

Standing Committee on Environment and Public Affairs  
Parliament House  
Perth Western Australia 6000

Your Ref: Petition Number 117

Dear Mr O'Brien

**Petition No. 117 – Southgates Sand Dunes Geraldton**

**Rezoning**

The subject land known as "Southgates", is located in Geraldton on Victoria Location 11939 as well as on adjoining parcels of land. The land was subject to a land swap by way of a legal contract between The State of Western Australia ("The State") and Landrow Greenough Ltd and Strawbay Pty Ltd ("Landrow") in 1999 entitled "Agreement relating to the stabilisation of Southgate Dunes and a land exchange" ("The Agreement"). It should be noted that Landrow and Strawbay subsequently disposed of their interest in Southgates to a company called Bayform Holdings Pty Ltd. ("Bayform")

As part of the agreement a number of conditions were agreed to by both the State and the proponents namely:

- 1) The State provide Landrow the land known as Southgates in exchange for:
  - a. Victoria Location 2584 and;
  - b. [Landrow] to stabilise that part of the Southgate Dunes.... As set out by this agreement.

The agreement wrote, "The State wishes to have that part of the Southgates Dunes which in on Victoria Location 11939 stabilised to prevent interference with roads, sewers, drains and other development in the vicinity of the Southgates Dunes."

Over the years this stabilisation programme has been based on the belief that stabilisation will be best achieved by rezoning the dunes from Reserve for the purposes of recreation (The area is a gazetted off road area) to residential land. There have been a number of development proposals put forward by both proponents, most recently by Bayform, and we believe one most recently has been given in principle support from the Minister for the Environment to proceed. I object to this approval.

I also strongly believe that the agreement struck between the State and Landrow (now Bayform) is no longer valid and due to work not having been performed pursuant to the original agreement, ownership of Southgates should revert back to the State and remain a reserve for the purpose of recreation and ownership of Location 2584 should revert to Bayform.

**Previously rejected**

I note that the Minister for the Environment has previously rejected an application for development at Southgates on environmental grounds. I cannot not understand what has changed and why this proposal should not be once again rejected

**Value of Southgates to the Community**

**Coastal Planning**

Geraldton currently has before it significant issues with coastal erosion and these are likely to cost the State many millions of dollars in remediation works. I believe we don't need any more ocean frontage lots being developed. Southgates contributes sand to our northern beaches and as such in the interest of saving our northern beaches from further erosion Southgate needs to be left as is. The community is concerned that the loss of the feeder dune system will adversely affect the sand supply to our northern beaches.

**Aboriginal Heritage**

There are sites of Aboriginal significance in the Southgates reserve that are well known to the State, Bayform and the residents of Geraldton. We wish to see these protected/preserved where appropriate.

## Recreation

Southgates is a well-used place of recreation for the residents of Geraldton, noting that it is also a gazetted off road area. It is an iconic piece of land that everyone sees when they first approach Geraldton and as such it is a valued icon of our City. For the purposes of retaining nature based recreation we call on the State to not proceed with development. The removal of this four wheel drive area will increase pressure on nature reserves right around Geraldton that already suffer damage from unauthorised four wheel drive use.

## Council Decision

At the meeting of the Council of the City of Greater Geraldton, Council resolved to, inter alia:

1. ADVISE the Minister for Planning of the following:
  - a. That Council strongly objects to the implementation of Local Planning Scheme Amendment No. 4 in its current form and reiterates its previous concerns regarding the Amendment;
  - b. Council is disappointed that (to date) it has not been furnished copies of the reports that the proponent undertook in response to the appeal against the EPA's report relating to coastal processes, foreshore reserve and native vegetation; and
  - c. Should the Amendment be given approval, Council will be vehemently objecting to any structure plan until such time as the issues relating to:
    - i. native title and Aboriginal heritage issues relevant to the subject area;
    - ii. agreement from key stakeholders on the broader planning for the southern growth corridor;
    - iii. arrangements for construction and/or upgrading of related infrastructure needs inclusive of developer contributions;
    - iv. serviceability issues caused by the flooding of Rudds Gully;
    - v. cultural heritage assessment of the area addressed to Council's satisfaction;
2. ADVISE the Department of Lands that should any Scheme Amendment, structure plan or subdivision be approved without the support of the City, then the City would not accept any Management Order(s) for any associated public reserves created as part of the subdivision process;

## In Closing

- 1) I call on the Minister for the Environment to review the recent decision to allow development of Southgates Dunes.
- 2) I call on the Ministers for the Environment, Planning and Lands to reject any development of the Southgates Dunes.
- 3) I call on the relevant Department to review the validity of the original agreement between The State and Landrow and its application to Bayform.
- 4) I call on the Minister for Lands to retain the status of Southgates as Reserve; for the purpose of recreation and/or sand dune protection.
- 5) I call on the relevant Departments to note the decision of the Council of the City of Greater Geraldton.

## Ombudsman

I confirm I have not taken my complaint to the Parliamentary Commissioner for Administrative Investigation (Ombudsman)

Yours sincerely,

Sharie van Styn

11 May 2016