Disclosure of interests**

Nil.

**4. Declaration of due consideration**

All members indicated that they had received and considered the agenda items before the Western Australian Planning Commission meeting.

**4.1 Briefing Note for WAPC Hearings - Ocean Reed Marina Redevelopment**

Mr Muscara provided an overview of the process of the hearing and indicated that once outstanding matters are finalised, this item will proceed to the Western Australian Planning Commission for decision by December 2018.

**5. Deputations and presentations**

**5.1 Blue Water Australian Wild Abalone (Submission No. 9)**

Presenter: Mr David Sutcliffe, Director, Blue Water Wild Abalone

Please refer to the transcript.

**5.2 Ocean Reef Sea Sports Club (Submission No. 57)**

Presenters: Mr Ron Lindsay; Mr Corrie Toetsee; Mr Andrew Cass

Please refer to the transcript.

**Ms McGowan arrived at the meeting at 1:28 pm.**

**5.3 Mullaloo Beach Community Group Inc. (Submission No. 74 and 91)**

Presenter: Mr Mitchell Sideris, President, Mullaloo Beach Community Group Inc. and Ms Marie McDonald, Mullaloo Beach Community Group Inc.

Please refer to the transcript.

**5.4 Urban Bushland Council WA Inc. (Submission No. 75)**

Presenter: Ms Mary Gray, President, Urban Bushland Council

Please refer to the transcript.

**5.5 Mr Alasdair MacKerron (Submission No. 76)**

Presenter: Mr Alasdair MacKerron (presenting on behalf of Mr Terrance Parker)

Please refer to the transcript.

**5.6 Joondalup Community Coast Care Forum Inc. (Submission No. 92)**

Presenter: Mr Donald Poynton and Dr. Marjorie Apthorpe

**5.7 City of Joondalup in collaboration with Landcorp (represented by Taylor Burrell Barnett) (Submission No. 66 and 94)**

Presenters for City of Joondalup: Ms Karen Hyde, Taylor Burrell Barnett (representing the City of Joondalup); Ms Genevieve Hunter, Senior Projects Officer, City of Joondalup; Mr Blignault Olivier, Manager, City projects, City of Joondalup

Presenters for LandCorp: Mr Frank Marra, Chief Executive Officer, LandCorp, Mr Carl Williams, Senior Development Officer, LandCorp and Mr Lex Barnett, Taylor Burrell Barnett (representing LandCorp)

Please refer to the transcript.

**6. Meeting closure**

The next ordinary meeting is scheduled for 9:30 am on Wednesday, 29 August 2018.

There being no further business before the Board, the Chairman thanked members for their attendance and declared the meeting closed at 3:20 pm.



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CHAIRMAN

12.12.18

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DATE

## **MR DAVID SUTCLIFFE**

**representing Blue Water Australian Wild Abalone**

**MR SUTCLIFFE:** I'm basically going to read off what that document is saying. So I don't miss any I'll just read off what I've prepared there. Okay. My name is David Sutcliffe. I've been diving for abalone for over 25 years along the WA coast from Kalbarri all the way to South Australian border. Before this experience I'd like to highlight that no abalone habitat comes close to that of Ocean Reef. To give you an example of this productivity I'd like to make a comparison. From Cape Naturaliste through to Cape Leeuwin abalone divers harvest around six tonnes of raw abalone in a hundred kilometre reef stretch. At Ocean Reef adjacent to Burns Beach, a distance of around five kilometres, we harvest around 16 tonne. It just gives you an example of how prolific that patch of reef is. This tonnage represents 160,000 animals, if you divide ten by 16 tonne. We take about 10 per cent of that population, so by my estimates there's at least around 1.6 million abalone on that reef system alone.

Ocean Reef keeps producing the stock year after year and it's highly stable. It's an incredible reef to harvest. In the PER submission to the EPA in 2016 the most significant potential impact on marine flora from fauna from the Ocean Reef development is a predicted abalone habitat loss of up to 18 hectares, so that's a fact. That's a footprint in itself, and plus the 500 – beyond 500 metres of the marina significant impact of abalone or its habitat is considered unlikely by the PER, so on that footprint itself you're looking at losing about 800,000 animals and I'm very concerned about the plume from construction and the shadowing effect which could realistically extend the stock losses beyond the 500 metres.

We have had some theories related to changes in coastal flow in sedimentation resulting in clogging the gills, the fact that the abalone spawn then live highly localised areas, metres, and are unable to transit to other reef as do crayfish and fish, so if a reef is denuded they can't just go off somewhere else like a crayfish or a fish can swim off to another reef system, that's it. They do not travel across sand, that's their patch, so if that's gone the animal's gone, it can't go anywhere else.

Notwithstanding any loss from this area the area will have significant flow-on effects for the industry. Because of its high yield and access Ocean Reef provides six per cent of all stock to the Perth commercial fishery because it reduces travel and work cost. It also subsidises regional catches. I personally catch 75 per cent of my quota from Ocean Reef. In 2015 John Bindle and myself started to develop a local live market. I designed and built custom tanks and a flow through system for raw abalone to keep them alive in the local market long enough for optimal sale. This has been attempted many times in the past and had until now been unsuccessful. I have patented the custom tanks and technology and many of the tanks are now being used by local retailers, wholesalers and restaurateurs and the list is expanding. Most recently my abalone caught from Ocean Reef has been introduced to the Wildflower restaurant menu as a local speciality here in Perth.

A loss of abalone stock from Ocean Reef will dramatically impact on my livelihood, my stock quota will reduce to a level below demand. I will struggle to keep up the size mix I need for the market and I will have less accessible days because of the weather. This will mean that the highly specialised innovative local market will be destroyed.

Further, as I'm mainly a lease diver and no unit holding myself I won't be directly compensated for this enormous loss. If this project goes ahead despite the environmental destruction and loss of – and a loss is far greater than predicted by the PER report then a compensation mechanism needs to be in place before construction commences.

Personally I would like to see the project move north of Burns Beach in a sandy habitat and outside marine park. In short this will physically collapse our industry. The industry just simply financially cannot survive without Ocean Reef and, you know, you'll just collapse the whole thing and it just breaks your heart. If you actually go there diving yourself you see all this abalone. I'm talking just ledges and caves just full of abalone. All of those lives destroyed just like that and it's just heartbreaking, you know. I've been doing it for 30 years, harvesting these reefs. The fishery department work very hard to maintain the whole eco system and now it's going to shift. The amateurs will go further south because there's no more stock there for the fish. That will wipe out that area and it'll just – yeah, so it's the nail in the coffin for my industry and livelihood.

**MR CADDY:** Thank you very much.

**MR SUTCLIFFE:** That's the main points.

**MR CADDY:** Yes, thank you, David. Would you like to take a seat?

**MR SUTCLIFFE:** Yep.

**MR CADDY:** Members of the committee, are there any questions please? Yes, Garry.

**DR MIDDLE:** Thanks for the presentation. I just want to get the numbers are right because in your submission you're saying between 24 and 36 times is the catch, annual catch of abalone. Is that right?

**MR SUTCLIFFE:** 24, sorry?

**DR MIDDLE:** Between 24 and 36 times - - -

**MR SUTCLIFFE:** Yes, that's the whole metro area.

**DR MIDDLE:** Let's work with 30 just for numbers.

**MR SUTCLIFFE:** Yep.

**DR MIDDLE:** You're saying 60 per cent of that comes from Ocean - - -

**MR SUTCLIFFE:** Ocean Reef area, yes.

**DR MIDDLE:** Okay. The EPA is saying it's in PER that just over nine tonnes will be lost because of the - - -

**MR SUTCLIFFE:** That's what they are saying, yes.

**DR MIDDLE:** So one-third of the abalone catch from the Ocean Reef will be lost because of this proposal. Direct loss or indirect loss?

**MR SUTCLIFFE:** That's actually commercial loss. That's our direct commercial loss.

**DR MIDDLE:** Okay.

**MR SUTCLIFFE:** But that 36 tonne has come down to 24 because of the heat wave we had many years ago, but the Ocean Reef area seemed to have withstood that a lot better than the other areas, so that area has been fished more so than back in the – when that document was done, so it is highly – it's like a higher fish catch rate because the other thing is the actual market is after a bigger abalone as well and Ocean Reef has the best bigger sized abalone in the whole coast.

**DR MIDDLE:** Okay, so based on your figures it's about a one-third loss of abalone habitat and therefore abalone because of this proposal. That's what you're saying, isn't it?

**MR SUTCLIFFE:** Yes, and also the problem is there's a shadow effect.

**DR MIDDLE:** Sure.

**MR SUTCLIFFE:** That's the killer.

**DR MIDDLE:** So that's a huge direct loss as well is what you're saying.

**MR SUTCLIFFE:** Yes.

**DR MIDDLE:** Your argument is that it will affect you commercially because that's less product that you're producing. Is there an argument which says that because your supply goes down that prices will go up, as supply and demand, therefore your business may not be necessarily affected by that?

**MR SUTCLIFFE:** Unfortunately in my business, the local market, it is price sensitive. People will pay a certain price because I've been trying to push the price up, but I'm finding if I push the price up the demand drops, as in, you know, turnover and the retailers need a certain amount of turnover to make it worthwhile handling that particular product line, so if I increase the price because of less supply I can only push it so much before they go, "Well, I can't – this is not an affordable commodity anymore," and demand will drop, drop, you know. If you even put the price up a couple of dollars a kilo it's incredible how the demand drops,

so unfortunately you can't just – supply and demand does have a limit to what, you know, is viable because these tanks are quite expensive to build and run.

**DR MIDDLE:** Thank you.

**MR CADDY:** Yes, Ronnie.

**CR FLEAY:** David, you said the larger abalone are harvested at Ocean Reef. Is that right?

**MR SUTCLIFFE:** That particular area has a higher number – volume of larger abalone than other parts of the coast.

**CR FLEAY:** Would that be because of the habitat?

**MR SUTCLIFFE:** Yeah. Yeah, it's an incredible way – and it just keeps – the growth rates are just way better than anywhere else I've seen on the whole coast. It's the jewel of our fishery. I mean, the way it just pumps out product it's just incredible and you look into an area and you can see the generations coming through, the numbers. In some areas you get these little hubs where they just get the right feed, right water flow and they just seem to just churn out, you know – keep producing, producing, producing, yeah.

**CR FLEAY:** To clarify again you said that Ocean Reef area seemed to survive the warmer waters that came through.

**MR SUTCLIFFE:** Yeah. Yeah, but that's probably because it had such a by mass to start with compared to the other areas like Trigg and Garden Island and Penguin Island and the other thing that's an important thing about Ocean Reef it's actually more accessible as in working days weather-wise. I would probably get like a 150 days access to that reef, whereas other areas like Garden Island, even though it's all ash, probably about 80 days down at – maybe even 60 days probably down at Trigg because the swells just seem to roll in there.

**CR FLEAY:** Yes.

**MR SUTCLIFFE:** Whereas at Ocean Reef there is actually feather stock out wider. I mean I'm talking only 30 metres out wider than the actual reef system where you can actually work in rougher weather and these other areas you can't do that. The actual stock is right on the coast, so it means I can access more days and the continuity of supply is actually quite critical because they – geez they make some noise when there's no stock in there.

**MR CADDY:** David, what's the ultimate age for harvesting abalone?

**MR SUTCLIFFE:** About six years.

**MR CADDY:** Six years.

**MR SUTCLIFFE:** They come to size in about four years, but I try and get the bigger stock. The restaurants actually are happy to have the smaller stock because they sell per piece, whereas, yeah, the retailers, the mums and dads, they want the bigger animal.

**MR CADDY:** Thank you. Ronnie, first then Fred.

**CR FLEAY:** Just to follow up we've got some statistics on commercial fishery, what you're talking to. Are there any statistics on what the mum and dads go and harvest?

**MR SUTCLIFFE:** Yeah, the fisheries department have got quite – they do a lot of surveys and they also have come up with these figures. Their catch is actually more than our catch, which is just, you know, many hands make light work, but it seems to – the fisheries department have done a fairly good job. They've done all they can as in reduced amount of hours, reduced amount of the catches, like I think it's 15 per person now, and its reduced the – from two hours to one hour, but they have spread it over the whole year now – well, six months sorry, so they've changed that, so it's once – the first Sunday of every month for six months, which we were actually against because we thought it's going to get hammered all year round, but in actual fact I think people forget about it. They actually forget about it, so it's kind of – it hasn't been as bad as we thought, so that's been a blessing in disguise.

**MR CADDY:** Yes, Fred.

**MR CHANEY:** Just a question on your understanding of the fisheries department's sort of view of this project and its impact on the industry. Has the department taken a view?

**MR SUTCLIFFE:** They've been a little bit quiet on it, but they understand how important it is to us and they understand how much comes from there and they are aware of – just yesterday I was at the boat ramp talking to a couple of local fishermen - inspectors and they are very aware of it and they understand it all and I don't know - I don't know whether it's a bit constrained because of governments. I think research is a little bit – “You can't say that because, you know, both governments want it”, and I don't know, but if you talk to a researcher one to one to basis they'll be towing the same line.

**MR CADDY:** Good. Thank you very much, David.

**MR SUTCLIFFE:** Thank you.



**MR RON LINDSAY, MR CORRIE TOETZEE & MR ANDREW CASS**  
**representing Ocean Reef Sea Sports Club**

**MR CADDY:** We now have three presenters from the Ocean Reef Sea Sports Club; Ron Lindsay, Corrie Toetzee and Andrew Cass. Good afternoon, gentlemen.

**MR LINDSAY:** Good afternoon.

**MR CADDY:** This is a hearings committee of the WA Planning Commission. You are to supplement the written submission that you've already made through a five minute presentation to the hearings committee, so when you're ready to start by all means.

**MR LINDSAY:** First we would like to thank you for the opportunity to speak to our submission.

**MR CADDY:** Sorry, sir, could I have your name please?

**MR LINDSAY:** Yeah. My name is Ron Lindsay.

**MR CADDY:** Thanks, Ron.

**MR LINDSAY:** I chair the subcommittee for the marina at Ocean Reef Sea Sports Club. The gentleman on my right is Andy Cass. He's a member of the subcommittee for the marina and the gentleman at the end is our commodore, Mr Corrie Toetzee.

**MR CADDY:** Thank you.

**MR LINDSAY:** I'm hoping you received a copy of our club's vision document, which is - - -

**MR CADDY:** We did, thank you.

**MR LINDSAY:** - - -something that's been compiled after 11 years of research into our requirements in the new marina. Just background for the club which is 44 years old. We pride ourselves in being a family and community oriented club and know our membership is around 900 or 950 at the moment, that's 950 families. We cater for families. We currently experience a very buoyant increase in membership inquiry and that's got a bit to do with the possibility of a new marina. If we had a full range of facilities in the new marina we see an avalanche of inquiry for membership and we're planning for a membership of 2500 families. Our club has junior, disabled and disadvantaged programs and we've been approached by sea scouts, Sailability, disabled sailing and possibly the naval cadets who we also hope we can accommodate in our new premises.

All our current club buildings and assets have been membership funded and we aim to remain financially independent other than assistance in relocating. All this of course will be lost in the building of the new marina, it will be bulldozed, and we'll only be able to retain what we can carry.

And the need for the marina - when the adjacent land was subdivided 40 years ago approximately purchasers were promised a marina. Two serious attempts, one in the 1980s and one in 2002, were unsuccessful and in 2008 the Perth Boating Study revealed that 28.6 per cent of Perth's registered boat owners lived in the catchment of Ocean Reef, yet we had only Hillarys and Mindarie marinas and the Ocean Reef boat harbour and of course the marina at Mindarie is purely tourist and just pens and is not a servicing marina and the one we have Ocean Reef is only a launching ramp. All those people that own the boats in our catchment, and there's numerous ones of them, a lot of them are having to take their boats down to Fremantle or in the river to pen them as there's about 15 or 20 or more such facilities down that way. Many of the northern suburbs boat owners – I've covered that, sorry. They have problems getting down to their boat for the distance they have to travel and the congestion of the roads and it's also difficult for them to work on their boats and service them.

On another issue we believe that Perth's desperately in need of an iconic coastal tourist development capable of taking advantage of our magnificent coastline and sunsets. Broome, if you're aware of that, makes a hell of a lot of that and there's not many other places on the coast where it can be taken advantage of with a development such as you have planned here. I can see it being a boom in tourism. Hillarys being the second-most popular tourist spot at the moment next to Kings Park.

While all our suburbs are crying out for more safe access to our ocean and the activities it offers - children haven't got many places to learn to swim up our way and people are getting more frightened of the open ocean. When public comment was invited in option 7 there was unprecedented voluntary response of almost 12,000 replies, approximately 96 per cent of them strongly in favour. I believe it's totally unprecedented in a local government proposal. We welcome the stated aim in the planning document of "working marina enabling club, commercial, marine and industrial use", as quoted in the report, and we wish for it also to be an iconic tourist destination with maximum public amenity.

Why at Ocean Reef? We believe the Ocean Reef site is most suited for such a development. It would serve Perth's area of greatest demand for maritime facilities. It's ideally suited as a tourist destination with the heavy rail to Joondalup and a CAT service planned from there. Environmental studies have proven it to be a most suitable site with a stable coastline, minimal ocean transportation and minimal disruption to seabed assets. It gives closer access to Perth's most visited boating destinations of Rottneet, Fremantle, Swan River, Cockburn Sound than any other site that's under consideration at the moment. It also has access to bountiful fishing grounds.

A marina at Ocean Reef would obtain full usage before any other location under consideration. Due to its 8 to 8.5 metre draft and Ocean Reef marina properly designed would have the unique capacity to host visits from international superyachts with intended financial benefits both financially and as a tourism asset. We've inquired into this and we believe there is an inquiry for them to come here.

Properly designed and with a resident club of appropriate standing the marina would attract national and international maritime and tourist events. There's no other facilities here that would have that same attraction to these events. The Joondalup district has minimum local employment and jobs that such a marina would create would be most welcome.

Summing up we hope to see the most judicious usage of both land and water within the marina precinct, giving priority to maritime, tourism, including temporary accommodation and public amenity clauses. This to prevent premature need for a future marina to satisfy these legitimate uses as it won't be too long before it's fully utilised and they'll be looking to build another one.

It's our clubs wish to be allocated sufficient, suitable land and water in the new marina to be capable of attaining an appropriate status in the maritime community as would befit an iconic marina. We wish to have an area and the ability to conduct progressive junior, disabled, disadvantaged programs including Sailability, and to continue our tradition of catering for trailer boaters. We also wish to have the capacity to serve the public in the greater marina in maritime and other events. We support such amendments to the MRS as will help achieve an iconic and successful marina. Thank you.

**MR CADDY:** Thank you very much, Ron. Members of the committee, are there any questions please? Yes, Garry.

**DR MIDDLE:** Thanks, Ron, for that. As I understand it what you're asking – you support it, but what you're asking for is more area for your club. Is that correct?

**MR LINDSAY:** That's correct. We're referring there to concept plan 72A, which you may be aware has been altered and we've yet to see, what they're calling, the refined plan. But we've consented to them redrawing our location and our boundaries provided it fits within the aims of our vision document and we've yet to have this presented to us. I believe it has been presented to council. Council seem to be in favour of the alterations, but it hasn't been – we haven't had the opportunity to view it yet. It should happen sometime later this week or next week.

**DR MIDDLE:** Just as a follow up that appears to be a process downstream of the MRS amendment, so the MRS amendment can proceed and there'll be negotiation subsequent to getting the plan right for you guys.

**MR LINDSAY:** Yes.

**DR MIDDLE:** That appears to be the concept.

**MR LINDSAY:** We believe that we will be able to have input subsequent to the presentation of the adjusted document.

**DR MIDDLE:** Thank you.

**MR CADDY:** Any further questions please? If not, thank you very much, gentlemen.

**MR LINDSAY:** Okay. Thank you.

**MR MITCHELL SIDERIS AND MS MARIE MCDONALD**  
representing Mullaloo Beach Community Group Incorporated

**MR CADDY:** Our next presentation is from Mullaloo Beach Community Group Incorporated. There are two presenters and we have agreed to 10 minutes for this particular deputation.

**MR SIDERIS:** Anywhere?

**MR CADDY:** Yes, please sit. We have Mitchell and Marie.

**MR SIDERIS:** That's correct, yep. My name's Mitchell Sideris. I'm president of the Mullaloo Beach Community Group Incorporated.

**MS McDONALD:** I'm Marie McDonald (indistinct)

**MR CADDY:** Thank you. Thank you very much for attending today. This is a hearing committee of the Western Australian Planning Commission and we have agreed to give you 10 minutes in which to support the submission that we've already received.

**MR SIDERIS:** Sure. Before you start I declare that I've got - apart from a visual impairment I am technically blind. I may actually call for some assistance at some stage - - -

**MR CADDY:** Yes.

**MR SIDERIS:** - - -and I'll let you know how I go with the light.

**MR CADDY:** Are the lights too bright or - - -

**MR SIDERIS:** No, no. Some of it it's really - it's the glare. I rely heavily on peripheral vision, so sometimes it works and sometimes it doesn't, but thank you very much. Can I ask that I be advised when five minutes are up and then - - -

**MR CADDY:** Yes. Can you see - - -

**MR SIDERIS:** Yes, apart from the 10 because I really want to separate the two.

**MR CADDY:** Yes. Irene, will you signify when five minutes is up please?

**MS OBALES:** Yes.

**MR CADDY:** Thank you.

**MR SIDERIS:** Thank you. In starting I do have some questions. It's more so questions and I have no real intention of making a presentation with PowerPoints and things like that. Some of the things I need to know is, as members of the commission who are - can you let me know who the members of the commission are?

**MR CADDY:** I can, but I will advise you that this is a hearing. It's not a meeting at which we are making decisions and which you are questioning us, but I'm happy to let you know who the commission members are.

**MR SIDERIS:** Thank you.

**MR CADDY:** Myself, as Chairman, David Caddy. To my immediate left we have the Director General Gail McGowan. Dr Garry Middle. The Director General of the Department of Water and Environmental Regulation, Mike. Representing Grahame Searle, the director of the Department of Community and Housing we have Greg Cash. Fred Chaney is an architect and an independent member of the commission and Councillor Ronnie Fleay is a local government representative.

**MR SIDERIS:** Sure. Is Dale Page a member of the commission?

**MR CADDY:** Sorry?

**MS MCGOWAN:** No, he's not.

**MR CADDY:** Dale Page is not a member of the commission.

**MR SIDERIS:** Cool, thank you. The first question is effectively which version of the proposal are we – are you looking at?

**DR MIDDLE:** The latest.

**MR CADDY:** We are looking at the version that was advertised as part of the MRS amendment process.

**MR SIDERIS:** Does the commission understand that there are now - the memorandum of understanding is now at concept plan 7.2A and as such that's what was signed up with the government and as such 7.2A is not available to members of the public and at no stage do – I mean I find it difficult that we're meant to make some comment and proposals and have discussion on a concept plan we don't have access to.

**MR CADDY:** I do understand the dilemma that you've got, Mitchell. We, as a Commission, have not seen that concept plan either. We are dealing with an advertised amendment to the region scheme.

**MR SIDERIS:** Okay. I suppose the next question is has the members of WAPC - have they read all the submissions?

**MR CADDY:** We have read all the submissions, yes.

**MR SIDERIS:** Okay, so that only supports my view that – probably not to sit down and waste your time, my time talking about the detail contained within it. Some of the things I

think just – as far as the Mullaloo Beach Community Group is that what we'd like to emphasise to you is the impact of SPP2, which deals I think with coastal vulnerability and the impact it will have – this marina will have or this development will have on surrounding beaches and the coastal foreshore. Some of the things that we find disturbing is that no information has been provided to us or to the community as to its impact to Mullaloo Beach, none. When questions have been asked at council meetings or at annual general meetings and all we're told is the impacts may be minimal. There is no documentation that has been presented to the elected members, in the mountains of documentation that's been provided for this development, identifies any impact to the beach. It's either been excluded or has not been considered and we find that extremely disturbing.

The impact that we see that has been done has been split into two parts. There's the main part, for the marina it's been limited to a couple of hundred metres north and south and we know that somewhere in the documentation, again don't ask me which one because there's so much of it, it talks about the sand movement to the Quindalup dunes north, up through – which come from Dongara right through down to Busselton. We know that the sand movement around the marina at Hillarys is around about 9000 cubic metres per annum. We know that this development goes so far in to deep water, about a kilometre, that the sand movement will drop from 9000 to 4000 cubic metres. What's the impact to Mullaloo Beach? Again unknown.

One of the things that as a community group we have done is that we've – and we know that some of the things that are lacking in the reviews and studies by the city is invertebrates. We as a small community group have done an invertebrate study just south of the site and we know that there's a community group at Ocean Reef Iluka that's done a similar study just north. No study of invertebrates and invertebrates are 97 per cent of the fauna in our community and nothing's been done. I find that strange. If you look at what is and what's been done; difficult.

I'll talk about access to documentation. In one of the comments we talk about access and the secrecy of the council. We've their committee meetings they deliberately, in our view deliberately, suspended the committee meeting because that way that didn't have to present a report to council. These meetings were continued year after year after year and then to try and gain access to them, if you talk about an FOI, finish.

**MS** .....: That's your five minutes. You've got five minutes.

**MR SIDERIS:** Sure. I will now switch because it's important. In the submission that I've made, again it's been read, but I need to correct two errors, one at page 7 and one at page 9. Page 7, it was dealing with capability of being able to access the information and the word I've used there is that when the committee meeting and agenda – sorry, when the minutes of the committee meetings are put before the council then that's when you get access to the attachments that have been presented to council. The word is "not", they're not available not matter how hard you try. There was another one at 9. There's a question I raised with the WAPC is does the WAPC accept that the consultation process was inclusive if it's amended rather than not inclusive.

If I just focus on some of the things I want to raise in my submission. The first part of the submission pages 1 to 5 deal with a planning document which talks about availability of recreational boating harbours and things like that. That policy has not been changed since it came out and if you look at that, and I've sort of outlined bits and pieces of it in my submission, that the Ocean Reef Marina as it was intended by the transport department at that time was just to have the northern wall extended. The main sea wall on the south would remain, but only extended the north wall to allow extra boating – boat pen capacity. It then outlined that other facilities such as Piccadilly or Oakajee and Yanchep and more pens available at Mindarie they were identified as precedence and I think it's important that we stay with what's been out there since about 2009 I think and has not changed since.

If I go now to the section dealing with recognising the Aboriginal heritage. With this particular development – and if you read the documentation that's been proposed by the council they've tried to consult the Aboriginal community. I can tell you now, having spoken to them last week or the week before, they believe that this development is on private land. It's not. This development has a crown land component and it has a marine component and it has some private freehold land, so if I can draw your attention to that section and consideration of the Aboriginal heritage.

I'm mindful of the time. The last two areas and I'll start with the risk assessment. I'm a retired professional engineer and if I look at – and if I take you to the last page and I'll draw you to the risk assessment criteria that's there. That's some of the content and detail that I expect to come out of a risk assessment. What's been done by the City of Joondalup and proposed in any of the documentation – I'll use my words – Mickey Mouse engineering. It doesn't deal with proper risk assessment. It doesn't breakdown all the components and all the impacts and risks that may occur with this particular development and I've just outlined some of the things that I've done in the past and some of the major projects I've been involved in.

One of the biggest things and biggest problems that I have and I think we have as a community and as Mullaloo Beach comes down to the business plan, not available. When it comes down to the cost benefit analysis, not available. When these questions are asked of council, either at general meetings or at annual general meetings of rate payers, we're now told, "Go talk to LandCorp." That only highlights bits and pieces, but if you read the submission the details are there. I think the comments are self-explanatory, but they do raise a number of questions that you as the WAPC, I'd expect you as the WAPC to respond to. That's it.

**MR CADDY:** Thank you very much, Mitchell. Members of the committee, are there any questions please? Yes, Fred.

**MR CHANEY:** I just wanted some clarification, Mitchell, around - you were talking about boat pen numbers, 2009 data, I wasn't clear what your point was around that.



**MR SIDERIS:** If you go to the transport plan that was put up – it was a study done by the Department of Transport – it outlined the recreational need or boat owners needs and it had – and I've taken some of the tables. It developed a plan that says – and a strategy of short term, medium term and long term, that you can develop pens at Mindarie. If you've been to Mindarie it's a capacity there for some 200 – 400 pens, whatever. You don't have to do anything, the pens are there. You can add extra pens at Hillarys and then pens available – can be added to Yanchep. One of the things that that plan identified too was that the Oakajee proposal, which has now been given EPA approval and I understand WAPC approval and now local council approval to proceed. They are prioritised and that order is something we should effectively stay with. After those developments then the proposed development at Ocean Reef would then, if you follow the same concept, say that all you have to do then is amend the northern wall, the sea wall - the main sea wall on the south stays, but you just relocate the north wall. It will have minimal impact to the marine environment, it will have minimal impact to the shore environment and it would still allow the pen requirements to be satisfied. If you want to look at this as an Ocean Reef Marina for boating or recreational boating then that's where I would be guided by because a study was done. It was done by the previous labour government and then once the report was in draft we had a change of government and then that report was then adopted by the Barnett government. Good starting point.

**MR CHANEY:** Yes, so just to be clear you're saying that data, that report doesn't necessarily support this marina - - -

**MR SIDERIS:** Definitely not.

**MR CHANEY:** You're not questioning the data. You're questioning its interpretation?

**MR SIDERIS:** Yes. Well, there's no interpretation. The data is quite clear.

**MR CHANEY:** Yes.

**MR SIDERIS:** It says that if you follow this strategy and (1) you'll satisfy the recreational boating needs for the foreseeable future both short term, medium term and long term.

**MR CHANEY:** Sure.

**MR CADDY:** Thank you. Any further – yes, Garry.

**DR MIDDLE:** Two questions. Obviously, while the association concern is Mullaloo Beach, so you'd want to see no impact on your beach from this development. Would that be reasonable?

**MR SIDERIS:** Correct.

**DR MIDDLE:** Yes, so that's fine. The second question is you raised an issue about risk assessment, I couldn't quite understand what are the risks that you're worried about. Are they coastal risks or are they - - -

**MR SIDERIS:** It's a development risk. If you look at page – it's the last section on page 13 of the submission and all I've done is – as a matter of fact I was actually reviewing a risk assessment at the time, so it made it quite easy. I just took out the various headers and things like that and said, "Well, these are the" – you know, you've got identify what the risk elements are. You then have to identify the cause of those risk elements et cetera, et cetera, et cetera. They're pretty simple engineering assessments and each one of those risks you can then – once you identify the risk, the cause element, the proposed or possible impacts you then can work on how to mitigate those risks or those risks could cause it to be a catastrophic outcome or a minor outcome. I mean, if you read what – if you can find the information from the City of Joondalup everything has a low risk or medium risk and I don't agree with that. Totally, as a fellow of the institute of engineers I can tell you, my words, rubbish.

**DR MIDDLE:** So I'm just clear are these risks associated with the facilities or are they business risks? What risk are you talking about?

**MR SIDERIS:** They were engineering risks. They deal with the whole lot. I mean, you can't separate the pure engineering aspect of the development without considering all those other things. There is also a risk, if you want to take and develop – for this as a major project there will also be financial risk, there will also be long term risk. Some of the long term risks is how do you, you know, maintain the facility, what will be its impact to the foreshore, what will be its impact to the oceanside, but a good engineer would sit down and come up with a fairly in-depth proposal and I think the organisation is called RiskCover.

**DR MIDDLE:** Thank you.

**MR CADDY:** Thank you. If there are no further questions I thank you both for your presentation.

**MR SIDERIS:** Good, thank you very much.

**MS McDONALD:** Thank you.

**MR SIDERIS:** I do say thank you and I wish you luck. I hope you get it right.

**MS MARY GRAY**  
representing Urban Bushland Council WA Inc.

**MR CADDY:** Good afternoon, Mary.

**MS GRAY:** Good afternoon.

**MR CADDY:** Welcome back. You are going to give us a quick presentation on the Urban Bushland Council's submission to this particular MRS amendment.

**MS GRAY:** Yes.

**MR CADDY:** Please start when you're ready.

**MS GRAY:** Okay. My name is Mary Gray and I'm the chairperson of the Urban Bushland Council WA. We're an association of groups, we have about 75 member groups, some of whom you'll hear today. This site of rezoning, as I'm sure you know, has a long history of conflicts of interest particularly by the City of Joondalup and also there's been political interference over the years that have been fairly dramatic and there have been contentious issues around - over at least 20 years, probably longer, but certainly since Bush Forever was adopted in December 2000.

Anyway I'm not going to talk about that stuff. I'm here to talk to you about the facts of what's on the ground and what's significant. It is a Bush Forever site that you're looking at and the conservation values of this area are indeed very high and very significant and some of these were recognised way back with the system 6 report that came out in 1983, so the values of the area have been recognised for a long time.

The proposal to rezone is contrary to your statement of planning policy 2.8 for Bush Forever and related lands and the loss of 25.96 hectares of Bush Forever site 325 for a change of land use to residential and commercial development is we submit unacceptable for this site and we call on you to reject this rezoning being contrary to your SPP and notably your process of rezoning and call for public submissions was done before the EPA had finished its formal assessment of the marina proposal, which this sort of backs on to, at the same time which is odd and, you know, that's a failure in process. The rezoning process should not have commenced until after the EPA assessment was completed and indeed we believe the EPA should have actually formally assessed this, what you're looking at now, but they didn't and so it's left to you people, as the planning commission, to look at these impacts with the rezoning, so really we are concerned that that process was not appropriate however that's what you're faced with, that's a reality.

The impacts of losses from Bush Forever 325 will be irreversible of course. There will be a net loss of values, full stop, if this goes ahead and I'll just go through the impacts. Firstly, habitat fragmentation will result in – you know when you get fragment in Bush Forever areas you're getting edge effects leading to obviously extra management costs and our bushland is very vulnerable to edge effects with roads and things going through and the quality of the

bushland will decline, but the management costs will go right up. Weeds of course will come in. Also obviously with this one there's a result in the loss of the regionally significant ecological linkage values both north/south and east/west. I'll go into that a bit more with fauna.

Secondly, the damage to flora and vegetation from edge effects, as I've mentioned, and from weeds will go right up. Grassy weeds on the coastal plain is a massive issue and as soon as you disturb the soil, you know, the propagules are there, in they come. The impacts on at least five significant flora species and the consultant's report underestimates the importance of these. There are some five and one of them – there's a grevillea species sp. (Ocean Reef) in other words the identification and taxonomy hasn't even been done, so that's one species, but there's not just one of them, there's five, you know, rare species for this area, so that's unreal, you know, to have five in one area, so it's a very complex site in terms of its flora and vegetation.

The impacts on the ecological communities. There are three priority ecological communities; Swan Coastal Plain 24, Swan Coastal Plain 29A, we estimate 67 per cent of that is likely to be lost, so that's a big impact, and then Swan Coastal Plain 29B. Now I gather from Parks and Wildlife people who look after these there hasn't been any recent work done on these things, so we don't really know what we've got in terms of these communities and they're certainly regionally significant, so, you know, there'll be a very significant loss there just in this rezoning and clearing.

The fauna impacts. Obviously when you get more housing and so on cats and dogs as well as foxes will have more impact. There's loss of connectivity from native fauna which moves seasonally across the landscape, as I said, east and west and north and south, that's a really important thing. That's been very well recognised by the John Dell's of the world many years ago and they do require the cover. The fauna present have been underestimated in what is before you. There is some Carnaby's cockatoo feeding habitat there. There are a lot of bird species that local groups have probably told you more about this. 22 have been observed at least and there are potentially at least 89. The rainbow bee-eater is a migratory bird and they come and nest in these areas and that's been seen at this site. The graceful sun-moth, there are Quenda there. Now Quenda don't like dogs, so once you get suburbia around and people leading their dogs, you know, they chase the Quenda, they don't like it and they'll try and get out.

But the big diversity, apart from the insects and so on that I think others might have spoken about, reptiles. We don't even know what we've got there, but there's a very high diversity. The friends group have recognised some 13 species, but there's potential for some 45, but there's a big knowledge gap there. We don't know what we've got, but having a lot of – on the coastal strip there's very high diversity of reptiles. Dr Rick Howe he's been looking in Kings Park for years and heaps of things - but anyway enough about the fauna, but they're very considerable impacts which have been underestimated and overlooked here. The EPA should have pulled this stuff up.

The fourth impact of course is the loss of benefit to people, to the community. Now you know about the heat island effect and planning of course is pushing for increasing the urban canopy. There's a lot of work been going on which is great stuff, but step 1, you keep what you've got in terms of canopy and vegetation cover, so it's contrary to that initiative.

The rezoning is also inconsistent with the main theme of Bush Forever. I presume you're all familiar with the Bush Forever documentation, but in the introduction it gives, you know – keeping the bush in the city in the creation of a conservationist state, which is what this is about. Everyone has their own bit of Kings Park within easy reach for present enjoyment and also terribly important for children to be in touch with nature and to have easy access, you know, that's really important, so we need to keep the little bits we have got and of course people benefit from nature. It's in the interests of our health and wellbeing. People need – you know, we're animals, we need nature and we feel better when we've been out in the bush and of course the obvious vegetation takes up the carbon dioxide and gives us more oxygen, so we need - - -

**MR CADDY:** Mary, you've had 10 minutes now. Could you please wrap up?

**MS GRAY:** Okay.

**MR CADDY:** Thank you.

**MS GRAY:** All right, so that's about the end of what I wanted to say. The only other thing was that City of Joondalup has a biodiversity action plan which has been in place for nearly 10 years and it includes this coastal zone and what they're proposing is contrary to their action plan, which talks about all the things I've spoken about that biodiversity values and also people being in touch with nature and so forth, so there's a conflict of interest there.

**MR CADDY:** Thank you very much, Mary.

**MS GRAY:** Thank you.

**MR CADDY:** Very comprehensive discussion.

**MS GRAY:** Okay. I'm happy to answer any questions or whatever.

**MR CADDY:** Yes, Members, are there any questions please? Yes, Garry.

**DR MIDDLE:** Mary, thanks for that, a very comprehensive submission you've given us. Just a couple of headline questions for you. When you talk about flora you use the "rare" species. I think they're priorities - - -

**MS GRAY:** Priority, yes.

**DR MIDDLE:** Yes. But you mention one grevillea species which is only identified in this site, is that what you're saying, only found here?

**MS GRAY:** I think that's my understanding. I think some of the other - group who are coming in know more about it, but, yes, it's very unusual.

**DR MIDDLE:** Yes, okay. The other one is you said at the start, and I didn't see it in your submission, but you said this is inconsistent with SPP 2.8 in what way is it inconsistent?

**MS GRAY:** Well, in the spirit of it, of retaining a Bush Forever site, yes, rather than bulldozing bits of it or removing part of it from, you know, the area that's set aside, but, you know, having the Quindalup dunes and the Spearwood dunes as part of it that's really important. There's not many places down the coast where you've got that connection. Point Peron was one down south, but, yes - and I always remember Stephen Hopper saying years ago the importance of the connection right up the coast and across inland to the, you know, national park at the north and Neerabup, so forth very important for - yes.

**DR MIDDLE:** Okay. Thanks, Mary.

**MS GRAY:** Which is all about a regional conservation reserve system. The sites need the connection and the local reserves.

**MR CADDY:** Good. Thank you very much, Mary.

**MS GRAY:** Okay. Thank you. Thank you for your time.

**MR CADDY:** Thank you.

**MR ALASDAIR MACKERRON**  
representing Mr Terry Parker

**MR CADDY:** Alasdair, good afternoon. You are representing Terry Parker.

**MS GRAY:** That's right, yes.

**MR CADDY:** Okay. Are you representing yourselves personally or as a group?

**MR MacKERRON:** Just personally (indistinct)

**MR CADDY:** No, that's fine.

**MR MacKERRON:** I'm Terry's neighbour and I'm a resident of Resolute Way. Just by way of introduction Terry has canvassed quite a few residents in the street just to get their opinion and would like the opportunity to come along and share some of the key concerns with you. Should I just go through - - -

**MR CADDY:** By all means, yes, please. You've got five minutes.

**MR MacKERRON:** Great, okay, that's fine. So I (indistinct) so obviously the intention with the development is to divert traffic towards Hodges and Shenton. One of our main concerns is the impact of any traffic, any additional traffic on the suburb of Ocean Reef and in particular Resolute Way and Constellation becoming rat runs, so I think the main entry is down here. It starts over here as down here with Hodges and it's fairly obvious people are going to go straight out that.

The second exit is at the bottom of Resolute Way and the desire may be to turn people towards Hodges or Shenton, but we question how likely it is for traffic to come straight up Resolute past the houses there. It's a fairly quiet street at the moment. Cyclists use it a lot. It's quite a good hill for cyclists. There's kids that live on the street and play out in the front gardens and so on, so there's a real concern there.

I think looking at your next slide, this is the development as it stood (indistinct) when it was first published. I appreciate it may have changed since then, but obviously up at this end here you've got boatyard activities, commercial activities and what have you, so may be some fairly heavy traffic movements at this end. Residential as well. There's going to be residential and traffic come out. I appreciate obviously just off the screen you've got the IGA, the shopping centre there so residents they may want to shop there, that's a positive thing, but I guess we just want to understand what your consideration is in controlling major traffic movements to keep them outside of the suburb itself.

One of the things that we have discussed and thought about, as I understand it, certainly before my time living there, Resolute used to actually be a cul-de-sac, it was closed off at the bottom, and we wonder if to discourage people from going up there is there something that we should be looking at to limit traffic coming up the hill. Maybe still allow traffic to come

down and on to Ocean Reef Road. Alternatively moving the exit from the site further to the south, maybe introducing a roundabout there, so that you can get in but it's a slightly more convoluted route, so you're only going to go that way if you actually have a destination in the suburb rather than a route through. It might be that the geometry of this roundabout can actually be changed to point people more towards Shenton if they're heading that way or divert them within the site to come out on Hodges exit, so it's just really understanding your considerations around that, so traffic is probably the biggest concern that people have got there.

The second concern – this graphic doesn't give an awful lot away – obviously this development is going to happen in a couple of phases. The first phase is the infrastructure. Putting in a sea wall and creating the lots and putting in the roads or what have you. The second phase is going to be largely, as I understand it, privately developed. That requires people to come forward, buy the lots and develop it. That may take a considerable length of time particularly in the market that we have today. The concern that we've got is that we create a wide dust bowl, if you like, in creating these sites. We remove bush and the area is left as gap sites for a number of years. That has got issues with sand being blown through. There's already an awful lot of sand blown up in to our gardens just from the sea, that could get a lot worse. It could attract antisocial behaviour if it's a large wide open area that's unpoliced and outside away from any other houses or observers, so understanding again your strategy around limiting that. Are you phasing the phase 1 or what are you doing to actually control and limit those kinds of impacts?

They're the two main concerns. There was a whole number of other minor concerns, if you like, that we put in our submissions some months ago, but those are the two main concerns that we have and I'm happy to take any questions you may have.

**MR CADDY:** Thank you very much, Alasdair. I'll just explain to you the process from here very briefly. This is a hearings committee, so obviously it's being recorded and those questions that you've asked will not be answered today, but they will be fed into the process and the commission will meet hopefully in December to consider the outcome of the hearings and address those issues.

**MR MacKERRON:** Okay, that's fine.

**MR CADDY:** Thank you. Committee members, any questions please?

**MS McGOWAN:** No. Chair, through you, the only thing I was going to do was commend you, Alasdair, because often you struggle to get people who sort of have a real interest and live locally in there to come and sort of articulate the real issues that people face and I think it's great to engage at this point and make us aware of them. Thank you.

**MR MacKERRON:** Thank you.

**MS McGOWAN:** And to do so so articulately.



**MR CADDY:** Good. Thank you very much, Alasdair.

**MR MacKERRON:** Thank you.

**MS McGOWAN:** Thank you.

**MR DONALD POYNTON & DR MARJORIE APTHORPE**  
representing Joondalup Community Coast Care Forum Incorporated

**MR CADDY:** We now have the Joondalup Community Coast Care Forum Incorporated. Donald Poynton and Dr Marjorie Apthorpe will be addressing the committee.

**MR POYNTON:** Good afternoon.

**MR CADDY:** Donald and Marjorie, welcome. This is a hearing committee, subcommittee, of the Western Australian Planning Commission and we are allowing you an opportunity to actually address the submission that we've already received, so please be seated, Donald, and over to you.

**MR POYNTON:** Good afternoon and thank you for the opportunity to address you today. I'm here representing the Joondalup Community Coast Care Forum or commonly known as and I probably will refer to it as simply the Joondalup Coast Care, which was an incorporated body established at the behest of the City of Joondalup in the year 2000 to give the public an opportunity to address any matters that may arise on the city's foreshore area and our organisation has 4 Friends Groups as members, as well as individual members and therefore we feel we are exceptionally well credentialed in order to address the issues that are arising with the development of the Ocean Reef Marina.

Members of the coast care group have had a close interest in the development project for a number of years, either as members of the various community consultative groups which have been running for probably almost 15 years or more, we have members on those, and probably in a greater number people are members of the 4 Friends Groups and over the years they have gathered a great deal of knowledge of the site and I would say in fact more knowledge than the people who were sent out there to do short term surveys and that became quite apparent from us reading through the reports and what we see is what were really quite inadequate surveys and quite deficient in detail.

Two groups in particular, the Mullaloo Beach Community Group and the Friends of North Ocean Reef - Iluka Foreshore, have been conducting surveys and revegetating the project and running revegetation projects either in the area which is proposed for development or in adjacent areas since the year 2004 and I must say my colleague Dr Apthorpe has been running probably the state's longest monitoring of the graceful sun-moth, which started, I don't know, I think probably 10 years ago and we've consistently done that for on a yearly basis.

Now the reasons for our opposition to the rezoning have been set out in our submissions and I'm assuming that everybody has read those and fairly recently and therefore familiar with them. But in essence we see that it boils down to the loss of an amenity for the communities and I do stress the word "communities" because I'm talking here not just the human community, but also the biological non-human communities.

We see that the clearing of the Bush Forever, particularly for housing, will result in an irretrievable loss of habitat for, among other things, the graceful sun-moth, the Carnaby's cockatoo, several species of plants including at least one P3 species which was not picked up by the surveys, that's the *Hibbertia spicata* subspecies *leptotheca* and I might add that trying to propagate *Hibbertia* is a very difficult task indeed, so very difficult once those plants disappear it's hard to bring them back. Similarly, with the Yanchep rose that was not recorded in the surveys and we know that this is what appears to be the most southerly extent of the Yanchep rose and all the recorded plants will be bulldozed out once the – if the plan goes ahead.

Moving on, the proposed acquisition of land into the conservation state under the NPO is commendable but it is extremely unlikely in our opinion that the offset criteria outlined in SSP 2.8 can be met. The two areas that have been muted are remote and will not provide the same access for passive recreation now enjoyed at Ocean Reef by the many pedestrians, cyclists, naturalists and photographers that we see on a daily basis. It's hard to imagine a group of mothers packing their kids into a four-wheel drive heading north to the other side of Yanchep, pushing their prams through tick infested bushland, which is what has been given to us as the option.

This leads to a statement that I have seen several times, and I quote, "The WAPC requires that the NPO be agreed to by the DOP, DPAW and OAEP prior to the final decision being made on the amendment." This suggests to me that it's only an agreement of the contents of the document. It does not require the land to be actually purchased. If this is so then we can see destruction of the Bush Forever site go ahead without any addition to the conservation state, so we would seek your clarification as to whether that's simply an agreement to do something or whether it actually requires something being done.

We're strongly opposed to any of the rezoning for the purposes of housing as this can certainly consequentially lead to problems. A thousand houses, conservatively one with a cat in every tenth house, a hundred cats added to the bushland. We already know that feral cats and domestic cats are the worst predators we have in the adjacent bushland. Hundreds of new street lights will be required, these attract moths. The Mullaloo group and ourselves have recently completed macro and invertebrate surveys and found that of the 550 species of macro invertebrates that are greater than 2 millimetres in length over 170 were moths and most of those hundred plus species of plants in the coastal area rely on pollination by moths and almost exclusively at night, so the introduction of street lights very likely to affect the pollination process and the clearing of land of course is the ideal avenue for weed invasion. Clearly the reason weeds are now found along the dual use paths and not in the bushland itself is the inevitable that weed infestation increases as soon as you open the land up and we would hope that should rezoning and development go ahead that there would be a caveat placed on the unnecessary and untiming clearing of the bush. As a lot of you may know when Burns Beach was developed more than five or six years ago all the land was cleared, the sand dunes were stripped bare, they became just deserts and we would hate to see the same thing happen here. Thank you and I'm willing to take any questions and Marjorie I hope will be allowed to speak on my behalf as she has more technical knowledge than I do.

**MR CADDY:** Thank you very much, Donald. Members of the committee, are there any questions please? Yes, Garry.

**DR MIDDLE:** A couple of questions. You raise a concern about the offset – the social risks in other words that it's located further away, so locals can't access it, but taking that aside from an ecological point of view is your view that the offset is reasonable?

**DR APTHORPE:** No.

**MR POYNTON:** No.

**DR MIDDLE:** Even from a ecological point of view it's not reasonable?

**MR POYNTON:** From our understanding there is not an area of comparable plant communities available and I can't say that I've ever inspected the two areas, but that's the understanding of what I've read in some of the literature.

**DR MIDDLE:** It's not like for like. Is that what you're saying?

**DR APTHORPE:** No.

**MR POYNTON:** That's our understanding, yeah.

**DR MIDDLE:** Okay. The second question is that a previous submitter talked about a grevillea species on site. Is that a recognised species? Is it a rare species? Is it only found in this location? Do we know that?

**DR APTHORPE:** Yes, we do. It's a rare species. It's only found at this one location, right in the centre of the site which will be cleared for the extension of Hodges Drive. It is the only known locality of this plant species although - - -

**DR MIDDLE:** It was discovered as part of this work or was it known before?

**DR APTHORPE:** It has always has been known that it's here. It was initially discovered by the City of Joondalup's staff back in about 1999. It has been consistently ignored by the city because it poses a biodiversity zoning use that they cannot offset.

**DR MIDDLE:** Okay. Thank you.

**MR CADDY:** Thank you. Yes, Gail.

**MS MCGOWAN:** (indistinct) and I'm assuming the presence of that species would have been highlighted to the EPA in their consideration of it as well?

**MR POYNTON:** It's mentioned in the Matisko - - -

**MS McGOWAN:** Yes. No, I just wanted to check it wasn't something that subsequently - - -

**MR POYNTON:** Yes, so they are certainly aware of it. In fact because we haven't seen what the latest plan 72A, I think it is, looks like we can't be sure of where the boundaries are. I know that there was consideration given to moving the housing development so as not to have such an impact, but I don't know where that's ended up, but we do know the most recent times that I've been in there and David Pike, some of you may know is a botanist, was in there recently. The grevillea has – I don't know whether it's an unusual reproduction system, but it has suckers or – I'm trying to think of what (indistinct) that go underground, so when this plant was originally found – I don't know how big it is, but I imagine probably not the size of this table, but today it covers an area probably two to three times the size of this room now. It's just spread massively in the last 10 to 15 years.

**DR APHORPE:** Yes, but it is still the only occurrence of this plant that hasn't seeded elsewhere. It doesn't appear to reproduce by seed therefore it's not dispersing. It's still stuck in this original place where apparently it originated as a cross between two unknown parents.

**MS McGOWAN:** Okay.

**MR POYNTON:** So it's probably a single – it appears to be a single plant that has now just spread out.

**MS McGOWAN:** Thank you.

**MR CADDY:** Interesting. Yes, Fred.

**MR CHANEY:** A quick one. The loss of social amenity that you talk to the – I mean, the development still allows for the retention of a fair bit of bush there, so – no, I'm not making a comment one way or another here. I'm just saying that – so do you believe that such a substantial loss of bush that it becomes a less relevant or meaningful bush experience for either - for the locals in any event? I mean you're saying people have to get in a bus to go somewhere.

**MR POYNTON:** Well, that's right. It's a local area that will be lost. I mean, I know some people will argue that a coffee café isn't an amenity which has replaced it, but I think if you're coming from where people who care about the coast and the – many of the people who walk along that pathway are not heading out for a coffee at Burns Beach. They are out there because they enjoy the environment that they're walking in and particularly the mothers with prams and things and we're going to lose I think it's a total of 1.8 kilometres and I didn't - - -

**DR APHORPE:** Including beaches and cliffs and very attractive coastal scenery.

**MR POYNTON:** And the last plan that I saw the only route if you were wanting to go from the north to the south side was through several carparks, a boat yard, cross two main roads, around the back of the housing estate and then across the main entrance of the - into the

area and then back on to the dual use path that's there now. There isn't an easy access under the current plan to link the north and south.

**MR CHANEY:** Thank you.

**MR CADDY:** Thank you. Donald, you've asked us some questions in your presentation. Those questions are, shall we say, taken on notice because this is being recorded so that we can address those issues when the commission is going to make a final decision much later this year or early next year.

**MR POYNTON:** Right. Thanks very much.

**MR CADDY:** Good. So if there aren't any other questions I thank you very much for your presentation.

**MR POYNTON:** Thank you.

**Ms Karen Hyde (Taylor Burrell Barnett); Ms Genevieve Hunter (Senior Projects Officer, City of Joondalup) & Mr Blignault Olivier (Manager, City of Joondalup)**  
representing the City of Joondalup

**Mr Frank Marra (CEO, LandCorp); Mr Carl Williams (Senior Development Officer, LandCorp) & Mr Lex Barnett (Taylor Burrell Barnett)**  
representing LandCorp

**MR CADDY:** We're very pleased to welcome you all here this afternoon. This is a hearings committee of the Western Australian Planning Commission. We are not making decisions this afternoon, but we are very happy for you to make a submission, a presentation which supports the written submissions that have been made. We have all read the written submissions and I'm happy to allow this conversation to continue for about 30 minutes because we do need to be out of here by 3 o'clock. Thank you.

**MS HYDE:** Yes, thank you, Mr Chairman, Director General.

**MR CADDY:** Yes, over to you, Karen.

**MS HYDE:** Members of the commission, thank you very much. My name's Karen Hyde. I'm a senior associate at Taylor Burrell Barnett who's acting on behalf of the City of Joondalup. Also from the City of Joondalup I have Blignault Olivier who is the manager of city projects and Genevieve Hunter, senior projects officer.

The city supports the MRS amendment for the Ocean Reef Marina. The city has been championing the vision over 30 years and has provided considerable resources and has been committed throughout the project. It has engaged thoroughly and interrogated the technical aspects, the technical papers supporting the MRS. Also prepared a preliminary draft structure plan, preliminary draft local development plan and various technical studies on traffic, transport, economic development, geotechnical, heritage and drainage analysis and iterations of the concept plan, all consistent with the city strategic planning framework and the state planning framework.

The community engagement has been extensive. There has been high support for the project of nearly 94 per cent and particular support from food and beverage outlets, public access to the waterfront, increased public open space and public transport.

The key matters that the city has progressed since the commission last saw the amendment at initiation in 2014 include a memorandum of understanding with the City of Joondalup, additional business case analysis interrogating employment and economic benefits. The CHARMAP, Coastal Hazard Risk Management and Adaptation Plan, has been considered acceptable by the department for the purpose to inform the MRS amendment and is consistent with SPP 2.6. Bush Forever negotiated planning outcome is consistent with SPP 2.8 and the bush fire management, water management strategies, transport modelling have all been prepared to the state guidelines and the public environmental review, which we're not here to discuss today, but is significantly progressed as a separate and parallel process,

the matter has been referred to the commonwealth who noted that it was a not controlled action and no further assessment required.

Matters to be finalised in collaboration with the Department of Transport under DC policy 1.8. The department has identified its prepared to be nominated as operator/owner of the marina area to progress statutory planning and there's ongoing engagement with the various leasees including the sea sports club, the sea rescue and other minor lease holders such as the RSL and the navigation beacon and the Bureau of Meteorology.

The city would like to stress that this is a project for the wider community and has considerable benefits. It provides the city as a key landowner in the project to provide for diversifying and growing city population. The location is ideal as it has direct access off the freeway via Hodges Drive and is but five kilometres west of the CBD. It's equidistant between Mindarie and Hillarys Marina. The centre of the project would be a consolidated retail, food and beverage, commercial node. This would provide a sustainable outcome for local needs for existing community, new community and for tourists, both day, national and international potential, and provide tenants with a sustainable outcome of visitation. There would also be an expanded marine services area, the potential for tourism with short stay and hotel accommodation, over a thousand dwellings of mixed and diverse type. Increased public open space and regional open space all supported by adequate carparking, boat pens and boat stackers and this would be a key economic catalyst in the area with up to 900 direct and indirect jobs, which would mostly provide for the local population and in addition a construction jobs.

The city is obviously the current proponent through this planning stage, but has invited the state government to assume the lead role for the marina and looking towards the ultimate component for development. The city has an ongoing collaborative approach with LandCorp through the memorandum of understanding and a collaborative relationship on technical matters with the Department of Transport, Department of Planning, Lands and Heritage and other relevant state agencies and attends the government steering committee at which key decisions are taken.

The city would like to express its support and consideration for the improvement plan and improvement scheme going forward to implementation provided that the MRS – that the transition to that can be given a level of certainty and the MRS is continued until that certainty is forthcoming and at that point I would like to leave you with a quote which expresses that this is a gift for all members of the Joondalup community and that the city hopes this is a project becoming reality and introduce you to Frank Marra, the CEO of LandCorp, Carl Williams, the senior development manager of LandCorp, and Lex Barnett, the managing director of TBB.

**MR CADDY:** Thank you, Karen.

**MR MARRA:** Good afternoon, Chairman and Commissioners. I'm really pleased to be here on behalf of LandCorp and I think from a procedural point of view it's shown up as LandCorp will be the proponent for this project, but I think it's probably fair that the



commission actually see this as LandCorp acting on behalf of the state government. LandCorp has been appointed by the state government. It was a decision by government following a business case that was prepared through the Cabinet processes and this project actually has bipartisan support, so the previous government initiated that proponenty by LandCorp and this government has confirmed that proponenty of LandCorp and the reason for that is because the state government wants the development of a public marina and a public development. This is not a private led facility. All the public open space, all the water bodies will be publically owned and publically managed. The city will play a role with that with the state government and as was pointed out originally there's a memorandum of understanding, that is between the state government, LandCorp and the City of Joondalup, so all three parties.

What I can provide to the commission is that there is state – what that brings is a level of state certainty, that the promises that the proponents make actually have a capacity to be delivered. There is budget funding that is being provided through the last state budget process. \$120 million of state funds is being provided for the marina component of this project. LandCorp will be investing an additional 130-odd million dollars on the land side infrastructure components, so a total state investment of some \$250 million has been committed to this project. That is seen to catalyse double that amount of private sector investment, so will have a total project value of close to a billion dollars once this is developed and the project is identified in the states, and including the commission, strategic planning documents as a location or a planning investigation area for this purpose.

I've been involved in government for a long time and I can honestly say that this project is a really highly collaborative project. We have a steering committee with the members including City of Joondalup, LandCorp, Department of Planning and Department of Transport who are very actively running to see this project get approved and implemented. It's not just a group of people who come together to tick off documents. Planning is leading its aspects. Department of Transport will be the marina manager and will be heavily involved in the design of the marina components and the operational phase with that.

As part of the steering committee as well we also have the City of Joondalup. It's very important that the community continues to be brought along for this project with the City of Joondalup taking that lead role. You would have seen in the presentation that some 10,000 community members had input into this project so far, so it has incredible support. We're also strongly collaborating with DBCA, the Department of Biodiversity, Conservation and Attractions who are helping on the marine park side of things and the Department of Primary Industries and Regional Development who is helping on the fishery side of things to the extent that the Minister for Fisheries is running a fisheries adjustment scheme to deal with all the fisheries impacts, so all the Joondalup government have been used for this project. There's a significant site and evidence based approach that has initiated through the City of Joondalup and LandCorp has taken that on and highly consultative it at that same time.

The reason why LandCorp is involved and the state is involved is because a highly public outcome is paramount here. I talked about the marina, open access. It's all about jobs

initiated and economic development that can have there and there will be a supporting local community and we have an objective to try and make that the most sustainable community that we can given its location.

We are also looking at optimising the plan. The plans that have been developed until now have been developed over a decade. As you would expect on a project of a total investment of close to a billion dollars you think further refinement and we're actually looking at how we can refine the plan within the confines of where it is to actually create even greater public benefit and the way we'll do that is by maximising the area for marine industrial use, or marine commercial use, maximising the tourism and festival, retail component and the locations of those various services, so I know the government is very keen to start to share that new concept plan with the community and you'll probably be starting to hear that very soon, so a level of regulatory certainty to back up the government's consultation and process of course will always be assisted. Happy to hand over to technical components.

**MR BARNETT:** Yes, thanks, Frank. Very quickly in the time remaining I just wanted to touch briefly on our next step procedurally beyond the MRS, so apart from continuing on with the MRS we're now really looking to shift our focus on to crafting the implementation framework to deliver what is a quite large scale, complex and regionally important project. Karen has already alluded to the advice coming out of the government steering committee. The improvement plan and improve the scheme process is probably the best approach to take it further largely because it can be purpose built to suit the very specific needs of this quite significant project, but also importantly because we can also get the right balance of approval responsibility between the state and the city. I hope I can have your indulgence for a little longer, Mr Chairman. It's really fair to say that a project like this is really precisely what an improvement scheme mechanism was designed to suit, so that's most likely the direction we're going to go. Now with all that said, and while an improvement scheme doesn't rely upon an MRS amendment in the same way that the local scheme would, it is very important to continue on with the MRS amendment process at this point in time and I will come back to that very shortly.

Karen has alluded to the high level of support that the city has garnered through this, both in the community and government stakeholders and the user groups and Frank has carried that through by expressing LandCorp's commitment to continue that on and that will be through the continuation of a government steering committee and ongoing direct engagement with the city and with the Department of Transport as the future waterways manager and also of course with the future user groups and the community broadly, so I won't dwell on that any more.

I guess they were the key things. Just coming back to the MRS amendment itself. As I said it is important that we carry that process on and continue the momentum with that. While the improvement scheme might eventually overtake the amendment process that's a process that's yet to be formally ratified as the preferred approach and so we should not be presumptive at this stage that that will happen, so we need to continue the MRS amendment in the meantime. The other thing is that whatever we do here is going to be publically visible and so there's a level of momentum with the community on this project and we need to – the momentum should not only be maintained, it should be seen to be maintained, so we're very

keen to keep this process moving.

Probably the final thing is that there were a number of other processes set in train off the back of the MRS amendment and while those still remain in train it's very important that there is a formal process that we can use as a reference point, so we're very keen to continue the MRS amendment process at this point in time and we commend the proposal and look forward to your support. Thank you, Mr Chairman.

**MR CADDY:** Thank you very much, Lex and Frank and Karen. We heard a lot of discussion from presenters regarding a plan 7.2A that everyone would like to see, but haven't seen yet, including the commission, so I'm assuming, Frank, that's the plan you're talking about being refined?

**MR MARRA:** 7.2A?

**MS HYDE:** Yes, so 7.2A was basically the concept, the master plan which supported the request for MRS amendment and obviously the one which was the basis for the commission's advertised amendment.

**MR CADDY:** Yes.

**MS HYDE:** Obviously what has happened since that time is there has been commercial review of that master plan and some detailed involvement in terms of economic benefit. There is cost analysis and technical capability and market analysis, so that 7.2A plan is, I guess, moving through a review process at the moment to a product which the proponent, the ultimate proponent LandCorp, may wish to implement.

**MR CADDY:** The review is taking place within the confines of the proposed zones and reserves?

**MS HYDE:** At this point the concept plan will not entirely fit within the urban zone as configured. Overall between the two plans the net amount of urban land is very similar. In fact I think it might be marginally reduced, but the configuration is somewhat different, so what has happened with the assistance and collaboration of the Department of Transport, who have come to the table and dealt with the detail of what the marine services area should look like, how that should be configured, the benefits for collecting all of those marine service aspects together, much of that has moved to the southern part of the development and rather than create any level of awkward interface between residential and marine services the residential has been clustered more to the north of the development. The core area remains the same. It's very much similar to what the commission has seen before with mixed use, retail, festival, accommodation and public promenade and a large amount of community parks and recreation and opportunities to gather and celebrate the waterfront, so it's really just a slight flipping, but primarily led because it's a consolidation of much of that marine services area to get the most out of the established infrastructure and enhancement of that infrastructure.

**MR MARRA:** Mr Chairman, if I can add to that. When the steering committee was formed, getting those government agencies around the table with the city the opportunity was taken to then see if the Department of Transport were then looking at this project as the ultimate owner and manager, so they came to it with that objective in mind.

**MR CADDY:** Yes.

**MR MARRA:** Planning; the City of Joondalup et cetera did that, so the first thing they started before they did that was they ensured that a list of non-negotiables were discussed as to the main benefits of plan 7.2, that they needed to form part of the new plan, so all those elements that Karen referred to were in there. Now the size of the marina body, the size of public open space, the number of parking bays, those elements and then as was pointed out it was more about the location of the various uses to try and make them a lot more compatible and there was also - some engineering advice was provided to try and limit the amount of resumption that needs to occur within the water body, so to try and be a lot more efficient because the existing plan actually plays with the coast a lot more. The plan that's being looked at at the moment plays with it less so to speak so there's not as much digging and filling of the marine body.

**MR CADDY:** Frank, you'd be looking to come back to the commission with a suggestion that the amendment be modified before it's referred on to the minister?

**MR MARRA:** It is likely that technically is what would need to happen, so we want the commission to continue with the current plan as it is now - - -

**MR CADDY:** Absolutely, yes.

**MR MARRA:** - - - and that more certainty is provided and it might be that it's done through that improvement plan approach - - -

**MR CADDY:** Yes, okay.

**MR MARRA:** (indistinct) be able to swap, but we think it's important that we continue with it as it is.

**MR CADDY:** Yes.

**MR BARNETT:** I think it's fair to say that the review is still a work in progress, the design review and I think that the respect of 7.2A, which is the thing that has been through that community engagement process, is still the plan in play as far as the current MRS proposal is concerned, so anything that's going to occur from here on has got to be put back through that process, but it is important to continually fine tune and recalibrate that.

**MR CADDY:** That's fine. Yes, Mike.

**MR ROWE:** Good afternoon. I'm not sure whether that last comment just answered my question. I was thinking about the intersection between the communities interest in what's going on and there's obviously visibility – well, not visibility – there's an understanding that there's some other process going on within government or wherever to refine the design, for those people who are anxious about the existing arrangement they're very keen to see that, so when will the public get an opportunity to actually see the version and how does that intersect with what the WA planning commission will ultimately have to look at and when does it go back into a public process, if at all?

**MR MARRA:** We've been very keen as a steering committee to make sure that nothing was put out in to the community until there was a level of certainty that was able to be approved, if that makes sense, so the last thing that government wanted to do was to promote a plan and then have it so that the EPA and the planning commission et cetera has fatal flaws in it, so we've been going through this process to make sure that it has not fatal flaws in terms of the plans that are being developed up at the moment, so that there is an expectation that the minister would like to release these plans for public purposes within the next 60 days, so very soon, to try and – to show how those detailed designs might lay.

**MR ROWE:** I'm trying to understand that time frame, what the WA planning commission has got in front of it in a formal sense. I'm trying to work out how they technically intersect and when.

**MR BARNETT:** In a time sense. Is that what you're - - -

**MR MARRA:** Yes, time and process I gather.

**MR ROWE:** Yes, but a process that the public's had visibility into, which is the process that's 7.2, whatever that is, the design, that's what we've formally seen or seeing. The WA planning commission is on a trajectory to try and make a resolution on this by the end of this year as I understand it and the government, potentially the minister, is going to be in the public domain ahead of that time with another design which appears different to what the public's considered. Am I misunderstanding something here?

**MR BARNETT:** The formally embraced plan is the plan that's attached to the MRS at the moment and so that is everything – that is the plan that everybody is working by now. I think with whatever we come out with in a revised version will need to go right back through another - a process of testing and consultation out in the broader sphere and that's not just the community at large. That's through the stakeholder groups and through government agencies that have been part of this process as well, so we've got another circuit to go through. That doesn't necessarily suggest that we need to – this is an MRS amendment, so that doesn't necessarily need to hold up the processing of the MRS amendment if there's any dramatic change from that in future because if plans are released in the foreseeable future that's a starting point, that's not an end point, so that's going to go through another raft of consideration, so if they are released further down the track then that can be dealt with by further recalibration or amendment to the MRS if needs be. That would be a fine tuning exercise or alternatively as Frank has suggested through the improvement scheme process because the improvement scheme process itself isn't dependent upon the MRS.

**MR MARRA:** If it provides some assistance the key boundaries aren't changing with the plans. What happens inside, so the breakwater locations, the location in to the foreshore area isn't changing. It's how the uses are located within the boundary is what the refinement is looking at, so all those key boundary elements aren't changing.

**MR HOWE:** Including the interfaces with the existing road network?

**MR MARRA:** Correct, that's not changing.

**MR ROWE:** That's not changing either.

**MR MARRA:** No, all those major components which inform the MRS aren't changing. It's just what happens on the inside of the plan. Within the external boundaries, that's what we're looking at.

**MR CADDY:** I mean, as Lex said we're dealing with the advertised plan that went with the proposed amendments to the scheme and we will keep dealing with that until we get an outcome and if we need to amend the MRS slightly further down the track then we'll address it at that stage.

**MR MARRA:** Thank you, Mr Chairman.

**MR CADDY:** Yes, Garry, if Mike is finished. Have you finished Mike or - - -

**MR ROWE:** I did have another question about something that Frank raised in passing which is the - a passing mention towards fisheries adjustment. What's that about? Can you tell me a bit more about that?

**MR MARRA:** The marine component of this site, so going into the water-based area, requires a couple of (indistinct) it requires an adjustment to the Marmion Marine Park and it also will impact the abalone habitat, the Burns Beach abalone habitat in this area, so government has an act of parliament of how to adjust for when - fisheries licence areas are adjusted and the Minister for Fisheries has initiated what's called a fisheries adjustment scheme to do that, so the area where the breakwater would be built and the curtilage around that impacts the abalone habitat as has been documented in those site reports.

**MR ROWE:** Thank you.

**MR CADDY:** Great. Yes, Garry.

**DR MIDDLE:** Thank you, Mr Chairman. Just one cheeky question, you're not suggesting high rise for (indistinct)

**MR .....**: (indistinct)

**DR MIDDLE:** I didn't think so.

**MS HYDE:** Really a focus on nice umbrellas and the food and beverage along the waterfront.

**DR MIDDLE:** Okay. Just a couple of key questions for me then. You've got a waterways manager now, the Department of Transport. One of the issues of course is – there will be things like managing how the land activities impact on what happens on the water. How is that going to work? What's the relationship going to be between the two, the land and the water, to kind of make sure that things work in this marina?

**MS HYDE:** So there are a number of studies, so there are hydrological and we have a local water management strategy which deals with the catchment of water and retention of water and the provision of certainty about the quality of water that is captured, so that that doesn't impact upon the quality of water within the marina. The waterways manager will deal with some of those logistics in terms of – and again this is where the benefit of pulling all of those marine services together means that you minimise some of those conflicts between users, so all the coming and going through the boat ramps et cetera has, with the current plan and any future plan, full public access to the waterfront, to all the jettys, to the waterfront itself, so – and privatisation of the absolute waterfront so continuum there. Traffic and transport for trailer parking has basically its own access and circulation arrangement. The residential development has one or two additional access points. The core retail, commercial and visitor attraction side of things have an access which allows free movement without the need to become embroiled in pushing and shoving with trailer boats and craft coming in and out of the water, so the logistics of how the area would actually work have been thought through and have benefited greatly from the inclusion and collaboration of the Department of Transport.

**DR MIDDLE:** Okay. In terms of what happens in the water – I know it's probably an eco-issue, but I think it's for us too – is that it seems to me that the water catchment plan is critical in the land/water interface. Is that what it is?

**MS HYDE:** Yes.

**DR MIDDLE:** Yes. To make sure you don't get any issues in - - -

**MS HYDE:** Absolutely. Absolutely and the management of that will be in the service area concerned with the same control. Also it's foreshadowed that there would be a construction management plan as well, which would deal with all of those aspects of dust et cetera through construction and that's actually part of the PER.

**DR MIDDLE:** I also recognise there's quite a few planning issues that need to be dealt with at a later stage, but I pick up two others and drawing through that just the response that you said - while I recognise this is a state important project we'll be looking at it as a commission independently in terms of the planning issues, so, you know, I think it's important to sort of say that, that, you know, we're not caught up in the development of the site. We're looking at it from a purely planning perspective on its merits and I think that's important. The two issues I think that is – and this is probably for the City of Joondalup, the grevillea species

and that was raised with us and it sounds like it's a significant species. Are you aware of the grevillea species and is that a significant species that needs to be considered?

**MS HUNTER:** My understanding of the (indistinct) institute, my understanding at the moment is that the DBCA are actually undertaking some work with regard to that particular species doing some location work. The way that the concept plan as currently stands and also the revised plan it bypasses the significant (indistinct) of that particular species and until such time as we can get (indistinct) that area of Bush Forever exactly where that is I think we'll find that the development actually bypasses that altogether.

**DR MIDDLE:** Okay. We'll get some more in-depth advice on that.

**MS HUNTER:** Yes.

**DR MIDDLE:** The last question relates to the abalone and I think you mention, Frank, a fishery something plan - was it called?

**MR MARRA:** Fisheries adjustment scheme.

**DR MIDDLE:** Now is that just an adjustment of boundaries or is it also an adjustment because of the impact on the industry? Is there economic compensation for loss of fishery - - -

**MR MARRA:** Yes, the fisheries adjustment scheme is a regulated process where the value of that fishery is determined and it then determines who is best to allocate that compensation, so it does both.

**DR MIDDLE:** Okay. Thank you.

**MR CADDY:** Any other questions? Yes, Fred.

**MR CHANEY:** A sort of a broader one in a sense, but we've heard lots of submissions today from community members very sensitive about the conservation qualities of Bush Forever and local recreational issues, bush corridors, habitat and all the rest. At a design level what are you doing to, I guess, balance out the loss of that habitat in terms of the urban environment?

**MR BARNETT:** We have the Bush Forever negotiated planning outcome which involves certain reinstated revegetation works plus access, so they're probably going to be the primary tools. I think when we get into detail (indistinct) we probably do something that will be essentially looked at in the context and the natural vegetation around it.

**MS HYDE:** Yes, and I guess often the opportunity too to understand and interpret and to value some of those natural assets as part of the development for the wider community. Also the opportunity to control informal and damaging access through that part of the Bush Forever and dune system, which is a problem that the city finds itself managing at the



moment and so there will be a level of passive surveillance and active management of that area. New landscape plans will be of a sensitive nature to make sure that the appropriate species are provided in close proximity to the natural bush and there will also be, I guess, again on that theme of controlled access, if you like, but providing more open space, but of a controlled and enjoyable and high amenity nature for the wider community under the government's – of the City of Joondalup in the future.

**MS HUNTER:** If I may, Mr Chair, one of the issues for that particular piece of Bush Forever down near the existing boat harbour is the amount of unauthorised access through that Bush Forever area it currently has at the moment. There's a number of ad hoc trails and tracks through there. We've had issues in the past with BMX riders, people camping there. It's quite a large area, it's difficult for the city to police. What the NPO gives us the opportunity to do is not only provide offsets of a similar nature in other areas, but it also provides us funding to be able to rehabilitate that particular area. It also allows us to in one sense fence that off and the possibility, depending on how it goes and depending on consultation with DBCA even the potential to provide nature walks through there with the correct type of access through and also to be able to provide access for the friends groups to be able to assist us with the rehabilitation in that area. The other major thing that's down in that particular area is also (indistinct) vegetation and it also again gives us that opportunity to put a little bit more resources in to there through the NPO to help control those (indistinct) species.

**MR CADDY:** Thank you.

**MR CHANEY:** Thank you.

**MR CADDY:** Any other questions please?

**MS McGOWAN:** Dr Middle wants a bike path or a water trail through there by the way - - -

**MS HYDE:** So there is the continuum of the shared path through the area there and certainly having an opportunity to stop off when you're on your either commute or on your recreation pursuit through the day for a quick refreshment - - -

**DR MIDDLE:** Which is much better than Hillarys. Hillarys is a shocker to (indistinct)

**MS HYDE:** So certainly thinking about all user groups, all means of transportation, on foot, cycle, public transport, by boat, by car, et cetera.

**MS HUNTER** Again, Mr Chair, that was certainly one of the important things for consideration for the city when we were going through the eerie process to development a concept plan was to maintain that connection all the way down along the coast and as you might be aware in collaboration with the City of Wanneroo the City of Joondalup is extending the dual use path from Burns Beach up to Mindarie which will create opportunities to travel all the way down along the coast from Mindarie all the way through down to probably to Fremantle hopefully, but of course the Ocean Reef Marina would be the best place to stop.

**DR MIDDLE:** Swanbourne beach is the barrier at the moment, you can't get through.

**MR CADDY:** You can't get past.

**DR MIDDLE:** (indistinct)

**MR CADDY:** On that note I'd like to thank you very much for your presentation this afternoon.

**MS HYDE:** Thank you very much.

**MR MARRA:** Thank you, Mr Chairman, thank you, Commissioners.