



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 enclosed 8 copies of the Shire's submissions on the above inquiry by the Standing Committee.

If you have any queries please do not hesitate to contact me on 9727 0222 or email me at info@capel.wa.gov.au.

Yours faithfully

PAUL F SHEEDY
CHIEF EXECUTIVE OFFICER

Encs

24 June 2010

SHIRE OF CAPEL

SUBMISSION TO THE STANDING COMMITTEE ON ENVIRONMENT AND PUBLIC AFFAIRS COMMITTEE INQUIRY INTO SHACK SITES IN WESTERN AUSTRALIA

Whilst it has generally been the situation in the past that shack sites have been located on the coast and usually within the coastal setback area, the terms of reference of the Standing Committee refers to '*shack sites on public land*'. However given that within this Shire the shacks are on the coast I have generally confined the comments to this situation.

Within the Shire of Capel there are two shacks located on the beach/coastal dunes south of Minninup Beach at Stratham. A representative from the Department of Regional Development and Lands South West, has recently attached notices to them requiring the owner/occupier to remove them within ninety (90) days otherwise the Department will arrange for their removal.

Traditionally many of these shacks are located within the coastal setback area, have no access other than along the beach and generally have no services such as water, power and sewer.

From an environmental position the continual allowance of the retention of these sites and the shacks on them raises a number of issues, some of which are:

1. being generally located in the coastal dune system, degradation of the dune system to varying degrees has or will occur as a result of people movements and vehicles being driven to the sites either along the beaches or by creating illegal tracks from existing roads.
2. It would be difficult to move to a position where a local government had a total ban on vehicles on beaches under its control if the only access to existing shacks was along the beach.
3. Despite the good intentions of a majority of the shack users/owners the lack of a suitable water and sewer system has the potential to create ongoing health issues.

Within the Shire's Town Planning Scheme No. 7 clause 7.6 'PROTECTION OF COASTAL AREA' states:

7.6.1 In order to preserve and protect against development which may or could destroy the existing physical characteristics and flora adjacent to the coast no development except:

- (a) A public road;
- (b) A public footpath'
- (c) A building for the use or convenience of the general public;

and for which Council approval has been given shall be permitted generally within 100 metres of the seaward crest of a stable sand dune, which is undisturbed by wave or wind erosion.

- 7.6.2 Notwithstanding the provisions of Clause 7.6.1 Council may approve of a use and/or development with a greater or lesser setback where in an adopted Coastal Management Plan or *Outline Development Plan approved in accordance with Clause 5.10 of the Scheme Text* for a locality, a greater or lesser setback is specified for a particular use and/or development.

This clause generally reflects the current position of the Western Australian Planning Commission on development within the coastal area. Given the recent and ongoing discussion on climate change and potential future sea level rises this current position will come under increasing pressure for review and possible increase in distance.

Council has therefore resolved to advise the Standing Committee that:

1. In regards to shack sites located within the coastal setback area, Council does not support the retention of existing or creation of new sites due to environmental concerns such as:
 - being generally located in the coastal dune system, degradation of the dune system to varying degrees has or will occur as a result of people movements and vehicles being driven to the sites either along the beaches or by creating illegal tracks from existing roads.
 - It would be difficult to move to a position where a local government had a total ban on vehicles on beaches under its control if the only access to existing shacks was along the beach.
 - Despite the good intentions of a majority of the shack users/owners the lack of a suitable water and sewer system has the potential to create ongoing health issues.
 - Due to ongoing discussion on climate change and potential future sea level rises structures erected on these sites would be at risk.
2. In regards to the retention or establishment of shack sites on public land, other than the coastal setback area, that Council would only support these sites where appropriate infrastructure was provided to ensure environmental and health issues are addressed and the buildings erected complied with local government building regulations.

**PAUL F SHEEDY
CHIEF EXECUTIVE OFFICER
SHIRE OF CAPEL**