

## Special Council Meeting Agenda - 16 October 2025 Attachments

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**Conditions:****Term of approval conditions:**

1. All development and use of the land must be carried out in accordance with the approved plans, as listed below, or any minor modifications approved in writing by the Town:

Figure 1: Site location;

Figure 3-1: Indicative Drawing of Transmission Tower;

Figure 3-2: Indicative Drawing of Suspension Pole; and

Figure 3-3: Indicative Drawing of Substation within PPHS Crown lease

save that, in the event of an inconsistency between the approved plans and a requirement of the conditions set out below, the requirement of the conditions shall prevail.

2. If the development, the subject of this approval, is not substantially commenced within a period of four years from the date of the approval, the approval will lapse and be of no further effect. For the purposes of this condition, the term “substantially commenced” has the meaning given to it in the *Planning and Development (Local Planning Schemes) Regulations 2015* as amended from time to time.

**The following conditions shall be cleared prior to the commencement of works:**

3. A Visual Landscape Management Strategy shall be prepared and submitted to the specification of the Town and approved.
4. The following detailed plans shall be prepared and submitted to the specification of the Town and approved:
  - a. Elevations;
  - b. Floor plans;
  - c. Site plans;
  - d. Civil plans;
  - e. Traffic Management Plan; and
  - f. Construction Management Plan

The approved plans shall be implemented and maintained thereafter to the satisfaction of the Town.

5. Prior to the commencement of works, a Stormwater Management Plan shall be prepared and submitted to the specification of the Town and approved.
6. The developer/proponent shall elect to either provide, or make a cash-in-lieu payment, for public art, in accordance with the Town of Port Hedland’s Local Planning Policy 04 Percent for Public Art. Public art shall be to a minimum value of 1% (capped at \$150,000) of the estimated total construction cost of the development. The following requirements shall apply depending on what the developer/proponent elects:

- a. Option 1: Applicant chooses to coordinate the Public Art project themselves or by engaging an art consultant. This shall be designed and completed prior to the occupation or use of the development, to the specification and satisfaction of the Town; or
- b. Option 2: Applicant chooses to pay cash-in-lieu. This shall be paid prior to the commencement of works.

**The following conditions shall be cleared prior to the occupation or use of the development:**

7. The approved Visual Landscape Management Strategy shall be implemented and thereafter maintained to the satisfaction of the Town.
8. The approved Stormwater Management Plan shall be implemented in full and maintained thereafter, to the satisfaction of the Town.

**Advice Notes:**

1. In relation to the Visual Landscape Management Strategy, this shall be prepared in accordance with the Western Australian Planning Commission's *Visual Landscape Planning In Western Australia a manual for evaluation, assessment, siting and design*.
2. In relation to the preparation of a Construction Management Plan, this will need to address, but not be limited to:
  - a. How materials and equipment will be delivered and removed from the site;
  - b. How materials and equipment will be stored on the site;
  - c. Parking arrangements for contractors;
  - d. Construction waste disposal strategy and location of waste disposal bins;
  - e. Details of cranes, large trucks or similar equipment which may block public thoroughfares during construction;
  - f. How risks of wind and/or water borne erosion and sedimentation will be minimised during and after the works; and
  - g. Other matters likely to impact on the surrounding properties, infrastructure or assets.
3. In relation to the preparation of a Stormwater Management Plan, this will need to be consistent with *Local Planning Policy 11 Stormwater Management*.
4. This approval relates to the details provided in the application and any minor variations approved in writing by the Town. To undertake the development in a different manner to that stated in the application, a fresh application for planning approval must be submitted to the Town of Port Hedland.
5. This is a development approval issued under the *Planning and Development Act 2005*. This does not obviate the responsibility to obtain any other approvals required under any other legislation.
6. The Water Corporation advises the following:

Water

Reticulated water is available and connected to the subject lot. The landowner will be responsible for funding any costs of a new or upgrade of the water connections (meters) and make payment of the appropriate fees and charges and/or applicable Standard Infrastructure Contributions attributed to the nominated size and flow rate of the connection/s required.

Approval for works

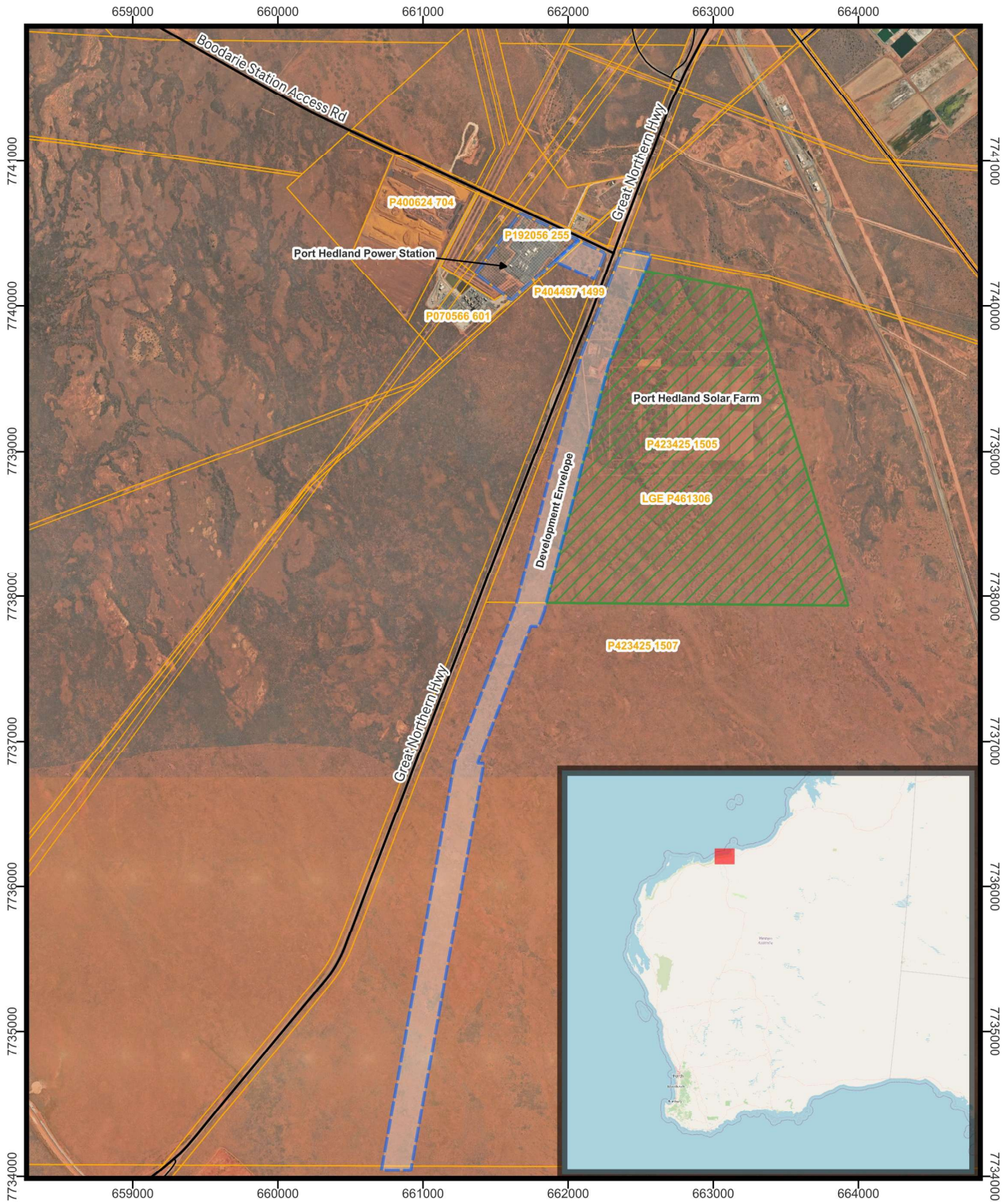
Any works carried out in proximity to our Assets must receive prior approval by applying for an Asset Protection Risk Assessment (APRA) To assess whether the proposed development will require and APRA details of the Prescribed Proximities and relevant legislation are available in our guidelines.

Building Approval Application

Prior to construction the landowner is required to submit a Commercial Application by using our online portal BuilderNet. Attachments required for approval will include Final construction site & architectural floor plans.

The information provided above is subject to review and may change. If the proposal has not proceeded within the next 6 months, please contact us to confirm that this information is still valid.

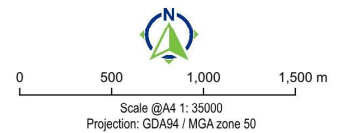




**Figure 1: Site Location**

**LEGEND**

- Development Envelope
- Cadastral Boundary
- Port Hedland Solar Farm Development Envelope



Client: APA  
 Project and Phase: 1001821.2  
 Data: WA SLIP data, APA provided data  
 Imagery: Landgate / SLIP



DISCLAIMER: CDM Smith has endeavoured to ensure accuracy and completeness of the data. CDM Smith assumes no legal liability responsibility for any decisions or actions resulting from the information contained within this map.  
 Drawn By: STEELED Date: 3 Dec 2024 \cdm\inc.internal.cdm.com\offices\AUST\Project\1001821 - Secondary Approvals for Hemi gold Power Supply\7Work\3GIS\QZ\1001821 master DS 12092024.ggs



CDM Smith | Report 1001821

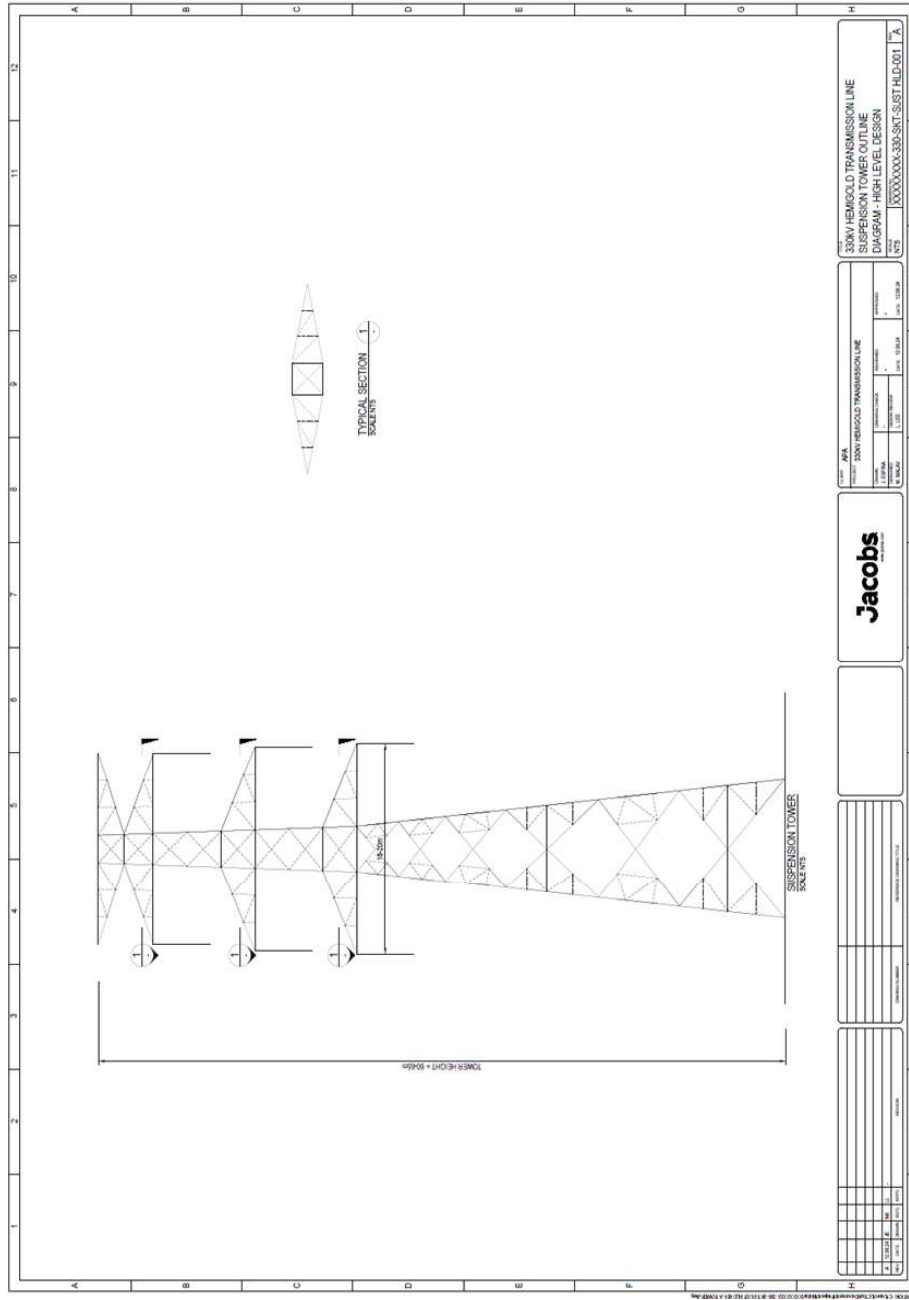


Figure 3-1 Indicative Drawing of Transmission Tower

Development Application: Supporting Document for APA Port Hedland Transmission Line



CDM Smith | Report 1001821

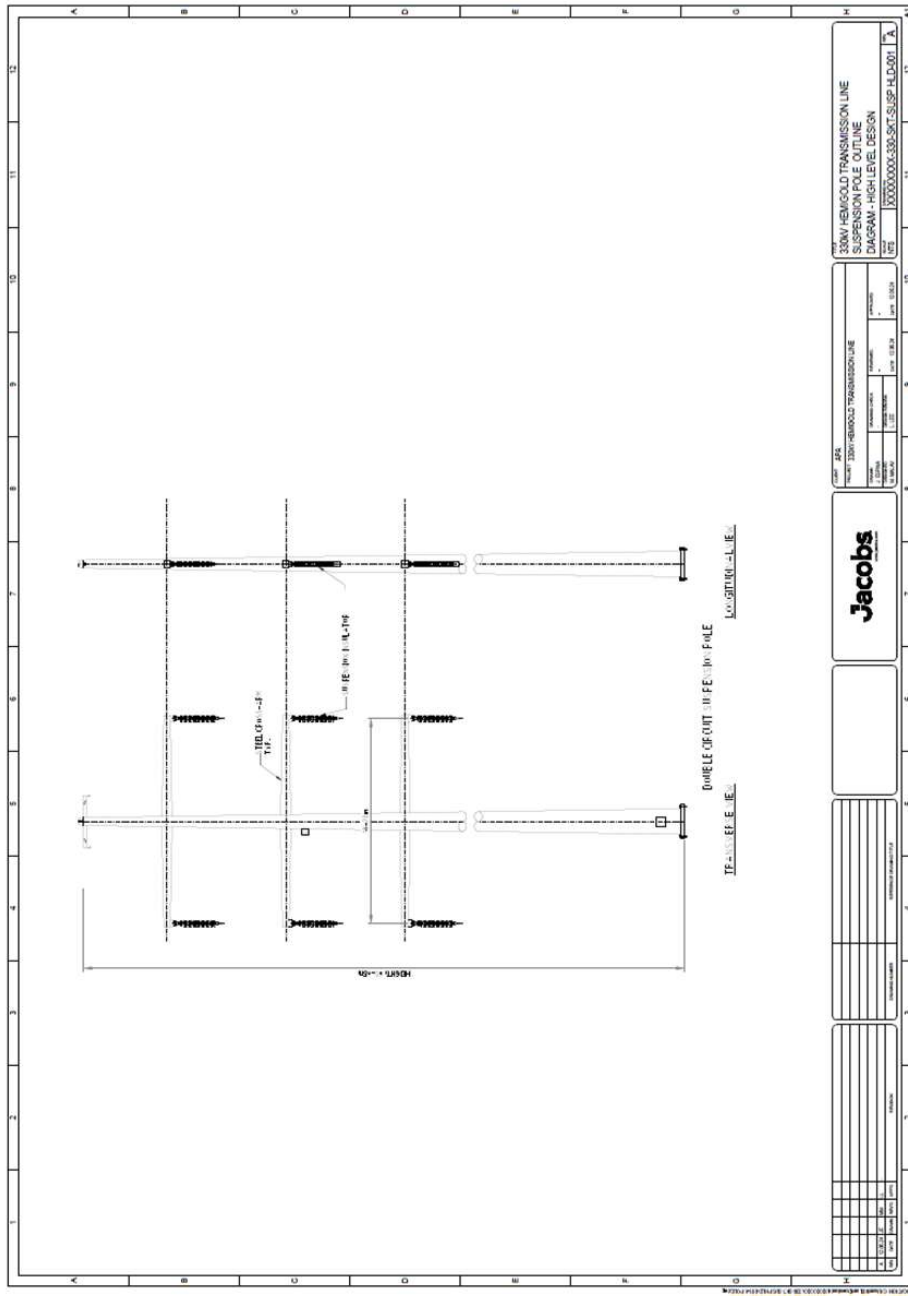


Figure 3-2 Indicative Drawing of Suspension Pole

Development Application: Supporting Document for APA Port Hedland Transmission Line



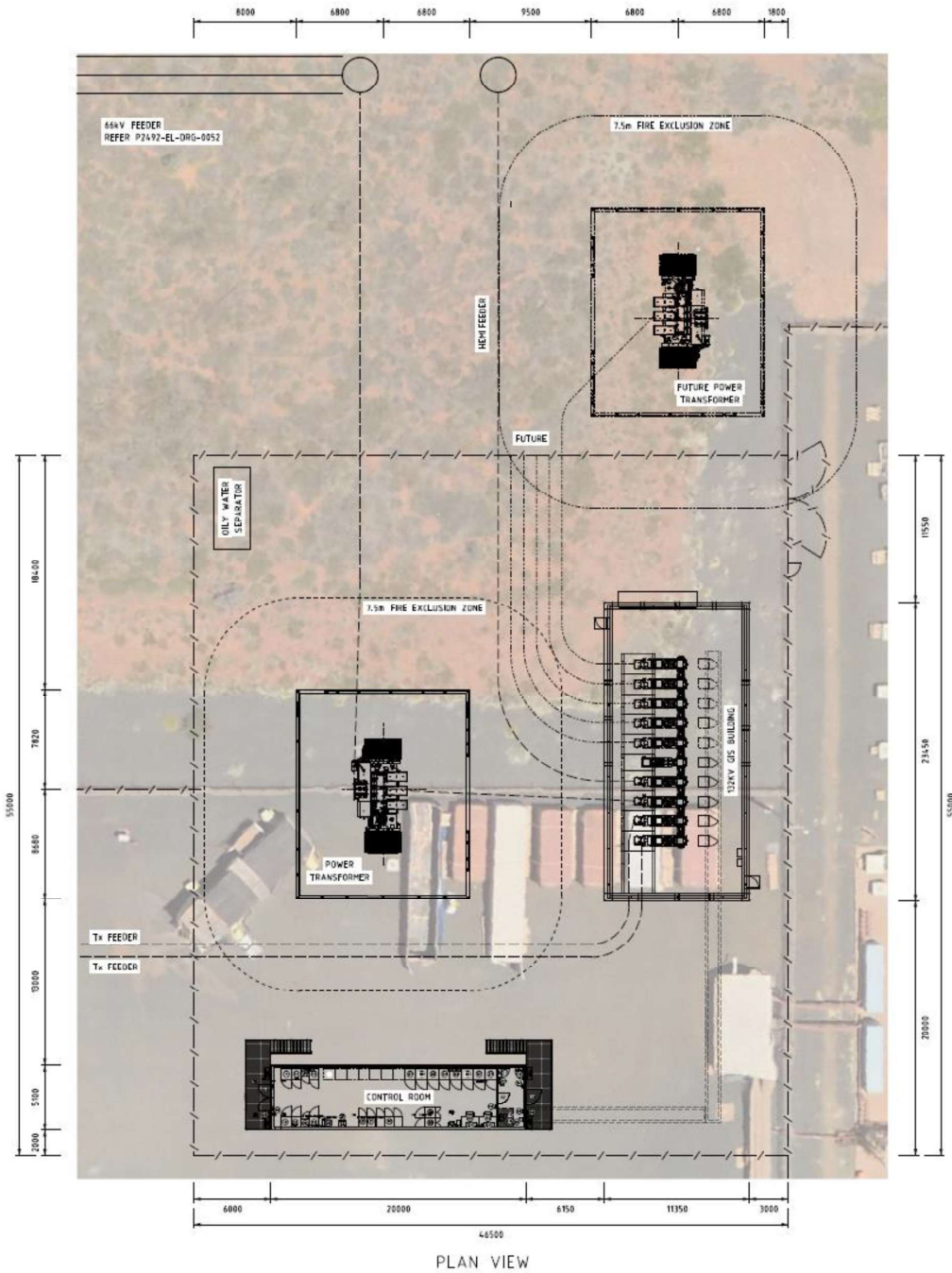


Figure 3-3 Indicative Drawing of Substation within PHPS Crown Lease

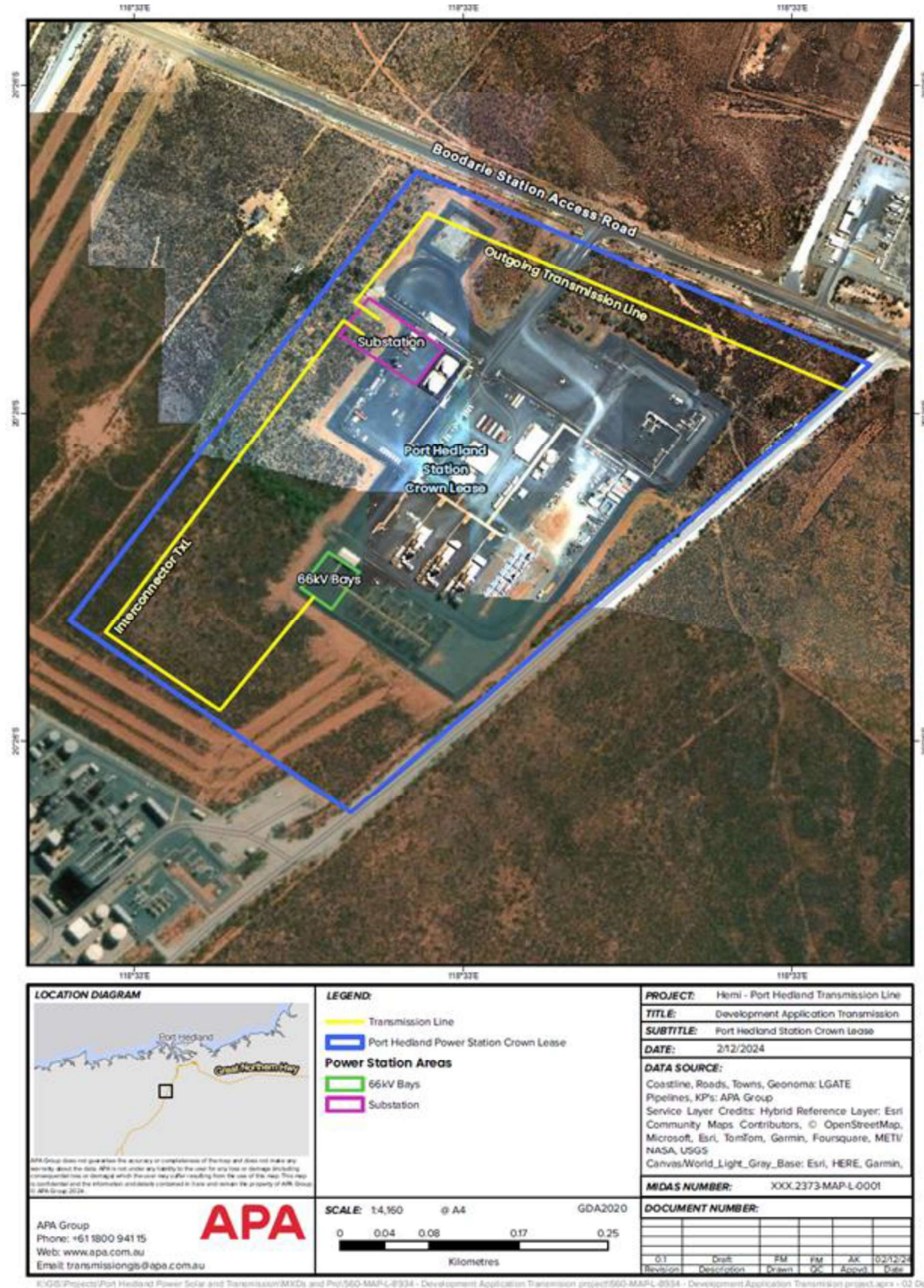


Figure 3-4 Indicative layout of transmission line, substation and switchyard extension within PHPS Crown lease



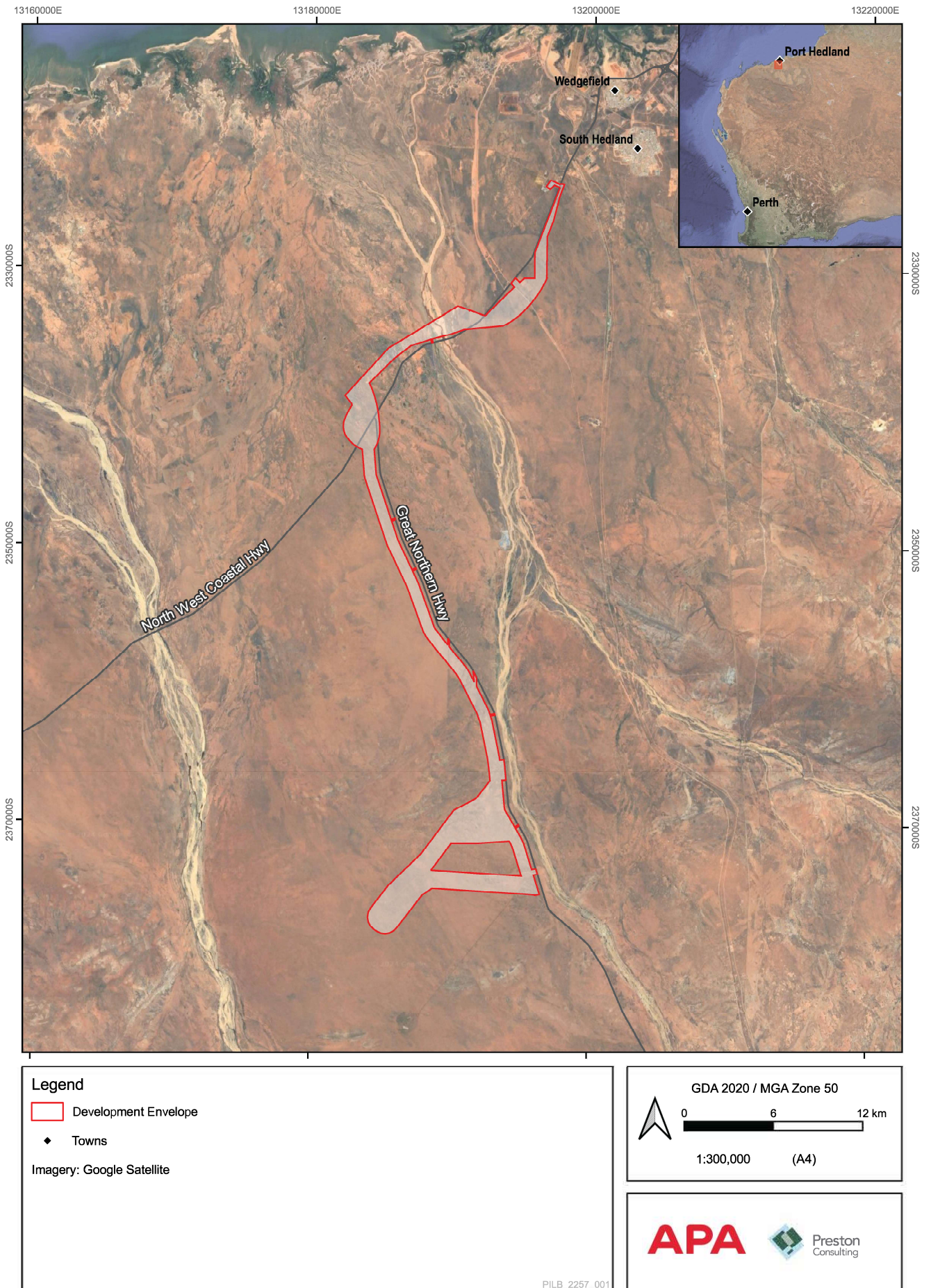
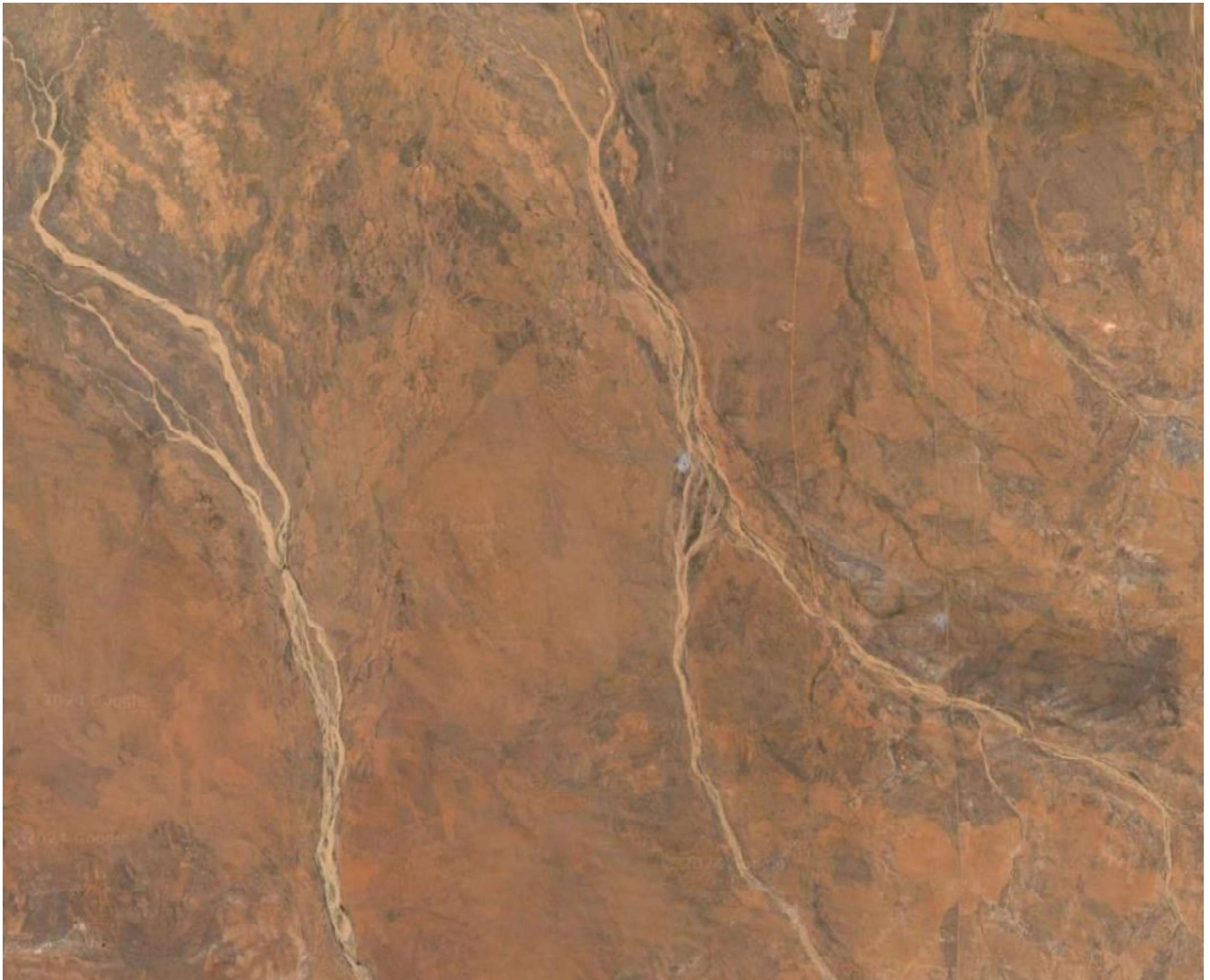


Figure 1: Project location





**APA**



**Preston  
Consulting**

## **VISUAL IMPACT ASSESSMENT**

### **EAST PILBARA NETWORK STAGE 1**

19 November 2024

PREPARED FOR APA PILBARA HOLDINGS PTY LTD  
BY PRESTON CONSULTING PTY LTD AND CAD RESOURCES



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### *Disclaimer*

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## ACKNOWLEDGEMENT OF COUNTRY

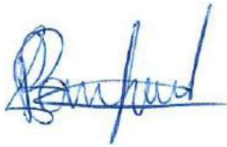

*Preston Consulting acknowledges the Traditional Owners of the lands on which it works, the Kariyarra People, the Traditional Custodians of the land on which the activity is proposed. Preston Consulting pays its respects to Elders past and present, to emerging community leaders and to all Aboriginal and Torres Strait Islander peoples.*







## DOCUMENT CONTROL

<b>Document Title</b>	Visual Impact Assessment- East Pilbara Network Stage 1		
<b>Document Number</b>	PIL-EPN-VIA-01		
<b>Revision Number</b>	0		19/11/2024
<b>Status</b>	FINAL		
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# 1 INTRODUCTION

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## 1.1 BACKGROUND

APA Pilbara Holdings Pty Ltd (APA Pilbara) is a subsidiary of APA Group Limited (APA) and owns and operates various power generation and transmission assets in the Pilbara region of Western Australia (WA) through its subsidiaries.

APA Pilbara is in advanced commercial discussions with De Grey Mining Ltd to provide power to the Hemi Gold Project (Hemi Gold) in the Pilbara region of WA. Hemi Gold is expected to require power in the first half of 2026.

APA Pilbara is proposing to construct and operate a High Voltage Electrical Transmission Line (HVT) from APA's existing power generation facilities at the Port Hedland Power Station (originally commissioned in 1995) (PHPS) within the Boodarie Strategic Industrial Area (BSIA). This includes delivery of renewable power generated from the Port Hedland Solar Farm (PHSF) and Port Hedland Battery Energy System project and firming power supply from the gas fired PHPS to Hemi Gold, located approximately 65 kilometres (km) south west of Port Hedland (Project; Figure 1).

The route for the HVT includes exiting the BSIA to the east side of Great Northern Highway (GNH), along a defined route shown in Figure 2. There are two ingress options at the south end of the line to access Hemi Gold, of which one will be constructed. The chosen option will depend on ongoing consultation with the Civil Aviation Safety Authority due to potential safety risks for the proposed airstrip for Hemi Gold.

The Project consists of:

- Clearing for geotechnical investigations to inform detailed designs (any geotechnical areas not required for construction and/or operation will be rehabilitated);
- Construction and operation of a HVT, which may include:
  - Some short, underground sections requiring trenching or horizontal drilling (this will be determined during detailed design phase);
  - Temporary clearing for construction/laydown areas;
  - Clearing for substations, installation of tower footings and unsealed access tracks; and
  - Installation and stringing of towers with an indicative height of 40 - 70 m and typical span between towers of 300 - 500 m (height and spacing subject to final design and will vary to accommodate infrastructure crossings and terrain features).

The Project is expected to require clearing of up to 150 hectares (ha) of vegetation. Only a portion of this is expected to be permanent clearing, as cleared vegetation between the towers will be rehabilitated.

Construction is planned to commence in Q1 2025 for an approximate 18 month period, and operation of the HVT is expected to commence in the first half of 2026.





The Project was referred to the Department of Climate Change, Energy, the Environment and Water under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) on 12 July 2024. APA Pilbara expects the referral to receive a 'Not a Controlled Action' decision, as there are minimal potential impacts to Matters of National Environmental Significance.

APA Pilbara has assessed the potential impacts of the Project and determined that there were no impacts expected to result in significant environmental impacts requiring referral under the Part IV of the *Environmental Protection Act 1986* (WA; EP Act). Other legislation (such as Part V of the EP Act, *Mining Act 1978* or *Land Administration Act 1997*) will be able to regulate the environmental impacts of the Project.

## 1.2 PURPOSE

The purpose of the Visual Impact Assessment was to assess impacts to inform approvals by the Town of Port Hedland (ToPH).

If relevant to a project, significant visual amenity impacts are assessed by the Environmental Protection Authority (EPA) under the 'Social Surroundings' Key Environmental Factor. The EPA's objective for Social Surroundings is 'to protect social surroundings from significant harm' (EPA, 2023a).

While the Project is considered unlikely to result in significant visual impacts that require assessment by the EPA, the Social Surroundings Environmental Factor Guideline (EPA, 2023b) can still be used to guide visual impact assessments. The Guideline indicates that the information required for environmental impact assessment of Social Surroundings includes landscape and visual impact studies based on recognised methodology. The preparation of this Visual Impact Assessment (VIA) has been undertaken in consideration of the method outlined in the Western Australian Planning Commission (WAPC) and the then Department for Planning and Infrastructure's (DPI) '*Visual Landscape Planning in Western Australia: A Manual for Evaluation, Assessment, Siting and Design*' (WAPC and DPI, 2007).

The Environmental Factor Guideline recognises that amenity values include visual amenity and that natural landscapes often contribute to visual amenity. There are a number of sensitive receptors in proximity to the Project, including residences and public recreation areas. This VIA has been undertaken to determine the potential visual amenity impacts that may be experienced at these sensitive receptors.





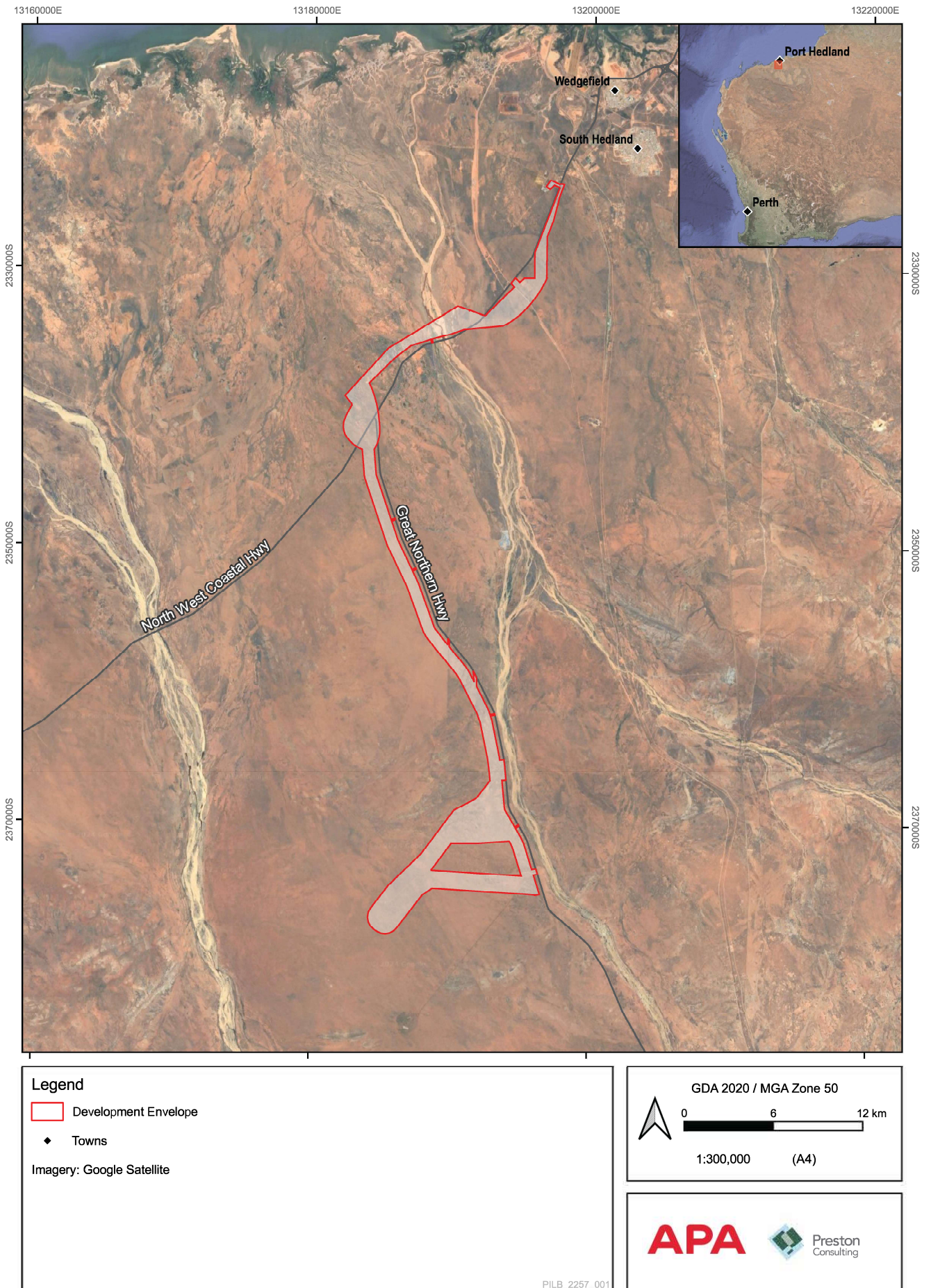


Figure 1: Project location

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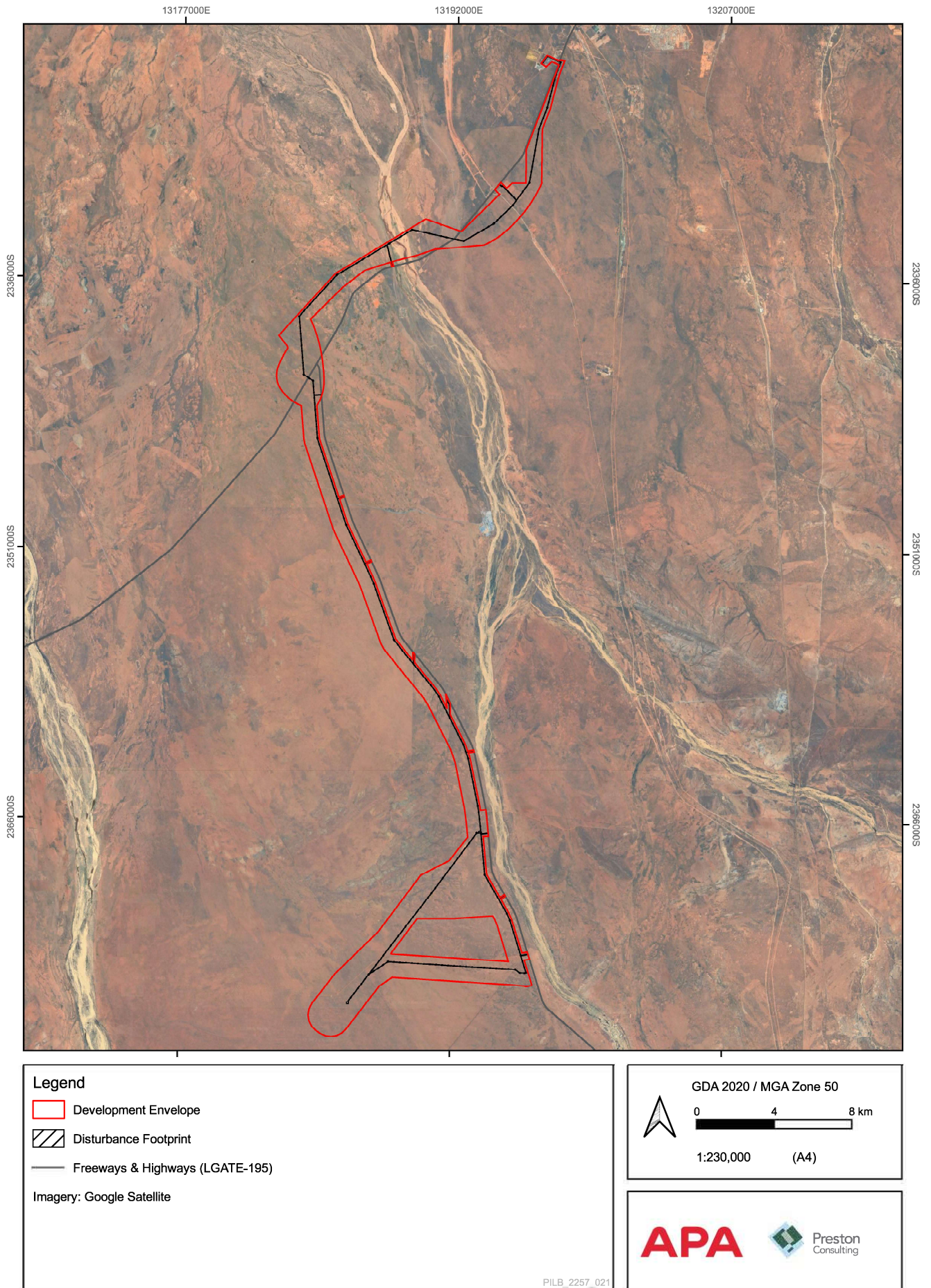


Figure 2: Proposed route

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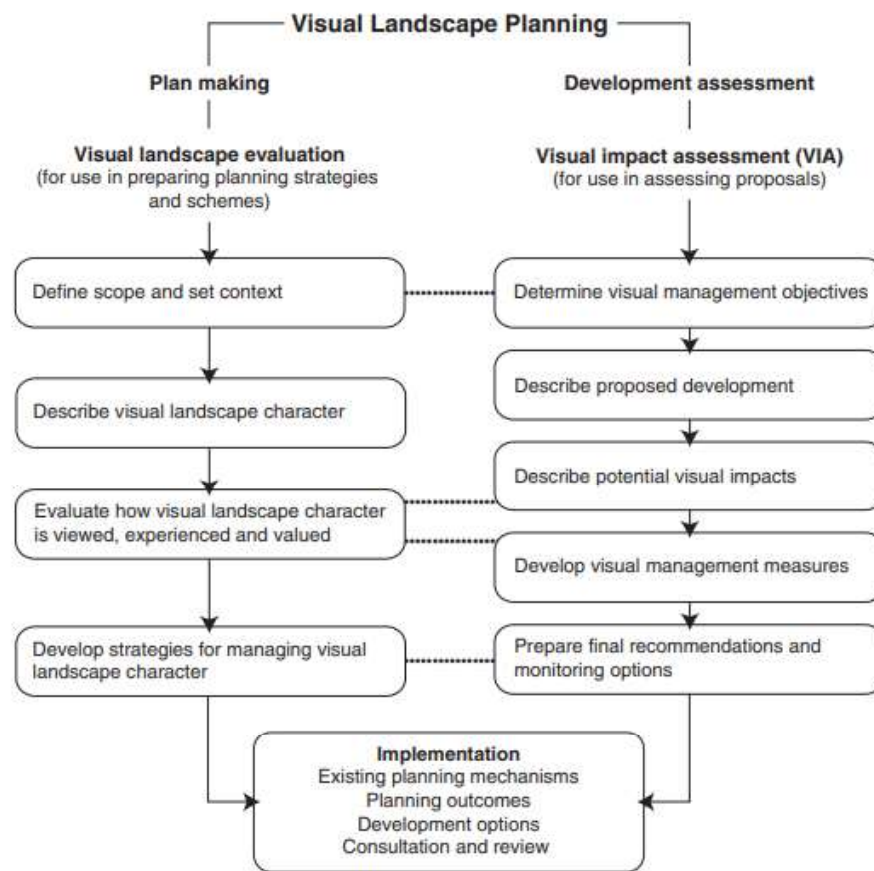


Figure 3: Relationship between visual landscape evaluation and visual impact assessment (WAPC and DPI, 2007)

### 1.3 SCOPE AND OBJECTIVES

The 'Visual Landscape Planning in Western Australia: A Manual for Evaluation, Assessment, Siting and Design' (WAPC and DPI, 2007) has been used to develop the VIA methodology. The principle objectives to conduct the evaluation and assessment include:

1. Describe the existing visual landscape character;
2. Describe the proposed development;
3. Describe and evaluate the potential visual impacts; and
4. Develop visual management measures.

The VIA was completed to determine visual amenity impact to different areas within the ToPH







## 2 EXISTING ENVIRONMENT

### 2.1 LANDSCAPE AND VEGETATION CHARACTERISTICS

The Project lies within the Fortescue Botanical District of the Pilbara region. The vegetation of WA has also been assigned to bioregions and subregions under the Interim Biogeographical Regionalisation for Australia (IBRA). The Project is within the Chichester and Roebourne subregion of the Pilbara Craton bioregion (Biologic, 2024).

The Chichester subregion has undulating Archaean granite and basalt plains including significant areas of basaltic ranges. Plains support a shrub steppe characterised by *Acacia pyrifolia* over *Triodia pungens* hummock grasslands, while *Eucalyptus leucophloia* tree steppes occur on the ranges (McKenize et. al., 2005). The dominant land use within the Chichester subregion is grazing of native pastures, Aboriginal lands and Reserves, Unallocated Crown Land, Crown Reserves, Conservation and Mining leases (Kendrick & McKenzie, 2001)

The Roebourne subregion comprises Quaternary alluvial and older colluvial coastal and sub-coastal plains, with a grass savanna of mixed bunch and hummock grasses, and dwarf shrub steppe of *Acacia translucens* or *A. pyrifolia* and *A. inequilatera*. Resistant linear ranges of basalts occur across the coastal plains. These uplands are dominated by *Triodia* hummock grasslands. Ephemeral drainage lines support Eucalyptus woodlands. Samphire, Sporobolus grasslands and mangal occur on the marine alluvial flats and river deltas. The islands are Quaternary sand accumulations, basalt and/or limestone (McKenize, Keighery and Gibson, 2005). The dominant land use within the Roebourne subregion is grazing of native pastures, Aboriginal lands and Reserves, Conservation, Mining lease and Urban (Kendrick & Stanley, 2001).

Four land systems, identified by the Department of Primary Industries and Regional Development, intersect the Project. The details of these land systems are provided in Table 1.

Table 1: Land systems

Land System	Description	Area within the Project (ha)
Mallina System	Sandy surfaced alluvial plains supporting soft spinifex grasslands and minor hard spinifex and tussock grasslands.	3,015.3
River System	Narrow, seasonally active flood plains and major river channels supporting moderately close, tall shrublands or woodlands of acacias and fringing communities of eucalypts sometimes with tussock grasses or spinifex.	301.7
Ruth System	Hills and ridges of volcanic and other rocks supporting shrubby hard spinifex and occasionally soft spinifex grasslands.	57.3
Uaroo System	Broad sandy plains, pebbly plains and drainage tracts supporting hard and soft spinifex hummock grasslands with scattered acacia shrubs.	5,229.1

Twenty-two vegetation communities were defined and mapped across the Project. The vegetation to be disturbed ranges from completely degraded (cleared) to excellent condition. The areas mapped as 'completely degraded' are areas generally associated with roads or infrastructure associated with Hemi Gold.





The field surveys conducted to date recorded that approximately:

- 93.6% was considered to be very good to excellent condition native vegetation; and
- The remaining 2.7% of the surveyed area was classes as completely degraded to good vegetation (Biologic, 2024; Phoenix, 2022; Umwelt, 2023).

## 2.2 SOCIO-ECONOMIC SETTING

### *Land Uses and Social Value*

The Project is situated on three pastoral leases; Boodarie Station (1,723.8 ha), Mundabullangana Station (2,273.2 ha) and Indee Station (4,617.3 ha). Dominant land use within the Development Envelope is native pasture associated with the three pastoral leases. The Project also has minor intersections with:

- Railway reserves; and
- Road reserves.

There are multiple mining developments in the area, the nearest being Hemi Gold.

The Project is located approximately 14 km southwest of Port Hedland and approximately 636 km east of Whim Creek. The Project intersects with North West Coastal Highway (NWCH) and GNH.

The Project lies within the Kariyarra native title claim boundaries (WAD6169/1998). In December 2023, APA Pilbara undertook an ethnographic heritage survey with Kariyarra representatives which did not identify any Aboriginal ethnographic sites or places within the Project area. In October 2024, APA undertook an archaeological survey with Kariyarra representatives with preliminary observations that no new archaeological sites were recorded. Demography and Economy

The Project is located within the ToPH. According to the 2021 census, up to 15,684 people live in the ToPH and the median age of residents is 32 (ABS, 2021). Comparatively, the median age of people living in Greater Perth is 37. Approximately 25% of people living the ToPH own the property they reside in, with the majority of the remaining occupiers being renters (~67%).





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### 3 PROPOSED DEVELOPMENT

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APA is proposing to construct and operate a HVT from APA's existing power generation facilities at the PHPS within the BSIA. This includes delivery of renewable power generated from the PHSF and Port Hedland Battery Energy System project and firming power supply from the gas fired Port Hedland Power Station to Hemi Gold, located approximately km south west of Port Hedland.

The route for the HVT includes exiting the BSIA to the east side of GNH, along a defined route shown in Figure 2. There are two ingress options at the south end of the line to access Hemi Gold, of which one will be constructed. The chosen option will depend on ongoing consultation with the Civil Aviation Safety Authority due to potential safety risks for the proposed airstrip for Hemi Gold.

The Project consists of:

- Clearing for geotechnical investigations to inform detailed designs (any geotechnical areas not required for construction and/or operation will be rehabilitated);
- Construction and operation of a HVT, which may include:
  - Some short, underground sections requiring trenching or horizontal drilling (this will be determined during detailed design phase);
  - Temporary clearing for construction/laydown areas;
  - Clearing for substations, installation of tower footings and unsealed access tracks; and
  - Installation and stringing of towers with an indicative height of 40 - 70 m and typical span between towers of 300 - 500 m (height and spacing subject to final design and will vary to accommodate infrastructure crossings and terrain features).





## 4 METHODOLOGY

The 'Visual Landscape Planning in Western Australia: A Manual for Evaluation, Assessment, Siting and Design' (WAPC and DPI, 2007) has been used to develop the VIA methodology.

Preston Consulting was assisted by CAD Resources in carrying out this VIA. In particular CAD Resources completed geographic information system services and image capture and compilation for the photomontages described below.

### 4.1 DESKTOP ASSESSMENT

A 3D model was generated using aerial imagery, digital elevation model and site infrastructure. The towers were modelled at their maximum possible height of 65 m.

Viewpoints were selected from aerial imagery and through stakeholder consultation and include major roads and public viewing areas. Locations that were assessed at the screening stage as having an extremely low risk of visual impacts due to their position in the landscape were not considered further.

Twelve viewpoints were selected during the desktop assessment and visited in the field (Figure 4). Details on the 12 viewpoints are provided in Table 2.

A key location for this assessment is GNH, as identified through consultation with the ToPH. The transmission line will run parallel with GNH for a large section of the Project and therefore will be most visible from this viewpoint.

**Table 2: Viewpoint details**

Viewpoint	Details	Type
1	Wedgefield	Industrial
2	South Hedland	Residential
3	FMG Rail Lookout	Recreational (Lookout)
4	Boodarie Station Access Road	Pastoral
5	GNH Location 1	Transport Corridor
6	Mount Nelson	Recreational (Lookout)
7	GNH and NWCH Intersection	Transport Corridor
8	NWCH	Transport Corridor
9	Indee Homestead Access Road	Pastoral
10	GNH Location 2	Transport Corridor
Crossing 01	GNH Crossing North	Transport Corridor
Crossing 02	GNH Crossing South	Transport Corridor





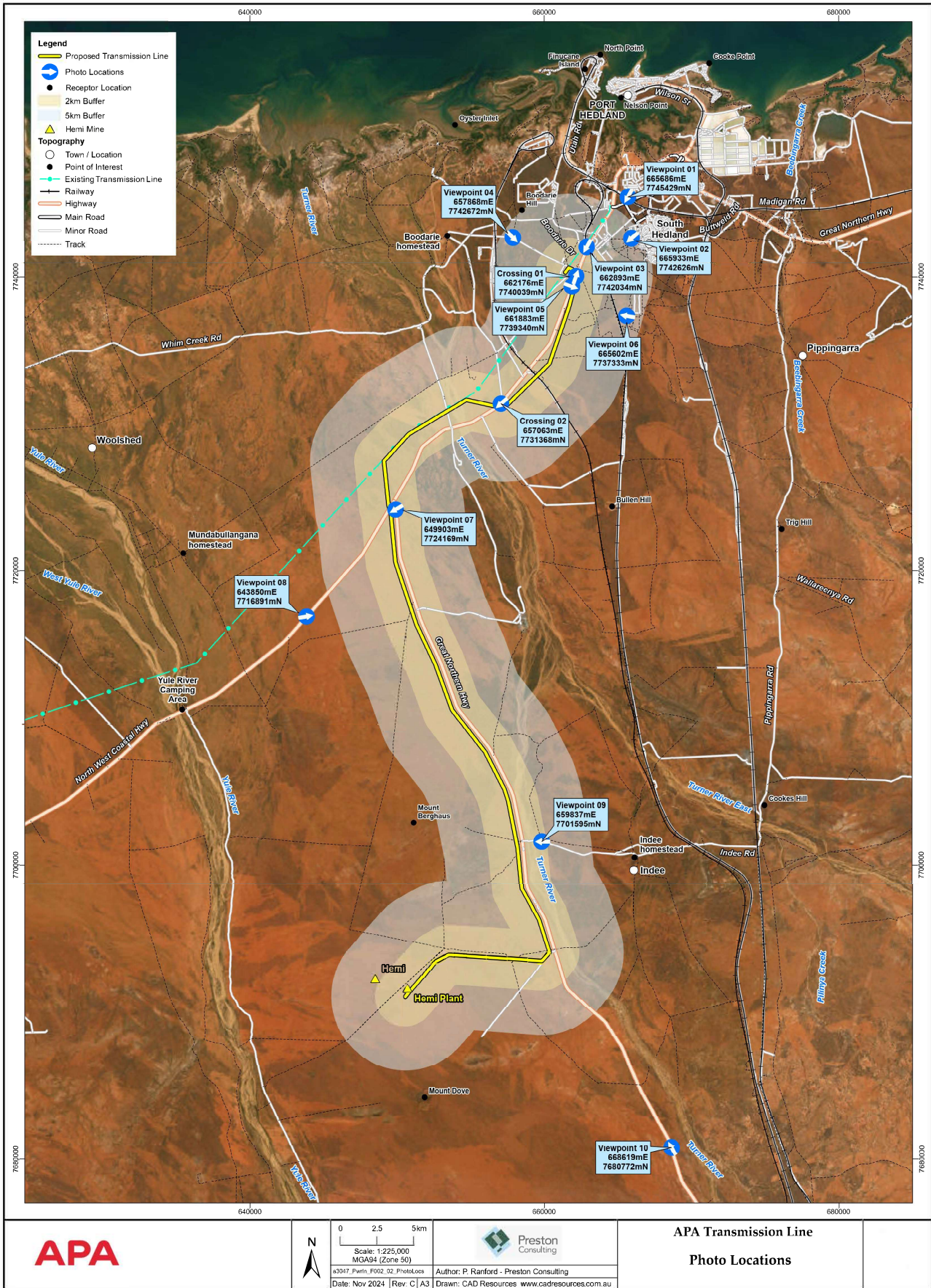


Figure 4: Viewpoints



## 4.2 FIELD SURVEY

Each of the 12 viewpoints identified in the desktop assessment were visited on either 6 August or 17 October 2024. GPS coordinates, photographs and site characteristics were recorded at each of the sites. The photographs for Viewpoint 1 – 10 were taken on a tripod approximately 160 cm above the ground using a DSL camera with a focal length of 70 mm to mimic the focal scale of the human eye. A spread of photos was captured to allow a panoramic photo montage (with 20% overlap allowed between each photo). The photographs for Crossing 01 and 02 were captured on a OnePlus11 mobile with a focal length of 24 mm. The details on each viewpoint were recorded at the time the photos taken.

## 4.3 INCORPORATION OF 3D MODEL

The 3D model was used to overlay the transmission towers and powerlines onto the photos captured during the field survey to generate images showing the likely view during operations. The images captured were used to create 'before' and 'after' construction visuals for the Project. No closure visuals were developed as all above ground infrastructure will be removed at closure returning the landscape to the 'before' construction visual.

## 4.4 MULTI CRITERIA ANALYSIS

A Multi-Criteria Assessment (MCA) was used to determine the visual risk for each viewpoint using the information collected during the field survey and the generated 3D model images. The MCA assessed each viewpoint against four categories to determine the likely scale of impacts on that viewpoint. The criteria have also been assigned a weighting based on their relative importance in determining the extent of impact. These criteria, with their weighting in brackets, are:

1. **Proportion of viewshed impacted (25%)** – the proportion of the horizontal viewshed which is taken up by the towers;
2. **Position within the viewshed (30%)** – where the towers sit in the depth of field, i.e., nearfield, middle of the depth of field or on the horizon;
3. **Presence of other industrial features (15%)** - the extent to which the viewshed is already impacted by industrial features; and
4. **Level of sensitivity (30%)** – whether the viewpoint has a high level of public use or other sensitivity to visual impact.

Table 3 provides detail on the criteria and how they were scored.




**Table 3: MCA scoring criteria**

Score	Proportion of viewshed impacted	Position within the viewshed	Presence of other industrial features	Level of sensitivity
2 = Low.	Less than 20%	Tower located on the horizon	Viewshed currently contains significant amount of industrial features	Limited public use and interest at viewpoint (i.e., industrial site, transport corridor)
4 = Medium	20 - 40%	Tower located in the middle of the depth of field	Viewshed currently contains a moderate amount of industrial features	Moderate level of public use and interest at viewpoint (i.e., low number of residences, lookout)
6 = High	Over 40%	Tower located in the nearfield	Viewshed is relatively pristine, with minimal industrial features	High level of public use and interest for viewpoint (i.e., town, suburb)

Table 4 provides the impact range on a viewshed based on an assessment against the scoring criteria in Table 3.

**Table 4: MCA outcome range**

Score range	Impact on viewshed	Description
2.0-3.5	Low	Has a minor impact on the viewshed. Difficult to distinguish from surrounding landscape
3.5-4.5	Medium	Has a moderate impact on viewshed. Easy to distinguish from the surrounding landscape
4.6-6	High	High impact on the viewshed. Will become a dominant feature in the viewshed or significantly change the viewshed quality





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## 5 RESULTS

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### 5.1 VIEWSHED ANALYSIS

The photos captured during the field survey and the 3D model were used to generate images showing the likely view of the Project during operations. These images are shown in Figure 5 - Figure 16





**VISUAL IMPACT ASSESSMENT  
East Pilbara Network Stage 1**

Criteria	Characteristics
General	Wedgefield
Location	665,686 E 7,745,429 N
View direction (bearing in degrees)	210
Elevation (RL)	9.8
Land use	Industrial Area
MCA considerations	Existing powerline visible from this location. Project only just visible in the horizon amongst existing towers. The site is located within an industrial area and is surrounded by existing infrastructure including a rail line.



Before



After

Figure 5: Viewpoint 1 - Wedgefield



**VISUAL IMPACT ASSESSMENT**  
East Pilbara Network Stage 1

Criteria	Characteristics
General	South Hedland
Location	665,933 E 7,742,626 N
View direction (Bearing in degrees)	230
Elevation (RL)	15.3
Land use	Residential - suburb in the ToPH
MCA considerations	The Project is not visible from this location.

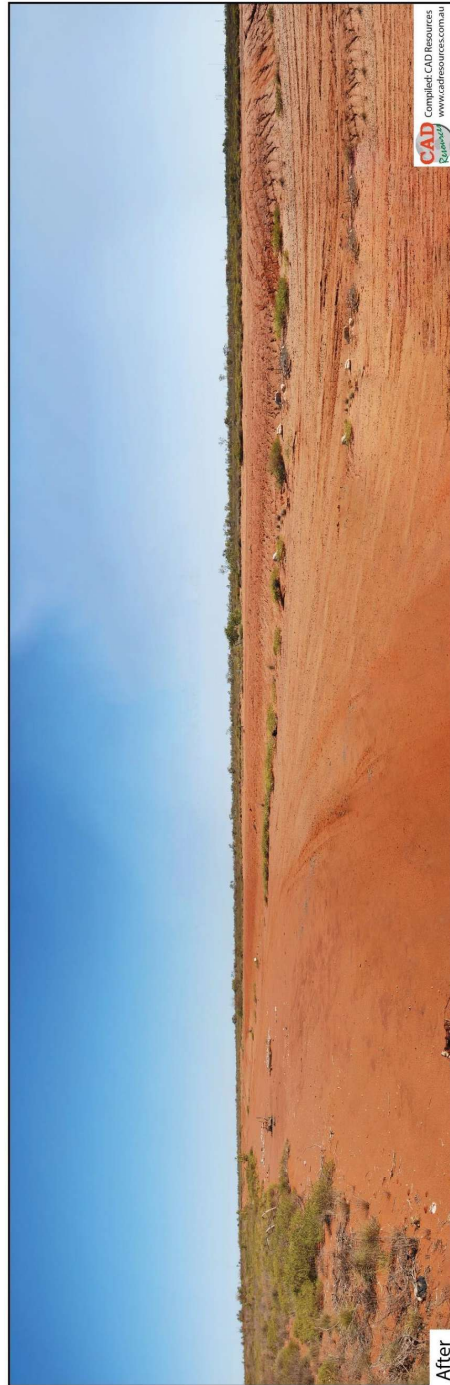
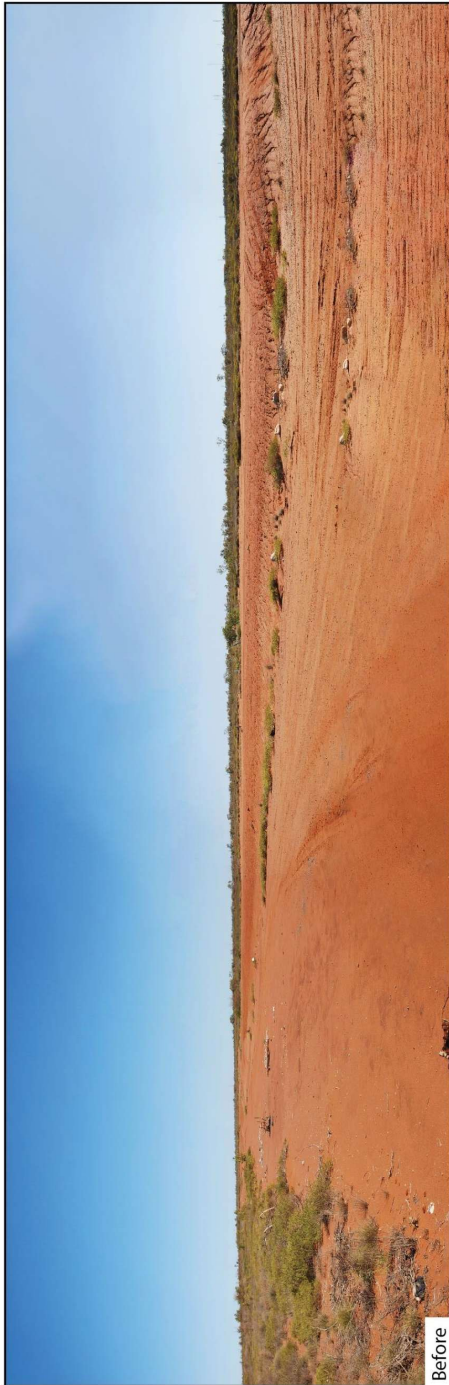


Figure 6: Viewpoint 2 – South Hedland (not visible from this location)





**VISUAL IMPACT ASSESSMENT  
East Pilbara Network Stage 1**

Criteria	Characteristics
General	FMG Lookout
Location	662,893 E 7,742,034 N
View direction (Bearing in degrees)	210
Elevation (RL)	13.5
Land use	Recreational, Lookout/Tourist Attraction
MCA considerations	Viewshed already dominated by existing powerlines. Very little natural screening vegetation in the viewshed consists of low/medium shrubs.

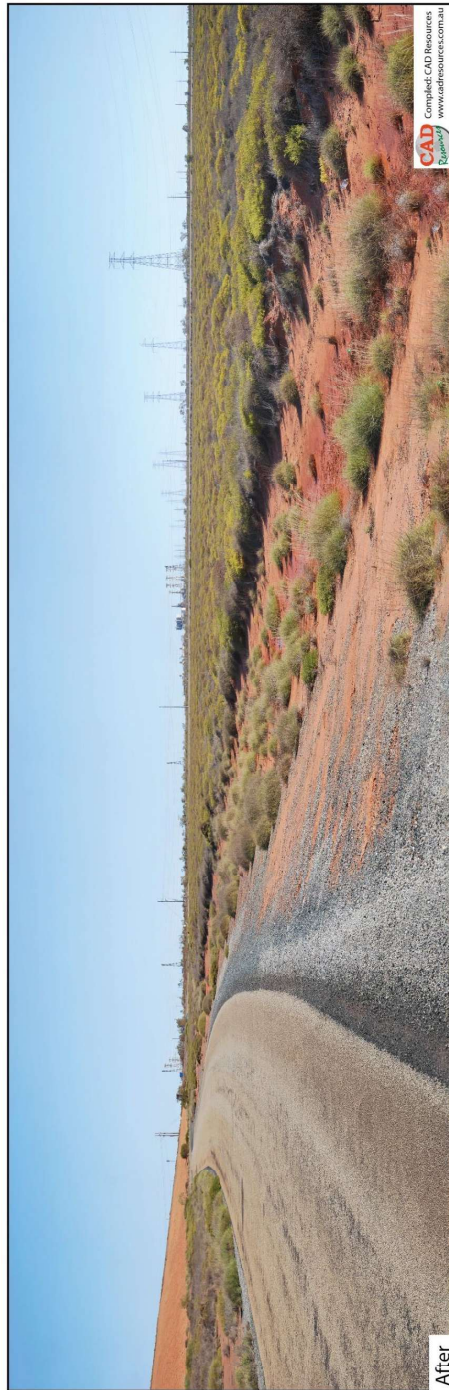
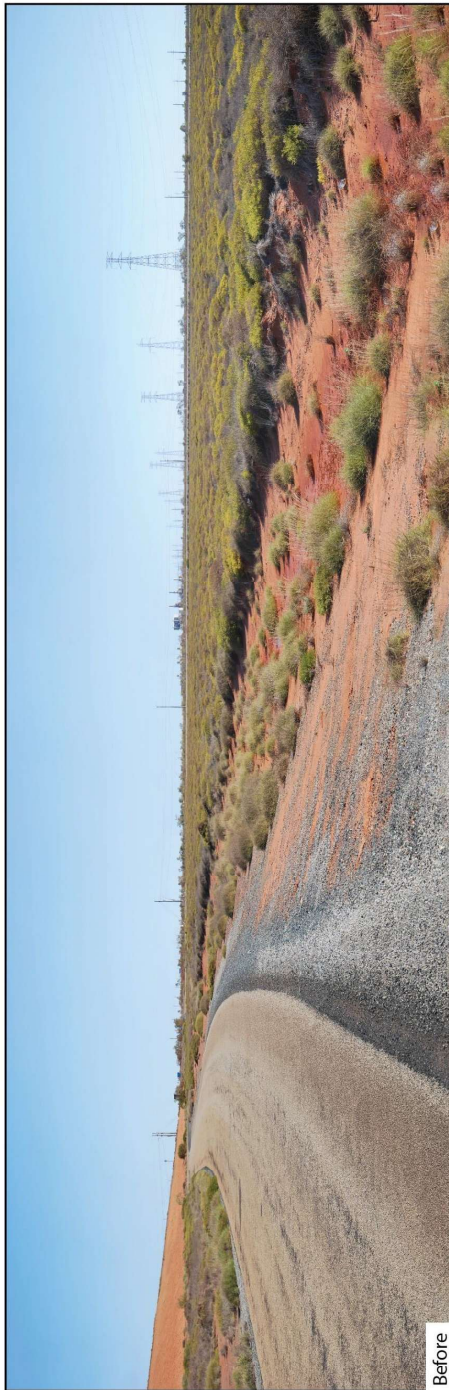


Figure 7: Viewpoint 3 – FMG Rail Lookout



**VISUAL IMPACT ASSESSMENT  
East Pilbara Network Stage 1**

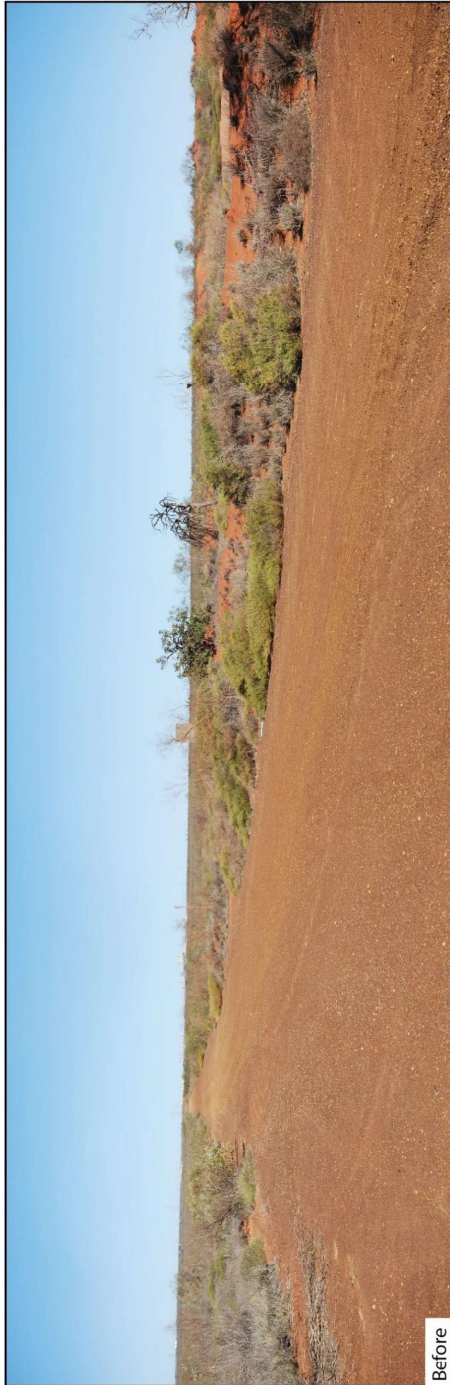


Figure 8: Viewpoint 4 – Boodarie Station Access Road

Criteria	Characteristics
General	Boodarie Station Access Road
Location	657,868 E 7,742,672 N
View direction (Bearing in degrees)	135
Elevation (RL)	16.3
Land use	Pastoral, and access road to industrial area
MCA considerations	The powerline will be visible from this location in the horizon. Vegetation in this location is low to medium with very little screening ability. The existing transmission line is just visible in the horizon.





**VISUAL IMPACT ASSESSMENT  
East Pilbara Network Stage 1**

Criteria	Characteristics
General	GNH Location 1
Location	661,883 E 7,739,340 N
View direction (Bearing in degrees)	110
Elevation (RL)	17.2
Land use	Transport Corridor (Highway)
MCA considerations	The Project is immediately adjacent to this location and clearly visible. The location is close to the existing TransAlta power station and APA Port Hedland Power Station. The Port Hedland Solar Farm is located on the other side of the road.

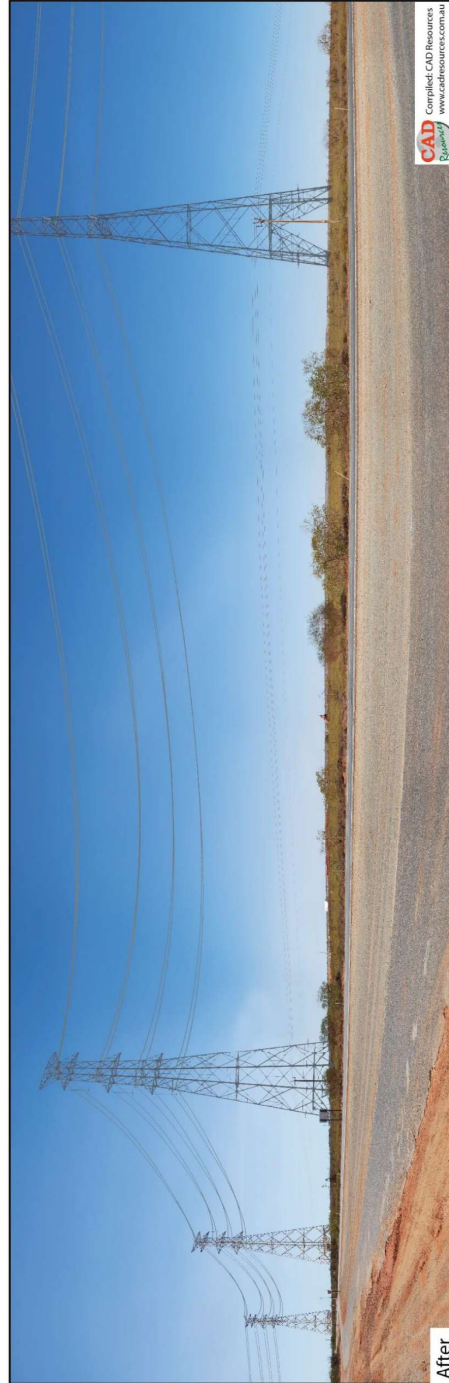
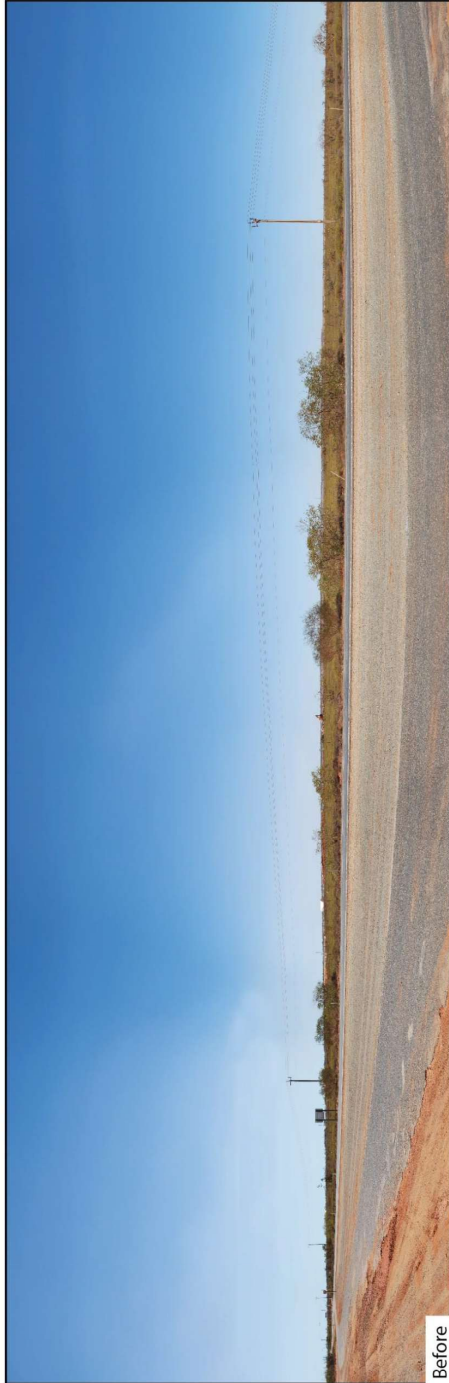


Figure 9: Viewpoint 5 – GNH Location 1



**VISUAL IMPACT ASSESSMENT  
East Pilbara Network Stage 1**

Criteria	Characteristics
General	Mount Nelson
Location	665.602 E 7.737.333 N
View direction (Bearing in degrees)	280
Elevation (RL)	24.6
Land use	Recreational, lookout, public access area
MCA considerations	The Project visible in the horizon. Existing powerline and power station also visible. Low vegetation provides no screening ability.

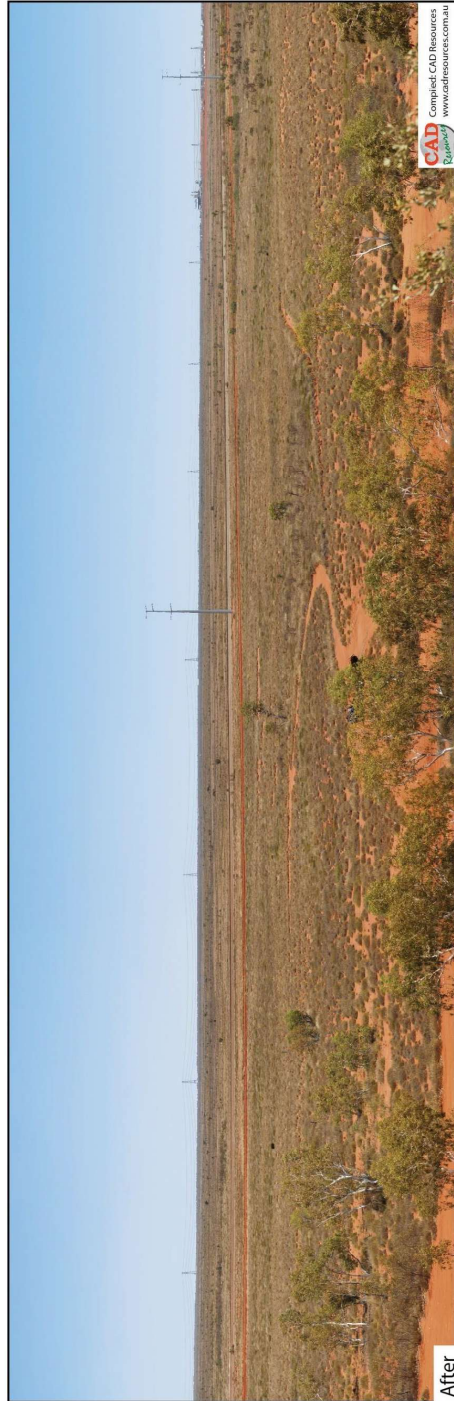
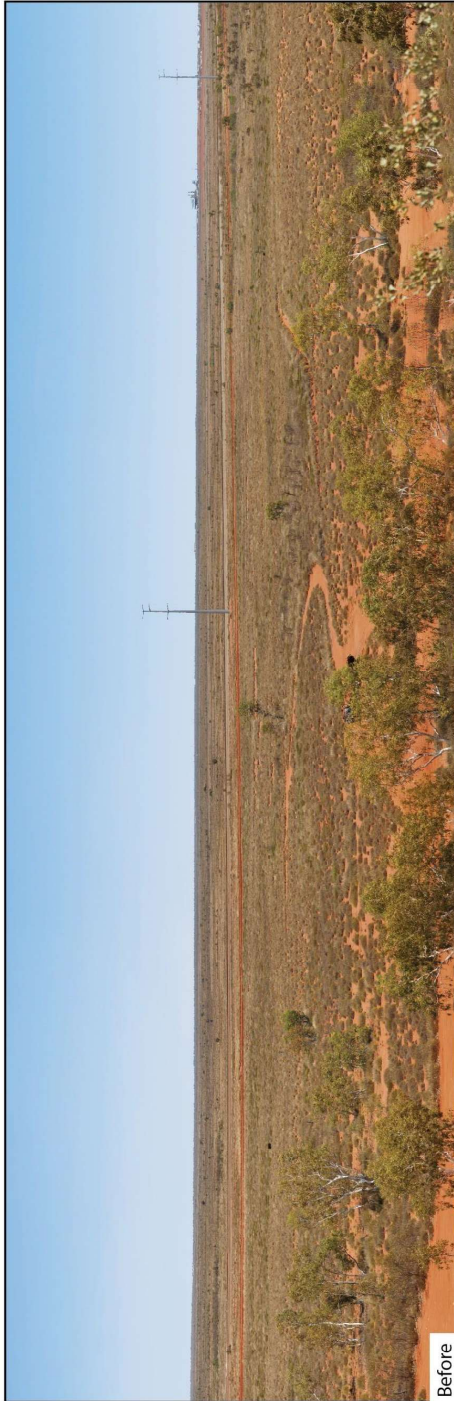


Figure 10: Viewpoint 6 – Mount Nelson





**VISUAL IMPACT ASSESSMENT  
East Pilbara Network Stage 1**

Criteria	Characteristics
General	GNH and NWCH Intersection
Location	649,903 E 7,724,169 N
View direction (Bearing in degrees)	240
Elevation	29.1
Land use	Transport Corridor, highway intersection
MCA considerations	Directly adjacent to the Project with the towers clearly visible. Vegetation low to medium with very little screening ability.

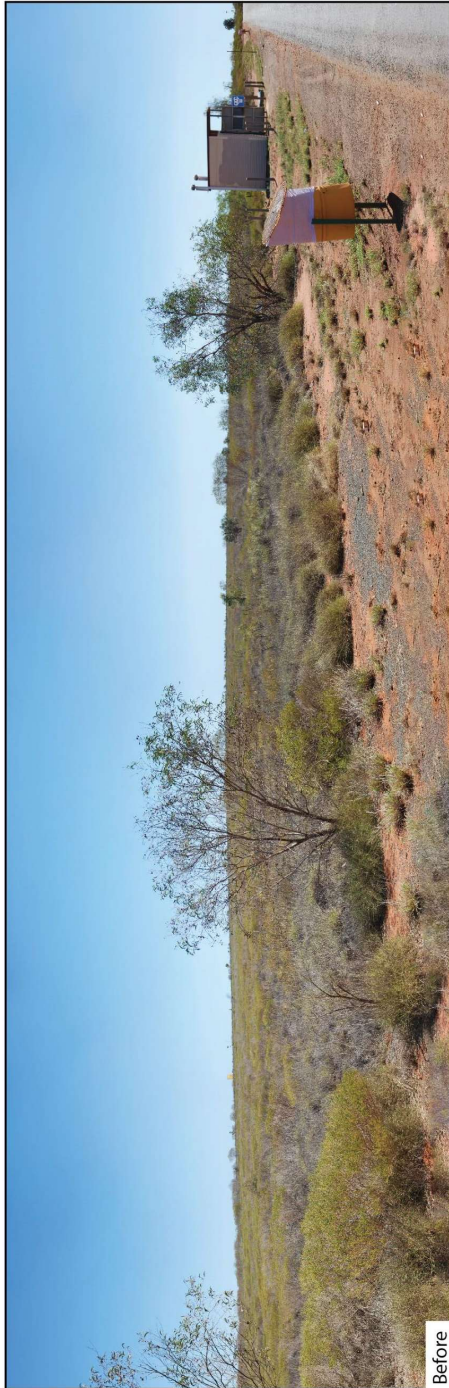


Figure 11: Viewpoint 7 - GNH and NWCH Intersection



**VISUAL IMPACT ASSESSMENT  
East Pilbara Network Stage 1**

Criteria	Characteristics
General	NWCH
Location	643,850 E 7,716,891 N
View direction (Bearing in degrees)	80
Elevation	34.5
Land use	Transport Corridor, highway
MCA considerations	The Project visible in the horizon. There are some taller scattered trees which provide some natural screening.

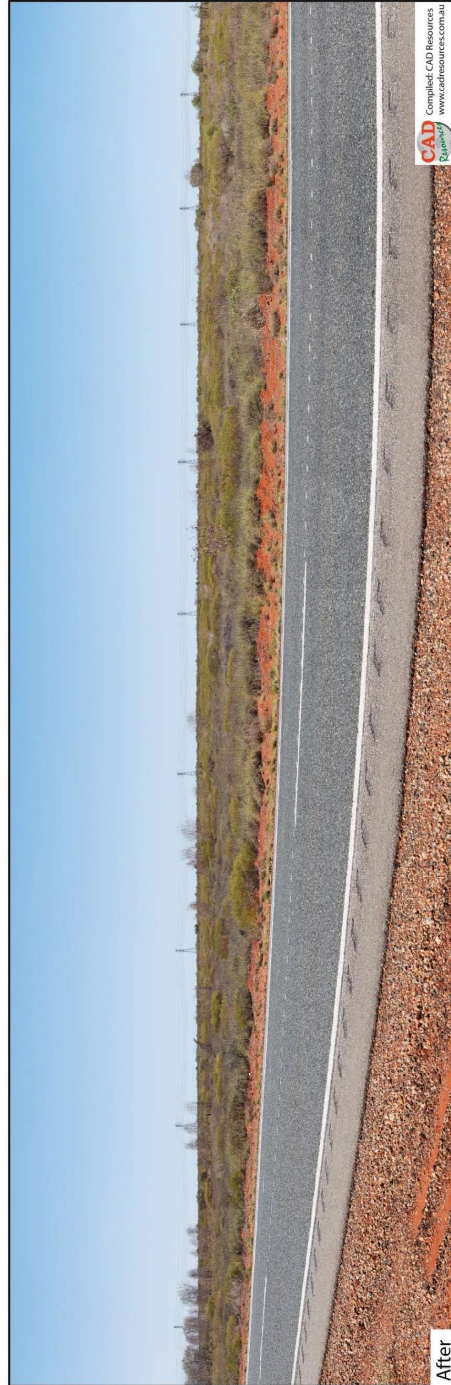
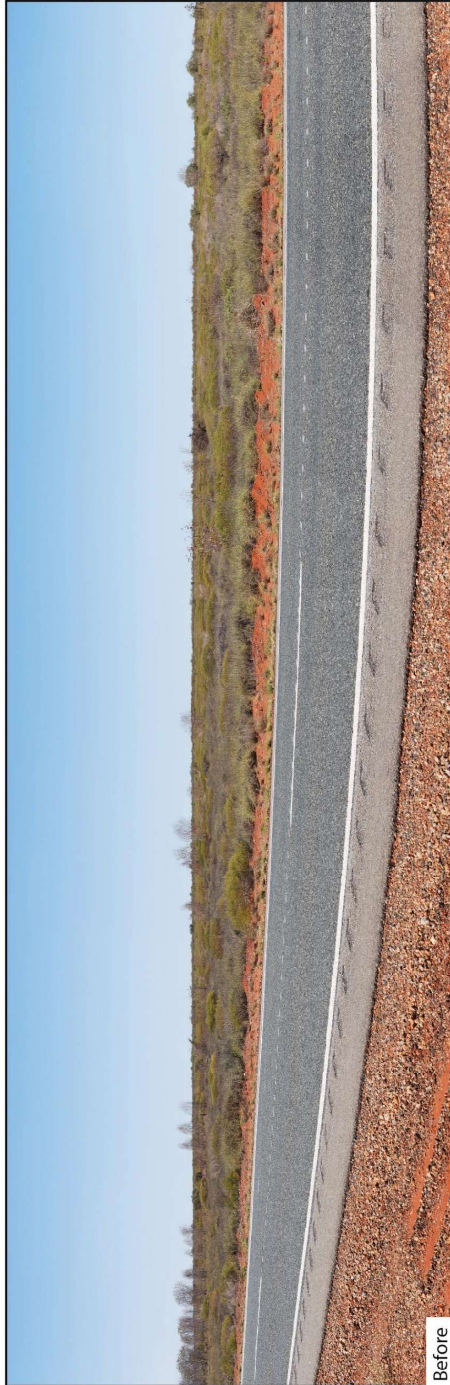


Figure 12: Viewpoint 8 - NWCH





**VISUAL IMPACT ASSESSMENT  
East Pilbara Network Stage 1**

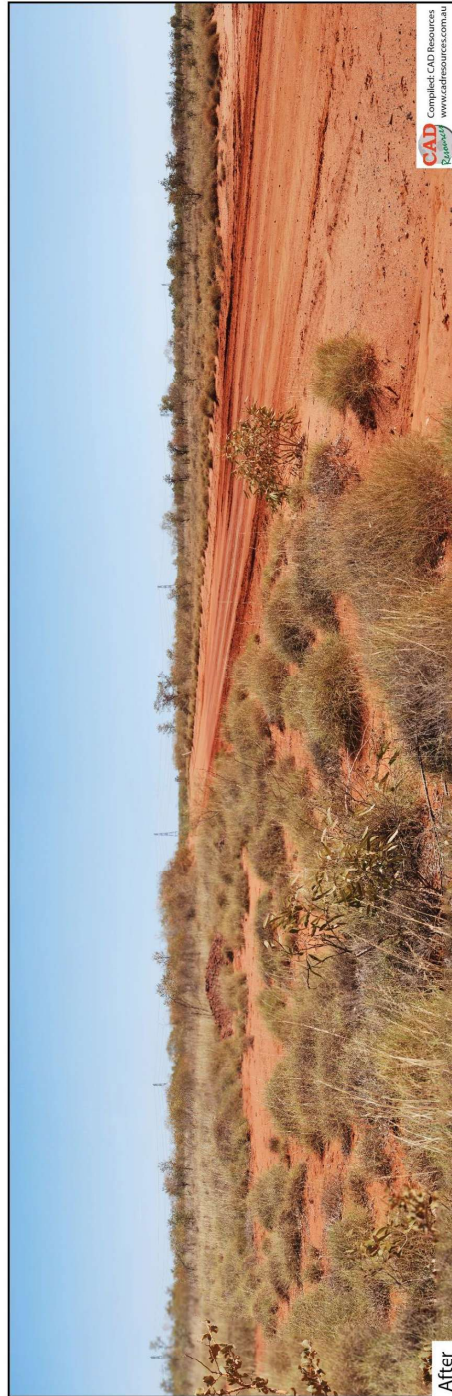
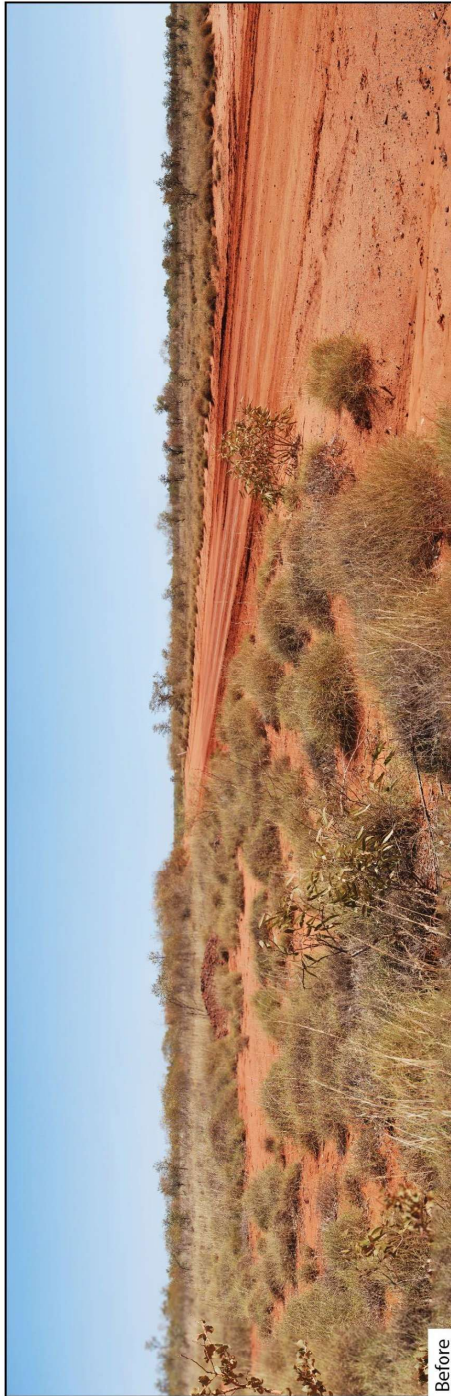


Figure 13: Viewpoint 9 - Indee Homestead Access Road

Criteria	Characteristics
General	Indee Homestead Access Road
Location	659,837 E 7,701,595 N
View direction (Bearing in degrees)	270
Elevation	72.7
Land use	Pastoral, homestead access road
MCA considerations	One tower visible in the horizon. Natural vegetation provides some screening of the Project from this location.



VISUAL IMPACT ASSESSMENT  
East Pilbara Network Stage 1

Criteria	Characteristics
General	GNH Location 2
Location	668,619 E 7,680,772 N
View direction (Bearing in degrees)	330
Elevation	112.0
Land use	Transport Corridor, highway
MCA considerations	The Project is not visible from this location.

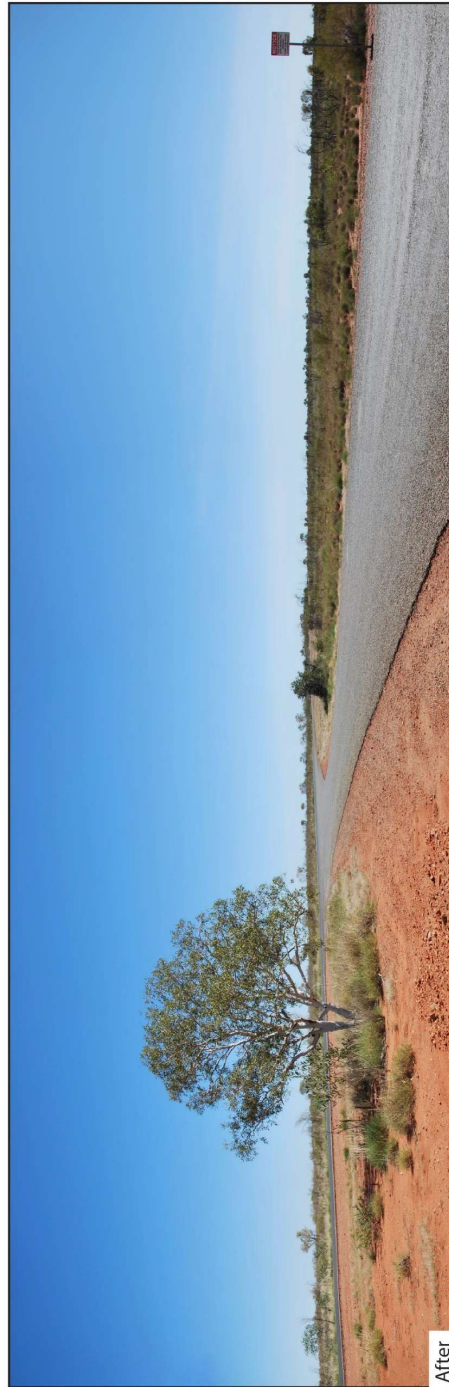
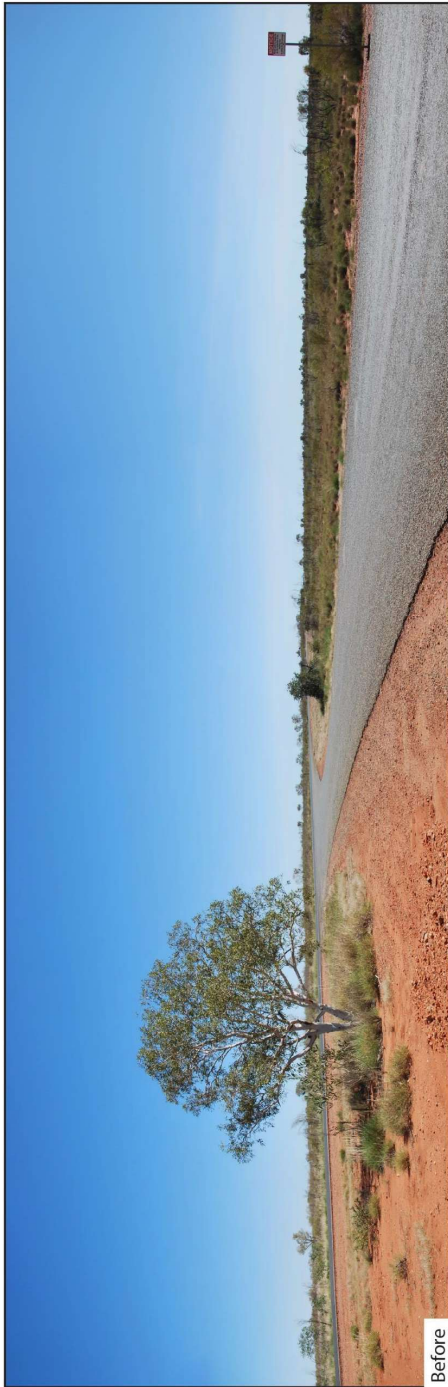


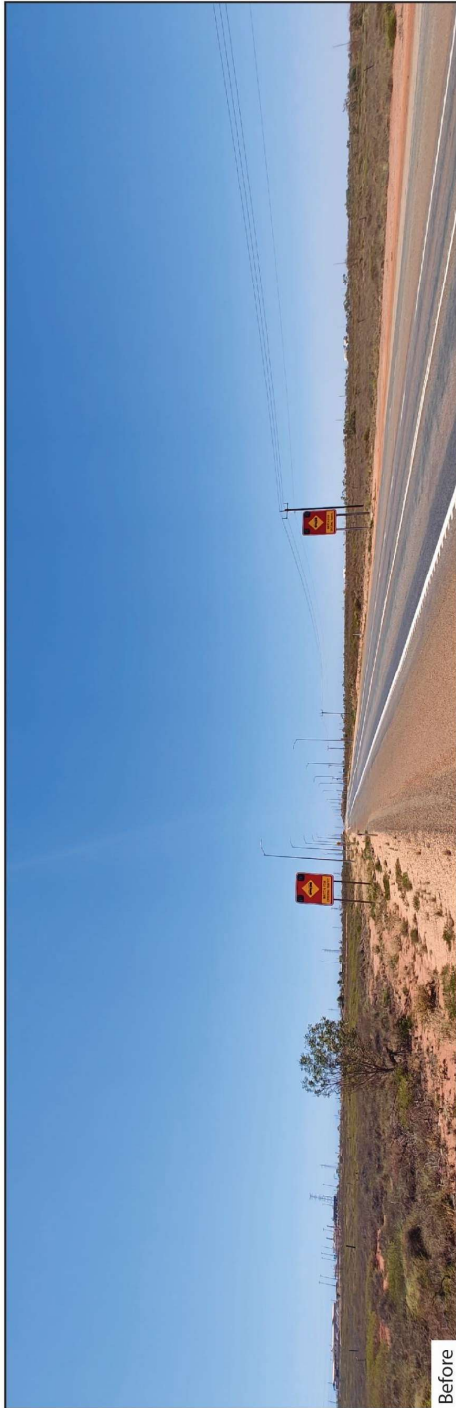
Figure 14: Viewpoint 10 - GNH Location 2 (not visible from this location)



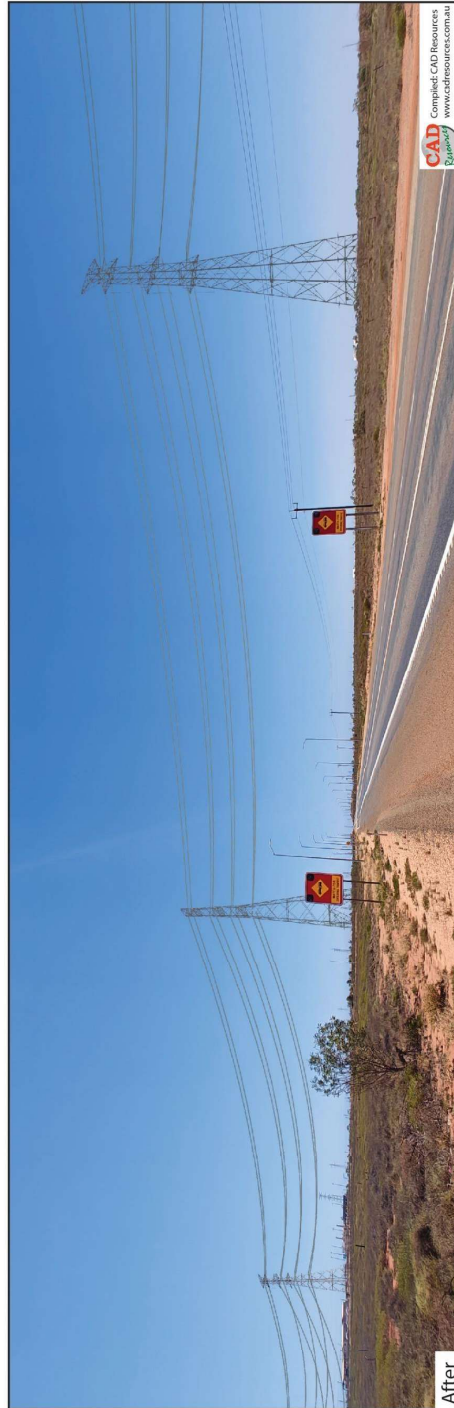


**VISUAL IMPACT ASSESSMENT  
East Pilbara Network Stage 1**

Criteria	Characteristics
General	GNH Crossing North
Location	662,176 F 7,740,039 N
View direction (Bearing in degrees)	290
Elevation (RL)	15.3
Land use	Transport corridor (Highway)
MCA considerations	The transmission line crosses GNH west to east as it exits the power station. Towers are immediately clear in the view. This visual represents the view of drivers on GNH.



Before



After

Figure 15: Crossing 01 – GNH Crossing North



**VISUAL IMPACT ASSESSMENT  
East Pilbara Network Stage 1**

Criteria	Characteristics
General	GNH Crossing South
Location	657,063 E 7,731,368 N
View direction (Bearing in degrees)	140
Elevation (RL)	28.0
Land use	Transport corridor (Highway)
MCA considerations	The transmission line crosses GNH east to west, just northeast of Turner River. Towers are immediately clear in the view. This visual represents the view of drivers on GNH.

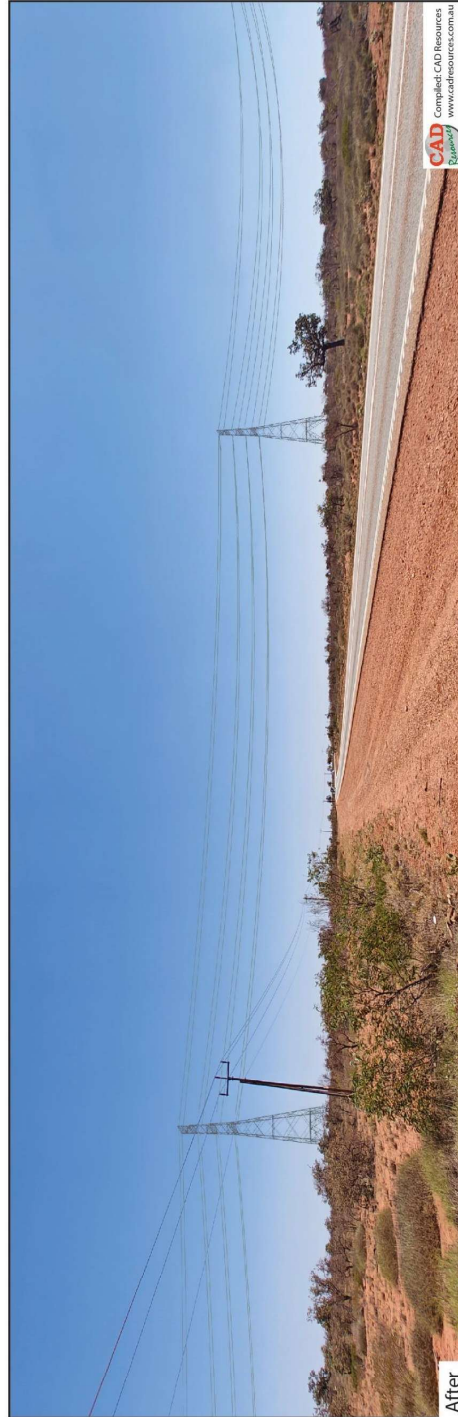
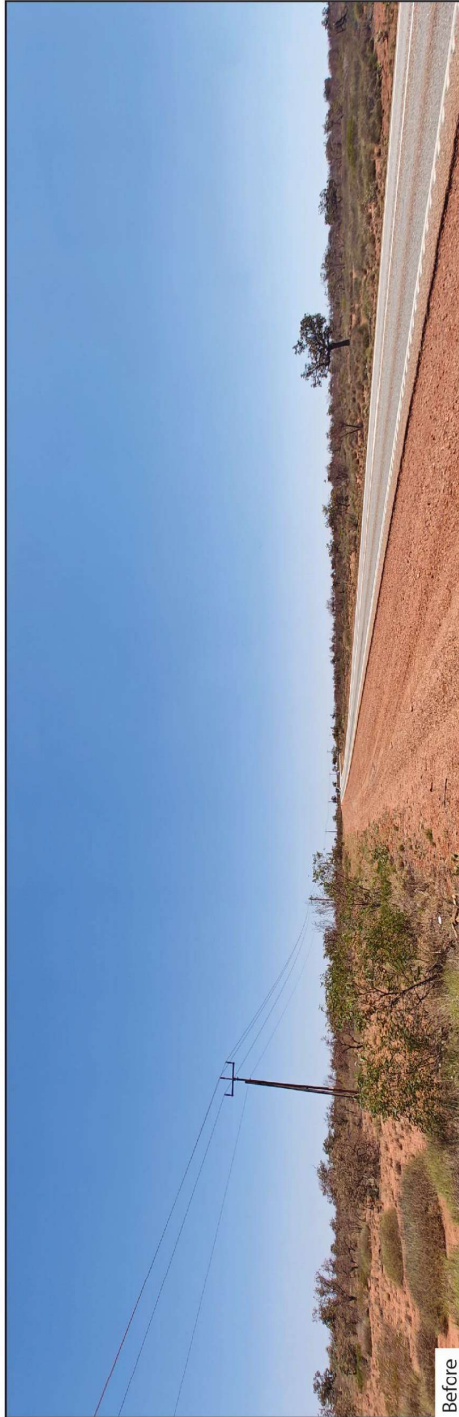


Figure 16: Crossing 02 – GNH Crossing South





## 5.2 MULTI-CRITERIA ANALYSIS

### Results

The MCA assessed each of the 12 viewpoints against the criteria in Table 3 and then classified the impact on the viewshed based on the outcome range in Table 4. The results are provided in Table 5.

Table 5: MCA results

Viewpoint	Proportion of horizontal viewshed	Position within the viewshed	Presence of other industrial features	Level of sensitivity	Total Score	Weighted score
Wedgefield	2	2	2	2	8	2
South Hedland	N/A – not visible from this viewpoint					
FMG Rail Lookout	2	2	2	4	10	2.6
Boodarie Station Access Road	2	2	4	2	10	2.3
GNH Location 1	6	2	4	2	14	3.3
Mount Nelson	2	2	4	4	12	2.9
GNH and NWCH Intersection	6	4	4	2	16	3.9
NWCH	2	2	4	2	10	2.3
Indee Homestead Access Road	2	2	6	2	12	2.6
GNH 2	N/A – not visible from this viewpoint					
Crossing 01	6	6	2	2	14	4.2
Crossing 02	6	6	4	2	16	4.5

## 5.3 SUMMARY OF RESULTS

The Project will only affect more than 20% of the horizontal viewshed for four of the 12 viewpoints, all of which are associated with GNH. In comparison to larger infrastructure, such as a power station, at longer distances a transmission line is able to blend in with the horizon, making it more difficult to see.

For the majority of the viewpoints (i.e., Figure 10, Figure 12 and Figure 13) the Project was only just visible in the horizon, and at two of the viewpoints, GNH 2 and South Hedland, the Project was not visible at all. This is primarily due to the distance of the viewpoint from the Project and the height of the infrastructure.



**VISUAL IMPACT ASSESSMENT  
East Pilbara Network Stage 1**

The viewpoints with the greatest visual impact are GNH Location 1 (Viewpoint 5), GNH and NWCH Intersection (Viewpoint 7), GNH Crossing North (Crossing 01) and GNH Crossing South (Crossing 02). This is primarily because the powerline is aligned with GNH or crosses it. This means that the Project will be highly visible at any location along the highway in the northern section of the Project. There is very little screening ability in these locations as it is adjacent to the highway and established vegetation consists of only low to medium height shrubs. Viewpoint 5 and Viewpoint 7 are however located adjacent to a highway and close to an industrial area, meaning the viewsheds are not currently pristine. The two crossing locations represent the viewshed for vehicles travelling along GNH and are the two locations whether the transmission line will cross over the highway to the opposite side. Similar to Viewpoint 5 and 7, Crossing 01 and 02 are located within an already disturbed landscape with an existing powerline visible in both visuals. The viewshed impact is also temporary for these crossings, as the receptors are vehicles travelling along GNH. The visual impact will increase gradually until the vehicle passes under the transmission line, at which point there will be no more visual impact.

Given the proximity to GNH, there is very little management that can be implemented to reduce the visual impact of the Project. However given the nature of the viewpoints and the presence of existing infrastructure, the Project is unlikely to cause a visual impact that would significant impact on a person's amenity.

The most sensitive areas to visual impacts are residential areas. South Hedland is the only residential area that is within proximity to the Project which had the potential to be impacted. The VIA however determined that the Project would not be visible from this viewpoint despite conservatively selecting a location that was clear of infrastructure and vegetation.





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## 6 MANAGEMENT ACTIONS

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The VIA identified that the Project would be visible from 10 of the 12 viewpoints, albeit to greatly varying degrees. Due to the location of the Project and the surrounding industrial uses, there is very little additional design or management actions that can be implemented to reduce the visual impact of the Project.





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## 7 CONCLUSIONS

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As demonstrated in the visuals, the Project is only likely to significantly affect the viewshed along GNH in the northern section of the Project. These areas are however already heavily influenced by infrastructure such as roads and industrial facilities. The impacts of the Project on visual amenity are therefore unlikely to be significant for the viewpoints assessed in this VIA. The Project will not result in any significant visual impacts to sensitive locations such as South Hedland.







## 8 GLOSSARY

Term	Definition
APA	APA Group Limited
APA Pilbara	APA Pilbara Holdings Pty Ltd
Biologic	Biologic Environmental Survey Pty Ltd
BSIA	the Boodarie Strategic Industrial Area
DPI	Department for Planning and Infrastructure
EPA	Environmental Protection Authority
EP Act	<i>Environmental Protection Act 1986</i>
GNH	Great Northern Highway
ha	Hectares
Hemi Gold	Hemi Gold Mining Project
HVT	High Voltage Electrical Transmission Line
IBRA	Interim Biographical Regionalisation for Australia
km	Kilometres
m	Metre
MCA	Multi Criteria Analysis
NWCH	North West Coastal Highway
PHPS	Port Hedland Power Station
PHSF	Port Hedland Solar Farm
Project	East Pilbara Network Stage 1
RL	Relative Level
ToPH	Town of Port Hedland
VIA	Visual Impact Assessment
WA	Western Australia
WAPC	Western Australian Planning Commission





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## 9 REFERENCES

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- Biologic Environmental Survey Pty Ltd (2024). *Boodarie Sub Station Transmission Line Flora and Vegetation Survey*. Unpublished report prepared for Alinta Energy (now APA Pilbara Holdings Pty Ltd)
- Environmental Protection Authority (2023a). *Environmental Factor Guideline – Social Surroundings*. Perth, WA. June 2023.
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- Kendrick, P. & McKenzie, N. (2001). Pilbara 1 (PIL1 – Chichester subregion). Retrieved from: <https://library.dbca.wa.gov.au/FullTextFiles/021927.044.pdf>
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- McKenzie, N., Keighery, G. and Gibson, N. (2005). IBRA sub-regions in WA. Department of Conservation and Land Management
- Phoenix Environmental Sciences Pty Ltd (2022). *Baseline flora and vegetation survey for the Port Hedland Solar Farm Project*. Unpublished report prepared for Alinta Energy (now APA Pilbara Holdings Pty Ltd)
- Umwelt (Australia) Pty Ltd (2023). *Hemi Gold Deposit Baseline Flora and Vegetation Assessment Mallina Gold Project*. Unpublished report prepared for De Grey Mining Ltd
- Western Australian Planning Commission and Department for Planning and Infrastructure (2007). *Visual Landscape Planning in Western Australia: a manual for evaluation, assessment, siting and design*. Perth, WA



**Conditions:****Term of approval conditions:**

1. All development and use of the land must be carried out in accordance with the approved plans, as listed below, or any minor modifications approved in writing by the Town:

Figure 1-1: Site plan;

Figure 4-1: Indicative Engine Hall Elevation;

save that, in the event of an inconsistency between the approved plans and a requirement of the conditions set out below, the requirement of the conditions shall prevail.

2. If the development, the subject of this approval, is not substantially commenced within a period of four years from the date of the approval, the approval will lapse and be of no further effect. For the purposes of this condition, the term “substantially commenced” has the meaning given to it in the *Planning and Development (Local Planning Schemes) Regulations 2015* as amended from time to time.

**The following conditions shall be cleared prior to the commencement of works:**

3. The following detailed plans shall be prepared and submitted to the specification of the Town and approved:
  - a. Elevations;
  - b. Floor plans;
  - c. Site plans;
  - d. Civil plans;
  - e. Traffic Management Plan; and
  - f. Construction Management Plan

The approved plans shall be implemented and maintained thereafter to the satisfaction of the Town.

4. A Stormwater Management Plan shall be prepared and submitted to the specification of the Town and approved.
5. Prior to the commencement of works, a Landscaping Plan shall be prepared and submitted to the specification of the Town and approved. This shall include tree planting along the frontage of the property to assist in the screening of the development.
6. Prior to the commencement of works, a road dilapidation report shall be submitted to the Town. This shall assess and identify the condition of the Boodarie Station Access Road and any incidental infrastructure. The developer shall prepare and enter into a legal agreement with the Town, at the developer’s expense, confirming that any damage done during the construction phase shall be repaired. Any damage to the road shall be repaired to the specification and satisfaction of the Town. All expenses incurred by the Town in relation to the preparation and review of the legal agreement shall be reimbursed by the developer.

7. The developer/proponent shall elect to either provide, or make a cash-in-lieu payment, for public art, in accordance with the Town of Port Hedland's Local Planning Policy 04 Percent for Public Art. Public art shall be to a minimum value of 1% (capped at \$150,000) of the estimated total construction cost of the development. The following requirements shall apply depending on what the developer/proponent elects:
  - a. Option 1: Applicant chooses to coordinate the Public Art project themselves or by engaging an art consultant. This shall be designed and completed prior to the occupation or use of the development, to the specification and satisfaction of the Town; or
  - b. Option 2: Applicant chooses to pay cash-in-lieu. This shall be paid prior to the commencement of works.

**The following conditions shall be cleared prior to the occupation or use of the development:**

8. Prior to the occupation or use of the development, the approved Stormwater Management Plan shall be implemented in full and maintained thereafter, to the satisfaction of the Town.
9. The approved Landscaping Plan shall be implemented in full and maintained thereafter, to the satisfaction of the Town.

**Advice Notes**

1. In relation to the preparation of a Construction Management Plan, this will need to address, but not be limited to:
  - a. How materials and equipment will be delivered and removed from the site;
  - b. How materials and equipment will be stored on the site;
  - c. Parking arrangements for contractors;
  - d. Construction waste disposal strategy and location of waste disposal bins;
  - e. Details of cranes, large trucks or similar equipment which may block public thoroughfares during construction;
  - f. How risks of wind and/or water borne erosion and sedimentation will be minimised during and after the works; and
  - g. Other matters likely to impact on the surrounding properties, infrastructure or assets.
2. In relation to the preparation of a Stormwater Management Plan, this will need to be consistent with *Local Planning Policy 11 Stormwater Management*.
3. In relation to the preparation of a Landscaping Plan, this will need to include endemic tree species.
4. In relation to the preparation of the road dilapidation report, this will need to include, but not be limited to, photographs, general comments on the condition, identification of any defects and their location.

5. This approval relates to the details provided in the application and any minor variations approved in writing by the Town. To undertake the development in a different manner to that stated in the application, a fresh application for planning approval must be submitted to the Town of Port Hedland.
6. This is a development approval issued under the *Planning and Development Act 2005*. This does not obviate the responsibility to obtain any other approvals required under any other legislation.



The exhaust stacks on the gas-fuelled reciprocating engines generating sets are expected to be approximately 15-18 metres tall and the main building on site is approximately 8-10 metres tall (subject to final design).

Figure 4-1 below shows the elevation of an indicative engine hall to be installed for the Project.

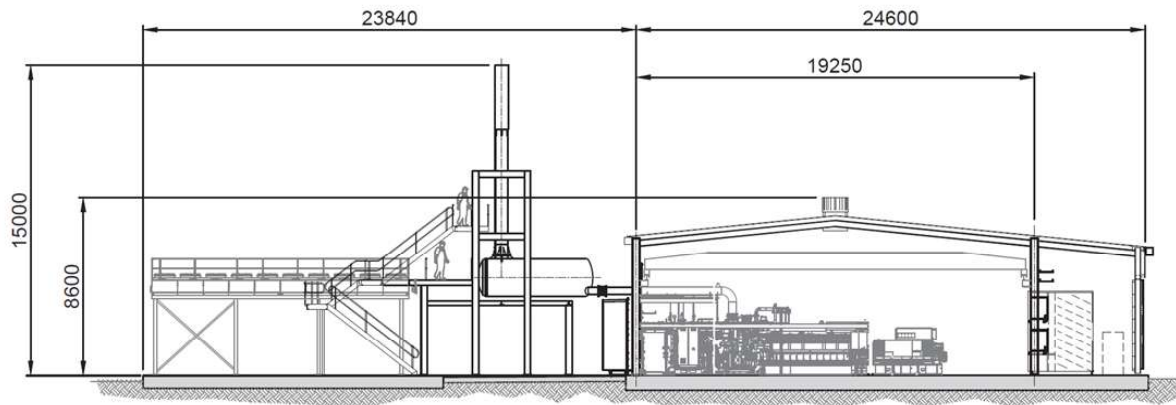
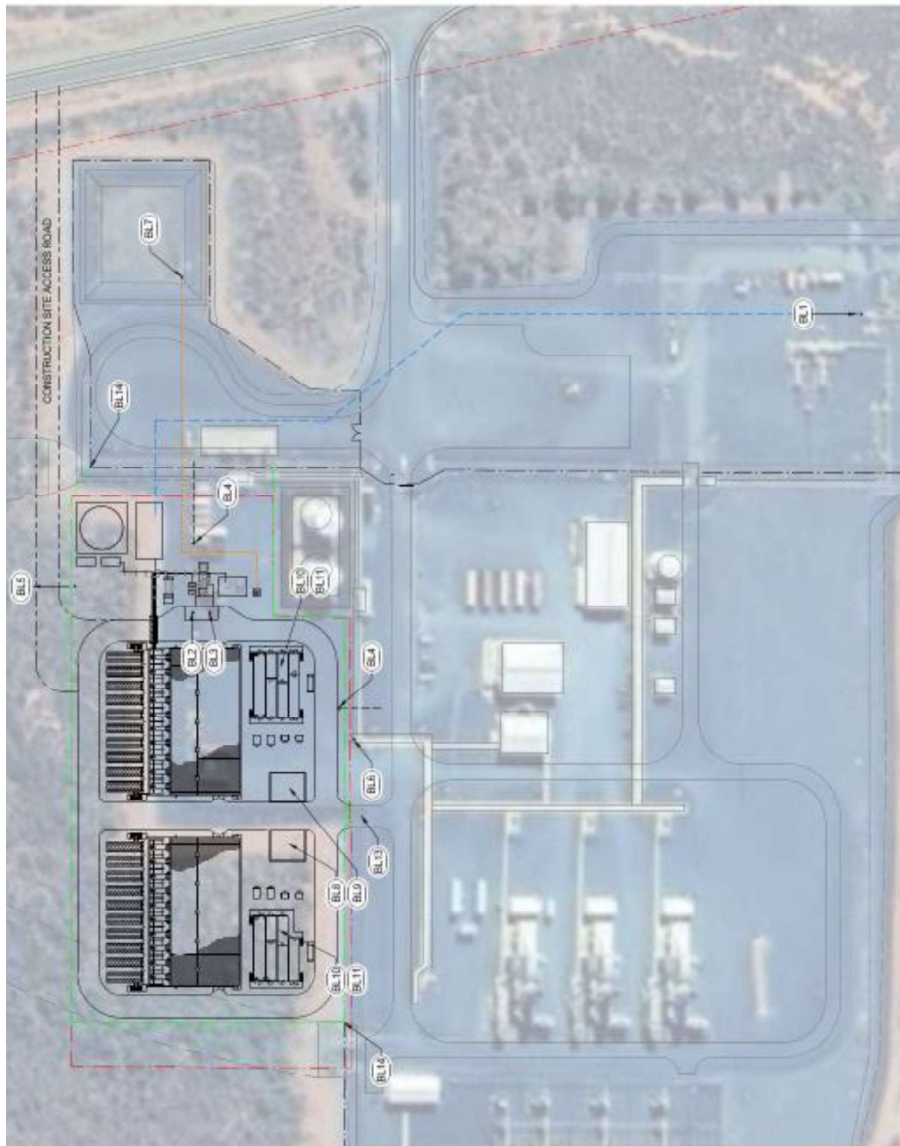


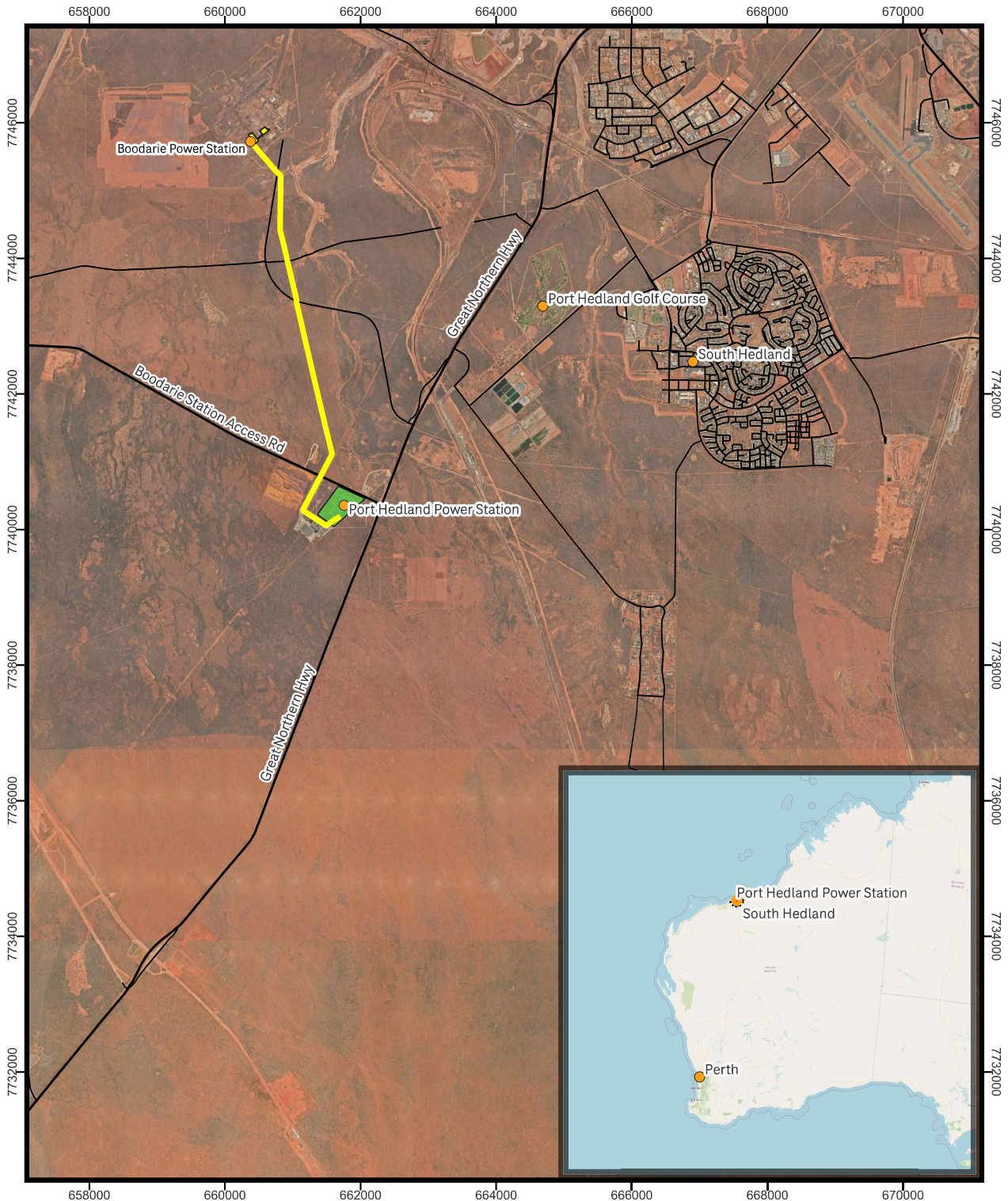
Figure 4-1 Indicative Engine Hall Elevation

Figure 1-1 Site plan




CDM Smith | Report 1001821


listen. think. deliver.



**Figure 1-2: Regional Location of Port Hedland Power Station**


- LEGEND**
- Port Hedland Power Station
  - Boodarie Transmission Line
  - Boodarie Power Station
- Road network**
- Labelled
  - Unlabelled





Scale @A4 1: 75000  
Projection: GDA94 / MGA zone 50

Client: APA  
Project and Phase: 1001821.2  
Data: WA SLIP data, APA provided data  
Imagery Landgate / SLIP, OpenStreetMap  
(openstreetmap.org/copyright)



**CDM  
Smith**  
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DISCLAIMER: CDM Smith has endeavoured to ensure accuracy and completeness of the data. CDM Smith assumes no legal liability responsibility for any decisions or actions resulting from the information contained within this map.  
Drawn By: oostveenperryli Date: 20 Feb 2025 \cdm\inc.internal.cdm.com\offices\AUST\Project\1001821 - Secondary Approvals for Hemi gold Power Supply\7Work\3GIS\IQGZ\1001821 LOP figure edits 20250220.qgz



**ATTACHMENT 1 – CONDITIONS OF APPROVAL****APPLICATION TO AMEND DEVELOPMENT APPROVAL FOR TEMPORARY WORKFORCE ACCOMMODATION ON LOT 2 (NO. 15) DEMPSTER STREET, PORT HEDLAND**

Conditions:

**Term of Approval Conditions**

1. This approval is limited to the temporary use of only sixty-four (64) transportable buildings with a maximum of 208 persons for Workforce Accommodation and associated buildings for dining/kitchen and laundry facilities, until 30 April 2033.
2. All development and use of the site must be carried out in accordance with the approved plans and all information submitted as part of this application. These details shall not be altered without prior written consent of the Town of Port Hedland. This approval does not relate to any other development on this lot.
3. If the use of the land is terminated early pursuant to Condition 6, the landowner must remove all transportable buildings from the land by no later than twelve (12) months of the date of early termination.
4. This approval supersedes previous development approval 2022/191 and all associated conditions.

**The following conditions must be cleared prior to the date mentioned**Building Report and Site Safety

5. By 1 December 2025 the landowner is to submit to the Town a Building Report prepared by a suitably qualified person which includes an assessment of all buildings on site, their ability to be safely occupied and/or repaired, or removed, the proposed timeframe for their repair or removal, and identify any which contain asbestos material.

Early Termination of Use

6. If any building required to be removed from the land mentioned in the Building Report is not demolished and removed by the time as agreed between the Town of Port Hedland and the landowner, this approval to use the land temporarily for workforce accommodation shall immediately terminate. For the removal of doubt, the early termination operates notwithstanding Conditions 1 and 2.

Social Impact Assessment

7. Within six (6) months of this approval, Social Impact Assessment and Social Impact Management Plan shall be submitted to and approved by the Town of Port Hedland, which:
  - 7.1 Includes an adequate level of community consultation with surrounding residents and Aboriginal groups;
  - 7.2 Includes adequate strategies and actions to ensure mental health and wellbeing of occupiers through provision of leisure and recreation options;
  - 7.3 Include timeframes for agreed KPI's;
  - 7.4 Provides details on annual monitoring and reporting of the effectiveness of the SIMP, which shall be submitted by the developer to the Town at the end of every financial year. The SIMP shall be modified in response to any socio-economic issues identified by the Town (based on agreed KPI's) that are a direct result of the approved development's operations.
  - 7.5 Annual monitoring and reporting of the SIMP's implementation shall commence on 1 July 2026 and be reported on 1 July each year thereafter, for the duration of the approval.

#### Access to Rooms

8. By 1 July 2026, the landowner shall enter into an agreement with the Town of Port Hedland for access to 10 rooms at all times to the benefit of the Town of Port Hedland and/or its contractors, at a nominal cost. The agreement shall include at a minimum the following:
  - 8.1 The rooms shall be available each day the facility is in operation, at all times, and be accessible within 48 hours of a booking being made.
  - 8.2 No exclusion periods are to be implemented by the operator.
  - 8.3 The Town is responsible for booking the rooms, with invoices and payments being made by the occupier.
  - 8.4 Nominal cost to incorporate the provision of meals, cleaning and laundry services at cost and be set at the beginning of each financial year (subject to CPI).

The agreement shall be prepared by the Town's solicitors at full cost to the applicant and be in place prior to 1 July 2026.

Landscaping Plan

9. The approved amended landscaping plan shall be implemented before 1 March 2026 and maintained thereafter, to the satisfaction of the Town.

Notification on Title – Vulnerable Coastal Area

10. By 1 July 2026 the landowner shall give written consent to the lodgement on the certificate of title to the land of a notification pursuant to Section 70A of the Transfer of Land Act. The notification shall be prepared and lodged by the Town's Solicitors at the full cost of the landowner, and shall give notification that the lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years and is subject to conditions of development approval which may limit the term of the approval. The notification is to state as follows:

“VULNERABLE COASTAL AREA – This lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years. Development on this lot is subject to conditions of development approval which limit the term of approval and require the development to be removed and the land reinstated to its predevelopment condition. Refer to the Town of Port Hedland for details.”

Notification on Title – Bushfire Management Plan

11. By 1 July 2026 the landowner shall give written consent to the lodgement on the certificate of title to the land of a notification pursuant to Section 70A of the Transfer of Land Act. The notification shall be prepared and lodged by the Town's Solicitors at the full cost of the landowner, and shall give notification of the existence of the approved Bushfire Fire Management Plan and advise landowners of their obligations in respect to the use and ongoing management of the land. The notification is to state as follows:

“This land is within a bushfire prone area as designated by an order made by the Fire and Emergency Services Commissioner and is subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land.”

Site Rehabilitation Plan

12. A site rehabilitation plan shall be submitted to and approved by the Town of Port Hedland by 31 October 2031.

- 12.1 The landowner must remove all transportable buildings from the land by no later than 30 April 2034 in accordance with an approved Site Rehabilitation Plan, on the termination of workforce accommodation use.

Community Contribution

13. At the applicant's cost, enter into an agreement with Town of Port Hedland to provide a contribution to a value of \$67,109 for the ten (10) year period, ending



2033. The contribution shall only be used for the establishment of community infrastructure within close proximity to the facility which occupiers and residents can utilise for recreation purposes. The contribution shall be paid in full (lump sum) unless other alternative arrangements are agreed in writing with the Town.

### **General Conditions**

#### Building report

14. The landowner is required to comply with the recommendations of the Building Report, if approved by the Town, including repairing or demolishing the building to a standard outlined in the Building Report.

#### Operational Management Plan

15. The development must be carried out in accordance with the approved Operational Management Plan.

#### Stormwater Management

16. All stormwater to be contained and disposed of on-site, to the satisfaction of the Town.

#### Traffic Impact Assessment

17. The development must be carried out in accordance with the approved Traffic Impact Assessment dated 31 July 2023, to the satisfaction of the Town.



Karratha office | Perth office  
P.O. Box 88, Karratha, WA 6714  
info@rffaustalia.com

Chaz Roberts  
Manager Planning and Economic Development  
Town of Port Hedland  
PO Box 41  
Port Hedland WA 6721

3 June 2025

Dear Chaz

**Proposed Amendment to DA 2022/191 - Lot 2 (No. 15) Dempster Street, Port Hedland**

RFF Australia, on behalf of our client, D A Campbell Property Holdings PTY Ltd as trustee for the KDDA Trust (Campbell Transport), are seeking the Town of Port Hedland's support to amend the current development approval for the former immigration detention centre site at 15 Dempster Street, Port Hedland ('the subject site'), which was granted approval at the Special Council Meeting held by Council on 15 May 2023.

The proposed amendments include:

- A five-year extension to the current approval period, extending the expiry date from 30 April 2028 to 30 April 2033; and
- Modifications or deletions to several conditions which, due to procedural delays and evolving site complexity, have become impractical to implement as originally drafted.

These changes are proposed pursuant to Schedule 2, Clause 77 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, which enables a decision-maker to amend or cancel a development approval where appropriate justification is provided. In this instance, the justification for the proposed amendments is based on the following:

- A five-year extension is sought in response to complex and time-consuming condition clearance processes, which have necessitated ongoing engagement with the Town to clarify conditions and refine documentation.
- The extension will support alignment with broader strategic planning processes underway for the site, including consideration of CHRMAP outcomes, National Construction Code compliance, and subdivision feasibility.
- A longer timeframe is necessary to mitigate the risk of technical non-compliance with the current approval, thereby ensuring that future development remains lawful and orderly.
- The extension will facilitate a staged and coordinated approach to redevelopment, allowing for site improvements, such as landscaping and fencing upgrades, to be implemented in line with the site's long-term vision.

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- Sufficient time is required to complete feasibility investigations, secure funding, and pursue investment opportunities that will support more diverse land use outcomes.
- The additional timeframe provides essential planning certainty, particularly in light of delays to the structure planning process and reduces the risk of premature or fragmented development decisions.
- The continued use of the site for workforce accommodation during this interim period represents an efficient and responsive use of existing infrastructure and built form, particularly in the context of ongoing housing constraints across the Pilbara region.

In summary, the proposed amendments are intended to maintain a planning framework that is adaptive, pragmatic, and consistent with the principles of orderly and proper planning.

## Background

The subject site, formerly operated as the Port Hedland Detention Centre and later as Beachfront Village, was acquired in 2022 by Campbell Transport via its subsidiary, D A Campbell Property Holdings Pty Ltd. Following this acquisition, a Development Application was submitted to enable reactivation of the site to provide accommodation for a mix of transient and permanent staff associated with Campbell Transport, while also allowing surplus capacity to be made available to third parties, including community organisations and contractors requiring short-term accommodation in Port Hedland.

Development Approval 2022/197 was granted by the Town of Port Hedland at its Special Council Meeting held on 15 May 2023. The approval related to the temporary use of the existing site infrastructure as workforce accommodation, inclusive of both transportable and in-situ buildings, for a period of five years.

### Refer Attachment A – Development Approval (DA2022/197).

Since the time of approval, the project team has been actively working through the implementation of the development conditions, with particular focus on addressing the more substantive requirements. A key priority has been progressing the preparation of a Structure Plan for the site, as required by Condition 22 of the development approval, which stipulates that a Structure Plan must be submitted to the Town of Port Hedland by 1 July 2025. This requirement is central to ensuring longer-term planning and redevelopment of the site is considered in a manner consistent with the objectives of the Town’s Local Planning Strategy and the Local Planning Scheme No. 7.

## Amended Proposal

The following provides a summary of the proposed amendments to the Development Approval. The proposed amendments have been broken down by theme as separated by conditions, and as granted on the approval.

**Attachment B** provides a detailed and specific description of the amendments proposed, as they relate to specific conditions.

### Condition 1: Approval Extent

Condition 1	<i>This approval is limited to the temporary use of only sixty four (64) transportable buildings for residential accommodation (Workforce Accommodation) and associated buildings for dining / kitchen and</i>
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	<i>laundry facilities, until 30 April 2028, but only in accordance with the following conditions of approval.</i>
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**Justification**

The current five-year approval period, granted on 28 July 2023, was originally considered sufficient for the land use proposed. However, numerous approval conditions have proven resource-intensive, requiring considerable coordination and site-wide planning. Despite the applicant’s best efforts, protracted Town response times have delayed progress and have ultimately delayed occupation of the development.

Additionally, Condition 22 requires the submission of a Structure Plan by July 2025. The process is currently underway and involves a range of complex technical inputs, including coastal management, wind conditions, redevelopment feasibility, and the potential repurposing or demolition of existing buildings. Due to its complexity, the Structure Plan demands substantial time and technical investment and will likely require ongoing resourcing through to its eventual approval.

A five-year extension is therefore sought to:

- Allow sufficient time for structure plan finalisation and staged implementation.
- Coordinate site redevelopment with regulatory, physical, and financial constraints.
- Enable the continued use of the site during the progression of longer-term strategic planning, which is subject to a protracted consideration and approval process.

**Proposed Amendment**

It is proposed that Condition 1 be amended as follows:

<b>Condition 1 (amended)</b>	<i>This approval is limited to the temporary use of only sixty four (64) transportable buildings for residential accommodation (Workforce Accommodation) and associated buildings for dining / kitchen and laundry facilities, until 30 April 2033, but only in accordance with the following conditions of approval.</i>
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**Conditions 12 & 13: Landscaping**

<b>Condition 12</b>	<p><i>The landowner is to submit a landscaping plan to the satisfaction of the Town on or before 1 July 2023. The landscape plan shall depict but not be limited to following:</i></p> <p><i>12.1 Installation of new planting within the verge area consisting of ground cover and shrubs, to the satisfaction of the Town.</i></p> <p><i>12.2 Installation of reticulation within new and existing landscaping areas, within streetscape, to the satisfaction of the Town.</i></p> <p><i>12.3 all cracker dust is to be removed from the verge and streetscape areas.</i></p> <p><i>12.4 removal of mesh security fencing along the Dempster Street boundary and within the streetscape area, to the satisfaction of the Town.</i></p> <p><i>12.5 removal of all barbed wire within streetscape and the property.</i></p> <p><i>12.6 Indicate either no fence or new fence style and materials, within the Dempster Street streetscape. If new fencing proposed, elevation plan of new fence is required to be provided to a visually permeable standard.</i></p>
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	<i>12.7 a schedule of plants and materials in accordance with the Town’s Landscaping Guidelines and Preferred Planting Guide.</i>
<b>Condition 13</b>	<i>The approved landscaping plan shall be implemented before 1 May 2024 and maintained thereafter, to the satisfaction of the Town.</i>

**Justification**

The applicant submitted a detailed Landscaping Plan to the Town of Port Hedland on 3 July 2023, in accordance with Condition 7 and 13 of Development Approval 2022/197. The plan was subsequently reviewed and approved by the Town on 7 March 2025. However, due to the extended assessment timeframe, it was not feasible to implement the required landscaping by the original deadline of 1 May 2024.

The delay in approval intersected with the region’s climatic and seasonal constraints, which make landscaping works—particularly planting and soil treatment—impractical or ineffective during the hotter, drier months. As a result, proceeding with the works earlier would have risked plant failure and compromised the effectiveness of the landscaping outcomes anticipated under the development approval, with a significant cost to the developer.

Campbell Transport is now actively progressing with the landscaping in full accordance with the approved plan. The implementation program has been revised to align with the most suitable planting window and will ensure high-quality and sustainable outcomes. The following key milestones are scheduled:

- Reticulation installation to be completed by the end of May 2025;
- Planting, soil conditioning, and mulch installation are programmed for completion by the end of June 2025.

The applicant is committed to fulfilling all landscaping obligations and delivering an outcome that aligns with the amenity and environmental expectations of the Town. The extension sought reflects a pragmatic response to procedural and climatic constraints and ensures that the approved landscaping will be implemented to a standard that is both effective and enduring.

**Proposed Amendment**

<b>Condition 12 (amended)</b>	<i>To be deleted.</i>
<b>Condition 13 (amended)</b>	<i>The approved landscaping plan shall be implemented before 1 March 2026 and maintained thereafter, to the satisfaction of the Town.</i>

**Condition 16 to 19: Site Safety**

**Condition 16 & 17: Building Condition**

<b>Condition 16</b>	<i>By 1 August 2023 the landowner is to submit to the Town a Building Report prepared by a suitably qualified person which includes an assessment of all buildings on site, their ability to be safely occupied and/or repaired, and identifies any which contain asbestos material.</i>
<b>Condition 17</b>	<i>In respect of buildings identified in the Building Report as being incapable of safe occupation, the landowner shall, either – 17.1 demolish the building or buildings and remove them from the site by a date stipulated by the Town, which subject to Condition 17.2, shall be no later than 30 April 2028; or</i>

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	<i>17.2 if approved by the Town, repair the building to a standard outlined in the Building Report.</i>
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**Justification**

A Building Report was submitted by Peritas on 10 October 2023. In March 2025, the Town requested minor clarifications relating to Unit 51 and Laundry 3. The report found that:

- Temporary buildings can be made safe with minor upgrades.
- Permanent buildings are in poorer condition and require further scoping for cyclone resilience.
- J-Block does not present immediate safety concerns and is in better condition than others.

Further action has been deferred to ensure alignment with broader planning and redevelopment feasibility assessments currently underway. These include architectural concept planning, coastal process analysis, demolition costings, and potential repurposing options. As such, Campbell Transport is now ready to recommence scoping for safety works.

Following this feedback, Campbell Transport has not undertaken further work on the building report, primarily due to the broad and non-prescriptive nature of the Peritas recommendations, which highlight the need for additional scoping and cost analysis before any works can be meaningfully progressed.

However, progressing such works in isolation, particularly for medium-term upgrades, would be premature without first resolving the broader question of which structures are likely to remain as part of any future redevelopment. Addressing these matters must be aligned with the strategic planning of the site.

To this end, Campbell Transport has prioritised a series of interrelated planning and feasibility tasks over the past 12 months to guide long-term decision-making. These include:

- Engaging building designers to prepare concept plans for the potential repurposing of in-situ buildings.
- Commissioning a quantity surveyor to assess demolition costs.
- Engaging architects to produce redevelopment concepts that respond to wind and coastal hazard constraints.
- Undertaking feasibility assessments of various redevelopment options across the site.

Given these ongoing investigations and the need to coordinate site-wide planning outcomes, further scoping and implementation of the building recommendations have been temporarily deferred. Campbell Transport is now able to progress the required building assessments, in parallel with the next phase of detailed planning and feasibility work, ensuring a coordinated and cost-effective approach to site redevelopment.

With respect to asbestos management there is a discrepancy between the NVS asbestos report and on-site observations which has led Campbell Transport to commission certification of the report, which is currently underway. Following this, new samples will be collected and certified, with the aim of completing all asbestos remediation works by the end of August 2025.

<b>Condition 16 (amended)</b>	<i>By 1 October 2025 the landowner is to submit to the Town an Amended Building Report prepared by a suitably qualified person which includes an assessment of all buildings on site, their ability to be</i>
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	<i>safely occupied and/or repaired, and identifies any which contain asbestos material.</i>
<b>Condition 17 (amended)</b>	<i>The applicant is required to comply with the recommendations of the Building Report.</i>

**Condition 18 and 19: Demolition (including J-Block)**

<b>Condition 18</b>	<i>In respect of the building referred to as ‘J’ Block (former high security isolation facility of the former Detention Centre use); the landowner shall, before 1 July 2025, either – 18.1 demolish the building and remove it from the land; or 18.2 if approved by the Town, renovate the building to a standard agreed by the Town.</i>
<b>Condition 19</b>	<i>If any building required to be demolished and removed from the land is not demolished and removed by the time required by Condition 17 or 18 (as the case may be), this approval to use the land temporarily for workforce accommodation shall immediately terminate. For the removal of doubt, the early termination operates notwithstanding Conditions 1 and 2, and does not affect the landowner’s obligation to demolish and remove buildings from the site pursuant to Conditions 17 and 18.</i>

**Justification**

The current requirement under Condition 18 mandates the demolition or renovation of J-Block by 1 July 2025. However, this condition isolates J-Block from the broader site context and prioritises its removal without reference to its structural condition, broader planning outcomes, or strategic redevelopment considerations. The urgency placed on demolishing J-Block appears to stem from streetscape concerns along Dempster Street rather than any substantiated safety or structural risk.

The Building Report prepared by Peritas confirms that J-Block does not pose any immediate safety hazards and, in fact, is in better condition than many other structures on-site. Elevating its demolition above other potentially higher-risk buildings is inconsistent with the engineering evidence and the principles of risk-based prioritisation. More critically, approaching demolition decisions in isolation undermines the integrated planning now being progressed across the site. Several ongoing investigations—including coastal process assessments, revised wind rating requirements, feasibility studies, and architectural concept planning—are evaluating the viability of retaining and repurposing existing buildings as part of the long-term redevelopment strategy. Given the implications of the coastal erosion setback line and new wind classification zones, the existing in-situ structures may represent valuable assets if retained and adapted, offering cost and compliance efficiencies not available with new builds in constrained areas of the site.

For these reasons, a site-wide Demolition Plan, informed by the Building Report and coordinated with ongoing planning and feasibility work, represents a more appropriate and strategic mechanism. It ensures that demolition activities are not carried out in a piecemeal or premature manner, but rather support a staged, cost-effective, and context-responsive redevelopment of the site.

Accordingly, Condition 18 has been amended to require submission of a Demolition Plan by 1 October 2025 that aligns with broader planning outcomes. Condition 19, which imposes a blanket termination of approval for non-compliance, is proposed to be deleted

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to reflect the more nuanced and integrated approach to redevelopment now being pursued.

<p><b>Condition 18 (amended)</b></p>	<p><i>By 1 November 2025 the landowner shall prepare and submit a Demolition Plan to the satisfaction of the local government. The Demolition Plan shall:</i></p> <ol style="list-style-type: none"> <li><i>a. Clearly identify all buildings and structures proposed to be demolished;</i></li> <li><i>b. Specify the indicative timeframes and target dates for demolition of each structure; and</i></li> <li><i>c. Be consistent with the recommendations of the Building Report.</i></li> </ol> <p><i>The demolishing shall thereafter be carried out in accordance with the approved Demolition Plan, unless otherwise agreed in writing by the local government.</i></p>
<p><b>Condition 19 (amended)</b></p>	<p><i>To be deleted.</i></p>

### Conclusion

In summary, the applicant seeks the Town’s support for the following amendments to Development Approval 2022/197 for Lot 2 (No. 15) Dempster Street, Port Hedland:

- Condition 1: Extend the current approval period from 30 April 2028 to 30 April 2033. This extension is necessary to provide sufficient time for coordinated implementation of site improvements, completion of the structure planning process, and the staged delivery of redevelopment outcomes in alignment with the Town’s strategic planning framework.
- Conditions 12 & 13: Replace the original landscaping timeframe with a revised and achievable delivery program. The approved Landscaping Plan, endorsed on 7 March 2025, is currently being implemented, with reticulation to be completed by May 2025 and planting works by June 2025. Condition 12 is proposed to be deleted (having been satisfied), and Condition 13 amended to require completion of landscaping works by 1 March 2026. This reflects seasonal constraints and ensures high-quality outcomes.
- Condition 16: Extension of the submission deadline to 1 October 2025 to allow alignment with ongoing site-wide planning and feasibility work, ensuring a coordinated and cost-effective approach to building assessments, safety scoping, and potential redevelopment.
- Condition 17: Amended to require compliance with the outcomes of the Building Report.
- Condition 18: Replaced with a requirement to submit a Demolition Plan that aligns with the findings of the Building Report and broader site-wide planning objectives, supporting a coordinated approach to demolition and the potential reuse of structures as part of the long-term redevelopment strategy, rather than targeting individual buildings (e.g. J-Block) in isolation.
- Condition 19: Deleted to prevent automatic termination of the approval where demolition or compliance actions are underway and being implemented in good faith and in coordination with the Town.



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These amendments are intended to support a more flexible, staged, and strategically coherent redevelopment process. They will also ensure the site continues to contribute to local workforce housing needs during a period of constrained supply, while enabling orderly transition to a long-term use consistent with the Town's Local Planning Strategy and Local Planning Scheme.

We trust this submission provides a sound and reasonable basis for the proposed modifications and look forward to the Town's support in progressing this amendment.

Regards

A handwritten signature in blue ink, appearing to read 'Owen Hightower', written over a light blue grid background.

Owen Hightower  
Director  
RFF Australia

## 8.2 Regulatory Services

8.2.1	TEMPORARY APPROVAL OF WORKFORCE ACCOMMODATION (FORMER PORT HEDLAND DETENTION CENTRE) AT LOT 2 (NO.15) DEMPSTER STREET, PORT HEDLAND
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Author: Senior Urban Planner  
 Authorising Officer: Manager Town Planning and Development  
 Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

## CM202223/055 COUNCIL DECISION

MOVED: CR CHRISTENSEN

SECONDED: CR ECKHART

That Council, pursuant to Clause 74 and Clause 77 of Schedule 2 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, APPROVES an amendment to the Planning Application 2009/504 on Lot 2 (No. 15) Dempster Street, Port Hedland for Temporary Workforce Accommodation subject to the following conditions and advice notes:

## Extent

1. This approval is limited to the temporary use of only sixty-four (64) transportable buildings for residential accommodation (Workforce Accommodation) and associated buildings for dining / kitchen and laundry facilities, until 30 April 2028, but only in accordance with the following conditions of approval.
2. Subject to Conditions 19 and 23, the landowner shall cease the approved use by 30 April 2028.
3. Subject to Condition 4, the landowner must remove all transportable buildings from the land by no later than 30 April 2029 in accordance with an approved Site Rehabilitation Plan, which shall be submitted to and approved by the Town of Port Hedland by 31 October 2027.
4. If the use of the land is terminated early pursuant to Condition 19 or 23, the landowner must remove all transportable buildings from the land by no later than six months after the date of early termination.
5. This decision to approve shall expire if the development has not substantially commenced within two (2) years of the decision date.
6. This approval supersedes previous development approval 2009/504 and all associated conditions.
7. Pursuant to Clause 74 of the Deemed Provisions, the development may not be commenced until the Town of Port Hedland has approved the plans required by conditions 9 and 10,

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#### Limitations on use

8. A maximum of 208 persons are permitted to be accommodated on the property at any one time, including workforce and service workforce staff.

#### Plans

9. The landowner to submit amended and accurate plans to the satisfaction of the Town for approval on or before 1 July 2023. The approved development shall be in accordance with the stamped approved plans.
10. The landowner must submit an Operational Management Plan, on or before 1 August 2023, outlining the following, for approval by the Town:
- 10.1 Complaints Management Procedure.
  - 10.2 Contact details of the landowner and site manager.
  - 10.3 Fire and Emergency Management Plan.
  - 10.4 Noise Management Plan.
  - 10.5 Vehicle and Bicycle Parking Management Plan, to include but not be limited to the following:
    - show which car parking bays will be allocated for visitors, occupants, staff and disabled person/s.
    - bicycle allocations for the workforce and location of bicycle parking area(s).
    - parking bays to designed as 'User Class 3A' instead of current 'User Class 1A'.
    - location of bus parking area on site.
    - provide an accurate site plan depicting locations of all parking areas.
  - 10.6 Traffic Management Plan, to include but not be limited to the following:
    - how workforce trips will be controlled.
    - details or estimated times of movements (or update Traffic Impact Assessment report).
  - 10.7 Lighting Management Plan to include but not be limited to the following:
    - A floodlight plan indicating location, type and lumens of all lighting.
    - Indicate lighting management strategy for consideration of sensitive adjoining marine and native fauna.
  - 10.8 Cyclone Management Plan to include but not be limited to the following:
    - Identify the buildings which are proposed for emergency cyclone sheltering purposes and their level of importance.
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- The actions to be taken at each cyclone alert level.
  - Alternative measures to ensure the safe relocation of residents to appropriate facilities in the event of a cyclone.
- 10.9 Health and Safety Management Plan for occupants and visitors, with reference but not limited to the following:
- location and provision of private, communal and general open space areas on and off the property.
  - how privacy / minimum areas can be achieved with screening and/or fencing,
  - opportunities for recreation facilities on and off site.
  - location of CCTV or other security systems to be used.
  - opportunity for and location of end-of-trip facilities for service staff.
- 10.10 Details of any food, beverage and liquor to be sold or consumed on site, including details of how this may impact or benefit the surrounding community, and detail of how any identified impacts can be effectively managed.
11. The development must be carried out in accordance with the approved Operational Management Plan.
12. The landowner is to submit a landscaping plan to the satisfaction of the Town on or before 1 July 2023. The landscape plan shall depict but not be limited to following:
- 12.1 Installation of new planting within the verge area consisting of ground cover and shrubs, to the satisfaction of the Town.
  - 12.2 Installation of reticulation within new and existing landscaping areas, within streetscape, to the satisfaction of the Town.
  - 12.3 all cracker dust is to be removed from the verge and streetscape areas.
  - 12.4 removal of mesh security fencing along the Dempster Street boundary and within the streetscape area, to the satisfaction of the Town.
  - 12.5 removal of all barbed wire within streetscape and the property.
  - 12.6 Indicate either no fence or new fence style and materials, within the Dempster Street streetscape. If new fencing proposed, elevation plan of new fence is required to be provided to a visually permeable standard.
  - 12.7 a schedule of plants and materials in accordance with the Town's Landscaping Guidelines and Preferred Planting Guide.
13. The approved landscaping plan shall be implemented before 1 May 2024 and maintained thereafter, to the satisfaction of the Town.
14. The landowner to submit an amended Traffic Impact Assessment for approval by the Town on or before 1 August 2023. The development must comply with any requirements arising from the approved Traffic Impact Assessment.
15. Within six months of commencement of the development, an updated Social Impact Assessment and Social Impact Management Plan shall be submitted to and approved by the Town of Port Hedland, which:
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- 15.1 Includes an adequate level of community consultation with surrounding residents and Aboriginal groups;
  - 15.2 Includes adequate strategies and actions to ensure mental health and wellbeing of occupiers through provision of leisure and recreation options;
  - 15.3 Include timeframes for agreed KPI's;
  - 15.4 Provides details on annual monitoring and reporting of the effectiveness of the SIMP, which shall be submitted by the developer to the Town at the end of every financial year. The SIMP shall be modified in response to any socio-economic issues identified by the Town (based on agreed KPI's) that are a direct result of the approved development's operations.
  - 15.5 Annual monitoring and reporting of the SIMP's implementation shall commence on 1 July 2024 and be reported on 1 July each year thereafter, for the duration of the approval.

#### Site safety

- 16. By 1 August 2023 the landowner is to submit to the Town a Building Report prepared by a suitably qualified person which includes an assessment of all buildings on site, their ability to be safely occupied and/or repaired, and identifies any which contain asbestos material.
- 17. In respect of buildings identified in the Building Report as being incapable of safe occupation, the landowner shall, either –
  - 17.1 demolish the building or buildings and remove them from the site by a date stipulated by the Town, which subject to Condition 17.2, shall be no later than 30 April 2028; or
  - 17.2 if approved by the Town, repair the building to a standard outlined in the Building Report.
- 18. In respect of the building referred to as 'J' Block (former high security isolation facility of the former Detention Centre use); the landowner shall, before 1 July 2025, either –
  - 18.1 demolish the building and remove it from the land; or
  - 18.2 if approved by the Town, renovate the building to a standard agreed by the Town.
- 19. If any building required to be demolished and removed from the land is not demolished and removed by the time required by Condition 17 or 18 (as the case may be), this approval to use the land temporarily for workforce accommodation shall immediately terminate. For the removal of doubt, the early termination operates notwithstanding Conditions 1 and 2, and does not affect the landowner's obligation to demolish and remove buildings from the site pursuant to Conditions 17 and 18.
- 20. All stormwater to be contained and disposed of on-site, to the satisfaction of the Town.

#### Contributions

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21. Prior to occupation of the site, the developer shall make a community contribution of \$63,840, for the purpose of expenditure by the Town of Port Hedland on local community infrastructure, including but not limited to shared paths within close proximity to the facility which occupiers and residents can utilise for recreation purposes. The contribution shall be paid in full (lump sum) unless other alternative arrangements are agreed in writing with the Town.

#### Future planning

22. In recognition of the fact that the land is in an area for which the preparation of a structure plan is required and that this approval represents a temporary land use pending redevelopment in accordance with an approved structure plan, the landowner is to submit a structure plan and supporting technical documents as required by the Town in accordance with the Department of Planning Lands and Heritage Structure Plan Guidelines, *Local Planning Scheme No. 7* and the *Planning and Development (Local Planning Schemes) Regulations 2015* on or before 1 July 2025.
23. If the structure plan and supporting technical documents are not submitted in accordance with the preceding condition, the approval to use the land for temporary workforce accommodation shall terminate on 30 April 2026. For the removal of doubt, the early termination operates notwithstanding conditions 1 and 2, and does not affect the landowner's obligation to demolish and remove any building pursuant to conditions 17 or 18.

#### Notifications

24. By 1 July 2023 the landowner shall give written consent to the lodgement on the certificate of title to the land of a notification pursuant to Section 70A of the Transfer of Land Act. The notification shall be prepared and lodged by the Town's Solicitors at the full cost of the landowner, and shall give notification that the lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years and is subject to conditions of development approval which may limit the term of the approval. The notification is to state as follows:

"VULNERABLE COASTAL AREA –This lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years. Development on this lot is subject to conditions of development approval which limit the term of approval and require the development to be removed and the land reinstated to its predevelopment condition. Refer to the Town of Port Hedland for details."

25. By 1 July 2023 the landowner shall give written consent to the lodgement on the certificate of title to the land of a notification pursuant to Section 70A of the Transfer of Land Act. The notification shall be prepared and lodged by the Town's Solicitors at the full cost of the landowner, and shall give notification of the existence of the approved Bushfire Fire Management Plan and advise landowners of their obligations in respect to the use and ongoing management of the land. The notification is to state as follows:

“This land is within a bushfire prone area as designated by an order made by the Fire and Emergency Services Commissioner and is subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land.”

#### Access to Rooms

26. The landowner to enter into an agreement with the Town for granting access to 10-rooms to the benefit of the Town of Port Hedland and its contractors associated with Town of Port Hedland projects, at a nominal cost. The agreement shall include at a minimum the following:
- a. The rooms shall be available each day the facility is in operation, at all times, and accessible within 48 hours of a booking being made
  - b. No exclusion periods are to be implemented by the operator
  - c. The Town is responsible for booking the rooms, with invoices for payments being made by the occupier.
  - d. Nominal cost to incorporate provision of meals, cleaning and laundry services at cost and be set at the beginning of each financial year (subject to CPI).
- The agreement shall be prepared by the Town’s solicitors at the full cost of the applicant and be in place prior to operation of the facility.

*CARRIED BY SIMPLE MAJORITY (8/0)*

#### PURPOSE

The purpose of this report is for Council to consider a proposal for workforce accommodation and ancillary uses (dining / kitchen and laundry) at Lot 2 (No. 15) Dempster Street, Port Hedland (**Attachment 4**).

The application is re-presented for determination as the Applicant has amended the proposal after the decision of the Council not to support the officer’s recommendation when presented to the Ordinary Council Meeting on 29 March 2023.

The proposal remains a significant development and future development area, and will introduce workforce accommodation within the townsite boundaries, now proposing only use of 64 transportable dwellings, with a total of 208 rooms.

#### DETAIL

##### Council Meeting 29 March 2023

The application was presented to the Council meeting on 29 March 2023. After considerable discussion, the motion to support the officer’s recommendation was lost (Item 12.3.4 – Council Decision Reference CM202223/022).

The initial proposal and application (**Attachment 1**) was recommended for approval as per the following:

*“That Council, pursuant to Clause 74 and Clause 77 of Schedule 2 of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, APPROVES Amendment to the Planning Application 2009/504 on Lot 2 (No. 15) Dempster Street, Port Hedland for Temporary Workforce Accommodation subject to the following conditions and advice notes:*

#### *Extent*

- 1 This approval is limited to the temporary use of only sixty four (64) transportable buildings for residential accommodation (Workforce Accommodation) and associated buildings for dining / kitchen and laundry facilities, until 30 April 2028, but only in accordance with the following conditions of approval.*
- 2 Subject to Conditions 19 and 23, the landowner shall cease the approved use by 30 April 2028.*
- 3 Subject to Condition 4, the landowner must remove all transportable buildings from the land by no later than 30 April 2029 in accordance with an approved Site Rehabilitation Plan, which shall be submitted to and approved by the Town of Port Hedland by 31 October 2027.*
- 4 If the use of the land is terminated early pursuant to Condition 19 or 23, the landowner must remove all transportable buildings from the land by no later than six months after the date of early termination.*
- 5 This decision to approve shall expire if the development has not substantially commenced within two (2) years of the decision date.*
- 6 This approval supersedes previous development approval 2009/504 and all associated conditions.*
- 7 Pursuant to Clause 74 of the Deemed Provisions, the development may not be commenced until the Town of Port Hedland has approved the plans required by conditions 9 and 10,*

#### *Limitations on use*

- 8 A maximum of 208 persons are permitted to be accommodated on the property at any one time, including workforce and service workforce staff.*

#### *Plans*

- 9 The landowner to submit amended and accurate plans to the satisfaction of the Town for approval on or before 1 July 2023. The approved development shall be in accordance with the stamped approved plans.*
- 10 The landowner must submit an Operational Management Plan, on or before 1 August 2023, outlining the following, for approval by the Town:*
  - 10.1 Complaints Management Procedure.*
  - 10.2 Contact details of the landowner and site manager.*
  - 10.3 Fire and Emergency Management Plan.*
  - 10.4 Noise Management Plan.*
  - 10.5 Vehicle and Bicycle Parking Management Plan, to include but not be limited to the following:*
    - show which car parking bays will be allocated for visitors, occupants, staff and disabled person/s.*
    - bicycle allocations for the workforce and location of bicycle parking area(s).*
    - parking bays to designed as ‘User Class 3A’ instead of current ‘User Class 1A’.*
    - location of bus parking area on site.*
    - provide an accurate site plan depicting locations of all parking areas.*
  - 10.6 Traffic Management Plan, to include but not be limited to the following:*
    - how workforce trips will be controlled.*



- details or estimated times of movements (or update Traffic Impact Assessment report).
- 10.7 Lighting Management Plan to include but not be limited to the following:
- A floodlight plan indicating location, type and lumens of all lighting.
  - Indicate lighting management strategy for consideration of sensitive adjoining marine and native fauna.
- 10.8 Cyclone Management Plan to include but not be limited to the following:
- Identify the buildings which are proposed for emergency cyclone sheltering purposes and their level of importance.
  - The actions to be taken at each cyclone alert level.
  - Alternative measures to ensure the safe relocation of residents to appropriate facilities in the event of a cyclone.
- 10.9 Health and Safety Management Plan for occupants and visitors, with reference but not limited to the following:
- location and provision of private, communal and general open space areas on and off the property.
  - how privacy / minimum areas can be achieved with screening and/or fencing,
  - opportunities for recreation facilities on and off site.
  - location of CCTV or other security systems to be used.
  - opportunity for and location of end-of-trip facilities for service staff.
- 10.10 Details of any food, beverage and liquor to be sold or consumed on site, including details of how this may impact or benefit the surrounding community, and detail of how any identified impacts can be effectively managed.
- 11 The development must be carried out in accordance with the approved Operational Management Plan.
- 12 The landowner is to submit a landscaping plan to the satisfaction of the Town on or before 1 July 2023. The landscape plan shall depict but not be limited to following:
- 12.1 Installation of new planting within the verge area consisting of ground cover and shrubs, to the satisfaction of the Town.
- 12.2 Installation of reticulation within new and existing landscaping areas, within streetscape, to the satisfaction of the Town.
- 12.3 all cracker dust is to be removed from the verge and streetscape areas.
- 12.4 removal of mesh security fencing along the Dempster Street boundary and within the streetscape area, to the satisfaction of the Town.
- 12.5 removal of all barbed wire within streetscape and the property.
- 12.6 Indicate either no fence or new fence style and materials, within the Dempster Street streetscape. If new fencing proposed, elevation plan of new fence is required to be provided to a visually permeable standard.
- 12.7 a schedule of plants and materials in accordance with the Town's Landscaping Guidelines and Preferred Planting Guide.
- 13 The approved landscaping plan shall be implemented before 1 May 2024 and maintained thereafter, to the satisfaction of the Town.
- 14 The landowner to submit an amended Traffic Impact Assessment for approval by the Town on or before 1 August 2023. The development must comply with any requirements arising from the approved Traffic Impact Assessment.
- 15 Within six months of commencement of the development, an updated Social Impact Assessment and Social Impact Management Plan shall be submitted to and approved by the Town of Port Hedland, which:
- 15.1 Includes an adequate level of community consultation with surrounding residents and Aboriginal groups;

- 15.2 *Includes adequate strategies and actions to ensure mental health and wellbeing of occupiers through provision of leisure and recreation options;*
- 15.3 *Include timeframes for agreed KPI's;*
- 15.4 *Provides details on annual monitoring and reporting of the effectiveness of the SIMP, which shall be submitted by the developer to the Town at the end of every financial year. The SIMP shall be modified in response to any socio-economic issues identified by the Town (based on agreed KPI's) that are a direct result of the approved development's operations.*
- 15.5 *Annual monitoring and reporting of the SIMP's implementation shall commence on 1 July 2024 and be reported on 1 July each year thereafter, for the duration of the approval.*

#### Site safety

- 16 *By 1 August 2023 the landowner is to submit to the Town a Building Report prepared by a suitably qualified person which includes an assessment of all buildings on site, their ability to be safely occupied and/or repaired, and identifies any which contain asbestos material.*
- 17 *In respect of buildings identified in the Building Report as being incapable of safe occupation, the landowner shall, either –*
  - 17.1 *demolish the building or buildings and remove them from the site by a date stipulated by the Town, which subject to Condition 17.2, shall be no later than 30 April 2028; or*
  - 17.2 *if approved by the Town, repair the building to a standard outlined in the Building Report.*
- 18 *In respect of the building referred to as 'J' Block (former high security isolation facility of the former Detention Centre use); the landowner shall, before 1 July 2025, either –*
  - 18.1 *demolish the building and remove it from the land; or*
  - 18.2 *if approved by the Town, renovate the building to a standard agreed by the Town.*
- 19 *If any building required to be demolished and removed from the land is not demolished and removed by the time required by Condition 17 or 18 (as the case may be), this approval to use the land temporarily for workforce accommodation shall immediately terminate. For the removal of doubt, the early termination operates notwithstanding Conditions 1 and 2, and does not affect the landowner's obligation to demolish and remove buildings from the site pursuant to Conditions 17 and 18.*
- 20 *All stormwater to be contained and disposed of on-site, to the satisfaction of the Town.*

#### Contributions

- 21 *Prior to occupation of the site, the developer shall make a community contribution of \$63,840, for the purpose of expenditure by the Town of Port Hedland on local community infrastructure, including but not limited to shared paths within close proximity to the facility which occupiers and residents can utilise for recreation purposes. The contribution shall be paid in full (lump sum) unless other alternative arrangements are agreed in writing with the Town.*

#### Future planning

- 22 *In recognition of the fact that the land is in an area for which the preparation of a structure plan is required and that this approval represents a temporary land use pending redevelopment in accordance with an approved structure plan, the landowner is to submit a structure plan and supporting technical documents as required by the Town in accordance with the Department of Planning Lands and Heritage Structure Plan Guidelines, Local Planning Scheme No. 7 and the Planning and Development (Local Planning Schemes) Regulations 2015 on or before 1 July 2025.*
- 23 *If the structure plan and supporting technical documents are not submitted in accordance with the preceding condition, the approval to use the land for temporary workforce accommodation shall terminate on 30 April 2026. For the removal of doubt, the early termination operates*

*notwithstanding conditions 1 and 2, and does not affect the landowner's obligation to demolish and remove any building pursuant to conditions 17 or 18.*

#### *Notifications*

- 24 *By 1 July 2023 the landowner shall give written consent to the lodgement on the certificate of title to the land of a notification pursuant to Section 70A of the Transfer of Land Act. The notification shall be prepared and lodged by the Town's Solicitors at the full cost of the landowner, and shall give notification that the lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years and is subject to conditions of development approval which may limit the term of the approval. The notification is to state as follows:*

*"VULNERABLE COASTAL AREA –This lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years. Development on this lot is subject to conditions of development approval which limit the term of approval and require the development to be removed and the land reinstated to its predevelopment condition. Refer to the Town of Port Hedland for details."*

- 25 *By 1 July 2023 the landowner shall give written consent to the lodgement on the certificate of title to the land of a notification pursuant to Section 70A of the Transfer of Land Act. The notification shall be prepared and lodged by the Town's Solicitors at the full cost of the landowner, and shall give notification of the existence of the approved Bushfire Fire Management Plan and advise landowners of their obligations in respect to the use and ongoing management of the land. The notification is to state as follows:*

*"This land is within a bushfire prone area as designated by an order made by the Fire and Emergency Services Commissioner and is subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land." "*

#### Site Context

Lot 2 (No. 15) Dempster Street, Port Hedland is 3.23 hectares in area. The lot is located east side of the Port Hedland suburban area and abuts the foreshore reserve and dunes (north). Immediately north-east of the subject site, two lots contain, single and two storey grouped dwellings. Two properties abutting to the west and south-west also contain single and two storey grouped dwellings and a former recreation facility, presently privately owned and disused. The land opposite, along the Dempster Street frontage contain two storey grouped dwellings.

Community uses located within 300 metres from the subject site are:

- 'One Tree Len Taplin' childcare centre, located south-east on Dempster Street.
- YMCA Port Hedland Early Learning Centre located on corner of Dempster Street and Keesing Street.
- Andrew McLaughlin Community Centre, located east on Keesing Street
- Cooke Point Playgroup located east on Keesing Street.

Dempster street and immediate surrounding streets are local roads. Connector streets for through access in the locale are Keesing Street, Robinson Street, Thompson Street, Tinder Street, Corney Street, Sutherland Street and Anderson Street. Larger capacity streets or 'District Distributor Roads' for access to commercial uses in around the port facilities, local

shopping, and other employment attractors are Athol Street, McGregor Street, Cooke Point Road. Wilson Street is a Primary Distributor Road in the road hierarchy.

The subject site presently contains 76 separate buildings, estimated to contain a total of 510 bedrooms. The buildings are made up of:

- 64 single storey transportable buildings, of which:
  - 13 units have 3 bedrooms (Total: 39 bedrooms).
  - 50 units have 4 bedrooms (Total: 171 bedrooms).
  - 1 unit laundry facilities;
- 8 two storey in-situ residential buildings (each with 30 bedrooms) (Total: 240 bedrooms);
- 1 two storey building (referred to as 'J - Block') (former high security isolation facility of the former detention centre use) (can be modified for accommodation – potential 30 rooms);
- 1 two storey administration building (can be used for accommodation – potential 30 rooms);
- 1 single storey dining and kitchen building; and
- 1 single storey building (former gymnasium recreation building).



Aerial Photo – 15 Dempster St, Port Hedland

Background

Lot 2 was previously owned by the Commonwealth of Australia Department of Home Affairs. It was purchased in September 2022 by DA Campbell Property Holdings Pty Ltd (subsidiary of Campbell Transport).

The applicant seeks to amend a former development approval issued by the Town on 6 October 2009. Pursuant to clause 77 of the Deemed Provisions, of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the owner of land in respect of the development approval granted, can make an application to amend or delete any condition to which the approval is relevant.

The development approval (DA2009/540) is described in Town's records as "Temporary Use – Residential Buildings Including 14 Additional Temporary Buildings". The approval document states the conditions as:

- "1. This approval relates only to the proposed TEMPORARY USE - RESIDENTIAL BUILDINGS - including 14 additional temporary buildings and other incidental development, as indicated on the approved plans. It does not relate to any other development on this lot.*
- 2. The temporary use of the site for RESIDENTIAL BUILDINGS is valid until 30 April 2012 only.*
- 3. This buildings and works approved by this permit must be commenced within twelve (12) months (sic).*
- 4. A maximum of 432 persons may be accommodated on site at any one time.*
- 5. A minimum of 304 parking bays must be provided for the use including a minimum of 6 disabled bays and 15 oversize vehicle bays to the satisfaction of the Manager Planning.*
- 6. Car parking bays and accessways required by Condition 5 must be designed in accordance with the requirements of the Town of Port Hedland Town Planning Scheme No. 5 - Appendix 8. Such areas are to be constructed, sealed, drained, kerbed, marked and signposted and thereafter maintained to the satisfaction of the Manager Planning.*
- 7. Within 30 days of the date of this approval, a detailed landscaping plan for the eastern portion of the site (approximately 70m) along Dempster Street must be submitted to and approved by the Manager Planning. Such landscaping plan must take into consideration the existing landscaping works in the locality including works that have been undertaken within the road verge.*
- 8. Within 60 days, or such further period as may be agreed by the Manager Planning, landscaping and reticulation must be established in accordance with the approved detailed plans to the satisfaction of the Manager Planning.*
- 9. The Stormwater disposal to be designed in accordance with Council's Engineering Department Guidelines, and all to the satisfaction of the Manager Planning.*
- 10. No access is permitted to Reserve 30768 (Foreshore Reserve) without the further written consent of Council.*
- 11. Any roof mounted or freestanding plant or equipment such as air conditioning units to be located and/or screened so as not to be visible from beyond the boundaries of the development site.*



12. *Within 60 days of the expiry of this permit, all temporary buildings must be removed from the site and the land made good to the satisfaction of the manager planning.*

### History

1967-1974	Mt Newman Mining Company constructed the single men's accommodation due to lack of housing in the boom years of the 1960-1970 period.
1991	The BHP single men's quarters were converted into an immigration detention center (Port Hedland Detention Centre).
April 2001	The Port Hedland Detention Centre had a holding capacity for 820 persons, but housed 400 detainees.
May 2004	The last 17 detainees were removed from Port Hedland Detention Centre.
2007	Port Hedland Detention Centre was decommissioned.
28 Nov 2007	The former Port Hedland Detention Centre is recognised in the Town of Port Hedland Local Heritage Survey.
21 Dec 2007	Development Approval from the Town for Change of use – 'use not listed (detention center)' to residential building and addition of 49 transportable buildings.
6 Oct 2009	Development Approval issued by the Town for Temporary use - Residential Buildings, including 14 additional temporary buildings.
June 2013	An heritage assessment was completed by AECOM Australia on behalf of the Department of Finance and Deregulation, with amendments and/or additions by the Heritage Council and the Department of Planning, Lands and Heritage
2017	The property and buildings are list under the Town's Municipal Heritage Inventory.
11 Dec 2020	The Port Hedland Detention Centre (former) is assessed by the Heritage Council of Western Australia and declared to have insufficient cultural heritage significance at the State level for inclusion in the State Register of Heritage Places.
May 2021	Stephen Carrick Architects was engaged by the Department of Home Affairs to prepare an Archival Record for the Port Hedland Detention Centre.
6 Dec 2022	Formal Lodgment of this Application for Development Approval with the Town of Port Hedland
13 Feb 2023	Applicant and landowner conducted an onsite meeting-inspection with Town of Port Hedland Councillors, and officers.

### Proposal

Further to the Council decision on 29 March 2023, the applicant has amended the application (submitted 1 May 2023) (**Attachment 4**) proposing the following:

*“The proposed development is seeking to permit the use of the transportable buildings only (a total of 208-rooms) as temporary workforce accommodation for a period not longer than 5-years. The grant would be subject to conditions agreed with the Town of Port Hedland including the provision of 10-rooms to the Town of Port Hedland at cost for the organisations or the community’s benefit.*

*No other changes are proposed other than what may be required through conditions of approval agreed with the Town of Port Hedland.*

*The proposal contemplates use of the existing site for a five-year period to*

*- Provide accommodation for Campbell transport staff, shifting their operations from residential rental accommodation making available around 40 dwellings to the broader property market in doing so;*

*- deliver the Town of Port Hedland additional rooms to meet their requirements or to benefit the broader community at cost estimated to be between \$80 - \$100 p/night.”*

The application formerly proposed to reactivate the use of the entire site by use all 76 buildings.

Supporting and technical documents submitted with the application are:

1. Copy of certificate of title and deposited plan.
2. Copy of plans (only the former approved plans for DA2009/540).
3. Transport Impact Assessment by Flyt Pty Ltd (Transport Consultancy).
4. Social Impact Assessment by Lucid Economics (Economic Consultancy).
5. Bush Fire Management Plan by Linfire Consultancy.

### Planning Framework

- Planning and Development (Local Planning Schemes) Regulations 2015
- Local Planning Strategy
- Local Planning Scheme No. 5 (Reference only)
- Local Planning Scheme No. 7
- Local Planning Policy – 05 ‘Workforces Accommodation’
- Local Planning Policy - 06 ‘Social Impact Assessment’

### Determination Options

Given the nature of the development being predominantly for ‘Workforce Accommodation’, the general limitation placed by this and the amendment to the proposal, it is considered there are 2 options available for how the Council can determine the application.

	Conditions	Comments
Option 1:	<ul style="list-style-type: none"> <li>Approve the partial use of the site, limited to 64 transportable buildings (a maximum of 208 persons) and an associated dining and kitchen building only.</li> </ul>	<ul style="list-style-type: none"> <li>Partial use of site permits the landowner to use about 64 buildings on site.</li> <li>The use assists the owner to support the financial investment.</li> <li>The limited use will limit wider impact on the amenity of the surrounding residential use.</li> <li>The partial use gives an opportunity to test the landowner's/operator's ability to manage the site and any issues that arise.</li> <li>The established car parking of 145 bays, can only support, a workforce of 150 persons.</li> <li>The former approval (DA2009/540) required a minimum of 304 car parking bays be provided on site for the 432 persons originally permitted. The full use of the site cannot be established without the removal of some buildings for additional parking.</li> <li>No building have been removed since the issue of the former approval.</li> <li>The living environment i.e. landscaping/private open space can be improved by removal/demolition of some buildings.</li> </ul> <p>The availability of some rooms for rental will assist with the shortage of rental accommodation in town.</p>
Option 2:	<ul style="list-style-type: none"> <li>Refuse the application.</li> </ul>	<ul style="list-style-type: none"> <li>The development may have a detrimental impact on the residential community.</li> <li>The 24hr nature of the use for workforce accommodation could be incompatible with the residential amenity of the locality.</li> <li>Full use of the site will have wider impact on the amenity of the surrounding residential area.</li> <li>The living environment i.e. landscaping/private open space and on-site amenities are limited and not suitable for workforce accommodation.</li> </ul>

Social Impact Assessment

Social Impact Assessment (SIA) is a process for identifying analysis, assessment, management and monitoring of the potential positive and negative social impacts of a project.

The Town's Local Planning Policy – 06 'Social Impact Assessment', states the following objectives:

1. To encourage early identification and assessment of positive and negative social impacts of a planning proposal, through the development of a Social Impact Assessment (SIA) and Social Impact Management Plan (SIMP) to mitigate the adverse effects and maximise positive social outcomes for the impacted community.
2. To outline the Town's expectations concerning the key elements of a Social Impact Assessment, including genuine engagement with stakeholders.

3. To support informed decision-making through the incorporation of quality, evidence-based information, and management measures monitored through key performance indicators.

The applicant has submitted an SIA prepared by Lucid Economics consultancy. The assessment is lacking detail, commitment and doesn't provide assistance for the on-site and surrounding community. Should the Council approve the development, whether in part or full and due to the ongoing use for 5 years, it is still recommended a condition be applied requiring completion of an updated SIA and SIMP by a suitably qualified practitioner.

#### Traffic Impact Assessment

A transport impact assessment (TIA) has been prepared by Flyt Pty Ltd (Transport Consultancy) for the proposal based on an accommodation capacity of 432 persons. The report essentially supported the development with a full capacity of 432 persons. The report provided a general assessment and the Town's Infrastructure Services has requested an update to the document for clarity and consistency between the proposal documents and to ensure proposed impacts of the development are clearly mitigated. The report needs further justification on parking availability, separation and impact. Should the Council support the application, it is still recommended an appropriate condition be applied requiring amendments to the TIA.

#### Landscaping

There is some mature vegetation around the site between the transportable buildings and along the boundary perimeters. The applicant has suggested that a landscaping plan is being prepared but has not been lodged at the time the initial and or current reports were prepared. The applicant has agreed to having a condition applied to the development in relation to landscaping. Should the Council support the application an appropriate condition has been recommended requiring the following:

- a) Installation of new planting within the verge area consisting of ground cover and shrubs, to the satisfaction of the Town.
- b) Installation of reticulation within new and existing landscaping areas, within streetscape, to the satisfaction of the Town.
- c) all cracker dust is to be removed from the verge and streetscape areas.
- d) removal of mesh security fencing along the Dempster Street boundary and within the streetscape area, to the satisfaction of the Town.
- e) removal of all barbed wire within streetscape and the property.
- f) Indicate either no fence or new fence style and materials, within the Dempster Street streetscape. If new fencing proposed, elevation plan of new fence is required to be provided to a visually permeable standard.
- g) a schedule of plants and materials in accordance with the Town's Landscaping Guidelines and Preferred Planting Guide.

#### Heritage Assessments

There have been three heritage assessments undertaken for the site and buildings, two by the Federal Government, and one by the State Heritage Commission. The State's assessment of the site found, the place did not have the cultural heritage significance required to meet entry to the State Register.

The lot and buildings were identified under the Town's Municipal Heritage Inventory in 2017- (No.52), Level of significance: Grade C. Even though the site has considerable history, ie *was the first facility specifically established in Australia for the detention of illegal maritime arrivals ('boat people')*, the retention of buildings over demolition is not strongly committed in any document, possibly arising from and stigma of the living conditions in this and other centres and the community's sentiment against the Federal Government's migration policy. For the purposes of this application, it is considered appropriate, that heritage matters be addressed as part of long-term redevelopment of the site, not under the temporary approval of this application.

#### Rooms Numbers on Site

The application is still lacking information about total bedroom numbers on site. The current amendment proposes use of only the 64 transportable dwellings with a maximum of 208 rooms. The Town's previous assessment and agreement was support for a maximum of 208 persons, which is reflected in the recommended conditions.

The former approval 2009, did not identify room numbers except for limiting the development to a maximum of 432 persons, under Condition 4 (DA2009/540). The applicant has not provided floor plans of the transportable buildings, relying on and lodging the same plans approved by the Town in 2009, for endorsement. The former 2009 plans only indicated the number of rooms for the 14 new transportable buildings approved.

The applicant was requested to provide a full set of plans / information on 30 January 2023, however, has suggested that the Town consider and rely on the plans (limited information) as submitted. To date no further plans have been lodged.

For the purposes of this assessment the information provided under the suggested Social Impact Statement, states there are a total of 450 bedrooms for use. In considering all information and the Town's records, the total number of rooms has been estimated as 510 rooms.

The Lucid Economics, Social Impact Statement indicates room numbers as:

*"Campbell Transport is proposing to transition its workforce to the former Beachfront Village site. Such a move would allow Campbell Transport to expand its accommodation capacity, allowing the business to expand in order to meet market demand. Campbell Transport estimates that it will require 208 of the 450 rooms available at the Beachfront Village. As Campbell Transport transitions its workforce from the existing housing, the move will introduce 40 houses into the local market. Additionally, Campbell Transport is amenable to opening the remaining 242 rooms at the Beachfront Village for key service worker accommodation, which would allow numerous small businesses in Port Hedland to expand and hire new staff."*

Should the Council support the proposal, it is recommended that the condition be applied requiring lodgement of detailed plans of all buildings on site and a report on the suitability of the buildings to be retained and used for accommodation.

It is also recommended that a temporary approval be limited to use of only the 64 transportable dwellings and a maximum of 208 persons be permitted to be accommodated on the property at any one time, including workforce and service workforce staff. The applicant's correspondence suggests support for these conditions.



Issues to be Considered

Other matters to be considered, prior to deciding on this application:

- a) The impact of the use, in light of the current proposal to partially activate the 64 transportable dwellings, with a maximum of 208 persons.
- b) The assessment of the information provided indicates the use is aligned with 'Workforce Accommodation' use class being predominantly for Campbell Transport staff (presently 150 persons). This would be varied if service workers accommodation is allowed.
- c) How the site is managed if the property is opened again for residential accommodation. The landowner has indicated at a site meeting, he will be employing staff / company to run the workforce accommodation facility.
- d) The risk of not issuing an approval, could mean that the site remains in its current disused state and potentially not be redeveloped in the future.
- e) A commitment to prepare a structure plan and redevelop the site have been indicated by the applicant but not landowner. Conditions have been applied to ensure that structure plan framework is established to enable the redevelopment of the site. The Town can enter into a legal agreement with the landowner for preparing a Structure plan, demolishing buildings and general improvements (removal of fencing) and installation of improvement landscaping along the Dempster Street frontage.

Temporary use and Structure Planning Milestones

As the subject site is zoned Urban Development and is highlighted as priority urban land in the Town's Local Planning Strategy, Council does have the option of refusing this development application altogether as no Structure Plan has been prepared for the land which guides its future residential development. However, Officers are cognisant of the commercial factors driving this proposal and are willing to work in good faith with the developer to establish a longer term vision for the site with an agreement to Structure Planning milestones and building demolition.

As this proposal is for Workforce Accommodation, the Local Planning Scheme allows imposing conditions of approval to limit the term of approval. The unique nature of this site, and for protection of the Town's strategic interests in this site being redeveloped in a form different to its current vernacular (a former Detention Centre) and more consistent with higher quality, permanent residential development, it is considered essential to tie this temporary approval to milestones to achieve a community assisted vision for the land.

The conditions of development approval that have been formulated to achieve this outcome, which includes building assessments and demolition of unusable or unsuitable buildings within specified timeframes. The timeframes proposed in the conditions recommended have been vetted by the Town's lawyers.

Operational Management Plan

The Operational Management Plan has been required to provide to enable the applicant to provide proper assessment of proposed operations of the facility and impact on the amenity of

the locality. The detail within this plan is considered crucial to determining potential and actual impacts on surrounding amenity. This is also pertinent to proposed Conditions 16 and 17, which take a precautionary approach due to a lack of detail provided from the proponent on proposal's operations, the community's ability to access the site, and Officer concerns regarding occupier antisocial behaviour associated with introduction of a licenced premises into a residential area, particularly as the site is located in close proximity to sensitive uses including a primary school and several child care premises. No detail was provided from the applicant in this respect.

#### Legal Advice

At the time the report was prepared, a copy of the approval conditions recommended to Council, were provided to the applicant and landowner for consideration and consent. The landowner referred the conditions their solicitor, where the conditions were mostly accepted, except for following:

- i) removal of the requirement for the deed of agreement and milestones for preparation of a structure plan.
- ii) Increase in maximum number of persons permitted to be accommodated on the property at any one time from 150 to 208 persons.
- iii) Including a further 6 months for remove of all transportable buildings from the land by 30 April 2029.
- iv) deletion of conditions relating to selling food products made on site or prepacked and any liquor products.

A meeting was held with the applicant and landowner on 23 March 2023, to discuss the preferred conditions and reasons for variations. Points ii) to iv) were accepted but agreement could not be made about a condition relating to the Deed. It was concluded, all conditions would be referred to the Town's lawyers for advice and then reporting to Council, which was done on 23 March 2023.

Advice received from the Town's lawyers generally supports the conditions subject to some changes including removal of the requirement for the deed of agreement. The Town's lawyer's amendments to the conditions have been recommended as part of this report. It's recommended, the Council support the application with the conditions as indicated.

#### LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because the subject site is noted as a priority site for redevelopment for residential purposes in the Town's Local Planning Strategy.

#### CONSULTATION

##### *Internal*

- Building Services
- Environmental Health Services
- Infrastructure Services (Engineering)

*External Agencies*

- Nil

*Community*

Three (3) submissions were received. Where relevant, the internal and external referral comments have been addressed in the detail section of the report, and a detailed outline, and officer recommendations on submission are included under Attachment (2) of this report.

As per Schedule 2, Part 8, Clause 64, Advertising applications, the application was considered a major application and advertised to neighbouring landowners and occupiers within 200m of the proposal site, an advertisement was placed in the newspaper and on the Town's website. The application was considered a major application, due to it being an amendment to a former approved use, a reactivation of significant development site.

**LEGISLATION AND POLICY CONSIDERATIONS**

- Planning and Development Act 2005
- Planning and Development (Local Planning Schemes) Regulations 2015
- Town of Port Hedland Local Planning Strategy
- Town of Port Hedland Local Planning Scheme No.7
- Town of Port Hedland Local Planning Scheme No.5
- Local Planning Policy – 05 'Workforce Accommodation'
- Local Planning Policy - 06 'Social Impact Assessment'
- State Planning Policy 3.7 – Planning in Bushfire Prone Areas
- Local Planning Policy 11 – Stormwater Management

**FINANCIAL AND RESOURCES IMPLICATIONS**

The proposal attracted a standard application fee. Its anticipated there will be no additional financial impacts for the Town based on the recommendation being supported. If the recommendation is not supported the matter could be referred to the State Administrative Tribunal which may also require a legal opinion and/or specialist consultancy skills.

The Applicant will be contributing approximately \$63,000 towards the development of the shared footpath adjacent to the property. The addition of the 10 rooms for the Town's use, at an indicative cost of \$80 to \$100 per night represents a saving of over \$100 per room when compared to other workforce accommodation facilities that the Town has access to. This equates to a potential saving of \$7000 per week, or \$364,000 over the course of the year assuming that all the rooms are taken up by the Town or the community for every night of the year.

**STRATEGIC AND SUSTAINABILITY IMPLICATIONS**

The following sections of the Town's Strategic Community Plan 2022-2032 are applicable in the consideration of this item:

- 2.2 Enhanced local training and workforce opportunities

## RISK MANAGEMENT CONSIDERATIONS

There is a compliance risk associated with this item because the applicant may fail to comply with the recommended conditions of approval. The risk rating is considered to be low (4), which is determined by a likelihood of unlikely (2) and a consequence of minor (2). The risk is negated by the Town's ability to undertake compliance action in accordance with the *Planning and Development Act 2005*.

There is a reputational risk associated with this item if referred to State Administrative Tribunal and may assess this application and can make determination without consideration of the Town's position or conditions. The risk rating is considered to be low (4), which is determined by a likelihood of unlikely (2) and a consequence of minor (2). The risk is negated by the Council adopting this recommendation, and the Town providing a formal response based on this recommendation.

## OPTIONS

*Option 1 – Adopt officer's recommendation*

*Option 2 – Do not adopt officer's recommendation*

## CONCLUSION

The landowner has amended the proposal by seeking to use only the 64 transportable dwelling for a total of 208 rooms and grant provision of 10-rooms to the Town of Port Hedland at cost for the organisations or the community's benefit /use. In consideration of all matters, the application is recommended for approval with a maximum of 208 persons. It is considered the partial use of site permits the use of the majority of buildings on site, which assists the landowner to support the financial investment. The partial use of the site may have a limited impact on the amenity of the surrounding residential use and provides the opportunity to test the landowner's/operator's ability to manage the potential amenity issues associated with site operations and any issues that arise. Furthermore, the development as existing cannot support additional car parking bays without the demolition of buildings. It is estimated that a workforce of 150 persons, as need to be accommodated by the landowner can be readily catered for by the existing 145 bays. The former approval (DA2009/540) required a minimum of 304 car parking bays be provided on site for the 432 persons originally permitted. The applicant has also offered 10 rooms for the Town's use at cost to provide community benefit.

## ATTACHMENTS

1. Application Report and Supporting Documents (under separate cover)
2. Schedule of Submissions (under separate cover)
3. Bushfire Management Plan (under separate cover)
4. Amended Proposal Report-1 May 2023 (under separate cover)

**ATTACHMENT 4 – TABLE OF OFFICER RESPONSE TO PROPOSED AMENDED CONDITIONS****APPLICATION TO AMEND DEVELOPMENT APPROVAL FOR TEMPORARY WORKFORCE ACCOMMODATION ON LOT 2 (NO. 15) DEMPSTER STREET, PORT HEDLAND**

<b>Condition No.</b>	<b>Existing Conditions (as per approval dated)</b>	<b>Proposed Amended Conditions</b>	<b>Officer's Comments</b>
<b>1.</b>	This approval is limited to the temporary use of only sixty four (64) transportable buildings for residential accommodation (Workforce Accommodation) and associated buildings for dining / kitchen and laundry facilities, until 30 April 2028, but only in accordance with the following conditions of approval.	Modify: This approval is limited to the temporary use of only sixty four (64) transportable buildings for residential accommodation (Workforce Accommodation) and associated Buildings for dining / kitchen and foundry facilities, until 30 April 2033, but only in accordance with the following conditions of approval.	Support. Condition modified and included original Condition 8 limiting occupancy. Referring to Attachment 1, Condition 1.
<b>2.</b>	Subject to Conditions 19 and 23, the landowner shall cease the approved use by 30 April 2028.	Modify: Subject to Conditions 19 and 23, the landowner shall cease the approved use by 30 April 2033.	Condition 2 has been deleted due to Condition 19 has been modified and 23 has been removed.
<b>3.</b>	Subject to Condition 4, the landowner must remove all transportable buildings from the land by no later than 30 April 2029 in accordance with an approved Site Rehabilitation Plan, which shall be submitted to and approved by the Town of Port Hedland by 31 October 2027.	Modify: Subject to Condition 4, the landowner must remove all transportable buildings from the land by no later than 30 April 2035 in accordance with an approved Site Rehabilitation Plan, which shall be submitted to and approved by the Town of Port Hedland by 31 October 2031.	Support in part. The condition has been modified and refer to Attachment 1, Condition 9.
<b>4.</b>	If the use of the land is terminated early pursuant to Condition 19 or 23, the landowner must remove all transportable buildings from the land by no later than six months after the date of early termination.	No change.	Modification has been made from 6 to 12 months., Refer to Attachment 1, Condition 3
<b>5.</b>	This decision to approve shall expire if the development has not substantially commenced within two (2) years of the decision date.	Remove.	The development has substantially commenced. Condition can be removed.
<b>6.</b>	This approval supersedes previous development approval 2009/504 and all associated conditions.	Modify: This approval supersedes previous development approval	Support.



		2022/191 and all associated conditions.	
7.	Pursuant to Clause 74 of the Deemed Provisions, the development may not be commenced until the Town of Port Hedland has approved the plans required by conditions 9 and 10.	No change.	Condition deleted.
8.	A maximum of 208 persons are permitted to be accommodated on the property at any one time, including workforce and service workforce staff.	No change.	Condition combined with condition 1. Refer to Attachment 1.
9.	The landowner to submit amended and accurate plans to the satisfaction of the Town for approval on or before 1 July 2023. The approved development shall be in accordance with the stamped approved plans.	Modify: The approved development shall be in accordance with stamped approved plans.	Support, amended plans were submitted and stamped approved plans issued. The current proposal does not request changes to the approved plans. Refer to Attachment 1, Condition 2.
10.	The landowner must submit an Operational Management Plan, on or before 1 August 2023, outlining the following, for approval by the Town: 10.1 Complaints Management Procedure. 10.2 Contact details of the landowner and site manager. 10.3 Fire and Emergency Management Plan. 10.4 Noise Management Plan. 10.5 Vehicle and Bicycle Parking Management Plan, to include but not be limited to the following: <ul style="list-style-type: none"> <li>• show which car parking bays will be allocated for visitors, occupants, staff and disabled person/s.</li> <li>• bicycle allocations for the workforce and location of bicycle parking area(s).</li> <li>• parking bays to designed as 'User Class 3A' instead of current 'User Class 1A'.</li> <li>• location of bus parking area on site.</li> <li>• provide an accurate site plan depicting locations of all parking areas.</li> </ul>	Remove.	The condition is redundant. The operational management plan has been lodged by the applicant and approved by the Town.

	<p>10.6 Traffic Management Plan, to include but not be limited to the following:</p> <ul style="list-style-type: none"> <li>• how workforce trips will be controlled.</li> <li>• details or estimated times of movements (or update Traffic Impact Assessment report).</li> </ul> <p>10.7 Lighting Management Plan to include but not be limited to the following:</p> <ul style="list-style-type: none"> <li>• A floodlight plan indicating location, type and lumens of all lighting.</li> <li>• Indicate lighting management strategy for consideration of sensitive adjoining marine and native fauna.</li> </ul> <p>10.8 Cyclone Management Plan to include but not be limited to the following:</p> <ul style="list-style-type: none"> <li>• Identify the buildings which are proposed for emergency cyclone sheltering purposes and their level of importance.</li> <li>• The actions to be taken at each cyclone alert level.</li> <li>• Alternative measures to ensure the safe relocation of residents to appropriate facilities in the event of a cyclone.</li> </ul> <p>10.9 Health and Safety Management Plan for occupants and visitors, with reference but not limited to the following:</p> <ul style="list-style-type: none"> <li>• location and provision of private, communal and general open space areas on and off the property.</li> <li>• how privacy / minimum areas can be achieved with screening and/or fencing,</li> <li>• opportunities for recreation facilities on and off site.</li> <li>• location of CCTV or other security systems to be used.</li> <li>• opportunity for and location of end-of-trip facilities for service staff.</li> </ul> <p>10.10 Details of any food, beverage and liquor to be sold or consumed on site, including details of how this may impact or benefit the</p>		
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	surrounding community, and detail of how any identified impacts can be effectively managed.		
<b>11.</b>	The development must be carried out in accordance with the approved Operational Management Plan.	No change.	No comment. Refer to Attachment 1, Condition 10.
<b>12.</b>	<p>The landowner is to submit a landscaping plan to the satisfaction of the Town on or before 1 July 2023. The landscape plan shall depict but not be limited to following:</p> <p>12.1 Installation of new planting within the verge area consisting of ground cover and shrubs, to the satisfaction of the Town.</p> <p>12.2 Installation of reticulation within new and existing landscaping areas, within streetscape, to the satisfaction of the Town.</p> <p>12.3 All cracker dust is to be removed from the verge and streetscape areas.</p> <p>12.4 Removal of mesh security fencing along the Dempster Street boundary and within the streetscape area, to the satisfaction of the Town.</p> <p>12.5 removal of all barbed wire within streetscape and the property.</p> <p>12.6 Indicate either no fence or new fence style and materials, within the Dempster Street streetscape. If new fencing proposed, elevation plan of new fence is required to be provided to a visually permeable standard.</p> <p>12.7 a schedule of plants and materials in accordance with the Town's Landscaping Guidelines and Preferred Planting Guide.</p>	Remove.	Support. The landscaping plan has been lodged and approved.
<b>13.</b>	The approved landscaping plan shall be implemented before 1 May 2024 and maintained thereafter, to the satisfaction of the Town.	<p>Modify:</p> <p>The approved landscaping plan shall be implemented before 1 March 2026 and maintained thereafter, to the satisfaction of the Town.</p>	Support. Refer to Attachment 1, Condition 8.

<p><b>14.</b></p>	<p>The landowner to submit an amended Traffic Impact Assessment for approval by the Town on or before 1 August 2023. The development must comply with any requirements arising from the approved Traffic Impact Assessment.</p>	<p>Modify: The development is to comply with the approved Traffic Impact Assessment dated 31 July 2023.</p>	<p>Support. Refer to Attachment 1, Condition 12</p>
<p><b>15.</b></p>	<p>Within six months of commencement of the development, an updated Social Impact Assessment and Social Impact Management Plan shall be submitted to and approved by the Town of Port Hedland, which: 15.1 Includes an adequate level of community consultation with surrounding residents and Aboriginal groups; 15.2 Includes adequate strategies and actions to ensure mental health and wellbeing of occupiers through provision of leisure and recreation options; 15.3 Include timeframes for agreed KPI's; 15.4 Provides details on annual monitoring and reporting of the effectiveness of the SIMP, which shall be submitted by the developer to the Town at the end of every financial year. The SIMP shall be modified in response to any socio-economic issues identified by the Town (based on agreed KPI's) that are a direct result of the approved development's operations. 15.5 Annual monitoring and reporting of the SIMP's implementation shall commence on 1 July 2024 and be reported on 1 July each year thereafter, for the duration of the approval.</p>	<p>No change.</p>	<p>No comment. Refer to Attachment 1, Condition 7.</p>
<p><b>16.</b></p>	<p>By 1 August 2023 the landowner is to submit to the Town a Building Report prepared by a suitably qualified person which includes an assessment of all buildings on site, their ability to be safely occupied and/or repaired, and identifies any which contain asbestos material.</p>	<p>Modify: By 1 October 2025 the landowner is to submit to the Town on Amended Building Report prepared by a suitably qualified person which includes an assessment of off buildings on site, their ability to be safely occupied and/or repaired, and identifies any which contain asbestos material.</p>	<p>Support with modification. Refer to Attachment 1, Condition 5.</p>

<p><b>17.</b></p>	<p>In respect of buildings identified in the Building Report as being incapable of safe occupation, the landowner shall, either –                  17.1 demolish the building or buildings and remove them from the site by a date stipulated by the Town, which subject to Condition 17.2, shall be no later than 30 April 2028; or                  17.2 if approved by the Town, repair the building to a standard outlined in the Building Report.</p>	<p>Modify:                  The applicant is required to comply with the recommendations of the Building Report.</p>	<p>Support in part. Refer to Attachment 1, Condition 14.</p>
<p><b>18.</b></p>	<p>In respect of the building referred to as ‘J’ Block (former high security isolation facility of the former Detention Centre use); the landowner shall, before 1 July 2025, either –                  18.1 demolish the building and remove it from the land; or                  18.2 if approved by the Town, renovate the building to a standard agreed by the Town.</p>	<p>Modify:                  By November 2025 the landowner shall prepare and submit a Demolition Plan to the satisfaction of the local government, The Demolition Plan shall:                  Clearly identify all buildings and structures proposed to be demolished;                  Specify the indicative timeframes and target dates for demolition of each structure; and                  Be consistent with the recommendations of the Building Report.                  The demolishing shall thereafter be carried out in accordance with the approved Demolition Plan, unless otherwise agreed in writing by the local government.</p>	<p>The condition can be removed. The demolition work of ‘J’ Block has been commenced. Refer to Attachment 5.</p>
<p><b>19.</b></p>	<p>If any building required to be demolished and removed from the land is not demolished and removed by the time required by Condition 17 or 18 (as the case may be), this approval to use the land temporarily for workforce accommodation shall immediately terminate. For the removal of doubt, the early termination operates notwithstanding Conditions 1 and 2, and does not affect the landowner’s obligation to demolish and remove buildings from the site pursuant to Conditions 17 and 18.</p>	<p>Remove.</p>	<p>The condition should remain. It has been modified. Referring to Attachment 1, Condition 6.</p>
<p><b>20.</b></p>	<p>All stormwater to be contained and disposed of on-site, to the satisfaction of the Town.</p>	<p>No change.</p>	<p>No comment.</p>



<p><b>21.</b></p>	<p>Prior to occupation of the site, the developer shall make a community contribution of \$63,840, for the purpose of expenditure by the Town of Port Hedland on local community infrastructure, including but not limited to shared paths within close proximity to the facility which occupiers and residents can utilise for recreation purposes. The contribution shall be paid in full (lump sum) unless other alternative arrangements are agreed in writing with the Town.</p>	<p>Remove.</p>	<p>Support. The community contribution has been paid by the applicant on 16 April 2024.</p>
<p><b>22.</b></p>	<p>In recognition of the fact that the land is in an area for which the preparation of a structure plan is required and that this approval represents a temporary land use pending redevelopment in accordance with an approved structure plan, the landowner is to submit a structure plan and supporting technical documents as required by the Town in accordance with the Department of Planning Lands and Heritage Structure Plan Guidelines, Local Planning Scheme No. 7 and the Planning and Development (Local Planning Schemes) Regulations 2015 on or before 1 July 2025.</p>	<p>No change.</p>	<p>The structure plan has been lodged for assessment. The condition can be deleted.</p>
<p><b>23.</b></p>	<p>If the structure plan and supporting technical documents are not submitted in accordance with the preceding condition, the approval to use the land for temporary workforce accommodation shall terminate on 30 April 2026. For the removal of doubt, the early termination operates notwithstanding conditions 1 and 2, and does not affect the landowner's obligation to demolish and remove any building pursuant to conditions 17 or 18.</p>	<p>No change.</p>	<p>The structure plan and technical documents have been lodged for assessment. The condition can be deleted.</p>
<p><b>24.</b></p>	<p>By 1 July 2023 the landowner shall give written consent to the lodgment on the certificate of title to the land of a notification pursuant to Section 70A of</p>	<p>No change.</p>	<p>No comment.</p>

	<p>the Transfer of Land Act. The notification shall be prepared and lodged by the Town's Solicitors at the full cost of the landowner, and shall give notification that the lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years and is subject to conditions of development approval which may limit the term of the approval. The notification is to state as follows:                  "VULNERABLE COASTAL AREA –This lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years. Development on this lot is subject to conditions of development approval which limit the term of approval and require the development to be removed and the land reinstated to its predevelopment condition. Refer to the Town of Port Hedland for details."</p>		
25.	<p>By 1 July 2023 the landowner shall give written consent to the lodgement on the certificate of title to the land of a notification pursuant to Section 70A of the Transfer of Land Act. The notification shall be prepared and lodged by the Town's Solicitors at the full cost of the landowner, and shall give notification of the existence of the approved Bushfire Fire Management Plan and advise landowners of their obligations in respect to the use and ongoing management of the land. The notification is to state as follows:                  "This land is within a bushfire prone area as designated by an order made by the Fire and Emergency Services Commissioner and is subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land."</p>	No change.	No comment.
26.	<p>The landowner to enter into an agreement with the Town for granting access to 10-rooms to the benefit of the Town of Port Hedland and its contractors</p>	No change.	No comment.

	<p>associated with Town of Port Hedland projects, at a nominal cost. The agreement shall include at a minimum the following:</p> <p>26.1. The rooms shall be available each day the facility is in operation, at all times, and accessible within 48 hours of a booking being made</p> <p>26.2. No exclusion periods are to be implemented by the operator</p> <p>26.3. The Town is responsible for booking the rooms, with invoices for payments being made by the occupier.</p> <p>26.4. Nominal cost to incorporate provision of meals, cleaning and laundry services at cost and be set at the beginning of each financial year (subject to CPI).</p> <p>The agreement shall be prepared by the Town's solicitors at the full cost of the applicant and be in place prior to operation of the facility.</p>		
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SITE INSPECTION PHOTOS - LOT 2 (NO. 15) DEMPSTER STREET, PORT HEDLAND



Photos taken on 31 July 2025 by Stephy Ma ..... *Ma* ..... Page 1 of 2



SITE INSPECTION PHOTOS - LOT 2 (NO. 15) DEMPSTER STREET, PORT HEDLAND



Photos taken on 31 July 2025 by Stephy Ma ..... *Ma* ..... Page 2 of 2



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**Town of Port Hedland  
Local Planning Scheme No. 7**

**Amendment No. 6**

*Summary of Amendment Details*

*Update scheme text to introduce new and revised land use classes and general definitions to facilitate State Government reforms for short-term rental accommodation.*

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FORM 2A

**Planning and Development Act 2005**  
**RESOLUTION TO ADOPT AMENDMENT**  
**TO LOCAL PLANNING SCHEME**

***Town of Port Hedland Local Planning Scheme No. 7***  
***Amendment No. 6***

**Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:**

1. In clause 37(1), 'Terms used':
  - A. Delete the definition for *Short-term accommodation*.
  - B. Amend the general definition for *Cabin* to:  
*means a building that -*
    - (a) *is an individual unit other than a chalet; and*
    - (b) *forms part of -*
      - (i) *tourist and visitor accommodation; or*
      - (ii) *a caravan park;*
    - and*
    - (c) *if the unit forms part of a caravan park - is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period*
  - C. Amend the general definition for *Chalet* to:  
*means a building that —*
    - (a) *is a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and*
    - (b) *forms part of—*
      - (i) *tourist and visitor accommodation; or*
      - (ii) *a caravan park;*
    - (c) *and if the unit forms part of a caravan park - is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period*
2. In clause 38, 'Land use terms used':
  - A. Delete the definitions for:
    - *Bed and breakfast;*
    - *Holiday accommodation;*
    - *Holiday house;*
    - *Motel;*
    - *Serviced apartment; and*
    - *Tourist development.*
  - B. Amend the existing land use term for *Road house* by deleting paragraph (d) and inserting:
    - (d) *accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period.*

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- C. Insert the definition for *Tourist and visitor accommodation* as per Schedule 1 – Model Provisions:
- (a) *means a building, or a group of buildings forming a complex, that —*
- (i) *is wholly managed by a single person or body; and*
  - (ii) *is used to provide accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period; and*
  - (iii) *may include on-site services and facilities for use by guests; and*
  - (iv) *in the case of a single building — contains more than 1 separate accommodation unit or is capable of accommodating more than 12 people per night;*
- and*
- (b) *includes a building, or complex of buildings, meeting the criteria in paragraph (a) that is used for self-contained serviced apartments that are regularly serviced or cleaned during the period of a guest’s stay by the owner or manager of the apartment or an agent of the owner or manager; but*
- (c) *does not include any of the following —*
- (i) *an aged care facility as defined in the Land Tax Assessment Act 2002 section 38A(1);*
  - (ii) *a caravan park;*
  - (iii) *hosted short-term rental accommodation;*
  - (iv) *a lodging-house as defined in the Health (Miscellaneous Provisions) Act 1911 section 3(1);*
  - (v) *a park home park;*
  - (vi) *a retirement village as defined in the Retirement Villages Act 1992 section 3(1);*
  - (vii) *a road house;*
  - (viii) *workforce accommodation;*
3. In Table 4 - ‘Zoning Table’, insert in alphabetical order the following land uses and permissibility:
- A. *Hosted-short term rental accommodation;* designate as ‘P’ uses in zones where a dwelling is capable of approval and ‘X’ uses in all other zones.
  - B. *Unhosted short term rental accommodation;*
    - designate as a ‘P’ use in the Tourism zone;
    - designate as a ‘D’ use in the Centre, Commercial and Mixed Use zones;
    - designate as an ‘A’ use Residential, Rural and Rural Residential zones; and
    - designate as an ‘X’ use in all other zones.
  - C. *Tourist and visitor accommodation;*
    - designate as a ‘P’ use in the Tourism zone;
    - designate as a ‘D’ use in the Centre, Commercial and Mixed Use zones;
    - designate as an ‘A’ use in the Residential, Rural and Rural Residential zones; and
    - designate as an ‘X’ use in all other zones.
4. In Table 4 - ‘Zoning Table’, delete all references to:
- A. *Bed and breakfast;*
  - B. *Holiday accommodation;*
  - C. *Holiday house;*
  - D. *Motel;*
  - E. *Serviced apartment; and*

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F. *Tourist development.*

## 5. In Table 6 - 'Special use zones in Scheme area':

## A. Delete the following special uses for 'SU1':

- *Motel; and*
- *Serviced apartment.*

## B. Delete the following special uses for 'SU3':

- *Serviced apartment; and*
- *Tourist development.*

C. Include in alphabetical order the special use of *Tourist and visitor accommodation* for 'SU1' and 'SU3' and designate as follows:

- An 'A' use for 'SU1'; and
- A 'D' use for 'SU3'.

## 6. In Schedule 1, 'Car Parking Standards':

## A. Insert in alphabetical order the following land uses and minimum car parking space requirements:

<b>Land Use</b>	<b>Minimum Car Parking Spaces</b>
<i>Hosted short-term rental accommodation</i>	<i>1 additional bay per bedroom</i>
<i>Tourist and visitor accommodation</i>	<i>1.5 bays per accommodation unit; and 1 bay for every employee</i>
<i>Unhosted short-term rental accommodation</i>	<i>1 bay per 2 bedrooms</i>

B. Amend the reference to *Hotel & Motel* to *Hotel*.

## C. Delete all references to:

- *Bed and breakfast;*
- *Holiday accommodation;*
- *Holiday house;*
- *Motel;*
- *Serviced apartment; and*
- *Tourist development.*

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The amendment is **standard** under the provisions of Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

1. the amendment would have minimal impact on land in the scheme area that is not the subject of the amendment;
2. the amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;
3. the amendment is not considered a complex or basic amendment.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
(Chief Executive Officer)



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## Scheme Amendment Report

### 1. Introduction

The purpose of this amendment is to amend the Town's local planning scheme to implement the State Government's planning reforms for short-term rental accommodation.

This amendment is required to ensure alignment with new 'deemed' and 'model' land use classes and general definitions introduced into the state planning framework. Most significantly, it includes amendments to reflect the 'deemed' land use classes for 'hosted short-term rental accommodation' and 'unhosted short-term rental accommodation', along with removal of superseded land uses. The following report provides further detail and background information on these changes, including specific implications for the Town.

### 2. Background

Short-Term Rental Accommodation (STRA) refers to the practice of renting out a property (or part of a property) for a relatively short period of time, usually on a nightly or weekly basis. This type of accommodation is usually booked through online platforms and is popular among travellers and visitors seeking temporary lodging for holidays, business trips or other short stays. The State Government has committed to various initiatives to deliver better regulation of the short-term rental accommodation sector.

In November 2023, the Western Australian Planning Commission released its *Position Statement: Planning for Tourism and Short-Term Rental Accommodation* (Position Statement) and associated Guidelines. The release of the Position Statement complemented other whole-of-government reforms relating to STRA, responding to recommendations made in the 2019 parliamentary enquiry *Levelling the Playing Field: Managing the impact of the rapid increase of short-term rentals in Western Australia*. This included development of a state-wide registration scheme for STRA, as well as an incentive scheme to encourage transition of properties from the short to long term rental market.

Alongside the registration scheme, which sits separately to the planning system and is mandatory for all STRA, amendments to planning regulations were flagged as a key part of the State Government's goal to ensure a fairer and more consistent treatment of STRA from both a legal and practical standpoint. The planning changes, which have triggered the need for the Town to amend its scheme, aim to provide greater consistency across the state in relation to what approvals are needed for STRA proposals as well as how these uses are defined in local planning schemes.

Locally, the Town's Local Planning Strategy that was endorsed in 2021 identified diversification of tourism accommodation as an area of focus. This amendment therefore provides an opportunity to address this, whilst promoting short stay accommodation be located in higher amenity areas and managing any potential land-use conflicts with residential uses.

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### 3. State Planning Framework

The State Government's planning reforms for short-term rental accommodation are being implemented predominantly through the *Planning & Development (Local Planning Schemes) Regulations 2015* (LPS Regulations), which in turn have been informed by policy direction provided through the Position Statement.

#### Position Statement

The Position Statement foreshadowed a series of amendments to the LPS Regulations with the overall aim of providing more certainty and consistency across jurisdictions in respect to the treatment of STRA. Key changes flagged in this document included dedicated land use classes for STRA to ensure a clear delineation between this use and traditional accommodation types, as well as a state-wide exemption for hosted STRA and a 90-night exemption for unhosted STRA within the Perth Metropolitan Area. The Position Statement also includes guidance on strategic and statutory planning matters for both tourism and STRA, as well as local planning policy development.

#### LPS Regulations

The LPS Regulations are a key component of Western Australia's planning system comprising of three major parts:

- Regulations proper, which set out the process for preparing or amending a local planning scheme;
- 'Model' provisions, set out in Schedule 1, which are to be used by local governments in preparing or amending a local planning scheme; and
- 'Deemed' provisions, set out in Schedule 2, read automatically into all local planning schemes, and override any existing scheme provision to the extent of any inconsistencies. Where there is a conflict between these provisions and the scheme, the deemed provisions prevail.

Amendments to both Schedules 1 and 2 of these regulations have been made to facilitate the necessary planning changes of the State Government's short-term rental accommodation (STRA) reform initiatives, as envisaged by the Position Statement. These changes, most notably, include:

- i. new 'deemed' land use classes of 'hosted short-term rental accommodation' and 'unhosted short-term rental accommodation' to ensure these accommodation types are classified as dedicated land use classes in planning schemes;
- ii. new 'deemed' general terms to define 'short-term rental accommodation' and link to the overarching *Short-Term Rental Accommodation Act 2024*, which provides the legal framework for the STRA Register;
- iii. a new 'model' land use class of 'tourist and visitor accommodation' to differentiate these use types from STRA, and consolidate a number of existing land use terms for tourist and visitor accommodation (aside from 'hotel'), as well as other changes to general definitions;
- iv. a state-wide development approval exemption for 'hosted short-term rental accommodation' (this includes ancillary dwellings); and

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- v. a 90-night (cumulative) exemption within a 12-month period for 'unhosted' short-term rental accommodation in the Perth metropolitan area.

The implications for these changes to the Town are detailed further in the following sections of this report.

#### 4. Local Planning Context

As identified in the Town's Local Planning Strategy, data from 2018 recorded in excess of 250,000 visitors for the year, with the majority of visitors coming to the region for business purposes (aligned to mining in the region). The Town is renowned for its sizeable resources industry, private railways, large ships, and export tonnage port which provide visitors with a unique opportunity to view the export operations of Australia's iron ore mining industry. In addition, the Town also provides key visitor attractions including proximity to Karijini National Park, Spinifex Hill Studios, Courthouse Gallery, Cemetery Beach Park, Redbank Bridge Salt and Train Lookout, and Don Rhodes Mining Museum. Popular tourist events include the Port Hedland Cup (Heddy Cup) and Spinifex Spree.

With respect to tourism, the Strategy seeks to actively purpose opportunities to diversify the economy and promote the Town's unique offerings.

At present, Local Planning Scheme No. 7 provides for short-term rental accommodation via the 'bed and breakfast' and 'holiday house' land uses which differ in their permissibility but predominantly, where such uses are permissible, require the exercise of discretion and therefore, a development application.

To date, the Town has had no issues to date in relation to short-term rental accommodation uses and would like to promote such uses close to areas of high amenity such as the Centre and Mixed use zones, as well as in Tourism zones to co-locate with complementary and compatible tourism land uses. The Town also aims to ensure that any potential land-use conflicts with residential uses are sufficiently managed.

#### 5. Proposed Amendment

With the introduction of the new deemed land use classes into planning schemes associated with short-term rental accommodation, this scheme amendment relates to the introduction, modification and deletion of various land use and general definitions to the Town's planning scheme. The new exemptions are also 'deemed' and as such are already operative, however this amendment does include changes to the zoning table to reflect the hosted STRA exemption as a permitted use.

##### Deemed Short-Term Rental Accommodation Land Use Classes

Whilst the new 'deemed' land use classes are automatically read into the Town's scheme through the LPS Regulations, along with the previously mentioned exemptions, these uses are being incorporated into scheme zoning tables to ensure absolute clarity from an interpretation perspective, particularly given these uses replace long-standing 'model' land use classes within the Town's planning framework.

To implement the required changes, this amendment requires deletion of all references to the land use classes of *bed and breakfast* and *holiday house*, replaced with the new 'deemed' definitions of *hosted short-term rental accommodation* and *unhosted short-term rental accommodation*. This includes amending the Zoning Table and Definitions schedules of the scheme text accordingly.

In addition to the LPS Regulations, the Position Statement and Planning Bulletin 115 provide further direction for how STRA should be dealt with in local planning schemes from a permissibility

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standpoint. To reflect these requirements, this amendment proposes the following designations for these new land use classes:

- ‘Hosted short-term rental accommodation’ is proposed as a Permitted use in all zones where any type of ‘dwelling’ is capable of approval, to reflect the state-wide exemption in the ‘deemed provisions’;
- ‘Unhosted short-term rental accommodation’ is proposed to be listed as a D or A use in zones where any type of ‘dwelling’ is capable of approval, that being:
  - A D use in the Centre, Commercial, Mixed Use and Tourism zones;
  - An A use in the Residential, Rural and Rural Residential zones; and
  - An X use in all other zones.

Aside from the above, where the uses of holiday house and bed and breakfast are referenced in other sections of the scheme text, these are to be cross-referenced accordingly. This includes the minimum car parking standards contained within Schedule 1, although ‘Unhosted short-term rental accommodation’ is to now have a minimum parking requirement of 1 bay per 2 bedrooms.

It has been clarified with the Department of Planning, Lands and Heritage that whilst Local Planning Scheme No. 7 currently permits caretaker dwellings in the Town’s industrial zones, the intent is for them to not be included in the requirement for Hosted STRA to be a ‘P’ use in zoning tables. This is because caretaker’s dwellings by definition can only be associated with an industrial land use and are to be occupied by a supervisor of that building, operation or plant, so in this sense their use and location is already restricted and incidental.

#### Model ‘Tourist and Visitor Accommodation’ Land Use

A new model land use class of ‘Tourist and Visitor Accommodation’ has been introduced to supersede various traditional accommodation land use types (excluding ‘hotel’) and provide a clearer delineation between these uses and ‘short-term rental accommodation’. In the context of the Town’s scheme, uses to be deleted through this change include:

- *Holiday accommodation – specifically referenced in the new land use class definition;*
- *Motel – specifically referenced in the new land use class definition;*
- *Serviced apartment – specifically referenced in the new land use class definition; and*
- *Tourist development – directly replaced by the new use class.*

Under Local Planning Scheme No. 7, the land uses which are to be superseded had varying permissibilities which the Town is now required to capture as one. Reflecting the Town’s desire to promote tourist accommodation uses close to areas of high amenity and to co-locate with complementary and compatible tourism land uses, the Town is opting to adopt a similar approach to ‘unhosted short-term rental accommodation’. That is, ‘tourist and visitor accommodation’ is to become:

- A D use in the Centre, Commercial, Mixed Use and Tourism zones;
- An A use in the Residential, Rural and Rural Residential zones; and
- An X use in all other zones.

In relation to the Town’s Special Use zones, the superseded land use terms will be replaced with the new model land use term, however the Town is not proposing any change to the land use permissibility.

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With respect to the minimum car parking standards within Schedule 1, the parking requirement for 'Hotel' is to retain the existing requirement of 1 bay for every bedroom and 1 bay for every employee. Having regard to the various parking requirements for the superseded uses, a consolidated requirement of 1.5 bays per accommodation unit plus 1 bay for every employee is proposed for 'Tourist and Visitor Accommodation'.

New and Revised Land Use & General Definitions

As part of the LPS Regulations changes, amendments to some other model definitions were also introduced so as to not cause confusion or conflict with the new short-term rental accommodation land use terms. These include deletion of the definition for 'short-term accommodation', which has been removed to avoid confusion with new terms relating to 'short-term rental accommodation'. This has consequentially resulted in modifications to the general model terms of 'cabin' and 'chalet', as well as the land use term for 'road house'. The new model terms are proposed to be introduced into the scheme text through this amendment.

Through deletion of the general term 'short term accommodation' it is proposed to insert into the scheme text the deleted model definition in-full wherever referenced, to replicate the changes made in the model provisions; this being:

*accommodation for guests, on a commercial basis, either continuously or from time to time, with no guest accommodated for periods totalling more than 3 months in any 12-month period.*



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**Planning and Development Act 2005**  
**RESOLUTION TO AMEND LOCAL PLANNING SCHEME**

***Town of Port Hedland Local Planning Scheme No. 7***  
***Amendment No. 6***

**Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:**

1. In clause 37(1), 'Terms used':
  - A. Delete the definition for *Short-term accommodation*.
  - B. Amend the general definition for *Cabin* to:  
*means a building that -*
    - (a) *is an individual unit other than a chalet; and*
    - (b) *forms part of -*
      - (iii) *tourist and visitor accommodation; or*
      - (iv) *a caravan park;*
    - and*
    - (c) *if the unit forms part of a caravan park - is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period*
  - C. Amend the general definition for *Chalet* to:  
*means a building that —*
    - (a) *is a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and*
    - (b) *forms part of –*
      - (iii) *tourist and visitor accommodation; or*
      - (iv) *a caravan park;*
    - (c) *and if the unit forms part of a caravan park - is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period*
2. In clause 38, 'Land use terms used':
  - A. Delete the definitions for:
    - o *Bed and breakfast;*
    - o *Holiday accommodation;*
    - o *Holiday house;*
    - o *Motel;*
    - o *Serviced apartment; and*
    - o *Tourist development.*
  - B. Amend the existing land use term for *Road house* by deleting paragraph (d) and inserting:  
*(d) accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period.*
  - C. Insert the definition for *Tourist and visitor accommodation* as per Schedule 1 – Model Provisions:
    - (a) *means a building, or a group of buildings forming a complex, that —*
      - (i) *is wholly managed by a single person or body; and*

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- (ii) *is used to provide accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period; and*
- (iii) *may include on-site services and facilities for use by guests; and*
- (iv) *in the case of a single building — contains more than 1 separate accommodation unit or is capable of accommodating more than 12 people per night;*

*and*

- (b) *includes a building, or complex of buildings, meeting the criteria in paragraph (a) that is used for self-contained serviced apartments that are regularly serviced or cleaned during the period of a guest's stay by the owner or manager of the apartment or an agent of the owner or manager; but*
- (c) *does not include any of the following —*
  - (i) *an aged care facility as defined in the Land Tax Assessment Act 2002 section 38A(1);*
  - (ii) *a caravan park;*
  - (iii) *hosted short-term rental accommodation;*
  - (iv) *a lodging-house as defined in the Health (Miscellaneous Provisions) Act 1911 section 3(1);*
  - (v) *a park home park;*
  - (vi) *a retirement village as defined in the Retirement Villages Act 1992 section 3(1);*
  - (vii) *a road house;*
  - (viii) *workforce accommodation;*

3. In Table 4 - 'Zoning Table', insert in alphabetical order the following land uses and permissibility:

- A. *Hosted-short term rental accommodation;* designate as 'P' uses in zones where a dwelling is capable of approval and 'X' uses in all other zones.
- B. *Unhosted short term rental accommodation;*
  - designate as a 'P' use in the Tourism zone;
  - designate as a 'D' use in the Centre, Commercial and Mixed Use zones;
  - designate as an 'A' use Residential, Rural and Rural Residential zones; and
  - designate as an 'X' use in all other zones.
- C. *Tourist and visitor accommodation;*
  - designate as a 'P' use in the Tourism zone;
  - designate as a 'D' use in the Centre, Commercial and Mixed Use zones;
  - designate as an 'A' use in the Residential, Rural and Rural Residential zones; and
  - designate as an 'X' use in all other zones.

4. In Table 4 - 'Zoning Table', delete all references to:

- A. *Bed and breakfast;*
- B. *Holiday accommodation;*
- C. *Holiday house;*
- D. *Motel;*
- E. *Serviced apartment; and*
- F. *Tourist development.*

5. In Table 6 - 'Special use zones in Scheme area':

- A. Delete the following special uses for 'SU1':

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- *Motel; and*
- *Serviced apartment.*

B. Delete the following special uses for 'SU3':

- *Serviced apartment; and*
- *Tourist development.*

C. Include in alphabetical order the special use of *Tourist and visitor accommodation* for 'SU1' and 'SU3' and designate as follows:

- An 'A' use for 'SU1'; and
- A 'D' use for 'SU3'.

6. In Schedule 1, 'Car Parking Standards':

A. Insert in alphabetical order the following land uses and minimum car parking space requirements:

Land Use	Minimum Car Parking Spaces
<i>Hosted short-term rental accommodation</i>	<i>1 additional bay per bedroom</i>
<i>Tourist and visitor accommodation</i>	<i>1.5 bays per accommodation unit; and 1 bay for every employee</i>
<i>Unhosted short-term rental accommodation</i>	<i>1 bay per 2 bedrooms</i>

B. Amend the reference to *Hotel & Motel* to *Hotel*.

C. Delete all references to:

- *Bed and breakfast;*
- *Holiday accommodation;*
- *Holiday house;*
- *Motel;*
- *Serviced apartment; and*
- *Tourist development.*

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FORM 6A

**COUNCIL ADOPTION**

This standard Amendment was adopted by resolution of the Council of the Town of Port Hedland at the Ordinary Meeting of the Council held on the [ day ] day of [ month ], 20[ year ].

.....  
MAYOR/SHIRE PRESIDENT

.....  
CHIEF EXECUTIVE OFFICER

**COUNCIL RESOLUTION TO ADVERTISE**

by resolution of the Council of the Town of Port Hedland at the Ordinary Meeting of the Council held on the [ day ] day of [ month ], 20[ year ], proceed to advertise this Amendment.

.....  
MAYOR/SHIRE PRESIDENT

.....  
CHIEF EXECUTIVE OFFICER

**COUNCIL RECOMMENDATION**

This Amendment is recommended [for support/ not to be supported] by resolution of the Town of Port Hedland at the Ordinary Meeting of the Council held on the [ number ] day of [ month ], 20[ year ] and the Common Seal of the Town of Port Hedland was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....  
MAYOR/SHIRE PRESIDENT

.....  
CHIEF EXECUTIVE OFFICER

**WAPC ENDORSEMENT (r.63)**

.....  
DELEGATED UNDER S.16 OF  
THE P&D ACT 2005

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DATE.....

FORM 6A - CONTINUED

APPROVAL GRANTED

.....

MINISTER FOR PLANNING

DATE.....