

6 October 2017

Port Hedland Dust Management Taskforce
Department of Jobs, Tourism, Science and Innovation
Level 6, 1 Adelaide Terrace
East Perth WA 600

Via email: porthedlanddust@jtsi.wa.gov.au

To whom it may concern,

Port Hedland Dust Management Taskforce Report

Thank you for the opportunity to provide this submission in relation to the Port Hedland Dust Management Taskforce's 2016 Report to Government.

The Urban Development Institute of Australia (UDIA) WA is the peak body representing the urban development industry in Western Australia. UDIA is a membership organisation with members drawn from the development, planning, valuation, engineering, environmental, market research and urban design professions. Our membership also includes a number of key State Government agencies and Local Government Authorities from across the state. Nationally, UDIA represents the interests of thousands of members, including all of the major land and built form development companies, and consultancy firms.

UDIA welcomes the Government's attempt to analyse the dust issues affecting Port Hedland and improve Port Hedland's amenity. However the Institute is extremely concerned by the process for establishing the recommendations set out in the Taskforce's Report and there are genuine questions regarding the integrity of the findings and recommendations it sets out.

Given the composition of the Taskforce, which includes a large number of resource industry representatives, it is not surprising that its findings and recommendations are not impartial, unreasonably favouring the mineral resource industry. This is despite the fact that this industry is the primary source of the dust issue. Furthermore, many of the findings and recommendations set out in the Report are done so without any scientific justification.

As such, it is imperative that the Government considers the Taskforce's Report and recommendations in this context. Consideration should also be given to previous studies which examined the issue and gave greater reference and scope to reducing dust emissions as well as measures to manage dust through building design and appropriate land use planning controls. This was encapsulated in Amendment 22 by the Town of Port Hedland/WAPC. Amendment 22 came into effect in November 2011 following a rigorous scheme amendment process. At gazettal, the Minister remarked that *"there is no known environmental reason why the town planning scheme amendment to which the above report of the Environmental Protection Authority relates should not be implemented."*

The Taskforce's Report gives considerable importance to Department of Health's Health Risk Assessment. However, as this Assessment itself acknowledges, there is insufficient evidence linking the crustal particles experienced in Port Hedland with negative health impacts. The Assessment states that *"very few studies have looked at the health effects of crustal dust (particulates derived from the earth from natural sources e.g. mineral ore dusts) specifically"* noting that whilst PM10 is the contaminant of most concern in Port Hedland, the evidence is strongest for adverse health effects associated with combustion particulates and the small fraction size PM2.5. The Assessment also recognises that it is unclear if crustal particle matter has different properties to urban particle matter and states;

"The Toxikos exposure assessment was unable to determine relative risk attributable to crustal coarse particles separately from those attributable to PM10 more generally. This is not surprising as the relative toxicity of crustal particles compared to non-crustal particles is a matter that is still debated."

In summary, the Health Risk Assessment readily concedes that the science regarding its health impact estimations to which the Taskforce's Report findings and recommendations are founded upon are disputed. These estimations relate to the exposure to more general and finer dust found in large urban centres, rather than the crustal particle matter actually experienced in Port Hedland. Accordingly, the accuracy and reasonableness of these findings and recommendations are severely compromised.

Meanwhile, the prejudiced nature of the Taskforce and its recommendations is evidenced by the fact that the dust monitoring stations around Port Hedland are maintained by the Port Hedland Industries Council (PHIC) with the air dispersion modelling also commissioned by PHIC. Indeed, the Report acknowledges that the community does not have confidence in the credibility of the air monitoring network.

Whilst recommendation 2 attempts to rectify this, unless monitoring is truly independent, there will remain little confidence in the modelling outside of the Taskforce. Therefore, it would be prudent to address the lack of confidence in the credibility of the air quality monitoring, before adopting solutions.

As well as displaying a clear a bias, the Report fails to provide reasoned justifications for its findings. This is demonstrated by the Taskforce's statement that it *"is not convinced of the efficacy or enforceability of the building design and performance standards implemented as part of Amendment 22"*. Without any reasoning, or scientific evidence, such conclusions cannot be drawn. Rather to the contrary, the Institute contends that larger-scale mixed-use developments are better suited to manage potential dust issues. These development forms can be provide shielding, be positively pressurised, use filtration for AC and provide better ongoing onsite management than low-density development associated with current residential typologies that the Taskforce promotes. Instead the proposed development restrictions included within the special control area will prohibit these positive development outcomes and prevent the local community from achieving its vision for a more vibrant and attractive Port Hedland and effectively sterilise the Town.

Despite dismissing higher standard development outcomes, no reasonable justification for the special control area is provided. The proposal to 'cap the number of permanent residents to current numbers in areas most impacted by dust' simply does not resolve the issue. If the level of dust is considered to be unacceptable, then it would be more appropriate to manage the issue by treating it at its source as well as promoting a higher standard built environment, rather than simply exposing few people to the hazard. It is also troubling that the Taskforce justification for the designation of the special control area is that it *"allows for the possibility of increases in dust levels resulting from future port expansion"*. Underlining yet again the impartially embedded within the Taskforce's Report.

Whilst the importance of the iron ore industry to the wider State is fully recognised, it is reasonable to expect that the industry and its operations do not adversely affect neighbouring uses and the health of the community. As such, the control of the issue should be dealt with through the licencing of port operations and not through the sterilisation of the Port Hedland and its community.

In closing, given the wide ranging concerns outlined, UDIA respectfully requests that the Government carefully consider the accuracy of the Taskforce's findings and the implications of the recommendations that it presents. UDIA encourages the Government to seek solutions that ensures the long term prosperity of Port Hedland and its community by ensuring that activities are complimentary and do not adversely affect surrounding land uses.

Should the Department require any assistance or further information on this matter, the UDIA would be delighted to assist. Please do hesitate to contact me at ahailes@udiawa.com.au or 9215 3400.

Yours sincerely



Allison Hailes
Chief Executive Office