

6 October 2017

Port Hedland Dust Management Taskforce  
Department of Jobs, Tourism, Science and Innovation  
Level 6, 1 Adelaide Terrace  
East Perth WA 6004

Via: [porthedlanddust@jtsi.wa.gov.au](mailto:porthedlanddust@jtsi.wa.gov.au)

To Whom It May Concern:

As property owners in the area covered by the proposed Special Control Area, we write to object to the proposed land use planning changes recommended by the Port Hedland Dust Taskforce. The grounds for this objection are as follows:

- **The dust must be managed by the polluters and non-compliance of emission limits must be enforced by the relevant regulatory body. Why is there a different set of rules for iron ore dust emissions (not being contained within the site) compared to every other residential / construction site?**
- The recommendations of the Taskforce are ill conceived and lacking detail regarding the proposed changes and implementation. The removal of residential from a successful mixed use area is in contravention of current planning practices and will reduce surveillance and public safety in this area.
- Community consultation involves directly notifying all parties affected by the proposed change. Having to find out about the “consultation period” from a news website is not appropriate.
- The membership of the Port Hedland Dust Taskforce (Department Jobs, Tourism, Science and Innovation – Chair, Department of Water and Environmental Regulation, Department of Health, Department of Planning, Lands and Heritage, Department of Transport, Pilbara Development Commission, LandCorp, Town of Port Hedland, Port Hedland Industries Council, BHP, FMG, Roy Hill Holdings, Atlas Iron) represents the interests of big business only, supported by the best resourced, most powerful government departments. How is the recommendation to include one community representative from the West End proportionate industry membership of the Taskforce? Of course the only recommendations from this Taskforce would further increase and strengthen control over this area of town in favour of big business.
- The zoning reduction from R80 to R20 in some areas is a removal of property rights and if implemented will require compensation for the removed rights and reduced value of these properties.
- What value is to be placed on the existing land use rights that will be removed and how will this value be determined?
- By pushing this sort of fear, it appears the aim is to devalue properties, putting the likes of industry in a better position to acquire land by purchase or forced acquisition at the lowest possible price.

- How can this be a transparent process when public submissions sought are to be submitted to the Chair of the Dust Taskforce who has already demonstrated a vested interest?
- How is the progressive transition from permanent to “short term” accommodation west of Taplin St to be implemented, and what is the definition/extent of “short term”?
- Special Control Areas (SCA) were developed to protect areas of high value eg. heritage, environmental areas. An SCA is not the right mechanism to deal with this issue – this is being used as a means of density reduction without undertaking a rezoning process. By misusing the SCA planning instrument you have effectively undertaken a zoning amendment.
- The implementation of an SCA will not negate the obligation of the State Government (as oversight on all planning matters is State responsibility) for compensating property owners for a loss of existing right to their properties.

We believe that the Port Hedland port users have created the dust issue and developed the Port Hedland Dust Taskforce under the guise of “public health” as a means to achieving their end of controlling land use in the West End. It is disappointing that the WA Government regulatory bodies have not enforced compliance on the iron ore producers and are now complicit to the restrictions on land use being dictated by the creators of the “dust problem”. Put simply, this matter can be resolved by managing the dust on site.

Yours sincerely

Chris and Danielle Hurstfield