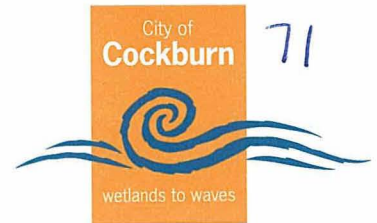


Inquiries:  
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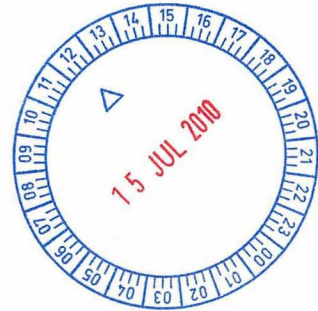
Daniel Arndt – 9411 3444  
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**PUBLIC**



14 July 2010

Ms Linda Omar  
Committee Clerk  
Standing Committee on Environment and  
Public Affairs Committee  
Legislative Council  
Parliament House  
Perth WA 6000.



Dear Ms Omar

**INQUIRY INTO SHACK SITES IN WESTERN AUSTRALIA**

Please find attached the City of Cockburn's ("City's") submission to the Environment and Public Affairs Committee's Inquiry into Shack Sites within Western Australia (Legislative Council).

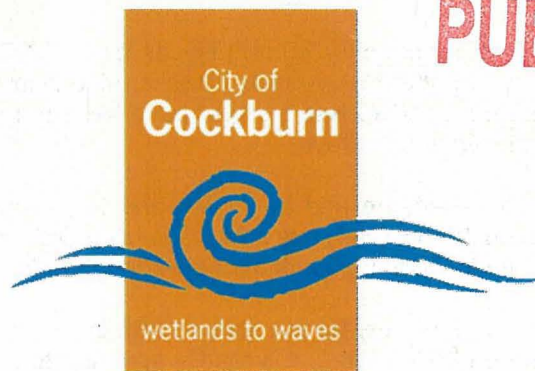
Note as arranged with Ms Suzanne Velletta the submission closing date was extended to 16 July 2010.

As requested we have included eight copies of the submission and emailed an electronic copy to [lomar@parliament.wa.gov.au](mailto:lomar@parliament.wa.gov.au).

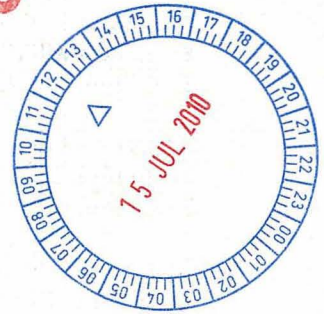
Yours faithfully

**Daniel Arndt**  
**DIRECTOR PLANNING & DEVELOPMENT**

*Enc: Eight copies of submission.*



**PUBLIC**



**SUBMISSION TO  
STANDING COMMITTEE ON  
ENVIRONMENT AND PUBLIC  
AFFAIRS COMMITTEE**

**INQUIRY INTO  
SHACK SITES IN WESTERN  
AUSTRALIA**

**INFORMATION AND ISSUES TO HELP INFORM  
GOVERNMENT IN THE DEVELOPMENT OF POLICY AND  
REGULATION OF SHACK SITES ON PUBLIC LAND IN  
WESTERN AUSTRALIA**

**AND**

**ANY OTHER RELEVANT MATTER**

**DANIEL ARNDT – DIRECTOR PLANNING & DEVELOPMENT  
14<sup>TH</sup> JULY 2010**



The City's submission aims to describe the current issues it is facing with the management of Reserve 24308 - known as the Naval Base Shacks. These are the only shacks in existence within the Perth Metropolitan Region, and have largely enjoyed an unregulated existence on this Crown land since the 1930s.

Reserve 24308 is an A Class reserve and is Crown land by virtue of Crown Land Title LR3107-425. The City of Cockburn ("City") has a Management Order for Reserve 24308 for the purposes of 'Recreation and Camping', with the power to lease for a period of 21 years.

Given the City has a management order for the reserve with power to lease (i.e. the shacks do not constitute squatters on Crown land), it is readily apparent to the City that the current use and standard of development on the reserve needs to be significantly altered.

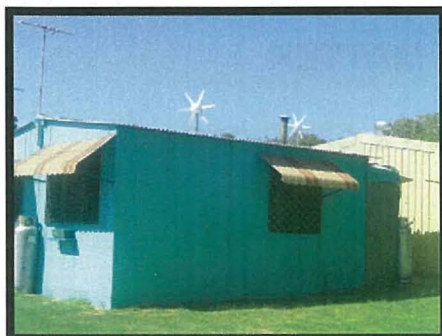
Reserve 24308 has some 178 shacks located on it, with little uniformity in positioning and no definitive identification of the actual area occupied by each shack. A shack located near the entrance to Reserve 24308 has been renovated to a small kiosk that services people at the reserve as well as passing traffic along Cockburn Road.

There is a sound internal road system that permits vehicle movement at restricted speed, with adequately installed speed reduction devices (speed humps). The City has constructed two ablution facilities for use by shack lessees these have mains electricity and a potable water supply.

A potable water supply for shack lessees is provided through the strategic location of water taps within Reserve 24308, with connection via a hose system. The shacks do not have access to other utilities, such as mains electricity, reticulated gas or sewer. The majority of shacks have been fitted with unapproved bottled gas, and generate their own electricity supply through unapproved solar panels, small wind turbines and power inverters. The shop has been connected to mains power and has its own meter.

The structures and current use of the Reserve are having an adverse impact on the coastal environment which has seen a dangerous cave-in/crevice occur close to the cliff edge. The City has had geological monitoring completed on Reserve 24308 during 2009 and stabilisation and filling done on the area concerned.

#### **Examples of development:**



## **History Of Reserve 24308**

Anecdotal records from the City indicate that parts of the area, now represented by Reserves 24308 and 24309, were used as an informal camping ground possibly as early as 1933. Historically, Reserves 24308 and 24309 were created and set aside for the purposes of public utility in 1955, following transfer of the land from the Commonwealth.

Original structures placed on the land consisted of caravans with annexes. Over time the structures have become more permanent in nature and no longer represent a caravan with a soft or rigid annexe.

The site was originally managed as a Caravan Park, with a register of City of Cockburn residents being allocated a site each time a lessee rescinded their lease. It has now evolved into exclusive holiday accommodation with the sites and structures being sold on the open market for prices of \$40,000 to \$100,000.

## **Defining The City's Regulatory Responsibilities**

The City's responsibilities broadly fall into the following two categories:

1. Regulatory (i.e. planning, building and health); and
2. Property management (leasing).

In the regulatory context, planning controls are essentially non-existent and associated risks are minimal. That said, if this site was subject to the City's planning powers and available for development, the City would almost certainly take the view that, if for no other reason than the site's proximity to the Kwinana Industrial Area, the site would not be supported for anything other than a passive / natural vegetation type categorisation. Sensibly, that is in fact the use (Bush Forever) for which the site has been earmarked.

In its public health regulatory role the City has largely taken a passive approach to identified issues and concerns to date. The unapproved waste disposal systems that currently being utilised by the lessees could become a health risk and as part of any new regime this would need to be considered.

The Building Code of Australia (BCA) does not apply to Crown Land therefore the shacks that are currently located on Reserve 24308 have not been built to any legislative standard.

It is possible to include a clause in a new lease to rectify this situation however determining what is required to be done to upgrade the shacks to Building Code of Australia (BCA) compliance will generally be relatively costly compared to the current shack value. After a cursory external inspection of the shacks it seems apparent that most shacks would not meet minimum BCA requirements.

## **Concluding Comments**

As you can hopefully see, the City believes that a decision needs to be made regarding the management of this reserve going forward. The City feels it is having to consider this very difficult decision in the absence of any applicable Policy or legislation due to the fact that the Squatters Policy does not currently apply to the shacks located on Reserve 24308.

Accordingly, the City believes it to be imperative that the State Government move to create a policy that will provide the ability to deal with shacks that are currently located on crown land that have management orders with the power to lease.

It needs to be stressed that the City would encourage the creation of a structured plan for the management of the site that proactively tackles (or manages) the whole site including the City's regulatory and 'management' roles together with associated risks identified to date and which may occur in the future.

Any new regime for the future of the shacks should consider that Reserve 24308 is an A Class Reserve and this attractive coastal location could be available for public use and enjoyment.

