

Reclassification of Kent St Sand Pit Contaminated Site Status

File Reference:	ENV/7/0004~03
Appendices:	No

Date:	January 2018
Reporting Officer:	B. Nock
Responsible Officer:	B. Killigrew
Voting Requirement:	Simple Majority

Executive Summary:

Recommendation –

1. That the Future Planning Committee note the reclassification of the Kent St Sand Pit to “remediated for restricted use”
2. That the Future Planning Committee notes that the site will be further investigated as part of several proposed future uses including revegetation (passive/active), to support light rail, as part of the Dept Agriculture site investigation area and as part of the Public Open Space Strategy.
3. The Future Planning Committee notes that a Business Case will follow comparing the multiple scenarios with a recommended and implementation plan to be coordinated with Community Consultation.

- Kent St Sand Pit was historically used as a sand pit and quarry, domestic landfill and for the storage of building materials, construction and road sweeping waste and as a discharge area for run off.
- The Town has undertaken a series of Detailed Site Investigations (DSI), the aim of which was to measure, map and detail the extent of the contamination on site including in the soil, ground water and soil gases.
- On 18th July 2017 the Town received notification from the Department of Water and Environmental Regulation that the status of the Kent St Sand Pit had been changed to “Remediated for Restricted Use”, meaning that although the site remains contaminated, it has remediated such that it is suitable for passive recreational use, subject to implementation of the site management plan. It may also be suitable for other limited uses (e.g. passive recreation, commercial use, or for residential use provided groundwater bores are not used).
- With the change to “Remediated for Restricted Use” this creates a significant uplift in land value which could be utilised to achieve a triple bottom line outcome, to provide a significant amount of upgraded Public Open Space mixed with a commercial and residential land use.

TABLED ITEMS:

Notice of a Classification of a Known or Suspected Contaminated Site.

BACKGROUND:

Kent Street Sand Pit is located at 63 Kent Street Kensington and is allocated adjacent to an area of bush forever (Kensington Bushland), Harold Rossiter Reserve and Kensington Police and Citizens Youth Club. The total area of the site is approximately 4 hectares.

The site was historically used as a sand pit and quarry, domestic landfill and for the storage of building materials, construction and road sweeping waste and as a discharge area for run off.

Under the direction of the Department of Water and Environmental Regulation (DWER), the Town has undertaken a series of Detailed Site Investigations (DSI), the aim of which was to measure, map and detail the extent of the contamination on site including in the soil, ground water and soil gases.

DETAILS:

On 18th July 2017 the Town received notification from DWER that the DSI results enabled the status of the Kent St Sand Pit to be changed to "Remediated for Restricted Use".

This classification means that the site remains contaminated but is of a standard to be declared suitable for limited uses. The DWER Notice of Classification of a Known or Suspected Contaminated Site states that:

The site is contaminated and has been remediated such that it is suitable for passive recreational use, subject to implementation of the site management plan.

It may also be suitable for other limited uses (e.g. passive recreation, commercial use, or for residential use provided groundwater bores are not used).

Over the years Council has been consistent with its view of the Kensington Bushland and the Kent Street Sand Pit site:

- In respect of the Kent Street Sand Pit, Council resolved on 11 July 2000:

That the Kent Street Sandpit site be reserved for passive recreational and cultural purposes.

- On 7 September 2004 Council resolved on a proposed Bush Forever Amendment to the Metropolitan Region Scheme to support the Kent Street Sand Pit area transferring from Urban Zone into Parks and Recreation Reservation.
- In April 2015 Council motioned the following:

That Council support the creation of a single bush precinct incorporating the Kent Street Sand Pit, the Kensington Bushland and George Street Reserve (not including the Harold Rossiter Reserve and the Kensington Police Community Youth Centre complex)

Since these resolutions, Council has been approached and asked to consider several other uses including:

- Transit oriented development in relation to light rail (depot)

- Investigation area relating to the proposed development of the neighbouring Department of Agriculture precinct by LandCorp
- An investigation area relating to the Town's Public Open Space strategy

In the larger context the subject site occurs on the boarder of Victoria Park and South Perth at a significant intersection with an average of 13,000 cars a day leading to Western Australia's largest university by enrolments. On the adjacent Western Corner sits approximate 20ha of surplus State Government land currently being under investigation for development potential, coupled with Technology Park on the south eastern corner, which may have opportunity for redevelopment, the Towns land holder sits within an exciting opportunity for a holistic land development outcome.

Legal Compliance:

Nil.

Policy Implications:

Nil.

Risk management considerations:

There is no anticipated risk

Risk & Consequence	Consequence + Rating	Likelihood = Rating	Overall Risk Analysis	Mitigation/Actions
Complete revegetation of the land parcel leads to a poor planning outcome to balance suitable uses of the area	Medium	Likely	High	Assess all potential uses for the site before commitment
Financial outcome are missed for the Town and are not considered given the community concerns surrounding loss of POS	Medium	Likely	High	Incorporate a full community consultation to help inform a Business Case
Rezoning either partial or in full does not have community support.	Medium	Likely	High	Incorporate a full community consultation to help inform a Business Case

Strategic Plan Implications:

The Town's *Strategic Community Plan 2017 to 2032* sets the strategic direction for the Town. The proposed investigation of options for the Kent St Sand Pit aligns with the strategic objectives:

- *EC1 A desirable place for commerce and tourism that supports equity, diverse local employment and entrepreneurship*

- *En6 Appropriate, inviting and sustainable green spaces for everyone that are well maintained and well managed”*
- *En 7 Increased vegetation and tree canopy”*
- *CL3 Well thought out and managed projects that are delivered successfully*
- *CL6 Finances are managed appropriately, sustainably and transparently for the benefit of the community*
- *CL8 Visionary civic leadership with sound and accountable governance that reflects objective decision making*

Financial Implications:

There are no immediate financial implications. Further financial implications will be understood once the Business Case and Community Consultation is progressed. The opportunity exists for a triple bottom line outcome achieve state and local planning outcomes, quality Public Open Space, and financial outcomes. A diversification of revenue opportunity may present itself as the Business Case is explored helping the Town achieve financial resilience and greater independence under the Land Asset Optimisation Strategy key principles and objectives.

Sustainability Assessment:

External Economic Implications:

Some of the proposed investigations may provide a strong commercial benefit to the Town of Victoria Park and opportunities and commercial opportunities, helping achieve a significant assistance in the Towns financial resilience.

Social Issues:

A full investigation of opportunities for the area will ensure the best outcome for the Town of Victoria park community.

Cultural Issues:

Nil

Environmental Issues:

Some of the proposed investigations may provide an environmental benefit and opportunity for the area, leading to increased passive and/or active green space for residents and local ecological communities.

COMMENT:

With the change of site classification, the opportunity exists to work collaboratively across the Towns borders to investigate a triple bottom line outcome for the Kent Street contaminated site. In the interim the Town has been approached by the WA Apiarists’ Society regarding the possible temporary location of 10 bee hives. It is intended these hives would be used for education purposes for new and existing members and students.

These bee hives were based at the neighbouring Department of Food and Agriculture WA site.

The Town has developed a formal agreement with the WA Apiarists’ Society so that roles and responsibilities are clearly delineated, to ensure that the community is safe and that the bee hives themselves are secure.

The Town and the WA Apiarists' Society have a clear understanding that once alternative uses of the site are determined, the hives may need to be moved.

CONCLUSION:

The change of contaminated site classification status of Kent St Sand Pit means that the Town can now investigate expanded, but still limited use of this site. As such, the Town aims to enable further investigation of the site for a range of proposed uses to ensure the best outcome for the Community and the Town.

RECOMMENDATION:

1. That the Future Planning Committee note the reclassification of the Kent St Sand Pit to “remediated for restricted use”
2. That the Future Planning Committee notes that the site will be further investigated as part of several proposed future uses including revegetation (passive/active), to support light rail, as part of the Dept Agriculture site investigation area and as part of the Public Open Space Strategy.
3. The Future Planning Committee notes that a Business Case will follow comparing the multiple scenarios with a recommended and implementation plan to be coordinated with Community Consultation.