



# AGENDA

Dear Commissioners,

I respectfully advise that a SPECIAL COUNCIL MEETING will be held in the Civic Centre, McGregor St, Port Hedland, on Thursday **16 October 2025** commencing at **5:30pm**.

The purpose of the Special Meeting is consideration of:

1. Application for development approval for electricity transmission lines on various state government landholdings.
2. Application for development approval for Port Hedland power station expansion on Lot 255 (No. 53) Boodarie Station Access Road, Boodarie.
3. Application to Amend Development Approval for Temporary Workforce Accommodation on Lot 2 (No. 15) Dempster Street, Port Hedland.
4. Scheme Amendment No. 6 to Local Planning Scheme No. 7 - Short Term Rental Accommodation - Initiation for Advertising.

## MEETING AGENDA ATTACHED

Yours faithfully

A handwritten signature in black ink that reads "Mark Dacombe".

Mark Dacombe

Interim Chief Executive Officer

10/10/2025

**DISCLAIMER**

No responsibility whatsoever is implied or accepted by the Town of Port Hedland for any act, omission, statement, or intimation occurring during Council Meetings. The Town of Port Hedland disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, and statement of intimation occurring during Council Meetings.

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**DISCLOSURE OF FINANCIAL/ IMPARTIALITY/ PROXIMITY INTERESTS**

*Local Government Act 1995 – Section 5.65, 5.70 and 5.71*

*Local Government (Model Code of Conduct) Regulations 2021*

<i>This form is provided to enable members and officers to disclose an Interest in a matter in accordance with the regulations of Section 5.65, 5.70 and 5.71 of the Local Government Act and Local Government (Model Code of Conduct) Regulations 2021</i>	
Name	
Position	
Date of Meeting	
Type of Meeting (Please circle one)	Council Meeting/ Committee Meeting/ Special Council Meeting Workshop/ Public Agenda Briefing/ Confidential Briefing
Interest Disclosed	
Item Number and Title	
Nature of Interest	
Type of Interest (please circle one)	Financial Proximity Impartiality
Interest Disclosed	
Item Number and Title	
Nature of Interest	
Type of Interest (please circle one)	Financial Proximity Impartiality

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Important Note:** Should you declare a **Financial or Proximity Interest**, in accordance with the Act and Regulations noted above, you are required to leave the room while the item is being considered.

For an **Impartiality** Interest, you must state the following prior to the consideration of the item:

*"With regard to agenda item (read item number and title), I disclose that I have an impartiality interest because (read your reason for interest). As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly."*

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## **1 Opening of Meeting**

The Presiding Member is to declare the meeting open at 5:30pm.

## **2 Acknowledgement of Traditional Owners and Dignitaries**

The Presiding Member acknowledges the Kariyarra people as the Traditional Custodians of the land that we are meeting on and recognises their strength and resilience and pays respect to elders past, present and emerging.

## **3 Recording of Attendance**

*Important note:*

*This meeting is being live-streamed and audio recorded to facilitate community participation and for minute-taking purposes, which may be released upon request to third parties. In accordance with Section 6.16 of the Town of Port Hedland Local Law on Standing Orders members of the public are not permitted to use any visual or vocal electronic device or instrument to record the proceedings of any meeting unless that person has been given permission by the Presiding Member to do so. Members of the public are also reminded that in accordance with section 6.17(4) of the Town of Port Hedland Standing Orders Local Law mobile telephones must be switched off and not used during the meeting.*

### **3.1 Attendance**

*Scheduled Present:*

Commissioner Jessica Shaw (Chair)  
Commissioner Martin Aldridge (Deputy Chair)  
Commissioner Ron Yuryevich AM  
Mark Dacombe (Interim Chief Executive Officer)

*Scheduled for Attendance:*

Stephen Leeson (Director Corporate Services)  
Alison Banks (Director Community Services)  
Kylie Davies (Director Regulatory Services)  
Lee Furness (Director Infrastructure Services)  
Tom Kettle (Manager Governance)  
Rhiannon Smith (Governance Support Officer)  
Maree Cutler-Naroba (Senior Governance Advisor)

### **3.2 Attendance by Telephone / Instantaneous Communications**

Nil

### **3.3 Apologies**

Nil

**3.4 Approved Leave of Absence**

Nil

**3.5 Disclosures of Interest**

Name	Item No	Interest	Nature

**4 Public Time****4.1 Public Question Time****4.2 Public Statement Time****5 Questions from Members without Notice****6 Announcements by Presiding Member without Discussion****7 Declarations of All Members to have given due consideration to all matters contained in the Business Paper before the Meeting**

The following Commissioners declared that they had given due consideration to all matters contained in the agenda:

## 8 Reports of Officers

### 8.1 Regulatory Services

<b>8.1.1</b>	<b>Application for development approval for electricity transmission lines on various state government landholdings</b>
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**Author:** Senior Urban Planner

**Authorising Officer:** Manager Planning & Economic Development

**Disclosure of Interest:** The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

#### **OFFICER'S RECOMMENDATION**

**That Council approves development application (reference no: 2024/143) in accordance with Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Town of Port Hedland Local Planning Scheme No. 7, subject to the conditions and advice notes contained in Attachment 1 and in accordance with the development plans contained in Attachment 2.**

*SIMPLE MAJORITY VOTE REQUIRED*

#### **PURPOSE**

The purpose of this report is for Council to consider an application for development approval for proposed aerial electricity transmission lines and incidental works. The application is referred to Council for determination due to staff delegation to deal with applications limited to development of a value below \$10 million. The proposed development value is \$22 million.

#### **DETAIL**

##### Background

APA Pilbara Holdings Pty Ltd (the applicant), seeks approval for the construction of a high voltage electrical transmission line from the Port Hedland power station, located in Boodarie, to Northern Star Resources Ltd (former De Grey Mining Ltd) Hemi Gold mine site project, approximately 65 kilometres to the south of the power station (see Attachment 3 – Location plan).

##### **Summary of the proposal**

This application seeks approval for development of aerial electricity transmission lines over seven (7) kilometres, within a crown lease area. The transmission lines are proposed to commence at the Port Hedland Power Station, located on the Boodarie Station Access Road and cross to the east of the Great Northern Highway. The infrastructure will then run parallel to the highway, located on Crown Land.

The development includes:

- Clearing of vegetation for the towers and incidental development;
- Transmission towers with an indicative height of between 40 and 70 metres, with a span of between 300 and 500 metres;
- Transmission poles with an indicative height of between 17 and 35 metres, with a span of between 100 and 300 metres; and
- A substation at the Port Hedland power station.

The remaining 58 kilometres of transmission lines will be constructed under approvals from the Department of Energy, Mines and Industry Regulation and Safety under the Mining Act 1978, through miscellaneous licences.

## **Local Planning Framework**

### Local Planning Strategy – Visual Protection Area

**Condition imposed** -The area subject of the proposal is characterised by a largely uninterrupted natural and rural vistas, featuring remnant bushland and flat plains. At present a small power transmission line exists with poles, not exceeding 10 metres in height, running parallel to the Highway. The Town's Planning Strategy identifies the importance of maintaining the amenity of the natural landscape along main roads such as the Great Northern Highway, stating a 200m visual protection area either side of the reserve.

The introduction of large lattice towers measuring between 40 and 70 metres and transmission poles between 17 and 35 metres, in the locations proposed will increase the bulk and scale of industrial features in an otherwise relatively natural vista. The transmission lines both intercept the 200m corridor, as well as sit outside this space. However, given the characteristics of the landscape and scale and nature of the proposed development, it is considered that the infrastructure will adversely impact amenity in the locality.

The applicant has provided a visual impact assessment prepared by Preston Consulting, contained under Attachment 4 – Visual Impact Assessment (VIA). The VIA report concludes:

*"As demonstrated in the visuals, the project is only likely to significantly affect the viewshed along Great Northern Highway 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 town site."*

Conclusions of the applicant's report are contrary to the Town's officer assessment. Management actions are not proposed, and officers consider that efforts should be made to minimise and/or offset the visual impact of the development with preparation of a Visual Landscape Management Strategy.



The Western Australian Planning Commission's policy document: "*Visual Landscape Planning in Western Australia - a manual for evaluation, assessment, siting and design,*" guides the preparation and implementation of these strategies.

Implementation may include one or more of the following options:

- Increase the setbacks of the infrastructure;
- Reduce the dimensions of the development;
- Place the infrastructure underground;
- Plant trees/vegetation forward of the transmission towers and incidental infrastructure; and/or
- Plant trees/vegetation closer to town to offset the impacted viewshed.

The Policy document is relevant to the assessment and considered under the *Planning and Development (Local Planning Schemes) Regulations 2015 section 67 'Consideration of application by local government'*. A condition is recommended to address visual landscape impacts.

#### Local Planning Scheme No. 7 - Zone Objectives and Applicable Land uses

Development spans over land zoned 'Strategic Industry' and 'Rural' and land reserved as 'Primary Distributor Road' under Local Planning Scheme No. 7 (LPS7). The objectives for each zone and reserve are as follows:

Strategic Industry: <i>To designate industrial sites of State or regional significance.</i>
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Rural:
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- |   |
|---|
| <ul style="list-style-type: none"> <li>• <i>To provide for the maintenance or enhancement of specific local rural character.</i></li> <li>• <i>To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.</i></li> <li>• <i>To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.</i></li> <li>• <i>To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.</i></li> <li>• <i>To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.</i></li> </ul> |
|---|

Primary Distributor Road:
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<i>To set aside land required for a primary distributor road being a road classified as a Regional Distributor or Primary Distributor under the Western Australian Road Hierarchy.</i>
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The transmission lines and incidental development meets the objectives of LPS7, and recommended for approval subject to conditions.

#### Planning and Development (Local Planning Schemes) Regulations 2015

The proposed development is defined as 'Works' under the *Planning and Development (Local Planning Schemes) Regulations 2015* as ancillary infrastructure to the operations of the APA Port Hedland Power Station ('Industry' land use) and the APA Solar Farm ('Renewable Energy Facility' land use).

The land uses are listed under LPS7 with a land use permissibility of 'D', and have been approved by the Town (power station) and State (RDAP – for the solar farm November 2022) for the existing facilities. The transmission lines and other works are not exempt under the Planning Regulations or other legislation and requires the approval of the Town.

#### Detailed Development / Management Plans

**Condition imposed** - The applicant has provided concept development plans for the project and yet to define detail and locations of infrastructure. The applicant has indicated that two locations are being considered for the substation addition to the Port Hedland Power Station located on west side of Great Northern Highway (GNH). The substation is recommended not be located within visual protection area of GNH. Whilst the development is supported, it is recommended that detailed plans and standard manage plans for traffic, construction be provided for approval prior to commencement of works (refer Attachment 1 - Conditions).

#### Local Planning Policy 04 Percent for Public Art (LPP04)

**Condition imposed** -The purpose of Town's Policy LPP04 is for all development to contribute to a sense of identity and place, unless exempt. This is especially pertinent when the built form is industrial and utilitarian in nature.

This development does not fall under the exemption provisions of the Policy for 'infrastructure works' (part 4.3), as this is defined to include only *coastal protection infrastructure, standalone civil works, footpaths and roads*.

Given the visibility of the development and that it will increase the bulk and scale of the built form from public areas, and that it's not exempted development, the Town's standard condition is recommended regarding the contribution of Public Art.

#### **LEVEL OF SIGNIFICANCE**

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because:

- Exception - The proposal or decision is not of a nature or significance that requires engagement.

## CONSULTATION

### *Internal*

- The proposal was not referred internally.

### *External Agencies*

The proposal was referred to the following agencies:

- Development WA
- Main Roads WA
- Horizon Power
- Water Corporation

Correspondence was sent via email on 18 June 2025, and invited submissions until 16 July 2025, for a period of 28 days. One submission was received from the Water Corporation with advice regarding possible approvals required. An advice note is recommended to this effect.

### *Community*

The proposal was referred to:

- Kariyarra aboriginal corporation
- Jenna livestock

Correspondence was sent via email on 18 June 2025, and invited submissions until 16 July 2025, for a period of 28 days. No submissions were received.

## 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

## FINANCIAL AND RESOURCE IMPLICATIONS

Assessment of the application is within the Town's operational budget and any potential uplift in rating will be considered inline with the Town's Rating Strategy 2025-2030 and quarantined appropriately for funding future community infrastructure needs.

## STRATEGIC SUSTAINABILITY IMPLICATIONS

### **Strategic Community Plan**

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

#### Our Built and Natural Environment:

3.2.1 1 Identify, plan and develop the present and future needs for serviced land and infrastructure provision.

3.2.4 Enhance the protection and valuing of amenities and urban space through community engagement.

3.3.1 Urban and spatial planning is implemented to enhance human interaction with nature and industry.

3.3.2 The community has access to attractive natural habitats, built form, parks and amenities.

### ***Environmental***

*Nil*

### ***Economic***

*Nil*

### ***Social***

*The amenity of the landscape will be adversely affected if conditions are not imposed that address the built form.*

### **Access and Inclusion**

The following outcome of the Town's *Access and Inclusion Plan 2023-2026* applies in relation to this item:

- Outcome 6 – Public Consultation

### **Corporate Business Plan**

The following service of the Town's *Corporate Business Plan 2023-2027* applies in relation to this item:

#### Our Regulatory Services:

Planning and Development - Strategic land use planning and regulation to ensure the best development and land use outcomes.

### **RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Operational
<b>Risk Category</b>	Compliance
<b>Cause</b>	The developer not meeting the conditions of the development approval.
<b>Effect (Consequence)</b>	Development not being compliant with the planning framework and the development approval.
<b>Risk Treatment</b>	The risk is negated by the Town's ability to undertake compliance action in accordance with the <i>Planning and Development Act 2005</i> .

There is an Operational risk associated with this item caused by the developer not meeting the conditions of the development approval, leading to the development not being compliant with the planning framework.

The risk rating is considered to be Low (4) which is determined by a likelihood of Unlikely (2) and a consequence of Minor (2).

This risk will be treated by the Town's ability to undertake compliance action in accordance with the *Planning and Development Act 2005*.

### **OPTIONS**

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

### **CONCLUSION**

The proposed development is largely consistent with the local planning framework. Concerns regarding the adverse impact on the visual amenity from the Great Northern Highway can be adequately addressed through a condition that addresses visual landscape strategies. This is consistent with and can be guided by the State Government's Visual Landscape Planning in Western Australia. The development is recommended for approval subject to conditions outlined under Attachment 1.

### **ATTACHMENTS**

1. Attachment 1 Conditions [**8.1.1.1** - 3 pages]
2. Attachment 2 - Development plans [**8.1.1.2** - 5 pages]
3. Attachment 3 - Location plan [**8.1.1.3** - 1 page]
4. Attachment 4 - Visual impact assessment [**8.1.1.4** - 36 pages]

**8.1.2****Application for development approval for Port Hedland power station expansion on Lot 255 (No. 53) Boodarie Station Access Road, Boodarie**

**Author:** Senior Urban Planner  
**Authorising Officer:** Manager Planning & Economic Development  
**Disclosure of Interest:** The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

**OFFICER'S RECOMMENDATION**

**That Council approves development application (reference no: 2025/053) in accordance with Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Town of Port Hedland Local Planning Scheme No. 7, subject to the conditions and advice notes contained in Attachment 1 and in accordance with the development plans contained in Attachment 2.**

*SIMPLE MAJORITY VOTE REQUIRED*

**PURPOSE**

The purpose of this report is for Council to consider an application for development approval for a proposed gas power station expansion and incidental works. The application is referred to Council for determination due to staff delegation to deal with applications being limited to development value below \$10 million. The proposed development value is \$150 million.

**DETAIL****Background**

APA Pilbara Holdings Pty Ltd (the applicant), seeks approval for the expansion of the gas fired power station at the Port Hedland power station, located in Boodarie (see Attachment 3 – Location plan).

**Summary of the proposal**

This application seeks approval for development of gas fired reciprocating engines with a total capacity of 95 Mega Watts. Incidental development includes:

- Engine halls to house the reciprocating engines, measuring 48 metres in width by nine metres in height;
- Engine auxiliary systems;
- Switch rooms, control rooms;
- Extensions to the existing workshop, office and warehouse facilities; and
- Civil works.

## Local Planning Framework

Local Planning Scheme No. 7

**Complies** - Development is located on land zoned 'Strategic Industry' under Local Planning Scheme No. 7 (LPS7). The objectives of the zone are as follows:

Strategic Industry: To designate industrial sites of State or regional significance.

The proposed development is defined as 'Industry' under LPS7, which is defined as follows:

means premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes facilities on the premises for any of the following purposes –

- (a) the storage of goods;*
- (b) the work of administration or accounting;*
- (c) the selling of goods by wholesale or retail;*
- (d) the provision of amenities for employees;*
- (e) incidental purposes*

The land use is listed under LPS7 with a land use permissibility of 'D'. This means that the local government may exercise its discretion and issue approval.

Development Standards

Setbacks:

**Complies** - A minimum of six metres from the street boundary is required. Development is setback 120 metres to the Boodarie Station Access Road frontage and 20 metres from the nearest side boundary.

Landscaping and screening:

**Condition imposed** - A minimum of 10% of the total property area is required to be landscaped under Table 7 Additional requirements that apply to land in Scheme Area. A condition is recommended, requiring submission, approval and implementation of a landscaping plan. Officers consider tree planting along the road frontage to be sufficient, to assist in the screening of the development.

Local Planning Policy 04 Percent for Public Art (LPP04)

**Condition imposed** - The purpose of LPP04 is for development to contribute to a sense of identity and place. This is especially pertinent when the built form is industrial and utilitarian in nature. Given the visibility of the development and that it will increase the bulk and scale of the built form from public areas, and that it is not exempt development, a condition is recommended regarding the contribution of Public Art.

## **LEVEL OF SIGNIFICANCE**

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of medium significance, because:

- Exception - The proposal or decision is not of a nature or significance that requires engagement.

## **CONSULTATION**

### *Internal*

- The proposal was not referred internally.

### *External Agencies*

The proposal was referred to the following agencies:

- Development WA
- Main Roads WA
- Horizon Power
- Water Corporation
- Department of Jobs, Tourism, Science and Innovation

Correspondence was sent via email on 12 May 2025, and invited submissions until 15 July 2025, for a period of 64 days. No submissions were received.

### *Community*

The proposal was referred to:

- Kariyarra aboriginal corporation
- Jenna livestock

Correspondence was sent via email on 12 May 2025, and invited submissions until 15 July 2025, for a period of 64 days. No submissions were received.

## **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

## **FINANCIAL AND RESOURCE IMPLICATIONS**

Assessment of the application is within the Town's operational budget and there are no additional financial impacts for the Town. Any potential uplift in rating will be considered in line with the Town's Rating Strategy 2025-2030 and quarantined appropriately for funding future community infrastructure needs.



**STRATEGIC SUSTAINABILITY IMPLICATIONS**

**Strategic Community Plan**

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

Our Built and Natural Environment:

3.2.1 1 Identify, plan and develop the present and future needs for serviced land and infrastructure provision.

There are no significant identifiable environmental, social or economic impacts relating to this item.

**Access and Inclusion**

The following outcomes of the Town’s *Access and Inclusion Plan 2023-2026* apply in relation to this item:

- Outcome 4 – Quality of Service

**Corporate Business Plan**

The following services of the Town’s *Corporate Business Plan 2023-2027* apply in relation to this item:

Our Regulatory Services:

Planning and Development - Strategic land use planning and regulation to ensure the best development and land use outcomes.

**RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Operational
<b>Risk Category</b>	Compliance
<b>Cause</b>	The developer not meeting the conditions of the development approval
<b>Effect (Consequence)</b>	Development not being compliant with the planning framework and the development approval.
<b>Risk Treatment</b>	The risk is negated by the Town’s ability to undertake compliance action in accordance with the <i>Planning and Development Act 2005</i> .

There is an Operational risk associated with this item caused by the developer not meeting the conditions of the development approval, leading to the development not being compliant with the planning framework.

The risk rating is considered to be Low (4) which is determined by a likelihood of Unlikely (2) and a consequence of Minor (2).

This risk will be treated by the Town’s ability to undertake compliance action in accordance with the *Planning and Development Act 2005*.

**OPTIONS**

- Option 1 – Adopt officer’s recommendation
- Option 2 – Amend officer’s recommendation
- Option 3 – Do not adopt officer’s recommendation

**CONCLUSION**

The proposed development is consistent with the local planning framework and in-keeping with the development aspirations of the area. Conditional approval is recommended.

**ATTACHMENTS**

1. Attachment 1 Conditions [**8.1.2.1** - 3 pages]
2. Attachment 2 - Development plans [**8.1.2.2** - 2 pages]
3. Attachment 3 - Location plan [**8.1.2.3** - 1 page]

<b>8.1.3</b>	<b>Application to Amend Development Approval for Temporary Workforce Accommodation on Lot 2 (No. 15) Dempster Street, Port Hedland</b>
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**Author:** Coordinator Urban Planning

**Authorising Officer:** Manager Planning & Economic Development  
Director Regulatory Services

**Disclosure of Interest:** The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

#### **OFFICER'S RECOMMENDATION**

**That Council approves the application for an amendment to the Development Application 2022/191 (Reference No: 2022/191.01) in accordance with Clause 77 of the Planning and Development (Local Planning Scheme) Regulations 2015 and Town of Port Hedland Local Planning Scheme No. 7, subject to the conditions and advice notes contained in Attachment 1.**

*SIMPLE MAJORITY VOTE REQUIRED*

#### **PURPOSE**

The purpose of this report is for the Council to consider an application for amendments to a former development approval, application DA 2022/191, for the temporary 'Workforce Accommodation' on Lot 2 (No. 15) Dempster Street, Port Hedland. The application was approved by the Council at its Special Council Meeting on 15 May 2023, (CM202223/055) as per Attachment 3.

#### **DETAIL**

##### Site Context

The subject land is 3.23 hectares in area. The lot is located on the east side of the Port Hedland suburban area and abuts the foreshore reserve and dunes to the north. Immediately north-east of the subject site, are single, and two storey grouped dwellings. Properties abutting the west and south-west also contain single and two-storey grouped dwellings and a former recreation facility. The former recreation facility is presently privately owned. The land opposite Dempster Street is vacant, owned by BHP and will ultimately have housing constructed on it.

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 the 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, connecting Keesing Street, Robinson Street, Thompson Street, Tinder Street, Corney Street, Sutherland Street and Anderson Street.



Image / Location Plan: Nearmap Aerial Photo - 14 May 2025

### Background

The subject lot 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.

The previously approved development application (2022/191) included the temporary use of the existing infrastructure as workforce accommodation for a period of five years until 30 April 2028, with conditions as outlined under Attachment 3.

The applicant has initiated the development approval and has met several conditions as outlined in Attachment 4.

### Summary of Proposal

The applicant proposal to amend the development approval (2022/191) is summarised as:

1. The main change sought is to Conditions 1 and 2 regarding the temporary approval period, from 30 April 2028 to 30 April 2033. This extension is sought due to delays in conditions clearance processes, alignment with broader strategic planning and redevelopment approach, and the need for sufficient time to complete feasibility investigations and secure funding for development works. The change is supported as the applicant has made considerable progress

towards complying with several planning conditions, including completed demolition of the 'J' block, the former high security building.

2. Other modifications are proposed to eight (8) conditions and deletions to five (5) conditions where the conditions are redundant due to actions completed in the original conditions.

As noted above the applicant has completed several of the conditions, which are now redundant. Officer comments and discussion on the proposed changes are outlined under Attachment 4.

#### Land Use Permissibility

**Condition imposed** - The temporary 'Workforce accommodation' use was approved by the Town under the provisions of the Scheme and *Planning and Development (Local Planning Schemes) Regulations 2015*. The use being temporary is supported for an extension of time, as the applicant has provided a draft structure plan for assessment, demonstrating an indicative future subdivision layout, zoning and density. The indicative development design is compatible with the surrounding residential uses.

Consideration of the structure plan will follow a separate process and will be referred to the Council for consideration in future, to make a recommendation to the Western Australian Planning Commission.

The temporary use of 'Workforce accommodation' does not conflict with the principles of orderly and proper planning or impact the structure planning process.

#### Urban Development Zone

The lot is zoned 'Urban Development' under LPS7. Clause 16 Zones / Table 3 – Zones Objectives, states the objectives as:

- *To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme.*
- *To provide for a range of residential densities to encourage a variety of residential accommodation.*
- *To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.*

As the 'Workforce accommodation' use is not outlined under the use permissibility under the zoning table, the development did not expressly meet the objectives of the zone. The Town applied Conditions 22 and 23, requiring the lodgment of a structure plan to govern the development outcome of the land. A draft structure plan has now been lodged with the Town for assessment.

#### Local Planning Policy No. 5 - Workforce Accommodation (LPP5)

The former application and use for temporary 'Workforce accommodation' was considered under the Town's LPP5, which states the objectives as:

- "1. To integrate workforce accommodation into the surrounding local environment through physical design and management measures which promote social cohesion.*
- 2. To ensure the application of design standards to workforce accommodation are commensurate with the development lifespan and location*
- 3. To encourage workforce accommodation to be located close to urban settings and commercial centres that ensures reciprocal benefits for the local community and local business from an integrated workforce accommodation facility.*
- 4. To support high-quality, adaptive and sustainable design of workforce accommodation that responds to regional climatic conditions, provides a high level of amenity for occupants and promotes articulated frontages that avoid sterile streetscapes.*
- 5. To facilitate workforce accommodation that is demonstrated to meet the temporary needs of a specific industry or project and allow decision makers to apply discretion regarding the duration (term) of approval, acknowledging it as a temporary and transitional use."*

The extension to the time for the temporary use is considered acceptable as the development is considered to meet the policy objectives for the reasons below:

- a) management measures encourage social integration of the workforce occupants and community, outlined under the Social Impact Management Plan;
- b) the development is located within the urban setting of the township area encouraging integration and reciprocal benefits for the community and local business; and
- c) the applicant has commenced upgrading the facilities on site, fencing and landscaping, providing a higher level of amenity for occupants and the surrounding community.

#### Community Contribution

**Condition imposed** - The former application was supported in 2023 subject to a condition requiring a contribution to community infrastructure, to be used locally. The contribution of \$63,840 was applied in reference to shared path infrastructure and has been paid by the applicant. As the applicant now seeks an extension of time to the development approval, a further contribution to community infrastructure in the area is contemplated, subject to Council approval. A further similar contribution amount is therefore recommended, totalling \$67,109 being the original contribution amount plus CPI.

The former contribution has been paid by the applicant and used for the provision on the Town's foreshore shared path project, located near the subject site. As further improvements and infrastructure are proposed for this location, a further contribution can be applied directly in this locality, as recommended above.

#### **LEVEL OF SIGNIFICANCE**

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, because:

- Significant - The extent to which the decision flows logically and consequently from a significant decision already made or from a decision in the strategic or annual corporate plans.

## **CONSULTATION**

Pursuant to Clause 64 of Schedule 2 of the Deemed Provisions under the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposal was advertised for a period of 28 days, between 30 June 2025 and 28 July 2025 to the nearby residents/landowners within 200m radius and on the Town's webpage. The Town did not receive any submissions.

## **LEGISLATION AND POLICY CONSIDERATIONS**

- Planning and Development Act 2005.
- Planning and Development Act (Local Planning Scheme) Regulations 2015.
- Town of Port Hedland Local Planning Strategy.
- Town of Port Hedland Local Planning Scheme No. 7.
- Local Planning Policy 5 – Workforce Accommodation.
- Position Statement - Workforce Accommodation
- Local Planning Policy 05 - Workforce Accommodation (LPP/05)
- Local Planning Policy 06 - Social Impact Assessment (LPP/06)
- Local Planning Policy 11 - Stormwater Management (LPP/11)

## **FINANCIAL AND RESOURCE IMPLICATIONS**

The proposal attracted a standard application fee of \$295. The application has been recommended for approval subject to a condition for a community contribution of \$67, 109 for the extension of time from 5 to 10 years. The financial contribution will be subject to the Council's support for the application and applying the condition.

## **STRATEGIC SUSTAINABILITY IMPLICATIONS**

### **Strategic Community Plan**

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

#### Our Community:

1.2.2 A residential workforce is promoted to industry as the preferred option.

#### Our Built and Natural Environment:

3.3.5 The greening and vegetation of streetscape verges are systematically implemented.

There are no significant identifiable environmental, social or economic impacts relating to this item.

### **Access and Inclusion**

Nil

## Corporate Business Plan

The following service of the Town's *Corporate Business Plan 2023-2027* applies in relation to this item:

### Our Regulatory Services:

Planning and Development - Strategic land use planning and regulation to ensure the best development and land use outcomes.

## RISK MANAGEMENT CONSIDERATIONS

<b>Risk Type</b>	Operational
<b>Risk Category</b>	Compliance
<b>Cause</b>	Non-compliance with conditions on the development approval.
<b>Effect (Consequence)</b>	Development not being compliant with the planning framework and the development approval.
<b>Risk Treatment</b>	Conditions of approval are clearly outlined, routine inspection by the Town can monitor the development in accordance with the development approval conditions.

There is an operational risk associated with this item caused by the landowner/developer not meeting the conditions of the development approval, leading to the development not in compliance with the planning framework and the development approval.

The risk rating is considered to be Low (4) which is determined by a likelihood of Likely (4) and a consequence of Minor (2).

This risk will be accepted by the Town's ability to undertaken compliance action in accordance with the *Planning and Development Act 2005*.

## OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

## CONCLUSION

This report provides an assessment of the request made by the applicant to modify the approval for temporary 'Workforce accommodation' use at Lot 2 (No. 15) Dempster Street, Port Hedland. The proposed amendments, including a five-year extension to the approval period and modifications to specific conditions, are supported as outlined under Attachment 1 (Conditions) and Attachment 4 (Table of Officer Response to Proposed Amended Conditions). These changes are supported as several conditions have been complied with and actioned by the Applicant.

## ATTACHMENTS

1. CONDITIONS OF APPROVAL [**8.1.3.1** - 4 pages]



2. PROPOSAL COVER LETTER [**8.1.3.2** - 8 pages]
3. SPECIAL COUNCIL MEETING MINUTES ON 15 MAY 2023 [**8.1.3.3** - 21 pages]
4. TABLE OF OFFICER RESPONSE [**8.1.3.4** - 9 pages]
5. INSPECTION PHOTOS [**8.1.3.5** - 2 pages]

<b>8.1.4</b>	<b>Scheme Amendment No. 6 to Local Planning Scheme No. 7 - Short Term Rental Accommodation - Initiation for Advertising</b>
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**Author:** Senior Strategic Planner

**Authorising Officer:** Manager Planning & Economic Development  
Director Regulatory Services

**Disclosure of Interest:** The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

#### **OFFICER'S RECOMMENDATION**

**That Council:**

- 1. In accordance with Section 75 of the *Planning and Development Act 2005* (PD Act) resolves to Prepare Amendment No. 6 of the Town of Port Hedland Local Planning Scheme No. 7, as shown in Attachment 1.**
- 2. In accordance with Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015, determines that Amendment No. 6 of the Town of Port Hedland Local Planning Scheme No. 7 is a standard amendment for the following reasons:**
  - a. The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment;**
  - b. The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and**
  - c. The amendment is not considered a complex or basic amendment.**
- 3. Authorises the Chief Executive Officer (CEO) to proceed to advertise the proposed Amendment No. 6 for a period of 42 days, in accordance with regulation 47 of the Planning and Development (Local Planning Schemes) Regulations 2015, immediately upon receipt of the Minister for Planning's approval to advertise.**

*SIMPLE MAJORITY VOTE REQUIRED*

#### **PURPOSE**

The purpose of this report is for Council to consider resolving to prepare (initiate) Amendment No. 6 of the Local Planning Scheme No. 7 (LPS 7) for the purposes of advertising.

## DETAIL

The purpose of Scheme Amendment No. 6 is to amend the Town's LPS 7 to incorporate the State Government's planning reforms for short-term rental accommodation uses.

Short-Term Rental Accommodation (STRA) refers to the practice of renting out a property or part of a property, to paying guests for stays of up to three months in duration. This type of accommodation, which is usually booked through online platforms, is popular among travelers and visitors seeking temporary lodging for holidays, business trips or other short stays.

STRA is either hosted - where the host lives on the property during the short-term stay, or unhosted - where guests have exclusive use of an entire dwelling, for example a whole house, villa or apartment.

The State government has developed planning and registration controls for consistency across local government planning schemes as well as alignment with the recently introduced *Short-Term Rental 2 Accommodation Act 2024* (STRA Act 2024). Amendments have also been made to the *Planning & Development (Local Planning Schemes) Regulations 2015* (Regulations) to provide greater consistency and certainty where planning approvals are required for STRA proposals.

The changes introduce a consistent set of definitions for STRA to be used within all local government planning schemes in Western Australia, to ensure that STRA is treated as a specific type of land use, distinct from 'traditional accommodation' such as hotels, motels and serviced apartments.

*Planning Bulletin 115/2024 Short-Term Rental Accommodation (STRA) – Guidance for Local Government* recommends amendments to local planning schemes to complement and align with new 'deemed' land use classes for short term rental accommodation be initiated as soon as possible to allow for development approvals to be obtained by 1 January 2026. Scheme amendments are mandatory for local governments, requiring incorporating two new STRA land use classes into the zoning table of a local planning scheme as:

- Including 'hosted short-term rental accommodation' and 'unhosted short-term rental accommodation'; and
- Deleting superseded land uses such as 'bed and breakfast' and 'holiday house'.

**Attachment 1 – Scheme Amendment Report** provides a detailed explanation of the proposed amendment and its justification, consistent with the State's direction as highlighted under the Planning Regulations and recommendations outlined under Planning Bulletin 115/2024.

The Town's Local Planning Strategy (2021) identified diversification of tourism accommodation as an area of focus. Scheme Amendment No. 6 therefore provides an opportunity to address this, whilst promoting short-stay accommodation to be located in higher amenity areas (such as Tourism, Centre, and Mixed-Use zones). Scheme Amendment No. 6 also ensures that any potential land-use conflicts with

residential uses can be sufficiently managed through the development approval process.

Under the Regulations, the amendment is considered 'standard', and to progress it, the amendment must be referred to the Minister for Planning and then advertised to the public in accordance with the Planning and Development Act.

The scheme amendment report will be referred back to the Council after advertising for a final decision, then referral to the Minister for Planning for endorsement. The Amendment is largely a procedural matter for the Town to incorporate the new definitions and standards as outlined in **Attachment 1**.

### **LEVEL OF SIGNIFICANCE**

- In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, because advertising will be undertaken in line with the Regulations.

### **CONSULTATION**

#### *Internal*

- Nil

#### *External Agencies*

- Prior to advertising, Amendment No. 6 is required to be referred to the Minister for Planning under section 83A of the Planning and Development Act 2005 for consent to advertise.
- Should Council and the Minister resolve to advertise the amendment, notice will be provided to any public authority the Town considers will be affected by the amendment.

#### *Community*

- Should Council and the Minister resolve to advertise the amendment, engagement will take place as required under Clause 47 the Regulations for a minimum period of 42 days, and consisting of:
  - Publication of a public notice in the North West Telegraph;
  - Display of the notice and a copy of the scheme amendment documentation for public inspection at the Town administration offices, at each library and on the Town website;
  - Providing the notice to any public authority the Town considers will be affected by the amendment; and
  - Providing the notice to any landowners whose property is considered to be directly affected by the amendment.
- Submissions received during the public advertising period will be presented back to Council for its consideration.

### **LEGISLATION AND POLICY CONSIDERATIONS**

- *Planning and Development Act 2005*
- *Short-Term Rental 2 Accommodation Act 2024*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- Planning Bulletin 115/2024 Short-Term Rental Accommodation (STRA) – Guidance for Local Government
- Town of Port Hedland Local Planning Scheme No. 7

## **FINANCIAL AND RESOURCE IMPLICATIONS**

Nil

## **STRATEGIC SUSTAINABILITY IMPLICATIONS**

### **Strategic Community Plan**

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

#### Our Built and Natural Environment:

3.2.1 1 Identify, plan and develop the present and future needs for serviced land and infrastructure provision.

3.3.1 Urban and spatial planning is implemented to enhance human interaction with nature and industry.

There are no significant identifiable environmental, social or economic impacts relating to this item.

### **Access and Inclusion**

The following outcomes of the Town's *Access and Inclusion Plan 2023-2026* apply in relation to this item:

Nil

### **Corporate Business Plan**

The following services of the Town's *Corporate Business Plan 2023-2027* apply in relation to this item:

#### Our Regulatory Services:

Planning and Development - Strategic land use planning and regulation to ensure the best development and land use outcomes.

## **RISK MANAGEMENT CONSIDERATIONS**

<b>Risk Type</b>	Strategic
<b>Risk Category</b>	Compliance
<b>Cause</b>	Not proceeding with the amendment

<b>Effect (Consequence)</b>	The Town's Local Planning Scheme No. 7 is not consistent with the State planning framework, reducing clarity for future STRA developers around the requirements for development approval.
<b>Risk Treatment</b>	Endorsing the Officer Recommendation
<p>There is a Strategic risk associated with this item caused by not proceeding with the amendment, leading to the Town's Local Planning Scheme No. 7 not being consistent with the State planning framework, reducing clarity for future STRA developers around the requirements for development approval.</p> <p>The risk rating is considered to be Medium (8) which is determined by a likelihood of Likely (4) and a consequence of Minor (2).</p> <p>This risk will be treated by the endorsing the Officer Recommendation.</p>	

### OPTIONS

- Option 1 – Adopt officer’s recommendation
- Option 2 – Amend officer’s recommendation
- Option 3 – Do not adopt officer’s recommendation

### CONCLUSION

Scheme Amendment No. 6 is required to implement the State Government’s planning reforms for short-term rental accommodation uses. The proposed amendment is considered to be a ‘standard amendment’ under the Regulations as it is consistent with the Local Planning Strategy. It is not considered that it will have significant adverse environmental, social or economic impacts. It is recommended that Council resolve to prepare (initiate) the proposed Scheme Amendment No. 6 for the purpose of public advertising.

### ATTACHMENTS

1. STRA Scheme Amendment Report [**8.1.4.1** - 15 pages]

## **9 Closure**

### **9.1 Date of Next Meeting**

The next Ordinary Meeting of Council will be held on Wednesday 29 October 2025 commencing at 5:30pm.

### **9.2 Closure**

There being no further business, the Presiding Member declared the meeting closed.